

SEA SCREENING TEMPLATE

Part A – Plan/Programme (PP) and Responsible Authority

Title of PP: Fuel Stations Policy

Responsible Authority: MEPA

Contact Person: F. Mallia

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Part B – Key Facts

Responsible Authority: MEPA

Title of PP: Fuel Stations Policy

Purpose of PP: To establish guidance for the location and assessment of proposals related to fuel stations.

From the result of a policy review exercise, it emerged that the current policy framework regulating fuel stations was not overarching across the whole territory and is contained in only one out of seven local plans. Issues with the implementation of the policy also implied that the previous policies were due for revision.

Is the PP the result of legislative, regulatory or administrative provisions? Explain.

The Planning Guidance is not specifically required by legislative, regulatory or administrative provisions. However, in terms of Article 57(1) of the Environment and Development Planning Act (2010), the Authority is required to prepare, adopt, and amend, from time to time as it considers appropriate, plans or policies on any matter relating to the environment and development planning so as to ensure their effective management and planning.

The policy guidance was borne from a need to direct activities which are related to fuel stations and to establish an overarching policy framework which regulated development planning applications related to this sector.

Period covered by PP: n/a

Envisaged Frequency of Updates: Policy Guidance will be monitored and reviewed on a regular basis

Area covered by PP (ideally also attach map): Maltese Islands

Summary of PP content:

The policy provides a development framework for the location of new, upgraded or relocated fuel stations. The policy is principally aimed to address fuel stations which are inappropriately located within the residential areas and are facing difficulties to upgrade the facility.

Whilst the policy contemplates potential in-situ upgrading, it acknowledges that this may not always be possible or desirable. The policy limits the siting of new and relocated fuel stations primarily to areas already designated for development and subject to relevant planning, environmental, transportation, civil protection, and amenity or resource protection constraints. These preferred locations are also applicable to relocated fuel stations.

Solely in cases of relocation, where there is significant justification on the basis of benefit to residential communities, the policy considers other sites, but prohibits siting in protected areas, areas important for agriculture, biodiversity, water resources, and landscape and in proximity to fireworks factories. The policy also provides guidance related to traffic and access to fuel stations as well as constraints/limitations to size of operations.

| SEA Criterion | Yes/No (no other answer except Yes/No) | Explanation |
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| <p>Does the PP determine the use of small areas at local level</p> <p>OR</p> <p>is it a minor modification of a PP subject to Regulation 4(2)(a) (Regulation 4(3))</p> | Yes | <p>Sites of individual fuels stations have been limited in scale to ensure that their impacts remain localised.</p> |
| <p>Does the PP set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Regulation 4(4))</p> | Yes | <p>The Policy Guidance's objective is to assist the decision making process for the relocation, upgrading and establishment of new Fuel stations.</p> |
| <p>Is the PP likely to have a significant effect on the environment? (Regulation 4(5))</p> | No | <p>The expected scale of development arising from the application of this policy is not considered to be significant given that 40 petrol stations had initiated the process to apply with MEPA for upgrading their facilities on the current site.</p> <p>This suggests that the uptake for relocation should not be significant (MEPA database).</p> <p>Furthermore due to the safeguards inbuilt in the location guidance proposed, the potential impacts from development resulting from the application of the policy on areas sensitive for agriculture, water resources, biodiversity and landscape are further reduced. In guiding development of fuel stations away from residential areas, the policy is likely to result in a decrease of potential negative impacts to human health and safety.</p> <p>The policy also favours development on sites that are already designated for development further reducing potential impacts of further land</p> |

| SEA Criterion | Yes/No (no other answer except Yes/No) | Explanation |
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| | | <p>take-up.</p> <p>The expected impacts arising from this policy would arise at a project level and primarily pertain to construction and demolition waste generation.</p> <p>Given that the uptake of the policy is not expected to be significant, together with the inbuilt environmental safeguards, and the existing regulatory regime, the potential impacts are not considered to be significant.</p> |
| <p>Is the PP's sole purpose to serve national defence or civil emergency</p> <p>OR</p> <p>is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7</p> <p>OR</p> <p>Is it a financial or budget PP?</p> | <p>No</p> <p>No</p> <p>No</p> | <p>Not applicable</p> |

Part D – Likely Significance of Effects on the Environment

Responsible Authority: Malta Environment and Planning Authority

Title of PP: Fuel Stations Policy

| Criteria for determining the likely significance of effects on the environment | Likely to have significant environmental effects? Yes/No (no other answer except Yes/No) | Summary of significant environmental effects (negative and positive) |
|---|--|---|
| the degree to which the PP sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources | No | Due to the safeguards inbuilt in the location guidance proposed, the potential impacts from development resulting from the application of the policy are not considered to be significant as it directs development away from areas sensitive for agriculture, water resources, biodiversity and landscape. In addition, in guiding development of fuel stations away from residential areas, the policy is likely to result in a decrease of potential impacts to human health and safety. |
| the degree to which the PP influences other plans and programmes including those in a hierarchy | No | The Policy Guidance lies low in the planning policy hierarchy. |
| the relevance of the PP for the integration of environmental considerations in particular with a view to promoting sustainable development | No | The primary scope of the policy is directed to promote health and safety of residential communities through relocation of petrol stations away from residential areas. The Policy Guidance has inbuilt specific provisions to consider environmental parameters to minimise environmental impacts arising from such development. Through the traffic related provisions, the policy is at the same time ensuring the delivery of efficient service stations for users, with a view to minimise traffic congestion and/or risks. |

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| environmental problems relevant to the PP | No | The environmental concerns identified that could be generated pertain to construction and demolition waste at a project level. Given that the uptake of the policy is not expected to be significant, the inbuilt environmental safeguards which may require the preparation for specific studies, together with the existing regulatory regime on waste management render this potential impact as not significant. |
| the relevance of the PP for the implementation of Community legislation on the environment (e.g. PPs linked to waste management or water protection) | No | The Policy Guidance is not required for the implementation of Community legislation. However, its inbuilt safeguards on biodiversity and water resources place the Policy Guidance as a complementary tool for implementation at a national level. |
| the probability, duration, frequency and reversibility of the effects | No | No environmentally significant effect has been identified and therefore their probability, duration, frequency and reversibility are not relevant. |
| the cumulative nature of the effects | No | Given that the uptake of the policy is not expected to be significant, the probability of generation of C&D waste, which is likely to be inert geological material, is linked to the actual project design. Existing policies and regulations related to construction and demolition waste are aimed to reduce its generation and address its appropriate treatment/management. |
| the trans-boundary nature of the effects | No | No trans-boundary impacts are envisaged. |
| the risks to human health or the environment (e.g. due to accidents) | No | The primary objective of the policy is to direct such installations away from |

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| | | residential communities. A proposed development may be the subject of a risk assessment which would take into consideration these aspects for site specific issues. |
| the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected) | No | Construction and demolition waste generated will be treated/managed in already existing and appropriately licensed installations/areas, as per environmental regulations. |

| <p>Criteria for determining the likely significance of effects on the environment</p> | <p>Likely to have significant environmental effects? Yes/No (no other answer except Yes/No)</p> | <p>Summary of significant environmental effects (negative and positive)</p> |
|---|--|---|
| <p>the value and vulnerability of the area likely to be affected due to: (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values (iii) intensive land-use</p> | <p>No</p> | <p>Due to the safeguards inbuilt in the location guidance proposed, attention has been given in the formulation of the policy to direct development away from known sites of natural or cultural importance, sites important for water resources and away from residential communities. The policy directs development primarily towards already developed sites to reduce further impacts on undeveloped land.</p> |
| <p>the effects on areas or landscapes which have a recognised national, Community or international protection status</p> | <p>No</p> | <p>In Malta, the most highly valued landscapes in most cases happen to coincide with the areas which enjoy the highest levels of statutory protection (levels 1 and 2 Areas of Ecological Importance). Therefore effects on areas of High Landscape Sensitivity may only occur if the sites are located just outside or within visual range from these areas. In any case the impact is likely to be insignificant.</p> |

Part E – Summary of Environmental Effects

The policy directs development primarily towards already developed sites to reduce further impacts on undeveloped land. It has been formulated with a view of integrating environmental characteristics and objectives as it has inbuilt within it provisions to direct development away from such sensitive areas with a view to minimise potential impacts as much as possible.

Due to the safeguards inbuilt in the policy the potential impacts from development resulting from the application of the policy are not considered to be significant as it directs development away from areas sensitive for agriculture, water resources, biodiversity and landscape. In addition, in guiding development of fuel stations away from residential areas, the policy is likely to result in a decrease of potential impacts to human health and safety.

The impacts related to the generation of construction and demolition waste are expected to arise at a project level. Given that the uptake of the policy is not expected to be significant, together with the inbuilt environmental safeguards, it is considered that such impacts are not deemed to be significant. Moreover existing policies and regulations related to construction and demolition waste are aimed to reduce its generation and address its appropriate treatment/management. C&D waste generated will be treated/managed in already existing and appropriately licensed installations/areas, as per environmental regulations.

Furthermore in cases where particular proposals qualify environmental impact studies may be triggered as per procedure contemplated in LN 114/07.

Part F – Screening Outcome

Screening is required under the Strategic Environmental Assessment Regulations, 2010 (Legal Notice 497 of 2010). It is MEPA's view that:

- An SEA is required because the PP falls under the scope of Regulation 4(3) of the Regulations and is likely to have significant environmental effects
- An SEA is required because the PP falls under the scope of Regulation 4(4) of the Regulations and is likely to have significant environmental effects
- An SEA is not required because the PP is unlikely to have significant environmental effects.

Frans Mallia

Name of Officer responsible for the Screening Report

Signature of Officer responsible for the Screening Report

Malta Environment and Planning Authority

Name of Responsible Authority

13th April 2015

Date

Notes to Responsible Authorities:

1. The SEA Focal Point cannot provide any feedback to incomplete Screening Templates
2. All responsible authorities should provide the SEA Focal Point with an original signed copy of each Screening Template prepared
3. All responsible authorities should provide the SEA Focal Point with a copy of the public notification which is obligatory under Regulation 4(7) of the Strategic Environmental Assessment Regulations, 2010.