

L.N. of 2017

DEVELOPMENT PLANNING ACT

(CAP. 552)

Development Planning (Procedure for Minor Modifications to Subsidiary Plans) Amendment Regulations 2017

IN EXERCISE of the powers conferred by articles 54 and 84 of the Development Planning Act, the Parliamentary Secretary for Planning and the Simplification of Administrative Processes, after consultation with the Planning Authority, has made the following regulations:

Citation

L.N. 71 of
2007

1. The title of these regulations is the Development Planning (Procedure for Minor Modifications to Subsidiary Plans) Amendment Regulations, 2017 and these regulations shall be read and construed as one with the Development Planning (Procedure for Minor Modifications to Subsidiary Plans) Regulations, 2007, hereinafter referred to as “the principal Regulations”.

Amends
Regulation 7 of
the Principal
Regulations

2. Regulation 7 of the principal regulations shall be substituted by the following:

“Applications for changes to the zoning **7.** (1) For those applications which shall be published for public consultation after the 3rd of April 2016 and involve a change and, or establishment of zoning as provided in article 54(2)(b) of the Act, the Authority shall publish such proposal and invite representations on the said application within a specified period of not less than six weeks. The Authority shall then decide the application after taking into consideration all representations submitted to it and may impose any condition it deems appropriate which shall be justified in the minutes of the relative file.

(2) (i) If the Authority agrees with the application, as submitted or as amended through the imposition

of conditions, it shall refer it to the Minister for his approval;

(ii) Where the Minister agrees with the application as referred to him, he shall approve it and the Authority shall forthwith publish the final decision and refer the relevant documentation to the applicant;

(iii) Where the Minister does not agree with the application as referred to him, he shall prepare a position statement informing the Authority of the changes proposed by the Minister and the Authority shall forthwith amend the application in accordance with the Minister's position statement and submit the same for the Minister's final approval. The Authority shall forthwith publish the final decision and refer the relevant documentation to the applicant.

(3) If the Authority disagrees with the application, it shall publish a decision notice which shall include the reasons for refusal based on planning and legal grounds and notify the applicant of the decision.”
