

L.N. 181 of 2021

**DEVELOPMENT PLANNING ACT
(CAP. 552)**

Development Notification (Amendment) Order, 2021

IN EXERCISE of the powers conferred by article 55 of the Development Planning Act, the Executive Council, with the approval of the Minister for the Environment, Climate Change and Planning, has made the following order:-

1. The title of this order is the Development Notification (Amendment) Order, 2021 and this order shall be read and construed as one with the Development Notification Order, hereinafter referred to as the "principal order". Citation.
S.L. 552. 08.
2. In this order, unless the contents otherwise requires, words and expressions defined in the principal order shall have the same meaning as assigned to them in the principal order. Interpretation.
3. Insub-article (1) of article 2 of the principal order, in the definition "Urban Conservation Area", the words "approved planning policies." shall be substituted by the words "approved planning policies;" and immediately thereafter there shall be added the following new definition: Amends article
2 of the
principal order.

"Urban greening project" means a project which turns an urbanised and, or spoilt ground to a landscaped area which is designed, implemented, and maintained to create beneficial greening spaces within the urban landscape. Urban greening shall form public landscaped spaces with vegetated areas, which aim is to provide managed green settings for leisure and recreation."
4. Immediately after Class 23 in Schedule I to the principal order, there shall be added the following new Class: Amends
Schedule I to
the principal
order.

"Class 24 Urban greening projects by Government agencies, Local Councils and other entities appointed thereby

 - (i) The formation of greening projects within the development zones indicated in the respective Local Plans.
 - (ii) Installation of playing equipment within greening projects.

(iii) Vertical structures, which may be accessible, forming part of the greening project.

(iv) Excavation of underground reservoirs intended for the irrigation of the proposed vegetation and other related uses to the greening project.

(v) Formation of green projects including on schemed roads and public open spaces.

(vi) Taking up of existing surface and resurfacing with materials such as permeable paving blocks.

(vii) Installation of flooring systems.

(viii) Installation of vertical greening structures, including against public buildings or government owned residential blocks, but excluding buildings which are designated or located within scheduled areas.

(ix) Installation of features and structures for the purpose of the greening project.

(x) Interventions and planting of trees, including the related irrigation systems.

(xi) Removal of existing paved or hard-surface areas and, or existing artificial structures, or their replacement with soil or soft landscaping.

(xii) Removal of redundant infrastructure (including poles, brackets, cables, pipework, etc.), and/or the replacement of such infrastructure with facilities laid underground within the footprint of existing streets or pavements:

Provided that:

(a) Prior approval is obtained from the Superintendent of Cultural Heritage for sites within Urban Conservation Area, Scheduled sites and sites within Scheduled Building Settings;

(b) Prior approval is obtained from Transport Malta for sites falling within schemed roads;

(c) Prior approval is obtained by the Environment and Resources Authority for the uprooting, transplanting, and planting of trees, as necessary.

Development under this class shall be subject to the notification procedure established in sub-articles (1) and (3) of article 5."