



DEVELOPMENT AND PLANNING COMMISSION

Secretary, Development & Planning Commission, Suite 631 Europort, Gibraltar

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Guidance notes and standard forms for use when submitting an Environmental Statement simultaneously with an application for planning permission.

Overview of the process

1. Applicant submits the planning application (PA) together with the Environmental Statement (ES) and any related documentation to the Development and Planning Commission (DPC).
2. The applicant must serve copies of the ES on the consultation bodies specified by the DPC and advise them that they may make representations to the DPC.
3. All PAs must be accompanied by a certificate confirming that any 'owners' of the land have been notified of the application (referred to as a 'Section 21 Certificate').
4. Certain types of PAs need to comply with the public participation requirements under the Town Planning Act (Section 19). Any EIA application (i.e. an application for planning permission for a type of development that is subject to the EIA procedure) is almost certain to be subject to this requirement.
5. In addition, and separate to, the requirements under (3) above, when an ES is submitted the applicant is required to comply with the public participation requirements under the Town Planning (Environmental Impact Assessment) Regulations, 2000, as amended.

Attached to these notes are the following:

1. *A checklist to help the applicant ensure that he has submitted, together with the planning application, the necessary documentation required when submitting an EIA application together with the ES (DOC 1)*
2. *A template for advertising the submission of the ES in the press . (Doc 2)*
3. *A template for advertising the submission of the ES on site . (Doc 3)*
4. *Regulation 9(5) Certificate to be used to confirm that that the required site notice (referred to in (3) above) has been placed on the site. (Doc 4)*
5. *A template to be used to notify any person affected by, or having an interest in the application, of the submission of the ES (Doc 5).*

NB: An applicant for an EIA development must ensure full compliance with the Town Planning (Environmental Impact Assessment) Regulations, 2000, as amended, in all respects. The Regulations can be viewed at the following website: <http://www.gibraltarlaws.gov.gi/>

Notices and certificates for Section 21 and Section 19 under the Town Planning Act are not included in this pack. Applicants should use the standard notices/certificates issued with the application form.

TOWN PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS, 2000, AS AMENDED

SUBMISSION OF ENVIRONMENTAL STATEMENT WITH THE PLANNING APPLICATION

CHECKLIST

This checklist is to be used when submitting an Environmental Statement simultaneously with the submission of a planning application. The checklist should accompany the submission. Each of the items listed are required to be submitted and you should tick the appropriate box to indicate that the required information has been included with the submission.

The documentation must be submitted to :

Secretary of the Development and Planning Commission, Suite 631, Europort , Gibraltar.

Summary of application details:

Site address:

Proposed development:

Applicant:

1. Evidence is required to show that all the consultation bodies have been served with a copy of the Environmental Statement (ES). A copy of the application and the plans must also be served on the consultation bodies unless they have previously been served with these documents. The applicant must also notify the Commission of the date the documents were served. The following is required:

a. Copies of the covering letters sent with the ES and other documentation to each consultation body including the date the documentation was served. The covering letter must state that the body may make representations to the Commission.

Included

b. A summary list of the consultation bodies served

2. At least 3 copies of the ES (including the Non Technical summary) must be submitted

3. Copy of the Reg 9(3) Notice (**Doc 3**) placed on site must be submitted

4. Copies of the Section 19 and Section 21 Certificates must be submitted.

5. A letter listing the names and addresses of all parties served notice of the application under Regulation 9 (1d) (**DOC 5**) and the date of service of each.

REMEMBER:

a. Once the requisite 14 days have expired a completed Reg 9(5b) Certificate (**Doc 4**) must be forwarded to the Secretary of the Development and Planning Commission.

b. Copies of the publications in which the public notices (**Doc 2**) appear must be forwarded to the Secretary of the Development and Planning Commission immediately on publication. The copies must show the date of the publication. Similarly, copies of Section 19 Notices published must also be forwarded.

Signed

Date

This notice should be used as the notice to be published in the press

**TOWN PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS, 2000, AS AMENDED
NOTICE UNDER REGULATION 9(2)**

Proposed development at (a).....
.....I give notice that (b).....
.....is applying to the Development and Planning Commission for planning permission for EIA development in respect of (c)

Date of application: (d)

Members of the public may inspect copies of :

- The application
- The plans
- The Environmental Statement
- Other documents submitted with it.

at the offices of the Secretary of the Development and Planning Commission, Suite 631 Europort, during working hours until (e).....

Anyone who wishes to make representations about this application should write to the Development and Planning Commission at Suite 631 Europort by (e)

Signed

*On behalf of.....

Date

- a) Address or location of the proposed development.
- b) Applicant's name and address.
- c) Description of the proposed development, including the relevant class designated in regulation 15 of the Town Planning (General Procedures) Regulations 2001.
- d) Date the application was made
- e) Date giving a period of not less than 21 days, beginning with the date when the notice is published or first displayed on site (as the case may be).

This notice should be used as the notice to be placed on site.

**TOWN PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS, 2000, AS AMENDED
NOTICE UNDER REGULATION 9(3)**

Proposed development at (a).....
..... I give notice that (b).....
..... is applying to the Development and Planning Commission for planning permission for EIA development in respect of (c)

Date of application: (d)

Members of the public may inspect copies of :

- The application
- The plans
- The Environmental Statement
- Other documents submitted with it.

at the offices of the Secretary of the Development and Planning Commission, Suite 631 Europort, during working hours until (e).....

Anyone who wishes to make representations about this application should write to the Development and Planning Commission at Suite 631 Europort by (e)

Signed

*On behalf of

Date

- a) Address or location of the proposed development.
- b) Applicant's name and address.
- c) Description of the proposed development, including the relevant class designated in regulation 15 of the Town Planning (General Procedures) Regulations 2001.
- d) Date the application was made
- e) Date giving a period of not less than 21 days, beginning with the date when the notice is published or first displayed on site (as the case may be).

REG 9 (5b) CERTIFICATE

DOC 4

You must certify that you have complied with the requirements of Regulation 9 (Town Planning (Environmental Impact Assessment) Regulations) that requires that a notice be placed on the site and remain there for not less than 14 days in a period of not more than one month preceding the making of this application (Notice attached for this purpose—Doc 3)

TOWN PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2000, AS AMENDED CERTIFICATE REGULATION 9(5b)

Please tick the appropriate box:

Certificate A

I certify that:

- I/The applicant* posted the notice required by Regulation 9(3) of the Regulations, on the land which is the subject of the application for planning permission for EIA development.
- This notice was left in position for at least 14 days in a period of not more than one month immediately preceding the making of the application.

Or

Certificate B

I certify that:

- I have/The applicant has* been unable to post the notice required by Regulation 9(3) of the Regulations, on the land which is the subject of the application for planning permission for EIA development because I have/the applicant has* no rights of access or other rights in respect of the land as would enable me/the applicant* to do so.
- I have/The applicant has* taken the following steps to acquire those rights, but have/has* been unsuccessful.

(a)
.....

Or

Certificate C

I certify that:

- I/The applicant* posted the notice required by Regulation 9(3) of the Regulations, on the land which is the subject of the application for planning permission for EIA development.
- It was, however, left in position for less than 14 days in a period of not more than one month immediately preceding the making of the application.
- This happened because it was removed/obscured/defaced* before 14 days had passed during the period of one month mentioned above. This was not my/the applicant's fault or intent.
- I/The applicant* took the following steps to protect and replace the notice:

(a)
.....

Signed.....

*On behalf of.....

Date.....

*delete where appropriate

Insert:

(a) description of steps taken

This notice should be used to notify any person likely to be affected by, or having an interest in, the application for planning permission for an EIA development.

**TOWN PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS, 2000, AS AMENDED
NOTICE UNDER REGULATION 9(1d)**

Proposed development at (a)
..... I give notice that (b)
..... is applying to the Development and Planning Commission for planning permission for EIA development in respect of (c)

Date of application: (d)

Copies of :

- The application
- The plans
- The Environmental Statement
- Other documents submitted with it.

may be inspected at the offices of the Secretary of the Development and Planning Commission, Suite 631 Europort, during working hours until (e)
Any person who wishes to make representations about this application should write to the Development and Planning Commission at Suite 631 Europort by (e)

Signed

*On behalf of

Date

- a) Address or location of the proposed development.
- b) Applicant's name and address.
- c) Description of the proposed development, including the relevant class designated in regulation 15 of the Town Planning (General Procedures) Regulations 2001.
- d) Date the application was made
- e) Date giving a period of not less than 21 days, beginning with the date the notice is served.