

THE DEVELOPMENT AND PLANNING COMMISSION

MINUTES

Minutes for the 9th meeting of 2023 to be held remotely via video conferencing on 10th August 2023 at 9.30am.

Present:

Mr. P Naughton-Rumbo (Chairman)
(Town Planner)

The Hon P Balban (MfT)
(Minister for Transport)

Mr. H Montado (HM)
(Chief Technical Officer)

Mr. G Matto (GM)
(Technical Services Department)

Mrs. C Montado (CM)
(Gibraltar Heritage Trust)

Mr. K De Los Santos (KDLS)
(Land Property Services)

Dr. K Bensusan (KB)
(Gibraltar Ornithological & Natural History Society)

Mrs. J Howitt (JH)
(Environmental Safety Group)

Mr. S Benson (SB)
(Rep Commander British Forces, Gibraltar)

In attendance:

Mr. C Key
(Deputy Town Planner)

Mr. J Neale
(Minute Secretary)

Apologies:

The Hon Dr. J Garcia
(Deputy Chief Minister)

The Hon Dr. J Cortes.
(Minister for Environment, Sustainability,
Climate Change and Education)

Mr. C Viagas

Approval of Minutes

250/23 – Approval of Minutes of the Minutes of the 7th meeting of 2023 held on 29th June 2023 and approval of the Minutes of the 8th meeting of 2023 held on 27th July 2023.

The minutes of the 7th meeting of 2023 held on 29th June 2023 and minutes of the 8th meeting of 2023 held on 27th July 2023 were not ready and were deferred to the next meeting to approve.

Matters Arising

None

Major Developments

251/23 – F/18790/23 - The area located between Eastern Beach and Catalan Bay known as The Eastside -- Proposed works to create a temporary land reclamation within the line of the coastal protection works forming part of the O/18038/22 Supplemental Outline Planning Permission No. 8365A dated 28 March 2023.

CK Presented the application, providing an overview of the temporary land reclamation and highlighted that the proposals are in line with the Coastal Protection Works (CPW) for the wider Masterplan Proposals, which have been previously granted Outline Planning Permission (OPP) by the Commission.

CK stated that the proposed CPWs form the same methodology as previous CPW undertaken approximately 10 years ago and that the two main objectives of the proposed development are to provide further protection to the site and to create a new reclaimed land area which will serve as an operations, logistics and a stockpile/laydown area for the construction of the future CPW and that the

Reclamation will be in 3 phases.

CK confirmed that the height of the existing rubble tip will be reduced by half, reducing visual impacts as it will be repurposed as secondary reuse material.

CK indicated that in respect of the construction programme the main works are proposed to commence after the 2023 bathing season, although prior to that, non-intrusive works are intended to take place and that the works are expected to take nine months.

CK confirmed that the Applicant has submitted a CEMP, Method Statement and Risk Assessment which set out details of mitigation which adhere to the requirements of the Environmental Statement for the CPW and associated conditions set out in the OPP.

CK noted that the application has not been subject to public participation as this temporary land reclamation is in accordance with the outline application for the CPW Outline and this was specifically stipulated in the conditions of the OPP

CK provided a summary of consultee comments received:

- DECCH - confirmed that they have reviewed the CEMP, method statement, and all other documents. Confirmed that they have no in principle objections to the proposed works, although close attention to be paid to control measures to be implemented. Confirmed that meetings were held with the contractor to discuss potential issues prior

to submission. Confirm that the contractor is to be made responsible for the protection and relocation of species ahead of construction activities and that there may be a risk of creating silt plumes as part of the works which could have a negative effect on the surrounding marine environment, in which case additional measures may need to be undertaken by the applicant. CK listed additional measures and confirmed that the applicant was made aware of these additional conditions and has agreed to them in writing.

- TSD – confirmed that they have no objections, as long as CPW are in line with what was undertaken previously and that the applicant must comply with additional environmental conditions.
- EA and MoT – confirmed no objections to the proposed development.
- No comments received from the Gibraltar Heritage Trust, the Port Authority, or the World Heritage organization.

CK provided the Town Planning Departments (TPD) assessment of the application, confirming the applicant has complied with the scope of the outline CPWs. The requisite information and details of the mitigation measures to address the conditions of the OPP have been submitted and the applicant has confirmed in writing that they are willing to accept the additional mitigation methods proposed by the DOE to minimize any possible construction environmental impacts that may arise from the creation of silt plumes

CK confirmed that the TPD recommendation is for the Commission to approve the application, subject to the relevant conditions from the OPP being transposed, conditions requiring the submitted CEMP and Method Statement being adhered to including the proposed mitigation, and conditions requiring additional mitigation measures proposed by the DOE to be adhered to during the construction period for the Temporary Land Reclamation

The Chairman asked members for any comments, reminding them that the applicant was present to answer any questions.

KB asked whether the previous EIA's also apply to this application? CK confirmed that this was the case.

KB also asked what is meant by 'Temporary' Land Reclamation?

CK clarified that this is an intermittent phase of works prior to the final CPW taking place, forming a stop gap to ensure the current revetment is protected, and allowing for the next phase of works to take place.

KB felt the description provided was misleading, where "temporary" would imply that the reclaimed area would later be removed. The Chairman agreed.

JH questioned whether the CEMP, Method Statement and Risk Assessment were publically available as originally, they were to be provided with information at every stage due to size and complexity. Raised issue with increased traffic, public not being informed, and more information required.

The Chairman confirmed that all the documents are available to the public on the portal, together with the original application and the ES for the CPW.

JH asked whether, once she had reviewed the documents, she could provide any further comments. The potential social impact on people in the area was also highlighted and noted any relevant comments will be taken on board. The Chairman confirmed that comments could be accepted, subject to these not materially affecting the decision taken by the Commission.

MT highlighted the potential issues with traffic in the area, and the benefit of diminishing the mound.

In response to JH's comments, Stephen Orciel (SO), on behalf of the applicant, advised they are happy to liaise with JH directly on any issues or concerns and discuss the project in more detail.

The Chairman asked the applicant about their proposed working hours.

SO confirmed that the applicant is proposing standard working hours from 8:00am-6:00pm and highlighted the reuse of the existing material in the revetment and the need for the imported material.

MT enquired as to why there was a need to import additional material, rather than using the existing material?

Jack Noble (JN), on behalf of the applicant, advised the imported material is to be used for Rock armor, for which the existing material is not suitable and that the existing material is to be used for landfill. JN confirmed that material used for the rock armor would later be reused for the next phase, avoiding the importation of further material.

There were no further comments from Members.

The Chairman said that the recommendation was to approve the application based on TPD's assessment and recommended conditions. The Chairman invited JH to take up the offer by the applicants to speak with them and review any documentation and to provide any feedback prior to the drafting of any permissions, on the basis that the Commission approve the application

The application was unanimously approved

252/23 – Any other business

There was no other business.

The meeting concluded and the next meeting was scheduled for 7th September.

Chris Key

Secretary to the

Development and Planning Commission