

# VALUATION REPORT EXCEL FINANCE PLC

15<sup>th</sup> November 2024

My Reference:24-041-VR

Date: 15<sup>th</sup> November 2024

## VALUATION REPORT – IMMOVABLE PROPERTIES IN MALTA AND GOZO

CLIENT – EXCEL FINANCE PLC

### 1.0 INTRODUCTION

In accordance with your instructions, the undersigned in the capacity of warranted architect and civil engineer has carried out a valuation of immovable properties, located in Malta and Gozo. The detailed valuation report which includes the undersigned's opinion of the values of the properties, is submitted herewith. The effective date of the valuation is the 25<sup>th</sup> October 2024.

In accordance with Royal Institute of Chartered Surveyors ('RICS') standards this valuation report lists the properties separately and valued in Euros, as agreed with your company.

### 1.1 PURPOSE OF VALUATION

It is understood that the purpose of the valuation is for inclusion Prospectus, in accordance with Capital Market Rules the Malta Financial Services Authority.

I understand that my express consent will be needed in writing for this report, or parts thereof, to be included in Prospectus of Excel Finance plc. Prior to my consent I will require sight of the final draft of the Prospectus.

The valuation has been carried out by the undersigned, as an external and independent valuer in terms of, and with regard given to, the RICS Valuation and Professional Standards Manual.

As a non-RICS regulated professional over which RICS cannot exert control, the undersigned declares that in preparing this valuation the undersigned has complied with the RICS valuation standards and guidelines.

The undersigned declares that he has visited all the sites and the properties, except as otherwise noted below, to better understand the characteristics and qualities of the various properties in Malta and Gozo, and to identify any obvious defects that could influence the values of the properties, and to confirm their current uses. It is noted that these inspections were not intended to be building surveys and do not constitute such.

All reference to Excel Housing Ltd in this report including any documents in the attachments must keep in mind that the properties are currently properties of Excel Investments Ltd but these will be transferred to Excel Housing Ltd in the first week of November 2024.



Malta - All the properties in Malta of Excel MJD Ltd, Excel Property Trading Ltd and Excel Housing Ltd, were inspected by the undersigned on the 7th May 2024, 10<sup>th</sup> October 2024 and 11<sup>th</sup> October 2024.

Access was not provided within apartments 210, 211, 510, 608. at Citiway in Gzira. I inspected the basement level with all the garages but not all the garages were open and accessible. Notwithstanding I managed to inspect a few typical garages. Where access was not provided the undersigned is relying on the inspection of similar typical units and garages inspected within the same block and on the inspection of the common areas including the garage driveways, ramps and access.

Gozo - All the properties in Gozo of Excel Property Trading Ltd and Excel Housing Ltd, were inspected by the undersigned on the 18th April 2024 and 15<sup>th</sup> October 2024.

Access was not provided within apartments 1 and 4 at Midra in San Lawrenz, Gozo.

Access was not provided within apartments 2,3,4,10 at Innuendo in Victoria, Gozo. I inspected the basement level with all the garages but not all the garages were open and accessible. Notwithstanding I managed to inspect a few typical garages.

Access was not provided within penthouse A8 at Trilogy in Xaghra, Gozo. I inspected the basement level with all the garages but not all the garages were open and accessible. Notwithstanding I managed to inspect a few typical garages.

Where access was not provided the undersigned is relying on the inspection of similar typical apartments inspected within the same block and on the inspection of the common areas including the garage driveways, ramps and access.

This valuation has been prepared solely for the above mentioned purpose and is not suitable for any other use. In accordance with standard practice, neither the whole, nor any part of this valuation, nor any reference thereto, may be included in any document published without the prior written approval of the undersigned for the context in which it may appear.

## **1.2** LIMITATION OF LIABILITY

The undersigned has performed his work in accordance with applicable professional standards and accepted practice for this type of engagement. His duties in relation to this work are owed solely to Excel Properties Ltd, and accordingly he does not accept any responsibility for loss occasioned to any third party acting or refraining from action as a result of the present report.

## **1.3** DECLARATION OF INDEPENDENCE

The undersigned declares that he has no involvement whatsoever in any of the properties subject of this valuation.

The undersigned confirms his status as an external independent valuer, without any financial interest in Excel Finance plc. and related companies to the group.

## 1.4 BASIS OF VALUATION

The valuation is based on the Open Market Value which provides the same result as Market Value as defined in the RICS Valuation Standards, namely “the estimated amount for which an asset or liability should exchange on the valuation date between a willing buyer and a willing seller in an arm’s length transaction after proper marketing and where the parties had acted knowledgeably, prudently and without compulsion”.

This basis of value describes an exchange between parties that are unconnected and operating fully in the market place and ignores any price distortion by special value or synergistic value.

The valuation of the properties is based on open market value for existing use in terms of section 7.4.4 of the Capital Market Rules issued by the Malta Financial Services Authority.

The valuation of the properties is based on comparisons of recent sales transactions involving comparable properties in Malta and Gozo, together with the experience of the undersigned in such valuations, and analysis of data available on the property market.

The valuation covers the properties of Excel MJD Ltd, Excel Property Trading Ltd and the properties from Excel Investments Ltd that will be transferred to Excel Housing Ltd in the first week of November 2024 as listed below:

### 1.4.1 Valuations of properties of Excel MJD Ltd and Excel Housing Ltd.:

The following are the properties that form part of the portfolio of Excel MJD Ltd and Excel Housing Ltd.:

| Name                     | Address  | Property                                      |
|--------------------------|--|---|
| QHUB                     | QHub Business Centre, Triq Hal-Qormi c/w Triq l-Erba Qaddisin c/w, Triq Valletta, Qormi, Malta | Offices & Showroom                            |
| Units at Citiway         | Citiway, Triq Mikiel Anton Vassalli, Triq il-Madonna tal-Gebla, Triq tas-Sliema, Gzira, Malta  | 32 Residential units & 32 Residential Garages |
| Units at DRock           | D Rock, Triq ta' Xaghman / New Street in, Triq Dun Lazzru Camilleri, Sannat, Gozo              | 36 Residential units & 12 Residential Garages |
| Units at Innuendo        | Innuendo, Triq Patri Anton Debono, S. J., Rabat, Gozo  | 8 Residential units & 3 Residential Garages   |
| Units at Midra           | Midra, Triq il-Wileg, San Lawrenz, Gozo  | 9 Residential units & 8 Residential Garages   |
| All the units at Trilogy | Trilogy, Triq Guzeppi Bajada, Xaghra, Gozo   | 19 Residential units & 17 Residential Garages |

#### 1.4.2 Valuations of Excel Property Trading Ltd.

Excel Property Trading Ltd has acquired from Excel Investments Ltd a number of development sites in various localities in Malta and Gozo. The sites will be developed into residential and/or commercial complexes or buildings for the eventual resale. Some of the sites are fully owned by Excel Property Trading Ltd whilst others are partly owned. The following are the development sites included in this valuation report:

| Name                  | Address  | Proposed Development*  |
|-----------------------|--|--|
| Harruba Residences    | Vacant Plot, Triq Sant' Indrija, Nadur, Gozo                               | Residential Development: 13 apartments, office, 2 penthouses, 9 garages and 2 car spaces                       |
| Orchidea Court        | Orchidea Court, Triq ta' Cordina, Ghajnsielem, Gozo                        | Residential extension at 3 <sup>rd</sup> and 4 <sup>th</sup> floor level to form 6 apartments and 2 penthouses |
| Sunset Suites         | 23 and ta Nona, Xatt Ix-Xlendi, Xlendi, Munxar, Gozo                       | Residential / Commercial Development: 5 apartments, 1 penthouse and a restaurant                               |
| Ta' Dbiegi View House | Vacant Plot, Triq Frangisk Portelli, Sqaq Nru. 1, Gharb, Gozo              | Residential Development: 2 terraced houses   |
| Giovanni's            | Vacant Plot, Triq Hamsin, Xewkija, Gozo                                    | Residential Development: 10 apartments, 2 penthouses, 1 duplex penthouse and 8 garages                         |
| Bugeja Court          | Vacant Plot, Triq ta' Cordina, Ghajnsielem, Gozo                           | Residential Development: 18 apartments, 2 penthouses, and 15 garages   |
| Misrah il-Barrieri    | 37, 38, Lucy, Triq Misrah il-Barrieri, Msida, Malta                        | Residential Development: 1 office, 5 apartments, 1 penthouses, and 1 garage                                    |
| Vista Giuliana        | 170, 171, 172, 173, 174, Triq Birkirkara, San Giljan, Malta                | Residential Development: 1 maisonette, 10 apartments, 2 penthouses, 3 garages and 2 parking spaces             |
| Narcisa               | Narcisa Court, Triq tal-Moxa c/w Alley in Triq, Ta' Cenc, Sannat, Gozo     | Residential Development: 3 apartments and 3 garages  |
| Millhouse             | Vacant Plot, Triq il-Mithna c/w New street off, Triq il-Mithna, Qala, Gozo | Residential Development: 1 office, 10 apartments, 1 penthouse, and 6 garages                                   |
| Benghazi Site         | Unconverted House of Character, 20, Triq Benghazi, Ghajnsielem, Gozo       | No proposed development  |

\* The proposed development lists the total units proposed in the development irrespective if they are fully or partly owned by Excel Property Trading Ltd

## 1.5 ASSUMPTIONS

An assumption can be defined as a supposition taken to be true. Assumptions are facts, conditions or situations affecting the subject of, or approach to, a valuation that by agreement, need not be verified by a valuer as part of the valuation process. In undertaking the valuation, certain assumptions were made and reliance was made on certain sources of information.

The undersigned believes that the assumptions made are reasonable taking into account the personal knowledge of the Property and the contents of reports and other information made available. However, in the event that any of the information or assumptions on which the valuation is based are subsequently found to be incorrect, then my valuation conclusion may also be incorrect or invalid. With reference to the valuations of the properties I have made the following assumptions in the preparation of the Report:

- The building is in a good state of repair;
- Environmental risks have been considered only through a visual inspection of the building and its surroundings;
- All building services and any associated controls or software are in working order and free from defect;
- The Property is not contaminated and no contaminative or potentially contaminative uses has ever been carried out on it;
- There are no abnormal ground conditions, nor archaeological remains present which might adversely affect the present or future occupation, development or value of the Property;
- All buildings have been erected either prior to planning control or in accordance with planning permissions and have the benefit of permanent planning consents or existing use rights for their current use;
- This valuation is based solely on visual observations made during our inspections and does not consider hidden defects in the structure, finishes, equipment and services in the premises
- The Property complies with all applicable laws and regulations, including those relating to health and safety;
- Only relatively minor costs will be incurred if any modification or alteration is necessary in order for the Property to comply with the provisions of relevant disability and access laws.

- There are no tenants' improvements that will materially affect our opinion of the rent that would be obtained on review or renewal;
- The current trade-related use of the Property will continue throughout the period of the lease.
- The Property is, in all respects, insured against all usual risks at normal, commercially acceptable premiums and will remain so throughout the term of the lease;
- The Property constitutes a fully equipped operational entity which has in place, and will continue to have over the period of the lease, all the necessary licenses and other enablers required to continue trading;
- The valuation is based on the assumption that the Property will only be encumbered by privileges and hypothecs necessary for its financing and operation. Any other mortgages, and/or other bank loans & facilities are not considered in this valuation.
- The proposed finishing investment for QHUB is adequately and thoroughly invested to the promised standard of quality in order to achieve the expected market value upon completion and in order to fulfill the obligations of the rental agreements in place.

The valuation does not reflect any liability to tax, stamp duty and any other transaction costs arising on the disposal or acquisition of the Property.

All measurements, areas and ages quoted in our report are approximate.

No special assumptions have been relied upon in the preparation of the Report.

Sources of Information:

I have relied on the following information provided to me by Excel Finance plc. or their advisors or which was otherwise in the public domain:

- The purchase agreements entered into with respect to each of the properties of Excel MJD Ltd
- The purchase agreements entered into with respect to each of the properties of Excel Housing Ltd
- The purchase agreements entered into with respect to each of the properties of Excel Property Trading Ltd
- Drawings of technical plans for each property

- The existing lease agreements in-place, with respect to each of the properties.
- MEPA permits and permit drawings with respect to the developed properties.
- A written declaration by Excel Finance plc. that none of the Directors nor promoters have had an interest in any acquisitions or disposals of any of the Properties during the two (2) years preceding this valuation, as described in Article 7.4.8 of the Capital Market Rules.
- A written declaration by Excel Finance plc. confirming that they have provided us with copies of all relevant agreements for the properties
- Report prepared by notary Kristen Dimech on behalf of Dimech & Dimech Notaries Public dated 1<sup>st</sup> August 2024 setting out an overview of the legal searches conducted on the properties of Excel MJD Ltd and Excel Housing Ltd., including amongst others, a confirmation of the registered owners of the properties and the registered mortgages, privileges, and other charges, real rights thereon including details of leasehold concessions, easements and other burdens.
- The purchase agreements entered into with respect to each of the development sites of properties of Excel Property Trading Ltd
- A copy of the contract of works agreements between Excel Property Trading Ltd and PRA Construction Ltd
- A copy of the Promise of Sale agreements for the properties developed by Excel Property Trading Ltd
- The price list and brochures for the properties developed by Excel Property Trading Ltd
- Report prepared by notary Kristen Dimech on behalf of Dimech & Dimech Notaries Public dated 22<sup>nd</sup> October 2024 setting out an overview of the legal searches conducted on the properties of Excel Property Trading Ltd., including amongst others, a confirmation of the registered owners of the properties and the registered mortgages, privileges, and other charges, real rights thereon including details of leasehold concessions, easements and other burdens.
- Other relevant details in relation to the properties.



## 2.0 QHUB BUSINESS CENTRE, QORMI, MALTA

### 2.1 ADDRESS OF PROPERTY

QHub Business Centre, Triq Hal-Qormi c/w Triq l-Erba Qaddisin c/w, Triq Valletta, Qormi, Malta

### 2.2 TYPE OF PROPERTY

The property is a fully detached site which has been developed into an office block in Qormi.

### 2.3 DESCRIPTION OF PROPERTY

#### Location

The property is centrally located in Qormi directly on the main roundabout in Qormi which provides direct access to the PAVI shopping centre, LIDL, Decathlon etc., but located on the opposite side of the main road and hence overlooks across the main road towards the back facade of Decathlon. The location is an established prime commercial area with excellent passing trade.

#### General Description

The property is an office block currently completed in shell form with ongoing finishing works. The property was completed in shell form in December 2023.

The development is built on a plot having a total footprint of circa 3,820sqm. Part of the plot, at the corner between Triq L-Erba' Qaddisin and Triq il-Belt Valletta, consists of an old farmhouse and an old reservoir which are being restored and which will be retained hence the development is built up to and closely abutting these buildings. A front garden has been constructed along Triq Hal-Qormi and at the corners connecting with Triq L-Erba' Qaddisin and Triq il-Belt Valletta. The building has a frontage of circa 74m along Triq Hal Qormi and an imposing frontage of circa 24 m at the corner between Triq Hal-Qormi and Triq L-Erba' Qaddisin directly on the main roundabout offering excellent exposure.

The property consists of 4 basement levels (Levels -4 to Level -1). Since the site is located on a hill, level -1 is fully above ground floor level at the lower end of the road next to the roundabout and slightly above the road level at the upper end. The property further consists of 5 levels above street level (Levels 0 to Level 4). Level 5 is the roof level and airspace. These levels are described in further detail below:

#### Basement Level -4:

The Basement level -4 is the lowest basement level and accommodates 57 car parking spaces and 2 spaces for motorcycles. Two cores consisting of a stairs and 2 lifts per core (1 normal lift and 1 firefighting lift) extend all the way down to the basement level -4. Level -4 does not occupy the entire footprint of the building since a reservoir occupies part of the floor level. Along Triq il-Belt Valletta the car park level starts ascending with the common ramp to level -3 with parking provided on either side of the ramp. At the end of the ramp and towards the end of Triq il-Belt Valletta, approaching Triq L-Erba' Qaddisin, one arrives at basement level -3. Level -4 occupies a total footprint of circa 1,720sm and a further circa 130sqm footprint for the reservoir which has a total volume capacity of circa 400cbm. A 'dorga' has been formed providing an all-round ventilation space between the building and the rock cut face at all basement levels up to street level.

#### Basement Level -3:

The Basement level -3 accommodates 81 car parking spaces (8 of which are designed to comply with the standards for access for all parking spaces) and 9 spaces for motorcycles. Level -3 occupies a total footprint of circa 2,500sm.

#### Basement Level -2:

The Basement level -2 is similar to level -3 and accommodates 81 car parking spaces (8 of which are designed to comply with the standards for access for all parking spaces) and 9 spaces for motorcycles. Level -2 occupies a total footprint of circa 2,500sm.

#### Basement Level -1:

Basement Level -1 provides the main access to the development from the side facing the main roundabout at the corner juncture between Triq Hal-Qormi and Triq L'Erba' Qaddisin. At the top and the far end is the vehicular ramp access providing the entrance and exit to the basement level garages and which has a refuse collection point and a loading and unloading area with 3 car parking spaces inside prior to the main descent ramp to level -2. Adjacent to the vehicular ramp access is the main entrance lobby to the office block. The entrance consists of an entrance lobby and a corridor at the far end providing access to the two cores that provide access to all levels of the building. Adjacent to the office lobby entrance and at the corner juncture between Triq Hal-Qormi and Triq L'Erba' Qaddisin there is the entrance to a class 4B showroom which extends all the way fronting Triq Hal-Qormi and extending further back above the ramp to level -2 with lower headroom areas in the stores along Triq il-Belt Valletta. The showroom has sanitary facility and a fire escape corridor route connecting the space to the entrance vehicular ramp. This escape route has not been opened up yet. The showroom has a front garden all round its frontage with planters and ventilation grids providing air and ventilation to the basement levels.



The showroom currently in a shell state has a total internal clear height of circa 4.1m providing a grand high ceiling space. The showroom has a total commercial floor space of circa 800sqm, a further floor space of circa 560sqm reserved for storage and circa 130sqm of external areas.

#### Ground Floor Level:

The ground floor level is the first level of offices with access via the 2 main cores which have sanitary facilities adjoining each core. The sanitary facilities at all levels are currently being constructed with internal brick wall partitions. The office is currently in shell form and is completely open plan providing the flexibility for different office layout possibilities. The office is currently in a shell state and has a total internal clear height of circa 3m. The fire escape stairs have not been constructed yet, this will be constructed in steelwork and will provide an additional fire escape route for all the office down to the North West corner of the site where the existing farmhouse and reservoir are being retained. The office has a total useable floor space of circa 1,770sqm (this floor space excludes the cores and the common sanitary facilities), a further floor space of circa 130sqm is reserved for storage, archives and services and circa 132sqm of external terraces.

#### First Floor Level:

The first floor level is the second level of offices with access via the 2 main cores which have sanitary facilities adjoining each core. The sanitary facilities at all levels are currently being constructed with internal brick wall partitions. The office is currently in shell form and is completely open plan providing the flexibility for different office layout possibilities. The office is currently in a shell state and has a total internal clear height of circa 3m. The office has a total useable floor space of circa 1,690sqm (this floor space excludes the cores and the common sanitary facilities), a further floor space of circa 210sqm is reserved for storage, archives and services and circa 138sqm of external terraces.

#### Second Floor Level:

The second floor level is the third level of offices with access via the 2 main cores which have sanitary facilities adjoining each core. The sanitary facilities at all levels are currently being constructed with internal brick wall partitions. The office is currently in shell form and is completely open plan providing the flexibility for different office layout possibilities. The office is currently in a shell state and has a total internal clear height of circa 3m. The office has a total useable floor space of circa 1,834sqm (this floor space excludes the cores and the common sanitary facilities), a further floor space of circa 206sqm is reserved for storage, archives and services and circa 195sqm of external terraces.

#### Third Floor Level:

The third floor level is the fourth level of offices with access via the 2 main cores which have sanitary facilities adjoining each core. The sanitary facilities at all levels are currently being constructed with internal brick wall partitions. The office is currently in shell form and is completely open plan providing the flexibility for different office layout possibilities. The office is currently in a shell state and has a total internal clear height of circa 3m. The office has a total useable floor space of circa 1,834sqm (this floor space excludes the cores and the common sanitary facilities), a further floor space of circa 206sqm is reserved for storage, archives and services and circa 170sqm of external terraces.

#### Fourth Floor Level:

The fourth floor level is the fifth level of offices with access via the 2 main cores which have sanitary facilities adjoining each core. The sanitary facilities at all levels are currently being constructed with internal brick wall partitions. The office is currently in shell form and is completely open plan providing the flexibility for different office layout possibilities. The office is currently in a shell state and has a total internal clear height of circa 3m. The office has a total useable floor space of circa 1,664sqm (this floor space excludes the cores and the common sanitary facilities), a further floor space of circa 206sqm is reserved for storage, archives and services and circa 186sqm of external terraces.

#### Fifth Floor Level:

The fifth floor level is the roof and airspace. The stairs from the two cores extend all the way to the roof level whilst the lifts stop at the fourth floor level with the lift rooms located at the roof level. The roof is currently in shell form with part of it covered with torch welded membrane whilst the other part is currently used for the delivery of finishing materials. The roof is planned to be used partly for services and partly as a recreational area for the staff within the offices. Circa 1,170sqm is reserved for the services whilst circa 783sqm is reserved for the recreational area.

The building was completed in shell form at the end of 2023. Finishing works have commenced mainly in the showroom at level -1 with ongoing plastering works and finishing works to the external apertures. Excel MJD Ltd will be injecting circa 6million exclusive of VAT for the finishing and servicing works in order to fully complete the entire development block.

## 2.4 PLANNING CONSIDERATIONS

The site is covered by the following permits:

PC/00007/08: Application for: To amend Policies CG14, BK04, QO03, QO04 and SV01, and Maps BKM2, SVM1, and QOM1 of the Central Malta Local Plan, such that the development of the Uses that are indicated in the recommended policies and on the Proposals Maps of this application may be allowed subject to conditions in those areas as indicated on the Proposals Maps. Permission Granted on 13/11/2008

PC/00040/08: Application for: Introduction of service road in lieu of front garden and public open space. – Application withdrawn by the applicant

PA/00836/10: Application for: Proposed commercial development to include showroom at ground floor, overlying offices and basement parking spaces and storage. Permit decision press date on 30/11/2013. This permit was never utilized and has expired

PA/04742/17: Application for: Phase 01\_To demolish accretions to existing old structure and retain old structure, reservoir and ground water feature 'water chute'. Removal of rubble walls, uprooting of trees and removal of soil. To excavate site and construct 2 underground parking levels. Permit decision press date on 13/05/2020. Permit used to start excavation works.

PA/07446/17: Application for: To excavate the site up to three levels below Triq Hal Qormi, accommodating two levels of car parking as well as a showroom. To construct an office block within a medium-rise building and to retain the existing old building. – Application withdrawn by the applicant

PA/02939/19: Application for: Phase 02\_To construct a mixed-use commercial block; comprising of a 3-storey car park and showroom (Class 4B) below street level and an office block (Class 4A) organised on 5 floors above Triq il-Belt Valletta. The vernacular building in Triq l-Erba' Qaddisin c/w Triq il-Belt Valletta and existing reservoir will be retained and restored. The water-shoot will be dismantled and relocated on same site. Application includes the upgrading of the junction in Triq l-Erba' Qaddisin c/w Triq Hal Qormi. Permit decision press date on 16/09/2020. Permit used for the construction and ongoing works.

A minor amendment in PA/02939/19 issued on 30/09/2023 has approved the variations carried out in the construction of the development in a shell state.

## 2.5 TENURE MORTGAGES, LOANS AND PRIVILEGES

The property is freehold. The property has a loan facility amounting to 14 million euros with FIMBank plc for the Acquisition of the plot of land, construction and finishing of the project. The borrower of the loan is Excel MJD Ltd. The term of the loan is 12 years from the first drawdown. The interest rate is 5% per annum until 31st May 2024, thereafter 4.2% per annum over the EURIBOR. The loan contract was signed on the 5<sup>th</sup> July 2023. Further details are provided in the annexed report prepared by notary Kristen Dimech on behalf of Dimech & Dimech Notaries Public dated 1<sup>st</sup> August 2024.

## 2.6 LEASES AND SUBLEASES

A summary of current leases is included in the Appendix.

## 2.7 NATURE AND DATE OF INSPECTION

The property has been inspected by the undersigned Architect Dylan Agius on the 7<sup>th</sup> of May 2024

## 2.8 VALUATION BASED ON OPEN MARKET VALUE

In summary and on the basis of the foregoing, attached documentation, the site inspection and other relevant factors, the undersigned values the above described property in its completed shell state as at 31<sup>st</sup> December 2023 at twenty-six million euros (€26,000,000). The undersigned further values the above described property once fully finished, serviced and completed (targeted to be completed by November 2024) at thirty two million and five hundred thousand euros (€32,500,000)\*.

*\*This value is subject to the adequate utilization of the promised 6million exc VAT fund for finishing and servicing at the completion stage of all finishing works.*

## 2.9 APPENDICES

Site Plan  
Photographs  
Planning Permits and Permit Drawings  
Summary of Lease agreements  
Declaration on finishing contribution from Excel MJD Ltd  
3D Renders

### **3.0 RESIDENTIAL UNITS AND GARAGES AT CITIWAY, GZIRA, MALTA**

#### **3.1 ADDRESS OF PROPERTY**

Citiway, Triq il-Madonna tal-Gebbla, Gzira, Malta

#### **3.2 TYPE OF PROPERTY**

The properties consist of 32 residential units and 32 garages that are found within the large corner development block of apartments 'Citiway', in Gzira

#### **3.3 DESCRIPTION OF PROPERTY**

##### Location

'Citiway' is a block of apartments that is centrally located in Gzira directly abutting the Regional Road facing the Kappara Flyover from one side with the other side facing Triq il-Madonna tal Gebbla. The main entrance and the entrance ramp to the garages are located from Triq il-Madonna tal Gebbla. There is the inconvenience of the noise generated from the traffic on the Kappara flyover particularly for the units with outlook from that façade but the area is very central and ideal for rental.

##### General Description

'Citiway' is a block of apartments which has a total of 88 residential units spread over 7 floors and 80 garages spread over 3 basement levels. The block of apartments is fully completed with some ongoing minor works to complete the common areas and the apartments. Access to the residential units is provided from 4 cores. Each core consists of a stairs and a lift that serves all floors with the exception of one core next to the entrance which has two lifts instead of one lift. 3 of the cores are accessed from the main entrance adjacent to the entrance ramp to the basement garages in Triq il-Madonna tal Gebbla. This main entrance and core provides access to all the residential units forming part of this evaluation exercise. The 4<sup>th</sup> core is accessed from Triq Tas-Sliema and provides access to six residential units that face Triq Tas-Sliema. An additional fire escape stair is located towards the corner along the façade facing the Regional Road.

All the units forming part of this valuation report are fully finished and most of them are occupied by tenants. The finishes include gres ceramic tiles, gypsum plastering on walls and ceilings, double glazed aluminum apertures and fully fitted kitchens.

The following are the residential units which form part of the properties of Excel Housing Ltd:

**Apartment 100:** A one-bedroom corner apartment located at the first floor level with its outlook facing the kappara flyover but with the bedroom also having a balcony facing the backside on Triq il-Madonna tal Gebla. The apartment has a total internal area of circa 66sqm and an external area of circa 7sqm.

**Apartment 104:** A two-bedroom apartment located at the first floor level with its outlook facing Triq il-Madonna tal Gebla. The apartment enjoys two small balconies and longish terrace. The apartment has a total internal area of circa 90sqm and an external area of circa 12sqm.

**Apartment 105:** A two-bedroom apartment located at the first floor level with its outlook facing the kappara flyover. The apartment enjoys and longish terrace. The apartment has a total internal area of circa 91sqm and an external area of circa 5sqm.

**Apartment 108:** A three-bedroom apartment located at the first floor level with its outlook facing the kappara flyover whilst the bedrooms at the back face a backyard and an internal yard which forms part of the property. The apartment enjoys a small internal yard and a backyard. The apartment has a total internal area of circa 107sqm and an external area of circa 19sqm.

**Apartment 109:** A two-bedroom apartment located at the first floor level with its outlook facing the kappara flyover whilst the bedrooms at the back face a backyard which forms part of the property. The apartment enjoys a small balcony yard and a spacious backyard. The apartment has a total internal area of circa 109sqm and an external area of circa 28sqm.

**Apartment 200:** A duplex two-bedroom apartment with access from the second floor level where the open plan and a bathroom are located and a private internal spiral staircase provides access to two bedrooms and an ensuite at first floor level. The apartments outlook is facing the kappara flyover. The apartment enjoys a longish terrace with one of the bedrooms. The apartment has a total internal area of circa 107sqm and an external area of circa 6sqm.

**Apartment 201:** A two-bedroom corner apartment located at the second floor level with its open plan facing the kappara flyover but with the two bedrooms facing the backside on Triq il-Madonna tal Gebla. The apartment has a total internal area of circa 96sqm and an external area of circa 8sqm.

**Apartment 202:** A two-bedroom apartment located at the second floor level with its rooms facing the backside on Triq il-Madonna tal Gebla. The apartment enjoys three balconies. The apartment has a total internal area of circa 95sqm and an external area of circa 8sqm.

**Apartment 203:** A duplex two-bedroom apartment with access from the second floor level where the open plan and a bathroom are located and a private internal spiral staircase provides access to two bedrooms and an ensuite at first floor level. The apartments outlook is facing the kappara flyover. The apartment enjoys a balcony with the open plan area. The apartment has a total internal area of circa 84sqm and an external area of circa 4sqm.



**Apartment 208:** A three-bedroom apartment located at the second floor level with its outlook facing the kappara flyover whilst the bedrooms at the back face a backyard and an internal yard. The apartment enjoys a balcony at the back facade. The apartment has a total internal area of circa 132sqm and an external area of circa 8sqm.

**Apartment 210:** A two-bedroom apartment located at the second floor level with its outlook facing the kappara flyover whilst the bedrooms at the back face a backyard. The apartment enjoys a 3 small balconies. The apartment has a total internal area of circa 106sqm and an external area of circa 12sqm.

**Apartment 211:** A two-bedroom apartment located at the second floor level with its outlook facing the kappara flyover whilst the bedrooms at the back face a backyard. The apartment enjoys a wide frontage and 3 spacious balconies. The apartment has a total internal area of circa 99sqm and an external area of circa 27sqm.

**Apartment 300:** A one-bedroom apartment located at the third floor level with its outlook facing the kappara flyover. The apartment enjoys a small balcony. The apartment has a total internal area of circa 58sqm and an external area of circa 5sqm.

**Apartment 301:** A two-bedroom corner apartment located at the third floor level with its open plan facing the kappara flyover but with the two bedrooms facing the backside on Triq il-Madonna tal Gebla. The apartment has a total internal area of circa 96sqm and an external area of circa 10sqm.

**Apartment 303:** A one-bedroom apartment located at the third floor level with its outlook facing the kappara flyover. The apartment enjoys 2 small balconies. The apartment has a total internal area of circa 51sqm and an external area of circa 5sqm.

**Apartment 305:** A two-bedroom apartment located at the third floor level with its rooms facing the backside on Triq il-Madonna tal Gebla. The apartment enjoys two balconies. The apartment has a total internal area of circa 89sqm and an external area of circa 8sqm.

**Apartment 310:** A two-bedroom apartment located at the third floor level with its outlook facing the kappara flyover whilst the bedrooms at the back face a backyard. The apartment enjoys a 3 small balconies. The apartment has a total internal area of circa 106sqm and an external area of circa 12sqm.

**Apartment 311:** A two-bedroom apartment located at the third floor level with its outlook facing the kappara flyover whilst the bedrooms at the back face a backyard. The apartment enjoys a wide frontage and 3 spacious balconies. The apartment has a total internal area of circa 99sqm and an external area of circa 25sqm.

**Apartment 403:** A one-bedroom apartment located at the fourth floor level with its outlook facing the kappara flyover. The apartment enjoys 2 small balconies. The apartment has a total internal area of circa 51sqm and an external area of circa 4sqm.

**Apartment 410:** A two-bedroom apartment located at the fourth floor level with its outlook facing the kappara flyover whilst the bedrooms at the back face a backyard. The apartment enjoys a 3 small balconies. The apartment has a total internal area of circa 108sqm and an external area of circa 12sqm.

**Apartment 500:** A one-bedroom apartment located at the fifth floor level with its outlook facing the kappara flyover. The apartment enjoys a small balcony. The apartment has a total internal area of circa 58sqm and an external area of circa 5sqm.

**Apartment 502:** A two-bedroom apartment located at the fifth floor level with its rooms facing the backside on Triq il-Madonna tal Gebla. The apartment enjoys three balconies. The apartment has a total internal area of circa 91sqm and an external area of circa 10sqm.

**Apartment 503:** A one-bedroom apartment located at the fifth floor level with its outlook facing the kappara flyover. The apartment enjoys a balcony. The apartment has a total internal area of circa 50sqm and an external area of circa 5sqm.

**Apartment 510:** A two-bedroom apartment located at the fifth floor level with its outlook facing the kappara flyover whilst the bedrooms at the back face a backyard. The apartment enjoys a 2 small balconies. The apartment has a total internal area of circa 108sqm and an external area of circa 6sqm.

**Apartment 512:** A two-bedroom apartment located at the fifth floor level with its outlook facing the kappara flyover whilst the bedrooms at the back face a backyard. The apartment enjoys a wide frontage and 3 spacious balconies. The apartment has a total internal area of circa 99sqm and an external area of circa 26sqm

**Apartment 600:** A one-bedroom apartment located at the sixth floor level with its rooms facing the backside on Triq il-Madonna tal Gebla. The apartment is located at the first receded level on Triq il-Madonna tal Gebla and enjoys a spacious front terrace with open urban views. The apartment has a total internal area of circa 59sqm and an external area of circa 27sqm.

**Apartment 602:** A one-bedroom apartment located at the sixth floor level with its outlook facing the kappara flyover. The apartment enjoys two small balconies. The apartment has a total internal area of circa 50sqm and an external area of circa 5sqm.

**Apartment 603:** A one-bedroom apartment located at the sixth floor level with its rooms facing the backside on Triq il-Madonna tal Gebla. The apartment is located at the first receded level on Triq il-Madonna tal Gebla and enjoys a spacious front terrace with open urban views. The apartment has a total internal area of circa 69sqm and an external area of circa 20sqm.



**Apartment 607:** A two-bedroom apartment located at the sixth floor level with its bedrooms overlooking the kappara flyover whilst the open plan is located on the back face overlooking the underlying backyard but at this level enjoying views over the rooftops of the buildings at the back. The apartment enjoys a 2 balconies and a longish terrace. The apartment has a total internal area of circa 101sqm and an external area of circa 15sqm.

**Apartment 608:** A two-bedroom apartment located at the sixth floor level with its bedrooms overlooking the kappara flyover whilst the open plan is located on the back face overlooking the underlying backyard but at this level enjoying views over the rooftops of the buildings at the back. The apartment enjoys a 2 balconies. The apartment has a total internal area of circa 120sqm and an external area of circa 7sqm.

**Apartment 609:** A three-bedroom apartment located at the sixth floor level with its bedrooms overlooking the kappara flyover whilst the open plan is located on the back face overlooking the underlying backyard but at this level enjoying views over the rooftops of the buildings at the back. The apartment enjoys a 3 balconies overlooking the kappara flyover and a spacious back terrace with the open plan. The apartment has a total internal area of circa 115sqm and an external area of circa 29sqm.

**Apartment 610:** A one-bedroom apartment located at the sixth floor level with its outlook facing the kappara flyover. The apartment enjoys a small balcony. The apartment has a total internal area of circa 58sqm and an external area of circa 6sqm.

The garages area located at the basement levels. Most of the garages are one car garages but they are spacious garages offering additional space to the one car space. 5 of the garages at level -2 are two car garages and one of the garages at level -1 is also a two car garage. Access to the garages is via a comfortable ramp from Triq il-Madonna tal Gebli. Circulation and internal ramps connecting the various levels is also relatively comfortable.

The following are the residential garages which form part of the properties of Excel Housing Ltd:

| Garage     | Floor Level | No. of Cars | Area of Garage (sqm) |
|------------|-------------|-------------|----------------------|
| Garage 304 | Level -3    | 1           | 17                   |
| Garage 305 | Level -3    | 1           | 15                   |
| Garage 306 | Level -3    | 1           | 20                   |
| Garage 308 | Level -3    | 1           | 22                   |
| Garage 310 | Level -3    | 1           | 22                   |
| Garage 202 | Level -2    | 1           | 19                   |
| Garage 203 | Level -2    | 1           | 19                   |
| Garage 205 | Level -2    | 1           | 31                   |
| Garage 206 | Level -2    | 1           | 26                   |
| Garage 207 | Level -2    | 1           | 23                   |
| Garage 208 | Level -2    | 1           | 14                   |
| Garage 212 | Level -2    | 1           | 15                   |
| Garage 213 | Level -2    | 1           | 15                   |
| Garage 214 | Level -2    | 1           | 15                   |
| Garage 216 | Level -2    | 1           | 18                   |
| Garage 217 | Level -2    | 1           | 23                   |
| Garage 219 | Level -2    | 1           | 24                   |
| Garage 220 | Level -2    | 2           | 28                   |
| Garage 230 | Level -2    | 2           | 33                   |
| Garage 231 | Level -2    | 2           | 39                   |
| Garage 232 | Level -2    | 2           | 28                   |
| Garage 236 | Level -2    | 2           | 35                   |
| Garage 101 | Level -1    | 1           | 24                   |
| Garage 102 | Level -1    | 1           | 19                   |
| Garage 103 | Level -1    | 1           | 19                   |
| Garage 115 | Level -1    | 1           | 15                   |
| Garage 117 | Level -1    | 1           | 22                   |
| Garage 119 | Level -1    | 1           | 24                   |
| Garage 121 | Level -1    | 1           | 16                   |
| Garage 122 | Level -1    | 1           | 15                   |
| Garage 128 | Level -1    | 2           | 27                   |
| Garage 134 | Level -1    | 1           | 22                   |

### 3.4 PLANNING CONSIDERATIONS

The site is covered by the following permits:

PA/05268/01: Application for: Construction of commercial building. – Application withdrawn by the applicant

PA/01067/04: Application for: Construction of residential complex overlying basement garages. (Demolition of terrain). – Application withdrawn by the applicant

PA/01070/19: Proposed excavation and construct 3 levels of basement garages, overlying domestic storage units and 4 maisonettes at ground floor level, 67 apartments over 7 floors, and 3 penthouses. Permit decision press date on 13/11/2019. Permit used to start excavation works.

PA/01321/19: To demolish existing dwelling and construct parking facilities at ground floor level, 5 apartments and 1 penthouse. Permit decision press date on 20/03/2019.

PA/00789/20: Proposed alterations and additions to approved development permits (PA/01070/19 and PA/01321/19). Additions include the increasing of site area to PA/01070/19 and therefore the creation of new apartments. Alterations include the shifting of walls and the re-design of the internal layout. The changes described above result in 14 new apartments distributed over 7 floors. The proposal seeks also to sanction the excavation carried out and construction of boundary wall. Permit decision press date on 15/07/2020. Permit used to start construction works. Subsequent Minor amendments have been issued on the 1<sup>st</sup> March 2021, 12<sup>th</sup> October 2021, 17<sup>th</sup> January 2022, 2<sup>nd</sup> August 2022 and 26<sup>th</sup> September 2023

The variations noted during the visual inspection on the 7<sup>th</sup> of May 2024 are the following:

Apartment 202: Low headroom of circa 2.58m in the open plan for more than 30% of the floor area\*

Apartment 203: Low headroom of circa 2.58m in the open plan for more than 30% of the floor area\*

Apartment 300: Low headroom of circa 2.58m in the bedroom for more than 30% of the floor area\*

Apartment 305: Low headroom of circa 2.58m in one of the bedrooms and in the open plan room for more than 30% of the floor area\*

Apartment 512: Low headroom of circa 2.58m in the open plan for more than 30% of the floor area\*

Apartment 600: The bathroom has been converted into an ensuite by closing the door from the open plan and opening a door from the bedroom. An additional bathroom has been formed within the open plan room adjoining the shaft next to the entrance

Apartment 603: The bathroom has been converted into an ensuite by closing the door from the open plan and opening a door from the bedroom. An additional bathroom has been formed within the open plan room adjoining the shaft next to the entrance

Apartment 607: The ensuite is being used as a box room

The variations noted in apartments 600, 603 and 607 are minor in nature and can easily be sanctioned via a minor amendment application. The low headroom noted in apartments 202, 203, 300, 305 and 512 go against the sanitary regulations and hence modifications to lower the internal floor finishes of the apartment will be required in order for the apartment to conform with the sanitary regulations. The planning authority has issued a public consultation document that would permit deviations in the internal height of up to 2cm (as in the deviations noted above) a normal DNO or minor amendment application will be sufficient to sanction these variations. If this document is approved, then the costs to rectify the deviations noted will be substantially less. Notwithstanding a worst case scenario that the floor tiles would need to be removed and relayed for the observed zones with this deviation has been taken into account in the market value.

If the planning authority approves the draft policy to permit sanctioning of deviations of internal height up to 2cm then with one minor amendment application all the variations noted in the apartments may be sanctioned. The undersigned estimates the entire cost to sanction the apartments to be in the region of €2,500. This cost has been considered when estimating the open market value.

If the planning authority does not approve the draft policy to permit sanctioning of deviations of internal height up to 2cm then a minor amendment application will be required for apartments 600, 603 and 607 but for apartments 202, 203, 300, 305 and 512, the tiles in these apartments would need to be removed and relayed to a lower level. The undersigned estimates the total cost to carry out these works and to apply for the minor amendment to be in the region of €28,000. This cost has been considered when estimating the open market value.

*\* In accordance with L.N. of 2016 the internal clear height for a habitable room must be at least 2.6m for at least 70% of the floor space, the remaining 30% of the floor space can have an internal clear height of 2m*

### 3.5 TENURE MORTGAGES, LOANS AND PRIVILEGES

The property is freehold. All the units, including the garages, will be hypothecated in favor to BOV to finance the 'acquisition' of the properties from Excel Investments Ltd which will be released and cancelled once the BOV Loan is paid through the proceeds of the bond issue as further detailed in the annexed report prepared by notary Kristen Dimech on behalf of Dimech & Dimech Notaries Public dated 1<sup>st</sup> August 2024 and the annexed copy of the BOV sanction letter issued in the name of Excel Housing Ltd.

### 3.6 LEASES AND SUBLEASES

A summary of current leases is included in the Appendix.

### 3.7 NATURE AND DATE OF INSPECTION

The property has been inspected by the undersigned Architect Dylan Agius on the 7<sup>th</sup> of May 2024. I was not able to access inside the apartments 210, 211, 510, 608 since the tenants did not provide access to the apartments. I was also not able to access any of the garages. Where access was not provided the undersigned is relying on the inspection of similar typical apartments inspected within the same block and on the inspection of the common areas, external area, the garage common driveways, ramps and access.

### 3.8 VALUATION BASED ON OPEN MARKET VALUE

In summary and on the basis of the foregoing, attached documentation, the site inspection and other relevant factors, the undersigned values the above described property as follows:

Present capital value of all the 32 residential units in their existing state for the existing use on Open Market: seven million and seven hundred and fifty thousand euros (€7,750,000.00).

Present capital value of all the 32 residential garages in their existing state for the existing use on Open Market: one million and two hundred and fifty thousand euros (€1,250,000.00).

### 3.9 APPENDICES

Site Plan  
Photographs  
Planning Permits and Permit Drawings  
Summary of Lease agreements

#### **4.0 RESIDENTIAL UNITS AND GARAGES AT DROCK, SANNAT, GOZO**

##### **4.1 ADDRESS OF PROPERTY**

DRock, Triq ta' Xaghman / New Street in, Triq Dun Lazzru Camilleri, Sannat, Gozo

##### **4.2 TYPE OF PROPERTY**

The properties consist of 36 residential units and 12 garages that are found within the large development block of apartments 'DRock', in Sannat, Gozo

##### **4.3 DESCRIPTION OF PROPERTY**

###### Location

'DRock' is a block of apartments that is located towards the outskirts of Sannat in Gozo in a new development zone forming part of the 2006 rationalization scheme. The area is a quiet area facing rural fields from the back blocks whilst the front blocks face a quiet urban area.

###### General Description

'DRock' is a large block of apartments which has a total of 51 residential units spread over 5 floors and a basement levels of garages. In total there are 42 garages spread over the basement level and part of the ground floor level. The development is split into 7 independent blocks (A to G) overlying the basement garages. Blocks A, B, F and G face Triq Ta' Xaghman and the access to the common areas is from the Ground floor level. The Ground floor level also has a shop beneath block B and the main entrance access ramp to the garages beneath Block A. Blocks C, D and E are located at the back of the development and face a new street still to be fully formed and named and also face rural fields in between development zones in Sannat. The access to the common areas of Blocks C, D and E is from the first floor level since the street level at the back is one floor higher than the street level of Triq Ta' Xaghman.

All the units forming part of this valuation report are fully finished and serviced. The development has been completed recently and is still ongoing with minor finishing works in the common areas, facade and within the apartments to fully complete the project. The street at the back is still only partly formed sufficient to provide access to the blocks at the back but not in a finished state yet. The typical finishes in the apartments include gres ceramic tiles, gypsum plastering on walls and ceilings, double glazed aluminum apertures and fully fitted kitchens.

The following are the residential units which form part of the properties of Excel Housing Ltd:



**Apartment A1:** A two-bedroom plus study apartment located at the first floor level in Block A with its outlook facing Triq Ta; Xaghman. The apartment includes a spacious front terrace a part of the internal yard and a part of the backyard. The apartment has a total internal area of circa 104sqm and an external area of circa 26sqm.

**Apartment A2:** A two-bedroom plus study apartment located at the first floor level in Block A with its outlook facing Triq Ta; Xaghman. The apartment includes a spacious front terrace a part of the internal yard and a part of the backyard. The apartment has a total internal area of circa 93sqm and an external area of circa 27sqm.

**Apartment A3:** A three-bedroom apartment located at the Second floor level in Block A with its outlook facing Triq Ta; Xaghman. The apartment includes a spacious front terrace and a small narrow back balcony. The apartment has a total internal area of circa 105sqm and an external area of circa 14sqm.

**Apartment A4:** A two-bedroom plus study apartment located at the Second floor level in Block A with its outlook facing Triq Ta; Xaghman. The apartment includes a spacious front terrace and a small narrow back balcony. The apartment has a total internal area of circa 94sqm and an external area of circa 16sqm.

**Apartment B1:** A two-bedroom plus study apartment located at the first floor level in Block B with its outlook facing Triq Ta; Xaghman. The apartment includes a spacious front terrace a part of the internal yard and a part of the backyard. The apartment has a total internal area of circa 100sqm and an external area of circa 27sqm.

**Apartment B2:** A two-bedroom plus study apartment located at the first floor level in Block B with its outlook facing Triq Ta; Xaghman. The apartment includes a spacious front terrace a part of the internal yard and a part of the backyard. The apartment has a total internal area of circa 100sqm and an external area of circa 15sqm.

**Apartment B3:** A two-bedroom plus study apartment located at the Second floor level in Block B with its outlook facing Triq Ta; Xaghman. The apartment includes a spacious front terrace and a small narrow back balcony. The apartment has a total internal area of circa 100sqm and an external area of circa 14sqm.

**Apartment B4:** A two-bedroom plus study apartment located at the Second floor level in Block B with its outlook facing Triq Ta; Xaghman. The apartment includes a spacious front terrace and a small narrow back balcony. The apartment has a total internal area of circa 100sqm and an external area of circa 9sqm.

**Apartment B6:** A two-bedroom plus study apartment located at the Third floor level in Block B with its outlook facing Triq Ta; Xaghman. The apartment includes a spacious front terrace and a small narrow back balcony. The apartment has a total internal area of circa 100sqm and an external area of circa 9sqm.

**Apartment C2:** A one-bedroom apartment located at the first floor level in Block C with its outlook facing the new back street. The apartment includes a part of the backyard. The apartment has a total internal area of circa 50sqm and an external area of circa 15sqm.

**Apartment C3:** A spacious wide fronted three-bedroom apartment located at the second floor level in Block C with its outlook facing the new back street. The apartment includes two front balconies and a narrow back balcony. The apartment has a total internal area of circa 127sqm and an external area of circa 15sqm.

**Apartment C4:** A spacious wide fronted three-bedroom apartment located at the third floor level in Block C with its outlook facing the new back street. The apartment includes two front balconies and a narrow back balcony. The apartment has a total internal area of circa 127sqm and an external area of circa 15sqm.

**Penthouse C5:** A wide fronted one-bedroom plus study penthouse located at the fourth floor level in Block C with its outlook facing the new back street. The penthouse includes a large front and back terrace. The penthouse has a total internal area of circa 63sqm and an external area of circa 54sqm.

**Apartment E1:** A three-bedroom apartment located at the first floor level in Block E with its outlook facing the new back street. The apartment includes a part of the internal yard and a backyard. The apartment has a total internal area of circa 115sqm and an external area of circa 20sqm.

**Apartment E2:** A three-bedroom apartment located at the first floor level in Block E with its outlook facing the new back street. The apartment includes a part of the internal yard and a backyard. The apartment has a total internal area of circa 133sqm and an external area of circa 17sqm.

**Apartment E3:** A three-bedroom apartment located at the second floor level in Block E with its outlook facing the new back street. The apartment includes a front balcony and a small back terrace. The apartment has a total internal area of circa 119sqm and an external area of circa 9sqm.

**Apartment E4:** A three-bedroom apartment located at the second floor level in Block E with its outlook facing the new back street. The apartment includes a front balcony. The apartment has a total internal area of circa 135sqm and an external area of circa 4sqm.

**Apartment E5:** A three-bedroom apartment located at the third floor level in Block E with its outlook facing the new back street. The apartment includes a front balcony and a small back terrace. The apartment has a total internal area of circa 119sqm and an external area of circa 9sqm.



**Apartment E6:** A three-bedroom apartment located at the third floor level in Block E with its outlook facing the new back street. The apartment includes a front balcony. The apartment has a total internal area of circa 135sqm and an external area of circa 4sqm.

**Penthouse E7:** A two-bedroom plus study penthouse located at the fourth floor level in Block E with its outlook facing the new back street. The penthouse includes a spacious front terrace and a small back terrace. The penthouse has a total internal area of circa 94sqm and an external area of circa 19sqm.

**Penthouse E8:** A three-bedroom penthouse located at the fourth floor level in Block E with its outlook facing the new back street. The penthouse includes a spacious front. The penthouse has a total internal area of circa 110sqm and an external area of circa 21sqm.

**Apartment F1:** A spacious two-bedroom apartment located at ground floor level in Block F with its outlook facing Triq Ta; Xaghman. The apartment includes a games room, a store and a small internal yard. The apartment has a total internal area of circa 156sqm and an external area of circa 6sqm.

**Apartment F2:** A one-bedroom apartment located at the first floor level in Block F with its outlook facing Triq Ta; Xaghman. The apartment includes a front terrace. The apartment has a total internal area of circa 81sqm and an external area of circa 4sqm.

**Apartment F3:** A two-bedroom apartment located at the first floor level in Block F with its outlook facing Triq Ta; Xaghman. The apartment includes a front terrace. The apartment has a total internal area of circa 81sqm and an external area of circa 9sqm.

**Apartment F4:** A one-bedroom apartment located at the second floor level in Block F with its outlook facing Triq Ta; Xaghman. The apartment includes a front terrace. The apartment has a total internal area of circa 81sqm and an external area of circa 4sqm.

**Apartment F5:** A two-bedroom apartment located at the second floor level in Block F with its outlook facing Triq Ta; Xaghman. The apartment includes a front terrace. The apartment has a total internal area of circa 81sqm and an external area of circa 9sqm.

**Apartment F6:** A one-bedroom apartment located at the third floor level in Block F with its outlook facing Triq Ta; Xaghman. The apartment includes a front terrace. The apartment has a total internal area of circa 81sqm and an external area of circa 4sqm.

**Apartment F7:** A two-bedroom apartment located at the third floor level in Block F with its outlook facing Triq Ta; Xaghman. The apartment includes a front terrace. The apartment has a total internal area of circa 81sqm and an external area of circa 9sqm.

**Penthouse F8:** A wide fronted two-bedroom plus study penthouse located at the fourth floor level in Block F with its outlook facing Triq Ta; Xaghman. The penthouse includes a spacious wide fronted front terrace and 2 small back balconies. The penthouse has a total internal area of circa 97sqm and an external area of circa 64sqm.

**Apartment G1:** A two-bedroom plus study apartment located at the first floor level in Block G with its outlook facing Triq Ta; Xaghman. The apartment includes a front terrace and a small backyard. The apartment has a total internal area of circa 89sqm and an external area of circa 26sqm.

**Apartment G2:** A two-bedroom apartment located at the first floor level in Block G with its outlook facing Triq Ta; Xaghman. The apartment includes a small games room, a front terrace and a small backyard. The apartment has a total internal area of circa 84sqm and an external area of circa 13sqm.

**Apartment G3:** A two-bedroom plus study apartment located at the second floor level in Block G with its outlook facing Triq Ta; Xaghman. The apartment includes a front. The apartment has a total internal area of circa 89sqm and an external area of circa 7sqm.

**Apartment G4:** A two-bedroom apartment located at the second floor level in Block G with its outlook facing Triq Ta; Xaghman. The apartment includes a small games room and a front terrace. The apartment has a total internal area of circa 84sqm and an external area of circa 7sqm.

**Apartment G5:** A two-bedroom plus study apartment located at the third floor level in Block G with its outlook facing Triq Ta; Xaghman. The apartment includes a front. The apartment has a total internal area of circa 89sqm and an external area of circa 7sqm.

**Apartment G6:** A two-bedroom apartment located at the third floor level in Block G with its outlook facing Triq Ta; Xaghman. The apartment includes a small games room and a front terrace. The apartment has a total internal area of circa 84sqm and an external area of circa 7sqm.

**Penthouse G7:** A wide fronted two-bedroom penthouse located at the fourth floor level in Block F with its outlook facing Triq Ta; Xaghman. The penthouse includes a large wide fronted front terrace. The penthouse has a total internal area of circa 98sqm and an external area of circa 78sqm.

All the garages which form part of the properties of Excel Housing Ltd are located at the basement level. Most of the garages except for two of the garages are one car garages but they are spacious garages offering additional space to the one car space.

Access to the garages is via a comfortable ramp from Triq Ta' Xaghman. Circulation and internal ramps connecting the various levels is also relatively comfortable.

The following are the residential garages which form part of the properties of Excel Housing Ltd:

| Garage    | Floor Level | No. of Cars | Area of Garage (sqm) |
|-----------|-------------|-------------|----------------------|
| Garage 14 | Basement    | 1           | 16.4                 |
| Garage 15 | Basement    | 1           | 16.4                 |
| Garage 18 | Basement    | 2           | 39.4                 |
| Garage 19 | Basement    | 1           | 32.1                 |
| Garage 20 | Basement    | 1           | 30.0                 |
| Garage 22 | Basement    | 2           | 31.9                 |
| Garage 23 | Basement    | 1           | 16.4                 |
| Garage 24 | Basement    | 1           | 16.4                 |
| Garage 25 | Basement    | 1           | 16.4                 |
| Garage 26 | Basement    | 1           | 17.0                 |
| Garage 27 | Basement    | 1           | 20.0                 |
| Garage 28 | Basement    | 1           | 34.0                 |

#### 4.4 PLANNING CONSIDERATIONS

The site is covered by the following permits:

PC/00050/12: Application for: To establish the parameters related to zoning and street alignment and building heights of the Rationalization Site (2006). Site configuration changed from original submission. Permission Granted on 09/05/2016

PA/00618/18: Application for: To construct 22 apartments, 5 penthouses, 1 shop (Class 4B) and 29 underlying garages. Permit decision press date on 06/03/2019. Permit is for the first 4 blocks Block A to D.

PA/05125/19: Application for: To construct 9 apartments and 2 penthouses with underlying garages. Permit decision press date on 25/09/2019. Permit is for Block G.

PA/01611/20: Application for: To carry out alterations and additions to the dwelling units approved in PA/00618/18 and PA/05125/19, thereby adding 10 apartments and 3 penthouses with underlying garages. Permit decision press date on 30/09/2020. Permit is for all 7 Block A to G where amendments to the design of the blocks in the permits PA/00618/18 and PA/05125/19 were carried out whilst adding blocks F and E and compiling a final revised set of drawings for all levels and all blocks.

The variations noted during the visual inspection on the 18<sup>th</sup> of April 2024 are the following:  
 Apartment C2: Minor internal modifications to the internal layout mainly: a door has been opened from the common area and consequently the bathroom has shifted to the opposite side.

Apartment C3: Low headroom of circa 2.58m in the open plan for more than 30% of the floor area\*

Penthouse C5: The wc in the study has not been formed.

Apartment B6: Low headroom of circa 2.57m in the open plan and 2.59m in the bedrooms for more than 30% of the floor area for each room\*

Apartment F7: Low headroom of circa 2.58m in the open plan for more than 30% of the floor area\*

The variations noted in apartments C2 and C5 are minor in nature and can easily be sanctioned via a minor amendment application. In Block C there seems to be an issue with the heights and the design of the common areas at penthouse level. In fact, ongoing structural works were noted at this level in order to rectify this issue. The low headroom noted in apartments C3, B6 and F7 go against the sanitary regulations and hence modifications to lower the internal floor finishes of the apartment will be required in order for the apartment to conform with the sanitary regulations. The planning authority has issued a public consultation document that would permit deviations in the internal height of up to 2cm (as in most of the deviations noted above) a normal DNO or minor amendment application will be sufficient to sanction these variations. If this document is approved, then the costs to rectify the deviations noted will be substantially less. Notwithstanding a worst case scenario that the floor tiles would need to be removed and relaid for the observed zones with this deviation has been taken into account in the market value.

If the planning authority approves the draft policy to permit sanctioning of deviations of internal height up to 2cm then with one minor amendment application one would be able to sanction all the variations noted in C2, C3 C5 and F7 but the tiles in unit B6 would still need to be adjusted since the deviation is of 3cm. The undersigned estimates the total cost to carry out these works and to apply for the minor amendment to be in the region of €8,000. This cost has been considered when estimating the open market value.

If the planning authority does not approve the draft policy to permit sanctioning of deviations of internal height up to 2cm then a minor amendment application will be required for C5 but for C3, B6 and F7, the tiles in the apartment would need to be removed and relaid to a lower level. The undersigned estimates the total cost to carry out these works and to apply for the minor amendment to be in the region of €20,000. This cost has been considered when estimating the open market value.

*\* In accordance with L.N. of 2016 the internal clear height for a habitable room must be at least 2.6m for at least 70% of the floor space, the remaining 30% of the floor space can have an internal clear height of 2m*

#### 4.5 TENURE MORTGAGES, LOANS AND PRIVILEGES

The property is freehold. All the units, including the garages, will be hypothecated in favor to BOV to finance the 'acquisition' of the properties from Excel Investments Ltd which will be released and cancelled once the BOV Loan is paid through the proceeds of the bond issue as further detailed in the annexed report prepared by notary Kristen Dimech on behalf of Dimech & Dimech Notaries Public dated 1<sup>st</sup> August 2024 and the annexed copy of the BOV sanction letter issued in the name of Excel Housing Ltd.

#### 4.6 LEASES AND SUBLEASES

A summary of current leases is included in the Appendix

#### 4.7 NATURE AND DATE OF INSPECTION

The property has been inspected by the undersigned Architect Dylan Agius on the 18<sup>th</sup> of April 2024. I managed to inspect all the units and garages since they are all practically in a finished state save for some minor snags in preparation for leasing but are not occupied as yet by any tenants.

#### 4.8 VALUATION BASED ON OPEN MARKET VALUE

In summary and on the basis of the foregoing, attached documentation, the site inspection and other relevant factors, the undersigned values the above described property as follows:

Present capital value of all the 36 residential units in their existing state for the existing use on Open Market: eight million and five hundred and fifty thousand euros (€8,550,000.00).

Present capital value of all the 12 residential garages in their existing state for the existing use on Open Market: four hundred and fifty thousand euros (€450,000.00).

#### 4.9 APPENDICES

Site Plan  
Photographs  
Planning Permits and Permit Drawings  
Summary of Lease agreements

## 5.0 RESIDENTIAL UNITS AND GARAGES AT INNUENDO, RABAT, GOZO

### 5.1 ADDRESS OF PROPERTY

'Innuendo', Triq Patri Anton Debono, S. J., Rabat, Gozo

### 5.2 TYPE OF PROPERTY

The properties consist of 8 residential units and 3 garages that are found within the development block of apartments 'Innuendo', in Rabat, Gozo

### 5.3 DESCRIPTION OF PROPERTY

#### Location

'Innuendo' is a block of 9 apartments, 2 maisonettes and 2 penthouses spread over 5 floors and an underlying basement level for 8 garages. The block of apartments is quietly located towards the outskirts of Rabat in Gozo. The block of apartments is located in Triq Patri Anton Debono, opposite the block one finds a number of third party gardens and undeveloped land notwithstanding the said gardens and land are within scheme and could potentially be developed in the future but as things stand today the apartments enjoy some garden views from the façade apart from the urban views in the street.

#### General Description

Access to the block of apartments is directly from the street 'Triq Patri Anton Debono'. A stair and lift core provides access to all levels. The basement level is served with the lift core and a separate spiral staircase provides further access to the basement from ground floor level. A ramp at the middle of the plot provides vehicular access to the basement level of garages whilst the common entrance is located adjacent to the entrance ramp. All the units forming part of this valuation report are fully finished and currently occupied by tenants. The development was fully completed towards the end of 2020 and is therefore a recent development. The finishes include gres ceramic tiles, gypsum plastering on walls and ceilings, double glazed aluminum apertures and fully fitted kitchens.

The following are the residential units which form part of the properties of Excel Housing Ltd:

**Maisonette 2:** A three-bedroom maisonette located at ground floor level having its own private entrance and also a secondary entrance from the common areas. The apartment has a spacious open plan area overlooking the street, a bedroom overlooking its own internal yard and two bedrooms at the back overlooking its own backyard. A bathroom and an ensuite further compliment the property. The maisonette has a total internal area of circa 120sqm and an external area of circa 25sqm.



**Apartment 3:** A two-bedroom plus study apartment located at first floor level. The apartment has its open plan area overlooking the street, a bedroom overlooking the internal yard and a further bedroom and a study overlooking the backyard. A common bathroom, an ensuite, a front balcony and two back balconies further compliment the property. The apartment has a total internal area of circa 113sqm and an external area of circa 7.5sqm.

**Apartment 4:** A one-bedroom apartment located at first floor level. The apartment has its open plan area overlooking the street and a bedroom overlooking the internal yard. A common bathroom, a games room and a front balcony further compliment the property. The apartment has a total internal area of circa 61sqm and an external area of circa 2.5sqm.

**Apartment 6:** A two-bedroom plus study apartment located at second floor level. The apartment has its open plan area overlooking the street, a bedroom overlooking the internal yard and a further bedroom and a study overlooking the backyard. A common bathroom, an ensuite, a front balcony and two back balconies further compliment the property. The apartment has a total internal area of circa 113sqm and an external area of circa 7.5sqm.

**Apartment 7:** A one-bedroom apartment located at second floor level. The apartment has its open plan area overlooking the street and a bedroom overlooking the internal yard. A common bathroom, a games room and a front balcony further compliment the property. The apartment has a total internal area of circa 61sqm and an external area of circa 2.5sqm.

**Apartment 8:** A three-bedroom apartment located at second floor level. The apartment has its open plan area overlooking the street, a bedroom overlooking the internal yard and a further 2 bedrooms overlooking the backyard. A common bathroom, an ensuite, a front balcony and a back terrace further compliment the property. The apartment has a total internal area of circa 125sqm and an external area of circa 10sqm.

**Apartment 9:** A two-bedroom plus study apartment located at third floor level. The apartment has its open plan area overlooking the street, a bedroom overlooking the internal yard and a further bedroom and a study overlooking the backyard. A common bathroom, an ensuite, a front balcony and two back balconies further compliment the property. The apartment has a total internal area of circa 113sqm and an external area of circa 7.5sqm.

**Apartment 10:** A one-bedroom apartment located at third floor level. The apartment has its open plan area overlooking the street and a bedroom overlooking the internal yard. A common bathroom, a games room and a front balcony further compliment the property. The apartment has a total internal area of circa 61sqm and an external area of circa 2.5sqm.

The garages are located at the basement level. The following are the residential garages which form part of the properties of Excel Housing Ltd:

Garage 3: A one car garage with additional storage space at the back. The garage has a total floor space of circa 16.3sqm

Garage 5: A one car garage. The garage has a total floor space of circa 13sqm

Garage 6: A one car garage adjacent to the common lift. The garage has a total floor space of circa 13sqm

#### 5.4 PLANNING CONSIDERATIONS

The site is covered by the following permits:

PA/01945/19: Application for: To excavate and to construct 2 maisonettes, 9 apartments and 2 penthouses with 8 underlying garages. Permit decision press date 24/04/2019.

No variations from the approved permit drawings were noted during the visual inspection carried out on the 18<sup>th</sup> of April 2024.

#### 5.5 TENURE MORTGAGES, LOANS AND PRIVILEGES

The property is freehold. All the units, including the garages, will be hypothecated in favor to BOV to finance the 'acquisition' of the properties from Excel Investments Ltd which will be released and cancelled once the BOV Loan is paid through the proceeds of the bond issue as further detailed in the annexed report prepared by notary Kristen Dimech on behalf of Dimech & Dimech Notaries Public dated 1<sup>st</sup> August 2024 and the annexed copy of the BOV sanction letter issued in the name of Excel Housing Ltd.

#### 5.6 LEASES AND SUBLEASES

A summary of current leases is included in the Appendix

#### 5.7 NATURE AND DATE OF INSPECTION

The property has been inspected by the undersigned Architect Dylan Agius on the 18<sup>th</sup> of April 2024. I was not able to access inside the Maisonette no. 2 and apartments 3, 4 and 10 and inside all the garages since the tenants did not provide access to the apartments and garages. Where access was not provided the undersigned is relying on the inspection of similar typical apartments inspected within the same block and on the inspection of the common areas and external areas.



## 5.8 VALUATION BASED ON OPEN MARKET VALUE

In summary and on the basis of the foregoing, attached documentation, the site inspection and other relevant factors, the undersigned values the above described property as follows:

Present capital value of all the 8 residential units in their existing state for the existing use on Open Market: one million and eight hundred and twenty thousand euros (€1,820,000.00).

Present capital value of all the 3 residential garages in their existing state for the existing use on Open Market: eighty thousand euros (€80,000.00).

## 5.9 APPENDICES

Site Plan  
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Summary of Lease agreements

## 6.0 RESIDENTIAL UNITS AND GARAGES AT MIDRA, SAN LAWRENZ, GOZO

### 6.1 ADDRESS OF PROPERTY

Midra, Triq il-Wileg, San Lawrenz, Gozo

### 6.2 TYPE OF PROPERTY

The properties consist of 9 residential units and 8 garages that are found within the development block of apartments 'Midra', in San Lawrenz, Gozo

### 6.3 DESCRIPTION OF PROPERTY

#### Location

'Midra' is a block of 10 apartments, 1 maisonette and 2 penthouses spread over 5 floors and an underlying basement level for 8 parking spaces and a garage. The block of apartments is quietly located towards the outskirts of San Lawrenz in Gozo. The surrounding buildings are mainly low rise buildings and therefore the upper levels of the block currently enjoy open unobstructed views with distant country side and sea views.

#### General Description

Access to the block of apartments is directly from the street 'Triq il-Wileg'. A stair and lift core provides access to all levels including the basement level. A ramp at the far right provides vehicular access to the basement level of garages.

All the units forming part of this valuation report are fully finished and currently occupied by tenants. The development was fully completed towards the end of 2020 and is therefore a recent development. The finishes include gres ceramic tiles, gypsum plastering on walls and ceilings, double glazed aluminum apertures and fully fitted kitchens.

The following are the residential units which form part of the properties of Excel Housing Ltd:

**Apartment 1:** A two-bedroom apartment located at ground floor level adjacent to the garage entrance. The apartment has a large open plan area overlooking its own backyard, a bedroom overlooking its own internal yard and the second bedroom overlooking the street. A bathroom, ensuite and a box room further compliment the property. The apartment has a total internal area of circa 122sqm and an external area of circa 24sqm.

**Apartment 3:** A two-bedroom apartment located at first floor level. The apartment has its open plan area overlooking the street and two bedroom overlooking the internal yards. A common bathroom and a front balcony further compliment the property. The apartment has a total internal area of circa 83sqm and an external area of circa 6sqm.

**Apartment 4:** A two-bedroom apartment located at first floor level. The apartment has its open plan area overlooking the backyard, a bedroom overlooking the internal yard and the second bedroom overlooking the street. A common bathroom, an ensuite, a front balcony and a back terrace further compliment the property. The apartment has a total internal area of circa 104sqm and an external area of circa 11sqm.

**Apartment 5:** A two-bedroom apartment located at second floor level. The apartment has its open plan area overlooking the backyard, a bedroom overlooking the internal yard and the second bedroom overlooking the street. A common bathroom, an ensuite, a front balcony and a back terrace further compliment the property. The apartment has a total internal area of circa 111sqm and an external area of circa 11sqm.

**Apartment 7:** A two-bedroom apartment located at second floor level. The apartment has its open plan area overlooking the backyard, a bedroom overlooking the internal yard and the second bedroom overlooking the street. A common bathroom, an ensuite, a front balcony and a back terrace further compliment the property. The apartment has a total internal area of circa 104sqm and an external area of circa 11sqm.

**Apartment 8:** A two-bedroom apartment located at third floor level. The apartment has its open plan area overlooking the backyard, a bedroom overlooking the internal yard and the second bedroom overlooking the street. A common bathroom, an ensuite, a front balcony and a back terrace further compliment the property. The apartment has a total internal area of circa 111sqm and an external area of circa 11sqm.

**Apartment 10:** A two-bedroom apartment located at third floor level. The apartment has its open plan area overlooking the backyard, a bedroom overlooking the internal yard and the second bedroom overlooking the street. A common bathroom, an ensuite, a front balcony and a back terrace further compliment the property. The apartment has a total internal area of circa 104sqm and an external area of circa 11sqm.

**Penthouse 11:** A three-bedroom penthouse located at fourth floor level. The penthouse has its open plan area overlooking a spacious front terrace on the street side and enjoying open views. Two of the bedrooms overlook a back terrace over the backyard also enjoying open views, the third bedroom overlooks the internal yard. A common bathroom and an ensuite further compliment the property. The apartment has a total internal area of circa 125sqm and an external area of circa 27sqm.

**Penthouse 12:** A three-bedroom penthouse located at fourth floor level. The penthouse has its open plan area overlooking a spacious front terrace on the street side and enjoying open views. Two of the bedrooms overlook a back terrace over the backyard also enjoying open views, the third bedroom overlooks the internal yard. A common bathroom and an ensuite further compliment the property. The apartment has a total internal area of circa 123sqm and an external area of circa 26sqm.

The parking spaces and garages are located at the basement level. The following are the residential garages which form part of the properties of Excel Housing Ltd:

Parking Space 1: A one car parking space with a domestic store at the back and a window in the store overlooking a small shaft at the back. The parking space and store together have a total floor space of circa 19sqm

Parking Space 2: A one car parking space with a domestic store at the back and a window in the store overlooking a small shaft at the back. The parking space and store together have a total floor space of circa 19sqm

Parking Space 4: A one car parking space with a domestic store at the back and a window in the store overlooking a small shaft at the back. The parking space and store together have a total floor space of circa 19sqm

Parking Space 5: A one car parking space with a domestic store at the back and a window in the store overlooking a small shaft at the back. The parking space and store together have a total floor space of circa 19sqm

Parking Space 6: A one car parking space with an annexed store located behind the common stairs. The parking space and store together have a total floor space of circa 14sqm

Parking Space 7: A one car parking space. The parking space has a total floor space of circa 12sqm

Parking Space 8: A one car parking space. The parking space has a total floor space of circa 12sqm

Garage 9: A two car garage with additional storage space beneath the common access ramp. The garage has a total floor space of circa 25sqm

#### 6.4 PLANNING CONSIDERATIONS

The site is covered by the following permits:

PA/03175/92: To erect a two storey dwelling with garage for private cars. Permission Granted on 03/03/1993.

PA/01675/95: Renewal - To erect a two-storey dwelling with garage for private cars. Permission Granted on 15/09/1995.

PA/05052/97: Renewal - To erect a two-storey dwelling with garage for private cars. Permit decision press date on 09/10/1997.

PA/10050/18: To excavate site and proposed basement garage for parking spaces; Maisonette / Garage and flat at ground floor; 3 flats at first floor; 3 flats at second floor; 3 flats at third floor and 3 flats at receded floor level. Permit decision press date on 06/02/2019. An appeal PAB/00066/19 was issued by a third party against the approved permit but in accordance with the minutes of the appeal dated 15<sup>th</sup> November 2022 the third party objector did not present himself for the sitting and therefore the application was confirmed as approved. This permit was eventually used for the construction of the development project.

The variations noted during the visual inspection on the 18<sup>th</sup> of April 2024 are the following:

Penthouse 12: Low headroom of circa 2.59m in the open plan for more than 30% of the floor area\*

Parking Spaces 6, 7 & 8: A partition wall has been built in between the parking spaces in order to form 3 separate garage spaces, this has reduced the width of each garage / parking space to less than 2.4m which is not in line with DC15. The partition walls would need to be removed in order to restore back in line with the approved permit.

The low headroom noted in the penthouse goes against the sanitary regulations and hence modifications to lower the internal floor finishes of the penthouse will be required in order for the penthouse to conform with the sanitary regulations. The planning authority has issued a public consultation document that would permit deviations in the internal height of up to 2cm (as in the deviation noted above) a normal DNO or minor amendment application will be sufficient to sanction these variations. If this document is approved, then the costs to rectify the deviations noted will be substantially less. Notwithstanding a worst-case scenario that the floor tiles would need to be removed and relayed for the observed zones with this deviation has been considered in the market value.

If the planning authority approves the draft policy to permit sanctioning of deviations of internal height up to 2cm then one minor amendment application can sanction the variations noted in penthouse 12 but the partition walls in the garage would still need to be removed. The undersigned estimates the total cost to carry out these works and to apply for the minor amendment to be in the region of €4,000. This cost has been considered when estimating the open market value.

If the planning authority does not approve the draft policy to permit sanctioning of deviations of internal height up to 2cm then the tiles in penthouse 12 would need to be removed and relayed to a lower level and the partition walls in the garages would need to be removed. The undersigned estimates the total cost to carry out these works and to apply for the minor to be in the region of €10,000. This cost has been considered when estimating the open market value.

*\* In accordance with L.N. of 2016 the internal clear height for a habitable room must be at least 2.6m for at least 70% of the floor space, the remaining 30% of the floor space can have an internal clear height of 2m*

## 6.5 TENURE MORTGAGES, LOANS AND PRIVILEGES

The property is freehold. All the units, including the garages, will be hypothecated in favor to BOV to finance the 'acquisition' of the properties from Excel Investments Ltd which will be released and cancelled once the BOV Loan is paid through the proceeds of the bond issue as further detailed in the annexed report prepared by notary Kristen Dimech on behalf of Dimech & Dimech Notaries Public dated 1<sup>st</sup> August 2024 and the annexed copy of the BOV sanction letter issued in the name of Excel Housing Ltd.

## 6.6 LEASES AND SUBLEASES

A summary of current leases is included in the Appendix

## 6.7 NATURE AND DATE OF INSPECTION

The property has been inspected by the undersigned Architect Dylan Agius on the 18<sup>th</sup> of April 2024. I was not able to access inside the apartments 1 and 4 since the tenants did not provide access to the apartments. Where access was not provided the undersigned is relying on the inspection of similar typical apartments inspected within the same block and on the inspection of the common areas and external areas.

## 6.8 VALUATION BASED ON OPEN MARKET VALUE

In summary and on the basis of the foregoing, attached documentation, the site inspection and other relevant factors, the undersigned values the above described property as follows:

Present capital value of all the 9 residential units in their existing state for the existing use on Open Market: two million and two hundred and fifty thousand euros (€2,250,000.00).

Present capital value of all the 8 residential garages in their existing state for the existing use on Open Market: two hundred and fifty thousand euros (€250,000.00).

## 6.9 APPENDICES

Site Plan  
Photographs  
Planning Permits and Permit Drawings  
Summary of Lease agreements



## **7.0 RESIDENTIAL UNITS AND GARAGES AT TRILOGY, XAGHRA, GOZO**

### **7.1 ADDRESS OF PROPERTY**

Trilogy, Triq Guzeppi Bajada, Xaghra, Gozo

### **7.2 TYPE OF PROPERTY**

The properties consist of 19 residential units and 17 garages that are found within the development block of apartments 'Trilogy', in Xaghra, Gozo

### **7.3 DESCRIPTION OF PROPERTY**

#### Location

'Trilogy' is a block of apartments spread over 5 floors and an underlying basement level. The block of apartments is quietly located towards the outskirts of Xaghra in Gozo. The surrounding zone is not fully developed yet and hence the upper levels of the block currently enjoy distant and side country side views.

#### General Description

Access to the block of apartments is directly from the street 'Triq Guzeppi Bajada. The block is composed of two blocks A and B each served with a common stairs and lift providing access to all levels. The basement level is served with the two lifts from both blocks but the stairs do not go all the way down to the basement level. A ramp at the far left provides vehicular access to the basement level of garages.

All the units and garages are fully finished and currently occupied by tenants. The development was fully completed towards the end of 2020 and is therefore a recent development. The finishes include gres ceramic tiles, gypsum plastering on walls and ceilings, double glazed aluminum apertures and fully fitted kitchens. The block of apartments is not deep and therefore does not have a back garden. There are no third party developments on either side of the block and neither on the back of the block and hence these three walls, on the side and on the back of the block, are all currently fully exposed common walls 'appoggi'. The external rendering of these walls requires thorough maintenance and repair since during the internal inspections of the apartments these walls on the inside exhibited severe mold due to water ingress and also condensation.

All the units and garages in this development block are part of Excel Housing Ltd and form part of this valuation report.

The following are the residential units forming part of the block of apartments:

**Maisonette A1:** A two-bedroom maisonette located at ground floor level adjacent to the garage entrance. The maisonette has a spacious open plan area overlooking the street with part of the open plan having a low headroom above the access ramp to the garages below. The maisonette then has two bedrooms overlooking its own part of internal/ backyard. A bathroom further compliments the property. The maisonette has a total internal area of circa 95sqm and an external area of circa 13sqm.

**Maisonette A2:** A two-bedroom maisonette located at ground floor level. The maisonette has a spacious open plan area overlooking the street and two bedroom overlooking its own part of internal/ backyard. A bathroom and an ensuite further compliments the property. The maisonette has a total internal area of circa 90sqm and an external area of circa 26sqm.

**Maisonette B3:** A two-bedroom maisonette located at ground floor level. The maisonette has a spacious open plan area overlooking the street and two bedroom overlooking its own part of internal/ backyard. A bathroom and an ensuite further compliments the property. The maisonette has a total internal area of circa 90sqm and an external area of circa 26sqm.

**Maisonette B4:** A two-bedroom maisonette located at ground floor level. The maisonette has a spacious open plan area overlooking the street and two bedroom overlooking its own part of internal/ backyard. A bathroom and an ensuite further compliments the property. The maisonette has a total internal area of circa 93sqm and an external area of circa 28sqm.

**Apartment A2:** A three-bedroom apartment located at first floor level. The apartment has a spacious open plan area and a bedroom overlooking the street and two bedrooms the internal/ backyard. A bathroom, an ensuite a front terrace and a small back terrace further compliments the property. The apartment has a total internal area of circa 98sqm and an external area of circa 7sqm.

**Apartment A3:** A three-bedroom apartment located at first floor level. The apartment has a spacious open plan area and a bedroom overlooking the street and two bedrooms the internal/ backyard. A bathroom, an ensuite a front terrace and a small back terrace further compliments the property. The apartment has a total internal area of circa 98sqm and an external area of circa 7sqm.

**Apartment B2:** A three-bedroom apartment located at first floor level. The apartment has a spacious open plan area and a bedroom overlooking the street and two bedrooms the internal/ backyard. A bathroom, an ensuite a front terrace and a small back terrace further compliments the property. The apartment has a total internal area of circa 98sqm and an external area of circa 7sqm.

**Apartment B3:** A three-bedroom apartment located at first floor level. The apartment has a spacious open plan area and a bedroom overlooking the street and two bedrooms the internal/ backyard. A bathroom, an ensuite a front terrace and a small back terrace further compliments the property. The apartment has a total internal area of circa 102sqm and an external area of circa 7sqm.

**Apartment A4:** A three-bedroom apartment located at second floor level. The apartment has a spacious open plan area and a bedroom overlooking the street and two bedrooms the internal/backyard. A bathroom, an ensuite a front terrace and a small back terrace further compliments the property. The apartment has a total internal area of circa 98sqm and an external area of circa 7sqm.

**Apartment A5:** A three-bedroom apartment located at second floor level. The apartment has a spacious open plan area and a bedroom overlooking the street and two bedrooms the internal/backyard. A bathroom, an ensuite a front terrace and a small back terrace further compliments the property. The apartment has a total internal area of circa 98sqm and an external area of circa 7sqm.

**Apartment B4:** A three-bedroom apartment located at second floor level. The apartment has a spacious open plan area and a bedroom overlooking the street and two bedrooms the internal/backyard. A bathroom, an ensuite a front terrace and a small back terrace further compliments the property. The apartment has a total internal area of circa 98sqm and an external area of circa 7sqm.

**Apartment B5:** A three-bedroom apartment located at second floor level. The apartment has a spacious open plan area and a bedroom overlooking the street and two bedrooms the internal/backyard. A bathroom, an ensuite a front terrace and a small back terrace further compliments the property. The apartment has a total internal area of circa 102sqm and an external area of circa 7sqm.

**Apartment A6:** A three-bedroom apartment located at third floor level. The apartment has a spacious open plan area and a bedroom overlooking the street and two bedrooms the internal/backyard. A bathroom, an ensuite a front terrace and a small back terrace further compliments the property. The apartment has a total internal area of circa 98sqm and an external area of circa 7sqm.

**Apartment A7:** A three-bedroom apartment located at third floor level. The apartment has a spacious open plan area and a bedroom overlooking the street and two bedrooms the internal/backyard. A bathroom, an ensuite a front terrace and a small back terrace further compliments the property. The apartment has a total internal area of circa 98sqm and an external area of circa 7sqm.

**Apartment B6:** A three-bedroom apartment located at third floor level. The apartment has a spacious open plan area and a bedroom overlooking the street and two bedrooms the internal/backyard. A bathroom, an ensuite a front terrace and a small back terrace further compliments the property. The apartment has a total internal area of circa 98sqm and an external area of circa 7sqm.

**Apartment B7:** A two-bedroom apartment located at third floor level. The apartment has a spacious open plan area and a bedroom overlooking the street and two bedrooms the internal/backyard. A bathroom, an ensuite a large front terrace and a small back terrace further compliments the property. The apartment has a total internal area of circa 100sqm and an external area of circa 21sqm.

**Penthouse A8:** A one-bedroom plus study penthouse located at fourth floor level. The penthouse has its open plan area overlooking a spacious front terrace. The bedroom and the study overlook the internal/ backyard. A bathroom, an ensuite a front terrace and a small back terrace further compliments the property. The penthouse has a total internal area of circa 72sqm and an external area of circa 24sqm.

**Penthouse A9:** A one-bedroom plus study penthouse located at fourth floor level. The penthouse has its open plan area overlooking a spacious front terrace. The bedroom and the study overlook the internal/ backyard. A bathroom, an ensuite a front terrace and a small back terrace further compliments the property. The penthouse has a total internal area of circa 69sqm and an external area of circa 26sqm.

**Penthouse B8:** A large three-bedroom penthouse located at fourth floor level. The penthouse has a large open plan and two bedrooms overlooking a spacious front and side terrace. A third bedroom overlooks the internal/ backyard. A bathroom and an ensuite further compliments the property. The penthouse has a total internal area of circa 130sqm and an external area of circa 71sqm.

All the garages at the basement level form part of the properties of Excel Housing Ltd. All of the garages are one car garages but most are spacious garages offering additional space to the one car space. Access to the garages is via a comfortable ramp from Triq Guzeppi Bajada and an internal central driveway with garages located on either side of the drive way. The two communal lifts extend to the basement level and open up directly onto the driveway.

The following are the residential garages which form part of the properties of Excel Housing Ltd:

| Garage    | Floor Level | No. of Cars | Area of Garage (sqm) |
|-----------|-------------|-------------|----------------------|
| Garage 01 | Basement    | 1           | 16.3                 |
| Garage 02 | Basement    | 1           | 17.5                 |
| Garage 03 | Basement    | 1           | 20.7                 |
| Garage 04 | Basement    | 1           | 19.3                 |
| Garage 05 | Basement    | 1           | 19.3                 |
| Garage 06 | Basement    | 1           | 20.7                 |
| Garage 07 | Basement    | 1           | 15                   |
| Garage 08 | Basement    | 1           | 19                   |
| Garage 09 | Basement    | 1           | 23.7                 |
| Garage 10 | Basement    | 1           | 15.8                 |
| Garage 11 | Basement    | 1           | 15.8                 |
| Garage 12 | Basement    | 1           | 15.8                 |
| Garage 13 | Basement    | 1           | 15.8                 |
| Garage 14 | Basement    | 1           | 15.8                 |
| Garage 15 | Basement    | 1           | 15.8                 |
| Garage 16 | Basement    | 1           | 15.8                 |
| Garage 17 | Basement    | 1           | 15.8                 |

#### 7.4 PLANNING CONSIDERATIONS

The site is covered by the following permits:

PA/5408/18: - To construct 19 flats and excavate basement with 17 garages. Permit decision press date on 19/12/2018.

The variations noted during the visual inspection on the 18<sup>th</sup> of April 2024 are the following:

Apartment B7: An additional small third bedroom has been formed with gypsum partitions in the open plan area. This variation can easily be sanctioned with a minor amendment.

A minor amendment will be able to sanction the variations noted in apartment B7 and I would estimate the total cost to be in the region of €1,500. This cost has been considered when estimating the open market value.

#### 7.5 TENURE MORTGAGES, LOANS AND PRIVILEGES

The property is freehold. All the units, including the garages, will be hypothecated in favor to BOV to finance the 'acquisition' of the properties from Excel Investments Ltd which will be released and cancelled once the BOV Loan is paid through the proceeds of the bond issue as further detailed in the annexed report prepared by notary Kristen Dimech on behalf of Dimech & Dimech Notaries Public dated 1<sup>st</sup> August 2024 and the annexed copy of the BOV sanction letter issued in the name of Excel Housing Ltd.

## 7.6 LEASES AND SUBLEASES

A summary of current leases is included in the Appendix

## 7.7 NATURE AND DATE OF INSPECTION

The property has been inspected by the undersigned Architect Dylan Agius on the 18<sup>th</sup> of April 2024. I was not able to access inside penthouse A8. I inspected the basement level with all the garages but not all the garages were open and accessible. Notwithstanding I managed to inspect a few typical garages. Where access was not provided the undersigned is relying on the inspection of similar typical units and garages inspected within the same block and on the inspection of the common areas, drive-ways and external areas.

## 7.8 VALUATION BASED ON OPEN MARKET VALUE

In summary and on the basis of the foregoing, attached documentation, the site inspection and other relevant factors, the undersigned values the above described property as follows:

Present capital value of all the 19 residential units in their existing state for the existing use on Open Market: four million and three hundred thousand euros (€4,300,000.00).

Present capital value of all the 17 residential garages in their existing state for the existing use on Open Market: five hundred thousand euros (€500,000.00).

## 7.9 APPENDICES

Site Plan  
Photographs  
Planning Permits and Permit Drawings  
Summary of Lease agreements



## 8.0 SUMMARY OF MARKET VALUES

The following is a summary table of the present capital value of all the properties forming part of the portfolio of Excel MJD Ltd and the properties from Excel Investments Ltd that will be transferred to Excel Housing Ltd.

| Property              | Estimated Market Value |
|-----------------------|------------------------|
| QHUB (once completed) | * € 32,500,000         |
| CITIWAY Apartments    | € 7,750,000            |
| CITIWAY Garages       | € 1,250,000            |
| D ROCK Apartments     | € 8,550,000            |
| D ROCK Garages        | € 450,000              |
| INNUENDO Apartments   | € 1,820,000            |
| INNUENDO Garages      | € 80,000               |
| MIDRA Apartments      | € 2,250,000            |
| MIDRA Garages         | € 250,000              |
| TRIOLOGY Apartments   | € 4,300,000            |
| TRIOLOGY Garages      | € 500,000              |
| <b>Total</b>          | <b>€ 59,700,000</b>    |

\*Future capital value of property once fully finished, serviced and completed (targeted to be completed by November 2024)

## 9.0 VALUATIONS OF EXCEL PROPERTY TRADING LTD.

The following are the valuations for the properties of Excel Property Trading Ltd as listed in 1.4.2:

### 10.0 IL-HARRUBA RESIDENCES, NADUR, GOZO

#### 10.1 ADDRESS OF PROPERTY

Il-Harruba Residences, Triq Sant' Indrija, Nadur, Gozo

#### 10.2 TYPE OF PROPERTY

The property is a mixed residential and commercial development site that is proposing the construction of an office, 15 residential units and 11 garages.

### 10.3 DESCRIPTION OF PROPERTY

#### Location

'Il-Harruba Residences' is a block of apartments currently under construction. The development site was inspected on the 15<sup>th</sup> of October 2024 and the construction works are currently on the roofing above the first-floor level.

The block of apartments is well located towards the outskirts of Nadur in Gozo. The surrounding zone on the back part of the development is not fully developed yet and hence the upper levels of the block currently enjoy countryside views and distant sea views.

#### General Description

Access to the block of apartments is directly from Triq Sant' Indrija from ground floor level. The block has one common stairs and lift providing access to all levels. The basement level is served with the lift but the stairs do not go all the way down to the lower basement level. A ramp at the far right provides vehicular access to the basement level of garages. In between the access ramp and the common entrance there is a small class 4A office.

The upper basement level consists of the Car Space 1 and an internal ramp to the lower basement level on the front part along Triq Sant' Indrija whilst 2 apartments are located on the back part overlooking a communal garden and pool at the back forming part of the same development.

- The lower basement level consists of 9 garages and a car space.
- The ground floor level consists of 3 apartments and an office.
- The first floor level consists of 4 apartments
- The second floor level consists of 4 apartments
- The third floor level (receded floor level) consists of 2 penthouses

Excel Investments Ltd acquired the airspaces for the following units:

**Car Space 1:** This is a one-car car space located at the upper basement level in between the circular walls of the circular ramp leading to level -2. The car space is a spacious space with ample space for further storage. The car space has a total area of circa 30sqm.

**Car Space 2:** This is a one-car car space located at lower basement level next to the ramp and in front of the lift. e car space has a total area of circa 12.5sqm.

**Garage 1:** This is a large one-car with additional storage lock-up garage located at lower basement level having an internal area of circa 24sqm.

**Garage 2:** This is a large one-car lock-up garage with additional storage and further additional storage and space beneath the access ramp. The garage is located at lower basement level having an internal area of circa 65sqm.

**Garage 3:** This is a one-car lock-up garage located at lower basement level having an internal area of circa 16sqm.

**Garage 9:** This is a large one-car with additional storage lock-up garage located at lower basement level having an internal area of circa 22sqm.

**Office:** This is a small office located at ground floor level in between the basement access ramp and the common entrance. The office includes an open space overlooking the street and a store with a wc and an internal shaft at the back part. The office has an internal area of circa 44sqm and an external area of circa 4sqm.

**Apartment 2:** This is a 3-bedroom apartment located at the upper basement level which is level with the communal back garden at the back and overlooks directly the communal back garden. The apartment has an internal area of circa 126sqm and an external area of circa 39sqm.

**Apartment 5:** This is a large 1-bedroom apartment located at the ground floor level and overlooks directly the communal back garden. The apartment has an internal area of circa 106sqm and an external area of circa 12sqm.

**Apartment 8:** This is a 3-bedroom apartment located at the first floor level and overlooks the communal back garden from the main bedroom and the open plan whilst one of the bedrooms overlooks the internal yard and the other bedroom overlooks the street Triq Sant' Indrija. The apartment has an internal area of circa 156sqm and an external area of circa 15sqm.

**Apartment 9:** This is a 3-bedroom apartment located at the first floor level. The open plan overlooks the street Triq Sant' Indrija whilst the 3 bedrooms overlook the internal shaft. The apartment has an internal area of circa 85sqm and an external area of circa 7sqm.

**Apartment 10:** This is a 3-bedroom apartment located at the second floor level. The open plan overlooks the communal back garden whilst two of the bedrooms overlook the internal yard and the other bedroom overlooks the street Triq Sant' Indrija. The apartment has an internal area of circa 152sqm and an external area of circa 10sqm.

**Apartment 12:** This is a 3-bedroom apartment located at the second floor level and overlooks the communal back garden from the main bedroom and the open plan whilst one of the bedrooms overlooks the internal yard and the other bedroom overlooks the street Triq Sant' Indrija. The apartment has an internal area of circa 156sqm and an external area of circa 26sqm.

**Apartment 13:** This is a 3-bedroom apartment located at the second floor level. The open plan overlooks the street Triq Sant' Indrija whilst the 3 bedrooms overlook the internal shaft. The apartment has an internal area of circa 85sqm and an external area of circa 3sqm.

**Penthouse 14:** This is a 3-bedroom penthouse located at the third-floor level. The open plan overlooks a large terrace with space for a Jacuzzi which overlooks the communal back garden; one of the bedrooms overlooks the internal yard whilst the other two bedrooms overlook a front terrace that overlooks the street Triq Sant' Indrija. The penthouse has an internal area of circa 154sqm and an external area of circa 53sqm.

Furthermore, Excel Investments Ltd acquired the following fields located on the back part of the property behind the communal garden of the development:

**Field 1** – measuring circa 47.75sqm

**Field 2** – measuring circa 49.85sqm

**Field 3** – measuring circa 49.1sqm

**Field 4** – measuring circa 48.1sqm

**Field 12** – measuring circa 45.3sqm

**Field 13** – measuring circa 45.6sqm

**Field 14** – measuring circa 46sqm

**Field 15** – measuring circa 48.8sqm

Excel Investments Ltd acquired the airspaces for the above units and fields in exchange for and by way of set-off for the execution of the works to construct and semi-finish the entire development. The development will be fully completed to a semi-finished state which will include finishes to the common parts including the communal garden and installation of external apertures, railings, external tiles and main door.

Excel Investments Ltd signed a contract of works agreement with PRA Construction Ltd to execute the works for an agreed lump sum of €1,157,820.00 inclusive of VAT. In accordance with the agreement the works are to be completed to a semi-finished state by the 31<sup>st</sup> January 2026. The undersigned has vetted this amount and can confirm that this amount is adequate to develop the property to a semi-finished state.

Excel Investments Ltd has transferred all the units, airspaces, contract of works, obligations, commitments and proceeds in relation to this development project to Excel Property Trading Ltd.

#### 10.4 PLANNING CONSIDERATIONS

The site is covered by the following permits:

PA/04897/07:- To construct 16 garages at basement, a local shop and 5 flats at ground floor, 6 flats at first floor and 3 flats at second floor. Permit decision granted on 14/01/2008. The permit was never utilized

PA/04692/22: - To excavate and to construct 13 apartments, office (Class 4A) and 2 penthouses with underlying garages and car spaces. To also construct a 2 pools and a jacuzzi. Permit decision press date on 06/06/2023.

PA/01622/24:- To carry out alterations and extensions to residential dwellings at receded floors level approved in PA/04692/22. To also add another residential unit. The application has been withdrawn by the applicant

No deviations from the approved permit plans have been observed during my site visit carried out on the 15<sup>th</sup> of October 2024.

#### 10.5 TENURE MORTGAGES, LOANS AND PRIVILEGES

Freehold

#### 10.6 LEASES AND SUBLEASES

None - Not applicable

#### 10.7 NATURE AND DATE OF INSPECTION

The property has been inspected by the undersigned Architect Dylan Agius on the 15<sup>th</sup> of October 2024.

#### 10.8 VALUATION BASED ON OPEN MARKET VALUE

In summary and on the basis of the foregoing, attached documentation, the site inspection and other relevant factors, the undersigned values the above described property as follows:

Present capital value of all properties acquired prior to any construction works on the Open Market: five hundred thousand euros (€500,000.00).

Future capital value of all the residential units, garages, office and fields acquired by Excel Property Trading Ltd once fully completed in a semi-finished state as described above on the Open Market: two million and one hundred thousand euros (€2,100,000.00).

#### 10.9 APPENDICES

Site Plan  
Photographs  
Planning Permits and Permit Drawings  
Plan of fields

## 11.0 ORCHIDEA COURT, GHAJNSIELEM, GOZO

### 11.1 ADDRESS OF PROPERTY

Orchidea Court, Triq Cordina, Ghajnsielem, Gozo

### 11.2 TYPE OF PROPERTY

The property consists of two existing 3-bedroom penthouses with their overlying airspace which will be developed into 6 apartments and 2 overlying penthouses.

### 11.3 DESCRIPTION OF PROPERTY

#### Location

Orchidea Court is an existing block of apartments well located in a quiet residential area in Ghajnsielem, Gozo.

#### General Description

Access to the block of apartments is directly from Triq ta' Cordina from the existing common entrance. The block has one common stairs and lift providing access to all levels up to the third floor level.

Excel Investments Ltd acquired the existing penthouses no.19 and no.20 at third floor level including their overlying airspace. Excel Property Trading Ltd furthermore acquired the ownership of the common areas of the block.

Excel Investments Ltd obtained the permit PA/02808/19 which is proposing to redevelop the existing penthouses. It is proposed to carry out alterations to the existing penthouse at third floor level and extend the existing penthouses out onto the front terrace so as to convert the penthouses into 6 apartments (4 two-bedrooms and 2 one-bedrooms). Furthermore, it is being proposed to develop two overlying large three bedroom penthouses at fourth floor level and to extend the common areas in order to serve this additional level. The development site was inspected on the 15<sup>th</sup> of October 2024. Construction works have not started as yet but they have started to clear out the existing penthouse and removing the tiles, 'torba' and screeds from the terraces and overlying roof. The penthouses will enjoy good sea views from their terraces.

Excel Investments Ltd signed a contract of works agreement with PRA Construction Ltd to execute the works for an agreed lump sum of €548,482 inclusive of VAT. In accordance with the agreement the works are to be completed to a shell state with finished common parts finished by the 31<sup>st</sup> July 2025. The undersigned has vetted this amount and can confirm that this amount is adequate to develop the property to a shell state with finished common parts.



Excel Investments Ltd has transferred all the units, airspaces, contract of works, obligations, commitments and proceeds in relation to this development project to Excel Property Trading Ltd.

The following are the units that will be developed with the proposed development project:

**Apartment 21:** This is a two-bedroom apartment located at third floor level. The open plan and main bedroom overlook Triq ta' Cordina whilst one of the bedrooms overlooks the internal yard. The apartment has an internal area of circa 85sqm and an external area of circa 3sqm.

**Apartment 22:** This is a one-bedroom apartment located at third floor level. The open plan and bedroom overlook Triq ta' Cordina whilst the kitchen and the study overlook the internal yard. The apartment has an internal area of circa 80sqm and an external area of circa 5sqm.

**Apartment 23:** This is a two-bedroom apartment located at third floor level. The open plan and bedroom overlook Triq ta' Cordina whilst the kitchen and the other bedroom overlook the internal yard. The apartment has an internal area of circa 85sqm and an external area of circa 3sqm.

**Apartment 24:** This is a two-bedroom apartment located at third floor level. The open plan and the two bedrooms overlook Triq ta' Cordina. The apartment has an internal area of circa 86sqm and an external area of circa 3sqm.

**Apartment 25:** This is a two-bedroom apartment located at third floor level. The open plan and the two bedrooms overlook Triq ta' Cordina. The apartment has an internal area of circa 85sqm and an external area of circa 3sqm.

**Apartment 26:** This is a one-bedroom apartment located at third floor level. The open plan and bedroom overlook Triq ta' Cordina. The apartment has an internal area of circa 54sqm and an external area of circa 3sqm.

**Penthouse 27:** This is a spacious corner three-bedroom penthouse located at fourth floor level. All rooms overlook the large surrounding front terrace and distant sea views may be enjoyed from the front terrace. The penthouse has an internal area of circa 156sqm and an external area of circa 140sqm.

**Penthouse 28:** This is a spacious three-bedroom penthouse located at fourth floor level. All rooms except for one of the bedrooms overlook the front terrace and distant sea views may be enjoyed from the front terrace. The third bedroom overlooks the internal yard. The penthouse has an internal area of circa 135sqm and an external area of circa 49sqm.

The site is covered by the following permits:

PA/03450/07:- To construct 12 garages and 1 maisonette at ground floor level, 12 overlying apartments, and 2 penthouses. The application was refused

PA/02720/08:- To erect basement garages, 2 terraced houses, 13 maisonettes, 26 apartments and 4 penthouses. Permit decision posted date on 24/11/2008

PA/05182/09:- Proposed modifications, in internal layout and elevations of all levels, to approved drawings of permission PA2720/08. Permit decision press date on 05/02/2011

PA/00624/12:- To sanction variations from permission PA 5182/09 consisting of internal layout, changes to elements in internal elevations and changes to site boundary. Permit decision press date on 28/07/2012

PA/02808/19:- Proposed alterations and additions at third floor level consisting of demolition of walls and create 6 apartments instead of 2 receded flats and proposed 2 new receded flats at fourth floor level. Permit decision press date on 24/07/2019

No deviations from the approved permit plans have been observed during my site visit carried out on the 15<sup>th</sup> of October 2024.

#### 11.5 TENURE MORTGAGES, LOANS AND PRIVILEGES

Freehold

#### 11.6 LEASES AND SUBLEASES

None - Not applicable

#### 11.7 NATURE AND DATE OF INSPECTION

The property has been inspected by the undersigned Architect Dylan Agius on the 15<sup>th</sup> of October 2024.

## 11.8 VALUATION BASED ON OPEN MARKET VALUE

In summary and on the basis of the foregoing, attached documentation, the site inspection and other relevant factors, the undersigned values the above described property as follows:

Present capital value of the purchased penthouses 19 and 20 prior to any construction works on the Open Market: five hundred thousand euros (€500,000.00).

Future capital value of all the units to be developed by Excel Property Trading Ltd once completed in a shell form state with common parts finished as described above on the Open Market: one million and five hundred thousand euros (€1,500,000.00).

## 11.9 APPENDICES

Site Plan  
Photographs  
Planning Permits and Permit Drawings

## 12.0 VISTA GIULIANA, ST. JULIANS, MALTA

### 12.1 ADDRESS OF PROPERTY

Vista Giuliana, 170-174, Triq Birkirkara, St. Julian's, Malta

### 12.2 TYPE OF PROPERTY

The property consists of two existing adjoining townhouses which are split into 5 separate units namely 170,171,172,173 and 174. All these units put together form a site of circa 248sqm. The properties are set to be demolished and redeveloped into a block of 10 apartments; 1 maisonette; 2 penthouses and a basement level for 3 garages and 2 parking spaces

### 12.3 DESCRIPTION OF PROPERTY

#### Location

The property is well located in Birkirkara Road overlooking the Balluta valley from the back façade. The access road is a narrow street with Ltd on street parking and hence the proposed development of the basement garages is essential for the project.

#### General Description

Access to the block of apartments will be directly from Triq Birkirkara whereby an access ramp will provide access to the basement level, a common stairs and lift will provide access to all levels with the lifts extending to the basement level whilst the stairs will stop at ground floor level. The maisonette will have a separate entrance also from Triq Birkirkara

Excel Investments Ltd acquired the 5 existing properties 170,171,172,173 and 174 which together form the site for development.

Excel Investments Ltd signed a contract of works agreement with PRA Construction Ltd to execute the works for an agreed lump sum of €2,015,054.00 inclusive of VAT. In accordance with the agreement the works are to be completed to a semi-finished state by the 31<sup>st</sup> August 2026. The undersigned has vetted this amount and can confirm that this amount is adequate to develop the property to a semi-finished state.

Excel Investments Ltd has transferred all the units, airspaces, contract of works, obligations, commitments and proceeds in relation to this development project to Excel Property Trading Ltd.

Excel Property Trading Ltd will be constructing the entire development to a semi-finished state which will include finishes to the common parts and basement level and the installation of external apertures, railings, external tiles and main door.

The permit PA/07708/23 is proposing to demolish the existing properties, excavate the basement level and construct a residential development spread over 6 floors plus an overlying receded floor level and a full basement level hence the development will consist in total of 8 levels. The following units will be developed as part of the development:

**Garage 1:** This is a one-car lock-up garage located at basement level having an internal area of circa 20sqm.

**Garage 2:** This is a one-car lock-up garage located at basement level having an internal area of circa 18sqm.

**Garage 3:** This is a one-car lock-up garage located at basement level having an internal area of circa 19sqm.

**Parking Space 1:** This is a one-car parking space located at basement level having an internal area of circa 14sqm.

**Parking Space 2:** This is a one-car parking space located at basement level having an internal area of circa 17sqm.

**Maisonette 01:** This is a large 3-bedroom ground floor Maisonette. The open plan and two bedroom overlook a backyard that forms part of the property and that overlooks the Balluta Valley. The third bedroom overlooks the street. The maisonette has an internal area of circa 150sqm and an external area of circa 42sqm.

**Apartment 02:** This is a 2-bedroom apartment located at the first floor level. The open plan overlooks the Balluta Valley whilst the two bedrooms overlook the street. The apartment has an internal area of circa 85sqm and an external area of circa 20sqm.

**Apartment 03:** This is a 2-bedroom apartment located at the first floor level. The open plan overlooks the Balluta Valley whilst the two bedrooms overlook the street. The apartment has an internal area of circa 92sqm and an external area of circa 10sqm.

**Apartment 04:** This is a 2-bedroom apartment located at the second floor level. The open plan overlooks the Balluta Valley whilst the two bedrooms overlook the street. The apartment has an internal area of circa 85sqm and an external area of circa 7sqm.

**Apartment 05:** This is a 2-bedroom apartment located at the second floor level. The open plan overlooks the Balluta Valley whilst the two bedrooms overlook the street. The apartment has an internal area of circa 92sqm and an external area of circa 8sqm.

**Apartment 06:** This is a 2-bedroom apartment located at the third floor level. The open plan overlooks the Balluta Valley whilst the two bedrooms overlook the street. The apartment has an internal area of circa 85sqm and an external area of circa 9sqm.

**Apartment 07:** This is a 2-bedroom apartment located at the third floor level. The open plan overlooks the Balluta Valley whilst the two bedrooms overlook the street. The apartment has an internal area of circa 92sqm and an external area of circa 10sqm.

**Apartment 08:** This is a 2-bedroom apartment located at the fourth floor level. The open plan overlooks the Balluta Valley whilst the two bedrooms overlook the street. The apartment has an internal area of circa 85sqm and an external area of circa 9sqm.

**Apartment 09:** This is a 2-bedroom apartment located at the fourth floor level. The open plan overlooks the Balluta Valley whilst the two bedrooms overlook the street. The apartment has an internal area of circa 92sqm and an external area of circa 10sqm.

**Apartment 10:** This is a 2-bedroom apartment located at the fifth floor level. The open plan overlooks the Balluta Valley whilst the two bedrooms overlook the street. The apartment has an internal area of circa 85sqm and an external area of circa 9sqm.

**Apartment 11:** This is a 2-bedroom apartment located at the fifth floor level. The open plan overlooks the Balluta Valley whilst the two bedrooms overlook the street. The apartment has an internal area of circa 92sqm and an external area of circa 10sqm.

**Penthouse 12:** This is a 1-bedroom penthouse located at the sixth floor level. The open plan overlooks the Balluta Valley whilst the bedroom overlooks the street. The apartment has an internal area of circa 58sqm and an external area of circa 26sqm.

**Penthouse 13:** This is a 1-bedroom penthouse located at the sixth floor level. The open plan overlooks the Balluta Valley whilst the bedroom overlooks the street. The apartment has an internal area of circa 65sqm and an external area of circa 27sqm.

#### 12.4 PLANNING CONSIDERATIONS

The site is covered by the following permits:

PA/07375/18:- Redevelopment of site, including demolition of existing two-story house and construction of block of 4 floors above ground floor, plus basement and full roof for services. Application was refused

PA/07708/23:- Proposed demolition of existing property, excavation of a plot, and construction of 3 garages and 2 parking spaces at level -1. Construction of 1 maisonette at ground floor level, 10 apartments, and 2 penthouses at receded level 6. Permit decision press date on 04/09/2024

#### 12.5 TENURE MORTGAGES, LOANS AND PRIVILEGES

Freehold



12.6 LEASES AND SUBLEASES

None - Not applicable

12.7 NATURE AND DATE OF INSPECTION

The property has been inspected by the undersigned Architect Dylan Agius on the 11<sup>th</sup> of October 2024. No works have commenced on site as yet.

12.8 VALUATION BASED ON OPEN MARKET VALUE

In summary and on the basis of the foregoing, attached documentation, the site inspection and other relevant factors, the undersigned values the above described property as follows:

Present capital value of all purchased properties namely 170,171,172,173 and 174 prior to any construction works on the Open Market: one million and one hundred and fifty thousand euros (€1,150,000.00).

Future capital value of all the residential units, garages and office to be developed by Excel Property Trading Ltd once fully completed in a semi-finished state as described above on the Open Market: four million and two hundred and fifty thousand euros (€4,250,000.00).

12.9 APPENDICES

Site Plan  
Photographs  
Planning Permits and Permit Drawings

### 13.0 SUNSET SUITES, XLENDI, GOZO

#### 13.1 ADDRESS OF PROPERTY

Sunset Suites, Triq ix-Xatt, Xlendi, Gozo

#### 13.2 TYPE OF PROPERTY

The property is a seafront residential development with a ground floor restaurant currently completed in a shell form state.

#### 13.3 DESCRIPTION OF PROPERTY

##### Location

Sunset suites are perfectly set on the promenade seafront of Xlendi offering a unique and unobstructed spectacular view of Xlendi bay and the cliffs.

##### General Description

The development consists of a class 4D restaurant at ground floor level, 5 typical one-bedroom studio apartments from 1<sup>st</sup> to 5<sup>th</sup> floor level and a one-bedroom studio penthouse at 6<sup>th</sup> floor level. The development is currently fully completed in a shell state, the façade has been plastered and rendered and the roof screeds and membranes have been completed. Excel Investments Ltd acquired the following units:

**Apartment 02:** This is a one-bedroom studio apartment located at the second floor level. The apartment is total open plan and enjoys a unique seafront view of Xlendi bay. The apartment has an internal area of circa 84sqm and an external area of circa 5sqm.

**Apartment 03:** This is a one-bedroom studio apartment located at the third floor level. The apartment is total open plan and enjoys a unique seafront view of Xlendi bay. The apartment has an internal area of circa 84sqm and an external area of circa 5sqm.

**Apartment 04:** This is a one-bedroom studio apartment located at the fourth floor level. The apartment is total open plan and enjoys a unique seafront view of Xlendi bay. The apartment has an internal area of circa 84sqm and an external area of circa 5sqm.

The properties are fully completed in a shell form state and will be sold in a shell form state with the common areas completed.

Excel Investments Ltd signed a contract of works agreement with PRA Construction Ltd to execute the works for an agreed lump sum of €490,702.00 inclusive of VAT. In accordance with the agreement the works are to be completed to a shell state with common parts finished by the 31<sup>st</sup>

July 2025. The undersigned has vetted this amount and can confirm that this amount is adequate to develop the property to a shell state with finished common parts.

Excel Investments Ltd has transferred all the units, airspaces, contract of works, obligations, commitments and proceeds in relation to this development project to Excel Property Trading Ltd.

#### 13.4 PLANNING CONSIDERATIONS

The site is covered by the following permits:

PA/00182/22:- To demolish exiting building, construct flats with different layout from that approved in PA1942/17 and proposed larger restaurant Class 4D and additional flats. Permit decision Press date on 14/09/2022

The previous permits on the site are no longer valid and effective on the property since the site has since been demolished and redeveloped in accordance with PA/00182/22 above.

#### 13.5 TENURE MORTGAGES, LOANS AND PRIVILEGES

Freehold

#### 13.6 LEASES AND SUBLEASES

None - Not applicable

#### 13.7 NATURE AND DATE OF INSPECTION

The property was inspected by the undersigned Architect Dylan Agius on 15<sup>th</sup> of October 2024.

#### 13.8 VALUATION BASED ON OPEN MARKET VALUE

In summary and on the basis of the foregoing, attached documentation, the site inspection and other relevant factors, the undersigned values the above described property as follows:

Present capital value of the airspace of the apartments 3,4 and 5 acquired prior to any construction works on the Open Market: seven hundred and fifty thousand euros (€750,000.00).

Future capital value of the apartments 3,4 and 5 acquired by Excel Property Trading Ltd once fully completed in a shell state with common parts completed on the Open Market: one million and six hundred thousand euros (€1,600,000.00).

#### 13.9 APPENDICES

Site Plan

Photographs

Planning Permits and Permit Drawings

## 14.0 TA' DBIEGI VIEW HOUSES, GHARB, GOZO

### 14.1 ADDRESS OF PROPERTY

Ta' Dbiegi View Houses, Triq Frangisk Portelli, Sqaq Nru. 1, Gharb

### 14.2 TYPE OF PROPERTY

The property is a vacant plot of land with ongoing works to develop two adjoining terraced houses

### 14.3 DESCRIPTION OF PROPERTY

#### Location

The plot of land is quietly located on the outskirts of Gharb at the end of a narrow alley in a rural area.

#### General Description

The proposed development consists of the construction of two adjoining 3-bedroom terraced houses to be completed in a shell form state. Each house will include a large open plan area overlooking a private back garden with a pool, together with a bathroom at ground floor level, at first floor level each house will have 3 bedrooms a common bathroom an ensuite a front terrace and a small back terrace, at second (roof) floor level each house will have a small washroom and a full roof and airspace. An underlying water reservoir will be constructed for each of the houses. The site is currently an excavated site and some minor construction works have started on the house no.2.

House no.1 will have a total internal area including the washroom of circa 162sqm and a total external area excluding the roof of circa 37sqm

House no.2 will have a total internal area including the washroom of circa 143sqm and a total external area excluding the roof of circa 43sqm

Excel Investments Ltd acquired the plot of land to develop the proposed houses.

Excel Investments Ltd signed a contract of works agreement with PRA Construction Ltd to execute the works for an agreed lump sum of €267,500 inclusive of VAT. In accordance with the agreement the works are to be completed to a shell state by the 28<sup>th</sup> February 2025. The undersigned has vetted this amount and can confirm that this amount is adequate to develop the property to a shell state with finished common parts.

Excel Investments Ltd has transferred all the units, airspaces, contract of works, obligations, commitments and proceeds in relation to this development project to Excel Property Trading Ltd.

#### 14.4 PLANNING CONSIDERATIONS

The site is covered by the following permits:

PA/06889/19:- To demolish existing structure and construct 2 story house with pool. Permit decision press date on 11/03/2020. This permit has not been utilised

PA/02664/23:- To demolish existing building and construct 2 houses with 2 pools. Permit decision press date on 08/11/2023

#### 14.5 TENURE MORTGAGES, LOANS AND PRIVILEGES

Freehold

#### 14.6 LEASES AND SUBLEASES

None - Not applicable

#### 14.7 NATURE AND DATE OF INSPECTION

The property has been inspected by the undersigned Architect Dylan Agius on the 15<sup>th</sup> of October 2024.

#### 14.8 VALUATION BASED ON OPEN MARKET VALUE

In summary and on the basis of the foregoing, attached documentation, the site inspection and other relevant factors, the undersigned values the above described property as follows:

Present capital value of the vacant plot of land prior to any construction works on the Open Market: three hundred and sixty thousand euros (€360,000.00).

Future capital value of the houses to be developed by Excel Property Trading Ltd once fully completed in a shell state with common parts completed on the Open Market: eight hundred and fifty thousand euros (€850,000.00).

#### 14.9 APPENDICES

Site Plan  
Photographs  
Planning Permits and Permit Drawings

## 15.0 GIOVANNI'S, XEWKIJA, GOZO

### 15.1 ADDRESS OF PROPERTY

Giovanni's, Triq Hamsin, Xewkija

### 15.2 TYPE OF PROPERTY

The property was purchased as a vacant plot of land and is currently being developed into a residential block for 2 maisonettes, 8 apartments, 2 penthouses and a duplex penthouse with 8 underlying basement garages.

### 15.3 DESCRIPTION OF PROPERTY

#### Location

The property was originally a plot of land currently with ongoing development centrally located in Xewkija in a residential area.

#### General Description

The property was originally a plot of vacant land. A permit PA/00751/22 was issued and proposed the development of the site into a residential block spread over 5 floors and an underlying basement level. The development will be delivered in a semi-finished state which will include finishes to the common parts and basement level and the installation of external apertures, railings, external tiles and main door. The following units will be developed as part of the project:

**Garage 1:** This is a two-car lock-up garage located at basement level having an internal area of circa 35sqm.

**Garage 2:** This is a two-car lock-up garage located at basement level having an internal area of circa 41sqm.

**Garage 3:** This is a one-car lock-up garage located at basement level having an internal area of circa 17sqm.

**Garage 4:** This is a one-car lock-up garage located at basement level having an internal area of circa 16sqm.

**Garage 5:** This is a one-car lock-up garage located at basement level having an internal area of circa 16sqm.

**Garage 6:** This is a one-car lock-up garage located at basement level having an internal area of circa 17sqm.



**Garage 7:** This is a two-car lock-up garage located at basement level having an internal area of circa 34sqm.

**Garage 8:** This is a one-car lock-up garage located at basement level having an internal area of circa 16sqm.

**Apartment 01:** This is a 3-bedroom ground floor Apartment with access from the common area. The open plan overlooks a large private back garden and pool that forms part of the property. Two of the bedrooms overlook the internal yard. The third bedroom overlooks the street. The apartment has an internal area of circa 124sqm and an external area of circa 100sqm.

**Apartment 02:** This is a 3-bedroom ground floor Apartment with access from the common area. The open plan overlooks a large private back garden and pool that forms part of the property. Two of the bedrooms overlook the internal yard. The third bedroom overlooks the street. The apartment has an internal area of circa 120sqm and an external area of circa 105sqm.

**Apartment 03:** This is a 3-bedroom first floor Apartment. The open plan overlooks the back gardens of the development. Two of the bedrooms overlook the internal yard. The third bedroom overlooks the street. The apartment has an internal area of circa 118sqm and an external area of circa 9sqm.

**Apartment 04:** This is a 1-bedroom first floor Studio Apartment. The open plan and sleeping area overlooks the street. The apartment has an internal area of circa 56sqm and an external area of circa 3sqm.

**Apartment 05:** This is a 3-bedroom first floor Apartment. The open plan overlooks the back gardens of the development. Two of the bedrooms overlook the internal yard. The third bedroom overlooks the street. The apartment has an internal area of circa 112sqm and an external area of circa 9sqm.

**Apartment 06:** This is a 3-bedroom second floor Apartment. The open plan overlooks the back gardens of the development. Two of the bedrooms overlook the internal yard. The third bedroom overlooks the street. The apartment has an internal area of circa 118sqm and an external area of circa 9sqm.

**Apartment 07:** This is a 1-bedroom second floor Studio Apartment. The open plan and sleeping area overlooks the street. The apartment has an internal area of circa 56sqm and an external area of circa 3sqm.

**Apartment 08:** This is a 3-bedroom second floor Apartment. The open plan overlooks the back gardens of the development. Two of the bedrooms overlook the internal yard. The third bedroom overlooks the street. The apartment has an internal area of circa 112sqm and an external area of circa 9sqm.

**Apartment 09:** This is a 3-bedroom third floor Apartment. The open plan overlooks the back gardens of the development. Two of the bedrooms overlook the internal yard. The third bedroom overlooks the street. The apartment has an internal area of circa 117sqm and an external area of circa 9sqm.

**Apartment 10:** This is a 2-bedroom third floor Apartment. The open plan overlooks the back gardens of the development. The two bedrooms overlook the internal yard. The apartment has an internal area of circa 101sqm and an external area of circa 18sqm.

**Penthouse 11:** This is a 3-bedroom fourth floor Penthouse. The open plan overlooks the back gardens of the development. Two of the bedrooms overlook the internal yard. The third bedroom overlooks a front terrace that overlooks the street. The penthouse has an internal area of circa 108sqm and an external area of circa 18sqm.

**Duplex Penthouse 12:** This is a 2-bedroom duplex third and fourth floor level Penthouse. Access to the property is from the fourth floor level directly into the open plan which overlooks the front terrace and overlooking the street. A spiral staircase provides access to the underlying two bedrooms at third floor level that overlook the street. The duplex penthouse has an internal area of circa 83sqm and an external area of circa 20sqm.

**Penthouse 13:** This is a 2-bedroom fourth floor Penthouse. The open plan overlooks the back gardens of the development. The two bedrooms overlook the internal yard. A front terrace overlooking the street further compliments the property. The penthouse has an internal area of circa 89sqm and an external area of circa 21sqm.

Excel Investments Ltd acquired the plot of land.

Excel Investments Ltd signed a contract of works agreement with PRA Construction Ltd to execute the works for an agreed lump sum of €1,152,466.00 inclusive of VAT. In accordance with the agreement the works are to be completed to a semi-finished state by the 30<sup>th</sup> September 2025. The undersigned has vetted this amount and can confirm that this amount is adequate to develop the property to a semi-finished state.

Excel Investments Ltd has transferred all the units, airspaces, contract of works, obligations, commitments and proceeds in relation to this development project to Excel Property Trading Ltd.

#### 15.4 PLANNING CONSIDERATIONS

The site is covered by the following permit:

PA/00751/22:- To excavate and to construct 10 apartments, 2 penthouses and a duplex penthouse with underlying garages. To also construct 2 pools. Permit decision press date on 28/09/2022

#### 15.5 TENURE MORTGAGES, LOANS AND PRIVILEGES

Freehold

#### 15.6 LEASES AND SUBLEASES

None - Not applicable

#### 15.7 NATURE AND DATE OF INSPECTION

The property has been inspected by the undersigned Architect Dylan Agius on the 15<sup>th</sup> of October 2024. Construction works are well underway and preparation works are ongoing for the roof over of the third-floor level.

#### 15.8 VALUATION BASED ON OPEN MARKET VALUE

In summary and on the basis of the foregoing, attached documentation, the site inspection and other relevant factors, the undersigned values the above-described property as follows:

Present capital value of the acquired property prior to any construction works on the Open Market: five hundred thousand euros (€500,000.00).

Future capital value of all the development acquired by Excel Property Trading Ltd once fully completed in a semi-finished completed on the Open Market: two million and two hundred thousand euros (€2,200,000.00).

#### 15.9 APPENDICES

Site Plan

Photographs

Planning Permits and Permit Drawings

## 16.0 NARCISA, SANNAT, GOZO

### 16.1 ADDRESS OF PROPERTY

Narcisa Court, Triq tal-Moxa c/w Alley in Triq, Ta' Cenc, Sannat

### 16.2 TYPE OF PROPERTY

The property is a small corner plot of land with ongoing construction works for a proposed residential development

### 16.3 DESCRIPTION OF PROPERTY

#### Location

The property is a vacant corner plot of land that is currently being developed into a small residential development. The site is located in Sannat at the end of a dead end road which will eventually connect up with a narrow alley from Triq Ta' Cenc that will form the main frontage of the development.

#### General Description

The proposed development will consist of 3 garages at ground floor level, 2 overlying two-bedroom apartments at first and second floor level and a duplex apartment at third and fourth floor level. The proposed development will be sold in a shell form state with the common areas completed. Some works have commenced on site with site clearance complete and the footings and reservoir constructed in preparation for the base of the ground floor level.

The following units will be developed as part of the project:

**Garage 1:** A large one-car street level garage. The garage includes an underlying water reservoir. The garage has an internal area of circa 42sqm.

**Garage 2:** A large one-car street level garage. The garage has an internal area of circa 35sqm.

**Garage 3:** A one-car street level garage. The garage has an internal area of circa 25sqm.

**Apartment 1:** This is a two-bedroom plus study apartment located at the first floor level. All rooms will eventually overlook the narrow street that will be formed. The apartment has an internal area of circa 104sqm and an external area of circa 11sqm.

**Apartment 2:** This is a two-bedroom plus study apartment located at the second floor level. All rooms will eventually overlook the narrow street that will be formed. The apartment has an internal area of circa 104sqm and an external area of circa 11sqm.

**Apartment 3:** This is a duplex two-bedroom plus study apartment located at the third and fourth floor level. All rooms will eventually overlook the narrow street that will be formed. The apartment includes an interconnected washroom at fourth floor and the full roof and airspace. The apartment has an internal area of circa 128sqm and an external area of circa 11sqm, furthermore the apartment has a roof terrace of circa 80sqm.

Excel Investments Ltd acquired the plot of land including the half undivided share ownership of the alley road that will eventually be formed in front of the property.

Excel Investments Ltd has signed a contract of works agreement with PRA Construction Ltd to execute the works for an agreed lump sum of €246,100.00 inclusive of VAT. In accordance with the agreement the works are to be completed to a shell state with common parts finished by the 31<sup>st</sup> December 2025. The undersigned has vetted this amount and can confirm that this amount is adequate to develop the property to a shell state with finished common parts.

Excel Investments Ltd has transferred all the units, airspaces, contract of works, obligations, commitments and proceeds in relation to this development project to Excel Property Trading Ltd.

#### 16.4 PLANNING CONSIDERATIONS

The site is covered by the following permits:

PA/02170/03:- To erect a two storey house and basement garage. Permit decision press date on 21/10/2003

PA/02907/08:- Renewal of permission PA 2170/03 - to erect a two storey house and basement garage. Permit decision granted on 21/10/2008

PA/01448/13:- To renew permission pa 2907/08. Permit decision press date on 17/08/2013

PA/07386/18:- To renew PA 1448/13 - to erect a two storey dwelling house with basement garage. Permit decision press date on 24/10/2018

PA/05722/23:- Proposed garages at ground floor level and three flats at first, second and third floor levels. Permit decision press date on 29/05/2024

#### 16.5 TENURE MORTGAGES, LOANS AND PRIVILEGES

Freehold

#### 16.6 LEASES AND SUBLEASES

None - Not applicable

#### 16.7 NATURE AND DATE OF INSPECTION

The property has been inspected by the undersigned Architect Dylan Agius on the 15<sup>th</sup> of October 2024.

#### 16.8 VALUATION BASED ON OPEN MARKET VALUE

In summary and on the basis of the foregoing, attached documentation, the site inspection and other relevant factors, the undersigned values the above described property as follows:

Present capital value of the vacant plot of land acquired prior to any construction works on the Open Market: two hundred and fifty thousand euros (€250,000.00).

Future capital value of all the units to be developed by Excel Property Trading Ltd once fully completed in a shell state with common parts completed on the Open Market: seven hundred and fifty thousand euros (€750,000.00).

#### 16.9 APPENDICES

Site Plan  
Photographs  
Planning Permits and Permit Drawings



## 17.0 MISRAH IL-BARRIERI, MSIDA, MALTA

### 17.1 ADDRESS OF PROPERTY

Misrah il-Barrieri, 37, 38, Triq Misrah il-Barrieri, Msida, Malta

### 17.2 TYPE OF PROPERTY

The property consists on an existing townhouse and a street level garage. A permit has been issued and is proposing to demolish the existing townhouse in order to develop the site into a commercial / residential development spread over 6 floor plus a receded floor level.

### 17.3 DESCRIPTION OF PROPERTY

#### Location

The site is centrally located in Msida very close to Junior College. The proposed development will consist in the total demolition of the townhouse. The internal walls of the street level garage will be removed and the garage will be altered in order to form an access corridor through the garage to link up with the site of the townhouse where a proposed common stairs and lift will be located at the back of the site of the townhouse. The access to the proposed common areas of the development will therefore be through the existing garage which will be reduced in size to a one car street level garage in order to accommodate this corridor. The proposed redevelopment of the townhouse will consist of an office at ground floor with direct access from the frontage of the townhouse to be demolished. The development will further consist of 5 typical one-bedroom studio apartments from first to fifth floor level and a one-bedroom studio penthouse at the receded sixth floor level. The proposed development will be sold in a shell form state with the common areas completed. No works have started as yet on site.

The following units will be developed as part of the project:

**Garage:** This is a one-car street level garage having an internal area of circa 22sqm.

**Office:** This is an open plan office located at ground floor level. The office will have an underlying water reservoir. The office has an internal area of circa 62sqm.

**Apartment 01:** This is a one-bedroom studio apartment located at the first floor level. The apartment will be an open plan room including bedroom, kitchen and living with a bathroom at the back next to the common stairs and lift. The apartment has an internal area of circa 62sqm and an external area of circa 2sqm.

**Apartment 02:** This is a one-bedroom studio apartment located at the second floor level. The apartment will be an open plan room including bedroom, kitchen and living with a bathroom at the back next to the common stairs and lift. The apartment has an internal area of circa 62sqm and an external area of circa 2sqm.

**Apartment 03:** This is a one-bedroom studio apartment located at the third floor level. The apartment will be an open plan room including bedroom, kitchen and living with a bathroom at the back next to the common stairs and lift. The apartment has an internal area of circa 62sqm and an external area of circa 2sqm.

**Apartment 04:** This is a one-bedroom studio apartment located at the fourth floor level. The apartment will be an open plan room including bedroom, kitchen and living with a bathroom at the back next to the common stairs and lift. The apartment has an internal area of circa 62sqm and an external area of circa 2sqm.

**Apartment 05:** This is a one-bedroom studio apartment located at the fifth floor level. The apartment will be an open plan room including bedroom, kitchen and living with a bathroom at the back next to the common stairs and lift. The apartment has an internal area of circa 62sqm and an external area of circa 2sqm.

**Penthouse 06:** This is a one-bedroom studio penthouse located at the sixth floor level. The penthouse will be an open plan room including bedroom, kitchen and living with a bathroom at the back next to the common stairs and lift. The penthouse will have a front terrace enjoying open urban views and possibly distant marina sea views. The penthouse has an internal area of circa 50sqm and an external area of circa 13sqm.

Excel Investments Ltd acquired the townhouse and the garage.

Excel Investments Ltd signed a contract of works agreement with PRA Construction Ltd to execute the works for an agreed lump sum of €230,050.00 inclusive of VAT. In accordance with the agreement the works are to be completed to a shell state with common parts finished by the 30<sup>th</sup> April 2026. The undersigned has vetted this amount and can confirm that this amount is adequate to develop the property to a shell state with finished common parts.

Excel Investments Ltd has transferred all the units, airspaces, contract of works, obligations, commitments and proceeds in relation to this development project to Excel Property Trading Ltd.

#### 17.4 PLANNING CONSIDERATIONS

The site is covered by the following permits:

PA/01618/17:- To demolish existing two-storey dwelling and construct 12-unit guesthouse, (class 3A). Permit decision press date on 04/10/2017

PA/03119/23:- Proposed demolition and excavation/clearing of soil. Proposed internal alterations at ground floor including 1 car private garage and a Class 4A office. Proposed construction of 6 studio apartments (one per level) from the first floor to receded floor at sixth level. Permit decision press date on 04/10/2023

#### 17.5 TENURE MORTGAGES, LOANS AND PRIVILEGES

Freehold

#### 17.6 LEASES AND SUBLEASES

None - Not applicable

#### 17.7 NATURE AND DATE OF INSPECTION

The property has been inspected by the undersigned Architect Dylan Agius on the 11<sup>th</sup> of October 2024. No works have commenced on site as yet.

#### 17.8 VALUATION BASED ON OPEN MARKET VALUE

In summary and on the basis of the foregoing, attached documentation, the site inspection and other relevant factors, the undersigned values the above described property as follows:

Present capital value of all properties acquired by Excel Property Trading Ltd prior to any construction works on the Open Market: four hundred and fifty thousand euros (€450,000.00).

Future capital value of all the residential units, garages and office acquired by Excel Property Trading Ltd once completed in a shell form state with common parts finished as described above on the Open Market: one million and three hundred thousand euros (€1,300,000.00).

#### 17.9 APPENDICES

Site Plan  
Photographs  
Planning Permits and Permit Drawings

## 18.0 BUGEJA COURT, GHAJNSIELEM, GOZO

### 18.1 ADDRESS OF PROPERTY

Bugeja Court, Triq ta' Cordina, Ghajnsielem

### 18.2 TYPE OF PROPERTY

The property was originally a vacant plot of land but is currently being developed into a residential block of apartments. A permit has been issued and is proposing the excavation and construction of a basement level for 15 garages, 4 overlying levels for 16 apartments and a further receded floor for four penthouses accessed from two blocks A and B.

### 18.3 DESCRIPTION OF PROPERTY

#### Location

Bugeja Court is well located in a quiet residential area in Ghajnsielem, Gozo. Access to the residential units is via two common areas, Block A and Block B, accessible directly from Triq ta' Cordina. The common areas include a stairwell and lift that provide access to all levels including the basement level. The development consists of a basement level for 15 garages and a substation. 4 apartments at ground floor level; 4 typical apartments at first, second and third floor level and 4 penthouses at the receded fourth floor level. Hence in total Bugeja court will have 20 residential units and 15 garages.

Excel Investments Ltd acquired the airspaces for the following units:

**Garage 1:** This is a one-car lock-up garage located at basement level having an internal area of circa 16sqm.

**Garage 2:** This is a one-car lock-up garage located at basement level having an internal area of circa 16.5sqm.

**Garage 3:** This is a one-car lock-up garage located at basement level having an internal area of circa 17sqm.

**Garage 4:** This is a one-car lock-up garage located at basement level having an internal area of circa 18sqm.

**Garage 5:** This is a one-car lock-up garage located at basement level having an internal area of circa 18.5sqm.

**Garage 6:** This is a one-car lock-up garage located at basement level having an internal area of circa 19sqm.

**Garage 7:** This is a large one-car lock-up garage located at basement level having an internal area of circa 32sqm.

**Apartment A1:** This is a three-bedroom apartment located at the ground floor level. The apartment has the open plan overlooking its own private back garden, two bedrooms that overlook the internal yard and the third bedroom that overlooks the street. The apartment has an internal area of circa 114sqm and an external area of circa 32sqm.

**Apartment A2:** This is a two-bedroom apartment located at the ground floor level. The apartment has the open plan overlooking its own private back garden and the two bedrooms that overlook the internal yard. The apartment has an internal area of circa 105sqm and an external area of circa 39sqm.

**Apartment A3:** This is a three-bedroom apartment located at the first floor level. The apartment has the open plan overlooking the underlying back garden, two bedrooms that overlook the internal yard and the third bedroom that overlooks the street. The apartment has an internal area of circa 119sqm and an external area of circa 9sqm.

**Apartment A4:** This is a three-bedroom apartment located at the first floor level. The apartment has the open plan overlooking the underlying back garden, two bedrooms that overlook the internal yard and the third bedroom that overlooks the street. The apartment has an internal area of circa 118sqm and an external area of circa 8sqm.

**Apartment A5:** This is a three-bedroom apartment located at the second floor level. The apartment has the open plan overlooking the underlying back garden, two bedrooms that overlook the internal yard and the third bedroom that overlooks the street. The apartment has an internal area of circa 119sqm and an external area of circa 9sqm.

**Apartment A6:** This is a three-bedroom apartment located at the second floor level. The apartment has the open plan overlooking the underlying back garden, two bedrooms that overlook the internal yard and the third bedroom that overlooks the street. The apartment has an internal area of circa 118sqm and an external area of circa 8sqm.

**Apartment A7:** This is a three-bedroom apartment located at the third floor level. The apartment has the open plan overlooking the underlying back garden, two bedrooms that overlook the internal yard and the third bedroom that overlooks the street. The apartment has an internal area of circa 119sqm and an external area of circa 9sqm.

**Apartment A8:** This is a three-bedroom apartment located at the third floor level. The apartment has the open plan overlooking the underlying back garden, two bedrooms that overlook the internal yard and the third bedroom that overlooks the street. The apartment has an internal area of circa 118sqm and an external area of circa 8sqm.

**Penthouse A9:** This is a three-bedroom penthouse located at the fourth floor level. The penthouse has the open plan overlooking the back terrace that overlooks the underlying back garden, two bedrooms that overlook the internal yard and the third bedroom that overlooks the front terrace that overlooks the street. The penthouse has an internal area of circa 107sqm and an external area of circa 21sqm.

**Penthouse A10:** This is a three-bedroom penthouse located at the fourth floor level. The penthouse has the open plan overlooking the back terrace that overlooks the underlying back garden, two bedrooms that overlook the internal yard and the third bedroom that overlooks the front terrace that overlooks the street. The penthouse has an internal area of circa 106sqm and an external area of circa 21sqm.

Excel Investments Ltd acquired the airspaces for the above units in exchange of and by way of set-off of the entire price for the execution of the works to construct the entire development (including the units not transferred to Excel Investments Ltd) to a shell state including finishing to the common parts.

Excel Investments Ltd signed a contract of works agreement with PRA Construction Ltd to execute the works for an agreed lump sum of €1,079,222.00 inclusive of VAT. In accordance with the agreement the works are to be completed to a shell state state by the 30<sup>th</sup> September 2025. The undersigned has vetted this amount and can confirm that this amount is adequate to develop the property to a shell state with finished common parts.

Excel Investments Ltd has transferred all the units, airspaces, contract of works, obligations, commitments and proceeds in relation to this development project to Excel Property Trading Ltd.

#### 18.4 PLANNING CONSIDERATIONS

The site is covered by the following permits:

PA/02942/22:- To excavate site and construct 15 basement garages, domestic store, a sub-station and overlying 16 flats and 4 penthouses. Permit decision press date on 23/11/2022

Some minor internal variations where noted during my inspection on the 11<sup>th</sup> of October 2024. The variations are very minor in nature and are mainly the shifting in the position of the door openings. These variations can easily be sanctioned at the end of the project with a minor amendment application.



#### 18.5 TENURE MORTGAGES, LOANS AND PRIVILEGES

Freehold

#### 18.6 LEASES AND SUBLEASES

None - Not applicable

#### 18.7 NATURE AND DATE OF INSPECTION

The property has been inspected by the undersigned Architect Dylan Agius on the 11<sup>th</sup> of October 2024. Construction works are well underway and preparation works are ongoing for the roof over of the third-floor level.

#### 18.8 VALUATION BASED ON OPEN MARKET VALUE

In summary and on the basis of the foregoing, attached documentation, the site inspection and other relevant factors, the undersigned values the above described property as follows:

Present capital value of all properties acquired by Excel Property Trading Ltd prior to any construction works on the Open Market: five hundred thousand euros (€500,000.00).

Future capital value of all the residential units and garages acquired by Excel Property Trading Ltd once completed in a shell form state with common parts finished as described above on the Open Market: one million and eight hundred thousand euros (€1,800,000.00).

#### 18.9 APPENDICES

Site Plan

Photographs

Planning Permits and Permit Drawings

## 19.0 MILL HOUSE, QALA, GOZO

### 19.1 ADDRESS OF PROPERTY

Mill House, Triq il-Mithna, Qala, Gozo

### 19.2 TYPE OF PROPERTY

The property is a small corner proposed residential development

### 19.3 DESCRIPTION OF PROPERTY

#### Location

The property is a vacant corner plot of land that is being proposed to be developed into a small residential development. The site is located towards the outskirts of Qala in Triq il-Mithna corner with a new road that still needs to be formed. The site currently enjoys spectacular unobstructed countryside views and distance sea views and views of Malta but across Triq il-Mithna there is a strip of land along the road that can be developed and would potentially block the views for the lower level of apartments at Mill House, but to date there are no applications opposite the site across Triq il-Mithna proposing any development

#### General Description

The proposed development, covered by the permit PA07213/22 will consist of 6 street level one-car garages, an office and a two-bedroom ground floor apartment with a private terrace overlooking an underlying communal garden with a pool. The communal garden with the pool is located at a semi-basement level but is accessed via the communal stairs and lift that extends all the way to the basement level, which basement level provides access to the communal garden area. Three typical apartments are proposed at first, second and third floor level and a large corner penthouse is proposed at fourth floor level. The proposed development will be sold in a shell form state with the common areas completed. Some works have commenced on site with site clearance and excavation works complete.

The following units will be developed as part of the project:

**Garage 1:** A one-car street level garage. The garage has an internal area of circa 19sqm.

**Garage 2:** A one-car street level garage. The garage has an internal area of circa 22sqm.

**Garage 3:** A one-car street level garage. The garage has an internal area of circa 27sqm.

**Garage 4:** A one-car street level garage. The garage has an internal area of circa 21sqm.

**Garage 5:** A one-car street level garage. The garage has an internal area of circa 19sqm.

**Garage 6:** A one-car street level garage. The garage has an internal area of circa 18sqm.

**Office:** A small corner open plan office. The office has an internal area of circa 32sqm.

**Apartment 1:** This is a two-bedroom plus games room apartment located at the ground floor level. All rooms overlook the communal garden and the apartment enjoys a spacious front terrace overlooking the communal garden. The apartment has an internal area of circa 100sqm and an external area of circa 27sqm.

**Apartment 2:** This is a two-bedroom plus study apartment located at the first floor level. The open plan, bedroom and study overlook the communal garden whilst the second bedroom overlooks the narrow street that will be formed. The apartment has an internal area of circa 96sqm and an external area of circa 14sqm.

**Apartment 3:** This is a two-bedroom plus study apartment located at the first floor level. All rooms overlook the narrow street that will be formed and will hence currently enjoy side country side and sea views. The apartment has an internal area of circa 96sqm and an external area of circa 14sqm.

**Apartment 4:** This is a corner two-bedroom apartment located at the first floor level. All rooms overlook the street and will currently enjoy countryside and sea views. The apartment has an internal area of circa 89sqm and an external area of circa 5sqm.

**Apartment 5:** This is a two-bedroom plus study apartment located at the second floor level. The open plan, bedroom and study overlook the communal garden whilst the second bedroom overlooks the narrow street that will be formed. The apartment has an internal area of circa 97sqm and an external area of circa 14sqm.

**Apartment 6:** This is a one-bedroom plus study apartment located at the second floor level. All rooms overlook the narrow street that will be formed and will currently hence enjoy side country side and sea views. The apartment has an internal area of circa 62sqm and an external area of circa 10sqm.

**Apartment 7:** This is a corner two-bedroom plus study apartment located at the second floor level. All rooms overlook the street and will currently enjoy countryside and sea views. The apartment has an internal area of circa 106sqm and an external area of circa 7sqm.

**Apartment 8:** This is a two-bedroom plus study apartment located at the third floor level. The open plan, bedroom and study overlook the communal garden whilst the second bedroom overlooks the narrow street that will be formed. The apartment has an internal area of circa 97sqm and an external area of circa 14sqm.

**Apartment 9:** This is a one-bedroom plus study apartment located at the third floor level. All rooms overlook the narrow street that will be formed and will currently hence enjoy countryside and sea views. The apartment has an internal area of circa 62sqm and an external area of circa 10sqm.

**Apartment 10:** This is a corner two-bedroom plus study apartment located at the third floor level. All rooms overlook the street and will currently enjoy side country side and sea views. The apartment has an internal area of circa 106sqm and an external area of circa 7sqm.

**Penthouse 11:** This is a spectacular corner three-bedroom penthouse located at the fourth floor level. All rooms overlook a private surrounding terrace that includes a pool in the front corner and which terrace will enjoy open countryside and sea views. The penthouse has an internal area of circa 106sqm and an external area of circa 163sqm.

Excel Investments Ltd acquired the plot of land as a joint venture with two other partners. Excel Investments Ltd acquired 62.5% undivided share.

Excel Investments Ltd in joint venture with two other partners signed a contract of works agreement with PRA Construction Ltd to execute the works for an agreed lump sum of €793,600.00 inclusive of VAT. In accordance with the agreement the works are to be completed to a shell state with common parts finished by the 30<sup>th</sup> November 2025. The undersigned has vetted this amount and can confirm that this amount is adequate to develop the property to a shell state with finished common parts.

Excel Investments Ltd share of the costs is 62.5% and therefore Excel Investments Ltd will be paying €496,000.00 inclusive of VAT.

Excel Investments Ltd has transferred all the units, airspaces, contract of works, obligations, commitments and proceeds in relation to this development project to Excel Property Trading Ltd.

#### 19.4 PLANNING CONSIDERATIONS

The site is covered by the following permits:

PA/07213/22:- To demolish existing structures, to excavate and to construct 11 residential units, an office (Class 4A) and 6 garages. To also construct 2 pools. Permit decision press date on 30/04/2024

#### 19.5 TENURE MORTGAGES, LOANS AND PRIVILEGES

Freehold

#### 19.6 LEASES AND SUBLEASES

None - Not applicable

#### 19.7 NATURE AND DATE OF INSPECTION

The property has been inspected by the undersigned Architect Dylan Agius on the 15<sup>th</sup> of October 2024.

#### 19.8 VALUATION BASED ON OPEN MARKET VALUE

In summary and on the basis of the foregoing, attached documentation, the site inspection and other relevant factors, the undersigned values the above described property as follows:

Present capital value of 62.5% undivided share of the vacant plot of land acquired by Excel Property Trading Ltd prior to any construction works on the Open Market: Four hundred and thirty seven thousand and five hundred euros (€437,500.00), .

Future capital value of 62.5% undivided share of all developed units as acquired by Excel Property Trading Ltd once fully completed in a shell state with common parts completed on the Open Market: one million and five hundred thousand euros (€1,500,000.00).

#### 19.9 APPENDICES

Site Plan  
Photographs  
Planning Permits and Permit Drawings

### **20.0 BENGHAZI SITE, GHAJNSIELEM, GOZO**

#### 20.1 ADDRESS OF PROPERTY

Benghazi Site, 20, Triq Benghazi, Ghajnsielem, Gozo

#### 20.2 TYPE OF PROPERTY

The property is an old house of character centrally located in Ghajnsielem, Gozo.

#### 20.3 DESCRIPTION OF PROPERTY

Location

The property is an old house of character centrally located in Ghajnsielem, in a quiet yet central residential area.

The property is spread over two floors and includes 5 rooms overlooking a central courtyard at ground floor level and two further rooms at first floor level together with full roof and airspace. There are three further small rooms annexed at the back of the property at ground floor level together with their overlying airspace. The property is spread over a total footprint of circa 254sqm. Furthermore, the property owns a half undivided share at ground floor level of a small 10sqm room.

Excel Investments Ltd acquired the property but at this stage will not be redeveloping the site and is therefore looking at selling the property as it is in its existing state.

Excel Investments Ltd has transferred all the units, airspaces, contract of works, obligations, commitments and proceeds in relation to this development project to Excel Property Trading Ltd.

#### 20.4 PLANNING CONSIDERATIONS

To date there are no approved permits on the site.

#### 20.5 TENURE MORTGAGES, LOANS AND PRIVILEGES

Freehold

#### 20.6 LEASES AND SUBLEASES

None - Not applicable

#### 20.7 NATURE AND DATE OF INSPECTION

The property was inspected by the undersigned Architect Dylan Agius on 15<sup>th</sup> of October 2024.

#### 20.8 VALUATION BASED ON OPEN MARKET VALUE

In summary and on the basis of the foregoing, attached documentation, the site inspection and other relevant factors, the undersigned values the above described property as follows:

Present capital value of the property as is in its current state on the Open Market: four hundred thousand euros (€400,000.00).

#### 20.9 APPENDICES

Site Plan  
Photographs



### 21.0 SUMMARY OF MARKET VALUES

The following is a summary table of the present and future capital value, together with the estimates of completion costs for all the properties forming part of the portfolio of Excel Property Trading Ltd

| Property               | State of proposed development | Value of property prior to commencement of any works | Estimates of costs to develop (inc of VAT)* | Future Market Value upon completion** |
|------------------------|-------------------------------|--|---|---------------------------------------|
| Il-Harruba Residences  | Semi-finished                 | € 500,000.00   | €1,157,820.00                               | €2,100,000.00                         |
| Orchidea Court         | Shell                         | € 500,000.00   | €548,482.00                                 | €1,500,000.00                         |
| Vista Giuliana         | Semi-finished                 | €1,150,000.00  | €2,015,054.00                               | €4,250,000.00                         |
| Sunset Suites          | Shell                         | €750,000.00  | €490,702.00                                 | €1,600,000.00                         |
| Ta' Dbiegi View Houses | Shell                         | €360,000.00  | €267,500.00                                 | €850,000.00                           |
| Giovanni's             | Semi-finished                 | € 500,000.00   | €1,152,466.00                               | €2,200,000.00                         |
| Narcisa                | Shell                         | €250,000.00  | 246,100.00                                  | €750,000.00                           |
| Misrah il-Barrieri     | Shell                         | €450,000.00  | €230,050.00                                 | €1,300,000.00                         |
| Bugeja Court           | Shell                         | €500,000.00  | €1,079,222.00                               | €1,800,000.00                         |
| Mill House             | Shell                         | €437,500.00  | €496,000.00                                 | €1,500,000.00                         |
| Benghazi Site          | n/a                           | n/a  | n/a   | ***€400,000.00                        |
| <b>Total</b>           |                               |  |   | <b>€ 18,250,000.00</b>                |

\*Estimates of costs up to a shell or semi-finished state as indicated in the list

\*\*Future market value of property once fully completed in a shell or semi-finished state as indicated in the list

\*\*\*There is no proposed development for this site which will be sold as is in its existing state

Shell state – includes the finishes to the common parts

Semi-Finished state – includes finishes to the common parts and the installation of external apertures, railings, external tiles and main door.

Yours Truly,



**Dylan Agius**

B.E.&A [Hons], MSc (Surrey), A. & C.E.

# VALUATION REPORT EXCEL FINANCE PLC

## APPENDICES

15<sup>th</sup> November 2024

## **List of Appendices:**

Appendix 01: Excel Finance plc. declarations

Appendix 02: Information relative to QHub in Qormi, Malta

Appendix 03: Information relative to Citiway in Gzira, Malta

Appendix 04: Information relative to DRock, Sannat, Gozo

Appendix 05: Information relative to Innuendo, Rabat, Gozo

Appendix 06: Information relative to Midra, San Lawrenz, Gozo

Appendix 07: Information relative to Trilogy, Xaghra, Gozo

Appendix 08: Legal Searches

Appendix 09: Information relative to Il-Harruba Residences, Nadur, Gozo

Appendix 10: Information relative to Orchidea Court, Ghajnsielem, Gozo

Appendix 11: Information relative to Vista Giuliana, St. Julians, Malta

Appendix 12: Information relative to Sunset Suites, Xlendi, Gozo

Appendix 13: Information relative to Ta' Dbiegi View Houses, Gharb, Gozo

Appendix 14: Information relative to Giovanni's, Xewkija, Gozo

Appendix 15: Information relative to Narcisa, Sannat, Gozo

Appendix 16: Information relative to Misrah il-Barrieri, Msida, Malta

Appendix 17: Information relative to Bugeja Court, Ghajnsielem, Gozo

Appendix 18: Information relative to Mill House, Qala, Gozo

Appendix 19: Information relative to Benghazi Site, Ghajnsielem, Gozo

**Appendix 01: Excel Finance plc. declarations**

A.01.1 – Directors Declaration – Non-Involvement

**Excel Finance plc**

72, Mattia Preti Street

Victoria, Gozo, VCT2833

**19 May 2024**

**Declaration of Non-Involvement in Property Acquisitions or Disposals**

On behalf of Excel Finance plc, we hereby declare the following in accordance with Article 7.4.8 of the Listing Rules (Malta):

1. None of the directors nor promoters of Excel Finance plc have had any direct or indirect interest in any acquisitions or disposals of any properties owned or managed by Excel Finance plc during the two years preceding the date of this declaration.
2. We affirm that there have been no conflicts of interest arising from the involvement of any directors or promoters in property transactions during the aforementioned period.

This declaration is made to the best of our knowledge and belief, and we undertake to promptly notify relevant authorities in the event of any changes to the stated circumstances.

Yours sincerely,



**Joseph Portelli**



**Mark Agius**

**Appendix 01: Excel Finance plc. declarations**

**A.01.2 – Directors Declaration – Full Disclosure**



**Excel Finance plc**

72, Mattia Preti Street

Victoria, Gozo, VCT2833

**19 May 2024**

**Declaration of Provision of Relevant Agreements to Architect Dylan Agius**

On behalf of Excel Finance plc, we hereby confirm that all relevant agreements and documentation pertaining to the following properties have been provided to Architect Dylan Agius:


1. QHUB Business Centre (Qormi)
2. Citiway (Gzira)
3. D Rock (Sannat)
4. Innuendo (Victoria)
5. Midra (San Lawrenz)
6. Trilogy (Xaghra)

These agreements have been furnished to Architect Dylan Agius to facilitate the preparation of a comprehensive valuation report for the aforementioned properties.

Yours sincerely,



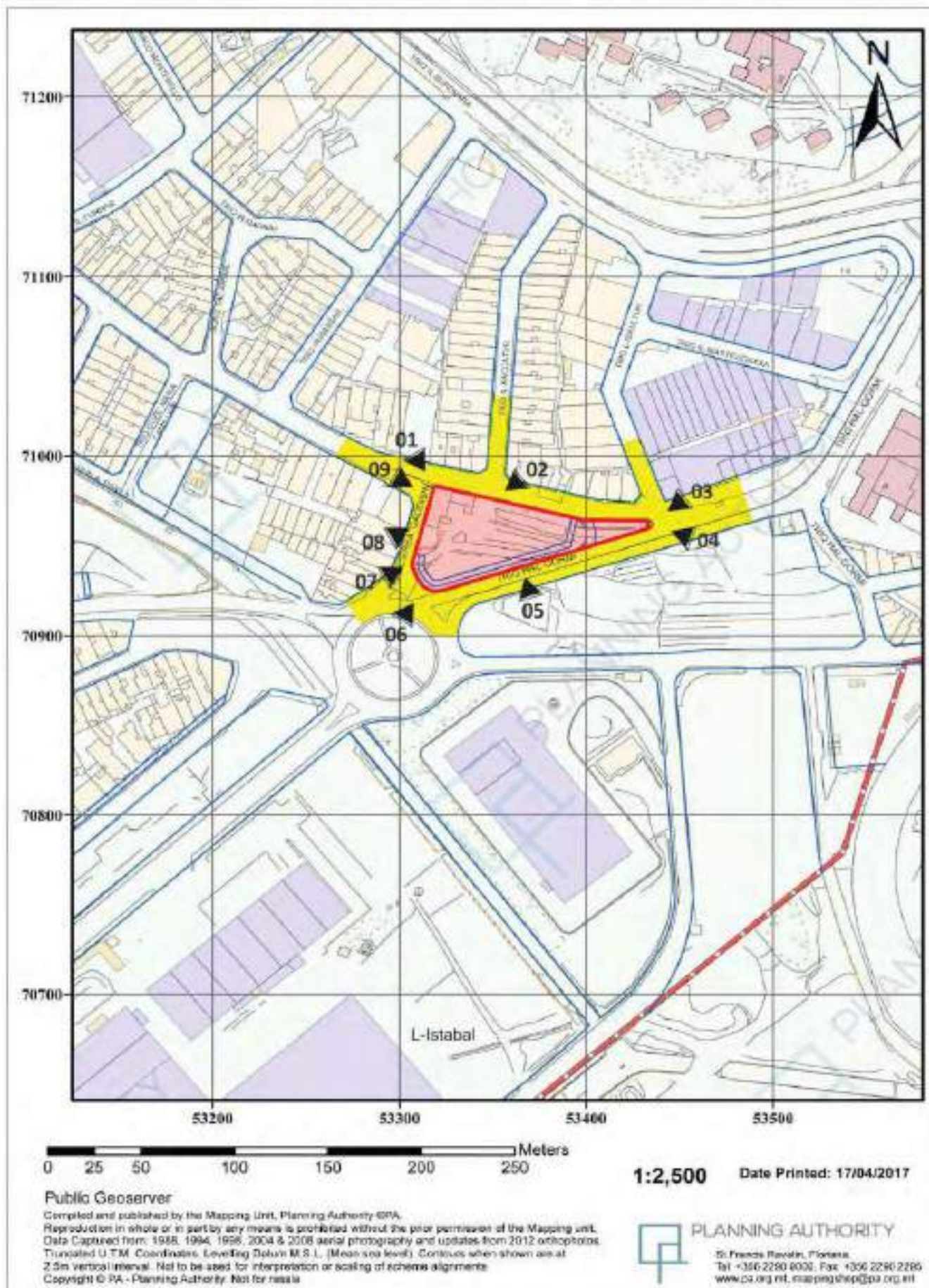
**Joseph Portelli**



**Mark Agius**

**Appendix 02: (QHub)**

A.02.1 – Site Plan



**Appendix 02: (QHub)**

A.02.2 – Photographs



























**Appendix 02: (QHub)**

A.02.3 – Planning Permit and Permit Drawings

Mr Joseph Portelli

Date: 30 September 2023  
Our Ref: PA/02939/19  
Perit Ref: P001\_QO

Dear Sir/Madam,

Application Number: PA/02939/19  
Location: Site at, Triq Hal-Qormi c/w Triq I-Erba Qaddisin c/w, Triq Valletta, Qormi  
Proposal: Phase 02\_ To construct a mixed-use commercial block; comprising of a 3-storey car park and showroom (Class 4B) below street level and an office block (Class 4A) organised on 5 floors above Triq il-Belt Valletta. The vernacular building in Triq I-Erba' Qaddisin c/w Triq il-Belt Valletta and existing reservoir will be retained and restored. The water-shoot will be dismantled and relocated on same site. Application includes the upgrading of the junction in Triq I-Erba' Qaddisin c/w Triq Hal Qormi.

**Development Planning Act, 2016  
Minor Amendment to Permission PA/02939/19  
in terms of regulation 15 of Legal Notice 162 of 2016**

Reference is made to the request for minor amendments, to the above quoted development permission, submitted on 5 July 2023.

The changes you propose are acceptable as a minor amendment to the development permission. The following drawings/documents are being endorsed:

PA 2939/19/MA/273U/273V/280E/280F/280G/280H/280I/280J/317A/317B/288B/288C/288D/288E & PA 2939/19/MA/275A (Engineer's report updated)

This endorsement relates only to the changes described in your application form and specifically indicated on the drawings/documents. Any other changes from the original permission, which may be shown on the drawings/documents but which are not referred to in your application form, are not endorsed or accepted.

Consequently, this endorsement is **only** for the proposed development as specifically indicated and does not cover any other development or sanctions any illegal development which may exist on site, even if shown on the drawings/documents.

Please note that the conditions and amendments in the original permission remain valid and are therefore applicable to the development as amended, including the condition on the validity period of the permission. The other provisions of regulation 15 of Legal Notice 162 of 2016 also apply.

Yours faithfully

Roderick Livori  
for Executive Chairperson

-PAABMADcn-

Mr Joseph Portelli

Date: 10 September 2020  
Our Ref: PA/02939/19

Application Number: PA/02939/19  
 Application Type: Full development permission  
 Date Received: 4 March 2019  
 Approved Documents:

|                            |  |
|----------------------------|--|
| PA 2939/19/1A:             | Site Plan  |
| PA 2939/19/129B:           | Level -4   |
| PA 2939/19/111C:           | Level -3   |
| PA 2939/19/129C:           | Level -2   |
| PA 2939/19/164B:           | Level -1   |
| PA 2939/19/111G:           | Level 0  |
| PA 2939/19/111H:           | Level 1  |
| PA 2939/19/111I:           | Level 2  |
| PA 2939/19/111J:           | Level 3  |
| PA 2939/19/111K:           | Level 4  |
| PA 2939/19/111L:           | Roof Plan  |
| PA 2939/19/165A:           | Front and Back Elevations                        |
| PA 2939/19/165B:           | Side Elevations                                  |
| PA 2939/19/129D:           | Section XX                                       |
| PA 2939/19/129E:           | Section YY; and                                  |
| PA 2939/19/122A:           | Accessibility Audit Report                       |
| PA 2939/19/131B/113B/113C: | Restoration Method Statement                     |
| PA 2939/19/133B:           | Energy Efficiency Report                         |
| PA 2939/19/141A/141B:      | Fire Safety, Ventilation, Noise and Fumes Report |
| PA 2939/19/35C:            | Environment and Resources Authority              |
| PA 2939/19/97A:            | Water Services Corporation                       |
| PA 2939/19/134A:           | Superintendence of Cultural Heritage             |
| PA 2939/19/137A:           | Enemalta   |
| PA 2939/19/169B:           | Transport Malta                                  |

Location: Site at, Triq Hal-Qormi c/w Triq I-Erba Qaddisin c/w, Triq Valletta, Qormi

Proposal: Phase 02\_To construct a mixed-use commercial block; comprising of a 3-storey car park and showroom (Class 4B) below street level and an office block (Class 4A) organised on 5 floors above Triq il-Belt Valletta. The vernacular building in Triq I-Erba' Qaddisin c/w Triq il-Belt Valletta and existing reservoir will be retained and restored. The water-shoot will be dismantled and relocated on same site. Application includes the upgrading of the junction in Triq I-Erba' Qaddisin c/w Triq Hal Qormi.

PA/02939/19

## Development Planning Act, 2016 Full Development Permission

The Planning Authority hereby grants development permission in accordance with the application and documents described above, subject to the following conditions:

- 1 Works shall be monitored by the Superintendence of Cultural Heritage at the applicant's expense. Any removal of rendering and cleaning must be preceded by trial patches carried out in the presence of the SCH officers. The works hereby being permitted are subject to a bank guarantee to the value of € 7000 (seven thousand Euro) to ensure:
  - compliance with this monitoring condition;
  - that the restoration works are carried out in conformity with the approved Restoration Method Statement PA 2939/19/131B/113B/113C;
  - that conditions in document PA 2939/19/134A are complied with.

The bank guarantee shall only be released after SCH officers confirm compliance with this condition. In the event that the works have not been carried out in accordance with the approved method statement or instructions given by the Planning Authority, the bank guarantee shall be forfeited. Its forfeiture would not, however, preclude the applicant from adhering to all the conditions contained in this development permission. **Applicant / perit is reminded about the need to submit the commencement notice as per standard conditions included with this permit. Failure to submit this notice will ipso facto result in a 10% forfeiture of the bank guarantee.**

- 2 This development permission is subject to a Bank Guarantee of **EUR 14,443** which shall be transferred from PA 4742/17, to cover this development permission. This Bank Guarantee will ensure that the streets are properly restored in accordance with the Environmental Management Construction Site Regulations, Legal Notice 295 of 2007, together with the submission of a pre-construction condition report of the streets including photographs (as defined in the same legal notice).

The bank guarantee shall only be released after the architect submits a post-construction condition report together with photographs evidencing compliance with this condition which is hereby being approved accompanied by clearance from the Local Council. This guarantee shall be forfeited after three (3) months from the date of notification by the Authority of a notice to effect the remedial works covered by the same guarantee. Its forfeiture would not, however, preclude the applicant from adhering to all the conditions contained in this development permission.

- 3 The conditions imposed and enforced by the Environment and Resources Authority, the Water Services Corporation, the Superintendence of Cultural Heritage, Enemalta and Transport Malta are at supporting documents PA 2939/19/35C, PA 2939/19/97A, PA 2939/19/134A, PA 2939/19/137A and PA 2939/19/169B respectively.

The architect/applicant is required to contact the Environment and Resources Authority, the Water Services Corporation, the Superintendence of Cultural Heritage, Enemalta and Transport Malta, throughout the implementation of the development hereby approved, to ensure conformity with the imposed conditions. A copy of the relative correspondence issued by the Environment and Resources Authority, the Water Services Corporation, the Superintendence of Cultural Heritage, Enemalta and Transport Malta shall be submitted



to the Planning Authority accordingly.

- 4 The approved premises shall be used as indicated on the approved drawings or as limited by any condition of this permission. If a change of use is permitted through the Development Planning (Use Classes) Order, 2014 (or its subsequent amendments), and it is not restricted by a condition of this permission, approval from the Commission for the Rights of Persons with Disability may still be required. Reference needs to be made to PA Circular 3/10 (with the exception of Appendix A), PA Circular 2/14 and their subsequent amendments.
- 5 No approval is hereby granted for the display of any sign or advertisement. This must be subject to a separate application.
- 6 The communal parking area shall only be used for the parking of vehicles and shall be kept available at all times for staff, other visitors, and customers. The parking area shall be adequately lit and sign-posted, and the parking bays properly demarcated in accordance with the standards set out in the Development Control Design Policy, Guidance and Standards 2015. The use of the parking area for storage, industrial, or commercial activity is prohibited.
- 7 Where a loading bay is indicated on the approved drawings, loading and unloading shall take place solely within the premises, and not from/on the public pavement or street.
- 8
  - a) This development permission is valid for a period of FIVE YEARS from the date of publication of the decision in the press but will cease to be valid if the development is not completed by the end of this validity period.
  - b) This permission relates only to the development as specifically indicated on the approved drawings. This permission does not sanction any other illegal development that may exist on the site.
  - c) A Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, **if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised** - Article 72(4) of the Development Planning Act (2016).
  - d) Copies of all approved drawings and documents shall be available for inspection on site by Planning Authority officers at all reasonable times.
  - e) The development shall be carried out in complete accordance with the approved drawings, documents and conditions of this permission. Where a matter is not specified, then the conditions of this permission and of Development Control Design Policy, Guidance and Standards 2015 shall apply.

f) Before any part of the development hereby permitted commences, the enclosed green copy of this development permission shall be displayed on the site. This must be mounted on a notice board, suitably protected from the weather and located not more than 2 metres above ground level at a point on the site boundary where it is clearly visible and can be easily read from the street. The copy of the permission must be maintained in a good condition and it shall remain displayed on the site until the works are completed.

g) All building works shall be erected in accordance with the official alignment and official/existing finished road levels as set out on site by the Planning Authority's Land Surveyor. A Setting Out Request must be submitted to the Land Survey Unit of the Planning Authority, prior to the commencement of works on site, when the setting out of the alignment and levels is required.

h) Where an officially schemed street, within the development zone, bordering the site is unopened or unformed, it shall be opened up and brought up to its proper, approved and official formation levels prior to the commencement of any development hereby being permitted.

i) It is the responsibility of the permit holder to ensure that development is carried out in accordance with the provisions of the Environmental Management Construction Site Regulations, Legal Notice 295 of 2007 (or subsequent amendments). Any hoarding shall be erected in accordance with Schedule 2 of the same Regulations.

j) New development on vacant or redeveloped sites shall be provided with a water cistern to store rainwater run-off as required by the Energy Performance of Buildings Regulations (2012) [published through Legal Notice 376 of 2012 and any amendments thereto].

k) No steps, ramps or street furniture are to be constructed on or encroached onto the public pavement or road.

l) Any doors and windows, the lower edge of which is less than 2m above road level, and any gates shall not open outwards onto a public pavement or road.

m) Where present, window grilles (including 'pregnant' windows), sills, planters and other similar elements which are part of or fixed to the facade of buildings, the lower edge of which is less than 2 metres above road level, shall not project more than 0.15 metres from the facade over a public pavement or street.

n) Air conditioning units shall not be located on the facades of the building which are visible from the street or a public space.

o) There shall be no service pipes, cables or wires visible on the front elevation or on any other elevations of the building which are visible from the street or public space.

p) Any garages/parking spaces shall only be used for the parking of private cars and shall be kept available at all times for this purpose.

9 a) The façade(s) of the building shall be constructed in local un-rendered and unpainted stone, except where other materials/finishes are indicated on the approved drawings.

b) All the apertures and balconies located on the façade(s) of the building shall not be in gold, silver or bronze aluminium.

c) Where a front garden is imposed, the 'solid part' of the boundary wall in the front garden shall not be higher than 1.4 metres above the external finished road level. Where the road is sloping, the wall shall be stepped accordingly. Any pillars or gateposts shall not exceed a height of 2.25 metres.

d) The height of the services on the roof of the building shall not extend beyond that indicated on the approved drawings.

10 The development hereby permitted shall be subject to Final Compliance (Completion) Certification, verifying that the development has been carried out in full accordance with the approved drawings, documents and conditions imposed in this development permission, except where such conditions are enforced by other entities. Prior to the issue of any compliance certificate on any part of this development, the applicant shall submit to the Planning Authority, in relation to that part of the building:

(i) clearance from the Commission for the Rights of Persons with Disability verifying that the development fully satisfies the accessibility standards and/or any conditions imposed by the Commission in supporting document PA 2939/19/122A.

*Note: Should a partial compliance certificate be requested, a Bank Guarantee of EUR 50,000 shall apply to ensure that CRPD clearance is obtained*

(ii) certification from a qualified engineer confirming that the development fully satisfies the requirements specified in supporting document PA 2939/19/141A/141B.

(iii) certification from a qualified engineer confirming that the development fully satisfies the requirements specified in supporting document PA 2939/19/133B.

11 **Conditions imposed and enforced by other entities**

A. Where construction activity is involved:

(a) the applicant shall:

(i) **Appoint a Project Supervisor for the Design Stage and a Project Supervisor for the Construction Stage** and any such appointment shall be terminated, changed or renewed as necessary. The same person may be appointed to act as project supervisor for both the design and construction stage, if that person is competent to undertake the duties involved and

(ii) **Keep a health and safety file** prepared by the Project Supervisor for the Design Stage.

(b) When the construction works related to this application are scheduled to last longer than thirty working days and on which more than twenty workers are occupied simultaneously, or on which the volume of work is scheduled to exceed five hundred person-days, the project supervisor **shall communicate a prior notice to the Occupational Health and Safety Authority (OHSA) at least four calendar weeks before commencement of works.**

(c) The Project Supervisor for the Design Stage shall **draw up a health and safety plan** which sets out the occupational health and safety rules applicable to the construction activities concerned, outlining the measures to ensure cooperation between different

contractors and shall also include specific measures concerning occupational risks that may be present at this site.

**B.** Where the development concerns a change of use to a place of work, the applicant shall obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.

**C.** Where the development concerns a place of work:

The applicant shall:

(i) obtain a Perit's declaration that the necessary requirements arising out of LN 44 of 2002 have been included in the plans and drawings; and

(ii) obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.

**D.** The development is to strictly adhere to the 'Design Guidelines on fire safety for buildings in Malta' to ensure that all Fire Safety measures and provisions are addressed as indicated in the Design Guidelines on Fire Safety for Buildings in Malta, published by the DCID in 2004, (or other relevant standard, provided it is approved by the Civil Protection Department), Policies, and the Laws and Regulations of Malta.

**E.** Prior to laying of water and wastewater services in the road, the development shall comply with the requirements of Legal Notice 29/10 Part III (Roads in inhabited Areas) Clause 12.

**F.** In the event of an accidental discovery in the course of approved works, any cultural heritage feature discovered should not be damaged or disturbed and the Superintendence is to be immediately informed of such discovery. Any cultural heritage features discovered are to be investigated, evaluated and protected in line with the Cultural Heritage Act 2019 (CAP 445). The discovery of cultural heritage features may require the amendment of approved plans.

**G.** For new development, the following condition, imposed and enforced by Enemalta, applies:

A culvert measuring 0.8m wide by 0.75m deep should be prepared along the façade of the development in order that any overhead lines may be substituted by underground cables. The culvert is to be interconnected to an adequate space consisting of a **small room or recess** located near the **entrance**, provided for the purpose of housing the electricity meter. Another adequate space for the purpose of housing the electricity meters, consisting of a **small room or recess** located in the basement near the **entrance**, also interconnected to the culvert, is to be provided. The architect/applicant is required to contact Enemalta, throughout the implementation of the development hereby approved, to ensure conformity with the imposed conditions. A copy of the relative correspondence issued by Enemalta shall be submitted to the Planning Authority accordingly.

- 12 This permission is subject to a planning gain to the value of € 10,000 (Ten Thousand Euro) towards the Planning Authority's Planning Fund. The funds raised from the planning gain shall be used to fund environmental improvement projects in the locality of the site. The planning gain is not refundable and funds shall be utilized as required and directed by the Planning Authority.

In terms of Article 72(3) of the Development Planning Act, 2016, the execution and validity of this permission is automatically temporarily **suspended** and no works as approved by the said development permission may commence before the lapse of the time period established in Article 13 of the Environment and Planning Review Tribunal Act and subsequently will remain so suspended if the Tribunal so decides in accordance with the Environment and Planning Review Tribunal Act.

Where the approved drawings and/or documents are dimensioned, then the declared dimensions shall prevail over the actual size as depicted on the approved drawings and/or documents.

Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on the plan what needs to be carried out and obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.

If the declaration of ownership, as contained in the application form, is determined as incorrect by a Court of Law, then the said Court of Law can declare this development permission as null and void. This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance and agreement must be obtained for this development from the Land and/or Estate Management Departments.

This development permission is granted saving third party rights. This permission does not exonerate the applicant from obtaining any other necessary permission, license, clearance or approval required from any Government department, local council, agency or authority, as required by any law or regulation.

This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (Cap. 424) - Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.

For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes) Order 2014, or its subsequent amendments.

**This decision is being published on 16 September 2020.**

Yoanne Muscat  
Board Secretary  
Planning Board

-PADCN-



Mr Joseph Portelli obo Waterloo Ltd.

Date: 5 May 2020  
Our Ref: PA/04742/17

Application Number: PA/04742/17  
 Application Type: Full development permission  
 Date Received: 25 April 2017  
 Approved Documents: PA 4742/17/1H - Site Plan  
 PA 4742/17/140A - Block Plan  
 PA 4742/17/140B - Proposed Level -3  
 PA 4742/17/140C - Proposed Level -2  
 PA 4742/17/140E - Proposed Elevation/Section  
 PA 4742/17/145B - Proposed Level -1  
 PA 4742/17/149A - Block Plan - Proposed Location of Water Shoot;  
 and  
 PA 4742/17/109D - Environmental Resources Authority  
 PA 4742/17/138A - Transport Malta  
 PA 4742/17/146B & 148A - Restoration Method Statement  
 PA 4742/17/152A - Superintendence of Cultural Heritage  
 PA 4742/17/153A - Engineer's Report

Location: Site at, Triq Hal-Qormi c/w Triq l-Erba Qaddisin c/w, Triq Valletta, Qormi, Malta

Proposal: Phase 01\_To demolish accretions to existing old structure and retain old structure, reservoir and ground water feature 'water chute'. Removal of rubble walls, uprooting of trees and removal of soil. To excavate site and construct 2 underground parking levels.

### **Development Planning Act, 2016 Full Development Permission**

The Planning Authority hereby grants development permission in accordance with the application and documents described above, subject to the following conditions:

- 1 A Construction Management Plan shall be submitted for the approval of the Planning Authority. It shall show:
  - All construction access points;
  - Storage areas for materials and plant; a construction programme, including details of the timing and phasing of the development, how demolition, excavation and development is to be programme carried out;
  - Protection measures for retained buildings, structures and landscapes;
  - Protection measures for the safety of pedestrians/vehicles;

PA/04742/17

Print Date: 05/06/2020

- The location of disposal sites for material from demolition and excavation, and the means and routing of transport to disposal sites;
- Traffic management scheme for the area affected by the development and the construction traffic.

No works shall commence on site prior to the approval of the Construction Management Plan.

- 2 This permission is subject to a Bank Guarantee to the value of **EUR 14,443 (fourteen thousand, four hundred and forty-three euro)** to ensure that the streets are properly restored in accordance with the Environmental Management Construction Site Regulations, 2007 (Legal Notice 295 of 2007). The bank guarantee shall only be released after the perit submits a post-construction condition report together with photographs evidencing compliance with this condition, accompanied by clearance from the Local Council. The clearance from the Local Council is to be endorsed by the Mayor and the Executive Secretary of the Local Council. This guarantee shall be forfeited if, after three (3) months from the date of notification by the Authority of a notice to effect the remedial works, these are not carried out. Its forfeiture shall not, however, preclude the applicant from adhering to all the conditions contained in this development permission.

- 3 This development permission is subject to a bank guarantee to the value of **EUR 7,000 (seven thousand euro)** to ensure that the Restoration and Monitoring Conditions imposed by the Superintendent of Cultural Heritage are fully complied with.

The total amount of the guarantee shall be released to the applicant only after completion of the development hereby approved and upon written confirmation by the Superintendent of Cultural Heritage that the requirement/s of this condition has been complied with in full.

If this condition is not complied with, then the total amount of the bank guarantee shall be forfeited. Its forfeiture would not, however, preclude the Authority from taking any action to ensure that the conditions of this permission are adhered to and the approved drawings/documents are complied with.

- 4 The development hereby permitted shall be subject to Final Compliance (Completion) Certification, verifying that the development has been carried out in full accordance with the approved drawings, documents and conditions imposed in this development permission, except where such conditions are enforced by other entities. Prior to the issue of any compliance certificate on any part of this development, the applicant shall submit to the Planning Authority, in relation to that part of the building:

(i) clearance from the Commission for the Rights of Persons with Disability verifying that the development fully satisfies the accessibility standards and/or any conditions imposed by them.

*Note: Should a partial compliance certificate be requested, a Bank Guarantee of **EUR 50,000** shall apply to ensure that CRPD clearance is obtained*

(ii) certification from a qualified engineer confirming that the development fully satisfies the requirements specified in supporting document PA 4742/17/153A.

- 5 a) The conditions imposed and enforced by the Environment & Resources Authority are at supporting document PA 4742/17/109D. The architect/applicant is required to contact the Environment & Resources Authority, throughout the implementation of the development hereby approved, to ensure conformity with the imposed conditions. A copy of the relative correspondence issued by the Environment & Resources Authority shall be submitted to the Planning Authority accordingly.
- b) The conditions imposed and enforced by Transport Malta are at supporting document PA 4742/17/138A. The architect/applicant is required to contact Transport Malta, throughout the implementation of the development hereby approved, to ensure conformity with the imposed conditions. A copy of the relative correspondence issued by Transport Malta shall be submitted to the Planning Authority accordingly.
- c) The conditions imposed and enforced by the Superintendent of Cultural Heritage are at supporting document PA 4742/17/152A. The architect/applicant is required to contact the Superintendent of Cultural Heritage, throughout the implementation of the development hereby approved, to ensure conformity with the imposed conditions. A copy of the relative correspondence issued by the Superintendent of Cultural Heritage shall be submitted to the Planning Authority accordingly.
- 6 The communal parking area shall only be used for the parking of vehicles and shall be kept available at all times for staff, other visitors, and customers. The parking area shall be adequately lit and sign-posted, and the parking bays properly demarcated in accordance with the standards set out in the Development Control Design Policy, Guidance and Standards 2015. The use of the parking area for storage, industrial, or commercial activity is prohibited.
- 7 a) This development permission is valid for a period of FIVE (5) YEARS from the date of publication of the decision in the press but will cease to be valid if the development is not completed by the end of this validity period.
- b) This permission relates only to the development as specifically indicated on the approved drawings. This permission does not sanction any other illegal development that may exist on the site.
- c) A Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, **if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised** - Article 72(4) of the Development Planning Act (2016).
- d) Copies of all approved drawings and documents shall be available for inspection on site by Planning Authority officers at all reasonable times.
- e) The development shall be carried out in complete accordance with the approved drawings, documents and conditions of this permission. Where a matter is not specified, then the conditions of this permission and of Development Control Design Policy, Guidance and Standards 2015 shall apply.

f) Before any part of the development hereby permitted commences, the enclosed green copy of this development permission shall be displayed on the site. This must be mounted on a notice board, suitably protected from the weather and located not more than 2 metres above ground level at a point on the site boundary where it is clearly visible and can be easily read from the street. The copy of the permission must be maintained in a good condition and it shall remain displayed on the site until the works are completed.

g) All building works shall be erected in accordance with the official alignment and official/existing finished road levels as set out on site by the Planning Authority's Land Surveyor. A Setting Out Request must be submitted to the Land Survey Unit of the Planning Authority, prior to the commencement of works on site, when the setting out of the alignment and levels is required.

h) Where an officially schemed street, within the development zone, bordering the site is unopened or unformed, it shall be opened up and brought up to its proper, approved and official formation levels prior to the commencement of any development hereby being permitted.

i) It is the responsibility of the permit holder to ensure that development is carried out in accordance with the provisions of the Environmental Management Construction Site Regulations, Legal Notice 295 of 2007 (or subsequent amendments). Any hoarding shall be erected in accordance with Schedule 2 of the same Regulations.

j) New development on vacant or redeveloped sites shall be provided with a water cistern to store rainwater run-off as required by the Energy Performance of Buildings Regulations (2012) [published through Legal Notice 376 of 2012 and any amendments thereto].

k) No steps, ramps or street furniture are to be constructed on or encroached onto the public pavement or road.

l) Any doors and windows, the lower edge of which is less than 2m above road level, and any gates shall not open outwards onto a public pavement or road.

m) Air conditioning units shall not be located on the facades of the building which are visible from the street or a public space.

n) There shall be no service pipes, cables or wires visible on the front elevation or on any other elevations of the building which are visible from the street or public space.

## 8 **Conditions imposed and enforced by other entities**

**A.** Where construction activity is involved:

(a) The applicant shall:

**(i) Appoint a Project Supervisor for the Design Stage and a Project Supervisor for the Construction Stage** and any such appointment shall be terminated, changed or renewed as necessary. The same person may be appointed to act as project supervisor for both the design and construction stage, if that person is competent to undertake the duties involved and

**(ii) Keep a health and safety file** prepared by the Project Supervisor for the Design Stage.

(b) When the construction works related to this application are scheduled to last longer than thirty working days and on which more than twenty workers are occupied simultaneously, or on which the volume of work is scheduled to exceed five hundred person-days, the project supervisor **shall communicate a prior notice to the Occupational Health and Safety Authority (OHSA) at least four calendar weeks before commencement of works.**

(c) The Project Supervisor for the Design Stage shall **draw up a health and safety plan** which sets out the occupational health and safety rules applicable to the construction activities concerned, outlining the measures to ensure cooperation between different contractors and shall also include specific measures concerning occupational risks that may be present at this site.

**B.** Where the development concerns a change of use to a place of work, the applicant shall obtain a Perit's declaration that the building conforms to the requirements of L.N. 44 of 2002.

**C.** Where the development concerns a place of work:

The applicant shall:

(i) Obtain a Perit's declaration that the necessary requirements arising out of L.N. 44 of 2002 have been included in the plans and drawings; and

(ii) Obtain a Perit's declaration that the building conforms to the requirements of L.N. 44 of 2002.

**D.** The development is to strictly adhere to the 'Design Guidelines on fire safety for buildings in Malta' to ensure that all Fire Safety measures and provisions are addressed as indicated in the Design Guidelines on Fire Safety for Buildings in Malta, published by the DCID in 2004, (or other relevant standard, provided it is approved by the Civil Protection Department), Policies, and the Laws and Regulations of Malta.

**E.** Prior to laying of water and waste-water services in the road, the development shall comply with the requirements of Legal Notice 29/10 Part III (Roads in inhabited Areas) Clause 12.

**F.** In the event of an accidental discovery in the course of approved works, any cultural heritage feature discovered should not be damaged or disturbed and the Superintendence is to be immediately informed of such discovery. Any cultural heritage features discovered are to be investigated, evaluated and protected in line with the Cultural Heritage Act 2002 (CAP 445). The discovery of cultural heritage features may require the amendment of approved plans.

In terms of Article 72(3) of the Development Planning Act, 2016, the execution and validity of this permission is automatically temporarily **suspended** and no works as approved by the said development permission may commence before the lapse of the time period established in Article 13 of the Environment and Planning Review Tribunal Act and subsequently will remain so suspended if the Tribunal so decides in accordance with the Environment and Planning Review Tribunal Act.

Where the approved drawings and/or documents are dimensioned, then the declared dimensions shall prevail over the actual size as depicted on the approved drawings and/or documents.

Developers are advised to check the invert level to the sewer main with the Water Services  
PA/04742/17 Print Date: 05/06/2020

Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on the plan what needs to be carried out and obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.

If the declaration of ownership, as contained in the application form, is determined as incorrect by a Court of Law, then the said Court of Law can declare this development permission as null and void. This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance and agreement must be obtained for this development from the Land and/or Estate Management Departments.

This development permission is granted saving third party rights. This permission does not exonerate the applicant from obtaining any other necessary permission, license, clearance or approval required from any Government department, local council, agency or authority, as required by any law or regulation.

This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (Cap. 424) - Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.

For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes) Order 2014, or its subsequent amendments.

**This decision is being published on 13 May 2020.**

Yianne Muscat  
Board Secretary  
Planning Board



## Notes to Applicant and Perit

### Right for reconsideration

Where applicable, you have a right to submit a request for reconsideration to the Authority in terms of regulation 14 of Legal Notice 162 of 2016.

### Right for appeal

You have a right to submit an appeal, against the decision, to the Environment and Planning Review Tribunal in terms of Article 13 of the Environment and Planning Review Tribunal Act, 2016.

### Time limits

Requests for reconsideration or appeals must be made within 30 days from the publication of the decision notification in the local press as required by regulation 14(1) of Legal Notice 162 of 2016.

### Fees to submit a request for reconsideration or appeal

In either case, there is a fee to be paid which should accompany the request for reconsideration or the appeal. The fees are as follows:

For reconsideration - 3% of the Development Permit Fee paid in respect of the original application, subject to a minimum of €69.88.

For appeal - 5% of DPF (Development Permit Fee) paid in respect of the original application, subject to a minimum of €150 + €50 administrative fee (LN 112 of 2016).

### Submission of request for reconsideration or appeal

With regards to requests for reconsideration, Form PA 4/16 must be used for submission. All fields of the Form must be filled in as appropriate. Requests for reconsideration can only be submitted electronically.

With regards to appeals, as required by Article 13 of the Environment and Planning Review Tribunal Act, 2016, the submission must include the detailed grounds for appeal and the requests being made by the appellant. Appeals must be submitted physically at the offices of the Environment and Planning Review Tribunal, St. Francis Ditch, Floriana.

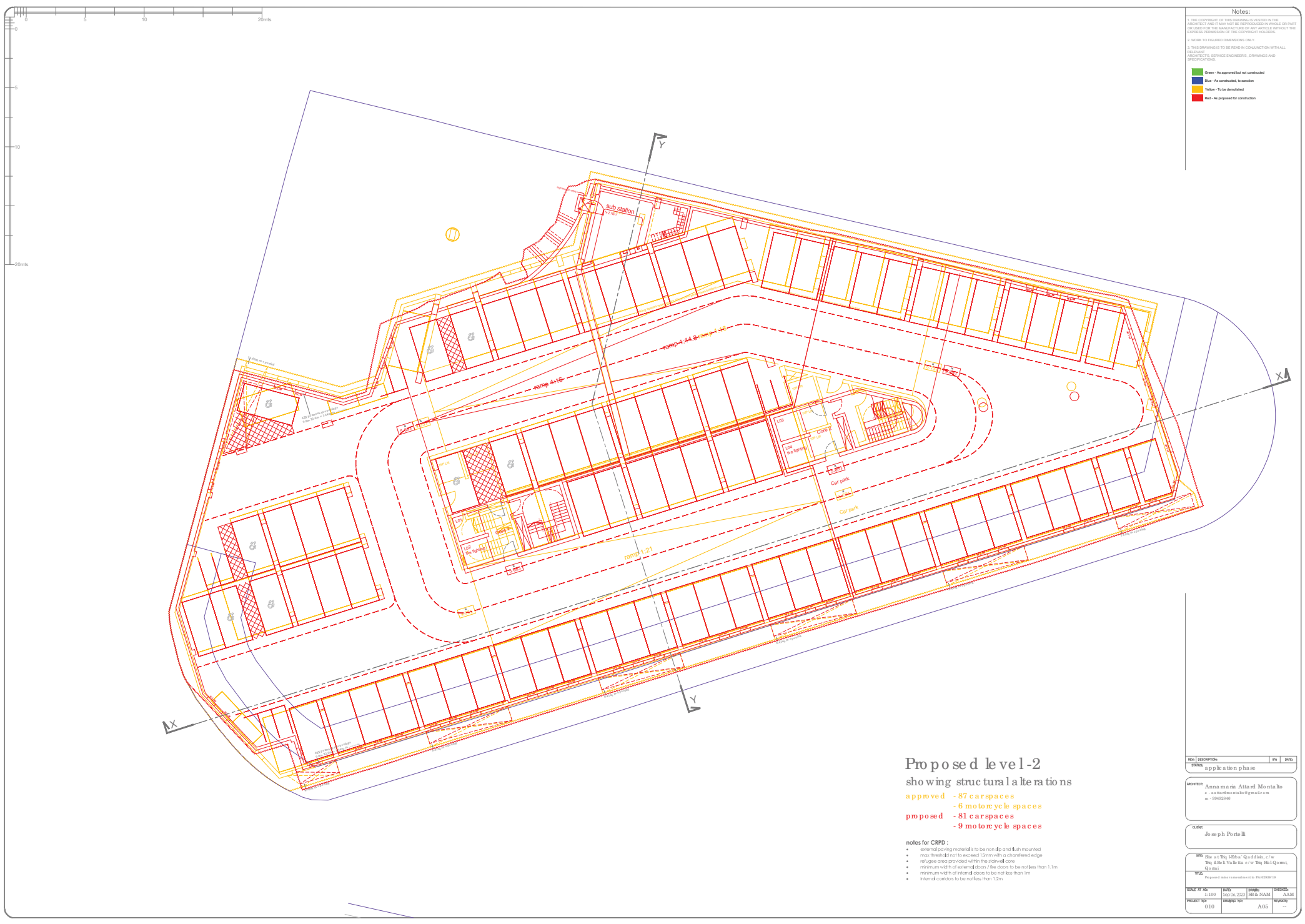
## Important Notice

**In view of the provisions of Article 72(4) of the Development Planning Act (2016), a Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised.**

-PADCN-







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■ Green - As approved but not constructed  
■ Blue - As constructed, to be removed  
■ Yellow - To be demolished  
■ Red - As proposed for construction

**Proposed level 1-2  
showing structural alterations**

**approved - 87 carspaces**  
 - 6 motorcycle spaces

**proposed - 81 carspaces**  
 - 9 motorcycle spaces

- notes for CRPD:**
- external paving material is to be non slip and flush mounted
  - max threshold not to exceed 15mm with a chamfered edge
  - refuge area provided within the stored core
  - minimum width of external doors / fire doors to be not less than 1.1m
  - minimum width of internal doors to be not less than 1m
  - internal corridor to be not less than 1.2m

|     |                |    |      |
|-----|----------------|----|------|
| REV | DESCRIPTION    | BY | DATE |
| 01  | approval phase |    |      |

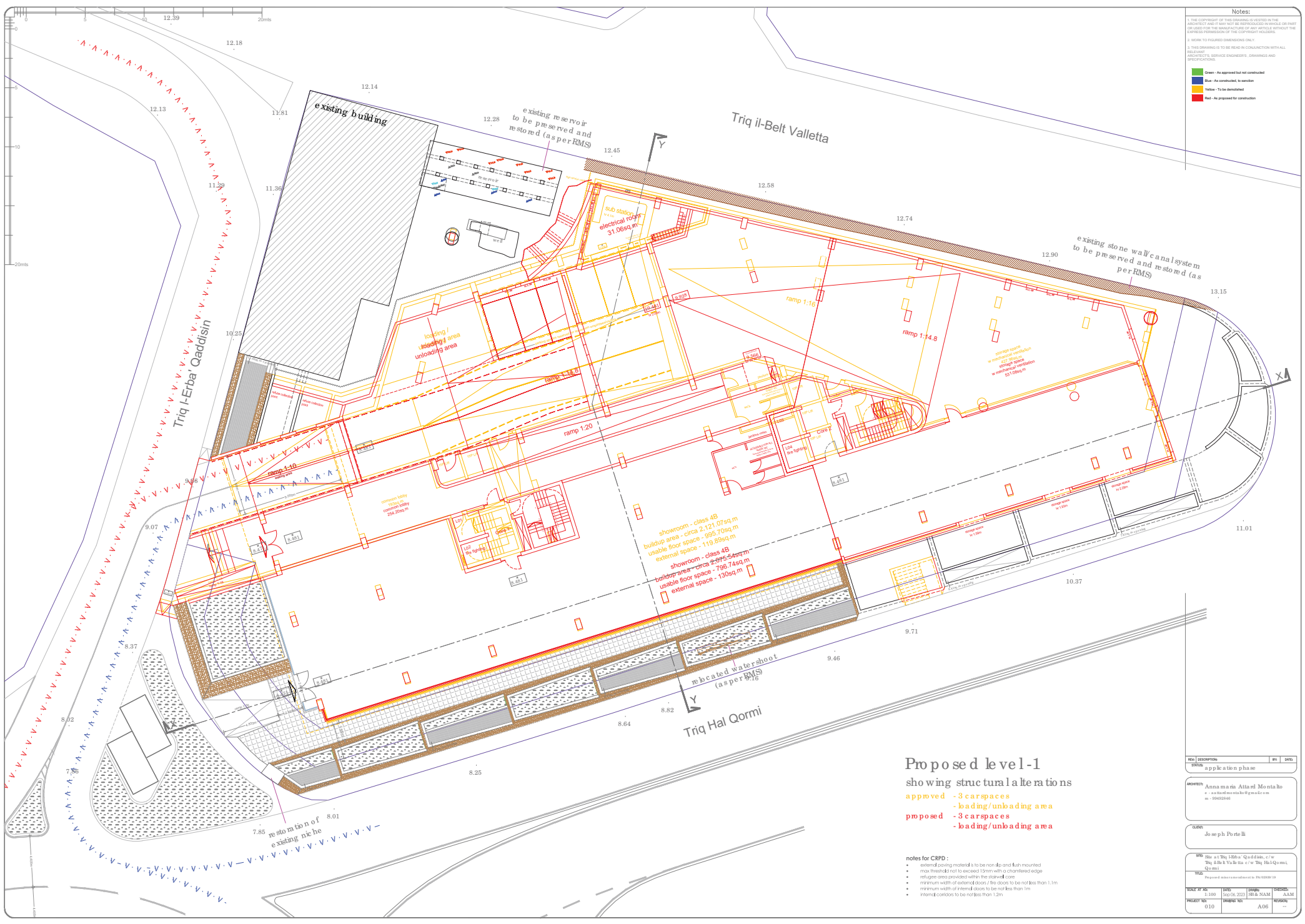
**ARCHITECT:** Anna Maria Attard Montalto  
 - annamariaattard@gmail.com  
 - 09-2922444

**CLIENT:** Joseph Portelli

**REF:** Site plan 1:500 a/q and plan, c/w  
 Day & Night Valet site c/w Day & Night  
 Q1-01

|              |            |          |         |
|--------------|------------|----------|---------|
| SCALE OF ALL | DATE       | DRAWN    | CHECKED |
| 1:100        | 26/09/2023 | SB & NAM | AJM     |
| PROJECT NO   | DRAWING NO | REGION   |         |
| 010          | A05        |          |         |





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■ Blue - As constructed, to survive  
■ Yellow - To be demolished  
■ Red - As proposed for construction

**Proposed level 1**  
 showing structural alterations  
**approved** - 3 carspaces  
               - loading/unloading area  
**proposed** - 3 carspaces  
               - loading/unloading area

- notes for CRPD:**
- external paving material is to be non-slip and flush mounted
  - max threshold is not to exceed 19mm with a chamfered edge
  - refuge area provided where the stated core
  - minimum width of external doors / fire doors to be not less than 1.1m
  - minimum width of internal doors to be not less than 1m
  - internal corridors to be not less than 1.2m

|     |                     |    |      |
|-----|---------------------|----|------|
| REV | DESCRIPTION         | BY | DATE |
| 000 | apple a t i n phase |    |      |

**ARCHITECT:** Anna Maria Attard Montalto  
 - a.m.attardmontalto@gmail.com  
 - 99000046

**CLIENT:** Joseph Portelli

**SRP:** Site at Triq 1500 a' Qaddisin, c/w Triq il-Belt Valletta c/w Triq Hal Qormi, Qormi

|            |            |           |         |
|------------|------------|-----------|---------|
| SCALE      | DATE       | DRAWN     | CHECKED |
| 1:100      | 15/06/2023 | SRB & NAM | AAM     |
| PROJECT NO | DRAWING NO | REGION    |         |
| 010        | A06        |           |         |





office area - class 4A  
 build up area - circa 2,120.34sq.m  
 usable floor space - 1,770.08sq.m  
 external space - 131.82sq.m  
 office area - class 4A  
 build up area - circa 2,046.91sq.m  
 usable floor space - 1,563.81sq.m  
 external space - 38.80sq.m

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- Green - As approved but not constructed  
■ Blue - As constructed to section  
■ Yellow - To be demolished  
■ Red - As proposed for construction

**Proposed level 0**  
 showing structural alterations

- notes for CRPD :**
- external posting material is to be non slip and flush mounted
  - max threshold not to exceed 15mm with a chamfered edge
  - refuge area provided within the stairwell core
  - minimum width of external doors / fire doors to be not less than 1.1m
  - minimum width of internal doors to be not less than 1m
  - internal corridors to be not less than 1.2m

|     |                        |    |      |
|-----|------------------------|----|------|
| REV | DESCRIPTION            | BY | DATE |
| 01  | SRUC application phase |    |      |

**ARCHITECT:** Annamaria Attard Montalto  
 e - gattardmontalto@gmail.com  
 m - 9942844

**CLIENT:** Joseph Portelli

**SRUC SITE:** SRUC Site at Triq l-Erba' Qaddisin, c/w Triq il-Belt Valletta c/w Triq Hal Qormi, Qormi

|              |                                      |          |         |
|--------------|--------------------------------------|----------|---------|
| TITLE:       | Proposed minor amendment to PA023919 |          |         |
| SCALE AT A4: | DATE:                                | DESIGN:  | ISSUED: |
| 1:100        | Aug 28, 2023                         | SB & NAM | A.M.M   |
| PROJECT NO:  | DRAWING NO:                          | REGION:  |         |
| 010          | A07                                  | ---      |         |



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  3. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT REGULATIONS, SERVICE ENGINEERS' DRAWINGS AND SPECIFICATIONS.
- Green - As approved but not constructed
  - Blue - As approved to be saved
  - Yellow - To be demolished
  - Red - As proposed for construction

office area - class 4A  
 build up area - circa 2,066.73sq.m  
 usable floor space - 1,442.72sq.m  
 external space - 5.12sq.m

office area - class 4A  
 build up area - circa 2,120.34sq.m  
 usable floor space - 1,690.20sq.m  
 external space - 138.19sq.m

### Proposed level 1 showing structural alterations

- notes for CRPD:**
- external paving material is to be non slip and flush mounted
  - max threshold not to exceed 15mm with a chamfered edge
  - refuge area provided within the stairwell core
  - minimum width of external doors / fire doors to be not less than 1.1m
  - minimum width of internal doors to be not less than 1m
  - internal corridors to be not less than 1.2m

|     |                         |    |      |
|-----|-------------------------|----|------|
| REV | DESCRIPTION             | BY | DATE |
| 01  | SH/02 application phase |    |      |

**ARCHITECT:** Annamaria Attard Montalto  
 a - gattardmontalto@gmail.com  
 m - 9942844

**CLIENT:** Joseph Portelli

**SITE:** Site at Triq l-Erba' Qaddisin, c/w Triq il-Belt Valletta c/w Triq Hal Qommi, Qommi

|   |              |          |          |
|---|--------------|----------|----------|
| TITLE: Proposed minor amendment to PA023919 |              |          |          |
| SCALE AT A3:                                | DATE:        | DRAWN:   | CHECKED: |
| 1:100                                       | Aug 28, 2023 | SB & NAM | AJM      |
| PROJECT NO:                                 | DRAWING NO:  | AOB:     | REGION:  |
| 010   |              |          |          |



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■ Green - As approved but not constructed  
■ Blue - As approved to be saved  
■ Yellow - To be demolished  
■ Red - As approved for construction

### Proposed level 2 showing structural alterations

- notes for CRPD:**
- external paving material is to be non-slip and flush mounted
  - max thresholds not to exceed 15mm with a chamfered edge
  - refuge area provided within the stairwell core
  - minimum width of external doors / fire doors to be not less than 1.1m
  - minimum width of internal doors to be not less than 1m
  - internal corridors to be not less than 1.2m

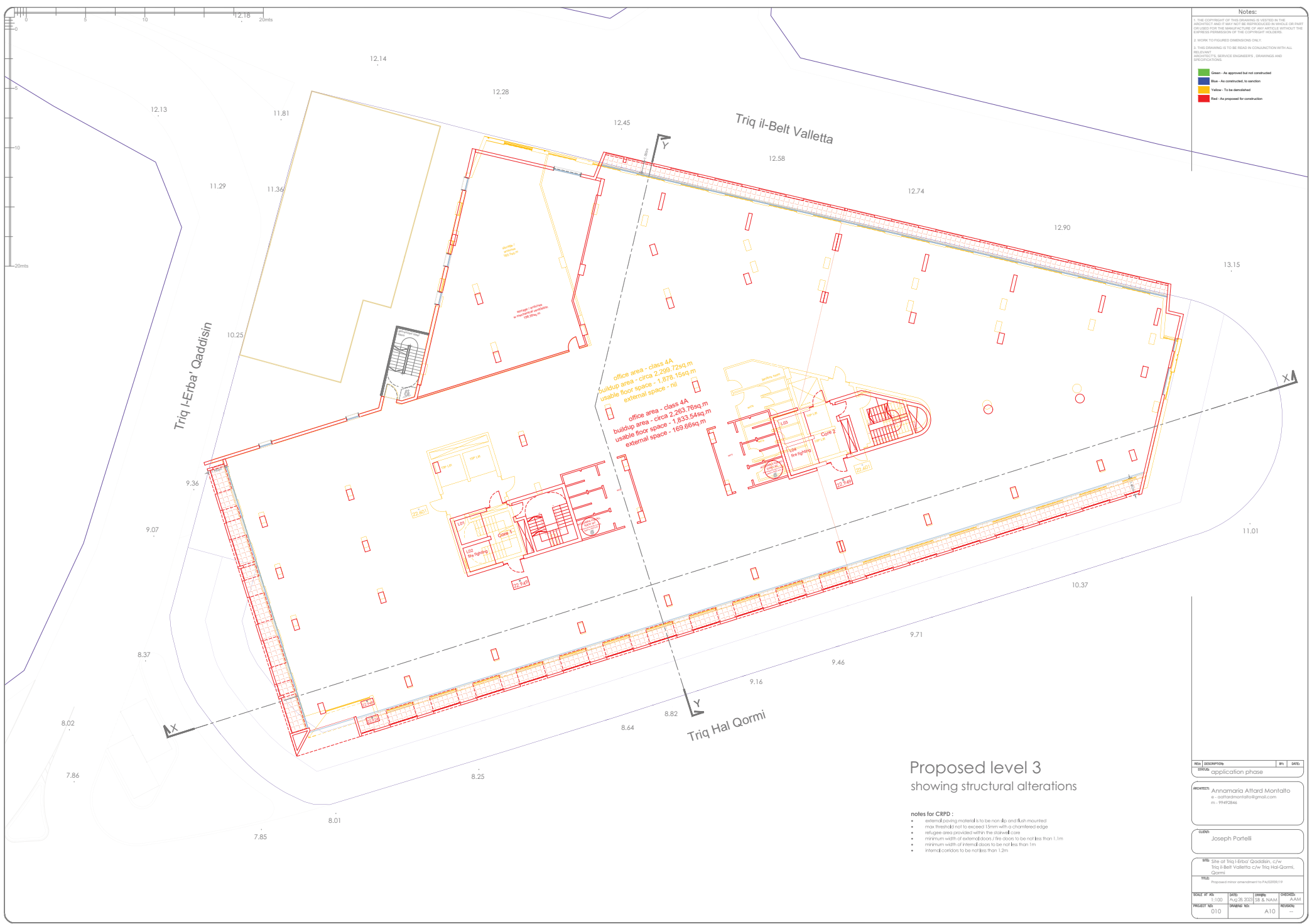
|     |                         |    |      |
|-----|-------------------------|----|------|
| REV | DESCRIPTION             | BY | DATE |
| 01  | SH002 application phase |    |      |

**ARCHITECT:** Annamaria Attard Montalto  
 a - attardmontalto@gmail.com  
 m - 9948264

**CLIENT:** Joseph Portelli

**SITE:** Site at Triq l-Erba' Qaddisin, c/w Triq il-Belt Valletta c/w Triq Hal Qormi, Qormi

|   |              |          |          |
|---|--------------|----------|----------|
| TITLE: Proposed minor amendment to PA023919 |              |          |          |
| SCALE AT A3:                                | DATE:        | OWNER:   | PROJECT: |
| 1:100                                       | AUG 28, 2023 | SB & NAM | A-AM     |
| PROJECT NO:                                 | DRAWING NO:  | ADP:     | REGION:  |
| 010   |              |          |          |



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2. WORK TO FIGURED DIMENSIONS ONLY.
3. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT SERVICE ENGINEERS' DRAWINGS AND SPECIFICATIONS.

■ Green - As approved but not constructed  
■ Blue - As constructed to section  
■ Yellow - To be demolished  
■ Red - As proposed for construction

office area - class 4A  
 buildup area - circa 2,299.72sq.m  
 usable floor space - 1,878.15sq.m  
 external space - nil

office area - class 4A  
 buildup area - circa 2,263.76sq.m  
 usable floor space - 1,833.54sq.m  
 external space - 169.66sq.m

### Proposed level 3 showing structural alterations

- notes for CRPD:**
- external paving material is to be non slip and flush mounted
  - max threshold not to exceed 15mm with a chamfered edge
  - refuge area provided within the stairwell core
  - minimum width of external doors / fire doors to be not less than 1.1m
  - minimum width of internal doors to be not less than 1m
  - internal corridors to be not less than 1.2m

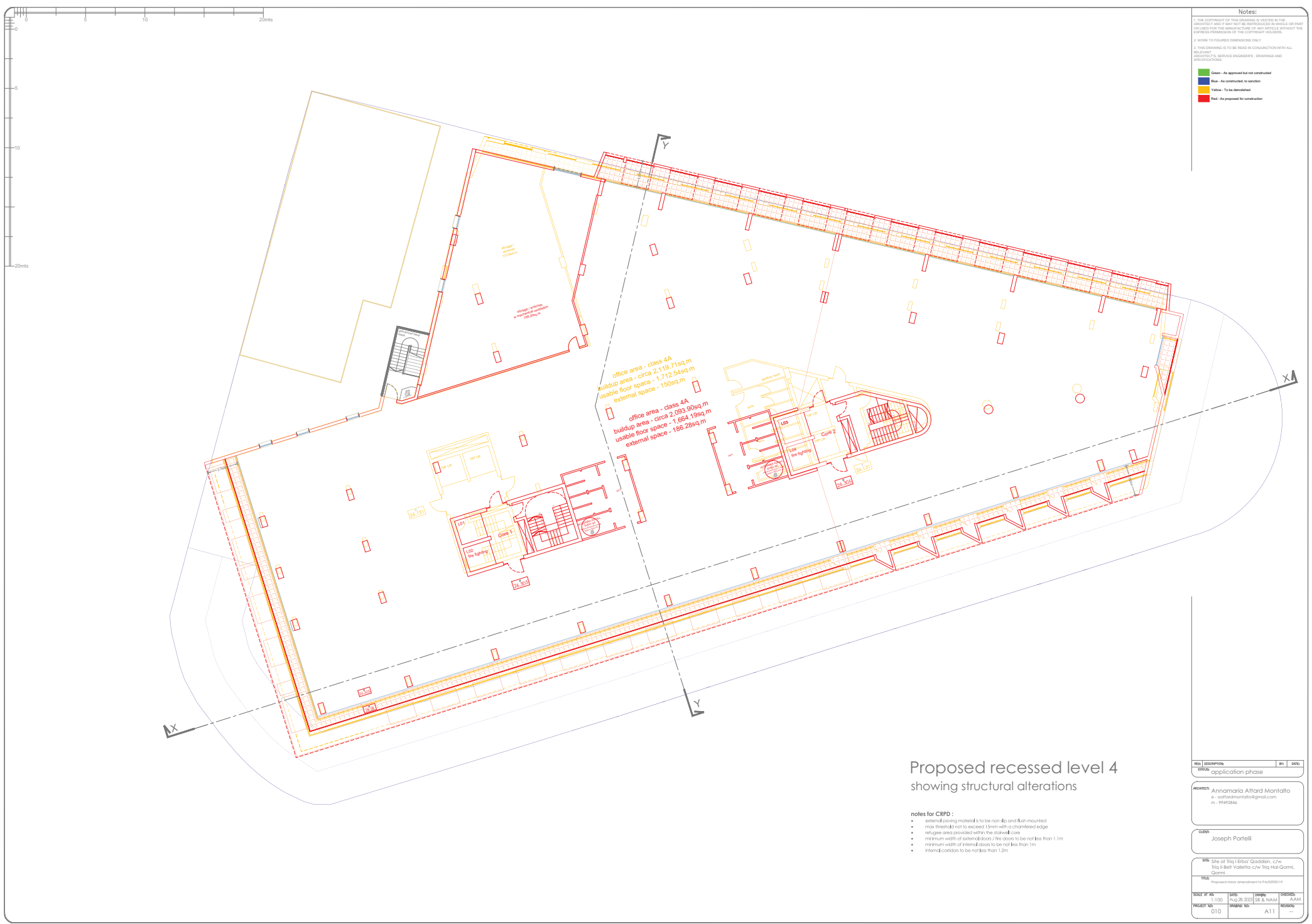
|     |                        |    |      |
|-----|------------------------|----|------|
| REV | DESCRIPTION            | BY | CHKD |
| 01  | SH03 application phase |    |      |

**ARCHITECT:** Annamaria Attard Montalto  
 e - gattardmontalto@gmail.com  
 m - 9942844

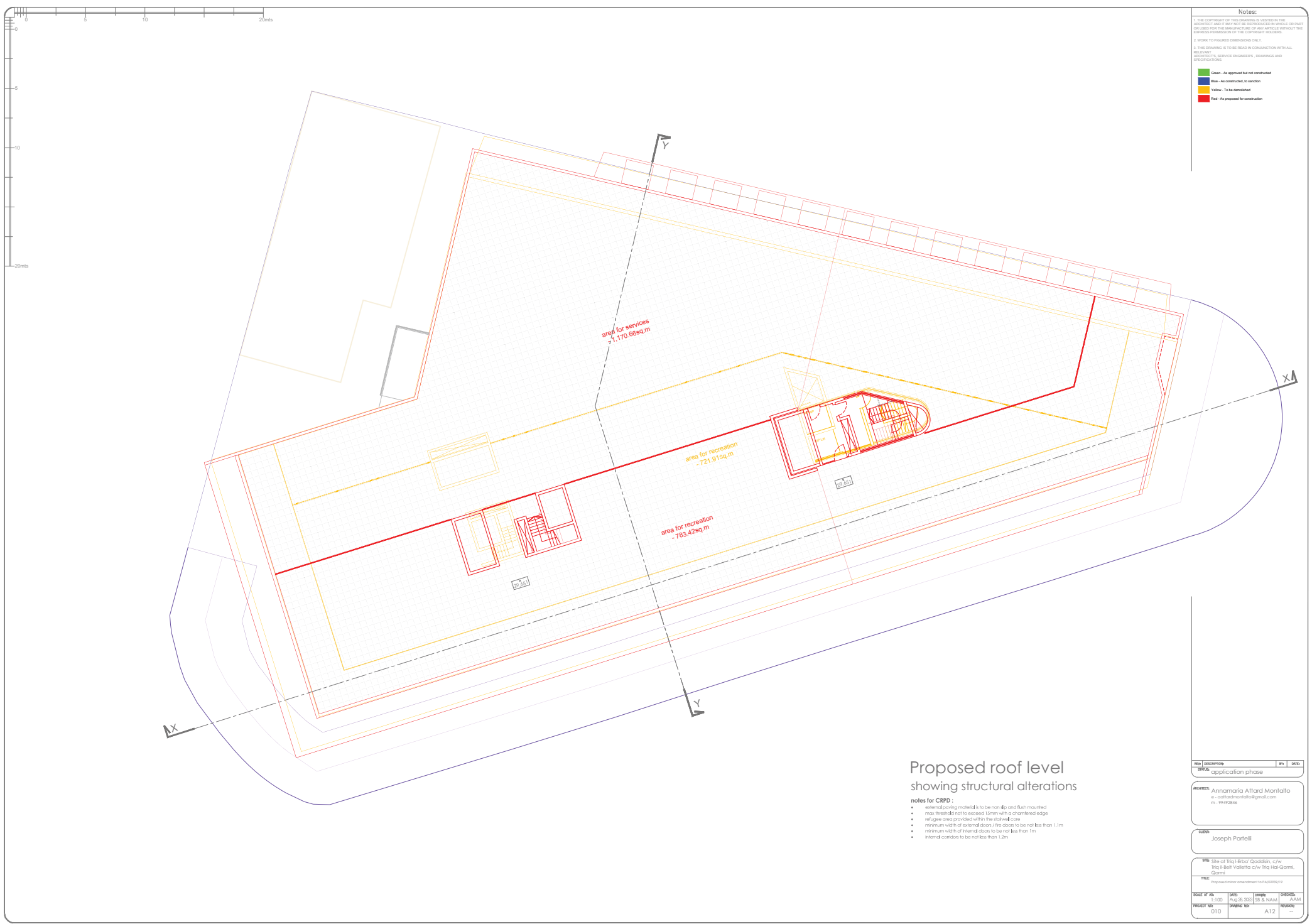
**CLIENT:** Joseph Portelli

**SITE:** Site at Triq l-Erba' Qaddisin, c/w Triq il-Belt Valletta c/w Triq Hal Qormi, Qormi

|   |              |          |         |
|---|--------------|----------|---------|
| TITLE: Proposed minor amendment to PA023919 |              |          |         |
| SCALE AT A4:                                | DATE:        | DESIGN:  | ISSUED: |
| 1:100                                       | Aug 28, 2023 | SB & NAM | A-AM    |
| PROJECT NO:                                 | DRAWING NO:  | A10      | REGION: |
| 010   |              |          |         |







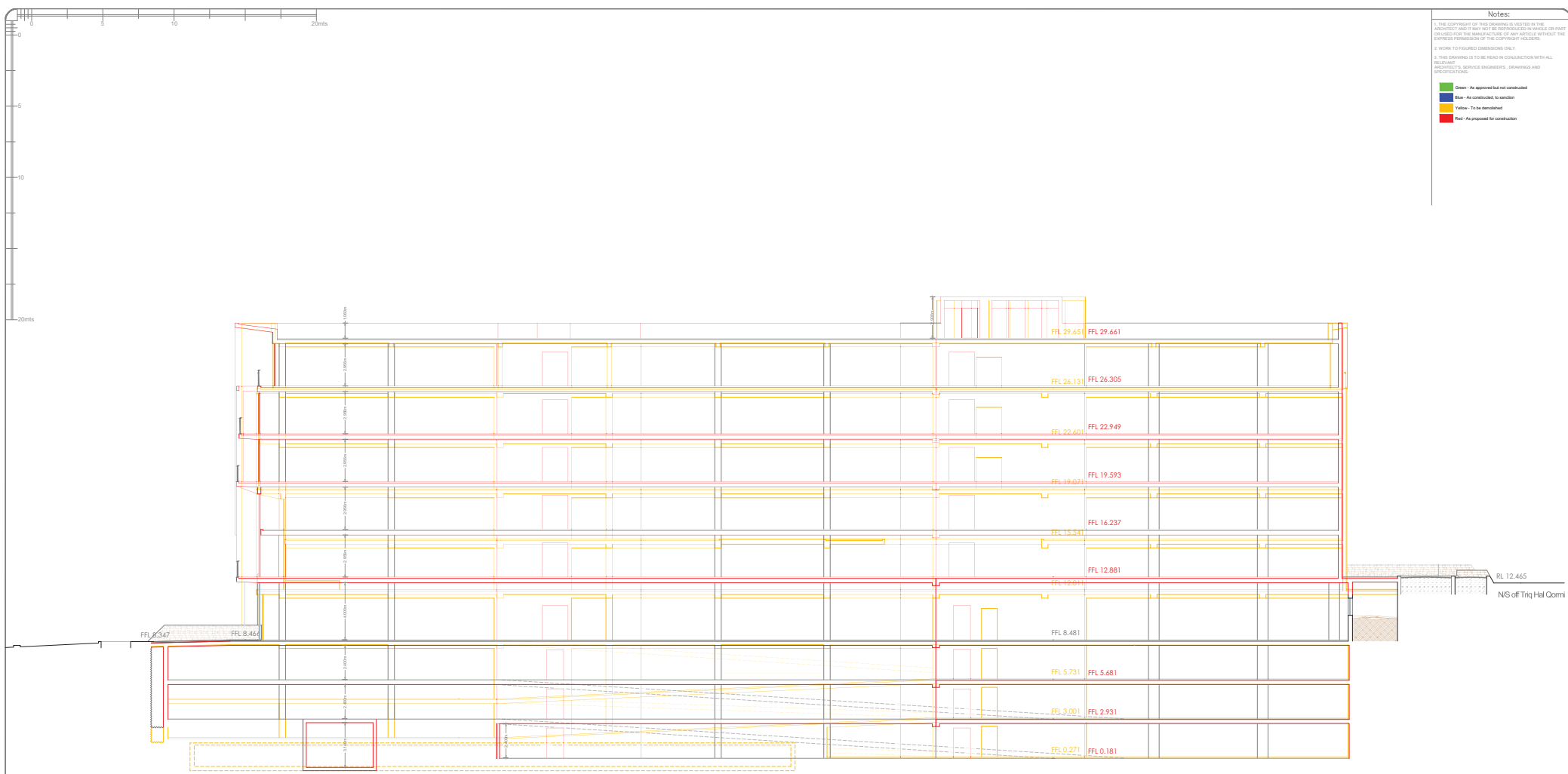
- Notes:**
1. THE COPYRIGHT OF THIS DRAWING IS VESTED IN THE APPOINTED ARCHITECT AND SHALL NOT BE REPRODUCED IN WHOLE OR PART OR USED FOR THE MANUFACTURE OF ANY ARTICLE WITHOUT THE EXPRESS PERMISSION OF THE COPYRIGHT HOLDER.
  2. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT SPECIFICATIONS, SERVICE ENGINEERS' DRAWINGS AND SPECIFICATIONS.
  3. WORK TO FIGURED DIMENSIONS ONLY.
  4. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT SPECIFICATIONS, SERVICE ENGINEERS' DRAWINGS AND SPECIFICATIONS.
- Green - As approved but not constructed
  - Blue - As approved to be saved
  - Yellow - To be demolished
  - Red - As proposed for construction

**Proposed roof level  
showing structural alterations**

- notes for CRPD :**
- external paving materials to be non slip and flush mounted
  - max. threshold not to exceed 12mm with a rounded edge
  - refuge area provided within the stairwell core
  - minimum width of external doors / the doors to be not less than 1.1m
  - minimum width of internal doors to be not less than 1m
  - internal corridors to be not less than 1.2m

|  |                   |          |         |
|--|-------------------|----------|---------|
| REV  | DESCRIPTION       | BY       | DATE    |
| 01   | application phase |          |         |
| ARCHITECT: Annamaria Attard Montalto<br>e - gattalioannamaria@gmail.com<br>m - 9949244     |                   |          |         |
| CLIENT: Joseph Portelli  |                   |          |         |
| SITE: Site at Triq l-Erbor' Qasdien, c/w Triq il-Bell' Valletta c/w Triq Hjal Qasmi, Qasmi |                   |          |         |
| TITLE: Proposed minor amendment to PA0233919   |                   |          |         |
| SCALE AT A4  | DATE              | DRAWN    | CHECKED |
| 1:100  | Aug 28, 2023      | SB & NAM | AJMM    |
| PROJECT NO   | DRAWING NO        | REGION   |         |
| 010  | A12               |          |         |





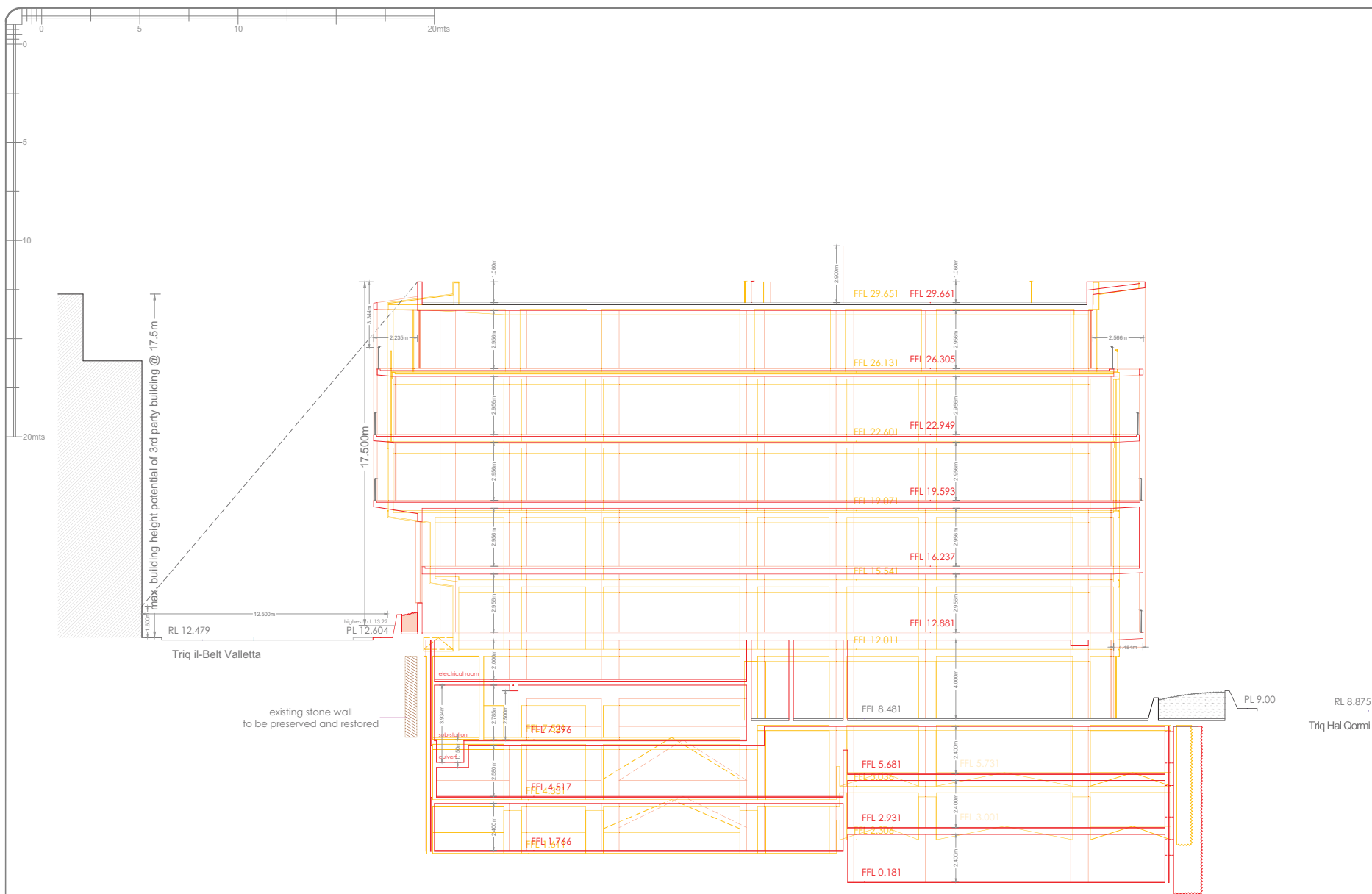
**Notes:**

1. THE COPYRIGHT OF THIS DRAWING IS VESTED IN THE ARCHITECT AND SHALL NOT BE REPRODUCED IN WHOLE OR PART OR USED FOR THE MANUFACTURE OF ANY ARTICLE WITHOUT THE EXPRESS PERMISSION OF THE COPYRIGHT HOLDERS.
2. WORK TO FIGURED DIMENSIONS ONLY.
3. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT REGULATIONS, SERVICE ENGINEERS' DRAWINGS AND SPECIFICATIONS.

■ Green - As approved but not constructed  
■ Blue - As constructed to section  
■ Yellow - To be demolished  
■ Red - As proposed for construction

Proposed longitudinal section X-X showing alterations

|  |                        |               |                |
|--|------------------------|---------------|----------------|
| <b>REV</b>   | <b>DESCRIPTION</b>     | <b>BY</b>     | <b>DATE</b>    |
| 01   | SHDG application phase |               |                |
| <b>ARCHITECT</b>   |                        |               |                |
| Annamaria Alfard Montalto<br>e - gart@annamato@gmail.com<br>m - 9949344              |                        |               |                |
| <b>CLIENT</b>  |                        |               |                |
| Joseph Portelli  |                        |               |                |
| <b>SITE</b>  |                        |               |                |
| NS Site at Triq l-Erbor' Qasdim, c/w Triq l-Bell' Valletta c/w Triq Hsi Qormi, Qormi |                        |               |                |
| <b>TITLE</b>   |                        |               |                |
| Proposed minor amendment to PA0233919  |                        |               |                |
| <b>SCALE AT A4</b>   | <b>DATE</b>            | <b>DRAWN</b>  | <b>CHECKED</b> |
| 1:100  | 14.03.2023             | SB & NAM      | AKM            |
| <b>PROJECT NO.</b>   | <b>DRAWING NO.</b>     | <b>REGION</b> |                |
| 010  | A14                    |               |                |



Proposed transverse section Y-Y showing alterations

Notes:

1. THE COPYRIGHT OF THIS DRAWING IS VESTED IN THE ARCHITECT AND IT MAY NOT BE REPRODUCED IN WHOLE OR PART OR USED FOR THE MANUFACTURE OF ANY ARTICLE WITHOUT THE EXPRESS PERMISSION OF THE COPYRIGHT HOLDERS.
2. WORK TO FIGURED DIMENSIONS ONLY.
3. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECT'S SERVICE ENGINEER'S, DRAWINGS AND SPECIFICATIONS.

- Green - As approved but not constructed
- Blue - As constructed, to sanction
- Yellow - To be demolished
- Red - As proposed for construction

| REV | DESCRIPTION               | BY | DATE |
|-----|---------------------------|----|------|
|     | STATUS: application phase |    |      |

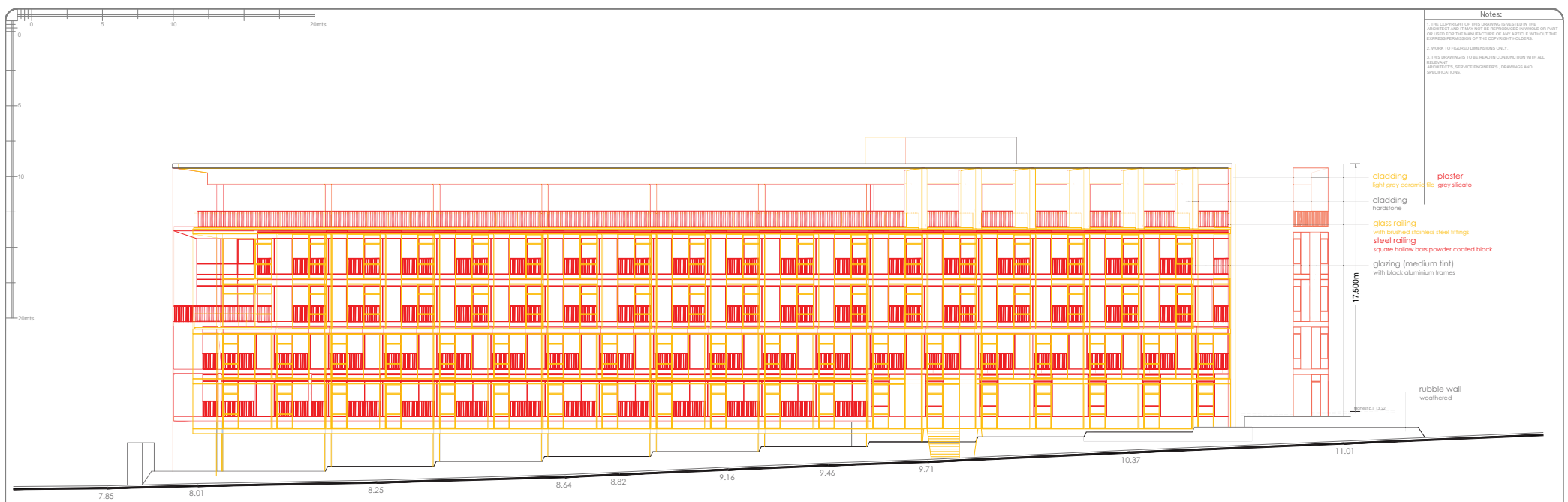
ARCHITECT: Annamaria Attard Montalto  
 e - aattardmontalto@gmail.com  
 m - 99492846

CLIENT: Joseph Portelli

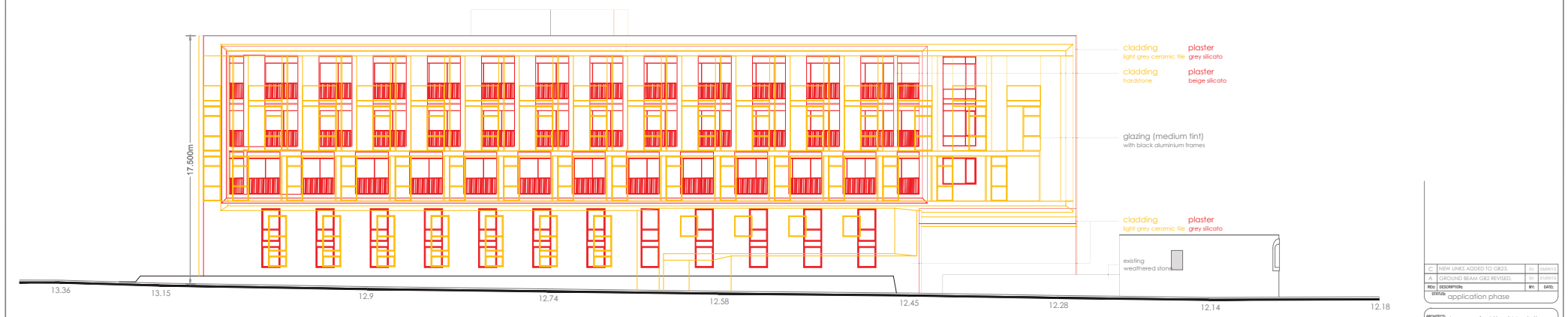
SITE: Site at Triq l-Erba' Qaddisq, c/w Triq il-Belt Valletta c/w Triq Hal-Qormi, Qormi

TITLE: Proposed minor amendment to PA/02939/19

| SCALE AT A1: | DATE:        | DRAWN:    | CHECKED: |
|--------------|--------------|-----------|----------|
| 1:100        | Jul 03, 2023 | SB & NAM  | AAM      |
| PROJECT NO:  | DRAWING NO:  | REVISION: |          |
| 010          | A13          | --        |          |



Elevation along Triq Hal Qormi showing alterations



Elevation along Triq il-Belt Valletta showing alterations

|     |                         |    |          |
|-----|-------------------------|----|----------|
| C   | NEW LINES ADDED TO GR23 | 01 | 04/01/21 |
| A   | GROUND BEAM C80 REVISED | 20 | 12/01/21 |
| REV | DATE                    | BY | DATE     |
| 01  | 04/01/21                | 01 | 04/01/21 |

BRAND application phase

ARCHITECT Annamaria Azzard Montalto  
 a - azzardmontalto@gmail.com  
 m - 9949244

CLIENT Joseph Portelli

SITE Site at Triq il-Ejfor' Qaddim, c/w Triq il-Belt Valletta c/w Triq Hal Qormi, Qormi

TITLE Proposed minor amendment to PA2023019

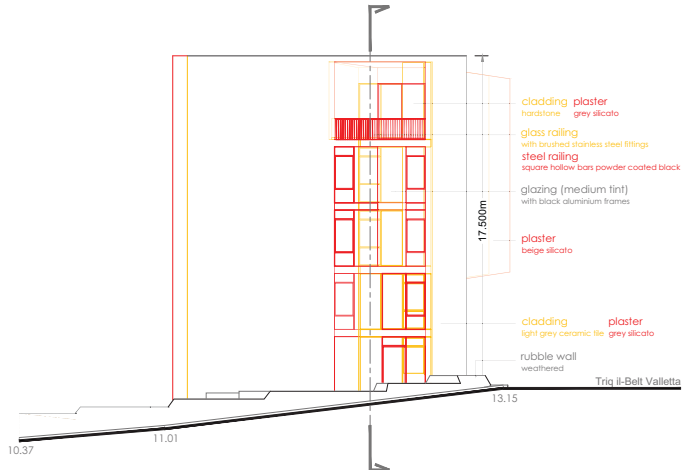
|             |            |      |      |      |
|-------------|------------|------|------|------|
| SCALE AT A3 | DATE       | DATE | DATE | DATE |
| 1:100       | 01/01/2022 | 08   | 08   | 08   |
| PROJECT NO  | DATE       | NO   | NO   | NO   |
| 010         | 01/01/2022 | A31  | 08   | 08   |



**Elevation along Triq I-Erba' Qaddisin**  
showing alterations



**Elevation overlooking old building**  
showing alterations



**Side elevation on New Street**  
showing alterations

|  |                           |                 |                        |
|--|---------------------------|-----------------|------------------------|
| <b>ARCHITECT:</b> Annamaria Attard Montalto<br>a - oattardmontalto@gmail.com<br>m - 9949264    |                           |                 |                        |
| <b>CLIENT:</b> Joseph Portelli   |                           |                 |                        |
| <b>SITE:</b> Site at Triq I-Erba' Qaddisin, c/w Triq I-Belt Valletta c/w Triq Hsi-Qamli, Qamli |                           |                 |                        |
| <b>TITLE:</b> Proposed minor amendment to PA/233919  |                           |                 |                        |
| <b>SCALE AT A3:</b> 1:100  | <b>DATE:</b> Sep-20, 2023 | <b>DATE:</b> 08 | <b>CHECKED:</b> A.A.M. |
| <b>PROJECT NO.:</b> 010  | <b>DRAWING NO.:</b>       | <b>A32</b>      | <b>REVISION:</b>       |

**Appendix 02: (QHub)**

**A.02.4 – Summary of Lease Agreements**

## **QHUB Business Centre**

### **Summary of Lease Agreements as at May 2024**

#### **Level -1**

- a) Lessee Details: Mr. Pengcheng Zhang in his personal capacity and A.C.E. Foods Ltd.
- b) Lessee Address:
  - a. Mr. Pengcheng Zhang - Phenix Apartments, F13, Triq Tas-Sisla, Is-Swatar, B'Kara BKR 1001.
  - b. A.C.E. Foods Ltd - Flat 4, Lynx Court, Triq Tas-Sisla, B'Kara BKR 1001.
- c) Premises: Level -1, Qhub Business Centre.
- d) Commencement Date: 1st December 2024.
- e) Handover Date: 1st September 2024.
- f) Term: Fifteen (15) years.
- g) Di Fermo: Five (5) years.
- h) Di Rispetto: Ten (10) years.
- i) Rent (excluding VAT), payable quarterly in advance:
  - a. €290,000 per annum for the first year (from 1st December 2024 to 30th November 2025).
  - b. €350,000 per annum for the second year (from 1st December 2025 to 30th November 2026).
  - c. €365,000 per annum for the subsequent three (3) years (from 1st December 2026 to 30th November 2029).
  - d. €380,000 per annum for the subsequent two (2) years (from 1st December 2029 to 30th November 2031).
  - e. €400,000 per annum for the subsequent three (3) years (from 1st December 2031 to 30th November 2034).
  - f. €410,000 per annum for the subsequent 2 years (from 1st December 2034 to 30 November 2036).
  - g. €430,000 per annum for the last 3 years (from 1st December 2036 to 30th November 2039).

#### **Level 1**

- a) Lessee Details: Faceworks Limited, represented by Etienne Mallia.
- b) Lessee Address: OneOneO, Pitkali Road, Attard, ATD 2214, Malta.
- c) Premises: Level 1, Qhub Business Centre.
- d) Commencement Date: 1st December 2024.
- e) Handover Date: 1st September 2024.
- f) Term: Fifteen (15) years.
- g) Di Fermo: Five (5) years.
- h) Di Rispetto: Ten (10) years.
- i) Rent: €400,000 (excluding VAT) per annum, payable quarterly in advance.
- j) Increments: Subject to yearly adjustments in accordance with inflation.



## Level 2

- a) Lessee Details: Faceworks Limited, represented by Etienne Mallia.
- b) Lessee Address: OneOneO, Pitkali Road, Attard, ATD 2214, Malta.
- c) Premises: Level 2, Qhub Business Centre.
- d) Commencement Date: 1st December 2024.
- e) Handover Date: 1st September 2024.
- f) Term: Fifteen (15) years.
- g) Di Fermo: Five (5) years.
- h) Di Rispetto: Ten (10) years.
- i) Rent: €380,000 (excluding VAT) per annum, payable quarterly in advance.
- j) Increments: Subject to yearly adjustments in accordance with CPI (consumer price index)

## Level 3

- a) Lessee: Infinite Fusion Services Limited, represented by Liam Ferriggi.
- b) Lessee Address: Fusion House, Level 3, Olives Square, Qormi QRM3931.
- c) Premises: Level 3, Qhub Business Centre.
- d) Commencement Date: 1st December 2024.
- e) Handover Date: 1st September 2024.
- f) Term: Fifteen (15) years.
- g) Di Fermo: Five (5) years.
- h) Di Rispetto: Ten (10) years.
- i) Rent: €390,000 (excluding VAT) per annum, payable quarterly in advance.
- j) Increments: Subject to yearly adjustments in accordance with inflation.

## Level 4

- a) Lessee: Infinite Fusion Services Limited, represented by Liam Ferriggi.
- b) Lessee Address: Fusion House, Level 3, Olives Square, Qormi QRM3931.
- c) Premises: Level 4, Qhub Business Centre.
- d) Commencement Date: 1st December 2024.
- e) Handover Date: 1st September 2024.
- f) Term: Fifteen (15) years.
- g) Di Fermo: Five (5) years.
- h) Di Rispetto: Ten (10) years.
- i) Rent: €390,000 (excluding VAT) per annum, payable quarterly in advance.
- j) Increments: Subject to yearly adjustments in accordance with inflation.

**Appendix 02: (QHub)**

A.02.5 – Declaration of Finishing Contribution

Excel MJD Ltd

72, Mattia Preti Street

Victoria, Gozo, VCT2833

19 May 2024

**Finishing and Service Works to Complete QHub Business Centre**

We hereby confirm that Excel MJD Ltd has allocated EUR 5,900,000 (excluding VAT) for finishing and service works aimed at completing the entire development of the QHUB Business Centre. This investment is crucial to fulfilling our commitment to delivering a fully finished and serviced development, meeting the highest standards of quality.

The allocated funds will cover various aspects of finishing and service works essential for achieving the desired level of completion for the QHUB Business Centre. The intention behind this allocation is to ensure that every aspect of the development block receives the necessary attention and detailing for a seamless and high-quality finish.

A detailed breakdown of the finishing costs excluding VAT is included hereunder:

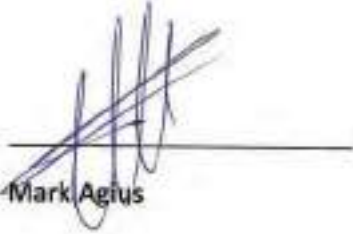
| Type                                  | Cost excl. VAT (EUR) |
|---------------------------------------|----------------------|
| Plastering and Painting               | €213,514             |
| Cladding, Tiles, and Marble           | €1,181,180           |
| Lifts and Peripherals                 | €286,820             |
| Electrical, Power, and Infrastructure | €767,000             |
| Extra Low Voltage                     | €347,000             |
| Plumbing and drains                   | €408,000             |
| Apertures                             | €720,000             |
| HVAC                                  | €1,589,486           |
| Gypsum Panelling                      | €387,000             |
| <b>Total</b>                          | <b>€5,900,000</b>    |



Yours sincerely,

A handwritten signature in blue ink, consisting of several overlapping loops and horizontal strokes.

**Joseph Portelli**

A handwritten signature in blue ink, featuring several vertical strokes and a horizontal line that crosses them.

**Mark Agius**

**Appendix 02: (QHub)**

A.02.6 – 3D Renders of QHub





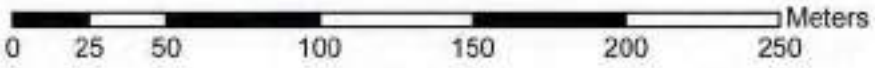
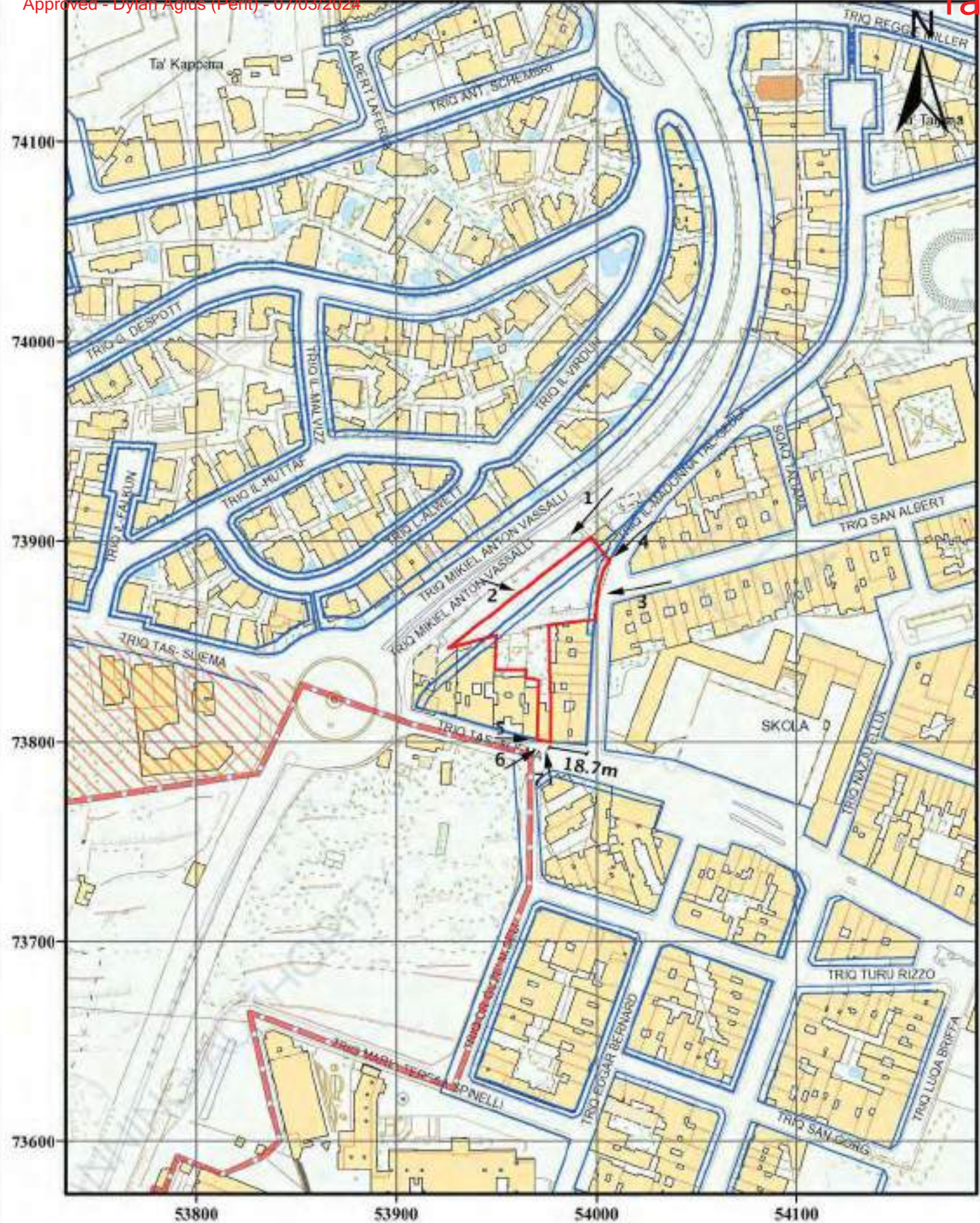




**Appendix 03: (Citiway)**

A.03.1 – Site Plan





1:2,500 Date Printed: 16/01/2019

Public Geoserver

Compiled and published by the Mapping Unit, Planning Authority ©PA.  
 Reproduction in whole or in part by any means is prohibited without the prior permission of the Mapping unit.  
 Data Captured from: 1988, 1994, 1998, 2004 & 2008 aerial photography and updates from 2012 orthophotos.  
 Truncated U.T.M. Coordinates. Levelling Datum M.S.L. (Mean sea level). Contours when shown are at 1m interval. Not to be used for interpretation or scaling of scheme alignments  
 Copyright © PA - Planning Authority. Not for resale



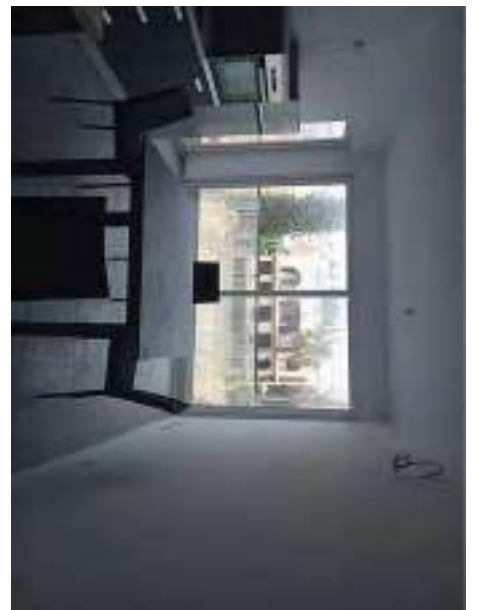
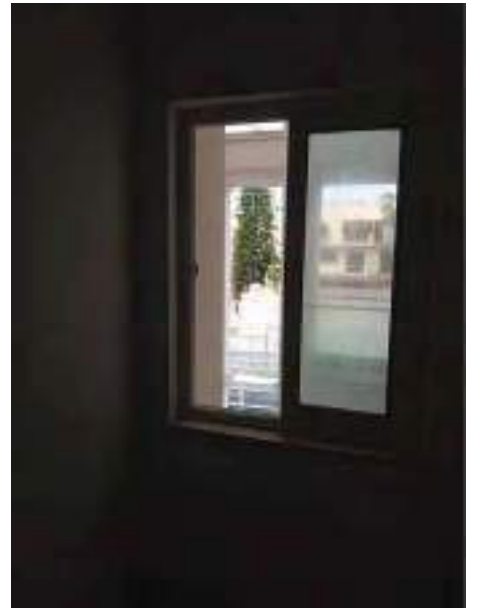
PLANNING AUTHORITY

St. Francis Ravelin, Floriana.  
 Tel: +358 2250 0000, Fax: +358 2290 2295  
 www.pa.org.mt, mappingshop@pa.org.mt

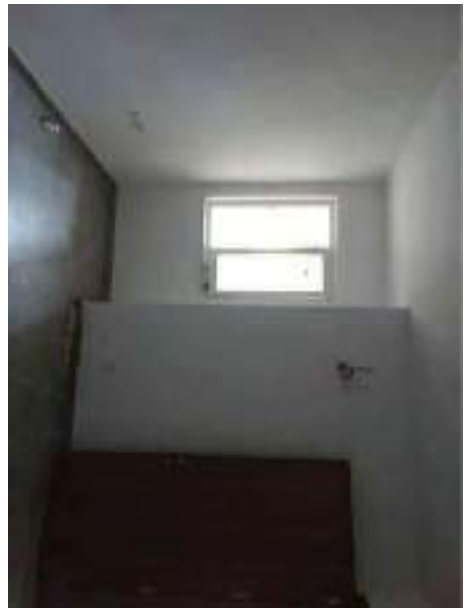


**Appendix 03: (Citiway)**

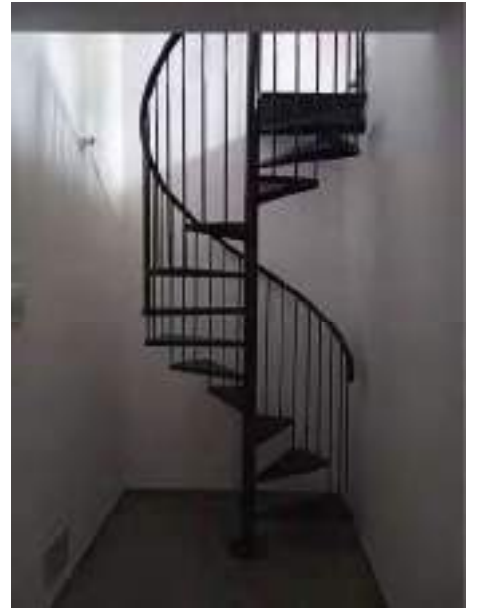
A.03.2 – Photographs



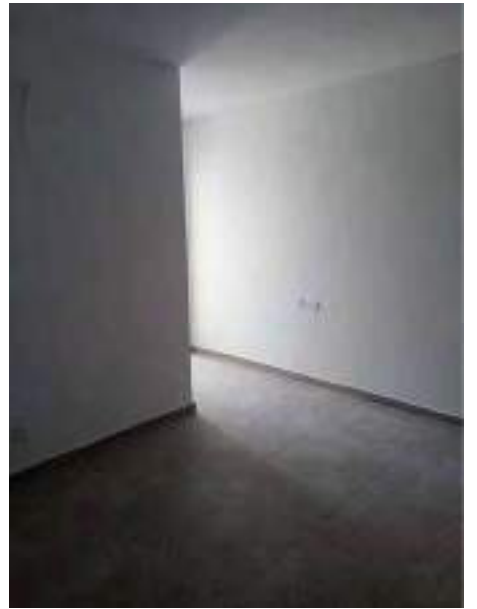
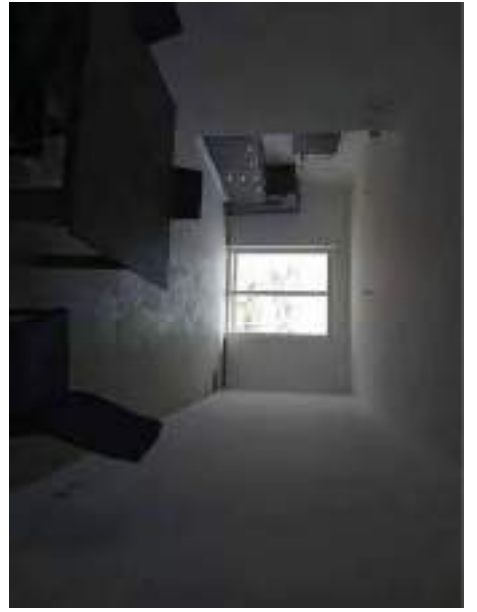


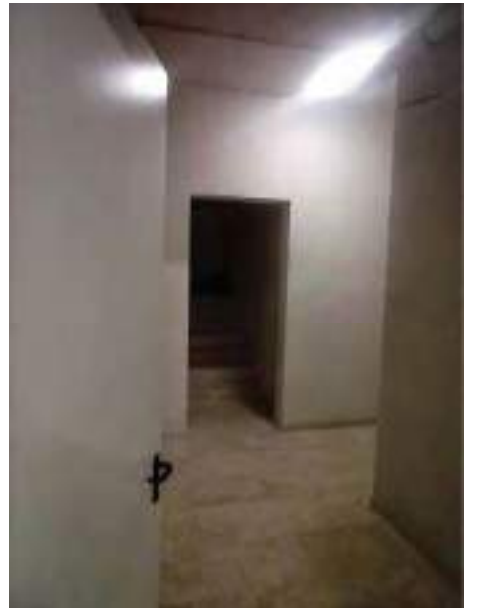






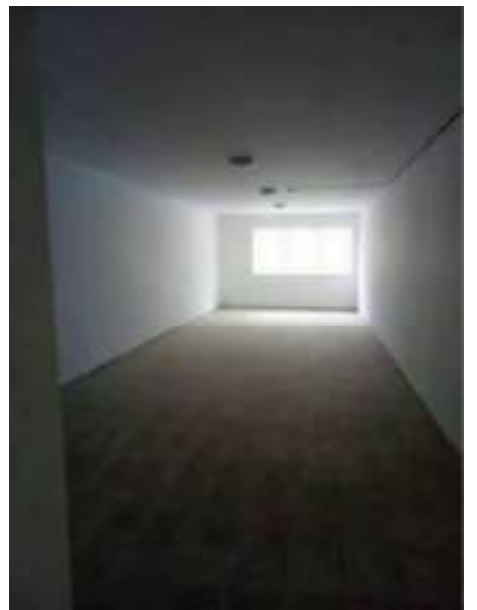


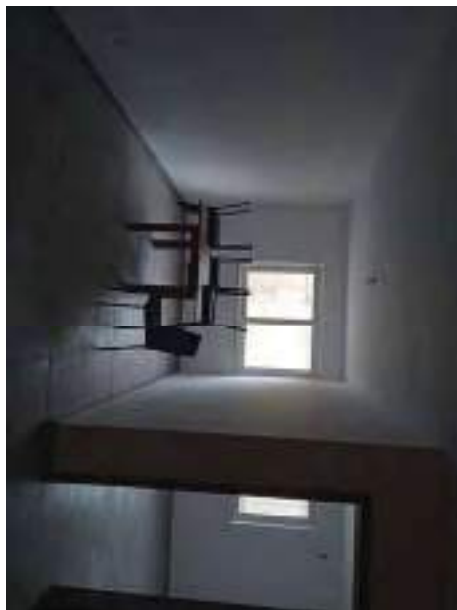














**Appendix 03: (Citiway)**

A.03.3 – Planning Permit and Permit Drawings

Mr. Mark Agius

Date: 26 September 2023  
Our Ref: PA/00789/20  
Perit Ref: 168

Dear Sir/Madam,

Application Number: PA/00789/20  
Location: Site at, Triq Mikiel Anton Vassalli, Triq il-Madonna tal-Gebli, Triq tas-Sliema, Gzira  
Proposal: Proposed alterations and additions to approved development permits (PA/01070/19 and PA/01321/19). Additions include the increasing of site area to PA/01070/19 and therefore the creation of new apartments. Alterations include the shifting of walls and the re-design of the internal layout. The changes described above result in 14 new apartments distributed over 7 floors. The proposal seeks also to sanction the excavation carried out and construction of boundary wall.

**Development Planning Act, 2016  
Minor Amendment to Permission PA/00789/20  
in terms of regulation 15 of Legal Notice 162 of 2016**

Reference is made to the request for minor amendments, to the above quoted development permission, submitted on 9 August 2023.

The changes you propose are acceptable as a minor amendment to the development permission. The following drawings/documents are being endorsed:

PA 0789/20/MA/321L/321M/321N/321O/321P/321Q/321R/321S/321T/321U/321V/330A/330B.

This endorsement relates only to the changes described in your application form and specifically indicated on the drawings/documents. Any other changes from the original permission, which may be shown on the drawings/documents but which are not referred to in your application form, are not endorsed or accepted.

Consequently, this endorsement is **only** for the proposed development as specifically indicated and does not cover any other development or sanctions any illegal development which may exist on site, even if shown on the drawings/documents.

Please note that the conditions and amendments in the original permission remain valid and are therefore applicable to the development as amended, including the condition on the validity period of the permission. The other provisions of regulation 15 of Legal Notice 162 of 2016 also apply.

Roderick Livori  
for Executive Chairperson

-PAABMADcn-



Mr. Mark Agius

Date: 2 August 2022  
Our Ref: PA/00789/20  
Perit Ref: 168

Dear Sir/Madam,

Application Number: PA/00789/20  
Location: Site at, Triq Mikiel Anton Vassalli, Triq il-Madonna tal-Gebla, Triq tas-Sliema, Gzira  
Proposal: Proposed alterations and additions to approved development permits (PA/01070/19 and PA/01321/19). Additions include the increasing of site area to PA/01070/19 and therefore the creation of new apartments. Alterations include the shifting of walls and the re-design of the internal layout. The changes described above result in 14 new apartments distributed over 7 floors. The proposal seeks also to sanction the excavation carried out and construction of boundary wall.

**Development Planning Act, 2016  
Minor Amendment to Permission PA/00789/20  
in terms of regulation 15 of Legal Notice 162 of 2016**

Reference is made to the request for minor amendments, to the above quoted development permission, submitted on 30 May 2022.

The changes you propose are acceptable as a minor amendment to the development permission. The following drawings/documents are being endorsed:

PA 0789/20/MA/290A/290B/290C.  
PA 0789/20/MA/298A (Access Audit)

This endorsement relates only to the changes described in your application form and specifically indicated on the drawings/documents. Any other changes from the original permission, which may be shown on the drawings/documents but which are not referred to in your application form, are not endorsed or accepted.

Consequently, this endorsement is **only** for the proposed development as specifically indicated and does not cover any other development or sanctions any illegal development which may exist on site, even if shown on the drawings/documents.

Please note that the conditions and amendments in the original permission remain valid and are therefore applicable to the development as amended, including the condition on the validity period of the permission. The other provisions of regulation 15 of Legal Notice 162 of 2016 also apply.

Yours faithfully

Jeffrey Vella  
for Executive Chairperson

-PAABMADcn-

Mr. Mark Agius

Date: 17 January 2022  
Our Ref: PA/00789/20  
Perit Ref: 168

Dear Sir/Madam,

Application Number: PA/00789/20  
Location: Site at, Triq Mikiel Anton Vassalli, Triq il-Madonna tal-Gebli, Triq tas-Sliema, Gzira  
Proposal: Proposed alterations and additions to approved development permits (PA/01070/19 and PA/01321/19). Additions include the increasing of site area to PA/01070/19 and therefore the creation of new apartments. Alterations include the shifting of walls and the re-design of the internal layout. The changes described above result in 14 new apartments distributed over 7 floors. The proposal seeks also to sanction the excavation carried out and construction of boundary wall.

**Development Planning Act, 2016  
Minor Amendment to Permission PA/00789/20  
in terms of regulation 15 of Legal Notice 162 of 2016**

Reference is made to the request for minor amendments, to the above quoted development permission, submitted on 15 December 2021.

The changes you propose are acceptable as a minor amendment to the development permission. The following drawings/documents are being endorsed:

PA 789/20/MA/277A/277B/277C/277D/277E/277F/277G.

This endorsement relates only to the changes described in your application form and specifically indicated on the drawings/documents. Any other changes from the original permission, which may be shown on the drawings/documents but which are not referred to in your application form, are not endorsed or accepted.

Consequently, this endorsement is **only** for the proposed development as specifically indicated and does not cover any other development or sanctions any illegal development which may exist on site, even if shown on the drawings/documents.

Please note that the conditions and amendments in the original permission remain valid and are therefore applicable to the development as amended, including the condition on the validity period of the permission. The other provisions of regulation 15 of Legal Notice 162 of 2016 also apply.

Yours faithfully

Jeffrey Vella  
for Executive Chairperson

-PAABMADcn-

Mr. Mark Agius

Date: 12 October 2021  
Our Ref: PA/00789/20  
Perit Ref: 168

Dear Sir/Madam,

Application Number: PA/00789/20  
Location: Site at, Triq Mikiel Anton Vassalli, Triq il-Madonna tal-Gebla, Triq tas-Sliema, Gzira  
Proposal: Proposed alterations and additions to approved development permits (PA/01070/19 and PA/01321/19). Additions include the increasing of site area to PA/01070/19 and therefore the creation of new apartments. Alterations include the shifting of walls and the re-design of the internal layout. The changes described above result in 14 new apartments distributed over 7 floors. The proposal seeks also to sanction the excavation carried out and construction of boundary wall.

**Development Planning Act, 2016  
Minor Amendment to Permission PA/00789/20  
in terms of regulation 15 of Legal Notice 162 of 2016**

Reference is made to the request for minor amendments, to the above quoted development permission, submitted on 24 August 2021.

The changes you propose are acceptable as a minor amendment to the development permission. The following drawings/documents are being endorsed:

PA 0789/20/MA/260A/260B/260C/260D/260E/260F/260G/260I/267A.

This endorsement relates only to the changes described in your application form and specifically indicated on the drawings/documents. Any other changes from the original permission, which may be shown on the drawings/documents but which are not referred to in your application form, are not endorsed or accepted.

Consequently, this endorsement is **only** for the proposed development as specifically indicated and does not cover any other development or sanctions any illegal development which may exist on site, even if shown on the drawings/documents.

Please note that the conditions and amendments in the original permission remain valid and are therefore applicable to the development as amended, including the condition on the validity period of the permission. The other provisions of regulation 15 of Legal Notice 162 of 2016 also apply.

Yours faithfully

Jeffrey Vella  
for Executive Chairperson

-PAABMADcn-



Mr. Mark Agius

Date: 1 March 2021  
Our Ref: PA/00789/20  
Perit Ref: 168

Dear Sir/Madam,

Application Number: PA/00789/20  
Location: Site at, Triq Mikiel Anton Vassalli, Triq il-Madonna tal-Gebli, Triq tas-Sliema, Gzira  
Proposal: Proposed alterations and additions to approved development permits (PA/01070/19 and PA/01321/19). Additions include the increasing of site area to PA/01070/19 and therefore the creation of new apartments. Alterations include the shifting of walls and the re-design of the internal layout. The changes described above result in 14 new apartments distributed over 7 floors. The proposal seeks also to sanction the excavation carried out and construction of boundary wall.

**Development Planning Act, 2016  
Minor Amendment to Permission PA/00789/20  
in terms of regulation 15 of Legal Notice 162 of 2016**

Reference is made to the request for minor amendments, to the above quoted development permission, submitted on 4 February 2021.

The changes you propose are acceptable as a minor amendment to the development permission. The following drawings/documents are being endorsed:

PA 0789/20/MA/240A/240B/240C/240D/240E/240F/240G/240H/240I.

This endorsement relates only to the changes described in your application form and specifically indicated on the drawings/documents. Any other changes from the original permission, which may be shown on the drawings/documents but which are not referred to in your application form, are not endorsed or accepted.

Consequently, this endorsement is **only** for the proposed development as specifically indicated and does not cover any other development or sanctions any illegal development which may exist on site, even if shown on the drawings/documents.

Please note that the conditions and amendments in the original permission remain valid and are therefore applicable to the development as amended, including the condition on the validity period of the permission. The other provisions of regulation 15 of Legal Notice 162 of 2016 also apply.

Yours faithfully

Jeffrey Vella  
for Executive Chairperson

-PAABMADcn-

Mr. Mark Agius

Date: 6 July 2020  
Our Ref: PA/00789/20

Application Number: PA/00789/20  
Application Type: Full development permission  
Date Received: 10 January 2020  
Approved Documents: PA 789/20/1A/57G/57H/57I/57J/57K/66C/66D/66E/66F/66G/66I/66J/74A/148A/148B/148C/148D; and PA 789/20/67A (Engineer report); PA 789/20/56A (Commission for the Rights of Persons with Disability); PA 789/20/49A/49B (Transport Malta); PA 789/20/42A (Water Services Corporation).

Location: Site at, Triq Mikiel Anton Vassalli, Triq il-Madonna tal-Gebla, Triq tas-Sliema, Gzira

Proposal: Proposed alterations and additions to approved development permits (PA/01070/19 and PA/01321/19). Additions include the increasing of site area to PA/01070/19 and therefore the creation of new apartments. Alterations include the shifting of walls and the re-design of the internal layout. The changes described above result in 14 new apartments distributed over 7 floors. The proposal seeks also to sanction the excavation carried out and construction of boundary wall.

### **Development Planning Act, 2016 Full Development Permission**

The Planning Authority hereby grants development permission in accordance with the application and documents described above, subject to the following conditions:

- 1 a) This development permission is valid for a period of FIVE YEARS from the date of publication of the decision in the press but will cease to be valid if the development is not completed by the end of this validity period.
- b) This permission relates only to the development as specifically indicated on the approved drawings. This permission does not sanction any other illegal development that may exist on the site.
- c) A Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall

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invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, **if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised** - Article 72(4) of the Development Planning Act (2016).

d) Copies of all approved drawings and documents shall be available for inspection on site by Planning Authority officers at all reasonable times.

e) The development shall be carried out in complete accordance with the approved drawings, documents and conditions of this permission. Where a matter is not specified, then the conditions of this permission and of Development Control Design Policy, Guidance and Standards 2015 shall apply.

f) Before any part of the development hereby permitted commences, the enclosed green copy of this development permission shall be displayed on the site. This must be mounted on a notice board, suitably protected from the weather and located not more than 2 metres above ground level at a point on the site boundary where it is clearly visible and can be easily read from the street. The copy of the permission must be maintained in a good condition and it shall remain displayed on the site until the works are completed.

g) All building works shall be erected in accordance with the official alignment and official/existing finished road levels as set out on site by the Planning Authority's Land Surveyor. A Setting Out Request must be submitted to the Land Survey Unit of the Planning Authority, prior to the commencement of works on site, when the setting out of the alignment and levels is required.

h) Where an officially schemed street, within the development zone, bordering the site is unopened or unformed, it shall be opened up and brought up to its proper, approved and official formation levels prior to the commencement of any development hereby being permitted.

i) It is the responsibility of the permit holder to ensure that development is carried out in accordance with the provisions of the Environmental Management Construction Site Regulations, Legal Notice 295 of 2007 (or subsequent amendments). Any hoarding shall be erected in accordance with Schedule 2 of the same Regulations.

j) New development on vacant or redeveloped sites shall be provided with a water cistern to store rainwater run-off as required by the Energy Performance of Buildings Regulations (2012) [published through Legal Notice 376 of 2012 and any amendments thereto].

k) No steps, ramps or street furniture are to be constructed on or encroached onto the public pavement or road.

l) Any doors and windows, the lower edge of which is less than 2m above road level, and any gates shall not open outwards onto a public pavement or road.

m) Where present, window grilles (including 'pregnant' windows), sills, planters and other similar elements which are part of or fixed to the facade of buildings, the lower edge of which is less than 2 metres above road level, shall not project more than 0.15 metres from the facade over a public pavement or street.

n) Air conditioning units shall not be located on the facades of the building which are visible from the street or a public space.

- o) There shall be no service pipes, cables or wires visible on the front elevation or on any other elevations of the building which are visible from the street or public space.
- p) Any garages/parking spaces shall only be used for the parking of private cars and shall be kept available at all times for this purpose.
- q) Any approved stores shall be used for domestic storage only and shall not be segregated from the rest of the building.
- r) Any unit approved on more than one floor (duplex or more) shall remain physically interconnected as a single unit, and shall not be sub-divided into separate units without specific Planning Authority consent.
- 2 a) The façade(s) of the building shall be constructed in local un-rendered and unpainted stone, except where other materials/finishes are indicated on the approved drawings.
- b) All the apertures and balconies located on the façade(s) of the building shall not be in gold, silver or bronze aluminium.
- c) Where a front garden is imposed, the 'solid part' of the boundary wall in the front garden shall not be higher than 1.4 metres above the external finished road level. Where the road is sloping, the wall shall be stepped accordingly. Any pillars or gateposts shall not exceed a height of 2.25 metres.
- d) The height of the services on the roof of the building shall not extend beyond the approved height of the uppermost parapet wall.
- 3 To make up for the shortfall in parking provision of 7 parking spaces, this development permission is subject to a contribution amounting to the sum of € 48,000 in favour of the Planning Authority's Urban Improvements Fund for the locality. The funds raised shall be used to fund traffic management, green transport, urban improvements or similar projects. The contribution shall be utilised as required and directed by the Planning Authority.
- 4 The Bank Guarantee imposed in PA 1070/19 and PA 1321/19 to ensure that the street is properly restored in accordance with the Environmental Management Construction Site Regulations, 2007 (Legal Notice 295 of 2007) shall be extended to cover also the development approved by this permission. The bank guarantee shall only be released after the Perit submits a post-construction condition report together with photographs evidencing compliance with this condition, accompanied by clearance from the Local Council. The clearance from the Local Council is to be endorsed by the Mayor and the Executive Secretary of the Local Council. This guarantee shall be forfeited if, after 3 months from the date of notification by the Authority of a notice to effect the remedial works, these are not carried out. Its forfeiture shall not, however, preclude the applicant from adhering to all the conditions contained in this development permission.
- 5 The development hereby permitted shall be subject to Final Compliance(Completion) Certification, verifying that the development has been carried out in full accordance with the approved drawings, documents and conditions imposed in this development permission, except where such conditions are enforced by other entities. Prior to the issue

of any compliance certificate on any part of this development, the applicant shall submit to the Planning Authority, in relation to that part of the building:

(i) clearance from the Commission for the Rights of Persons with Disability verifying that the development fully satisfies the accessibility standards and/or any conditions imposed by the Commission in supporting document PA 789/20/56A

*Note: Should a partial compliance certificate be requested, a Bank Guarantee of EUR 25,000 shall apply to ensure that CRPD clearance is obtained*

(ii) certification from a qualified engineer confirming that the development fully satisfies the requirements specified in supporting document PA 789/20/67A.

6 The conditions imposed and enforced by Transport Malta are at supporting document PA 789/20/49A/49B. The architect/applicant is required to contact Transport Malta, throughout the implementation of the development hereby approved, to ensure conformity with the imposed conditions. A copy of the relative correspondence issued by Transport Malta shall be submitted to the Planning Authority accordingly.

7 **Conditions imposed and enforced by other entities**

A. Where construction activity is involved:

(a) the applicant shall:

(i) **Appoint a Project Supervisor for the Design Stage and a Project Supervisor for the Construction Stage** and any such appointment shall be terminated, changed or renewed as necessary. The same person may be appointed to act as project supervisor for both the design and construction stage, if that person is competent to undertake the duties involved and

(ii) **Keep a health and safety file** prepared by the Project Supervisor for the Design Stage.

(b) When the construction works related to this application are scheduled to last longer than thirty working days and on which more than twenty workers are occupied simultaneously, or on which the volume of work is scheduled to exceed five hundred person-days, the project supervisor **shall communicate a prior notice to the Occupational Health and Safety Authority (OHSA) at least four calendar weeks before commencement of works.**

(c) The Project Supervisor for the Design Stage shall **draw up a health and safety plan** which sets out the occupational health and safety rules applicable to the construction activities concerned, outlining the measures to ensure cooperation between different contractors and shall also include specific measures concerning occupational risks that may be present at this site.

B. Where the development concerns a place of work:

The applicant shall:

(i) obtain a Perit's declaration that the necessary requirements arising out of LN 44 of 2002 have been included in the plans and drawings; and



(ii) obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.

**C.** The development is to strictly adhere to the 'Design Guidelines on fire safety for buildings in Malta' to ensure that all Fire Safety measures and provisions are addressed as indicated in the Design Guidelines on Fire Safety for Buildings in Malta, published by the DCID in 2004, (or other relevant standard, provided it is approved by the Civil Protection Department), Policies, and the Laws and Regulations of Malta.

**D.** Prior to laying of water and wastewater services in the road, the development shall comply with the requirements of Legal Notice 29/10 Part III (Roads in inhabited Areas) Clause 12.

**E.** In the event of an accidental discovery in the course of approved works, any cultural heritage feature discovered should not be damaged or disturbed and the Superintendence is to be immediately informed of such discovery. Any cultural heritage features discovered are to be investigated, evaluated and protected in line with the Cultural Heritage Act 2019 (CAP 445). The discovery of cultural heritage features may require the amendment of approved plans.

**F.** For new development, the following condition, imposed and enforced by Enemalta, applies:

A culvert measuring 0.8m wide by 0.75m deep should be prepared along the façade of the development in order that any overhead lines may be substituted by underground cables. The culvert is to be interconnected to an adequate space consisting of a **small room or recess** located near the **entrance**, provided for the purpose of housing the electricity meter. Another adequate space for the purpose of housing the electricity meters, consisting of a **small room or recess** located in the basement near the **entrance**, also interconnected to the culvert, is to be provided. The architect/applicant is required to contact Enemalta, throughout the implementation of the development hereby approved, to ensure conformity with the imposed conditions. A copy of the relative correspondence issued by Enemalta shall be submitted to the Planning Authority accordingly.

In terms of Article 72(3) of the Development Planning Act, 2016, the execution and validity of this permission is automatically temporarily **suspended** and no works as approved by the said development permission may commence before the lapse of the time period established in Article 13 of the Environment and Planning Review Tribunal Act and subsequently will remain so suspended if the Tribunal so decides in accordance with the Environment and Planning Review Tribunal Act.

Where the approved drawings and/or documents are dimensioned, then the declared dimensions shall prevail over the actual size as depicted on the approved drawings and/or documents.

Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on the plan what needs to be carried out and obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.

If the declaration of ownership, as contained in the application form, is determined as incorrect by a Court of Law, then the said Court of Law can declare this development permission as null and void. This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that

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consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance and agreement must be obtained for this development from the Land and/or Estate Management Departments.

This development permission is granted saving third party rights. This permission does not exonerate the applicant from obtaining any other necessary permission, license, clearance or approval required from any Government department, local council, agency or authority, as required by any law or regulation.

This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (Cap. 424) - Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.

For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes) Order 2014, or its subsequent amendments.

**This decision is being published on 15 July 2020.**

Lorna Vella  
Secretary Planning Commission  
Within Development Scheme

## Notes to Applicant and Perit

### Right for reconsideration

Where applicable, you have a right to submit a request for reconsideration to the Authority in terms of regulation 14 of Legal Notice 162 of 2016.

### Right for appeal

You have a right to submit an appeal, against the decision, to the Environment and Planning Review Tribunal in terms of Article 13 of the Environment and Planning Review Tribunal Act, 2016.

### Time limits

Requests for reconsideration or appeals must be made within 30 days from the publication of the decision notification in the local press as required by regulation 14(1) of Legal Notice 162 of 2016.

### Fees to submit a request for reconsideration or appeal

In either case, there is a fee to be paid which should accompany the request for reconsideration or the appeal. The fees are as follows:

For reconsideration - 3% of the Development Permit Fee paid in respect of the original application, subject to a minimum of €69.88.

For appeal - 5% of DPF (Development Permit Fee) paid in respect of the original application, subject to a minimum of €150 + €50 administrative fee (LN 112 of 2016).

### Submission of request for reconsideration or appeal

With regards to requests for reconsideration, Form PA 4/16 must be used for submission. All fields of the Form must be filled in as appropriate. Requests for reconsideration can only be submitted electronically.

With regards to appeals, as required by Article 13 of the Environment and Planning Review Tribunal Act, 2016, the submission must include the detailed grounds for appeal and the requests being made by the appellant. Appeals must be submitted physically at the offices of the Environment and Planning Review Tribunal, St. Francis Ditch, Floriana.

## Important Notice

**In view of the provisions of Article 72(4) of the Development Planning Act (2016), a Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised.**

-PADCN-

Daniel Refalo

Date: 13 March 2019  
Our Ref: PA/01321/19

Application Number: PA/01321/19  
Application Type: Full development permission  
Date Received: 16 January 2019  
Approved Documents: PA 1321/19/13a/13c/13d/21b/38a/39a

Location: 28, Triq tas-Sliema, Gzira  
Proposal: To demolish existing dwelling and construct parking facilities at ground floor level, 5 apartments and 1 penthouse.

### **Development Planning Act, 2016 Full Development Permission**

The Planning Authority hereby grants development permission in accordance with the application and documents described above, subject to the following conditions:

- 1 a) This development permission is valid for a period of FIVE YEARS from the date of publication of the decision in the press but will cease to be valid if the development is not completed by the end of this validity period.
- b) This permission relates only to the development as specifically indicated on the approved drawings. This permission does not sanction any other illegal development that may exist on the site.
- c) A Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, **if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised** - Article 72(4) of the Development Planning Act (2016).
- d) Copies of all approved drawings and documents shall be available for inspection on site by Planning Authority officers at all reasonable times.
- e) The development shall be carried out in complete accordance with the approved drawings, documents and conditions of this permission. Where a matter is not specified, then the conditions of this permission and of Development Control Design Policy, Guidance and Standards 2015 shall apply.

PA/01321/19

Print Date: 09/05/2019

f) Before any part of the development hereby permitted commences, the enclosed green copy of this development permission shall be displayed on the site. This must be mounted on a notice board, suitably protected from the weather and located not more than 2 metres above ground level at a point on the site boundary where it is clearly visible and can be easily read from the street. The copy of the permission must be maintained in a good condition and it shall remain displayed on the site until the works are completed.

g) All building works shall be erected in accordance with the official alignment and official/existing finished road levels as set out on site by the Planning Authority's Land Surveyor. The Setting Out Request Notice must be submitted to the Land Survey Unit of the Planning Authority when the setting out of the alignment and levels is required.

h) Where an officially schemed street, within the development zone, bordering the site is unopened or unformed, it shall be opened up and brought up to its proper, approved and official formation levels prior to the commencement of any development hereby being permitted.

i) It is the responsibility of the permit holder to ensure that development is carried out in accordance with the provisions of the Environmental Management Construction Site Regulations, Legal Notice 295 of 2007 (or subsequent amendments). Any hoarding shall be erected in accordance with Schedule 2 of the same Regulations.

j) New development on vacant or redeveloped sites shall be provided with a water cistern to store rainwater run-off as required by the Energy Performance of Buildings Regulations (2012) [published through Legal Notice 376 of 2012 and any amendments thereto].

k) No steps, ramps or street furniture are to be constructed on or encroached onto the public pavement or road.

l) Any doors and windows, the lower edge of which is less than 2m above road level, and any gates shall not open outwards onto a public pavement or road.

m) Where present, window grilles (including 'pregnant' windows), sills, planters and other similar elements which are part of or fixed to the facade of buildings, the lower edge of which is less than 2 metres above road level, shall not project more than 0.15 metres from the facade over a public pavement or street.

n) Air conditioning units shall not be located on the facades of the building which are visible from the street or a public space.

o) There shall be no service pipes, cables or wires visible on the front elevation or on any other elevations of the building which are visible from the street or public space.

p) Any garages/parking spaces shall only be used for the parking of private cars and shall be kept available at all times for this purpose.

2 a) The façade(s) of the building shall be constructed in local un-rendered and unpainted stone, except where other materials/finishes are indicated on the approved drawings.

b) All the apertures and balconies located on the façade(s) of the building shall not be in gold, silver or bronze aluminium.



c) The height of the services on the roof of the building shall not extend beyond the approved height of the uppermost parapet wall.

3 This permission is subject to a Bank Guarantee to the value of €1,271.91 to ensure that the street is properly restored in accordance with the Environmental Management Construction Site Regulations, 2007 - Legal Notice 295 of 2007 (as amended). The bank guarantee shall only be released after the perit submits a post-construction condition report together with photographs evidencing compliance with this condition, accompanied by clearance from the Local Council. The clearance from the Local Council is to be endorsed by the Mayor and the Executive Secretary of the Local Council. This guarantee shall be forfeited if, after 3 months from the date of notification by the Authority of a notice to effect the remedial works, these are not carried out. Its forfeiture shall not, however, preclude the applicant from adhering to all the conditions contained in this development permission.

4 To make up for the shortfall in parking provision of 2 parking spaces, this development permission is subject to a contribution amounting to the sum of € 5000 in favour of PA's Urban Improvements Fund for the locality. The funds raised shall be used to fund traffic management, green transport, urban improvements or similar projects. The contribution shall be utilised as required and directed by PA.

5 **Conditions imposed and enforced by other entities**

A. Where construction activity is involved:

(a) the applicant shall:

(i) **Appoint a Project Supervisor for the Design Stage and a Project Supervisor for the Construction Stage** and any such appointment shall be terminated, changed or renewed as necessary. The same person may be appointed to act as project supervisor for both the design and construction stage, if that person is competent to undertake the duties involved and

(ii) **Keep a health and safety file** prepared by the Project Supervisor for the Design Stage.

(b) When the construction works related to this application are scheduled to last longer than thirty working days and on which more than twenty workers are occupied simultaneously, or on which the volume of work is scheduled to exceed five hundred person-days, the project supervisor **shall communicate a prior notice to the Occupational Health and Safety Authority (OHSA) at least four calendar weeks before commencement of works.**

(c) The Project Supervisor for the Design Stage shall **draw up a health and safety plan** which sets out the occupational health and safety rules applicable to the construction activities concerned, outlining the measures to ensure cooperation between different contractors and shall also include specific measures concerning occupational risks that may be present at this site.

B. Where the development concerns a change of use to a place of work, the applicant shall obtain a Perit's declaration that the building conforms to the requirements of LN 44

of 2002.

**C.** Where the development concerns a place of work:

The applicant shall:

(i) obtain a Perit's declaration that the necessary requirements arising out of LN 44 of 2002 have been included in the plans and drawings; and

(ii) obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.

**D.** The development is to strictly adhere to the 'Design Guidelines on fire safety for buildings in Malta' to ensure that all Fire Safety measures and provisions are addressed as indicated in the Design Guidelines on Fire Safety for Buildings in Malta, published by the DCID in 2004, (or other relevant standard, provided it is approved by the Civil Protection Department), Policies, and the Laws and Regulations of Malta.

**E.** Prior to laying of water and wastewater services in the road, the development shall comply with the requirements of Legal Notice 29/10 Part III (Roads in inhabited Areas) Clause 12.

**F.** In the event of an accidental discovery in the course of approved works, any cultural heritage feature discovered should not be damaged or disturbed and the Superintendence is to be immediately informed of such discovery. Any cultural heritage features discovered are to be investigated, evaluated and protected in line with the Cultural Heritage Act 2002 (CAP 445). The discovery of cultural heritage features may require the amendment of approved plans.

In terms of Article 72(3) of the Development Planning Act, 2016, the execution and validity of this permission is automatically temporarily **suspended** and no works as approved by the said development permission may commence before the lapse of the time period established in Article 13 of the Environment and Planning Review Tribunal Act and subsequently will remain so suspended if the Tribunal so decides in accordance with the Environment and Planning Review Tribunal Act.

Where the approved drawings and/or documents are dimensioned, then the declared dimensions shall prevail over the actual size as depicted on the approved drawings and/or documents.

Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on the plan what needs to be carried out and obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.

If the declaration of ownership, as contained in the application form, is determined as incorrect by a Court of Law, then the said Court of Law can declare this development permission as null and void. This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance and agreement must be obtained for this development from the Land and/or Estate Management Departments.

This development permission is granted saving third party rights. This permission does not exonerate

the applicant from obtaining any other necessary permission, license, clearance or approval required from any Government department, local council, agency or authority, as required by any law or regulation.

This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (Cap. 424) - Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.

For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes) Order 2014, or its subsequent amendments.

**This decision is being published on 20 March 2019.**

Marthese Debono  
Secretary Planning Commission  
Within Development Scheme

## Notes to Applicant and Perit

### Right for reconsideration

Where applicable, you have a right to submit a request for reconsideration to the Authority in terms of regulation 14 of Legal Notice 162 of 2016.

### Right for appeal

You have a right to submit an appeal, against the decision, to the Environment and Planning Review Tribunal in terms of Article 13 of the Environment and Planning Review Tribunal Act, 2016.

### Time limits

Requests for reconsideration or appeals must be made within 30 days from the publication of the decision notification in the local press as required by regulation 14(1) of Legal Notice 162 of 2016.

### Fees to submit a request for reconsideration or appeal

In either case, there is a fee to be paid which should accompany the request for reconsideration or the appeal. The fees are as follows:

For reconsideration - 3% of the Development Permit Fee paid in respect of the original application, subject to a minimum of €69.88.

For appeal - 5% of DPF (Development Permit Fee) paid in respect of the original application, subject to a minimum of €150 + €50 administrative fee (LN 112 of 2016).

### Submission of request for reconsideration or appeal

With regards to requests for reconsideration, Form PA 4/16 must be used for submission. All fields of the Form must be filled in as appropriate. Requests for reconsideration can only be submitted electronically.

With regards to appeals, as required by Article 13 of the Environment and Planning Review Tribunal Act, 2016, the submission must include the detailed grounds for appeal and the requests being made by the appellant. Appeals must be submitted physically at the offices of the Environment and Planning Review Tribunal, St. Francis Ditch, Floriana.

## Important Notice

**In view of the provisions of Article 72(4) of the Development Planning Act (2016), a Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised.**

-PADCN-

Mr. Mark Agius

Date: 31 October 2019

Our Ref: PA/01070/19

Application Number: PA/01070/19  
Application Type: Full development permission  
Date Received: 16 January 2019  
Approved Documents: PA 1070/19/1B/60O/60P/60Q/60R/86C/86D/86E/86O/150A/150B/  
150C/150D/150E/150F/150G/150H/150i/150J/150K; and  
PA 1070/19/43A: (*Water Services Corporation*);  
PA 1070/19/56A: (*Commission for the Rights of Persons with  
Disability*); and  
PA 1070/19/16N/16O/60T/60U: (*Engineer's report*).

Location: Site at, Triq Mikiel Anton Vassalli, Triq il-Madonna tal-Gebla, Gzira  
Proposal: Proposed excavation and construct 3 levels of basement garages,  
overlying domestic storage units and 4 maisonettes at ground floor  
level, 67 apartments over 7 floors, and 3 penthouses.

### **Development Planning Act, 2016 Full Development Permission**

The Planning Authority hereby grants development permission in accordance with the application and documents described above, subject to the following conditions:

- 1 a) This development permission is valid for a period of FIVE YEARS from the date of publication of the decision in the press but will cease to be valid if the development is not completed by the end of this validity period.  
  
b) This permission relates only to the development as specifically indicated on the approved drawings. This permission does not sanction any other illegal development that may exist on the site.  
  
c) A Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, **if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised** - Article 72(4) of the Development Planning Act (2016).  
  
d) Copies of all approved drawings and documents shall be available for inspection on site

PA/01070/19

Print Date: 13/01/2020



by Planning Authority officers at all reasonable times.

e) The development shall be carried out in complete accordance with the approved drawings, documents and conditions of this permission. Where a matter is not specified, then the conditions of this permission and of Development Control Design Policy, Guidance and Standards 2015 shall apply.

f) Before any part of the development hereby permitted commences, the enclosed green copy of this development permission shall be displayed on the site. This must be mounted on a notice board, suitably protected from the weather and located not more than 2 metres above ground level at a point on the site boundary where it is clearly visible and can be easily read from the street. The copy of the permission must be maintained in a good condition and it shall remain displayed on the site until the works are completed.

g) All building works shall be erected in accordance with the official alignment and official/existing finished road levels as set out on site by the Planning Authority's Land Surveyor. A Setting Out Request must be submitted to the Land Survey Unit of the Planning Authority, prior to the commencement of works on site, when the setting out of the alignment and levels is required.

h) Where an officially schemed street, within the development zone, bordering the site is unopened or unformed, it shall be opened up and brought up to its proper, approved and official formation levels prior to the commencement of any development hereby being permitted.

i) It is the responsibility of the permit holder to ensure that development is carried out in accordance with the provisions of the Environmental Management Construction Site Regulations, Legal Notice 295 of 2007 (or subsequent amendments). Any hoarding shall be erected in accordance with Schedule 2 of the same Regulations.

j) New development on vacant or redeveloped sites shall be provided with a water cistern to store rainwater run-off as required by the Energy Performance of Buildings Regulations (2012) [published through Legal Notice 376 of 2012 and any amendments thereto].

k) No steps, ramps or street furniture are to be constructed on or encroached onto the public pavement or road.

l) Any doors and windows, the lower edge of which is less than 2m above road level, and any gates shall not open outwards onto a public pavement or road.

m) Where present, window grilles (including 'pregnant' windows), sills, planters and other similar elements which are part of or fixed to the facade of buildings, the lower edge of which is less than 2 metres above road level, shall not project more than 0.15 metres from the facade over a public pavement or street.

n) Air conditioning units shall not be located on the facades of the building which are visible from the street or a public space.

o) There shall be no service pipes, cables or wires visible on the front elevation or on any other elevations of the building which are visible from the street or public space.

p) The garages shall only be used for the parking of private cars and shall be kept available at all times for this purpose.

- q) The approved stores shall be used for domestic storage only and shall not be segregated from the rest of the building.
- 2
- a) The façades of the building shall be constructed in local un-rendered and unpainted stone, except where other materials/finishes are indicated on the approved drawings.
- b) All the apertures and balconies located on the façades of the building shall not be in gold, silver or bronze aluminum.
- c) Where a front garden is imposed, the 'solid part' of the boundary wall in the front garden shall not be higher than 1.4 metres above the external finished road level. Where the road is sloping, the wall shall be stepped accordingly. Any pillars or gateposts shall not exceed a height of 2.25 metres.
- d) The height of the services on the roof of the building shall not extend beyond the approved height of the uppermost parapet wall.
- 3
- To make up for the shortfall in parking provision of two (2) parking spaces, this development permission is subject to a contribution amounting to the sum of € 5,000 in favour of the Planning Authority's Urban Improvements Fund for the locality. The funds raised shall be used to fund traffic management, green transport, urban improvements or similar projects. The contribution shall be utilised as required and directed by the Planning Authority.
- 4
- The development hereby permitted shall be subject to Final Compliance (Completion) Certification, verifying that the development has been carried out in full accordance with the approved drawings, documents and conditions imposed in this development permission, except where such conditions are enforced by other entities. Prior to the issue of any compliance certificate on any part of this development, the applicant shall submit to the Planning Authority, in relation to that part of the building:
- (i) clearance from the Commission for the Rights of Persons with Disability verifying that the development fully satisfies the accessibility standards and/or any conditions imposed by the Commission in supporting document PA 1070/19/56A.
- Note: Should a partial compliance certificate be requested, a Bank Guarantee of EUR 25,000 shall apply to ensure that CRPD clearance is obtained*
- (ii) certification from a qualified engineer confirming that the development fully satisfies the requirements specified in supporting document PA 1070/19/16N/16O/60T/60U.
- 5
- This permission is subject to a Bank Guarantee to the value of € 4,659 to ensure that the street and pavement are properly restored in accordance with the Environmental Management Construction Site Regulations, 2007 - Legal Notice 295 of 2007 (as amended). The bank guarantee shall only be released after the perit submits a post-construction condition report together with photographs evidencing compliance with this condition, accompanied by clearance from the Local Council. The clearance from the Local Council is to be endorsed by the Mayor and the Executive Secretary of the Local Council. This guarantee shall be forfeited if, after 3 months from the date of notification by the Authority of a notice to effect the remedial works, these are not carried out. Its

forfeiture shall not, however, preclude the applicant from adhering to all the conditions contained in this development permission.

- 6 The conditions imposed and enforced by the Water Services Corporation are at supporting document PA 1070/19/43A. The architect/applicant is required to contact the Water Services Corporation, throughout the implementation of the development hereby approved, to ensure conformity with the imposed conditions. A copy of the relative correspondence issued by the Water Services Corporation shall be submitted to the Planning Authority accordingly.

7 **Conditions imposed and enforced by other entities**

A. Where construction activity is involved:

(a) the applicant shall:

(i) **Appoint a Project Supervisor for the Design Stage and a Project Supervisor for the Construction Stage** and any such appointment shall be terminated, changed or renewed as necessary. The same person may be appointed to act as project supervisor for both the design and construction stage, if that person is competent to undertake the duties involved and

(ii) **Keep a health and safety file** prepared by the Project Supervisor for the Design Stage.

(b) When the construction works related to this application are scheduled to last longer than thirty working days and on which more than twenty workers are occupied simultaneously, or on which the volume of work is scheduled to exceed five hundred person-days, the project supervisor **shall communicate a prior notice to the Occupational Health and Safety Authority (OHSA) at least four calendar weeks before commencement of works.**

(c) The Project Supervisor for the Design Stage shall **draw up a health and safety plan** which sets out the occupational health and safety rules applicable to the construction activities concerned, outlining the measures to ensure cooperation between different contractors and shall also include specific measures concerning occupational risks that may be present at this site.

B. Where the development concerns a change of use to a place of work, the applicant shall obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.

C. Where the development concerns a place of work:

The applicant shall:

(i) obtain a Perit's declaration that the necessary requirements arising out of LN 44 of 2002 have been included in the plans and drawings; and

(ii) obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.

D. The development is to strictly adhere to the 'Design Guidelines on fire safety for buildings in Malta' to ensure that all Fire Safety measures and provisions are addressed

as indicated in the Design Guidelines on Fire Safety for Buildings in Malta, published by the DCID in 2004, (or other relevant standard, provided it is approved by the Civil Protection Department), Policies, and the Laws and Regulations of Malta.

**E.** Prior to laying of water and wastewater services in the road, the development shall comply with the requirements of Legal Notice 29/10 Part III (Roads in inhabited Areas) Clause 12.

**F.** In the event of an accidental discovery in the course of approved works, any cultural heritage feature discovered should not be damaged or disturbed and the Superintendence is to be immediately informed of such discovery. Any cultural heritage features discovered are to be investigated, evaluated and protected in line with the Cultural Heritage Act 2019 (CAP 445). The discovery of cultural heritage features may require the amendment of approved plans.

In terms of Article 72(3) of the Development Planning Act, 2016, the execution and validity of this permission is automatically temporarily **suspended** and no works as approved by the said development permission may commence before the lapse of the time period established in Article 13 of the Environment and Planning Review Tribunal Act and subsequently will remain so suspended if the Tribunal so decides in accordance with the Environment and Planning Review Tribunal Act.

Where the approved drawings and/or documents are dimensioned, then the declared dimensions shall prevail over the actual size as depicted on the approved drawings and/or documents.

Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on the plan what needs to be carried out and obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.

If the declaration of ownership, as contained in the application form, is determined as incorrect by a Court of Law, then the said Court of Law can declare this development permission as null and void. This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance and agreement must be obtained for this development from the Land and/or Estate Management Departments.

This development permission is granted saving third party rights. This permission does not exonerate the applicant from obtaining any other necessary permission, license, clearance or approval required from any Government department, local council, agency or authority, as required by any law or regulation.

This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (Cap. 424) - Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.

For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes)

Order 2014, or its subsequent amendments.

**This decision is being published on 13 November 2019.**

Lorna Vella  
Secretary Planning Commission  
Within Development Scheme

## Notes to Applicant and Perit

### Right for reconsideration

Where applicable, you have a right to submit a request for reconsideration to the Authority in terms of regulation 14 of Legal Notice 162 of 2016.

### Right for appeal

You have a right to submit an appeal, against the decision, to the Environment and Planning Review Tribunal in terms of Article 13 of the Environment and Planning Review Tribunal Act, 2016.

### Time limits

Requests for reconsideration or appeals must be made within 30 days from the publication of the decision notification in the local press as required by regulation 14(1) of Legal Notice 162 of 2016.

### Fees to submit a request for reconsideration or appeal

In either case, there is a fee to be paid which should accompany the request for reconsideration or the appeal. The fees are as follows:

For reconsideration - 3% of the Development Permit Fee paid in respect of the original application, subject to a minimum of €69.88.

For appeal - 5% of DPF (Development Permit Fee) paid in respect of the original application, subject to a minimum of €150 + €50 administrative fee (LN 112 of 2016).

### Submission of request for reconsideration or appeal

With regards to requests for reconsideration, Form PA 4/16 must be used for submission. All fields of the Form must be filled in as appropriate. Requests for reconsideration can only be submitted electronically.

With regards to appeals, as required by Article 13 of the Environment and Planning Review Tribunal Act, 2016, the submission must include the detailed grounds for appeal and the requests being made by the appellant. Appeals must be submitted physically at the offices of the Environment and Planning Review Tribunal, St. Francis Ditch, Floriana.



## Important Notice

**In view of the provisions of Article 72(4) of the Development Planning Act (2016), a Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised.**

-PADCN-



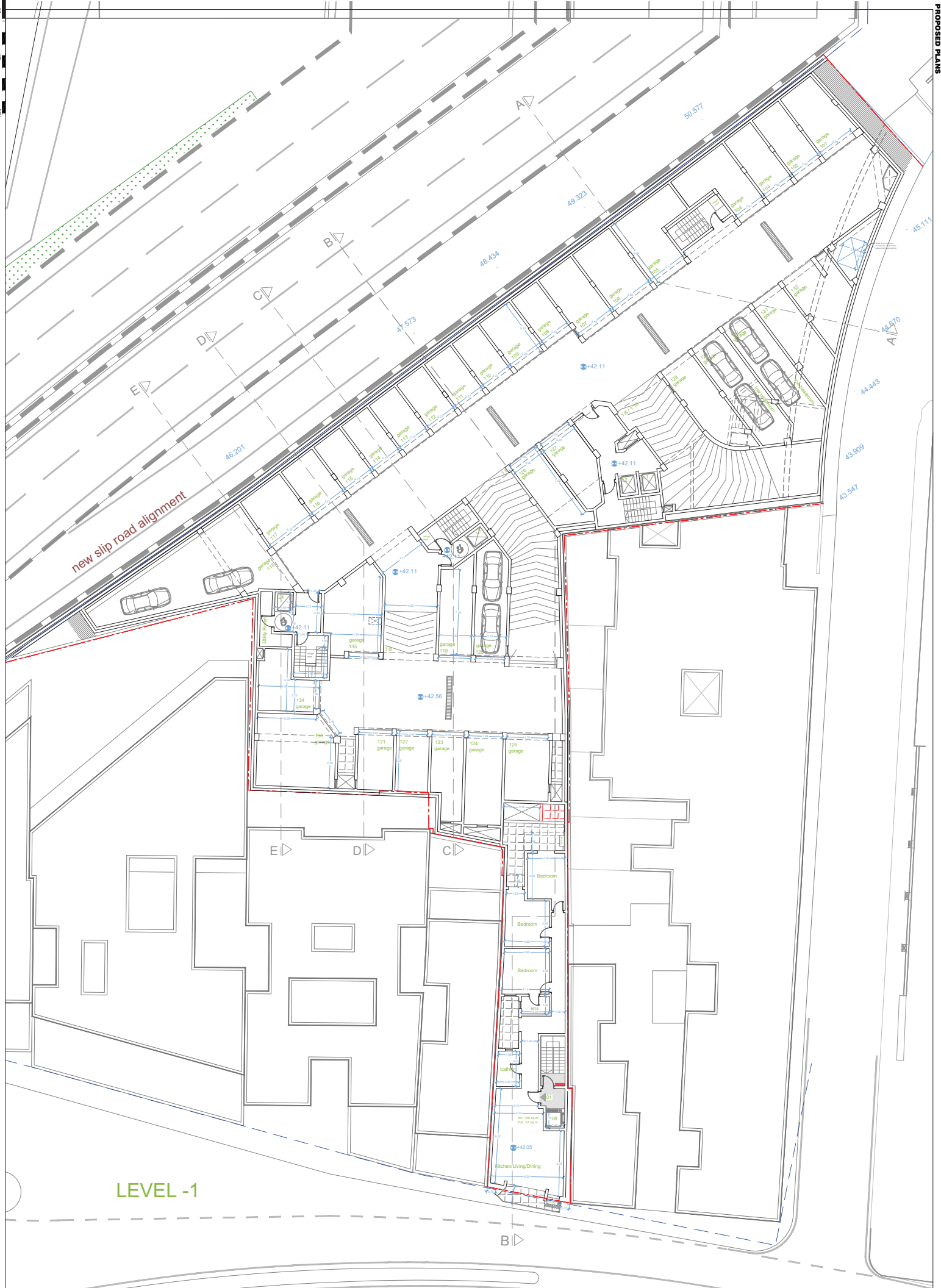
LEVEL -3

NOTES

- 1. All dimensions are in millimeters unless otherwise stated.
- 2. All work to be done in accordance with the approved plans.
- 3. All work to be done in accordance with the approved specifications.
- 4. All work to be done in accordance with the approved schedule of work.
- 5. All work to be done in accordance with the approved program of works.
- 6. All work to be done in accordance with the approved program of works.
- 7. All work to be done in accordance with the approved program of works.
- 8. All work to be done in accordance with the approved program of works.
- 9. All work to be done in accordance with the approved program of works.
- 10. All work to be done in accordance with the approved program of works.

| <p>PROJECT INFORMATION</p> <p>Project Name: [REDACTED]</p> <p>Client: [REDACTED]</p> <p>Location: [REDACTED]</p> <p>Site No: [REDACTED]</p> <p>Scale: 1:200 (S)</p> | <p>DESIGNER INFORMATION</p> <p>Designer: [REDACTED]</p> <p>Author: [REDACTED]</p> <p>Checker: [REDACTED]</p> <p>Approver: [REDACTED]</p> <p>Date: 2024/08/29</p> | <p>REVISIONS</p> <table border="1"> <tr> <th>No.</th> <th>Description</th> <th>Date</th> </tr> <tr> <td>1</td> <td>Issue for Approval</td> <td>2024/08/29</td> </tr> </table> | No. | Description | Date | 1 | Issue for Approval | 2024/08/29 | <p>APPROVALS</p> <p>Author: [REDACTED]</p> <p>Checker: [REDACTED]</p> <p>Approver: [REDACTED]</p> |
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NOTES

1. Building Line

2. Plot Property Boundary

|   |   |   |
|---|---|---|
| <p>DATE: 07/03/2024</p> <p>PROJECT: 321m</p> <p>CLIENT: [REDACTED]</p> <p>ARCHITECT: [REDACTED]</p> <p>SCALE: 1:500</p> <p>DATE: 07/03/2024</p> <p>PROJECT: 321m</p> <p>CLIENT: [REDACTED]</p> <p>ARCHITECT: [REDACTED]</p> <p>SCALE: 1:500</p> <p>DATE: 07/03/2024</p> <p>PROJECT: 321m</p> <p>CLIENT: [REDACTED]</p> <p>ARCHITECT: [REDACTED]</p> <p>SCALE: 1:500</p> | <p>DATE: 07/03/2024</p> <p>PROJECT: 321m</p> <p>CLIENT: [REDACTED]</p> <p>ARCHITECT: [REDACTED]</p> <p>SCALE: 1:500</p> <p>DATE: 07/03/2024</p> <p>PROJECT: 321m</p> <p>CLIENT: [REDACTED]</p> <p>ARCHITECT: [REDACTED]</p> <p>SCALE: 1:500</p> <p>DATE: 07/03/2024</p> <p>PROJECT: 321m</p> <p>CLIENT: [REDACTED]</p> <p>ARCHITECT: [REDACTED]</p> <p>SCALE: 1:500</p> | <p>DATE: 07/03/2024</p> <p>PROJECT: 321m</p> <p>CLIENT: [REDACTED]</p> <p>ARCHITECT: [REDACTED]</p> <p>SCALE: 1:500</p> <p>DATE: 07/03/2024</p> <p>PROJECT: 321m</p> <p>CLIENT: [REDACTED]</p> <p>ARCHITECT: [REDACTED]</p> <p>SCALE: 1:500</p> <p>DATE: 07/03/2024</p> <p>PROJECT: 321m</p> <p>CLIENT: [REDACTED]</p> <p>ARCHITECT: [REDACTED]</p> <p>SCALE: 1:500</p> |
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LEVEL 0

NOTES

- Building Line
- Third Party Boundary

|  |  |  |
|--|--|--|
| <p>DATE: 07/03/2024</p> <p>PROJECT: 321a - Valid Minor Amendment Recommended for Approval, Minor Amendment Approved - Dylan</p> <p>CLIENT: [Name]</p> <p>ARCHITECT: [Name]</p> <p>SCALE: 1:500</p> <p>DATE: 07/03/2024</p> |  |  |
| <p>DESIGNED BY: [Name]</p> <p>CHECKED BY: [Name]</p> <p>DATE: 07/03/2024</p>   |  |  |



LEVEL 1

NOTES

1. Building Line

2. Third Party Boundary

| <p>PROJECT INFORMATION</p> <p>Project Name: [Redacted]</p> <p>Client: [Redacted]</p> <p>Site: [Redacted]</p> <p>Scale: 1:500</p> <p>Date: 07/03/2024</p>  |             | <p>ARCHITECTS</p> <p>[Logo]</p> <p>100 [Redacted] [Redacted]</p> <p>[Redacted] [Redacted]</p> <p>[Redacted] [Redacted]</p> <p>[Redacted] [Redacted]</p> <p>[Redacted] [Redacted]</p> |     |             |      |  |  |  |  |  |  |  |  |
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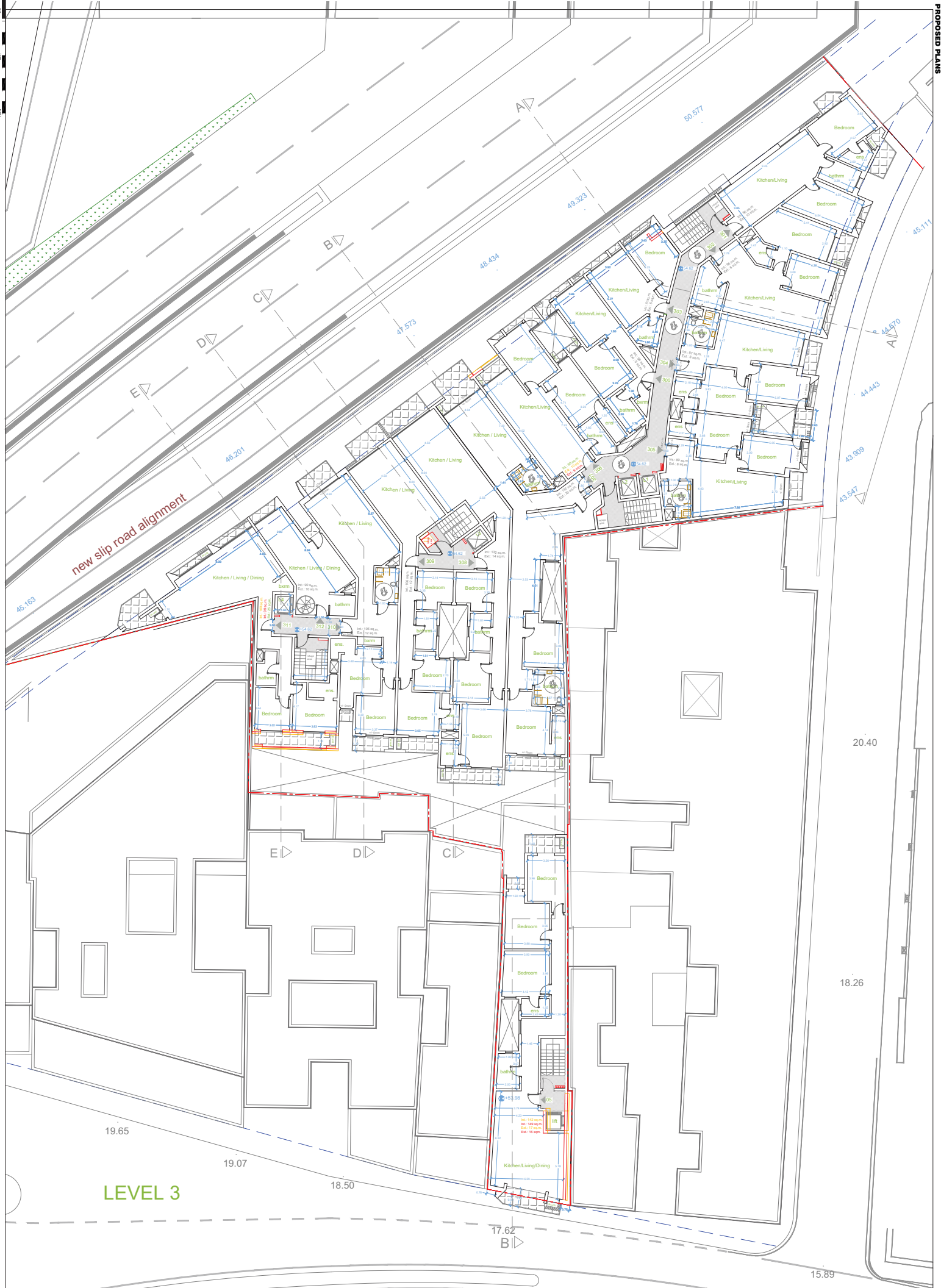


LEVEL 2

NOTES

- Building Line
- Proposed Building Footprint

| <p>PROJECT INFORMATION</p> <p>Project Name: [REDACTED]</p> <p>Client: [REDACTED]</p> <p>Site: [REDACTED]</p> <p>Scale: 1:500</p> <p>Date: 07/03/2024</p> | <p>REVISIONS</p> <table border="1"> <tr> <th>No.</th> <th>Description</th> <th>Date</th> </tr> <tr> <td>1</td> <td>Issue for Approval</td> <td>07/03/2024</td> </tr> </table> | No.        | Description | Date | 1 | Issue for Approval | 07/03/2024 | <p>ARCHITECTS</p> <p>[Logo]</p> <p>10 ARCHITECTS</p> |
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### LEVEL 3

NOTES

- Building Line
- Third Party Boundary

| <p>PROJECT INFORMATION</p> <p>Project Name: 321q - Valid Minor Amendment Recommended for Approval - Minor Amendment Approved - Dylan</p> <p>Client: [Name]</p> <p>Site: [Address]</p> <p>Scale: 1:500</p> <p>Date: 07/03/2024</p> |                    |            |     |             |      |   |                    |
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new slip road alignment

LEVEL 4

NOTES

1. All dimensions are in meters unless otherwise stated.

2. All areas are in square meters unless otherwise stated.

3. All areas are to be finished to the level indicated.

4. All areas are to be finished to the level indicated.

5. All areas are to be finished to the level indicated.

6. All areas are to be finished to the level indicated.

7. All areas are to be finished to the level indicated.

8. All areas are to be finished to the level indicated.

9. All areas are to be finished to the level indicated.

10. All areas are to be finished to the level indicated.

Building Line

Thick Party Boundary

|  |   |   |   |   |
|--|---|---|---|---|
| <p>NO. 100</p> <p>NO. 101</p> <p>NO. 102</p> <p>NO. 103</p> <p>NO. 104</p> <p>NO. 105</p> <p>NO. 106</p> <p>NO. 107</p> <p>NO. 108</p> <p>NO. 109</p> <p>NO. 110</p> <p>NO. 111</p> <p>NO. 112</p> <p>NO. 113</p> <p>NO. 114</p> <p>NO. 115</p> <p>NO. 116</p> <p>NO. 117</p> <p>NO. 118</p> <p>NO. 119</p> <p>NO. 120</p> | <p>NO. 121</p> <p>NO. 122</p> <p>NO. 123</p> <p>NO. 124</p> <p>NO. 125</p> <p>NO. 126</p> <p>NO. 127</p> <p>NO. 128</p> <p>NO. 129</p> <p>NO. 130</p> <p>NO. 131</p> <p>NO. 132</p> <p>NO. 133</p> <p>NO. 134</p> <p>NO. 135</p> <p>NO. 136</p> <p>NO. 137</p> <p>NO. 138</p> <p>NO. 139</p> <p>NO. 140</p> | <p>NO. 141</p> <p>NO. 142</p> <p>NO. 143</p> <p>NO. 144</p> <p>NO. 145</p> <p>NO. 146</p> <p>NO. 147</p> <p>NO. 148</p> <p>NO. 149</p> <p>NO. 150</p> <p>NO. 151</p> <p>NO. 152</p> <p>NO. 153</p> <p>NO. 154</p> <p>NO. 155</p> <p>NO. 156</p> <p>NO. 157</p> <p>NO. 158</p> <p>NO. 159</p> <p>NO. 160</p> | <p>NO. 161</p> <p>NO. 162</p> <p>NO. 163</p> <p>NO. 164</p> <p>NO. 165</p> <p>NO. 166</p> <p>NO. 167</p> <p>NO. 168</p> <p>NO. 169</p> <p>NO. 170</p> <p>NO. 171</p> <p>NO. 172</p> <p>NO. 173</p> <p>NO. 174</p> <p>NO. 175</p> <p>NO. 176</p> <p>NO. 177</p> <p>NO. 178</p> <p>NO. 179</p> <p>NO. 180</p> | <p>NO. 181</p> <p>NO. 182</p> <p>NO. 183</p> <p>NO. 184</p> <p>NO. 185</p> <p>NO. 186</p> <p>NO. 187</p> <p>NO. 188</p> <p>NO. 189</p> <p>NO. 190</p> <p>NO. 191</p> <p>NO. 192</p> <p>NO. 193</p> <p>NO. 194</p> <p>NO. 195</p> <p>NO. 196</p> <p>NO. 197</p> <p>NO. 198</p> <p>NO. 199</p> <p>NO. 200</p> |
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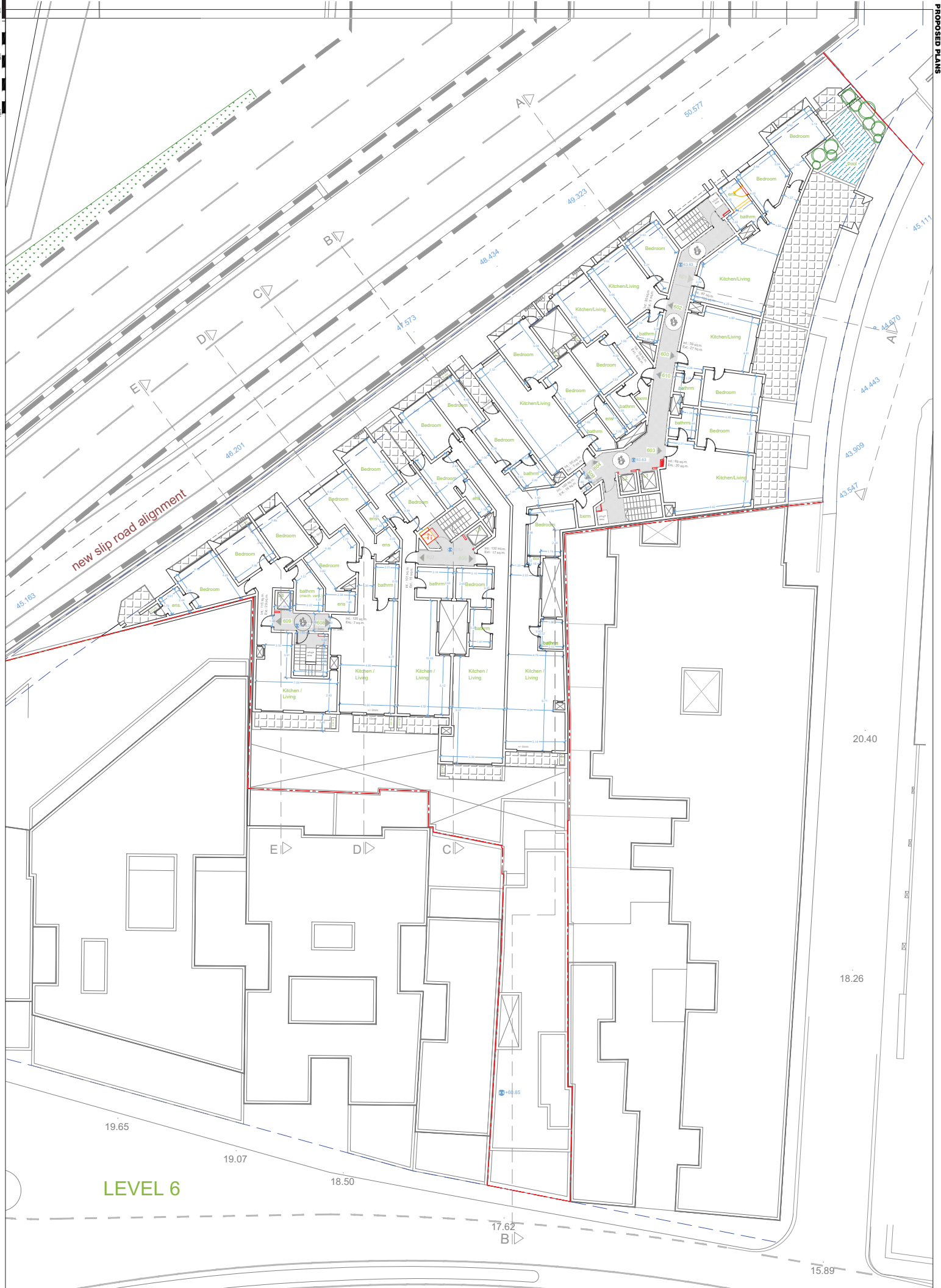


LEVEL 5

NOTES

- Building Line
- Proposed Building Footprint

| <p>PROJECT INFORMATION</p> <p>Project Name: 321s - Uplift Minor Amendment Recommended for Approval, Minor Amendment Approved - Dylan</p> <p>Client: [Redacted]</p> <p>Site: [Redacted]</p> <p>Scale: 1:500</p> <p>Date: 07/03/2024</p> | <p>REVISIONS</p> <table border="1"> <tr> <th>No.</th> <th>Description</th> <th>Date</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table> | No.  | Description | Date |  |  |  |  |  |  | <p>ARCHITECTS</p> <p>[Logo]</p> <p>ARCHITECTS</p> |
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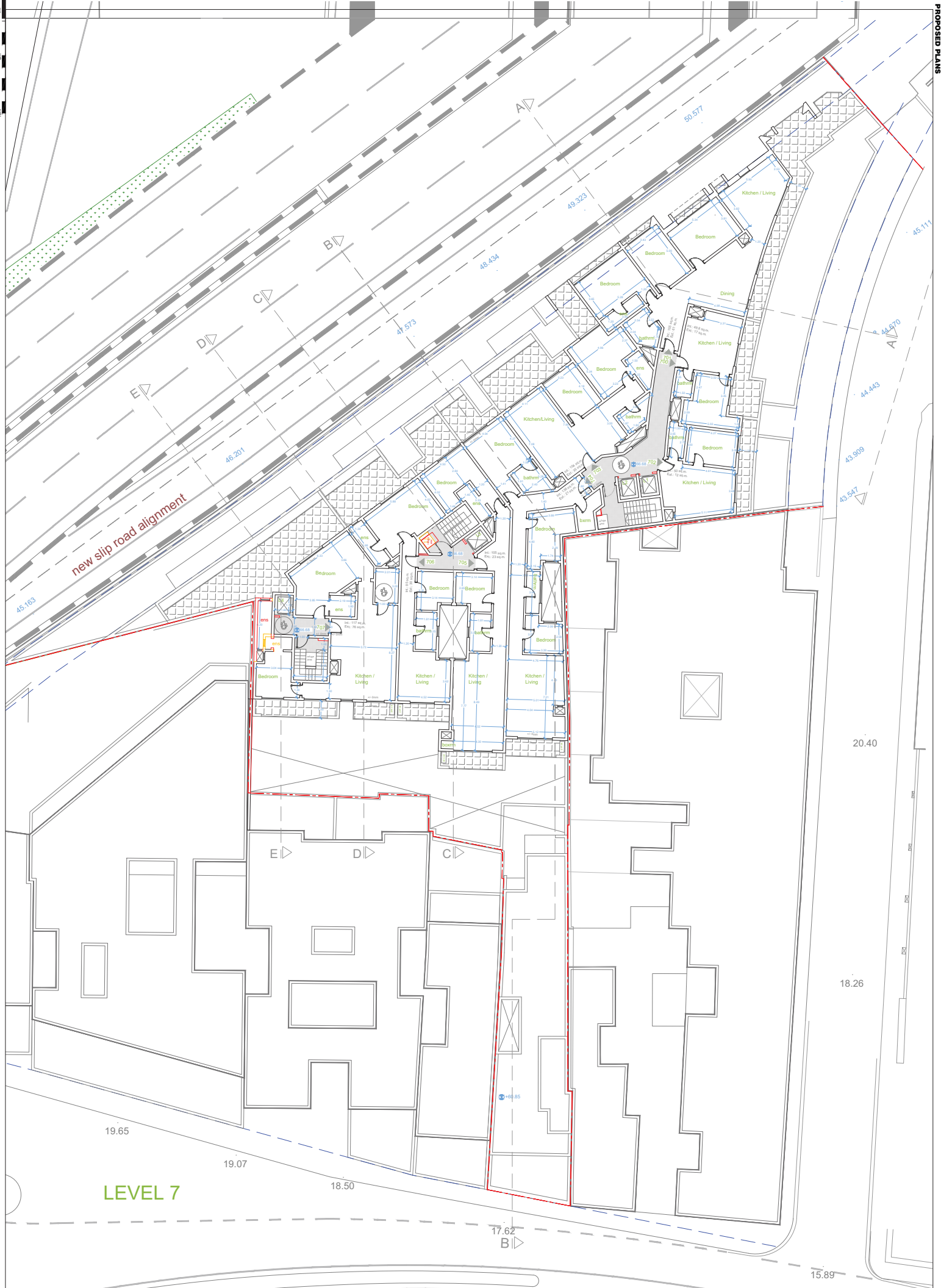


LEVEL 6

NOTES

- Building Line
- Third Party Boundary

|   |   |
|---|---|
| <p>PROJECT INFORMATION</p> <p>PROJECT NO: 09/20 - 321t</p> <p>DATE: 07/03/2024</p> <p>SCALE: 1:500</p> <p>DESIGNED BY: [Name]</p> <p>CHECKED BY: [Name]</p> <p>DATE: [Date]</p> | <p>ARCHITECTS</p> <p>[Logo]</p> <p>ARCHITECTS</p> |
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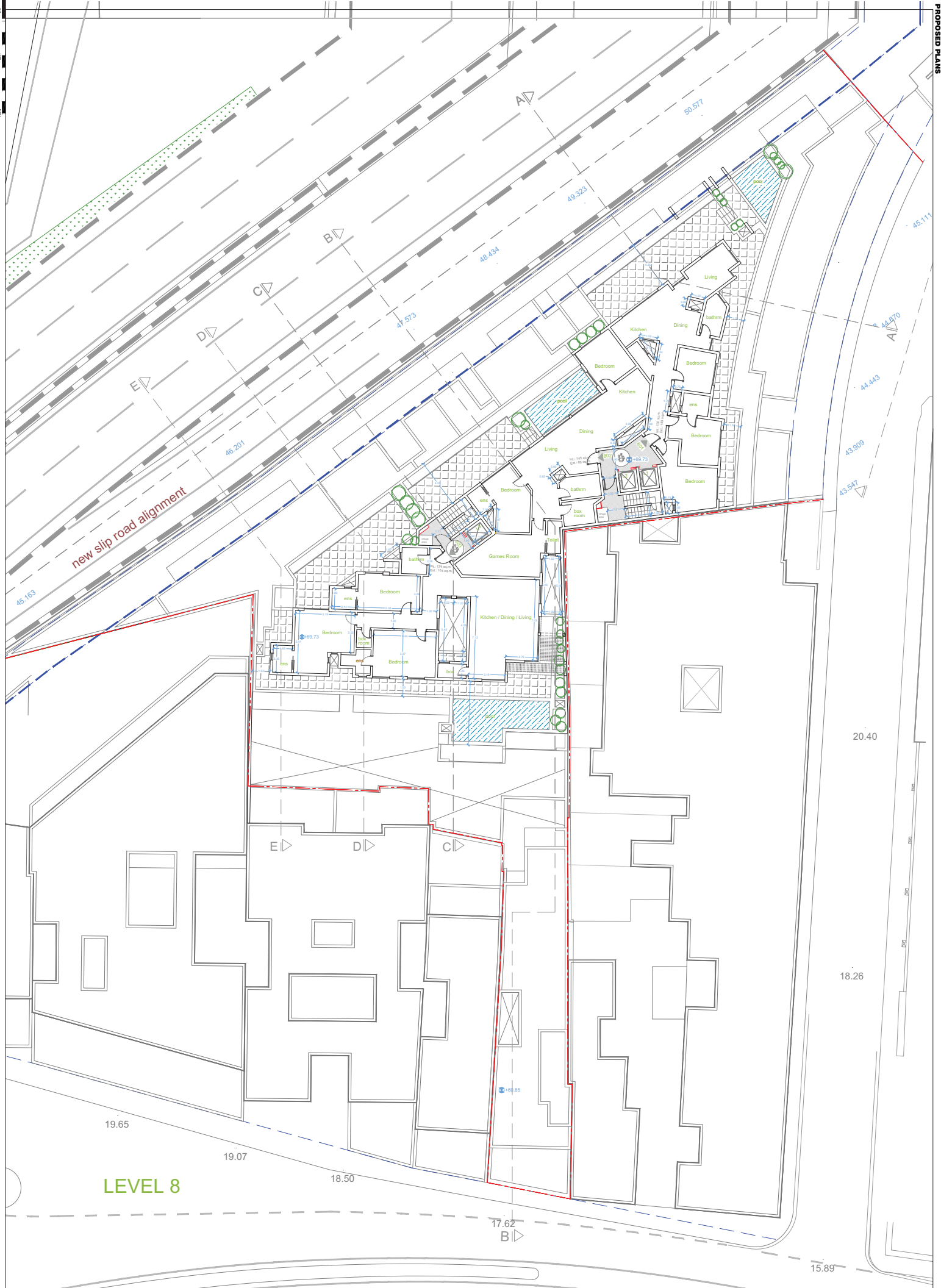


NOTES

- Building Line
- Third Party Boundary

| <p>PROJECT INFORMATION</p> <p>PROJECT NO: 0820 - 321u - Valid Minor Amendment Recommended for Approval, Minor Amendment Approved - Dylan</p> <p>DATE: 7/16/2024</p> <p>SCALE: 1/8" = 1'-0"</p> <p>DATE: 7/16/2024</p> <p>SCALE: 1/8" = 1'-0"</p> <p>DATE: 7/16/2024</p> <p>SCALE: 1/8" = 1'-0"</p> |             |      |     |             |      |  |  |  |  |  |  |  |  |
|--|-------------|------|-----|-------------|------|--|--|--|--|--|--|--|--|
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| NO.  | DESCRIPTION | DATE |     |             |      |  |  |  |  |  |  |  |  |
|  |             |      |     |             |      |  |  |  |  |  |  |  |  |
|  |             |      |     |             |      |  |  |  |  |  |  |  |  |
|  |             |      |     |             |      |  |  |  |  |  |  |  |  |





NOTES

- Building Line
- Third Party Boundary

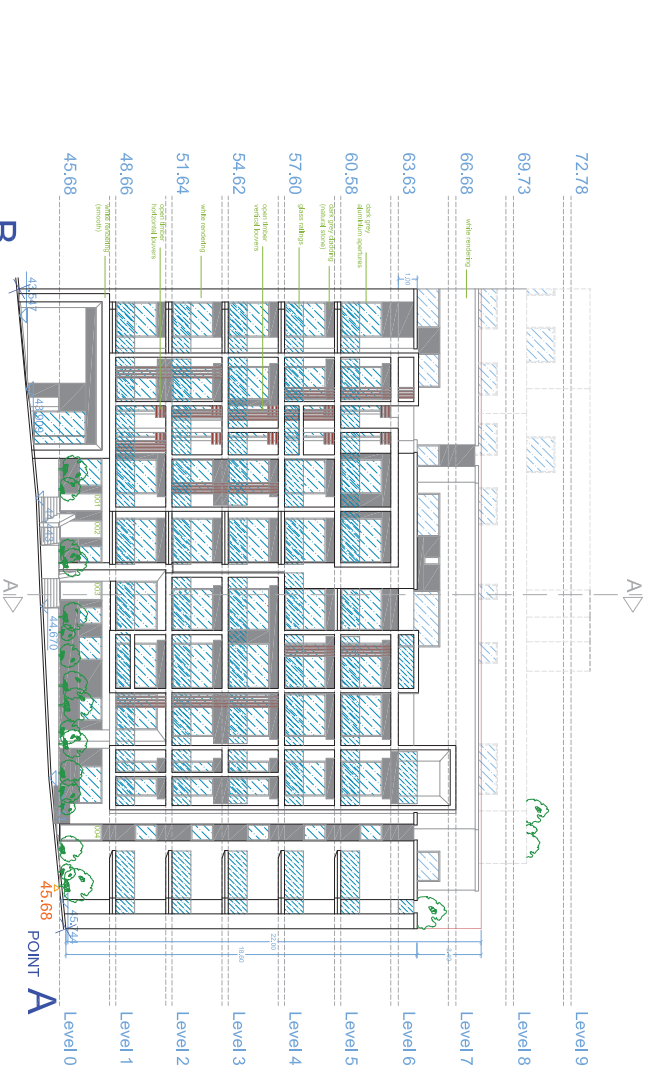
| <p>PROJECT INFORMATION</p> <p>Project Name: [Redacted]</p> <p>Client: [Redacted]</p> <p>Site: [Redacted]</p> <p>Scale: 1:500</p> <p>Date: 17/07/2024</p>  |                    |            |     |             |      |   |                    |
|---|--------------------|------------|-----|-------------|------|---|--------------------|
| <p>REVISIONS</p> <table border="1"> <thead> <tr> <th>No.</th> <th>Description</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Issue for Approval</td> <td>17/07/2024</td> </tr> </tbody> </table> |                    |            | No. | Description | Date | 1 | Issue for Approval |
| No.   | Description        | Date       |     |             |      |   |                    |
| 1   | Issue for Approval | 17/07/2024 |     |             |      |   |                    |

Schmitt | Hebel | Leiben



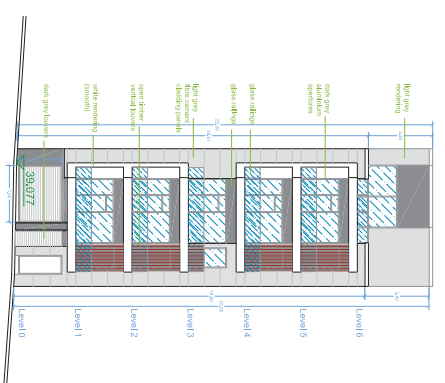
Triq Mikiel Anton Vassalli

POINT C



Triq Il-Madonna tal-Gebbia

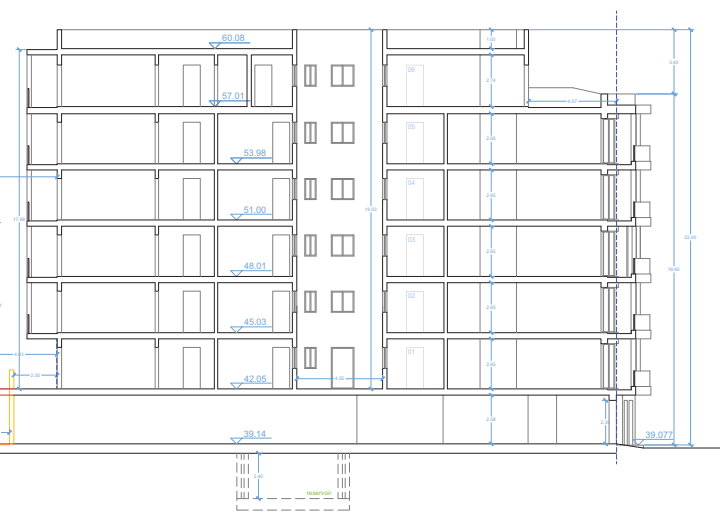
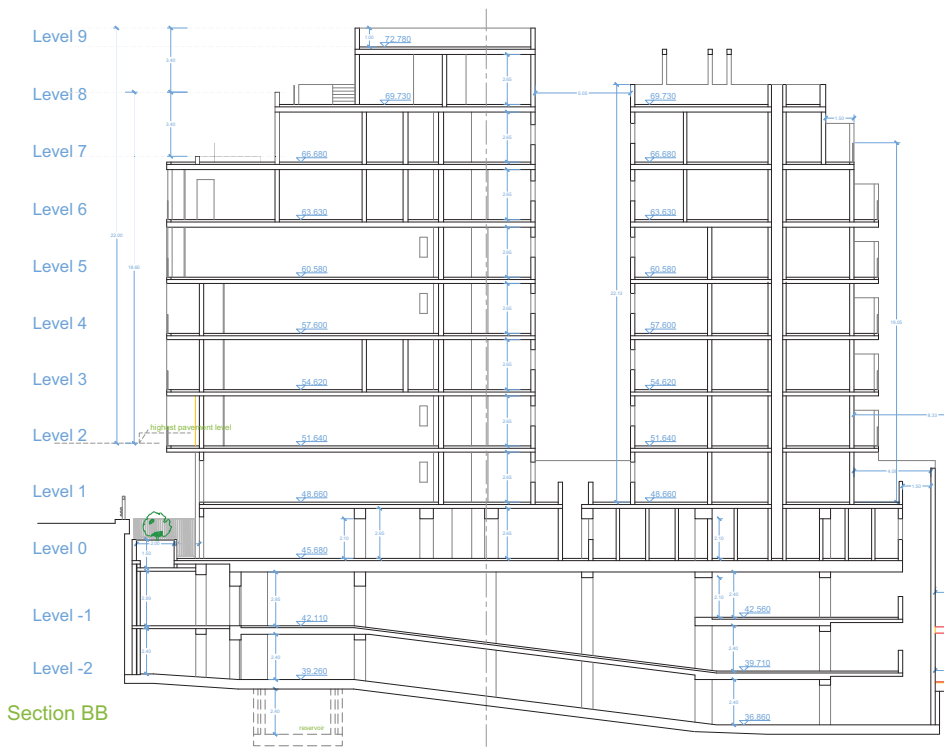
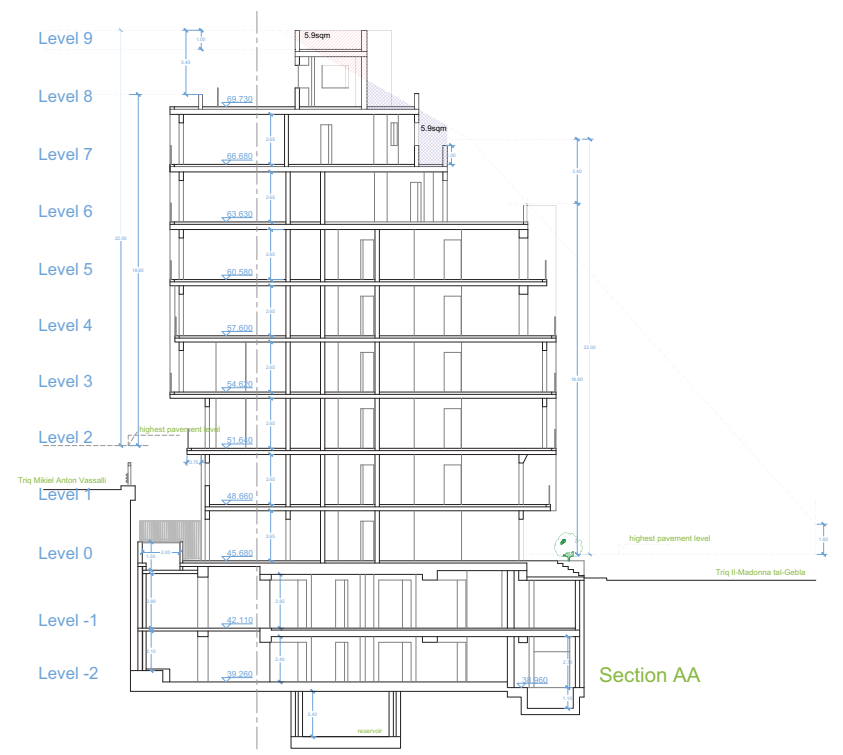
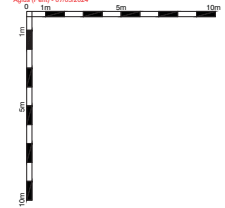
POINT A



Triq tas-Slema

POINT B

|   |   |
|---|---|
| <p>PROPOSED ELEVATIONS</p>  |   |
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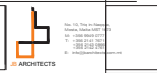


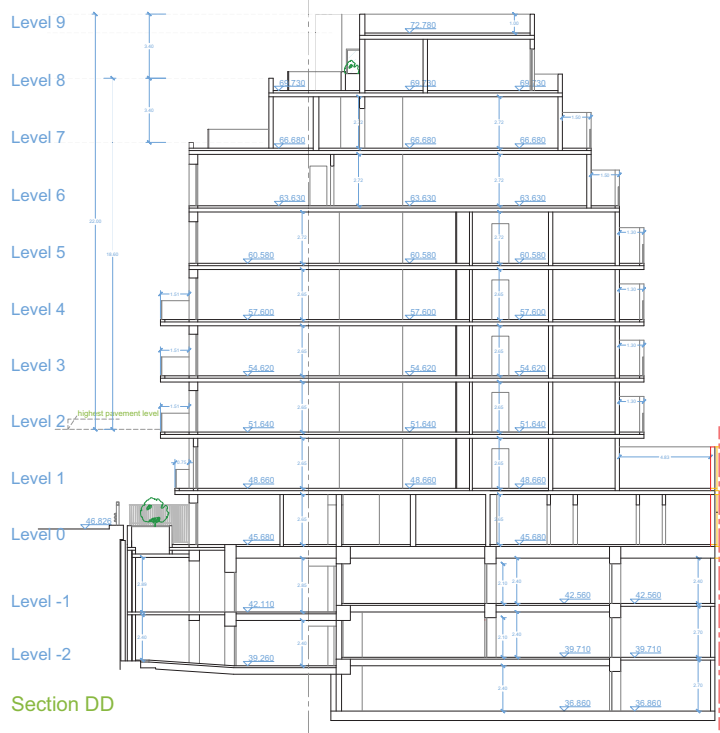
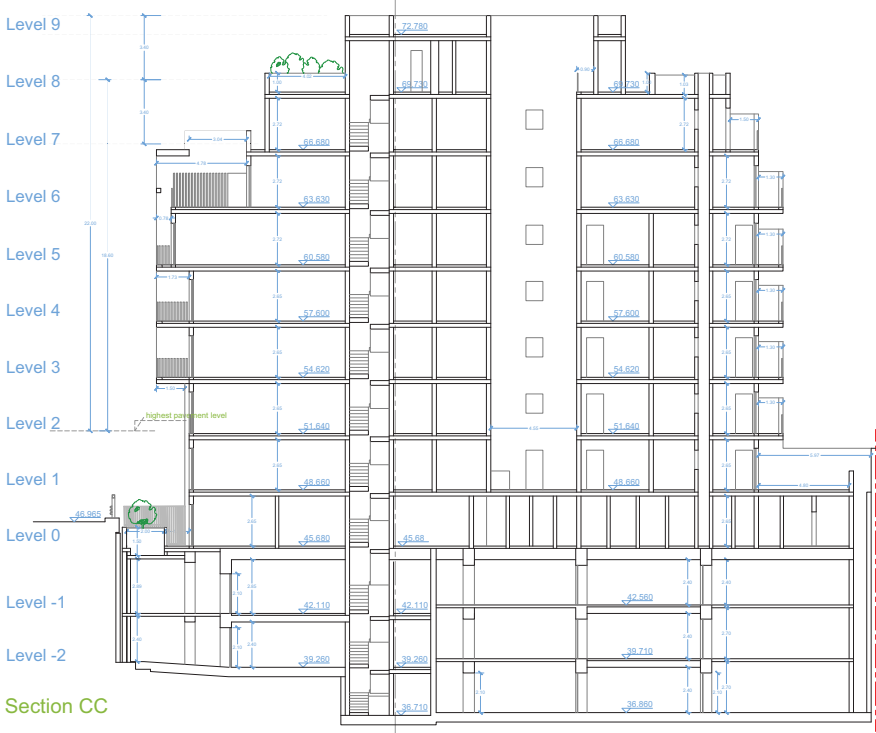
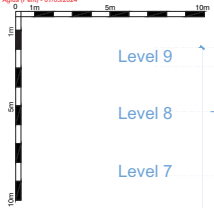
Section BB

Section AA

NOTES  
 Building Line  
 Third Party Boundary Line

| Project Information |     | Project Description |     |
|---------------------|-----|---------------------|-----|
| Client              | ... | Project Name        | ... |
| Design Phase        | ... | Location            | ... |
| Drawn By            | ... | Scale               | ... |
| Checked By          | ... | Date                | ... |
| Project Manager     | ... | Author              | ... |
| Scale               | ... | Revision            | ... |





NOTES

- Building Line
- - - - - Third Party Boundary Line

| Project Information |               | Project Description              |                     |
|---------------------|---------------|----------------------------------|---------------------|
| Client:             | Project Name: | Proposed Residential Development | Location: [Address] |
| Architect:          | Design Phase: | Architect: [Firm Name]           | Date: [Date]        |
| Scale:              | Drawn By:     | Checked By:                      | Scale: 1:100        |
| Sheet No.:          | Drawn Date:   | Checked Date:                    | Scale: 1:100        |



Level -3 - Garages





# Level -2 - Garages

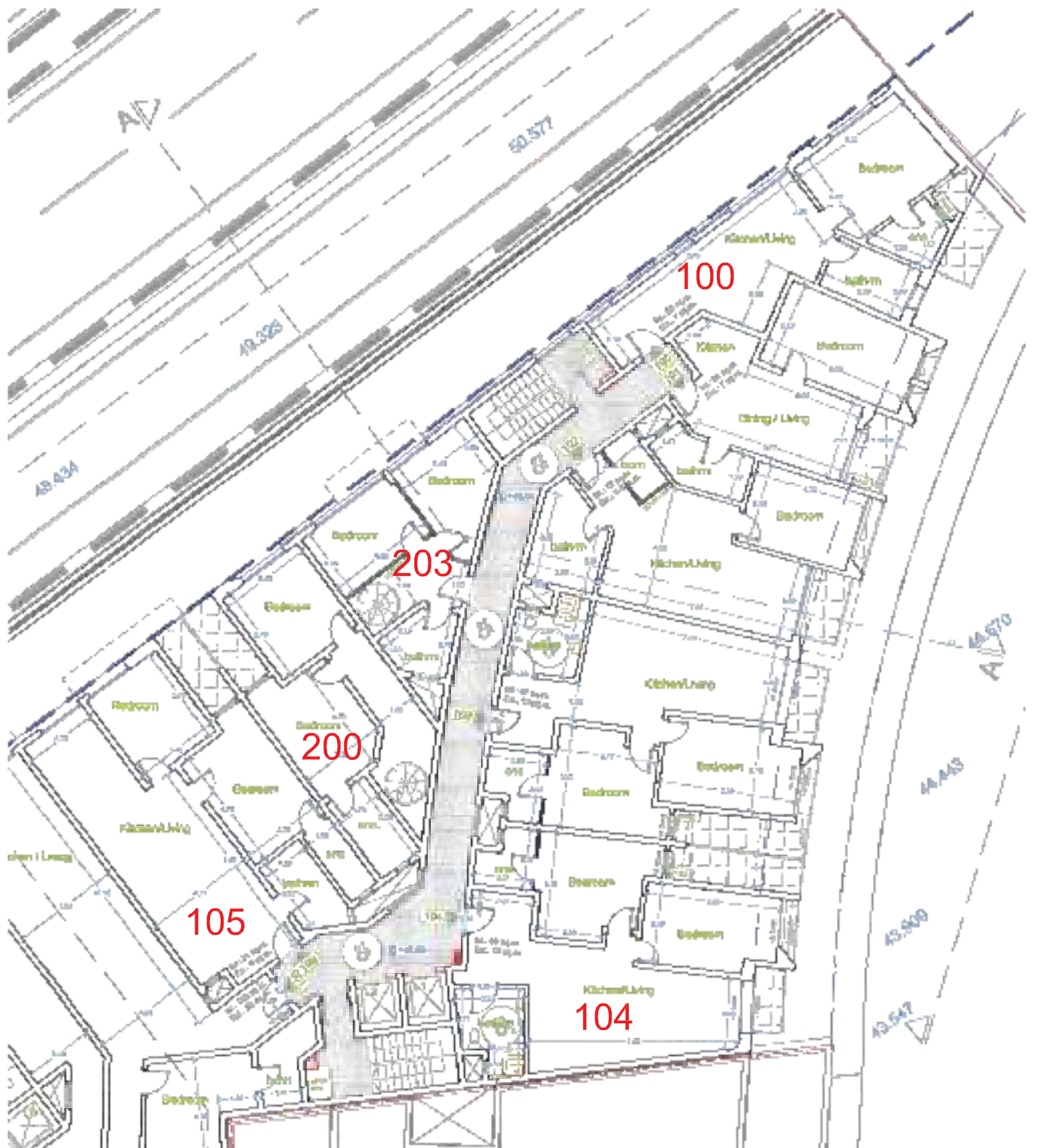




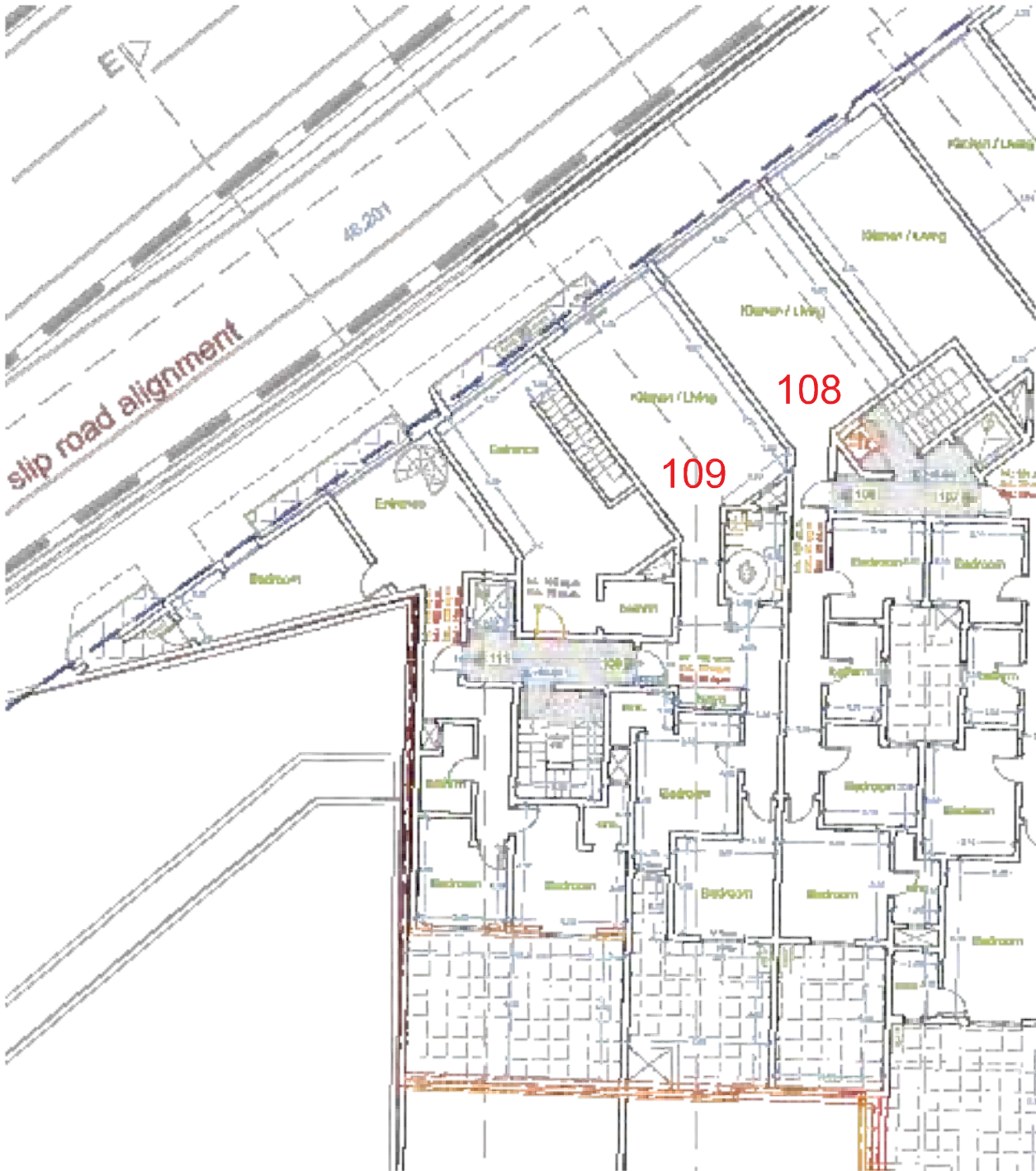
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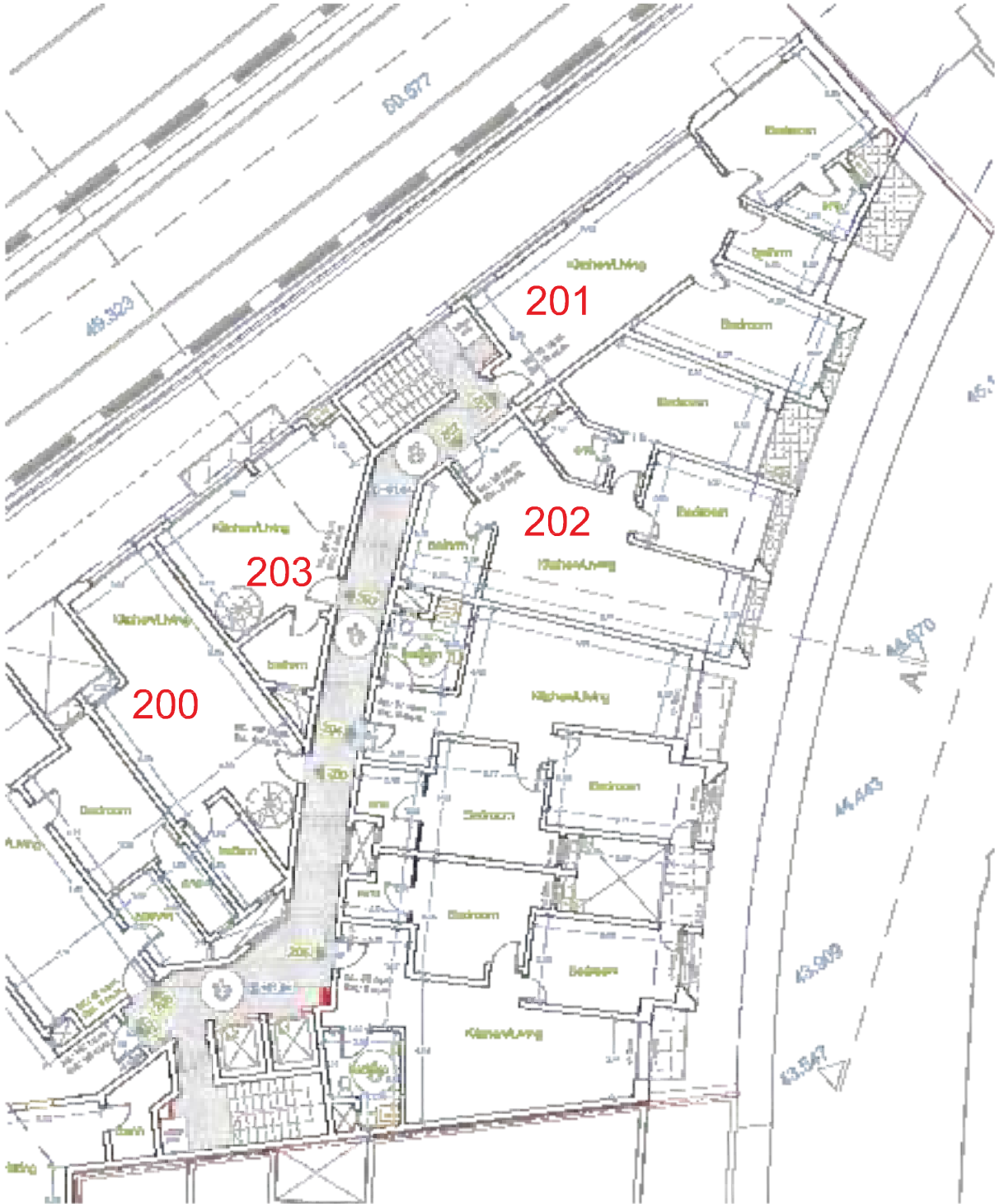
# Level 01 - Apartments



Level 01 - Apartments

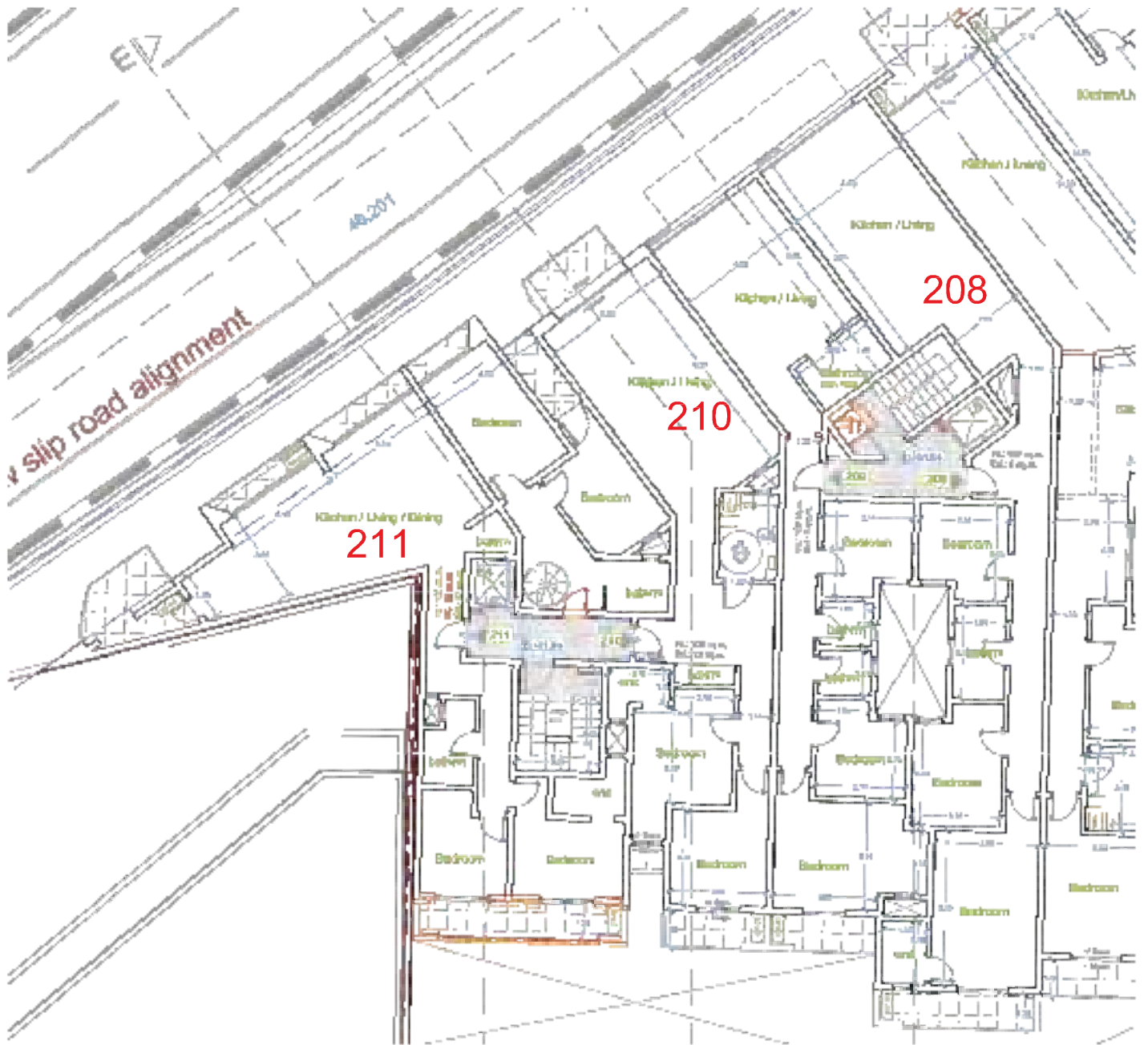


Level 02 - Apartments

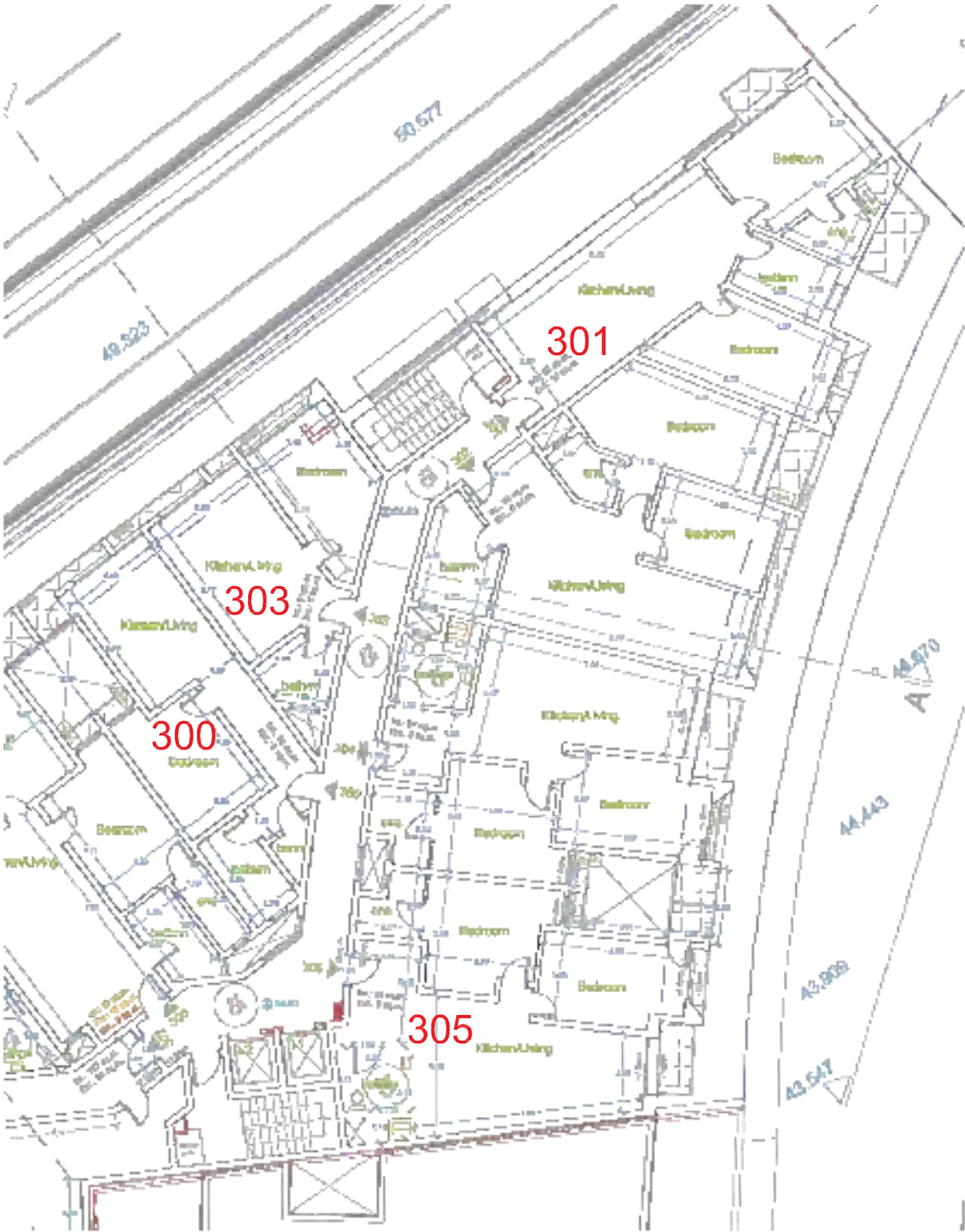




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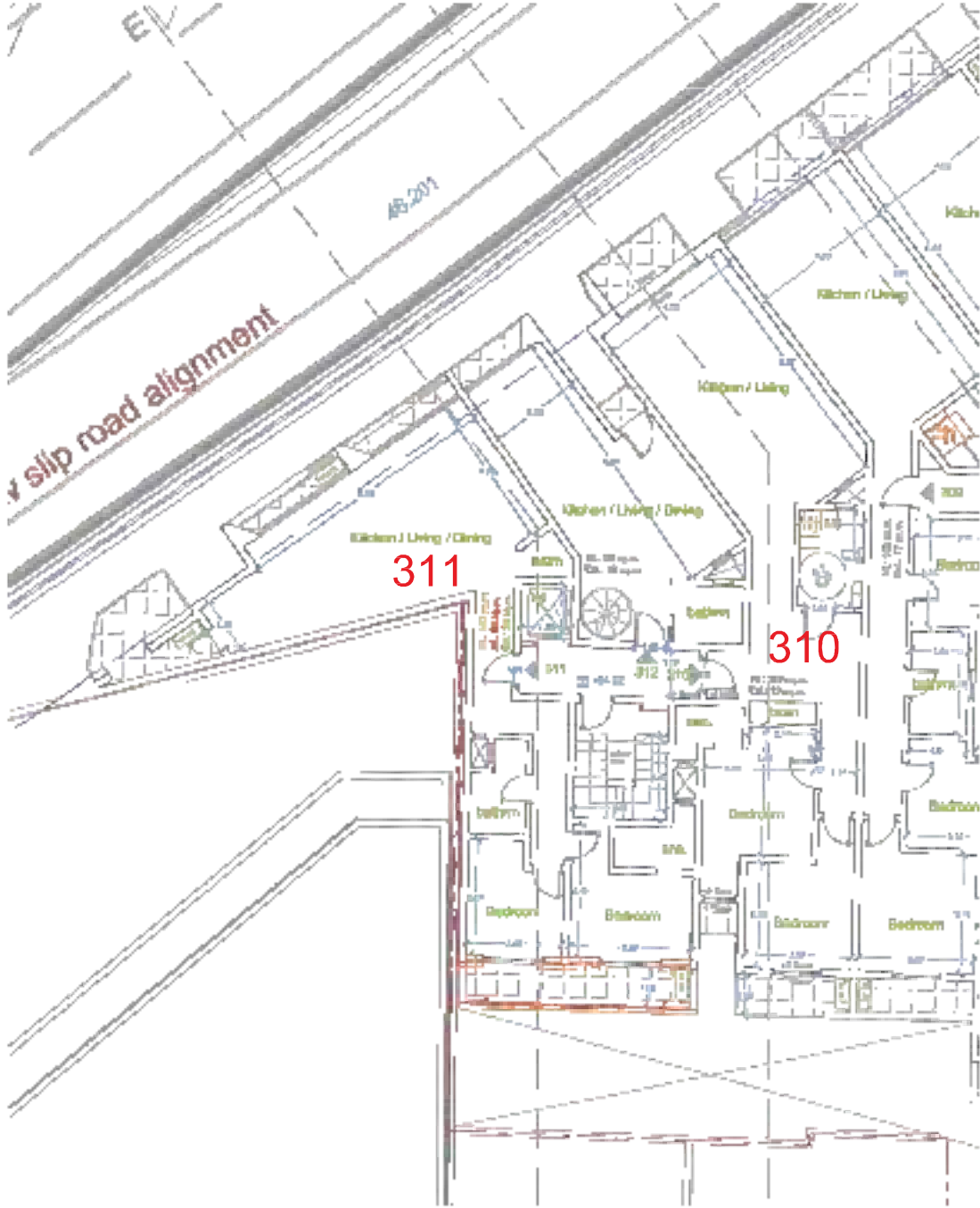


Level 03 - Apartments

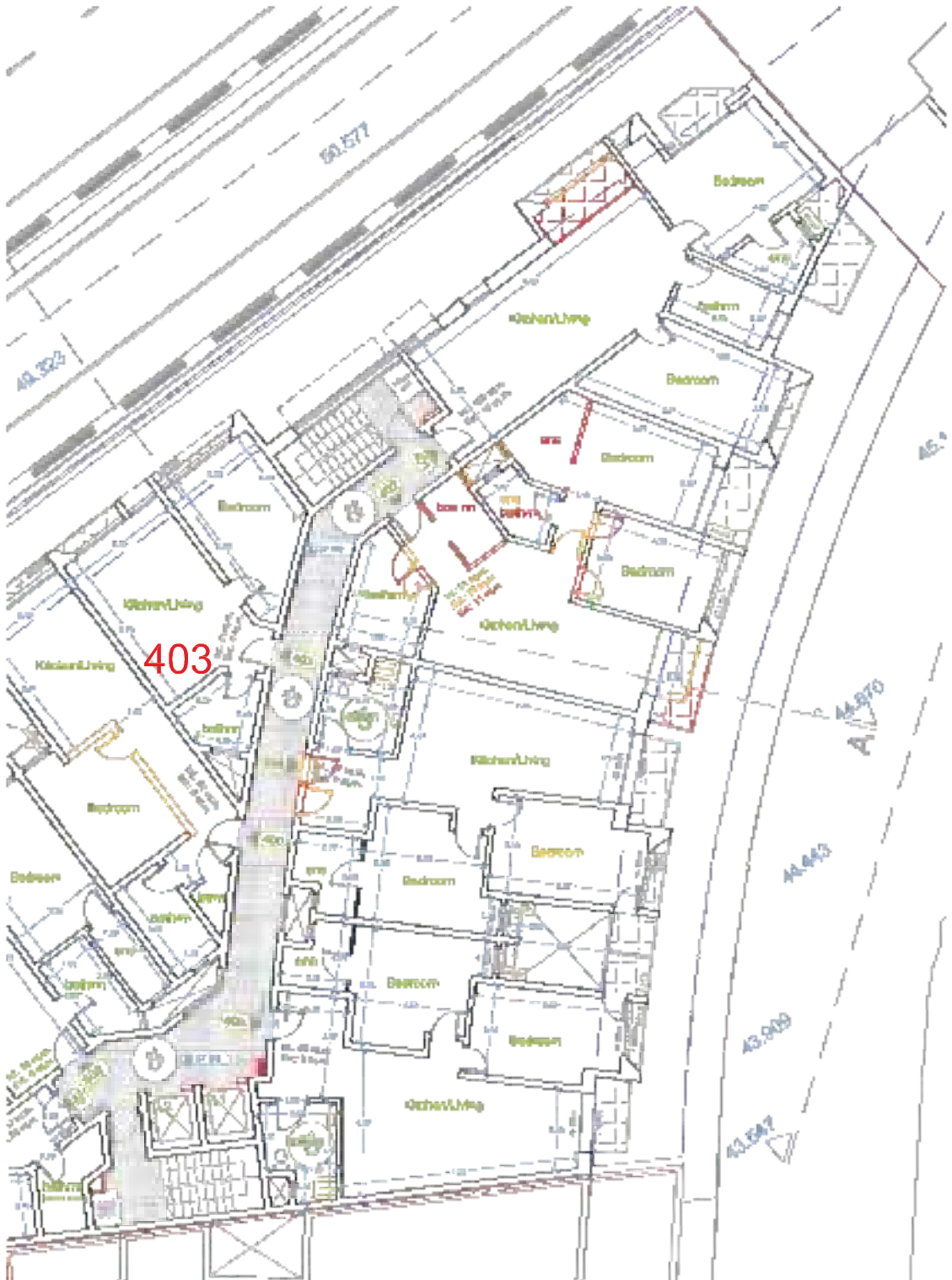




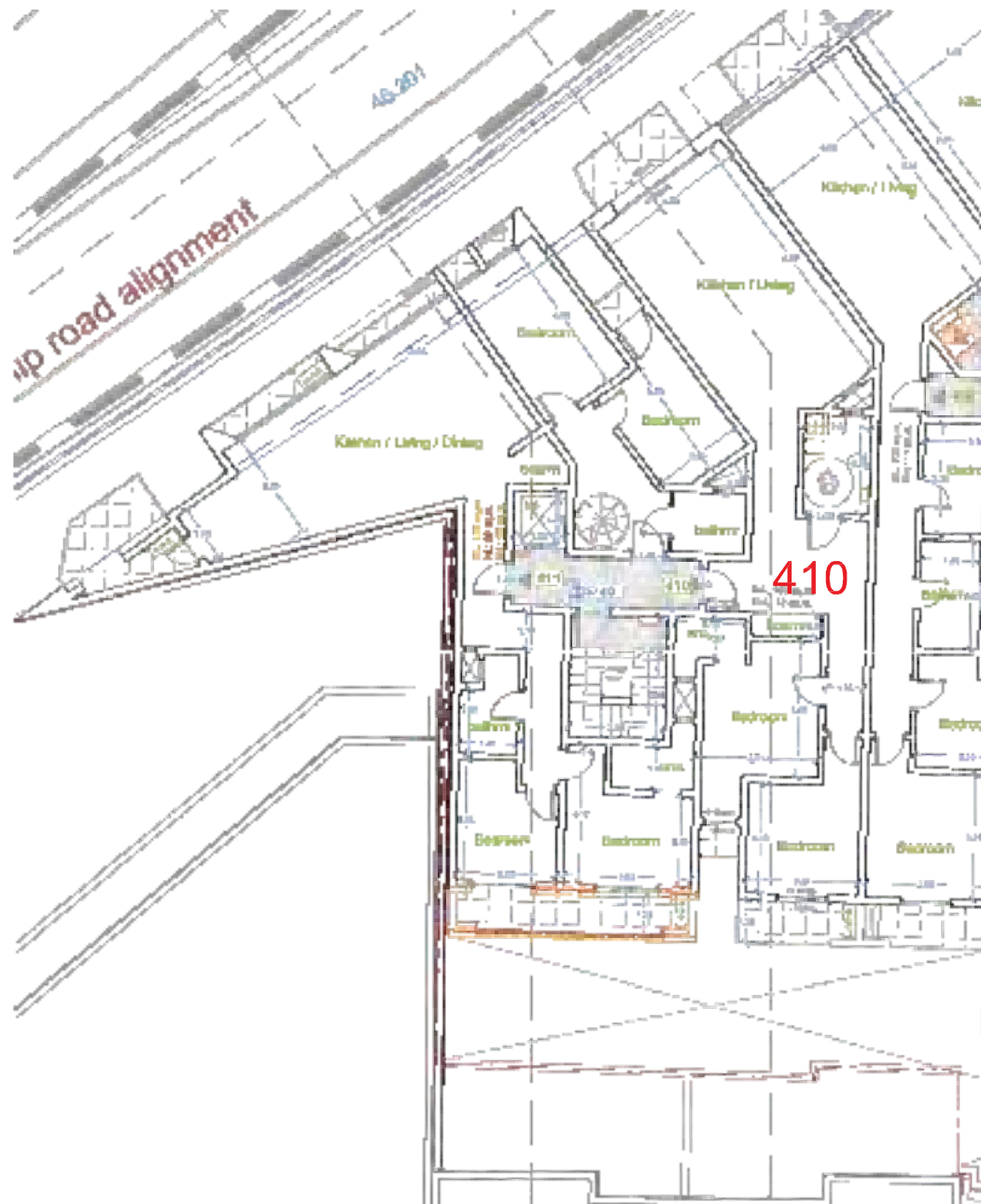
Level 03 - Apartments



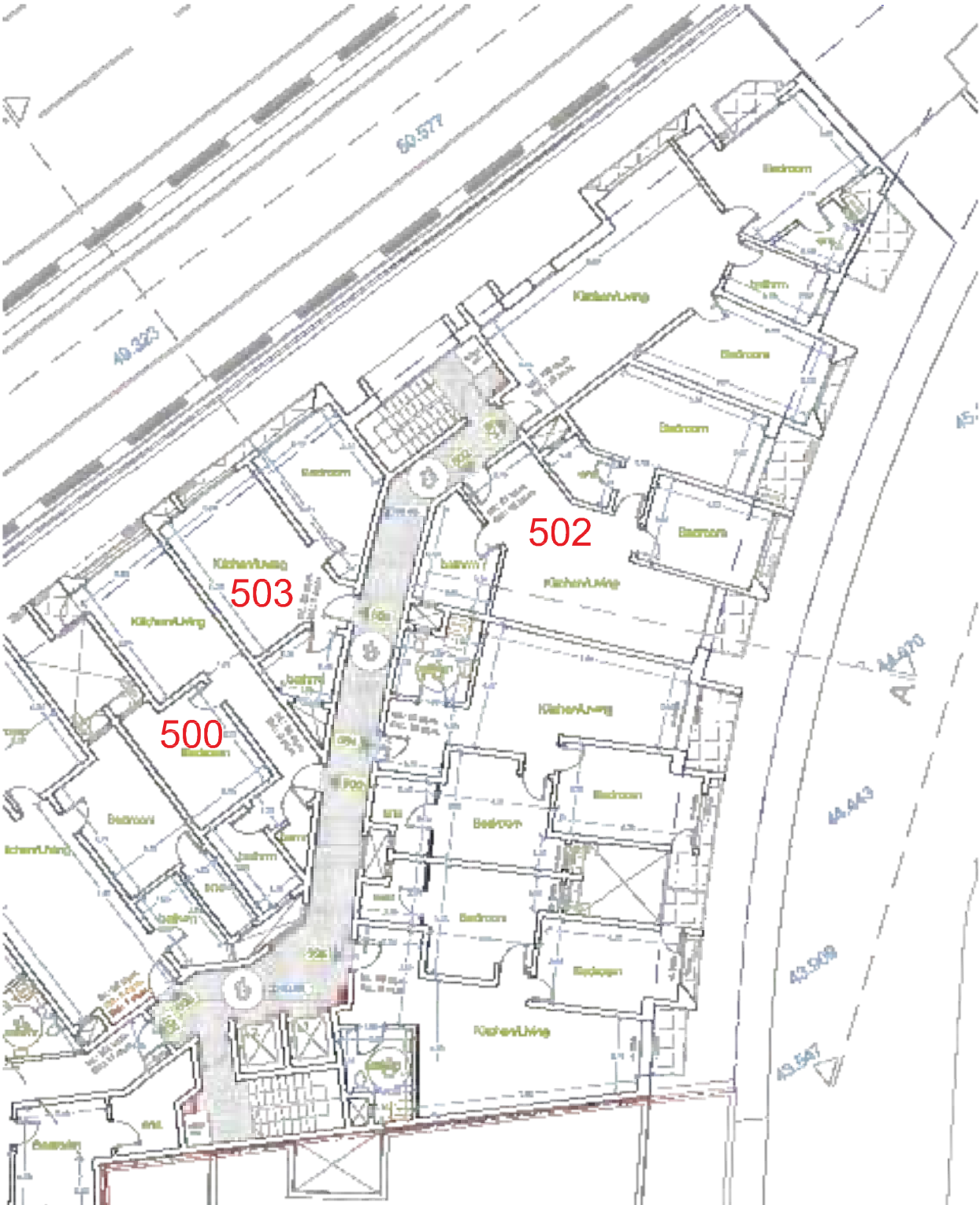
Level 04 - Apartments



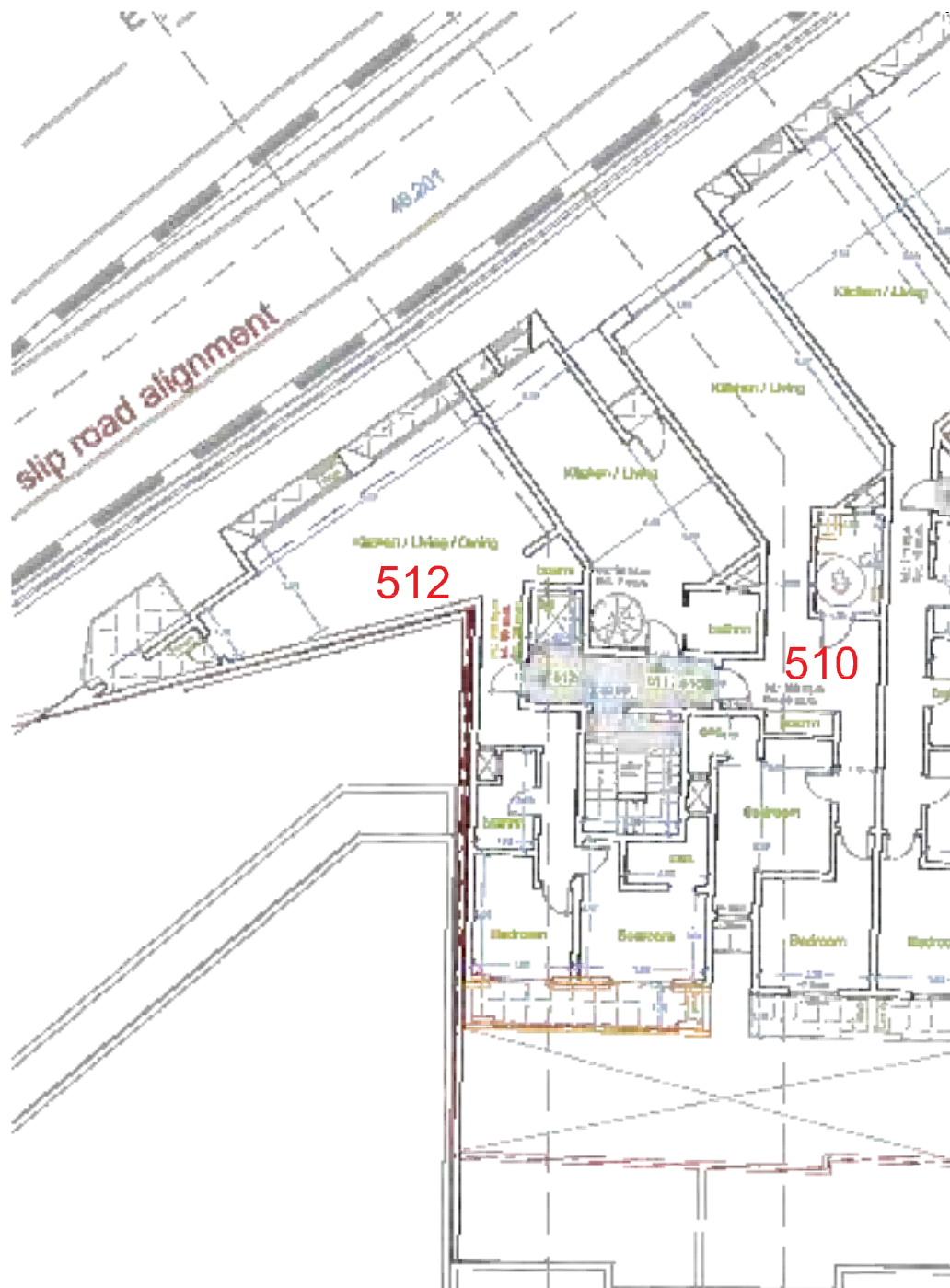
# Level 04 - Apartments



Level 05 - Apartments

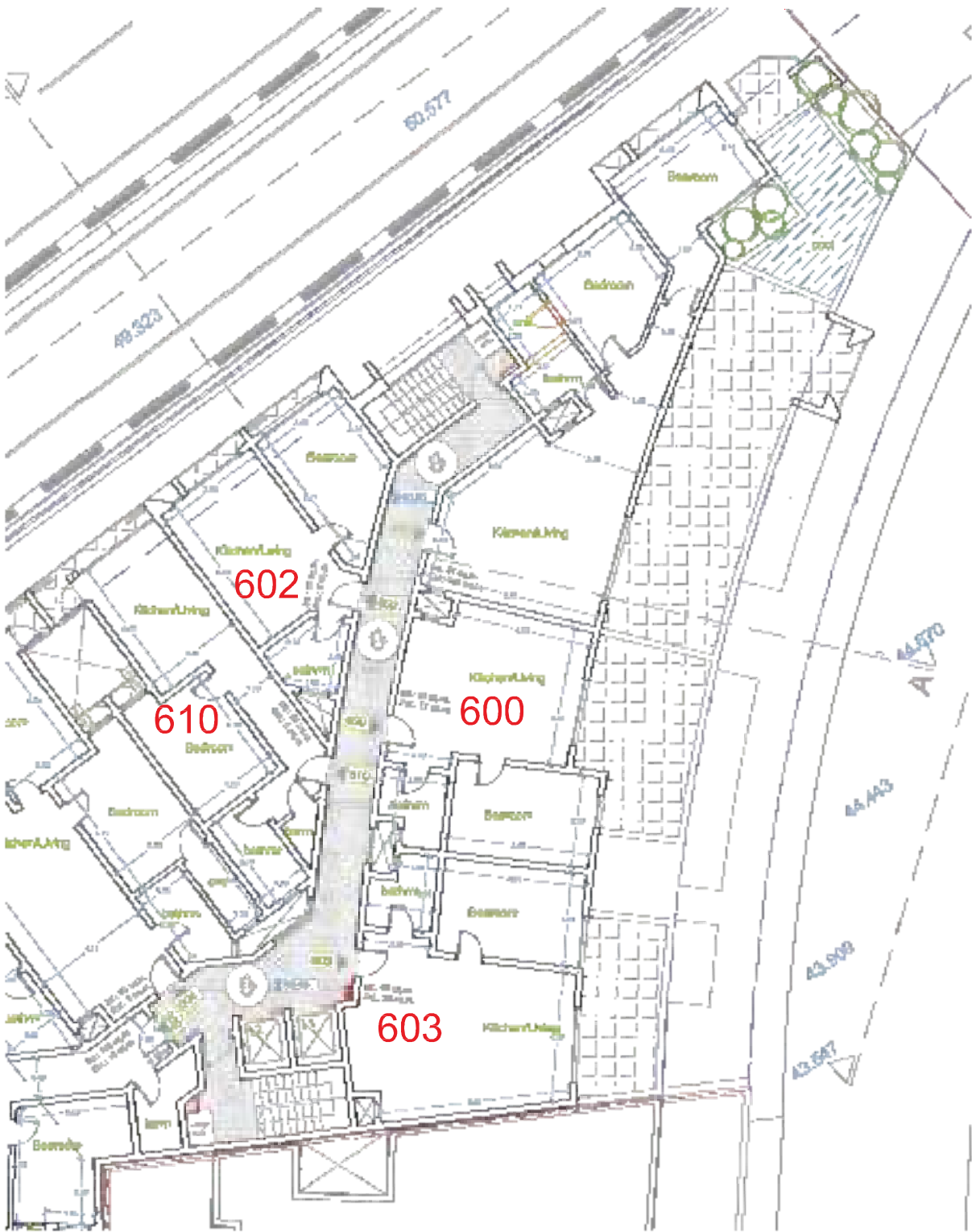


## Level 05 - Apartments



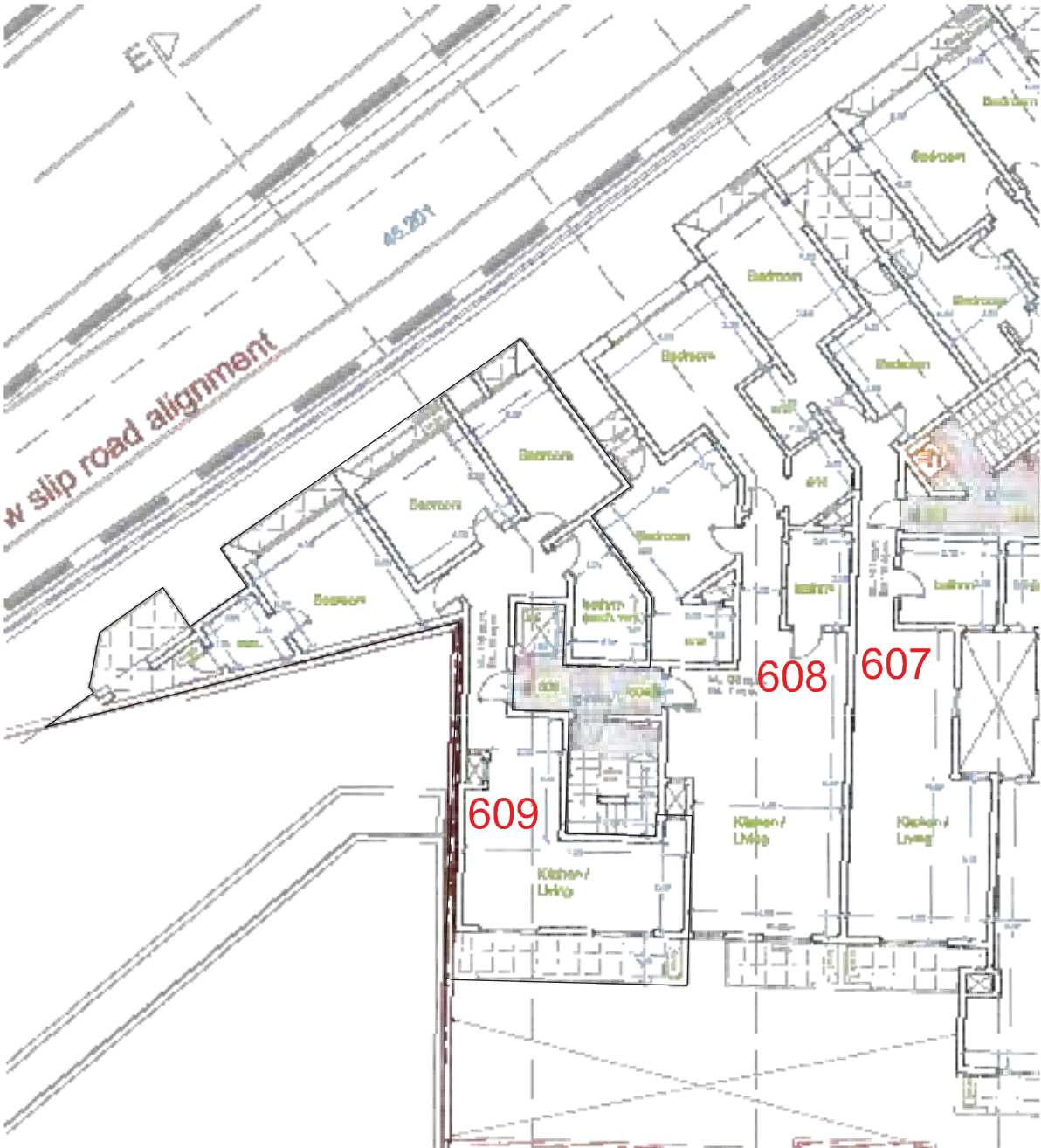


Level 06 - Apartments





Level 06 - Apartments



**Appendix 03: (Citiway)**

A.03.4 – Summary of Lease Agreements

## Summary Lease Agreements

|   |   |            |
|---|---|------------|
| <b>Development Name:</b>                        |   | Citiway    |
| <b>Location:</b>                                |   | Gzira      |
| <b>Contract Date</b>                            |   | 07/03/2024 |
| <b>Start date</b>                               |   | 01/04/2024 |
| <b>End date</b>                                 |   | 17/05/2034 |
| <b>Term (in yrs)</b>                            |   | 10         |
| <b>Number of apartments</b>                     |   | 32         |
| <b>Monthly rent</b>                             | € | 17,230     |
| <b>Rent per annum</b>                           | € | 206,760    |
| <b>Contributions for common parts per annum</b> | € | 8,320      |
| <b>% Per Year Increase</b>                      |   | 2%         |

**Appendix 04: (DRock)**

A.04.1 – Site Plan





**Appendix 04: (DRock)**

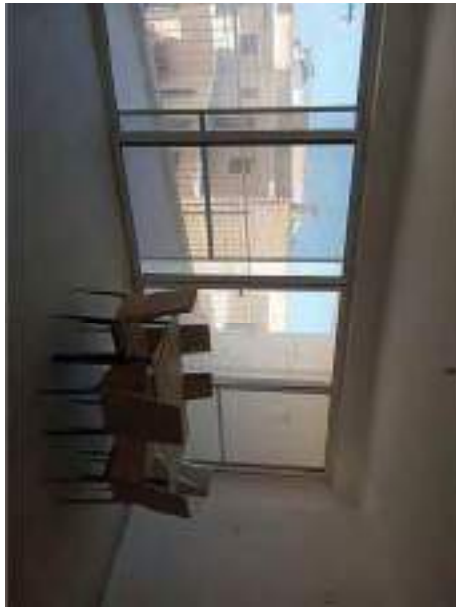
A.04.2 – Photographs



Photos - DRock - Sannat - Block A



Photos - DRock - Sannat - Block A

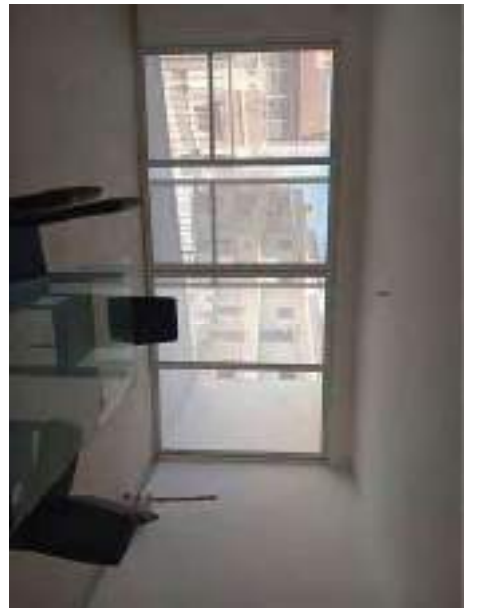


Photos - DRock - Sannat - Block A





Photos - DRock - Sannat - Block B



Photos - DRock - Sannat - Block B

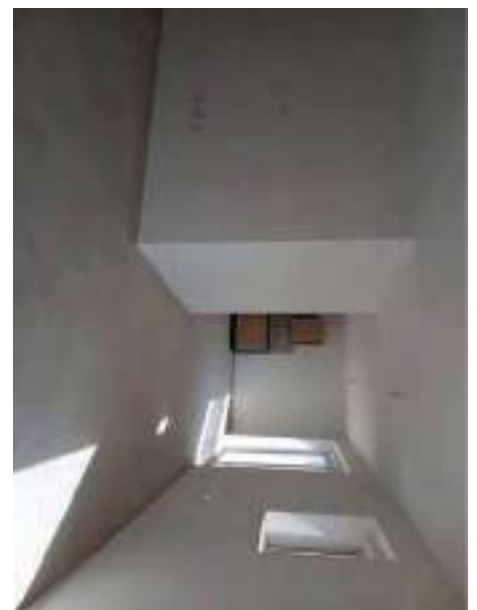


Photos - DRock - Sannat - Block C





Photos - DRock - Sannat - Block C



Photos - DRock - Sannat - Block C



Photos - DRock - Sannat - Block E





Photos - DRock - Sannat - Block E



Photos - DRock - Sannat - Block E





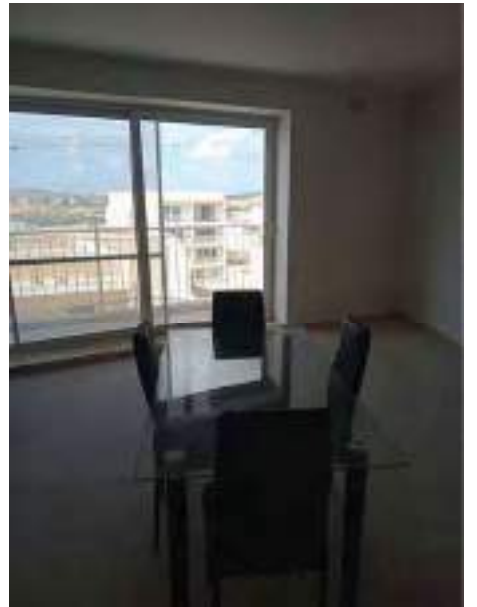
Photos - DRock - Sannat - Block E



Photos - DRock - Sannat - Block F



Photos - DRock - Sannat - Block F

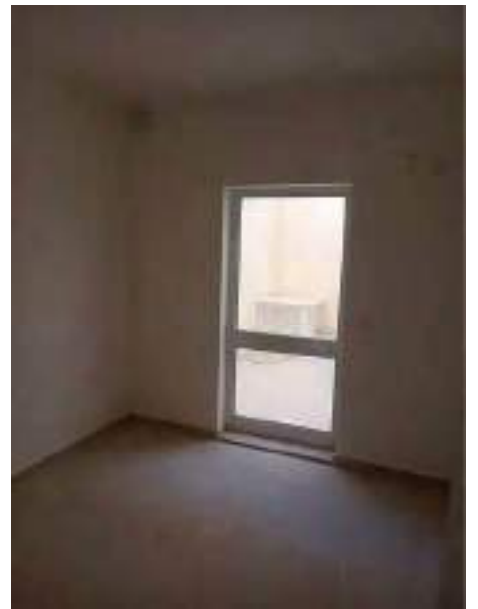




Photos - DRock - Sannat - Block F

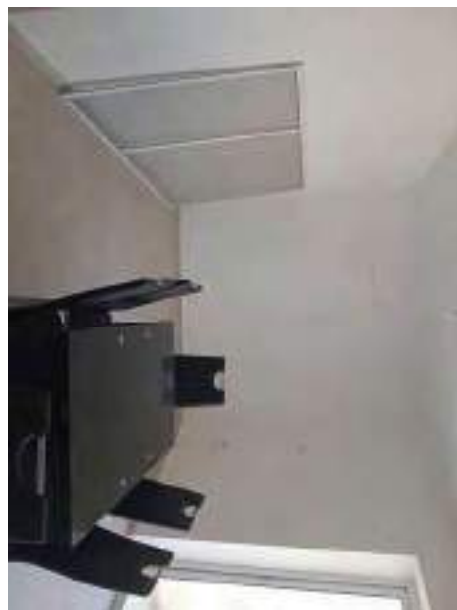


Photos - DRock - Sannat - Block G

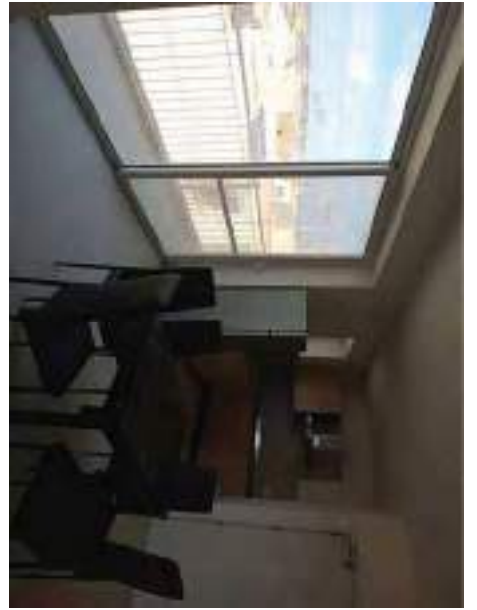




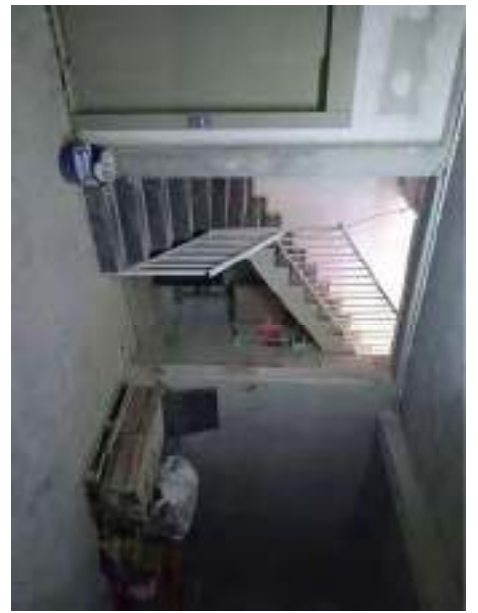
Photos - DRock - Sannat - Block G



Photos - DRock - Sannat - Block G



Photos - DRock - Sannat - Garages





Photos - DRock - Sannat - Garages



**Appendix 04: (DRock)**

A.04.3 – Planning Permit and Permit Drawings



Mr. Mario Formosa

Date: 19 February 2019

Our Ref: PA/00618/18

Application Number: PA/00618/18  
Application Type: Full development permission  
Date Received: 20 October 2017  
Approved Documents: PA 618/18/56B/192F/213C/213D/213E/213F/213G/192G; and  
*Supporting Documents:*  
PA 618/18/45A - Water Services Corporation  
PA 618/18/148B/148C - Fire Safety and Ventilation Report  
PA 618/18/148D - Noise Emission Report  
PA 618/18/148E - Ventilation and Lighting Report  
PA 618/18/184A- Environmental Health Directorate:

Location: Site at, Triq ta' Xaghman / New Street in, Triq Dun Lazzru Camilleri, Sannat, Gozo  
Proposal: To construct 22 apartments, 5 penthouses, 1 shop (Class 4B) and 29 underlying garages.

**Development Planning Act, 2016**  
**Full Development Permission**

The Planning Authority hereby grants development permission in accordance with the application and documents described above, subject to the following conditions:

- 1 a) This development permission is valid for a period of FIVE YEARS from the date of publication of the decision in the press but will cease to be valid if the development is not completed by the end of this validity period.  
b) This permission relates only to the development as specifically indicated on the approved drawings. This permission does not sanction any other illegal development that may exist on the site.  
c) Copies of all approved drawings and documents shall be available for inspection on site by Planning Authority officers at all reasonable times.  
d) The development shall be carried out in complete accordance with the approved drawings, documents and conditions of this permission. Where a matter is not specified, then the conditions of this permission and of Development Control Design Policy, Guidance and Standards 2015 shall apply.

e) Before any part of the development hereby permitted commences, the enclosed green copy of this development permission shall be displayed on the site. This must be mounted on a notice board, suitably protected from the weather and located not more than 2 metres above ground level at a point on the site boundary where it is clearly visible and can be easily read from the street. The copy of the permission must be maintained in a good condition and it shall remain displayed on the site until the works are completed.

f) A Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, **if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised** - Article 72(4) of the Development Planning Act (2016).

g) All building works shall be erected in accordance with the official alignment and official/existing finished road levels as set out on site by the Planning Authority's Land Surveyor. The Setting Out Request Notice must be submitted to the Land Survey Unit of the Planning Authority when the setting out of the alignment and levels is required.

h) Where an officially schemed street, within the development zone, bordering the site is unopened or unformed, it shall be opened up and brought up to its proper, approved and official formation levels prior to the commencement of any development hereby being permitted.

i) It is the responsibility of the permit holder to ensure that development is carried out in accordance with the provisions of the Environmental Management Construction Site Regulations, Legal Notice 295 of 2007 (or subsequent amendments). Any hoarding shall be erected in accordance with Schedule 2 of the same Regulations.

j) New development on vacant or redeveloped sites shall be provided with a water cistern to store rainwater run-off as required by the Energy Performance of Buildings Regulations (2012) [published through Legal Notice 376 of 2012 and any amendments thereto].

k) No steps, ramps or street furniture are to be constructed on or encroached onto the public pavement or road.

l) Any doors and windows, the lower edge of which is less than 2m above road level, and any gates shall not open outwards onto a public pavement or road.

m) Where present, window grilles (including 'pregnant' windows), sills, planters and other similar elements which are part of or fixed to the facade of buildings, the lower edge of which is less than 2 metres above road level, shall not project more than 0.15 metres from the facade over a public pavement or street.

n) Air conditioning units shall not be located on the facades of the building which are visible from the street or a public space.

o) There shall be no service pipes, cables or wires visible on the front elevation or on any other elevations of the building which are visible from the street or public space.

p) The basement levels shall only be used for the parking of private cars and shall be kept

available at all times for this purpose.

- 2
  - a) The façades of the building shall be constructed in local un-rendered and unpainted stone, except where other materials/finishes are indicated on the approved drawings.
  - b) All the apertures and balconies located on the façades of the building shall not be in gold, silver or bronze aluminium.
  - c) The height of the services on the roof of the building shall not extend beyond the approved height of the uppermost parapet wall.

- 3 The approved premises shall be used as indicated on the approved drawings or as limited by any condition of this permission. If a change of use is permitted through the Development Planning (Use Classes) Order, 2014 (or its subsequent amendments), and it is not restricted by a condition of this permission, approval from the Commission for the Rights of Persons with Disability may still be required. Reference needs to be made to PA Circular 3/10 (with the exception of Appendix A), PA Circular 2/14 and their subsequent amendments.

The approved shop shall be put to any Class 4B Retail use as defined in the Development Planning (Use Classes) Order 2014, excluding greengrocer, minimarket, butcher, or fishmonger.

- 4 No approval is hereby granted for the display of any sign or advertisement. This must be subject of a separate application.
- 5 The development hereby permitted shall be subject to Final Compliance (Completion) Certification, verifying that the development has been carried out in full accordance with the approved drawings, documents and conditions imposed in this development permission, except where such conditions are enforced by other entities. Prior to the issue of any compliance certificate on any part of this development, the applicant shall submit to Planning Authority, in relation to that part of the building a certification from a qualified engineer confirming that the development fully satisfies the requirements specified in supporting documents PA 618/18/148B/148C/148D/148E.
- 6 The conditions imposed and enforced by the Water Services Corporation are at supporting document PA618/18/45A. The architect/applicant is required to contact the Water Services Corporation, throughout the implementation of the development hereby approved, to ensure conformity with the imposed conditions. A copy of the relative correspondence issued by the Water Services Corporation shall be submitted to the Planning Authority accordingly.

- 7 The conditions imposed and enforced by the Environmental Health Directorate are at supporting document PA618/18/184A. The architect/applicant is required to contact the Environmental Health Directorate, throughout the implementation of the development hereby approved, to ensure conformity with the imposed conditions. A copy of the relative correspondence issued by the Environmental Health Directorate shall be submitted to the Planning Authority accordingly.
- 8 This permission is subject to a Bank Guarantee to the value of €2,080.24 to ensure that the street is properly restored in accordance with the Environmental Management Construction Site Regulations, 2007 (Legal Notice 295 of 2007). The bank guarantee shall only be released after the perit submits a post-construction condition report together with photographs evidencing compliance with this condition, accompanied by clearance from the Local Council. The clearance from the Local Council is to be endorsed by the Mayor and the Executive Secretary of the Local Council. This guarantee shall be forfeited if, after 3 months from the date of notification by the Authority of a notice to effect the remedial works, these are not carried out. Its forfeiture shall not, however, preclude the applicant from adhering to all the conditions contained in this development permission.
- 9 **Conditions imposed and enforced by other entities**
- A. Where construction activity is involved:
- (a) the applicant shall:
- (i) **Appoint a Project Supervisor for the Design Stage and a Project Supervisor for the Construction Stage** and any such appointment shall be terminated, changed or renewed as necessary. The same person may be appointed to act as project supervisor for both the design and construction stage, if that person is competent to undertake the duties involved and
- (ii) **Keep a health and safety file** prepared by the Project Supervisor for the Design Stage.
- (b) When the construction works related to this application are scheduled to last longer than thirty working days and on which more than twenty workers are occupied simultaneously, or on which the volume of work is scheduled to exceed five hundred person-days, the project supervisor **shall communicate a prior notice to the Occupational Health and Safety Authority (OHSA) at least four calendar weeks before commencement of works.**
- (c) The Project Supervisor for the Design Stage shall **draw up a health and safety plan** which sets out the occupational health and safety rules applicable to the construction activities concerned, outlining the measures to ensure cooperation between different contractors and shall also include specific measures concerning occupational risks that may be present at this site.

B. Where the development concerns a change of use to a place of work, the applicant shall obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.

C. Where the development concerns a place of work:

The applicant shall:

(i) obtain a Perit's declaration that the necessary requirements arising out of LN 44 of 2002 have been included in the plans and drawings; and

(ii) obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.

D. The development is to strictly adhere to the 'Design Guidelines on fire safety for buildings in Malta' to ensure that all Fire Safety measures and provisions are addressed as indicated in the Design Guidelines on Fire Safety for Buildings in Malta, published by the DCID in 2004, (or other relevant standard, provided it is approved by the Civil Protection Department), Policies, and the Laws and Regulations of Malta.

E. Where the development includes a livestock farm:

(a) The farm **shall not** be connected directly to the sewer network.

(b) Silting traps, sedimentation pits as well as manure clamps shall be installed, as shown on the approved drawings. Settled Waste water shall only be discharged in approved waste receiving stations.

(c) Any effluents discharged shall have chloride levels lower than 1000 mg/L. The operators shall acquire a Public Sewer Discharge Permit before commencing operations.

F. Where the development includes a swimming pool:

(a) Any effluent, if discharged in the sewers, shall meet the specifications listed in L.N.139 of 2002 as amended by L.N.378 of 2005.

(b) Adequate sampling points should be installed as directed by WSC – Discharge Permit Unit officials.

(c) Chlorine concentration of the effluent should not exceed 100 mg/L Cl<sub>2</sub>.

G. Prior to laying of water and wastewater services in the road, the development shall comply with the requirements of Legal Notice 29/10 Part III (Roads in inhabited Areas) Clause 12.

H. In the event of an accidental discovery in the course of approved works, any cultural heritage feature discovered should not be damaged or disturbed and the Superintendence is to be immediately informed of such discovery. Any cultural heritage features discovered are to be investigated, evaluated and protected in line with the Cultural Heritage Act 2002 (CAP 445). The discovery of cultural heritage features may require the amendment of approved plans.



- 10 The dismantling of the rubble wall(s) is acceptable in accordance with the terms of the Legal Notice 160 of 1997, Rubble Wall and Rural Structures (Conservation and Maintenance) Regulations, 1997 (as amended by Legal Notice 169 of 2004), subject to the following conditions:
- i) Works are limited to the dismantling of the rubble walls indicated on drawing PA 618/18/192G
  - ii) The works shall not be allowed to result in direct or indirect damage to (or demolition of) any other existing rubble walls other than those covered by this permit, or to any other structure protected by Legal Notice 160 of 1997;
  - iii) All material derived from the dismantling of such walls shall be collected for re-use;
  - iv) Details of the selected entity to whom rubble wall material will be given for re-use, or any other alternative use, are to be submitted to the Planning Authority for prior approval at least four (4) weeks prior to the initiation of works, and proof of receipt of the stones by the approved entity shall be then submitted as verification of compliance with this requirement;
  - v) The dismantled dry-stone rubble stones shall not be used for cladding and facing of any non-rubble walls or structures except where the contrary is explicitly required by the Planning Authority;
  - vi) This permit for the dismantling of rubble walls is issued without prejudice to any additional conditions stipulated in all the relevant development permits.

In terms of Article 72(3) of the Development Planning Act, 2016, the execution and validity of this permission is automatically temporarily **suspended** and no works as approved by the said development permission may commence before the lapse of the time period established in Article 13 of the Environment and Planning Review Tribunal Act and subsequently will remain so suspended if the Tribunal so decides in accordance with the Environment and Planning Review Tribunal Act.

Where the approved drawings and/or documents are dimensioned, then the declared dimensions shall prevail over the actual size as depicted on the approved drawings and/or documents.

Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on the plan what needs to be carried out and obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.

If the declaration of ownership, as contained in the application form, is determined as incorrect by a Court of Law, then the said Court of Law can declare this development permission as null and void. This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance and agreement must be obtained for this development from the Land and/or Estate Management Departments.

This development permission is granted saving third party rights. This permission does not exonerate the applicant from obtaining any other necessary permission, license, clearance or approval required from any Government department, local council, agency or authority, as required by any law or regulation.

This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (Cap. 424) - Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.

For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes) Order 2014, or its subsequent amendments.

**This decision is being published on 6 March 2019.**

Lorna Vella  
Secretary Planning Commission  
Within Development Scheme

## Notes to Applicant and Perit

### Right for reconsideration

Where applicable, you have a right to submit a request for reconsideration to the Authority in terms of regulation 14 of Legal Notice 162 of 2016.

### Right for appeal

You have a right to submit an appeal, against the decision, to the Environment and Planning Review Tribunal in terms of Article 13 of the Environment and Planning Review Tribunal Act, 2016.

### Time limits

Requests for reconsideration or appeals must be made within 30 days from the publication of the decision notification in the local press as required by regulation 14(1) of Legal Notice 162 of 2016.

### Fees to submit a request for reconsideration or appeal

In either case, there is a fee to be paid which should accompany the request for reconsideration or the appeal. The fees are as follows:

For reconsideration - 3% of the Development Permit Fee paid in respect of the original application, subject to a minimum of €69.88.

For appeal - 5% of DPF (Development Permit Fee) paid in respect of the original application, subject to a minimum of €150 + €50 administrative fee (LN 112 of 2016).

### Submission of request for reconsideration or appeal

With regards to requests for reconsideration, Form PA 4/16 must be used for submission. All fields of the Form must be filled in as appropriate. Requests for reconsideration can only be submitted electronically.

With regards to appeals, as required by Article 13 of the Environment and Planning Review Tribunal Act, 2016, the submission must include the detailed grounds for appeal and the requests being made by the appellant. Appeals must be submitted physically at the offices of the Environment and Planning Review Tribunal, St. Francis Ditch, Floriana.

## Important Notice

**In view of the provisions of Article 72(4) of the Development Planning Act (2016), a Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised.**

-PADCN-

Mr. Mark Agius

Date: 16 September 2019

Our Ref: PA/05125/19

Application Number: PA/05125/19  
Application Type: Full development permission  
Date Received: 6 June 2019  
Approved Documents: PA 5125/19/1A/48B/39B/39C

Supporting Documents  
PA 5125/19/50A - Engineer's report

Location: Site at, Triq ta' Xaghman, Sannat  
Proposal: To construct 9 apartments and 2 penthouses with underlying garages

### **Development Planning Act, 2016 Full Development Permission**

The Planning Authority hereby grants development permission in accordance with the application and documents described above, subject to the following conditions:

- 1 a) This development permission is valid for a period of FIVE YEARS from the date of publication of the decision in the press but will cease to be valid if the development is not completed by the end of this validity period.
- b) This permission relates only to the development as specifically indicated on the approved drawings. This permission does not sanction any other illegal development that may exist on the site.
- c) A Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, **if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised** - Article 72(4) of the Development Planning Act (2016).
- d) Copies of all approved drawings and documents shall be available for inspection on site by Planning Authority officers at all reasonable times.
- e) The development shall be carried out in complete accordance with the approved

PA/05125/19

Print Date: 05/03/2020



drawings, documents and conditions of this permission. Where a matter is not specified, then the conditions of this permission and of Development Control Design Policy, Guidance and Standards 2015 shall apply.

f) Before any part of the development hereby permitted commences, the enclosed green copy of this development permission shall be displayed on the site. This must be mounted on a notice board, suitably protected from the weather and located not more than 2 metres above ground level at a point on the site boundary where it is clearly visible and can be easily read from the street. The copy of the permission must be maintained in a good condition and it shall remain displayed on the site until the works are completed.

g) All building works shall be erected in accordance with the official alignment and official/existing finished road levels as set out on site by the Planning Authority's Land Surveyor. A Setting Out Request must be submitted to the Land Survey Unit of the Planning Authority when the setting out of the alignment and levels is required.

h) Where an officially schemed street, within the development zone, bordering the site is unopened or unformed, it shall be opened up and brought up to its proper, approved and official formation levels prior to the commencement of any development hereby being permitted.

i) It is the responsibility of the permit holder to ensure that development is carried out in accordance with the provisions of the Environmental Management Construction Site Regulations, Legal Notice 295 of 2007 (or subsequent amendments). Any hoarding shall be erected in accordance with Schedule 2 of the same Regulations.

j) New development on vacant or redeveloped sites shall be provided with a water cistern to store rainwater run-off as required by the Energy Performance of Buildings Regulations (2012) [published through Legal Notice 376 of 2012 and any amendments thereto].

k) No steps, ramps or street furniture are to be constructed on or encroached onto the public pavement or road.

l) Any doors and windows, the lower edge of which is less than 2m above road level, and any gates shall not open outwards onto a public pavement or road.

m) Where present, window grilles (including 'pregnant' windows), sills, planters and other similar elements which are part of or fixed to the facade of buildings, the lower edge of which is less than 2 metres above road level, shall not project more than 0.15 metres from the facade over a public pavement or street.

n) Air conditioning units shall not be located on the facades of the building which are visible from the street or a public space.

o) There shall be no service pipes, cables or wires visible on the front elevation or on any other elevations of the building which are visible from the street or public space.

p) Any garages/parking spaces shall only be used for the parking of private cars and shall be kept available at all times for this purpose.

q) Any approved stores shall be used for domestic storage only and shall not be segregated from the rest of the building.

- 2
- a) The façade(s) of the building shall be constructed in local un-rendered and unpainted stone, except where other materials/finishes are indicated on the approved drawings.
- b) All the apertures and balconies located on the façade(s) of the building shall not be in gold, silver or bronze aluminium.
- c) The height of the services on the roof of the building shall not extend beyond the approved height of the uppermost parapet wall.
- 3
- To make up for the shortfall in parking provision of 4 parking spaces, this development permission is subject to a contribution amounting to the sum of € 17,000 in favour of the Planning Authority's Urban Improvements Fund for the locality. The funds raised shall be used to fund traffic management, green transport, urban improvements or similar projects. The contribution shall be utilised as required and directed by the Planning Authority.
- 4
- The development hereby permitted shall be subject to Final Compliance (Completion) Certification, verifying that the development has been carried out in full accordance with the approved drawings, documents and conditions imposed in this development permission, except where such conditions are enforced by other entities. Prior to the issue of any compliance certificate on any part of this development, the applicant shall submit to the Planning Authority, in relation to that part of the building:
- certification from a qualified engineer confirming that the development fully satisfies the requirements specified in supporting document PA 5125/19/50A.
- 5
- Conditions imposed and enforced by other entities**
- A. Where construction activity is involved:
- (a) the applicant shall:
- (i) Appoint a Project Supervisor for the Design Stage and a Project Supervisor for the Construction Stage** and any such appointment shall be terminated, changed or renewed as necessary. The same person may be appointed to act as project supervisor for both the design and construction stage, if that person is competent to undertake the duties involved and
- (ii) Keep a health and safety file** prepared by the Project Supervisor for the Design Stage.
- (b) When the construction works related to this application are scheduled to last longer than thirty working days and on which more than twenty workers are occupied simultaneously, or on which the volume of work is scheduled to exceed five hundred person-days, the project supervisor **shall communicate a prior notice to the Occupational Health and Safety Authority (OHSA) at least four calendar weeks before commencement of works.**
- (c) The Project Supervisor for the Design Stage shall **draw up a health and safety plan** which sets out the occupational health and safety rules applicable to the construction activities concerned, outlining the measures to ensure cooperation between different contractors and shall also include specific measures concerning occupational risks that may be present at this site.

**B.** Where the development concerns a change of use to a place of work, the applicant shall obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.

**C.** Where the development concerns a place of work:

The applicant shall:

(i) obtain a Perit's declaration that the necessary requirements arising out of LN 44 of 2002 have been included in the plans and drawings; and

(ii) obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.

**D.** The development is to strictly adhere to the 'Design Guidelines on fire safety for buildings in Malta' to ensure that all Fire Safety measures and provisions are addressed as indicated in the Design Guidelines on Fire Safety for Buildings in Malta, published by the DCID in 2004, (or other relevant standard, provided it is approved by the Civil Protection Department), Policies, and the Laws and Regulations of Malta.

**E.** Prior to laying of water and wastewater services in the road, the development shall comply with the requirements of Legal Notice 29/10 Part III (Roads in inhabited Areas) Clause 12.

**F.** In the event of an accidental discovery in the course of approved works, any cultural heritage feature discovered should not be damaged or disturbed and the Superintendence is to be immediately informed of such discovery. Any cultural heritage features discovered are to be investigated, evaluated and protected in line with the Cultural Heritage Act 2002 (CAP 445). The discovery of cultural heritage features may require the amendment of approved plans.

In terms of Article 72(3) of the Development Planning Act, 2016, the execution and validity of this permission is automatically temporarily **suspended** and no works as approved by the said development permission may commence before the lapse of the time period established in Article 13 of the Environment and Planning Review Tribunal Act and subsequently will remain so suspended if the Tribunal so decides in accordance with the Environment and Planning Review Tribunal Act.

Where the approved drawings and/or documents are dimensioned, then the declared dimensions shall prevail over the actual size as depicted on the approved drawings and/or documents.

Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on the plan what needs to be carried out and obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.

If the declaration of ownership, as contained in the application form, is determined as incorrect by a Court of Law, then the said Court of Law can declare this development permission as null and void. This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance and agreement must be obtained for this development from the Land and/or Estate Management Departments.

This development permission is granted saving third party rights. This permission does not exonerate the applicant from obtaining any other necessary permission, license, clearance or approval required from any Government department, local council, agency or authority, as required by any law or regulation.

This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (Cap. 424) - Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.

For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes) Order 2014, or its subsequent amendments.

**This decision is being published on 25 September 2019.**

Lorna Vella  
Secretary Planning Commission  
Within Development Scheme

## Notes to Applicant and Perit

### Right for reconsideration

Where applicable, you have a right to submit a request for reconsideration to the Authority in terms of regulation 14 of Legal Notice 162 of 2016.

### Right for appeal

You have a right to submit an appeal, against the decision, to the Environment and Planning Review Tribunal in terms of Article 13 of the Environment and Planning Review Tribunal Act, 2016.

### Time limits

Requests for reconsideration or appeals must be made within 30 days from the publication of the decision notification in the local press as required by regulation 14(1) of Legal Notice 162 of 2016.

### Fees to submit a request for reconsideration or appeal

In either case, there is a fee to be paid which should accompany the request for reconsideration or the appeal. The fees are as follows:

For reconsideration - 3% of the Development Permit Fee paid in respect of the original application, subject to a minimum of €69.88.

For appeal - 5% of DPF (Development Permit Fee) paid in respect of the original application, subject to a minimum of €150 + €50 administrative fee (LN 112 of 2016).

### Submission of request for reconsideration or appeal

With regards to requests for reconsideration, Form PA 4/16 must be used for submission. All fields of the Form must be filled in as appropriate. Requests for reconsideration can only be submitted electronically.

With regards to appeals, as required by Article 13 of the Environment and Planning Review Tribunal Act, 2016, the submission must include the detailed grounds for appeal and the requests being made by the appellant. Appeals must be submitted physically at the offices of the Environment and Planning Review Tribunal, St. Francis Ditch, Floriana.



## Important Notice

**In view of the provisions of Article 72(4) of the Development Planning Act (2016), a Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised.**

-PADCN-

Mr Mario Formosa

Date: 16 September 2020

Our Ref: PA/01611/20

Application Number: PA/01611/20  
Application Type: Full development permission  
Date Received: 17 January 2020  
Approved Documents: PA 1611/20/9C/51B/51C/74B/74C/74D/74E/74F/74G/74H/74I/  
74J/74K/74L/74M/74N/74O/74P; and  
PA 1611/20/44A (Water Services Corporation)  
PA 1611/20/48R (Engineer's report)  
PA 1611/20/79A (Commission for the Rights of Persons with Disability)

Location: Site at, Triq ta' Xaghman / New Street in, Triq Dun Lazzru Camilleri, Sannat

Proposal: To carry out alterations and additions to the dwelling units approved in PA/00618/18 and PA/05125/19, thereby adding 10 apartments and 3 penthouses with underlying garages

### **Development Planning Act, 2016 Full Development Permission**

The Planning Authority hereby grants development permission in accordance with the application and documents described above, subject to the following conditions:

- 1 a) This development permission is valid for a period of FIVE YEARS from the date of publication of the decision in the press but will cease to be valid if the development is not completed by the end of this validity period.
- b) This permission relates only to the development as specifically indicated on the approved drawings. This permission does not sanction any other illegal development that may exist on the site.
- c) A Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, **if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised** - Article 72(4) of the Development Planning Act (2016).

PA/01611/20

d) Copies of all approved drawings and documents shall be available for inspection on site by Planning Authority officers at all reasonable times.

e) The development shall be carried out in complete accordance with the approved drawings, documents and conditions of this permission. Where a matter is not specified, then the conditions of this permission and of Development Control Design Policy, Guidance and Standards 2015 shall apply.

f) Before any part of the development hereby permitted commences, the enclosed green copy of this development permission shall be displayed on the site. This must be mounted on a notice board, suitably protected from the weather and located not more than 2 metres above ground level at a point on the site boundary where it is clearly visible and can be easily read from the street. The copy of the permission must be maintained in a good condition and it shall remain displayed on the site until the works are completed.

g) All building works shall be erected in accordance with the official alignment and official/existing finished road levels as set out on site by the Planning Authority's Land Surveyor. A Setting Out Request must be submitted to the Land Survey Unit of the Planning Authority, prior to the commencement of works on site, when the setting out of the alignment and levels is required.

h) Where an officially schemed street, within the development zone, bordering the site is unopened or unformed, it shall be opened up and brought up to its proper, approved and official formation levels prior to the commencement of any development hereby being permitted.

i) It is the responsibility of the permit holder to ensure that development is carried out in accordance with the provisions of the Environmental Management Construction Site Regulations, Legal Notice 295 of 2007 (or subsequent amendments). Any hoarding shall be erected in accordance with Schedule 2 of the same Regulations.

j) New development on vacant or redeveloped sites shall be provided with a water cistern to store rainwater run-off as required by the Energy Performance of Buildings Regulations (2012) [published through Legal Notice 376 of 2012 and any amendments thereto].

k) No steps, ramps or street furniture are to be constructed on or encroached onto the public pavement or road.

l) Any doors and windows, the lower edge of which is less than 2m above road level, and any gates shall not open outwards onto a public pavement or road.

m) Air conditioning units shall not be located on the facades of the building which are visible from the street or a public space.

n) There shall be no service pipes, cables or wires visible on the front elevation or on any other elevations of the building which are visible from the street or public space.

o) Any garages/parking spaces shall only be used for the parking of private cars and shall be kept available at all times for this purpose.

- 2 a) The façade(s) of the building shall be constructed in local un-rendered and unpainted stone, except where other materials/finishes are indicated on the approved drawings.

b) All the apertures and balconies located on the façade(s) of the building shall not be in gold, silver or bronze aluminium.

c) The height of the services on the roof of the building shall not extend beyond the approved height of the uppermost parapet wall.

- 3 The Bank Guarantee imposed in PA 618/18 to ensure that the street is properly restored in accordance with the Environmental Management Construction Site Regulations, 2007 (Legal Notice 295 of 2007) shall be extended to cover also the development approved by this permission. The bank guarantee shall only be released after the Perit submits a post-construction condition report together with photographs evidencing compliance with this condition, accompanied by clearance from the Local Council. The clearance from the Local Council is to be endorsed by the Mayor and the Executive Secretary of the Local Council. This guarantee shall be forfeited if, after 3 months from the date of notification by the Authority of a notice to effect the remedial works, these are not carried out. Its forfeiture shall not, however, preclude the applicant from adhering to all the conditions contained in this development permission.
- 4 This permission is subject to a Bank Guarantee to the value of € 581.44 to ensure that the street and pavement are properly restored in accordance with the Environmental Management Construction Site Regulations, 2007 - Legal Notice 295 of 2007 (as amended). The bank guarantee shall only be released after the perit submits a post-construction condition report together with photographs evidencing compliance with this condition, accompanied by clearance from the Local Council. The clearance from the Local Council is to be endorsed by the Mayor and the Executive Secretary of the Local Council. This guarantee shall be forfeited if, after 3 months from the date of notification by the Authority of a notice to effect the remedial works, these are not carried out. Its forfeiture shall not, however, preclude the applicant from adhering to all the conditions contained in this development permission.
- 5 To make up for the shortfall in parking provision of 4 parking spaces, this development permission is subject to a contribution amounting to the sum of € 17,000 in favour of the Planning Authority's Urban Improvements Fund for the locality. The funds raised shall be used to fund traffic management, green transport, urban improvements or similar projects. The contribution shall be utilised as required and directed by the Planning Authority.
- 6 The conditions imposed and enforced by the Commission for the Rights of Persons with Disability are at supporting document PA 1611/20/79A. The architect/applicant is required to contact the Commission for the Rights of Persons with Disability, throughout the implementation of the development hereby approved, to ensure conformity with the imposed conditions. A copy of the relative correspondence issued by the Commission for the Rights of Persons with Disability shall be submitted to the Planning Authority accordingly.

**Conditions:**

The no objection endorsement of the proposed development is on condition that all the building elements (structural, finishes and services) featured in the development shall conform to all the recommendations included in the Access for All Design Guidelines (2011) and other relevant guidelines published by CRPD and which are available on the

CRPD website ([www.crpd.org.mt](http://www.crpd.org.mt)). Where applicable, the applicant's attention is drawn to recommended dimensions of elements such as door openings, accessible toilets and lifts where attention should be paid to ensure that structural dimensions take into account the tolerances required for wall tiling, door jambs, etc. and that lift shafts are large enough to accommodate lift cabins that conform to the said Guidelines.

- 7 The development hereby permitted shall be subject to Final Compliance (Completion) Certification, verifying that the development has been carried out in full accordance with the approved drawings, documents and conditions imposed in this development permission, except where such conditions are enforced by other entities. Prior to the issue of any compliance certificate on any part of this development, the applicant shall submit to the Planning Authority, in relation to that part of the building:

·certification from a qualified engineer confirming that the development fully satisfies the requirements specified in supporting document PA/1611/20/48R.

8 **Conditions imposed and enforced by other entities**

A. Where construction activity is involved:

(a) the applicant shall:

(i) **Appoint a Project Supervisor for the Design Stage and a Project Supervisor for the Construction Stage** and any such appointment shall be terminated, changed or renewed as necessary. The same person may be appointed to act as project supervisor for both the design and construction stage, if that person is competent to undertake the duties involved and

(ii) **Keep a health and safety file** prepared by the Project Supervisor for the Design Stage.

(b) When the construction works related to this application are scheduled to last longer than thirty working days and on which more than twenty workers are occupied simultaneously, or on which the volume of work is scheduled to exceed five hundred person-days, the project supervisor **shall communicate a prior notice to the Occupational Health and Safety Authority (OHSA) at least four calendar weeks before commencement of works.**

(c) The Project Supervisor for the Design Stage shall **draw up a health and safety plan** which sets out the occupational health and safety rules applicable to the construction activities concerned, outlining the measures to ensure cooperation between different contractors and shall also include specific measures concerning occupational risks that may be present at this site.

B. Where the development concerns a place of work:

The applicant shall:

(i) obtain a Perit's declaration that the necessary requirements arising out of LN 44 of 2002 have been included in the plans and drawings; and

(ii) obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.



**C.** The development is to strictly adhere to the 'Design Guidelines on fire safety for buildings in Malta' to ensure that all Fire Safety measures and provisions are addressed as indicated in the Design Guidelines on Fire Safety for Buildings in Malta, published by the DCID in 2004, (or other relevant standard, provided it is approved by the Civil Protection Department), Policies, and the Laws and Regulations of Malta.

**D.** Prior to laying of water and wastewater services in the road, the development shall comply with the requirements of Legal Notice 29/10 Part III (Roads in inhabited Areas) Clause 12.

**E.** In the event of an accidental discovery in the course of approved works, any cultural heritage feature discovered should not be damaged or disturbed and the Superintendence is to be immediately informed of such discovery. Any cultural heritage features discovered are to be investigated, evaluated and protected in line with the Cultural Heritage Act 2019 (CAP 445). The discovery of cultural heritage features may require the amendment of approved plans.

**F.** For new development, the following condition, imposed and enforced by Enemalta, applies:

A culvert measuring 0.8m wide by 0.75m deep should be prepared along the façade of the development in order that any overhead lines may be substituted by underground cables. The culvert is to be interconnected to an adequate space consisting of a **small room or recess** located near the **entrance**, provided for the purpose of housing the electricity meter. Another adequate space for the purpose of housing the electricity meters, consisting of a **small room or recess** located in the basement near the **entrance**, also interconnected to the culvert, is to be provided. The architect/applicant is required to contact Enemalta, throughout the implementation of the development hereby approved, to ensure conformity with the imposed conditions. A copy of the relative correspondence issued by Enemalta shall be submitted to the Planning Authority accordingly.

In terms of Article 72(3) of the Development Planning Act, 2016, the execution and validity of this permission is automatically temporarily **suspended** and no works as approved by the said development permission may commence before the lapse of the time period established in Article 13 of the Environment and Planning Review Tribunal Act and subsequently will remain so suspended if the Tribunal so decides in accordance with the Environment and Planning Review Tribunal Act.

Where the approved drawings and/or documents are dimensioned, then the declared dimensions shall prevail over the actual size as depicted on the approved drawings and/or documents.

Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on the plan what needs to be carried out and obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.

If the declaration of ownership, as contained in the application form, is determined as incorrect by a Court of Law, then the said Court of Law can declare this development permission as null and void. This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance and agreement must be obtained for this development from the Land and/or Estate  
PA/01611/20

Management Departments.

This development permission is granted saving third party rights. This permission does not exonerate the applicant from obtaining any other necessary permission, license, clearance or approval required from any Government department, local council, agency or authority, as required by any law or regulation.

This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (Cap. 424) - Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.

For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes) Order 2014, or its subsequent amendments.

**This decision is being published on 30 September 2020.**

Lorna Vella  
Secretary Planning Commission  
Within Development Scheme

## Notes to Applicant and Perit

### Right for reconsideration

Where applicable, you have a right to submit a request for reconsideration to the Authority in terms of regulation 14 of Legal Notice 162 of 2016.

### Right for appeal

You have a right to submit an appeal, against the decision, to the Environment and Planning Review Tribunal in terms of Article 13 of the Environment and Planning Review Tribunal Act, 2016.

### Time limits

Requests for reconsideration or appeals must be made within 30 days from the publication of the decision notification in the local press as required by regulation 14(1) of Legal Notice 162 of 2016.

### Fees to submit a request for reconsideration or appeal

In either case, there is a fee to be paid which should accompany the request for reconsideration or the appeal. The fees are as follows:

For reconsideration - 3% of the Development Permit Fee paid in respect of the original application, subject to a minimum of €69.88.

For appeal - 5% of DPF (Development Permit Fee) paid in respect of the original application, subject to a minimum of €150 + €50 administrative fee (LN 112 of 2016).

### Submission of request for reconsideration or appeal

With regards to requests for reconsideration, Form PA 4/16 must be used for submission. All fields of the Form must be filled in as appropriate. Requests for reconsideration can only be submitted electronically.

With regards to appeals, as required by Article 13 of the Environment and Planning Review Tribunal Act, 2016, the submission must include the detailed grounds for appeal and the requests being made by the appellant. Appeals must be submitted physically at the offices of the Environment and Planning Review Tribunal, St. Francis Ditch, Floriana.

## Important Notice

**In view of the provisions of Article 72(4) of the Development Planning Act (2016), a Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised.**

-PADCN-

Mr Mario Formosa

Date: 5 August 2021  
Our Ref: PA/01611/20  
Perit Ref: 07-2020

Dear Sir/Madam,

Application Number: PA/01611/20  
Location: Site at, Triq ta' Xaghman / New Street in, Triq Dun Lazzru  
Camilleri, Sannat  
Proposal: To carry out alterations and additions to the dwelling units  
approved in PA/00618/18 and PA/05125/19, thereby adding  
10 apartments and 3 penthouses with underlying garages

**Development Planning Act, 2016**  
**Minor Amendment to Permission PA/01611/20**  
**in terms of regulation 15 of Legal Notice 162 of 2016**

Reference is made to the request for minor amendments, to the above quoted development permission, submitted on 14 July 2021.

The changes you propose are acceptable as a minor amendment to the development permission. The following drawings/documents are being endorsed:

PA/01611/20/MA/156A/156C/156E/156G/156H/156I/156J. (Engineers report & drawings 158B/158C).

This endorsement relates only to the changes described in your application form and specifically indicated on the drawings/documents. Any other changes from the original permission, which may be shown on the drawings/documents but which are not referred to in your application form, are not endorsed or accepted.

Consequently, this endorsement is **only** for the proposed development as specifically indicated and does not cover any other development or sanctions any illegal development which may exist on site, even if shown on the drawings/documents.



Please note that the conditions and amendments in the original permission remain valid and are therefore applicable to the development as amended, including the condition on the validity period of the permission. The other provisions of regulation 15 of Legal Notice 162 of 2016 also apply.

Yours faithfully

Jeffrey Vella  
for Executive Chairperson

-PAABMADcn-

Mr Mario Formosa

Date: 6 February 2023  
Our Ref: PA/01611/20  
Perit Ref: 07-2020

Dear Sir/Madam,

Application Number: PA/01611/20  
Location: Site at, Triq ta' Xaghman / New Street in, Triq Dun Lazzru  
Camilleri, Sannat  
Proposal: To carry out alterations and additions to the dwelling units  
approved in PA/00618/18 and PA/05125/19, thereby adding  
10 apartments and 3 penthouses with underlying garages

**Development Planning Act, 2016**  
**Minor Amendment to Permission PA/01611/20**  
**in terms of regulation 15 of Legal Notice 162 of 2016**

Reference is made to the request for minor amendments, to the above quoted development permission, submitted on 6 January 2023.

The changes you propose are acceptable as a minor amendment to the development permission. The following drawings/documents are being endorsed:

PA/01611/20/MA/168B/168C/168D

This endorsement relates only to the changes described in your application form and specifically indicated on the drawings/documents. Any other changes from the original permission, which may be shown on the drawings/documents but which are not referred to in your application form, are not endorsed or accepted.

Consequently, this endorsement is **only** for the proposed development as specifically indicated and does not cover any other development or sanctions any illegal development which may exist on site, even if shown on the drawings/documents.

Please note that the conditions and amendments in the original permission remain valid and are therefore applicable to the development as amended, including the condition on the validity period of the permission. The other provisions of regulation 15 of Legal Notice 162 of 2016 also apply.

Yours faithfully

Jeffrey Vella  
for Executive Chairperson

-PAABMADcn-

Annalise Psaila

Date: 27 November 2023  
Our Ref: PA/01611/20  
Perit Ref: 07-2020

Dear Sir/Madam,

Application Number: PA/01611/20  
Location: Site at, Triq ta' Xaghman / New Street in, Triq Dun Lazzru  
Camilleri, Sannat  
Proposal: To carry out alterations and additions to the dwelling units  
approved in PA/00618/18 and PA/05125/19, thereby adding  
10 apartments and 3 penthouses with underlying garages

**Development Planning Act, 2016**  
**Minor Amendment to Permission PA/01611/20**  
**in terms of regulation 15 of Legal Notice 162 of 2016**

Reference is made to the request for minor amendments, to the above quoted development permission, submitted on 8 August 2023.

The changes you propose are acceptable as a minor amendment to the development permission. The following drawings/documents are being endorsed:

PA 1611/20/MA/239B.

This endorsement relates only to the changes described in your application form and specifically indicated on the drawings/documents. Any other changes from the original permission, which may be shown on the drawings/documents but which are not referred to in your application form, are not endorsed or accepted.

Consequently, this endorsement is **only** for the proposed development as specifically indicated and does not cover any other development or sanctions any illegal development which may exist on site, even if shown on the drawings/documents.

Please note that the conditions and amendments in the original permission remain valid and are therefore applicable to the development as amended, including the condition on the validity period of the permission. The other provisions of regulation 15 of Legal Notice 162 of 2016 also apply.

Yours faithfully

Malcolm Ferrigi  
for Executive Chairperson

-PAABMADcn-



Mr Mario Formosa

Date: 18 January 2024  
Our Ref: PA/01611/20  
Perit Ref: 07-2020

Dear Sir/Madam,

Application Number: PA/01611/20  
Location: Site at, Triq ta' Xaghman / New Street in, Triq Dun Lazzru  
Camilleri, Sannat  
Proposal: To carry out alterations and additions to the dwelling units  
approved in PA/00618/18 and PA/05125/19, thereby adding  
10 apartments and 3 penthouses with underlying garages

**Development Planning Act, 2016**  
**Minor Amendment to Permission PA/01611/20**  
**in terms of regulation 15 of Legal Notice 162 of 2016**

Reference is made to the request for minor amendments, to the above quoted development permission, submitted on 11 December 2023.

The changes you propose are acceptable as a minor amendment to the development permission. The following drawings/documents are being endorsed:

PA 1611/20/MA/248A/248K/248M/248Q/248R/255B/255D/255H/259B/265B/265D.

This endorsement relates only to the changes described in your application form and specifically indicated on the drawings/documents. Any other changes from the original permission, which may be shown on the drawings/documents but which are not referred to in your application form, are not endorsed or accepted.

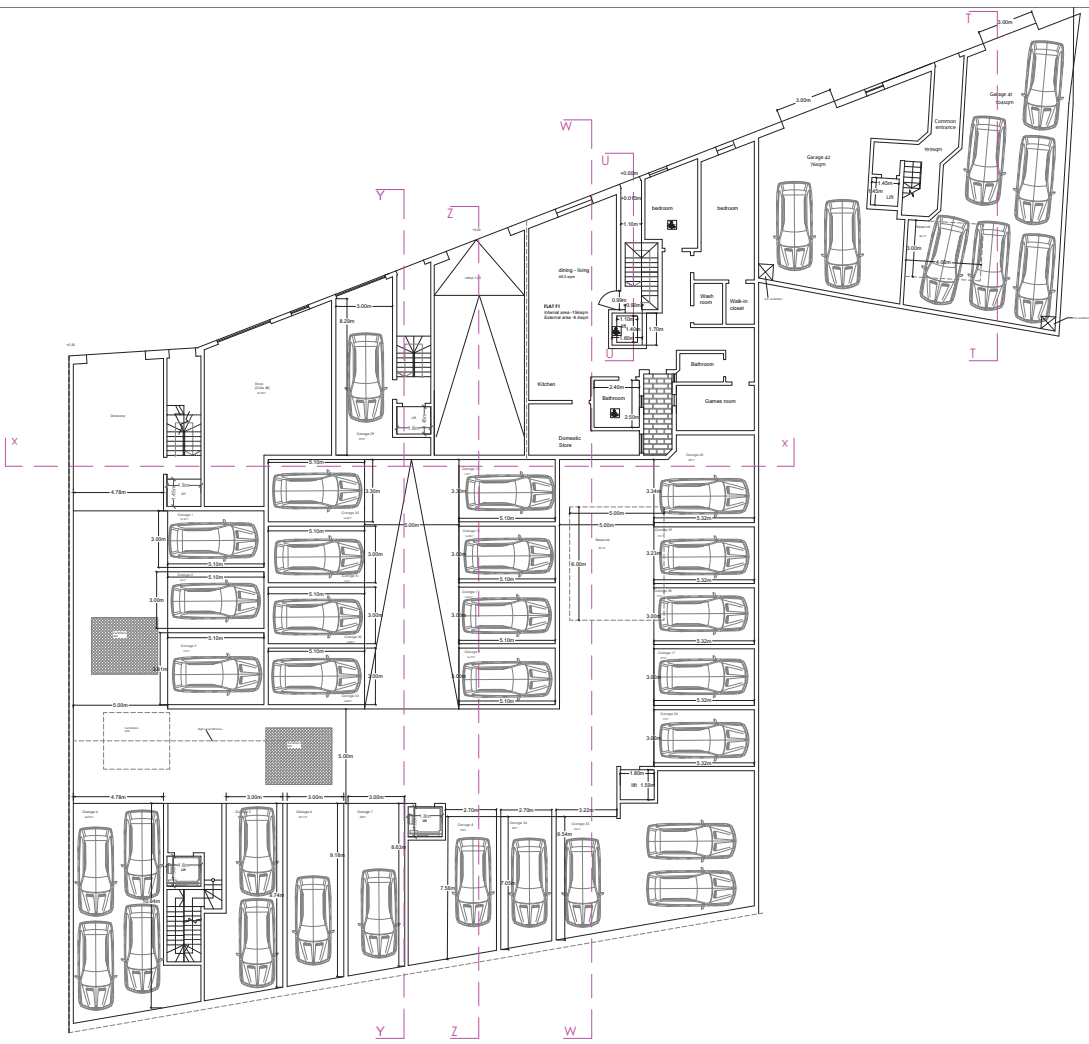
Consequently, this endorsement is **only** for the proposed development as specifically indicated and does not cover any other development or sanctions any illegal development which may exist on site, even if shown on the drawings/documents.

Please note that the conditions and amendments in the original permission remain valid and are therefore applicable to the development as amended, including the condition on the validity period of the permission. The other provisions of regulation 15 of Legal Notice 162 of 2016 also apply.

Yours faithfully

Roderick Livori  
for Executive Chairperson

-PAABMADcn-



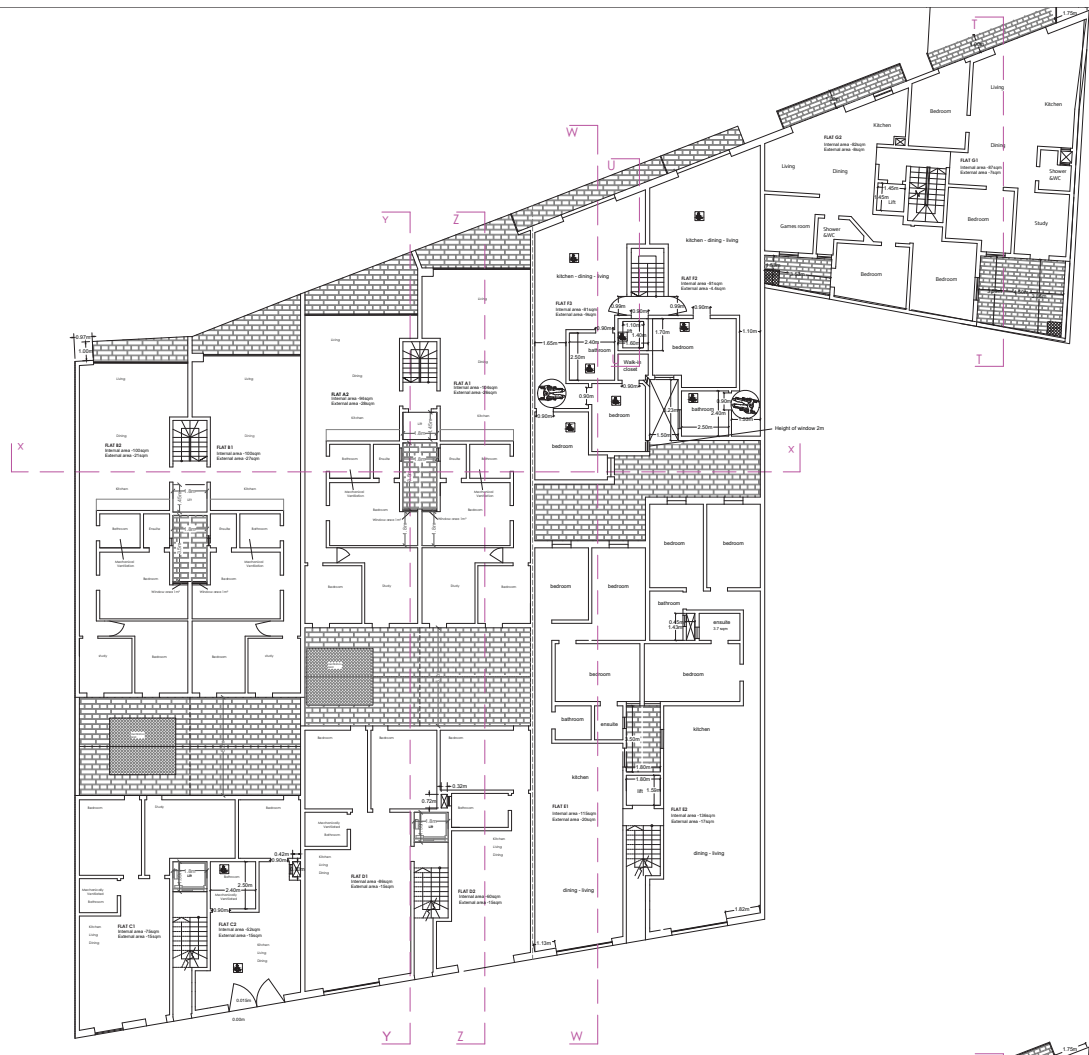
Approved ground floor level plan  
Scale: 1:100  
clean copy



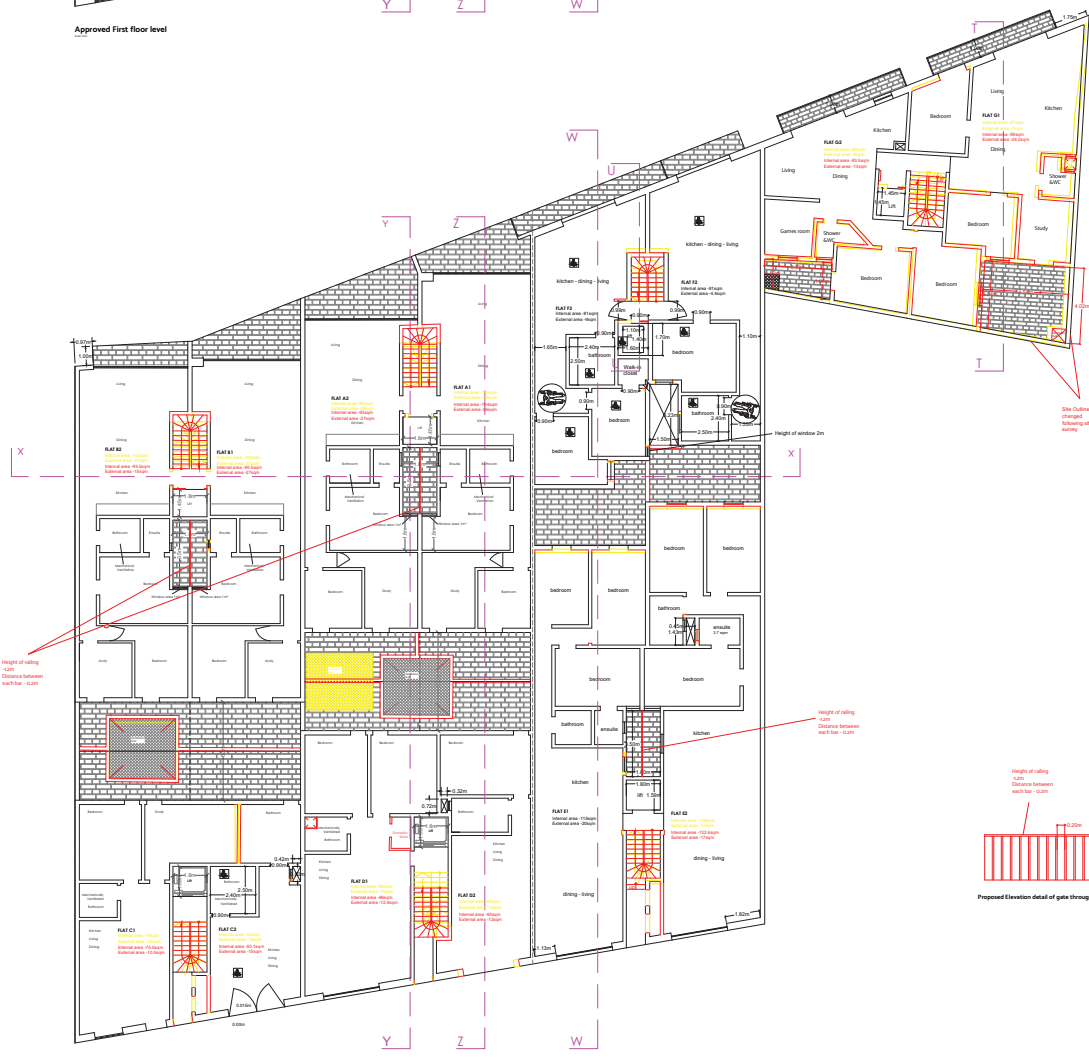
Proposed ground floor level plan  
Scale: 1:100



CONSTRUCTION OF APARTMENTS  
 PLAN 1/02/20  
 GROUND FLOOR  
 07/02/20 03 FEBRUARY 2020



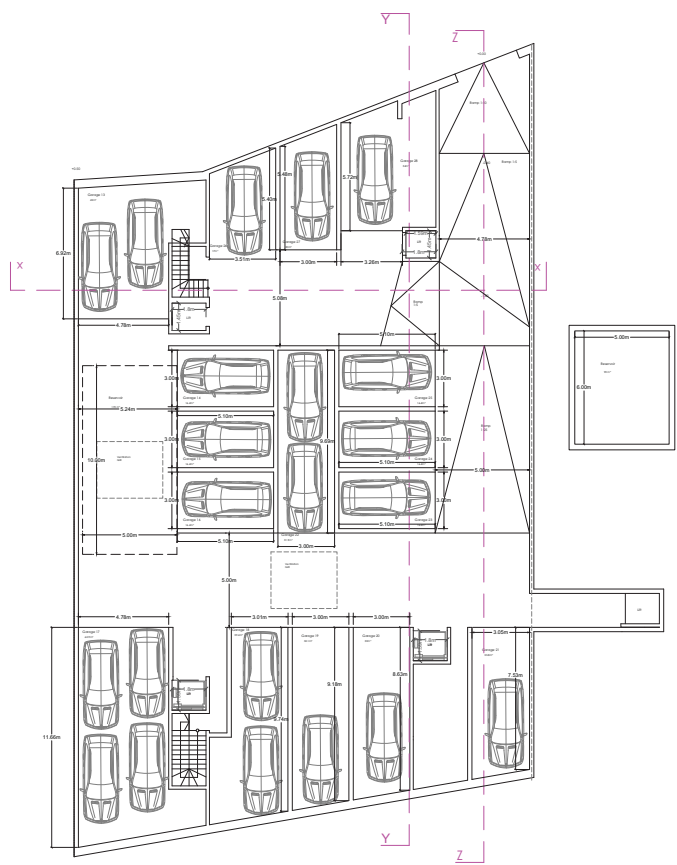
Approved First floor level



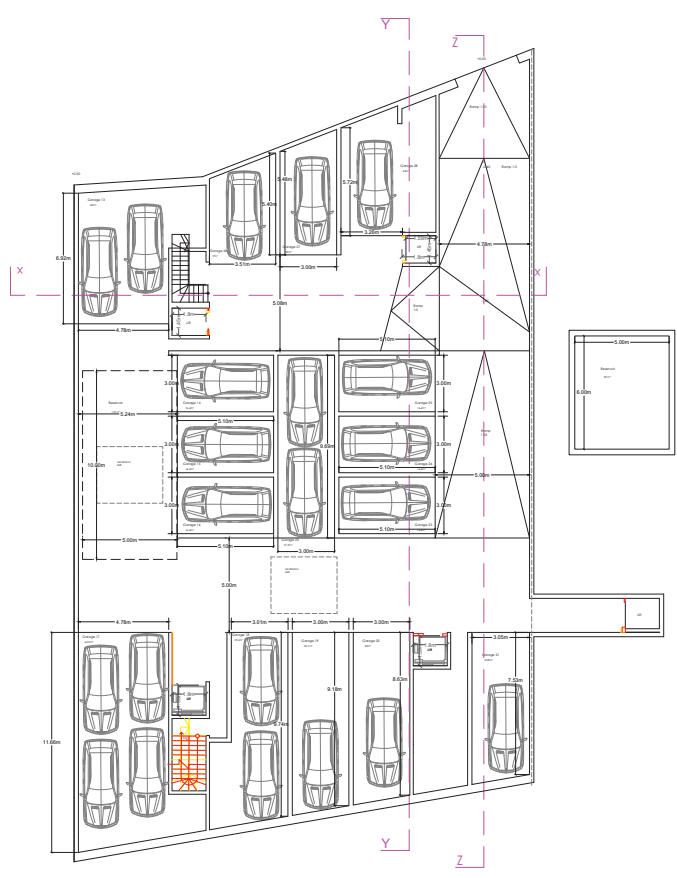
Proposed First floor level



CONSTRUCTION OF APARTMENTS  
 PLAN/1/02/03  
 FIRST FLOOR  
 DATE: 07/03/2024  
 DRAWN BY: F288/ARF/2020



Approved Basement level



Proposed Basement level







Approved Second floor level



Proposed Second floor level



CONSTRUCTION OF APARTMENTS  
 PANKH 1/2023  
 SECOND FLOOR  
 07/03/2024 02 FEBRUARY 2024



Approved Third floor level



Proposed Third floor level



**ALEXANDER SIGANI ARCHITECTS**

CONSTRUCTION OF APARTMENTS

SKANS1/2023

THIRD FLOOR

DATE: 07/03/2024

BY: FEBRIAN P2020



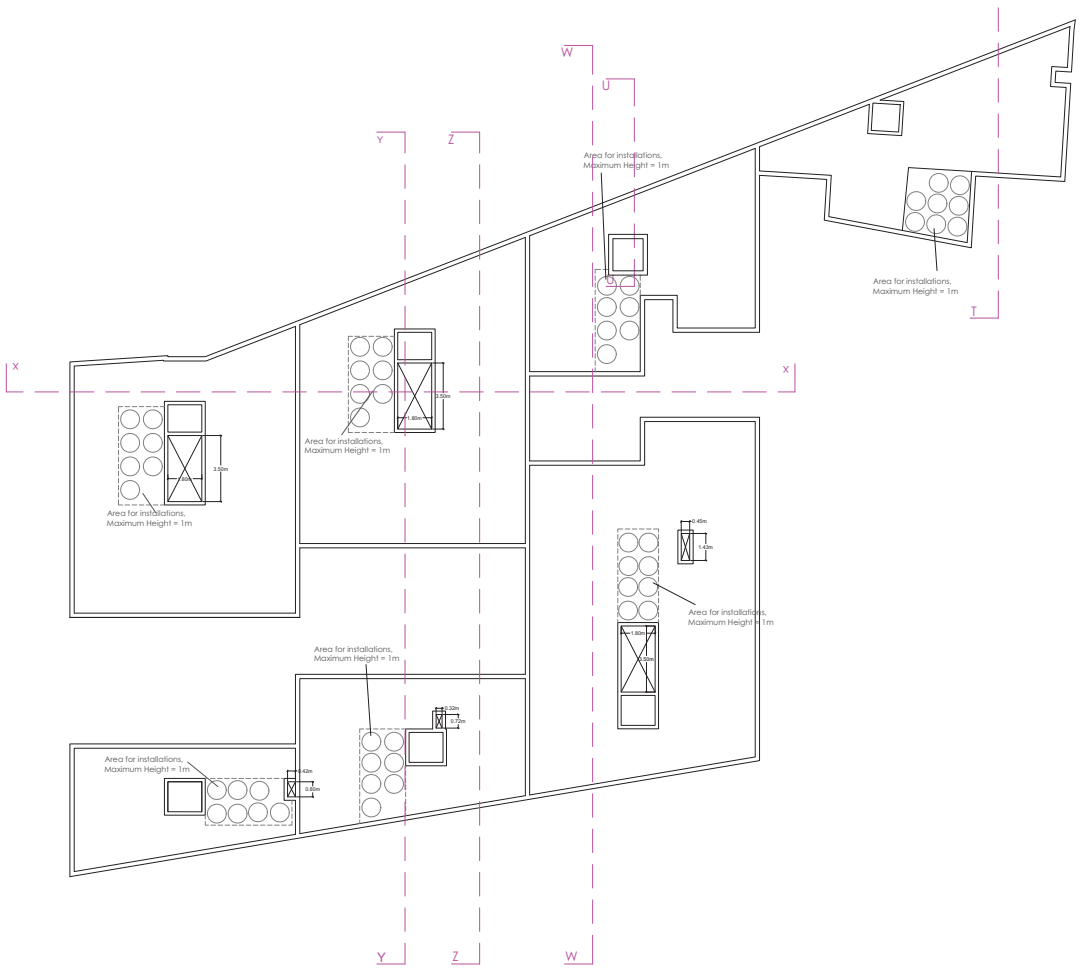
Approved Receded floor level



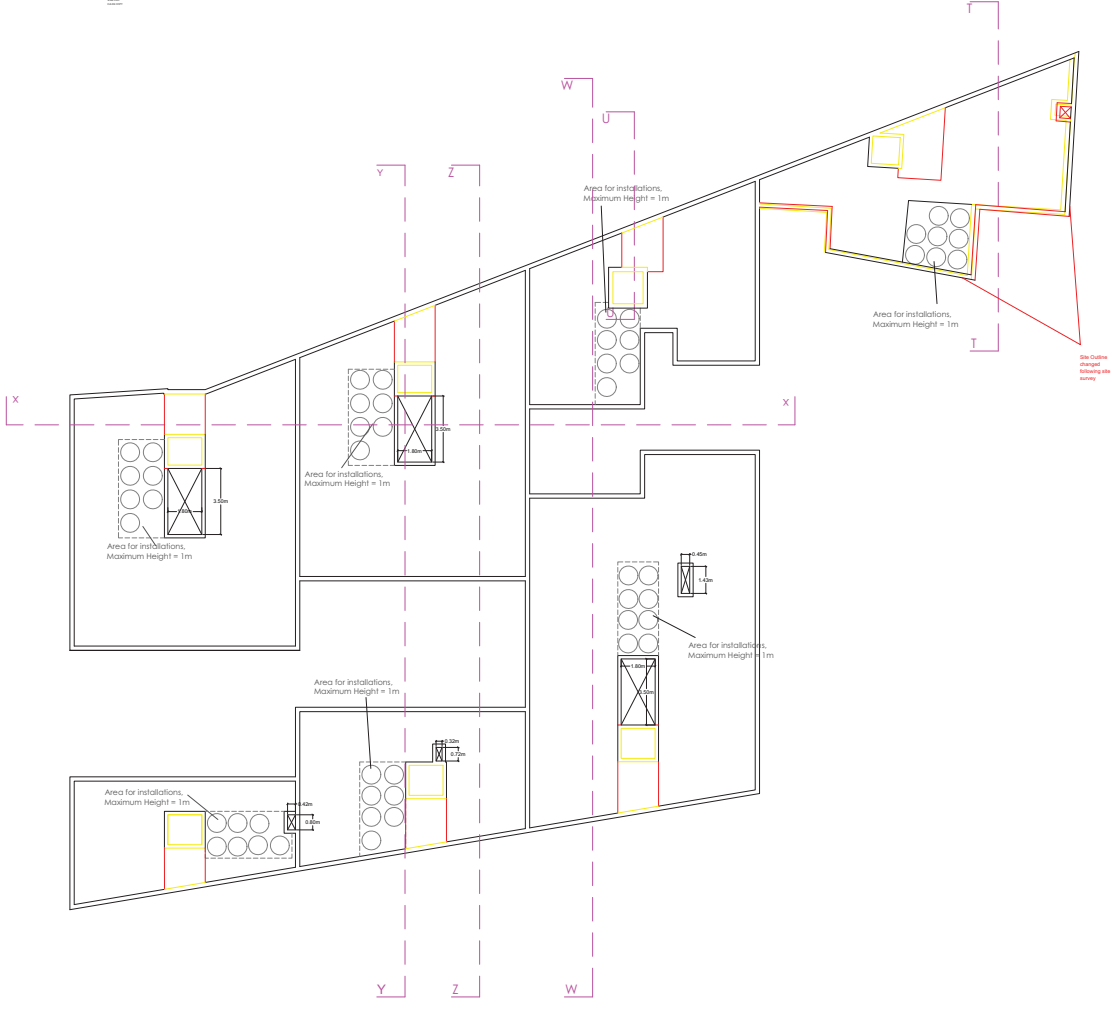
Proposed Receded floor level



CONSTRUCTION OF APARTMENTS  
 PLAN 1/02/23  
 RECESSED FLOOR  
 07/03/2024  
 FEB/2024



Approved Roof plan



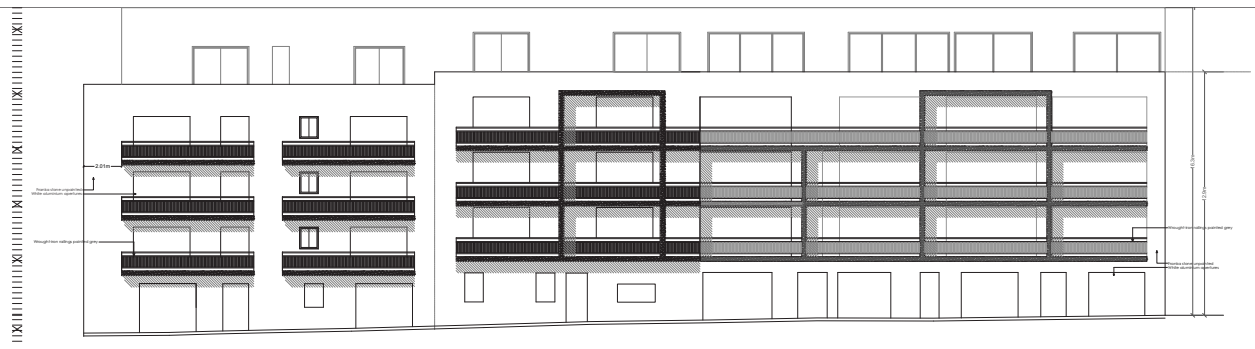
Proposed Roof plan



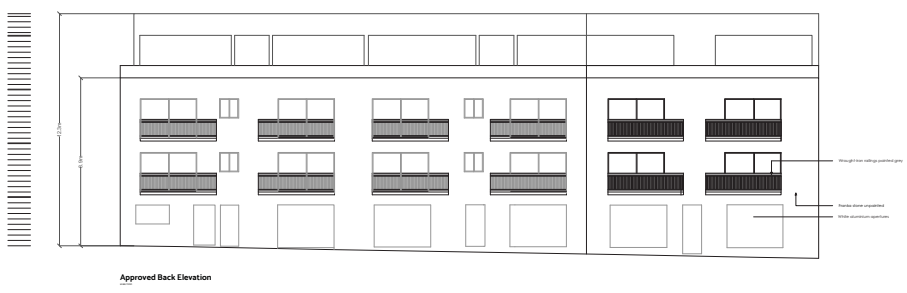








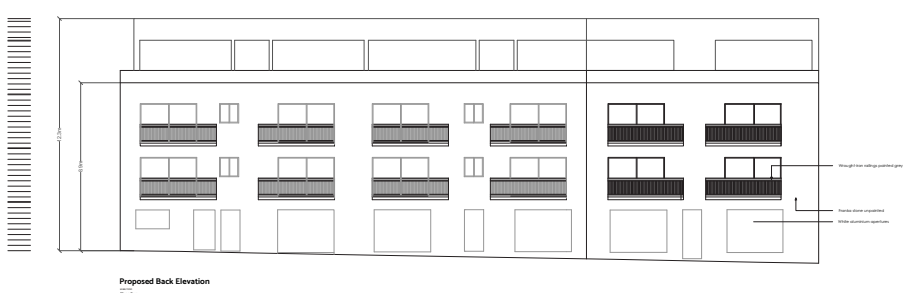
Approved Front Elevation



Approved Back Elevation

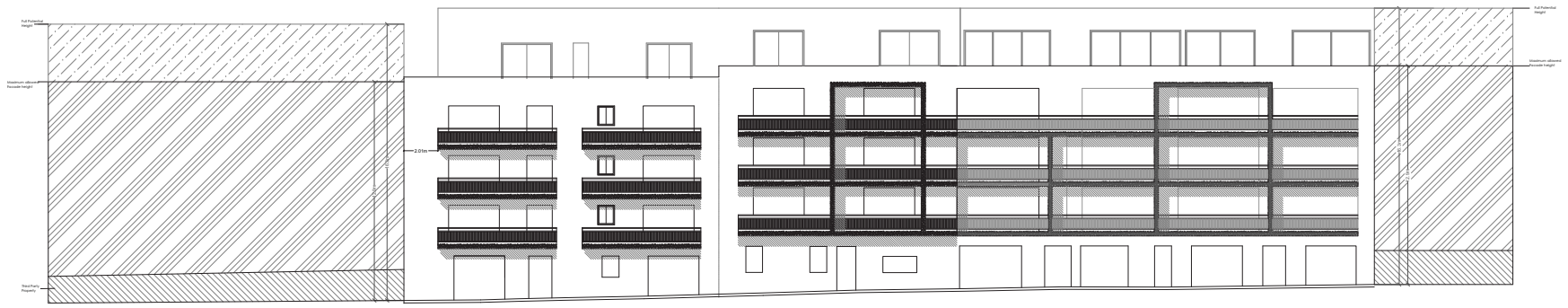


Proposed Back Elevation

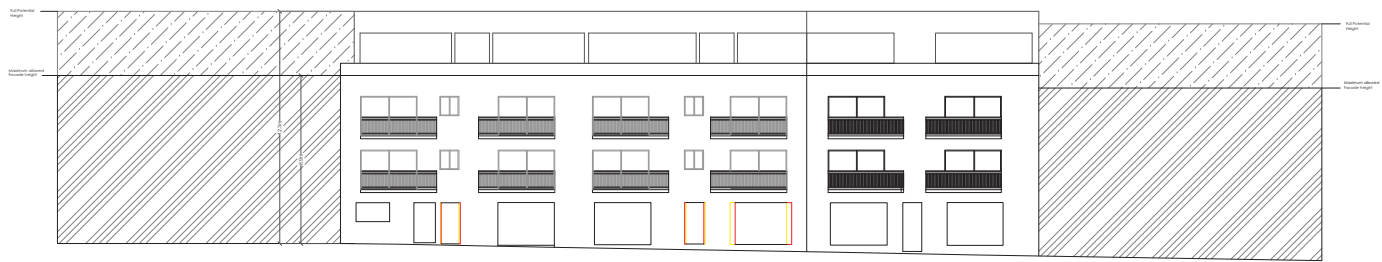


Proposed Back Elevation



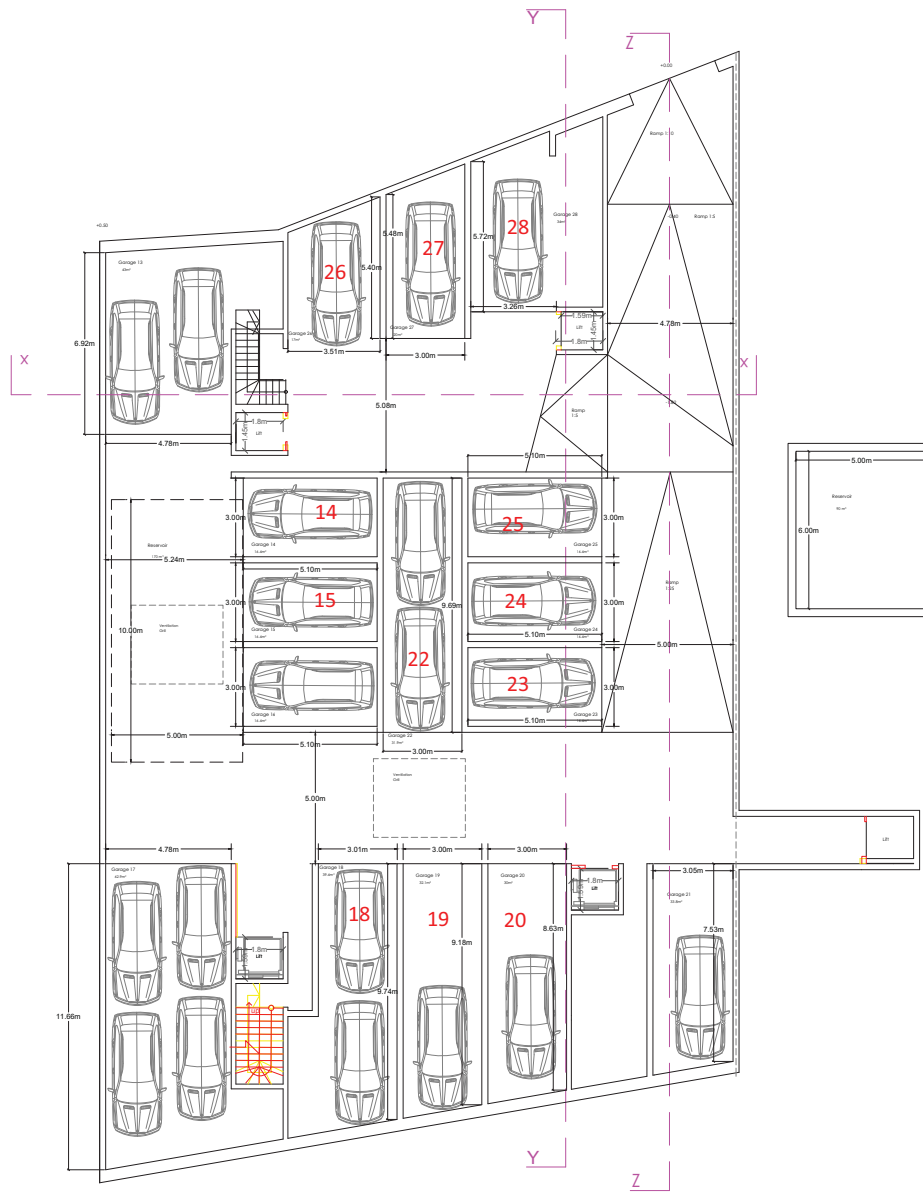


Approved Streetscape Front Elevation



Proposed Streetscape Back Elevation





Proposed Basement level

# Approved ground floor level plan

Scale 1:100  
clean copy



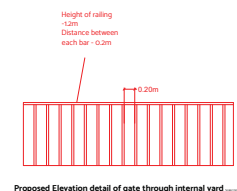
# Proposed ground floor level plan

Scale 1:100

Approved First floor level



Proposed First floor level





Approved Second floor level



Proposed Second floor level

Approved Third floor level



Proposed Third floor level

Approved Receded floor level

1:1000



Proposed Receded floor level

1:1000

**Appendix 04: (DRock)**

**A.04.4 – Summary of Lease Agreements**

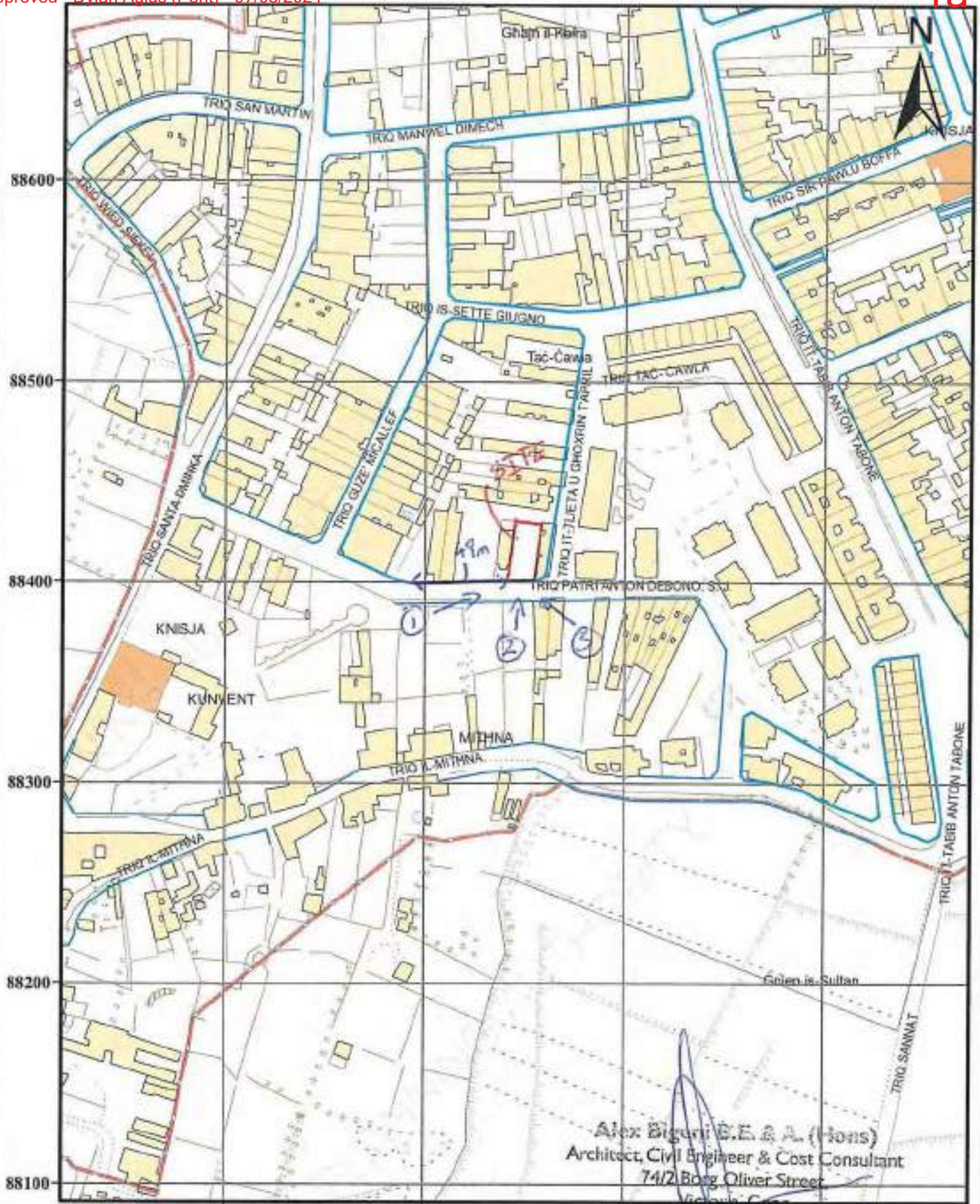
## Summary Lease Agreements

|   |            |
|---|------------|
| <b>Development Name:</b>                        | D Rock     |
| <b>Location:</b>                                | Sannat     |
| <b>Contract Date</b>                            | 18/04/2024 |
| <b>Start date</b>                               | 18/04/2024 |
| <b>End date</b>                                 | 17/04/2024 |
| <b>Term (in yrs)</b>                            | 10         |
| <b>Number of apartments</b>                     | 36         |
| <b>Monthly rent</b>                             | € 20,500   |
| <b>Rent per annum</b>                           | € 246,000  |
| <b>Contributions for common parts per annum</b> | € 9,360    |
| <b>% Per Year Increase</b>                      | 2%         |

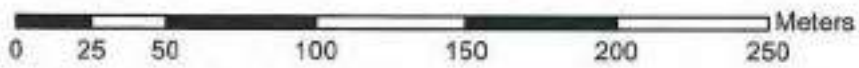
**Appendix 05: (Innuendo)**

A.05.1 – Site Plan





Alex Bigeni B.E. & A. (Hons)  
 Architect, Civil Engineer & Cost Consultant  
 74/2 Bong Oliver Street  
 Victoria, Costa  
 Tel: 99401850 Tel.no: 21890134  
 Email: a.bigeni@gmail.com



1:2,500 Date Printed: 20/02/2019

Public Geoserver

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 Data Captured from: 1988, 1994, 1998, 2004 & 2008 aerial photography and updates from 2012 orthophotos.  
 Truncated U.T.M. Coordinates. Levelling Datum M.S.L. (Mean sea level). Contours when shown are at 2.5m vertical interval. Not to be used for interpretation or scaling of scheme alignments  
 Copyright © PA - Planning Authority. Not for resale

**PLANNING AUTHORITY**  
 St. Francis Ravelin, Floriana.  
 Tel: +356 2290 0000, Fax: +356 2290 2295  
 www.pa.org.mt, mappingshop@pa.org.mt

**Appendix 05: (Innuendo)**

A.05.2 – Photographs









**Appendix 05: (Innuendo)**

**A.05.3 – Planning Permit and Permit Drawings**



Mr. Mark Agius

Date: 16 April 2019  
Our Ref: PA/01945/19

Application Number: PA/01945/19  
Application Type: Full development permission  
Date Received: 20 February 2019  
Approved Documents: PA1945/19/1A/58B/58C/61B; and  
*Supporting document*  
PA1945/19/58E (engineer's report)

Location: Site at, Triq Patri Anton Debono, S. J., Rabat (Gozo)  
Proposal: To excavate and to construct 2 maisonettes, 9 apartments and 2 penthouses with 8 underlying garages

### **Development Planning Act, 2016 Full Development Permission**

The Planning Authority hereby grants development permission in accordance with the application and documents described above, subject to the following conditions:

- 1 a) This development permission is valid for a period of FIVE YEARS from the date of publication of the decision in the press but will cease to be valid if the development is not completed by the end of this validity period.
- b) This permission relates only to the development as specifically indicated on the approved drawings. This permission does not sanction any other illegal development that may exist on the site.
- c) A Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, **if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised** - Article 72(4) of the Development Planning Act (2016).
- d) Copies of all approved drawings and documents shall be available for inspection on site by Planning Authority officers at all reasonable times.
- e) The development shall be carried out in complete accordance with the approved

PA/01945/19

Print Date: 18/05/2019

drawings, documents and conditions of this permission. Where a matter is not specified, then the conditions of this permission and of Development Control Design Policy, Guidance and Standards 2015 shall apply.

f) Before any part of the development hereby permitted commences, the enclosed green copy of this development permission shall be displayed on the site. This must be mounted on a notice board, suitably protected from the weather and located not more than 2 metres above ground level at a point on the site boundary where it is clearly visible and can be easily read from the street. The copy of the permission must be maintained in a good condition and it shall remain displayed on the site until the works are completed.

g) All building works shall be erected in accordance with the official alignment and official/existing finished road levels as set out on site by the Planning Authority's Land Surveyor. The Setting Out Request Notice must be submitted to the Land Survey Unit of the Planning Authority when the setting out of the alignment and levels is required.

h) Where an officially schemed street, within the development zone, bordering the site is unopened or unformed, it shall be opened up and brought up to its proper, approved and official formation levels prior to the commencement of any development hereby being permitted.

i) It is the responsibility of the permit holder to ensure that development is carried out in accordance with the provisions of the Environmental Management Construction Site Regulations, Legal Notice 295 of 2007 (or subsequent amendments). Any hoarding shall be erected in accordance with Schedule 2 of the same Regulations.

j) New development on vacant or redeveloped sites shall be provided with a water cistern to store rainwater run-off as required by the Energy Performance of Buildings Regulations (2012) [published through Legal Notice 376 of 2012 and any amendments thereto].

k) No steps, ramps or street furniture are to be constructed on or encroached onto the public pavement or road.

l) Any doors and windows, the lower edge of which is less than 2m above road level, and any gates shall not open outwards onto a public pavement or road.

m) Where present, window grilles (including 'pregnant' windows), sills, planters and other similar elements which are part of or fixed to the facade of buildings, the lower edge of which is less than 2 metres above road level, shall not project more than 0.15 metres from the facade over a public pavement or street.

n) Air conditioning units shall not be located on the facades of the building which are visible from the street or a public space.

o) There shall be no service pipes, cables or wires visible on the front elevation or on any other elevations of the building which are visible from the street or public space.

p) Any garages/parking spaces shall only be used for the parking of private cars and shall be kept available at all times for this purpose.

q) Any approved stores shall be used for domestic storage only and shall not be segregated from the rest of the building.

r) Any unit approved on more than one floor (duplex or more) shall remain physically

interconnected as a single unit, and shall not be sub-divided into separate units without specific Planning Authority consent.

- 2
  - a) The façade(s) of the building shall be constructed in local un-rendered and unpainted stone, except where other materials/finishes are indicated on the approved drawings.
  - b) All the apertures and balconies located on the façade(s) of the building shall not be in gold, silver or bronze aluminium.
  - c) The height of the services on the roof of the building shall not extend beyond the approved height of the uppermost parapet wall.
- 3 This permission is subject to a Bank Guarantee to the value of **€1,542** to ensure that the street is properly restored in accordance with the Environmental Management Construction Site Regulations, 2007 - Legal Notice 295 of 2007 (as amended). The bank guarantee shall only be released after the perit submits a post-construction condition report together with photographs evidencing compliance with this condition, accompanied by clearance from the Local Council. The clearance from the Local Council is to be endorsed by the Mayor and the Executive Secretary of the Local Council. This guarantee shall be forfeited if, after 3 months from the date of notification by the Authority of a notice to effect the remedial works, these are not carried out. Its forfeiture shall not, however, preclude the applicant from adhering to all the conditions contained in this development permission.
- 4 To make up for the shortfall in parking provision of **6** parking spaces, this development permission is subject to a contribution amounting to the sum of **€29,000** in favour of Planning Authority's Urban Improvements Fund for the locality. The funds raised shall be used to fund traffic management, green transport, urban improvements or similar projects. The contribution shall be utilised as required and directed by Planning Authority.
- 5 The development hereby permitted shall be subject to Final Compliance (Completion) Certification, verifying that the development has been carried out in full accordance with the approved drawings, documents and conditions imposed in this development permission, except where such conditions are enforced by other entities. Prior to the issue of any compliance certificate on any part of this development, the applicant shall submit to PA, in relation to that part of the building:
  - (i) certification from a qualified engineer confirming that the development fully satisfies the requirements specified in supporting document PA1945/19/58E.
- 6 **Conditions imposed and enforced by other entities**
  - A. Where construction activity is involved:
    - (a) the applicant shall:
      - (i) **Appoint a Project Supervisor for the Design Stage and a Project Supervisor for the Construction Stage** and any such appointment shall be terminated, changed or renewed as necessary. The same person may be appointed to act as project supervisor

for both the design and construction stage, if that person is competent to undertake the duties involved and

(ii) **Keep a health and safety file** prepared by the Project Supervisor for the Design Stage.

(b) When the construction works related to this application are scheduled to last longer than thirty working days and on which more than twenty workers are occupied simultaneously, or on which the volume of work is scheduled to exceed five hundred person-days, the project supervisor **shall communicate a prior notice to the Occupational Health and Safety Authority (OHSA) at least four calendar weeks before commencement of works.**

(c) The Project Supervisor for the Design Stage shall **draw up a health and safety plan** which sets out the occupational health and safety rules applicable to the construction activities concerned, outlining the measures to ensure cooperation between different contractors and shall also include specific measures concerning occupational risks that may be present at this site.

**B.** Where the development concerns a change of use to a place of work, the applicant shall obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.

**C.** Where the development concerns a place of work:

The applicant shall:

(i) obtain a Perit's declaration that the necessary requirements arising out of LN 44 of 2002 have been included in the plans and drawings; and

(ii) obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.

**D.** The development is to strictly adhere to the 'Design Guidelines on fire safety for buildings in Malta' to ensure that all Fire Safety measures and provisions are addressed as indicated in the Design Guidelines on Fire Safety for Buildings in Malta, published by the DCID in 2004, (or other relevant standard, provided it is approved by the Civil Protection Department), Policies, and the Laws and Regulations of Malta.

**E.** Prior to laying of water and wastewater services in the road, the development shall comply with the requirements of Legal Notice 29/10 Part III (Roads in inhabited Areas) Clause 12.

**F.** In the event of an accidental discovery in the course of approved works, any cultural heritage feature discovered should not be damaged or disturbed and the Superintendence is to be immediately informed of such discovery. Any cultural heritage features discovered are to be investigated, evaluated and protected in line with the Cultural Heritage Act 2002 (CAP 445). The discovery of cultural heritage features may require the amendment of approved plans.

In terms of Article 72(3) of the Development Planning Act, 2016, the execution and validity of this permission is automatically temporarily **suspended** and no works as approved by the said development permission may commence before the lapse of the time period established in Article 13 of the Environment and Planning Review Tribunal Act and subsequently will remain so suspended if

the Tribunal so decides in accordance with the Environment and Planning Review Tribunal Act.

Where the approved drawings and/or documents are dimensioned, then the declared dimensions shall prevail over the actual size as depicted on the approved drawings and/or documents.

Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on the plan what needs to be carried out and obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.

If the declaration of ownership, as contained in the application form, is determined as incorrect by a Court of Law, then the said Court of Law can declare this development permission as null and void. This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance and agreement must be obtained for this development from the Land and/or Estate Management Departments.

This development permission is granted saving third party rights. This permission does not exonerate the applicant from obtaining any other necessary permission, license, clearance or approval required from any Government department, local council, agency or authority, as required by any law or regulation.

This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (Cap. 424) - Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.

For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes) Order 2014, or its subsequent amendments.

**This decision is being published on 24 April 2019.**

Marthese Debono  
Secretary Planning Commission  
Within Development Scheme

## Notes to Applicant and Perit

### Right for reconsideration

Where applicable, you have a right to submit a request for reconsideration to the Authority in terms of regulation 14 of Legal Notice 162 of 2016.

### Right for appeal

You have a right to submit an appeal, against the decision, to the Environment and Planning Review Tribunal in terms of Article 13 of the Environment and Planning Review Tribunal Act, 2016.

### Time limits

Requests for reconsideration or appeals must be made within 30 days from the publication of the decision notification in the local press as required by regulation 14(1) of Legal Notice 162 of 2016.

### Fees to submit a request for reconsideration or appeal

In either case, there is a fee to be paid which should accompany the request for reconsideration or the appeal. The fees are as follows:

For reconsideration - 3% of the Development Permit Fee paid in respect of the original application, subject to a minimum of €69.88.

For appeal - 5% of DPF (Development Permit Fee) paid in respect of the original application, subject to a minimum of €150 + €50 administrative fee (LN 112 of 2016).

### Submission of request for reconsideration or appeal

With regards to requests for reconsideration, Form PA 4/16 must be used for submission. All fields of the Form must be filled in as appropriate. Requests for reconsideration can only be submitted electronically.

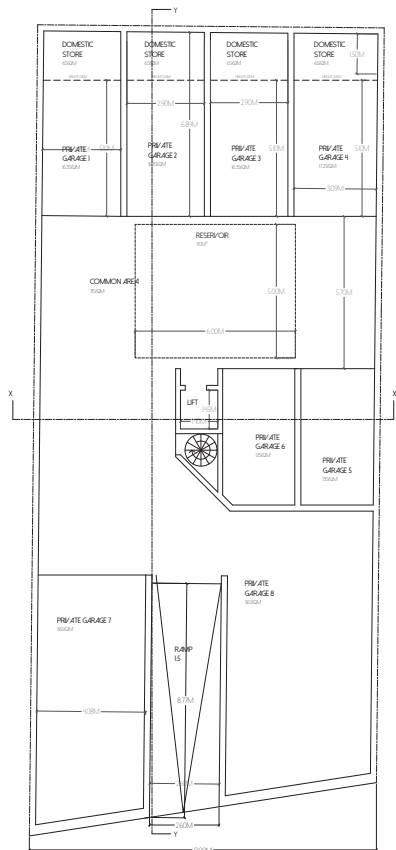
With regards to appeals, as required by Article 13 of the Environment and Planning Review Tribunal Act, 2016, the submission must include the detailed grounds for appeal and the requests being made by the appellant. Appeals must be submitted physically at the offices of the Environment and Planning Review Tribunal, St. Francis Ditch, Floriana.



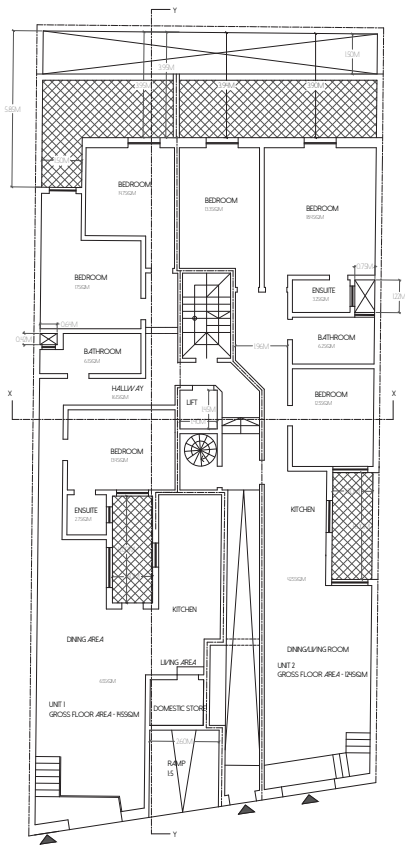
## Important Notice

**In view of the provisions of Article 72(4) of the Development Planning Act (2016), a Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised.**

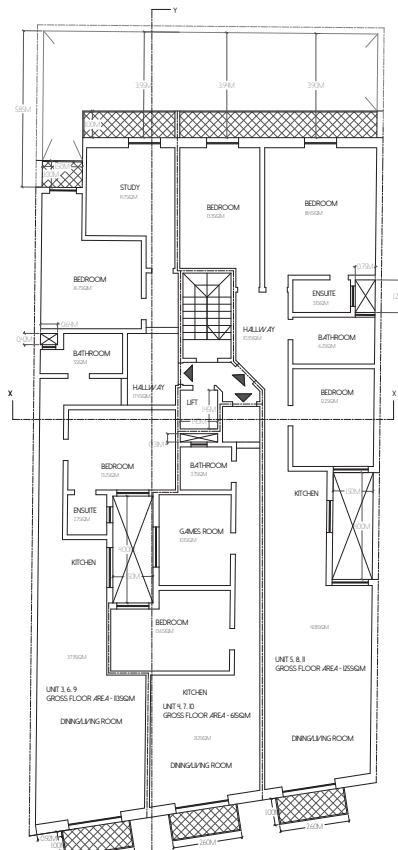
-PADCN-



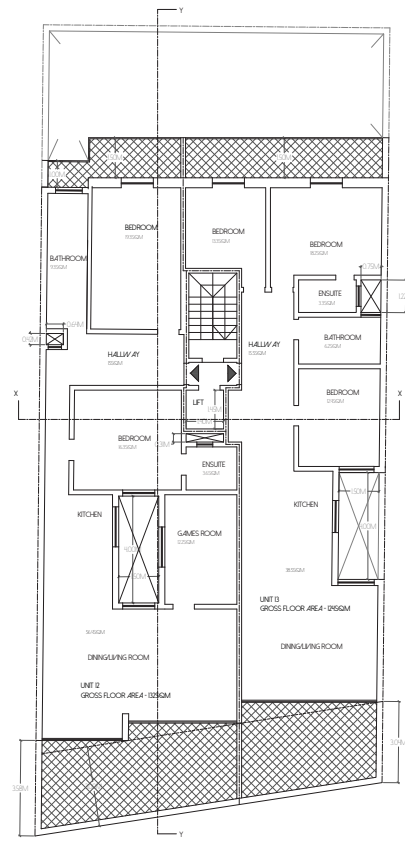
PROPOSED BASEMENT FLOOR LEVEL PLAN  
02.41.001



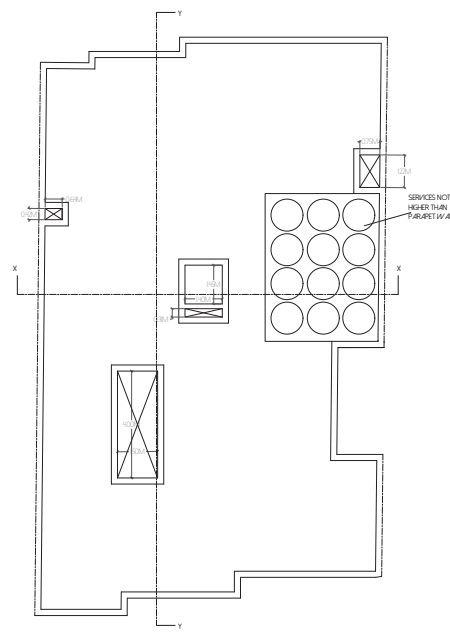
PROPOSED GROUND FLOOR LEVEL PLAN  
02.41.002



PROPOSED FIRST, SECOND AND THIRD FLOOR LEVEL PLAN  
02.41.003

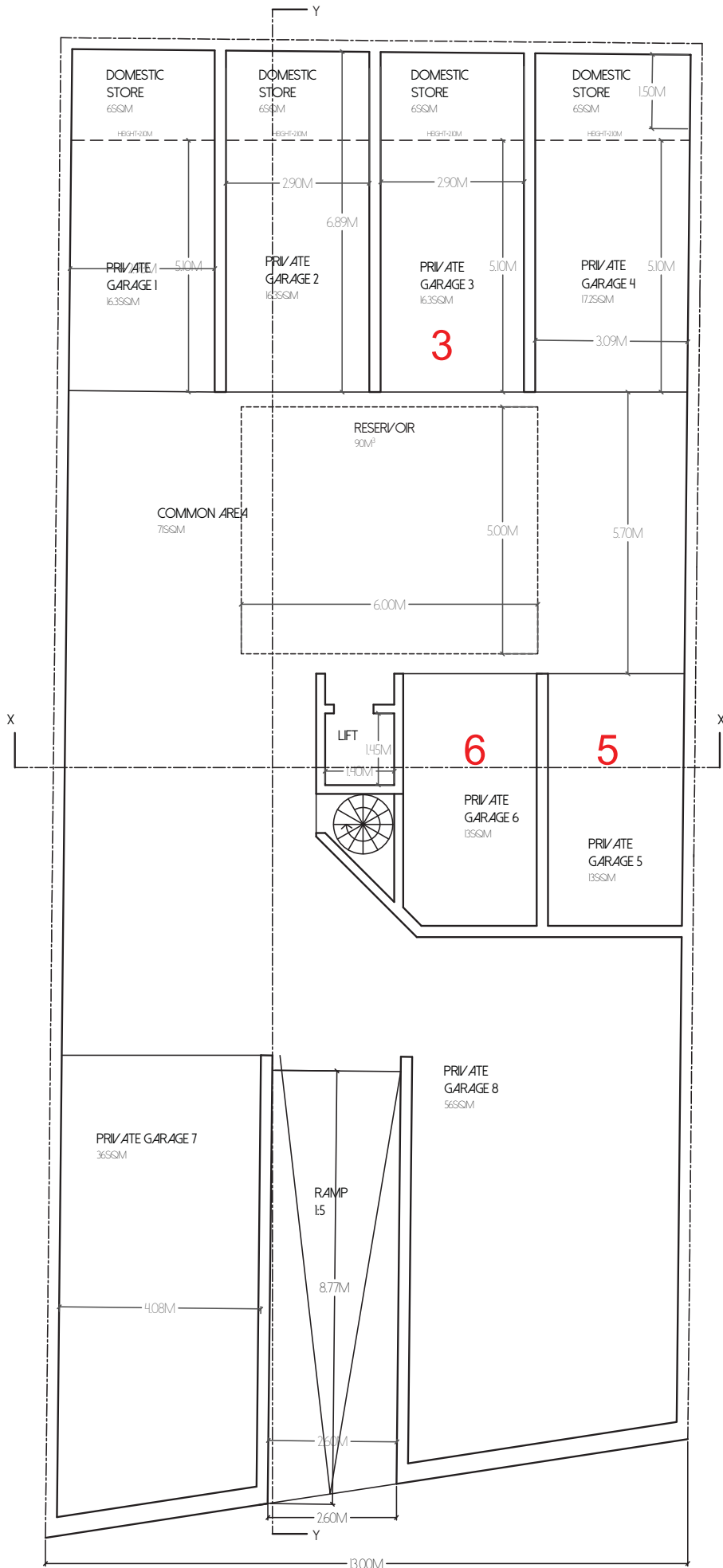


PROPOSED RECEDED FLOOR LEVEL PLAN  
02.41.004

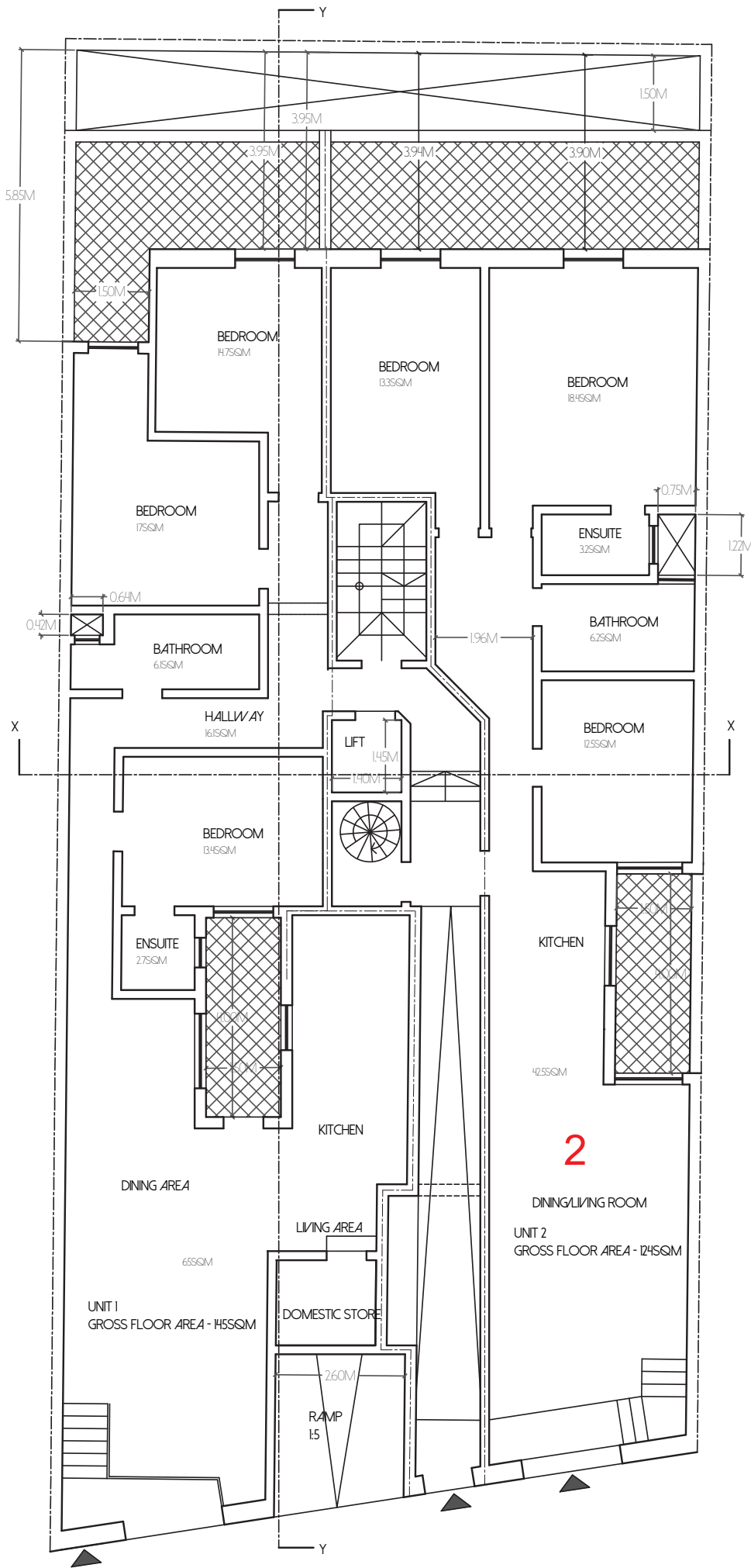


PROPOSED ROOF PLAN  
02.41.005

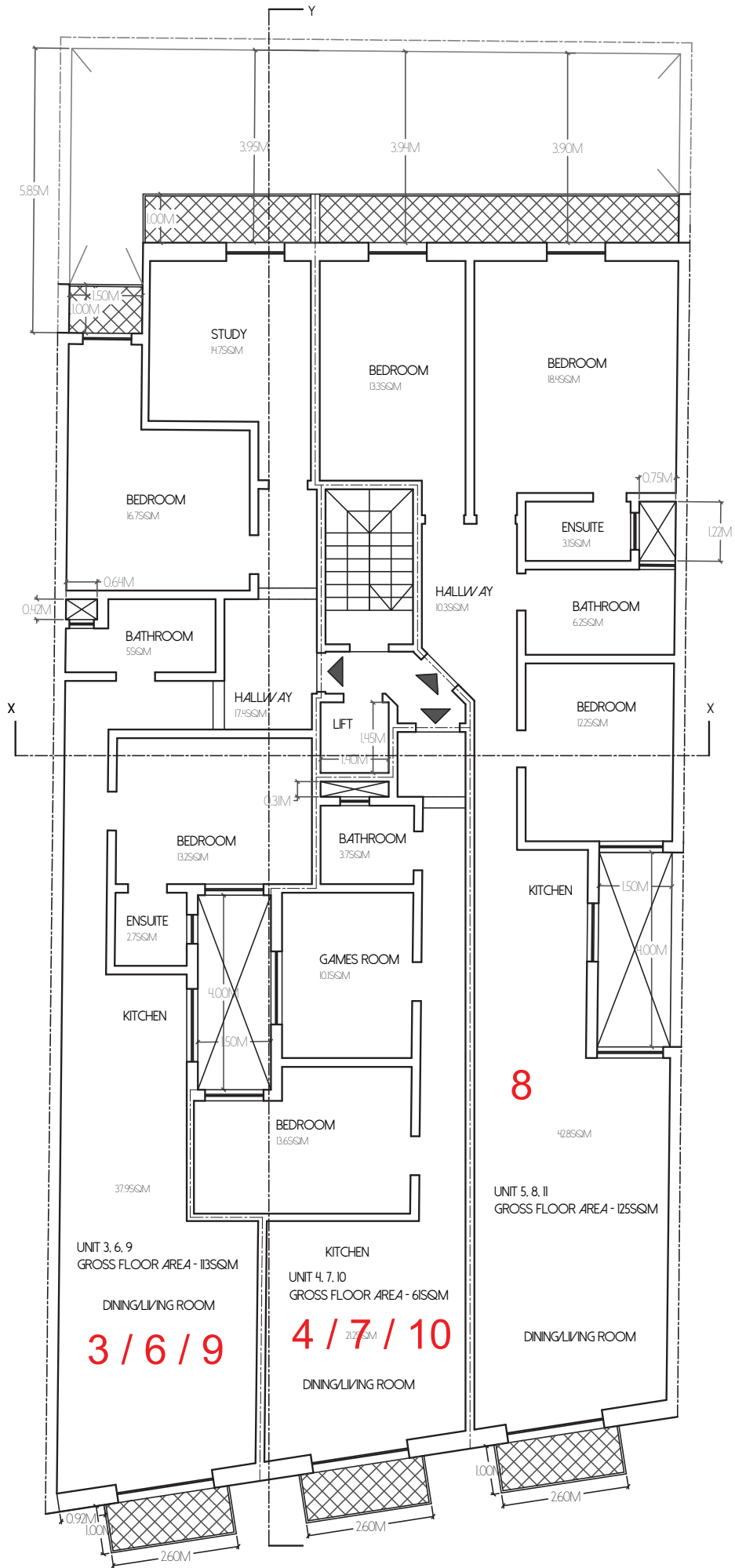
SERVICES NOT HIGHER THAN PARAPET WALL.



PROPOSED BASEMENT FLOOR LEVEL PLAN SCALE 1:100  
 CLEAN COPY



PROPOSED GROUND FLOOR LEVEL PLAN SCALE 1:100  
 CLEAN COPY



PROPOSED FIRST, SECOND AND THIRD FLOOR LEVEL PLAN SCALE 1:100

CLEAN COPY



PROPOSED SCHEMATIC ELEVATION  
CLEAN COPY



PROPOSED FRONT ELEVATION  
CLEAN COPY



PERIT ALY BIGNI BISA HENGS  
P/2 BORG OLIVER STREET VICTORIA GOZO - TEL: 26401 - @ PARADISE DESIGN CO

Project: CONSTRUCTION OF APARTMENTS

Client: BABAT GOZO

Scale: 1:100

Front Elevation

13/2/2019 09:11 FEB 2019







**Appendix 05: (Innuendo)**

A.05.4 – Summary of Lease Agreements

## Summary Lease Agreements

|   |            |
|---|------------|
| <b>Development Name:</b>                        | Innuendo   |
| <b>Location:</b>                                | Victoria   |
| <b>Contract Date</b>                            | 23/03/2021 |
| <b>Start date</b>                               | 23/03/2021 |
| <b>End date</b>                                 | 22/03/2031 |
| <b>Term (in yrs)</b>                            | 10         |
| <b>Number of apartments</b>                     | 8          |
| <b>Monthly rent</b>                             | € 4,100    |
| <b>Rent per annum</b>                           | € 49,200   |
| <b>Contributions for common parts per annum</b> | € 1,820    |
| <b>% Per Year Increase</b>                      | 2%         |

**Appendix 06: (Midra)**

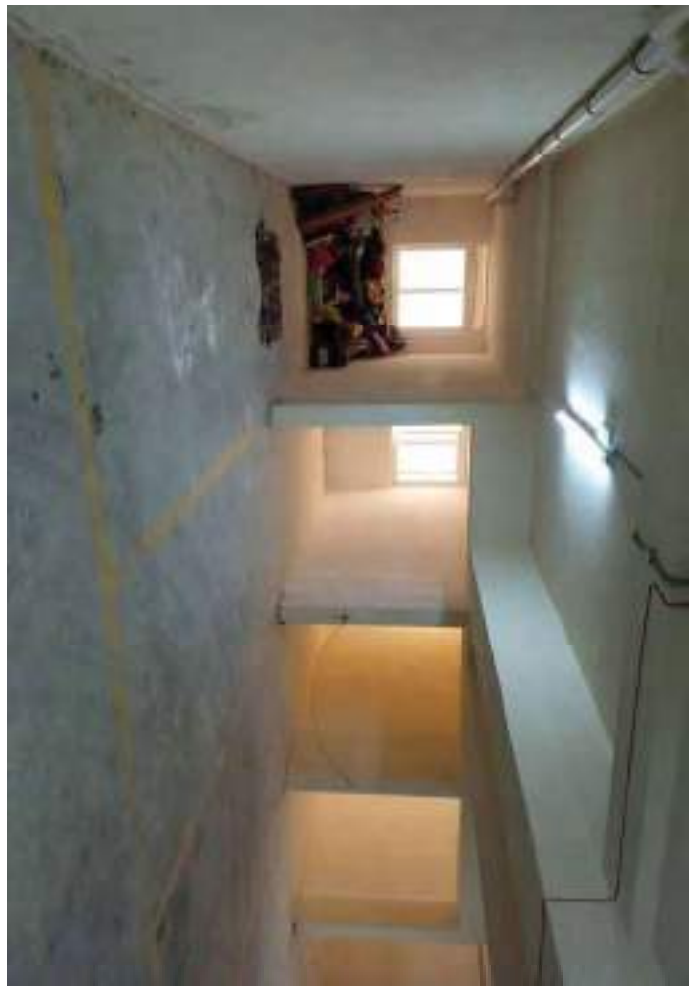
A.06.1 – Site Plan



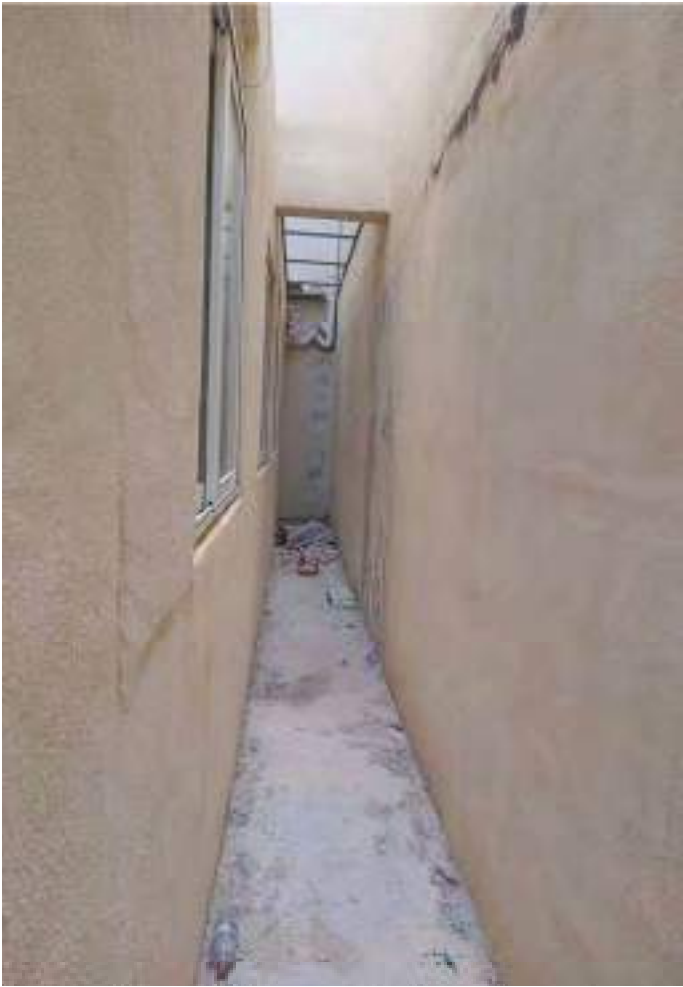
**Appendix 06: (Midra)**

A.06.2 – Photographs

















**Appendix 06: (Midra)**

**A.06.3 – Planning Permit and Permit Drawings**



Mr. Mark Agius

Date: 22 January 2019

Our Ref: PA/10050/18

Application Number: PA/10050/18  
Application Type: Full development permission  
Date Received: 26 October 2018  
Approved Documents: PA10050/18/1A/13B/50B/50C/50D  
*Supporting documents*  
PA10050/18/19B-Engineer's Report  
PA10050/18/41A- Water Services Corporation

Location: Site at, Triq il-Wileg, San Lawrenz, Gozo  
Proposal: To excavate site and proposed basement garage for parking spaces; Maisonette / Garage and flat at ground floor; 3 flats at first floor; 3 flats at second floor; 3 flats at third floor and 3 flats at receded floor level

**Development Planning Act, 2016**  
**Full Development Permission**

The Planning Authority hereby grants development permission in accordance with the application and documents described above, subject to the following conditions:

- 1 a) This development permission is valid for a period of FIVE YEARS from the date of publication of the decision in the press but will cease to be valid if the development is not completed by the end of this validity period.
- b) This permission relates only to the development as specifically indicated on the approved drawings. This permission does not sanction any other illegal development that may exist on the site.
- c) Copies of all approved drawings and documents shall be available for inspection on site by Planning Authority officers at all reasonable times.
- d) The development shall be carried out in complete accordance with the approved drawings, documents and conditions of this permission. Where a matter is not specified, then the conditions of this permission and of Development Control Design Policy, Guidance and Standards 2015 shall apply.
- e) Before any part of the development hereby permitted commences, the enclosed green copy of this development permission shall be displayed on the site. This must be mounted on a notice board, suitably protected from the weather and located not more

than 2 metres above ground level at a point on the site boundary where it is clearly visible and can be easily read from the street. The copy of the permission must be maintained in a good condition and it shall remain displayed on the site until the works are completed.

f) A Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, **if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised** - Article 72(4) of the Development Planning Act (2016).

g) All building works shall be erected in accordance with the official alignment and official/existing finished road levels as set out on site by the Planning Authority's Land Surveyor. The Setting Out Request Notice must be submitted to the Land Survey Unit of the Planning Authority when the setting out of the alignment and levels is required.

h) Where an officially schemed street, within the development zone, bordering the site is unopened or unformed, it shall be opened up and brought up to its proper, approved and official formation levels prior to the commencement of any development hereby being permitted.

i) It is the responsibility of the permit holder to ensure that development is carried out in accordance with the provisions of the Environmental Management Construction Site Regulations, Legal Notice 295 of 2007 (or subsequent amendments). Any hoarding shall be erected in accordance with Schedule 2 of the same Regulations.

j) New development on vacant or redeveloped sites shall be provided with a water cistern to store rainwater run-off as required by the Energy Performance of Buildings Regulations (2012) [published through Legal Notice 376 of 2012 and any amendments thereto].

k) No steps, ramps or street furniture are to be constructed on or encroached onto the public pavement or road.

l) Any doors and windows, the lower edge of which is less than 2m above road level, and any gates shall not open outwards onto a public pavement or road.

m) Where present, window grilles (including 'pregnant' windows), sills, planters and other similar elements which are part of or fixed to the facade of buildings, the lower edge of which is less than 2 metres above road level, shall not project more than 0.15 metres from the facade over a public pavement or street.

n) Air conditioning units shall not be located on the facades of the building which are visible from the street or a public space.

o) There shall be no service pipes, cables or wires visible on the front elevation or on any other elevations of the building which are visible from the street or public space.

p) Any garages/parking spaces shall only be used for the parking of private cars and shall be kept available at all times for this purpose.

q) Any approved stores/box rooms shall be used for domestic storage only and shall not

be segregated from the rest of the building.

- 2
  - a) The façade(s) of the building shall be constructed in local un-rendered and unpainted stone, except where other materials/finishes are indicated on the approved drawings.
  - b) All the apertures and balconies located on the façade(s) of the building shall not be in gold, silver or bronze aluminium.
  - c) The height of the services on the roof of the building shall not extend beyond the approved height of the uppermost parapet wall.
- 3 The development hereby permitted shall be subject to Final Compliance (Completion) Certification, verifying that the development has been carried out in full accordance with the approved drawings, documents and conditions imposed in this development permission, except where such conditions are enforced by other entities. Prior to the issue of any compliance certificate on any part of this development, the applicant shall submit to Planning Authority, in relation to that part of the building:
  - (i) certification from a qualified engineer confirming that the development fully satisfies the requirements specified in supporting document PA10050/18/19B.
- 4 This permission is subject to a Bank Guarantee to the value of **€652** to ensure that the street is properly restored in accordance with the Environmental Management Construction Site Regulations, 2007 (Legal Notice 295 of 2007). The bank guarantee shall only be released after the perit submits a post-construction condition report together with photographs evidencing compliance with this condition, accompanied by clearance from the Local Council. The clearance from the Local Council is to be endorsed by the Mayor and the Executive Secretary of the Local Council. This guarantee shall be forfeited if, after 3 months from the date of notification by the Authority of a notice to effect the remedial works, these are not carried out. Its forfeiture shall not, however, preclude the applicant from adhering to all the conditions contained in this development permission.
- 5 To make up for the shortfall in parking provision of **8** parking spaces, this development permission is subject to a contribution amounting to the sum of **€41,000** in favour of Planning Authority's Urban Improvements Fund for the locality. The funds raised shall be used to fund traffic management, green transport, urban improvements or similar projects. The contribution shall be utilised as required and directed by Planning Authority.
- 6 **Conditions imposed and enforced by other entities**
  - A. Where construction activity is involved:
    - (a) the applicant shall:
      - (i) **Appoint a Project Supervisor for the Design Stage and a Project Supervisor for the Construction Stage** and any such appointment shall be terminated, changed or renewed as necessary. The same person may be appointed to act as project supervisor

for both the design and construction stage, if that person is competent to undertake the duties involved and

(ii) **Keep a health and safety file** prepared by the Project Supervisor for the Design Stage.

(b) When the construction works related to this application are scheduled to last longer than thirty working days and on which more than twenty workers are occupied simultaneously, or on which the volume of work is scheduled to exceed five hundred person-days, the project supervisor **shall communicate a prior notice to the Occupational Health and Safety Authority (OHSA) at least four calendar weeks before commencement of works.**

(c) The Project Supervisor for the Design Stage shall **draw up a health and safety plan** which sets out the occupational health and safety rules applicable to the construction activities concerned, outlining the measures to ensure cooperation between different contractors and shall also include specific measures concerning occupational risks that may be present at this site.

B. Where the development concerns a place of work:

The applicant shall:

(i) obtain a Perit's declaration that the necessary requirements arising out of LN 44 of 2002 have been included in the plans and drawings; and

(ii) obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.

C. The development is to strictly adhere to the 'Design Guidelines on fire safety for buildings in Malta' to ensure that all Fire Safety measures and provisions are addressed as indicated in the Design Guidelines on Fire Safety for Buildings in Malta, published by the DCID in 2004, (or other relevant standard, provided it is approved by the Civil Protection Department), Policies, and the Laws and Regulations of Malta.

D. Prior to laying of water and wastewater services in the road, the development shall comply with the requirements of Legal Notice 29/10 Part III (Roads in inhabited Areas) Clause 12.

E. In the event of an accidental discovery in the course of approved works, any cultural heritage feature discovered should not be damaged or disturbed and the Superintendence is to be immediately informed of such discovery. Any cultural heritage features discovered are to be investigated, evaluated and protected in line with the Cultural Heritage Act 2002 (CAP 445). The discovery of cultural heritage features may require the amendment of approved plans.

In terms of Article 72(3) of the Development Planning Act, 2016, the execution and validity of this permission is automatically temporarily **suspended** and no works as approved by the said development permission may commence before the lapse of the time period established in Article 13 of the Environment and Planning Review Tribunal Act and subsequently will remain so suspended if the Tribunal so decides in accordance with the Environment and Planning Review Tribunal Act.

Where the approved drawings and/or documents are dimensioned, then the declared dimensions shall prevail over the actual size as depicted on the approved drawings and/or documents.

Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on the plan what needs to be carried out and obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.

If the declaration of ownership, as contained in the application form, is determined as incorrect by a Court of Law, then the said Court of Law can declare this development permission as null and void. This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance and agreement must be obtained for this development from the Land and/or Estate Management Departments.

This development permission is granted saving third party rights. This permission does not exonerate the applicant from obtaining any other necessary permission, license, clearance or approval required from any Government department, local council, agency or authority, as required by any law or regulation.

This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (Cap. 424) - Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.

For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes) Order 2014, or its subsequent amendments.

**This decision is being published on 6 February 2019.**

Marthese Debono  
Secretary Planning Commission  
Within Development Scheme

## Notes to Applicant and Perit

### Right for reconsideration

Where applicable, you have a right to submit a request for reconsideration to the Authority in terms of regulation 14 of Legal Notice 162 of 2016.

### Right for appeal

You have a right to submit an appeal, against the decision, to the Environment and Planning Review Tribunal in terms of Article 13 of the Environment and Planning Review Tribunal Act, 2016.

### Time limits

Requests for reconsideration or appeals must be made within 30 days from the publication of the decision notification in the local press as required by regulation 14(1) of Legal Notice 162 of 2016.

### Fees to submit a request for reconsideration or appeal

In either case, there is a fee to be paid which should accompany the request for reconsideration or the appeal. The fees are as follows:

For reconsideration - 3% of the Development Permit Fee paid in respect of the original application, subject to a minimum of €69.88.

For appeal - 5% of DPF (Development Permit Fee) paid in respect of the original application, subject to a minimum of €150 + €50 administrative fee (LN 112 of 2016).

### Submission of request for reconsideration or appeal

With regards to requests for reconsideration, Form PA 4/16 must be used for submission. All fields of the Form must be filled in as appropriate. Requests for reconsideration can only be submitted electronically.

With regards to appeals, as required by Article 13 of the Environment and Planning Review Tribunal Act, 2016, the submission must include the detailed grounds for appeal and the requests being made by the appellant. Appeals must be submitted physically at the offices of the Environment and Planning Review Tribunal, St. Francis Ditch, Floriana.



## Important Notice

**In view of the provisions of Article 72(4) of the Development Planning Act (2016), a Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised.**

-PADCN-

Mark Agius

Date: 6 November 2019  
Our Ref: PA/10050/18  
Perit Ref: 5834

Dear Sir/Madam,

Application Number: PA/10050/18  
Location: Site at, Triq il-Wileg, San Lawrenz, Gozo  
Proposal: To excavate site and proposed basement garage for parking spaces; Maisonette / Garage and flat at ground floor; 3 flats at first floor; 3 flats at second floor; 3 flats at third floor and 3 flats at receded floor level

**Development Planning Act, 2016**  
**Minor Amendment to Permission PA/10050/18**  
**in terms of regulation 15 of Legal Notice 162 of 2016**

Reference is made to the request for minor amendments, to the above quoted development permission, submitted on 27 September 2019.

The changes you propose are acceptable as a minor amendment to the development permission. The following drawings/documents are being endorsed:

PA 10050/18/MA/173A

This endorsement relates only to the changes described in your application form and specifically indicated on the drawings/documents. Any other changes from the original permission, which may be shown on the drawings/documents but which are not referred to in your application form, are not endorsed or accepted.

Consequently, this endorsement is **only** for the proposed development as specifically indicated and does not cover any other development or sanctions any illegal development which may exist on site, even if shown on the drawings/documents.

Please note that the conditions and amendments in the original permission remain valid and are therefore applicable to the development as amended, including the condition on the validity period of the permission. The other provisions of regulation 15 of Legal Notice 162 of 2016 also apply.

Lorna Vella  
Secretary Planning Commission  
Within Development Scheme

-PAABMADcn-

Mark Agius

Date: 24 February 2020  
Our Ref: PA/10050/18  
Perit Ref: 5834

Dear Sir/Madam,

Application Number: PA/10050/18  
Location: Site at, Triq il-Wileg, San Lawrenz, Gozo  
Proposal: To excavate site and proposed basement garage for parking spaces; Maisonette / Garage and flat at ground floor; 3 flats at first floor; 3 flats at second floor; 3 flats at third floor and 3 flats at recessed floor level

**Development Planning Act, 2016  
Minor Amendment to Permission PA/10050/18  
in terms of regulation 15 of Legal Notice 162 of 2016**

Reference is made to the request for minor amendments, to the above quoted development permission, submitted on 15 January 2020.

The changes you propose are acceptable as a minor amendment to the development permission. The following drawings/documents are being endorsed:

PA 10050/18/MA/199A/199B/199C/199D/199E

This endorsement relates only to the changes described in your application form and specifically indicated on the drawings/documents. Any other changes from the original permission, which may be shown on the drawings/documents but which are not referred to in your application form, are not endorsed or accepted.

Consequently, this endorsement is **only** for the proposed development as specifically indicated and does not cover any other development or sanctions any illegal development which may exist on site, even if shown on the drawings/documents.

Please note that the conditions and amendments in the original permission remain valid and are therefore applicable to the development as amended, including the condition on the validity period of the permission. The other provisions of regulation 15 of Legal Notice 162 of 2016 also apply.

Yours faithfully

Jeffrey Vella  
for Executive Chairperson

-PAABMADcn-

Mark Agius

Date: 12 January 2021

Our Ref: PA/10050/18

Perit Ref: 5834

Dear Sir/Madam,

Application Number: PA/10050/18  
Location: Site at, Triq il-Wileg, San Lawrenz, Gozo  
Proposal: To excavate site and proposed basement garage for parking spaces; Maisonette / Garage and flat at ground floor; 3 flats at first floor; 3 flats at second floor; 3 flats at third floor and 3 flats at receded floor level

**Development Planning Act, 2016  
Minor Amendment to Permission PA/10050/18  
in terms of regulation 15 of Legal Notice 162 of 2016**

Reference is made to the request for minor amendments, to the above quoted development permission, submitted on 20 October 2020.

The changes you propose are acceptable as a minor amendment to the development permission. The following drawings/documents are being endorsed:

PA 10050/18/MA/232A/232B/232C/232D/232E/234B.

This endorsement relates only to the changes described in your application form and specifically indicated on the drawings/documents. Any other changes from the original permission, which may be shown on the drawings/documents but which are not referred to in your application form, are not endorsed or accepted.

Consequently, this endorsement is **only** for the proposed development as specifically indicated and does not cover any other development or sanctions any illegal development which may exist on site, even if shown on the drawings/documents.

Please note that the conditions and amendments in the original permission remain valid and are therefore applicable to the development as amended, including the condition on the validity period of the permission. The other provisions of regulation 15 of Legal Notice 162 of 2016 also apply.

Lorna Vella  
Secretary Planning Commission  
Within Development Scheme

-PAABMADcn-

Seduta Numru 73

Seduta mizmuma illum, 15 ta' Novembru, 2022.

Preseduta mic-Chairman Joseph Borg u l-membri :

L-Avukat Dr. Abigail Bugeja u l-Perit Robert Sarsero.

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Appell Numru 66/19

Meta ssejjah l-appell @ 13.51, la deher l-appellant u lanqas rapprezentant tieghu.

Meta rega' ssejjah l-appell @ 14.07 baqa' ma deher hadd.

Dehru l-Avukat Ian Stafrace u l-Perit Emanuel Vella ghall-applikant.

Ghall-Awtorita' dehru Vince Grech, Ian Galea, il-Perit Mark Cremona u l-Avukat Katrin Busuttil.

It-Tribunal qiegħed jiddikjara l-appell deżert, stante li l-appellant jew ir-rapprezentant tieghu ma dehrux anke fis-seduta precedenti u għaldaqstant qiegħed jastjeni milli jiehu konjizzjoni ulterjuri ta' dan l-appell.

Komunika

Marvic Vella

Segretarja





**PA's Report to the Environment and Planning Review Tribunal**

Application No. PA/10050/18  
 Appeals Board Ref: 00066/19

**1. Application Details:**

Application Type: Full development permission  
 Appeal Type: Third Party appeal against approval  
 Appellant: Dr. Alfred Grech  
 Applicant: Mr. Mark Agius  
 Architect: Emanuel Vella  
 Drawing Numbers: PA10050/18/1A/13B/50B/50C/50D  
*Supporting documents*  
 PA10050/18/19B-Engineer's Report  
 PA10050/18/41A- Water Services Corporation

Proposal: To excavate site and proposed basement garage for parking spaces; Maisonette / Garage and flat at ground floor; 3 flats at first floor; 3 flats at second floor; 3 flats at third floor and 3 flats at receded floor level  
 Location: Site at, Triq il-Wileg, San Lawrenz, Gozo

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**2. Decision Being Appealed:**

Decision Type: Grant Permission  
 Decided By: Planning Commission - Within Development Scheme  
 Decision Date: 22 January 2019

**3. Representations:**

Representations at docs. 49A/49B/54A/54B/55A/55B/56A/57A/57B/58A/58B raised the following issues :

- preferable that any future development is geared towards long term residential dwellings instead of short term let properties,
- based on the site area there is an opportunity for the development to include several 3-bed units,
- the proposed facade does not follow and respect the traditional architecture of the rest of the locality,
- proposed apartments do not follow the minimum floor space required,
- there are no apartments blocks in the same street or in the surrounding area as per P1,
- proposal should include a transition to the adjoining or nearest building,
- layout of apartments including windows facing each other in internal shafts, middle apartment does not have a backyard and size does not conform to the allowed minimum areas,

Directorate's comments

- the proposed design in the revised elevation is considered appropriate and follows the Design Priority Area characteristics,

- the proposed residential units are in line with DC15 policy P32 and G24 of DC15,
- DC15 policy P1 does not prohibit the construction of apartments,
- the site in question is designated for 3 floors and 3crs as per map 14.10-C of the GCLP, and the adjacent vacant site having a frontage of circa 12.4m (with same height limitation of 3 floors and 3crs) abuts the UCA and thus that specific site is subject to a transition in line with DC15 policy P6,
- the proposal is acceptable from Sanita' and the minimum floor space is compliant with DC15 P32 and G24.

#### **4. Officer's Report:**

##### **4.1 The Proposal**

This full development application permitted excavations and the construction of basement garage, two maisonettes and a garage at ground floor and overlying three full floors and a receded floor (drawings 13B, 50B, 50C and 50D).

##### **4.2 Site Description**

The site is a vacant site overlooking on Triq il-Wileg and is located within the limits to development of San Lawrenz (site plan doc. 1A and photos docs. 1G/17B).

##### **4.3 Appellant's Arguments**

An appeal to the decision by the Planning Commission was lodged by a third party through document 120b in Application No. listed above according to Article 11 of Act 5 of 2016. The arguments as brought forward by the appellant as required by Article 15 of Act 5 of 2016 were summarised by the appellant as follows:

- 1 Appellant claimed that the Planning Commission is impartial
- 2 The Appellant claimed that the Planning Commission did not factor the submissions
- 3 An improperly filled application form was submitted to the Planning Authority the appellant stated.
- 4 The appellant made reference to vested rights
- 5 It was claimed that the Planning Authority took a wrong decision since it did not follow the relevant policy framework.

#### 4.4 Comments On Appellant's Arguments

In this request for appeal, appellant is stating that this request for development is not justified in view that the proposed development does not satisfy all the requisites of the relevant policies. However, after noting all of appellant's arguments as presented in this request for appeal the Authority disagrees with these justifications and states that the development as proposed complies with the relevant policies. The Authority has examined all of the appellant's arguments and would highlight the following issues:

- 1 With regards to the claims that the Planning Commission was not impartial, the Planning Authority would like to highlight the appointment of the Planning Commission Members was made according to the legal provisions of Chapter 552 of the Laws of Malta. Nevertheless, the Planning Authority would like to highlight an explanation given by the Court in Appell Nru. 9/2019KunsillLokali Pembroke et. vs L-Awtorita tal-Ippjanar et. where the appointment of board members to the Planning Board and their responsibilities has been amply discussed.

*Fl-ewwel lok il-firxa tal-membri minn diversi oqsma inkluz persuni nominati minn entitajiet varji fosthom dawk li jharsu l-ambjent, hi intiza biex zvilupp jigi investigat minn kull aspekt tieghu, b'membri esperti f'certi materji, ohrajn li jirraprezentawoqsma mis-socjeta b'aspetti diversi bhall ambjent, wirt kulturali u kummerce fost ohrajn, u l-Parlament innifsu cioe l-poplu kif rapprezentat mill-Gvern u l-oppozizzjoni. Dan ma jfissirx li l-membri appuntati bhala rapprezentattivi ta' dawn l-entitajiet, organizzazzjonijiet jew il-Gvern u l-Oppozizzjoni ghandhom konflitt ta' interessjew xi bias oggettiv ghax kull membru fil-funzjoni tieghu fuq il-Bord tal-Awtorita qed jirraprezentaw il-kollektivita tas-socjeta u l-interess generali tas-socjeta fl-izviluppp li jkun qed jintalab l-approvazzjoni tieghu. Dan ukoll ifisser li membru maghzul fuq il-Bord tal-Awtorita ma ghandux jesprimi ruhu b'mod pubbliku mod jewiehor qabel jittiehed vot fuq zvilupp. L-entita li innominatu hi libera li tesprimi ruhha pero l-membri jrid jqis ruhu bhala indipendenti u jiddeciedi skont ma jqis li hu gust ghall-izvilupp propost ankij ekk din tmur kontra l-opinjoni jew fehma tal-enti li minnha jigi appuntat jew nominat. Jekk jesprimi ruhu qabel vot ikun qed jaqa'fin-nassa tar-rikuza u jitfa' dell skur fuq l-operat tal-Bord*

The Planning Authority notes that the appellant has not indicated any wrong doing other than that the appointed members have an interest in the industry. Thus, the appellant's argument is frivolous and without sufficient grounds.

- 2 Contrary to the appellant claims and as highlighted above, the Planning Commission had at its disposition all the submissions made by the representees. In addition, the Planning Authority notes that the submissions made by the Appellant were considered in the process as per doc 54b. In addition, the Planning Authority notes that objectors were present for the sitting in which the Planning Commission took a decision on the case.
- 3 The Appellant made reference to ownership issues regarding the way the application was filled. The Planning Authority is not a collector of the information who the actual owner of the site is throughout the whole process of an application. It is up those filling in the application that the

information is correct at that point in time and those filling the application are responsible for the whole process. Nevertheless, the Planning Authority notes that these issues are not related to a planning argument and do not have a material bearing on the outcome of an application. As such the Planning Authority even has a simple procedure for changing the applicant.

- 4 The appellant reference to vested rights is only one sided since all Policy Documents are enabling plans and not a status quo situation inferred by the appellant. The policy issues are further discussed below.
- 5 It was claimed that the Planning Authority took a wrong decision since it did not follow the relevant policy framework. However as discussed below the Planning Authority actually followed all the relevant frameworks as per below.

The Planning Authority remarks that it followed the objectives of the SPED, which replaced the previous Structure Plan for the Maltese Islands, both of which provide a strategic long-term policy document. However, as was the case with the Structure Plan, the SPED has to be complemented by more site-specific policy documents which in our case are found in the approved Local Plans for the Maltese Islands. In assessing the proposed development, the Planning Authority found that the proposed development is in accordance to both the SPED and the Local Plan as per following extracts from the Development Permit Application Report

*The proposal conforms to the designations of the Gozo & Comino Local Plan. The proposed development respects the relative allowable height in metres in line with policy P35.*

*The proposed external design is visually appropriate with the surrounding environment and thus complies with SPED policy UO4, which seeks to safeguard the amenity and the pleasantness of place and policy NHGT 08 for Design Priority Areas (drawing 50C and photos docs. 1G/17B).*

Contrary to the appellant claims the dwellings as proposed satisfy the minimum floor space requirement in line with policy P32 of DC15 and have an outlook onto the street. The Tribunal's attention is drawn to the following reasoning in the development permit application report:

*Although the two-bedroom units (marked nos. 3/6/9) at first, second and third floor and the two-bedroom residential unit (marked no. 11) at receded floor level have a floor space less than the minimum required, this may be compensated by the 10% external space (in line with policy G24 of DC15). The proposed residential units are thus in line with policy P32 of DC15*

The Planning Authority notes that the appellant failed to highlight an adequate breach in the DC 2015 Policies with regards to the proposed elevation. The Tribunal may wish to note that the appellant highlighted that the proposed development may not follow the principles of guidance in DC 2015. With regards to this the definition of a guidance in terms of DC 2105 is being highlighted below:

**Good-practice guidance (G)** that generally provides the intent and establishes the principle but that may then have diverse solutions to achieve such principle particularly given the subjectivity of some of these provisions;

Consequently, the Planning Authority given the subjectivity of the design accepted the proposed development since other provisions were retained.

With regards to the cross reference to Policy P6 *Transition Design Solutions* of DC 2015, the following extract refers:

*Transition solutions immediately outside UCA Specifically, where development is sited immediately adjacent to an UCA, it will not be higher than the height of the predominant buildings located within the stretch of the perimeter block with frontages in the UCA in question (refer to Figure 18 (a)), so as not to visually dominate the streetscape or other spaces within the UCA. If it adjoins a garden in the UCA, it will be of an appropriate height in relation to the garden wall and set back from that wall by a minimum distance of 3 metres. In this manner the height of the new building will reflect its context and be related to the height of the wall, the size of the garden or space, the distance of the building from that garden, and its overall effect on the garden.*

The Planning Authority remarks that the proposed development lies **across the road** from the Urban Conservation Area and **does not adjoin** the Urban Conservation Area to which situations Policy P6 refers.

Further to the above the Planning Authority notes that in terms of current policies and regulations, the development as proposed conforms to the designations of the Gozo and Commino Local Plan, and also respects the relative allowable height in metres in line with Policy P35 and Annex 2 of the DC15.

In particular, the tribunal may wish to note that the site has a Local Plan designation of a Residential Area permitting 3 floors three courses basement development (as per NHLP Map 14.10-C Height Limitation). In terms of the DC2015, the building height limitation translates to 16.3 metres. Consequently, the development as approved has reached the maximum height potential of the building and hence it was considered acceptable in terms of the maximum permitted dimensions outlined in the applicable policies.

The Planning Authority notes that this case is very similar in terms of difference in heights to that decided by the Tribunal in PAB 281/17 whereby the case appealed PA 7277/16 proposed additional levels opposite to a villa area. In that case the Tribunal rejected the third-party appeal lodged by the Local Council. In the light of all of the above, the Planning Authority highlights that the Planning Commission accepted the proposed development.

#### **4.5 Conclusion**

Conclusively, the Authority states that whilst taking note of appellant's submitted arguments in this request for appeal, the Authority notes that there are no sound planning justifications that justify a dismissal of the development planning application. Hence, reference is made to the reports as presented by the Directorate and to the Planning Commission's decision which accepted this request for development since the Commission had based the decision on the valid relevant policies applicable to this area. Reference is also made to the detailed reports as included in the file and to the submissions (verbal and written) which will be presented during the appeals sittings. The Planning Authority therefore reiterates that it acknowledges and confirms that the approval of the development was justified on planning considerations which took into consideration all the relevant facts, planning



policies, legislation and submissions. The Authority reserves the right to forward further submissions during the appeals process as necessary.

## 5. Request

For the above-mentioned reasons, the Planning Authority respectfully requests that the Environment & Planning Review Tribunal to confirm the issued permit and to refuse this third-party appeal.

---

This report to the Environment and Planning Review Tribunal has been prepared by:

Case Officer:

Checked by: Ian Galea

Signature:

Signature:

Date:

Date:

---

-APLRepEndorsed-

**Fit-Tribunal ta' Revizjoni tal-Ambjent u l-Ippjanar****PAB 66/19****PA 10050/18****Fl-ismijiet:****Dr Alfred Grech****Vs****L-Awtoritá tal-Ippjanar****Risposta tal-Awtoritá tal-Ippjanar*****Tesponi bir-Rispett:***

Illi l-appellant talab lil dana l-Onorabbli Tribunal sabiex jixhdu il-Membri tal-Kummissjoni tal-Ippjanar tal-Awtoritá esponenti.

Illi l-Awtoritá tal-Ippjanar tissottometti illi kemm-il darba din ix-xhieda hija mitluba sabiex il-Membri tal-Kummissjoni jigu mitluba jimmotivaw id-decizjoni tal-Kummissjoni, din it-talba ma hijex gustifikata. Dan qed jigi maghdud iktar u iktar f'dan il-kaz partikolari fejn il-Kummissjoni iddecidiet l-applikazzjoni tal-ippjanar versu dak li jigi rakkomandat lilhom mid-Direttorat tal-Ippjanar tal-Awtoritá esponenti. Tali rakkomandazzjoni giet mressqa versu rapport iddettaljat ferm li fih gie mfisher ir-ragunijiet ghaliex tressqet din ir-rakkomandazzjoni quddiem l-istess Kummissjoni. Jfisher allura li meta l-Kummissjoni ddecidiet l-applikazzjoni, hija mhux biss ghamlet taghha din l-istess rakkomandazzjoni, izda wkoll motivazzjonijiet li wasslu ghall-istess decizjoni.

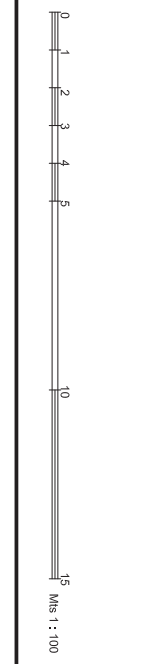
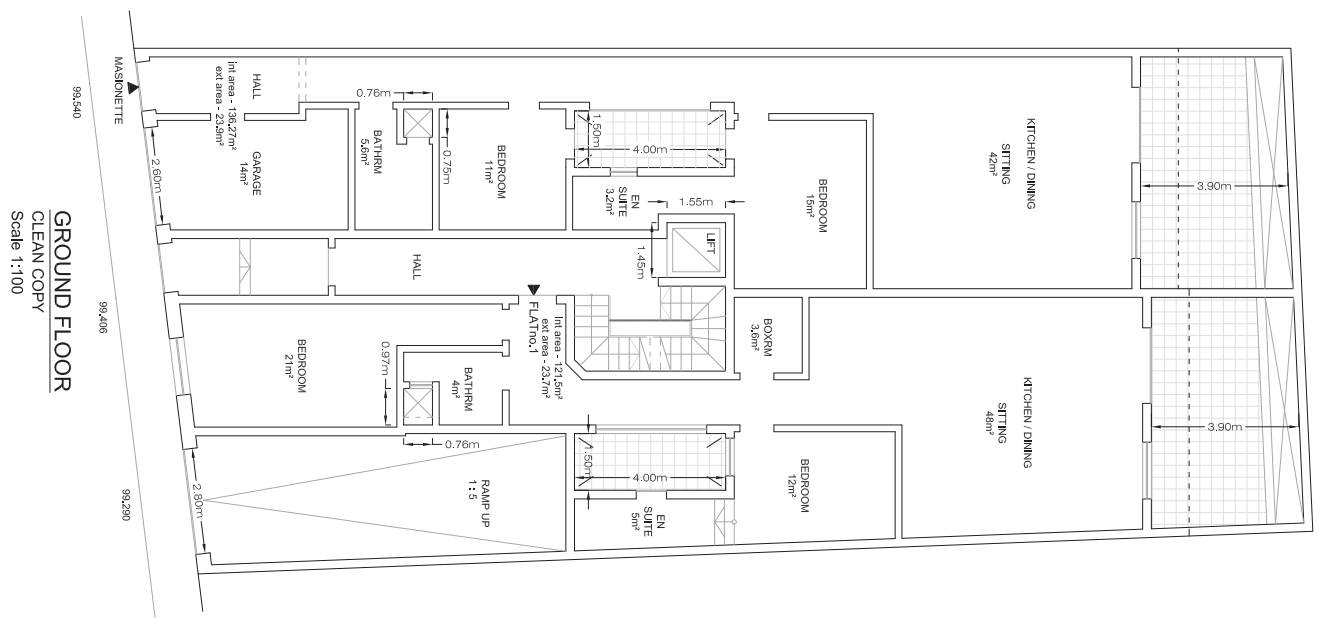
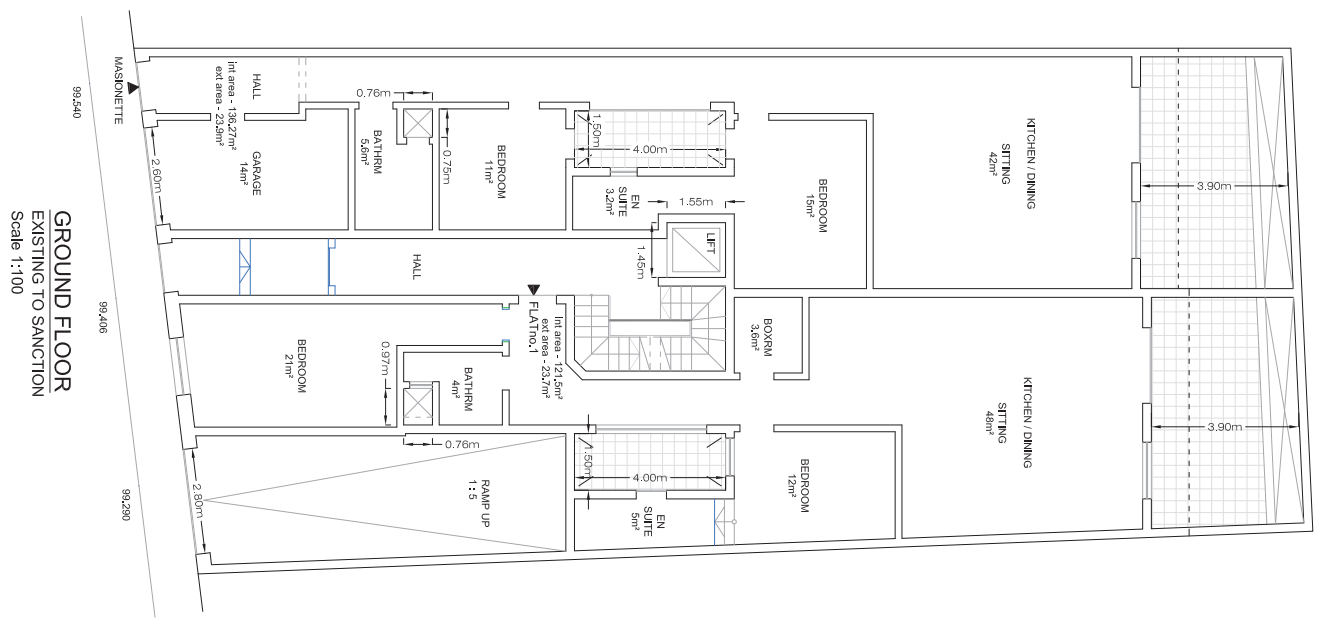
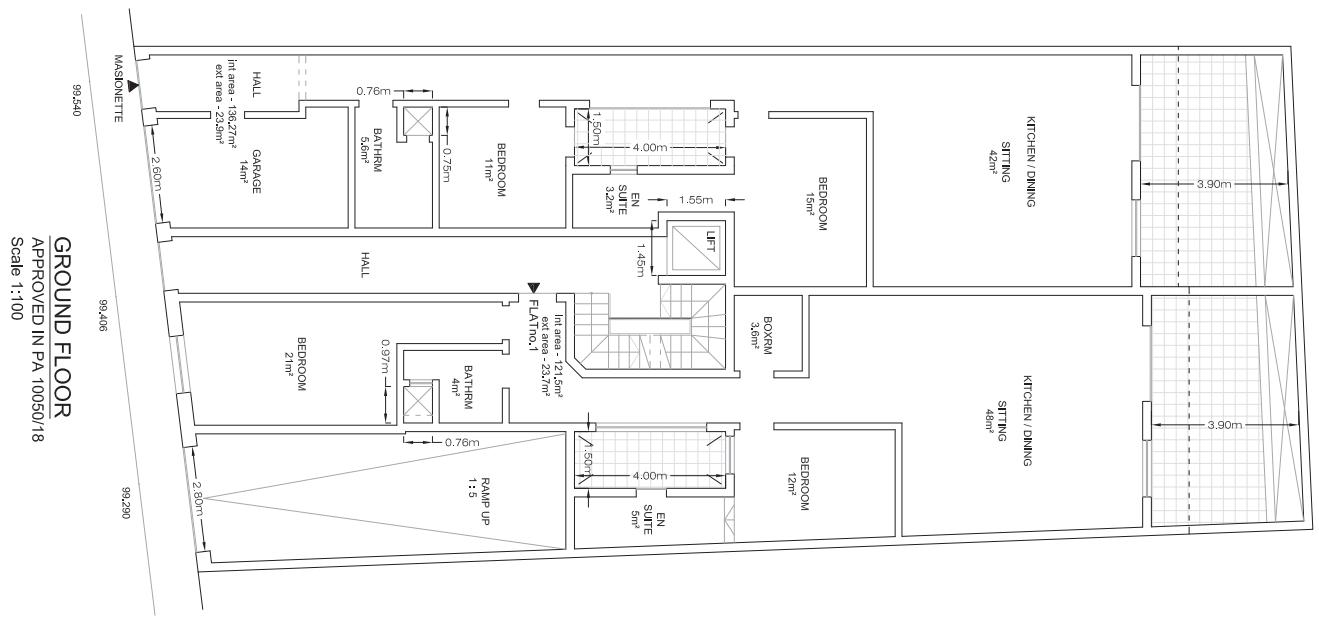
Inoltre ghandu jinghad, li meta l-Kummissjoni tghaddi sabiex tiddeciedi l-applikazzjoni hija tiddiskuti l-applikazzjoni f'seduta pubblika li fiha anki l-pubbliku huwa mistieden li jippartecipa. Finalment, meta l-istess Kummissjoni tiddeciedi l-kaz hija tispjega r-ragunijiet li fuqhom qed sejjes d-decizjoni taghha u dana ai termini tal-ligi. F'dan il-kaz ghandu jigi maghdud illi l-appellant kien ukoll prezenti waqt din l-istess seduta.

Fid-dawl ta' dan kollu, l-Awtorita' tissottometti allura li kemm-il darba t-talba tal-appellant qiegħda ssir sabiex tigi motivata d-decizjoni tal-Kummissjoni, din it-talba ma hijjex misthoqqa u għandha tigi rrifjutata minn dana l-Onorabbli Tribunal.

Dr M.Sammut

I.Galea



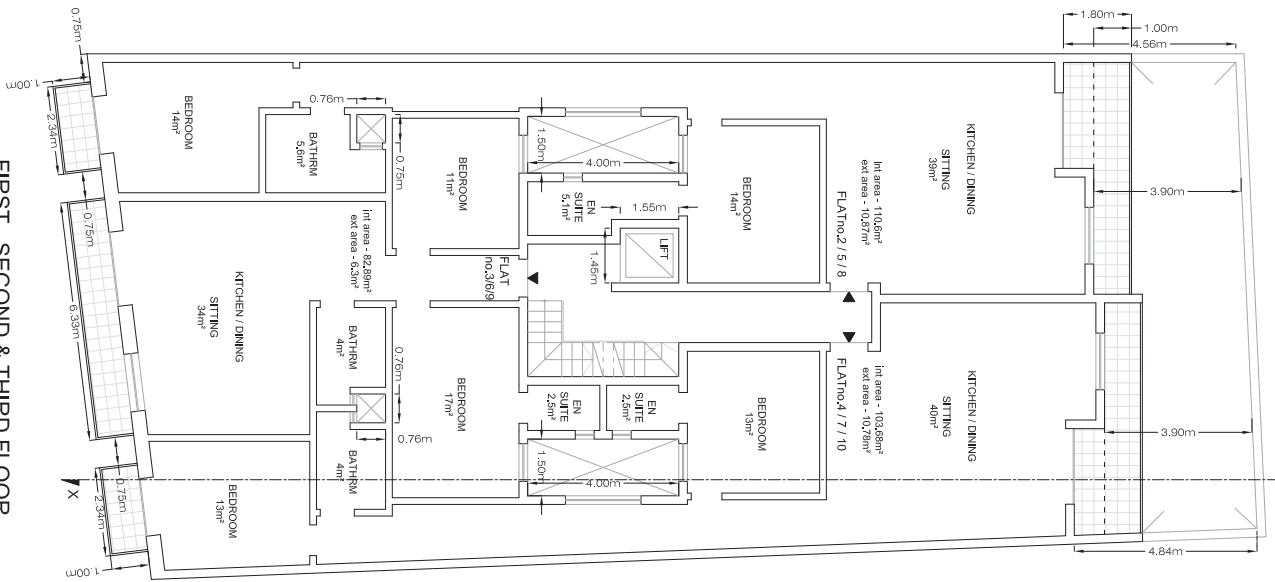
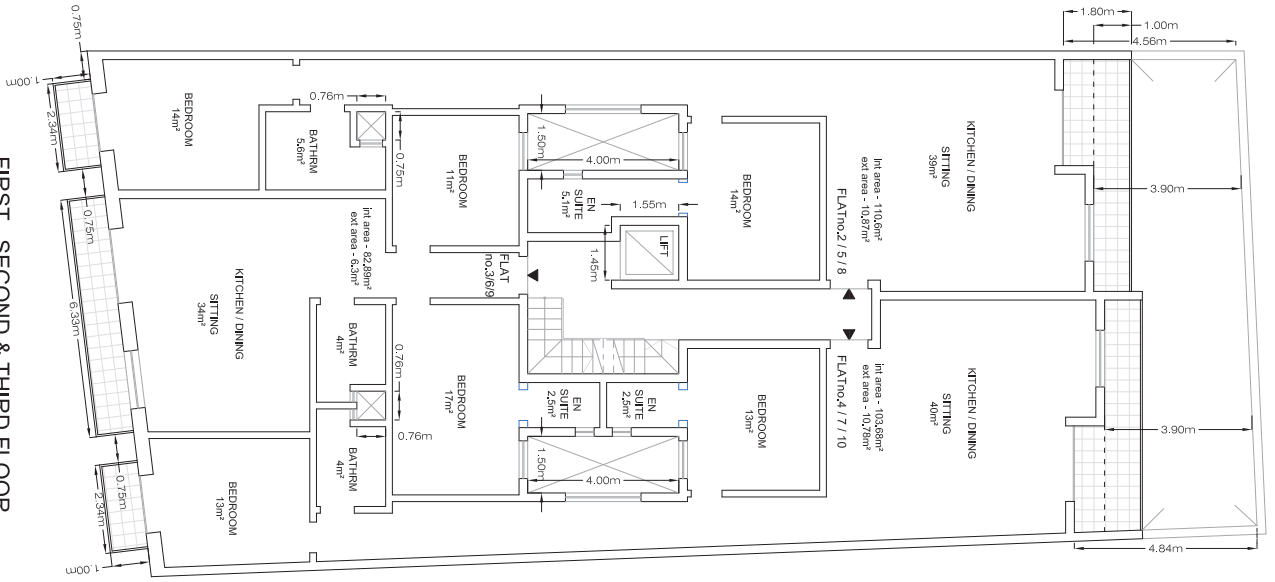
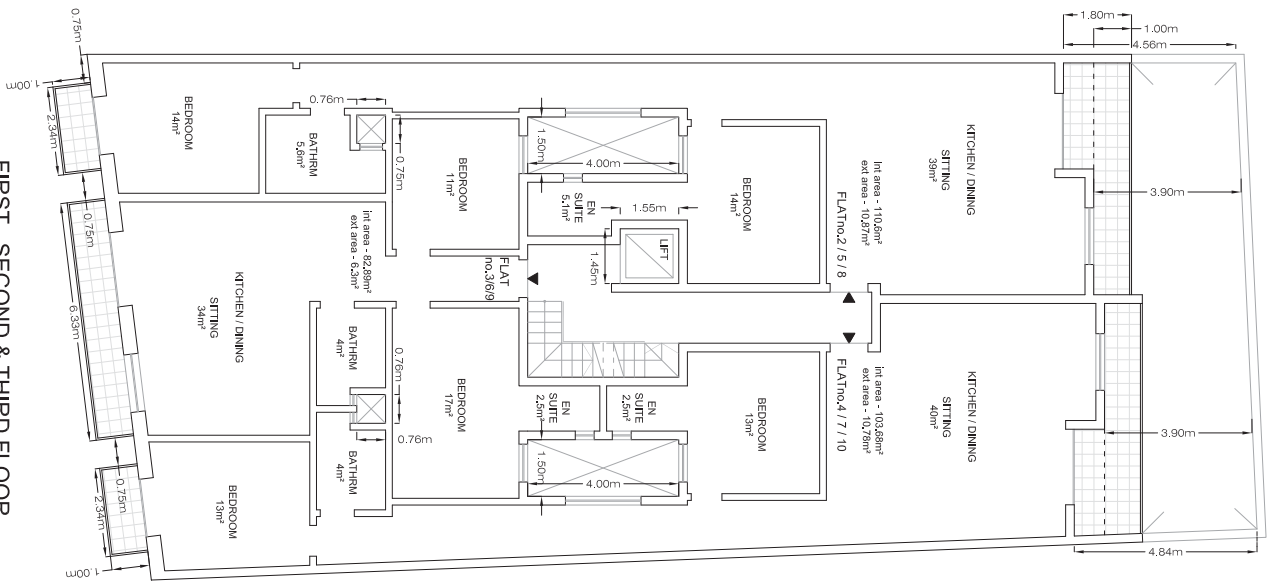


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|           | Site at Trq II - Wileg San Lawrenz Gozo |

|          |            |   |
|----------|------------|---|
| Date     | 09/10/2020 | ARCHITECT & CIVIL ENGINEER  |
| File No. | 5934       | <br>EMANUEL VELLA<br>ARCHITECT & CIVIL ENGINEER<br>Vilella Gozo 342355963<br>emv@emv.com.mt |
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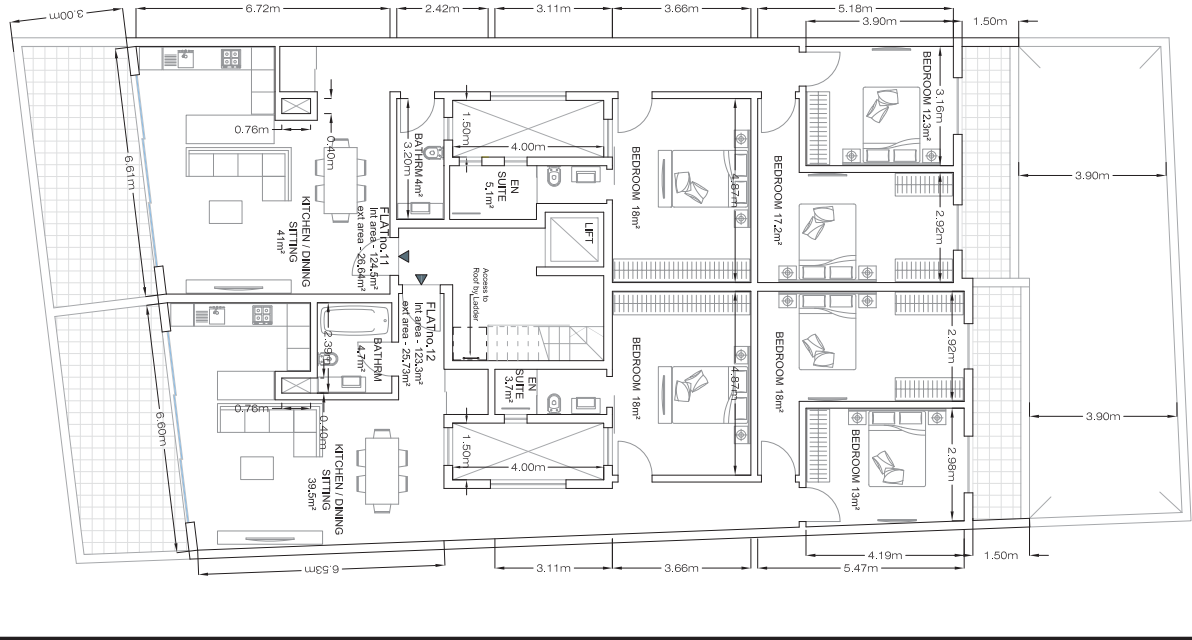
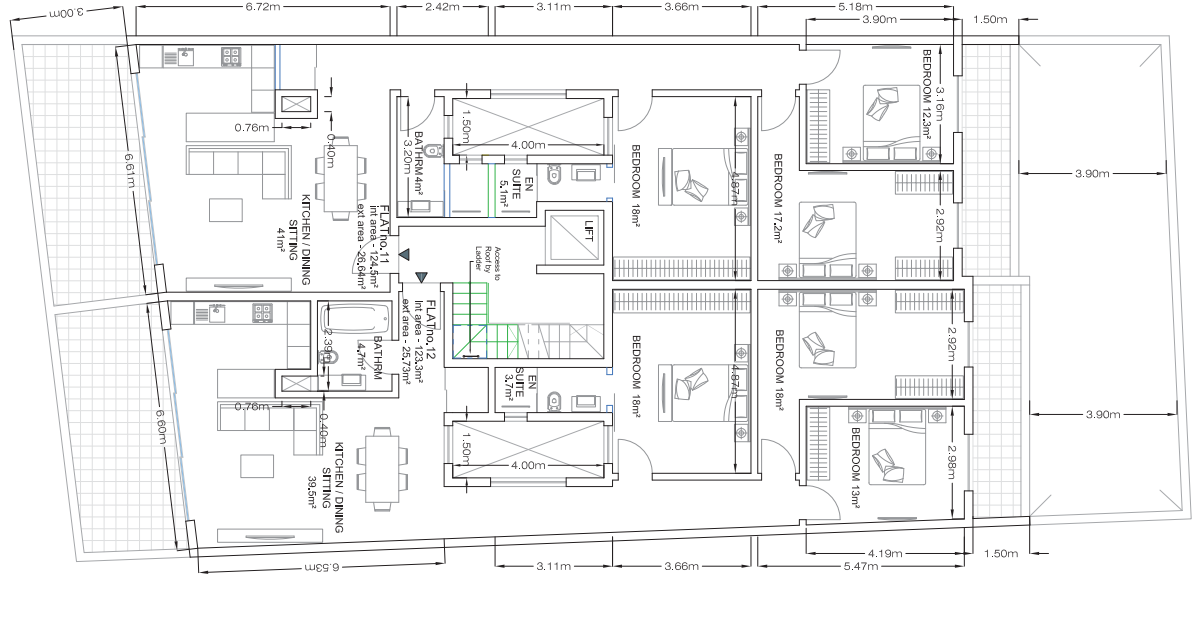
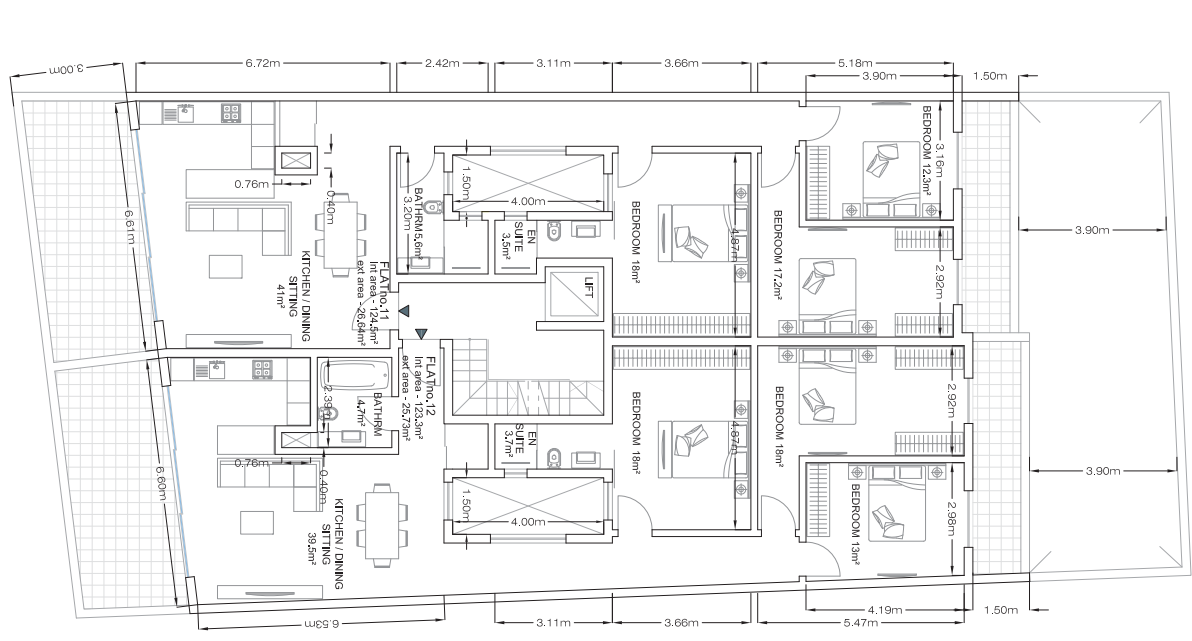


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| 30 OCT 2020 | 5934     | 5934/3      | 1:100 (A2) | N. ZENTRIFUGA |

**ARCHITECT & CIVIL ENGINEER**  
**EMANUEL VELLA**  
 THE CAPPE  
 VICTORIA CROSS ROAD  
 GOSWELL ROAD, GOSWELL  
 GOSWELL, GOSWELL, GOSWELL





| REF. | DATE       | DESCRIPTION       | INT. |
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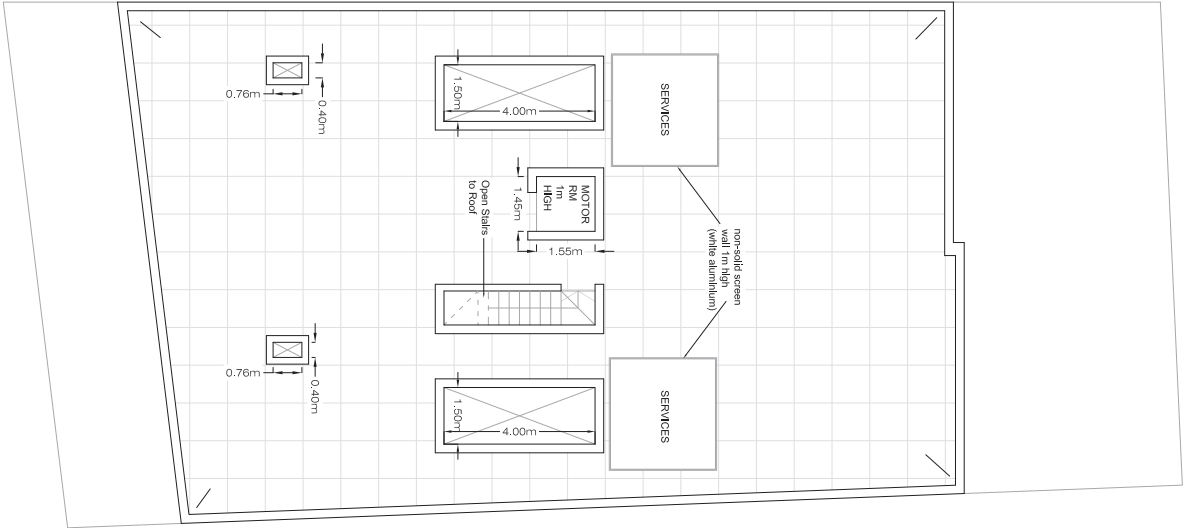
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Site at Trq II - Wileg  
 San Lawrenz Gozo

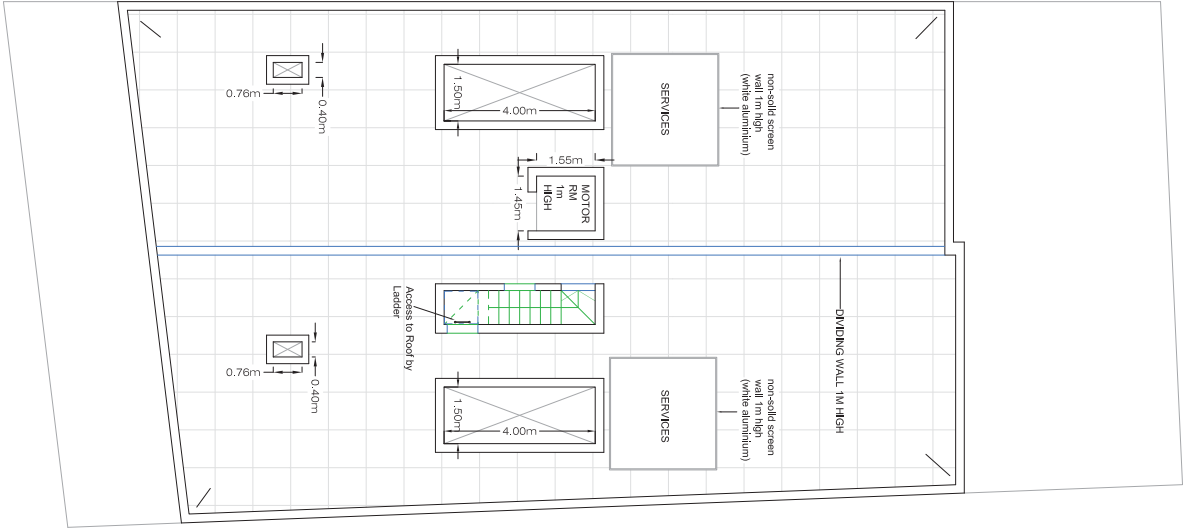
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**ARCHITECT & CIVIL ENGINEER**

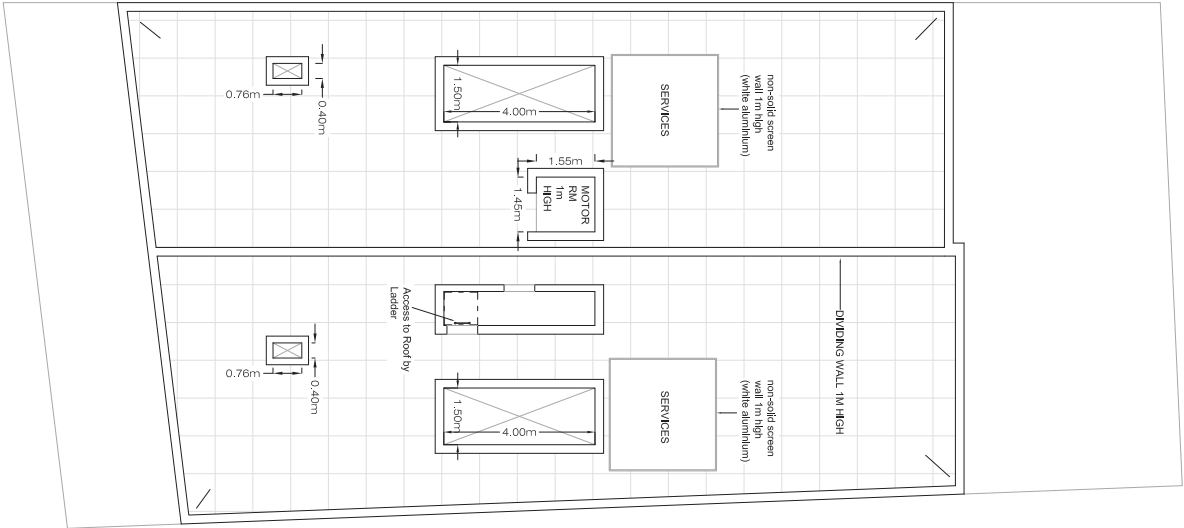
**EMANUEL VELLA**  
 THE CAPTAIN  
 Vella Geo 342355 863  
 emanuel@emv.com



**ROOF PLAN**  
APPROVED IN PA 10050/18  
Scale 1:100



**ROOF PLAN**  
EXISTING TO SANCTION  
Scale 1:100



**ROOF PLAN**  
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**Date:** 9th OCT 2020  
**File No.:** 5834  
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**ARCHITECT & CIVIL ENGINEER**  
  
**EMANUEL VELLA**  
THE CLIP  
1, WILSON ROAD, 24251863  
GOZO, SAN LAURENZO DE' GHAZIQ



**LONGITUDINAL SECTION X : X**  
Scale 1:100



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| San Lawrenz Gozo        |  |

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| Drawn      | N. Portelli   |

**ARCHITECT & CIVIL ENGINEER**

**EMANUELE VELLA**  
THE CLIFF  
Architects & Civil Engineers  
Marsa, Pjazza STR.  
Marsa Gozo, tel: 2553883  
email: info@emvella.com

: Facade in Local 'Franka' Stone un-rendered and un-painted .  
 : Apertures in Aluminium White Colour.  
 : Railing in Aluminium White Colour.



**FRONT ELEVATION**

APPROVED/PROPOSED

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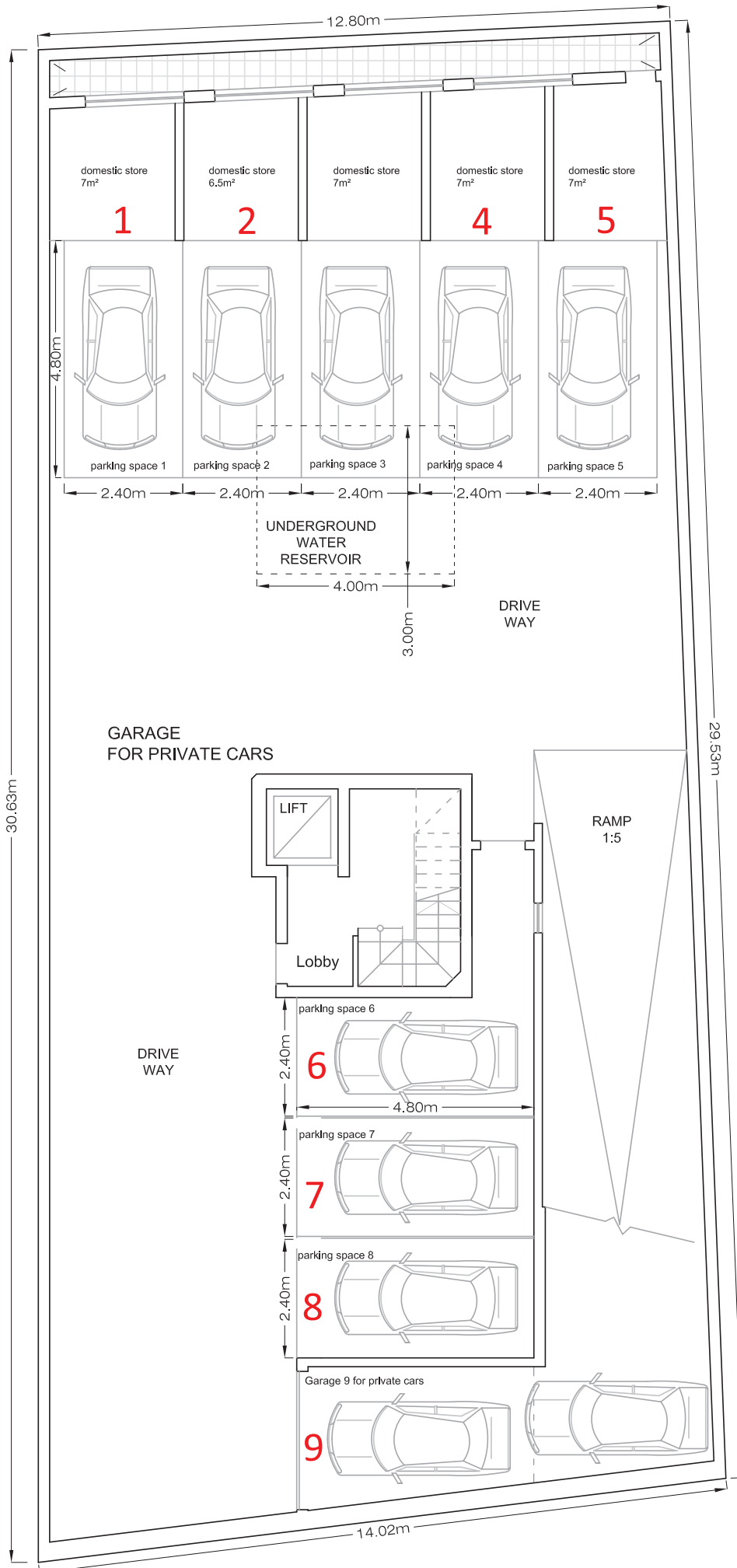
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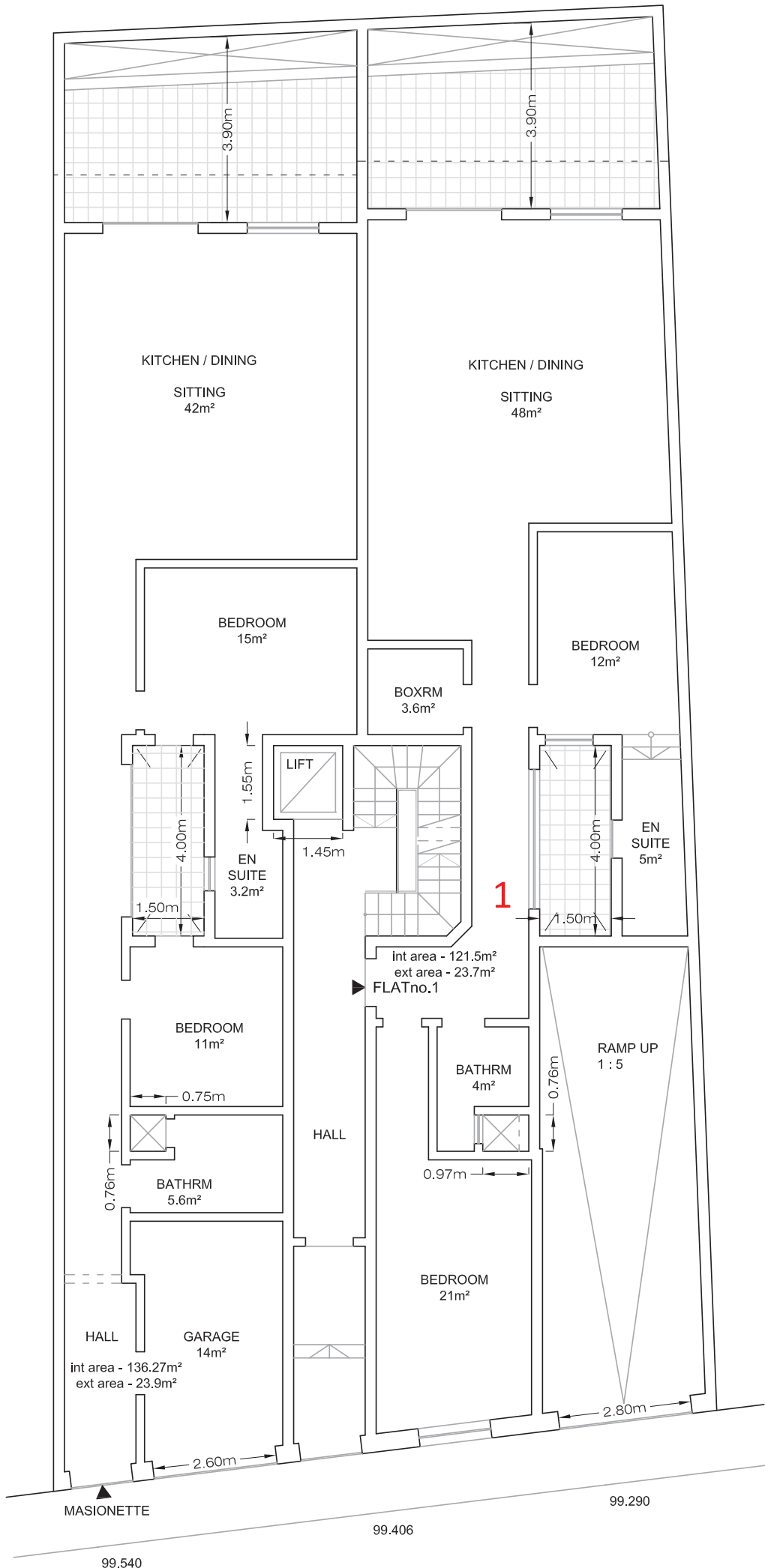
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| Drawn     | N.Portelli    |

ARCHITECT & CIVIL ENGINEER

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 Mons. P.Pace STR.  
 Victoria Gozo Tel: 21551963  
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**BASEMENT**  
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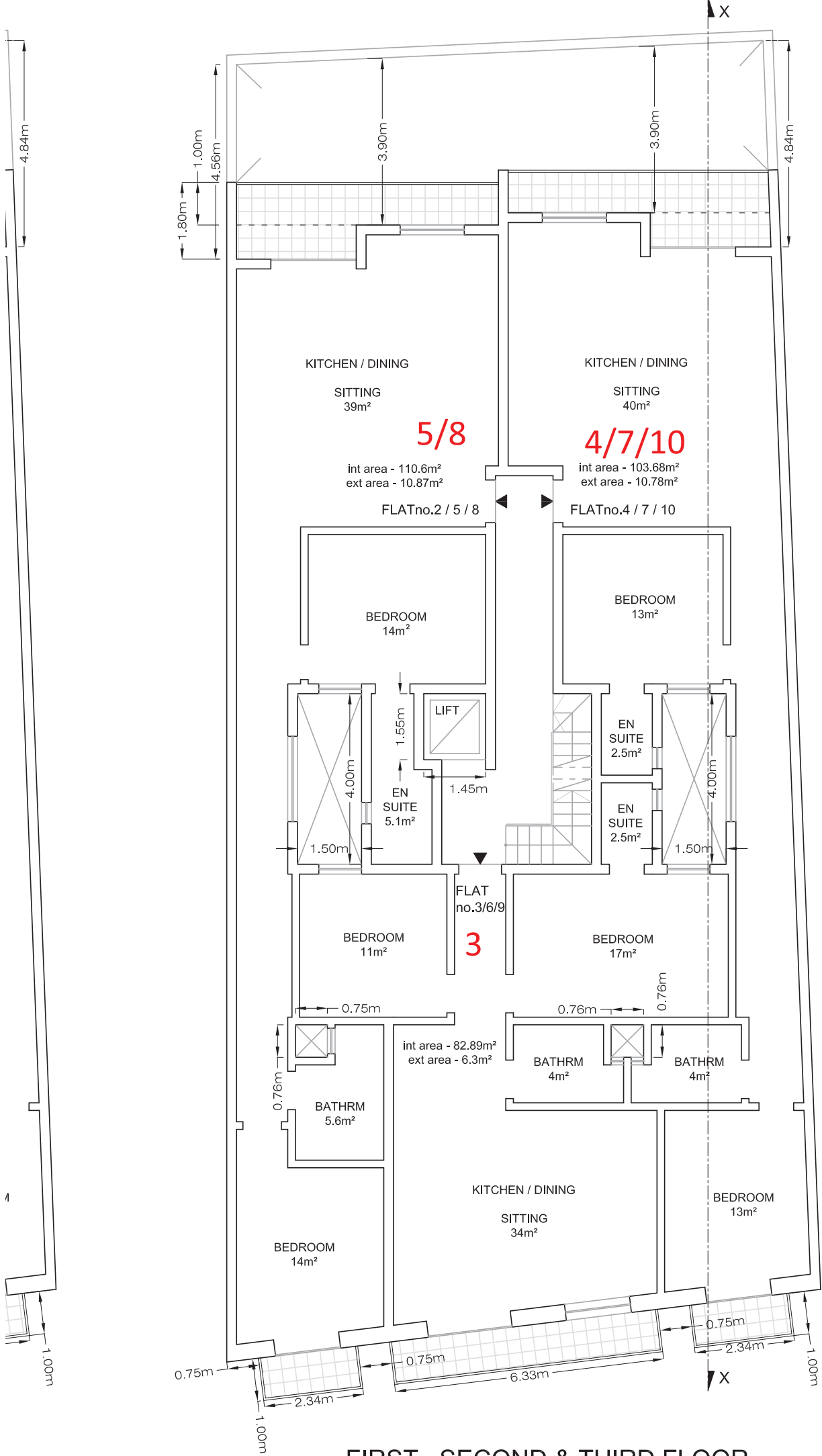


**GROUND FLOOR**

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Scale 1:100





**FIRST , SECOND & THIRD FLOOR**  
**CLEAN COPY**



**Appendix 06: (Midra)**

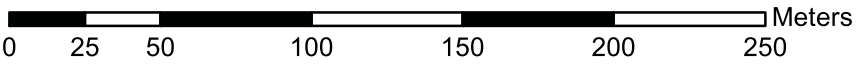
**A.06.4 – Summary of Lease Agreements**

## Summary Lease Agreements

|   |             |
|---|-------------|
| <b>Development Name:</b>                        | Il-Midra    |
| <b>Location:</b>                                | San Lawrenz |
| <b>Contract Date</b>                            | 23/03/2021  |
| <b>Start date</b>                               | 23/03/2021  |
| <b>End date</b>                                 | 22/03/2031  |
| <b>Term (in yrs)</b>                            | 10          |
| <b>Number of apartments</b>                     | 9           |
| <b>Monthly rent</b>                             | € 4,550     |
| <b>Rent per annum</b>                           | € 54,600    |
| <b>Contributions for common parts per annum</b> | € 2,340     |
| <b>% Per Year Increase</b>                      | 2%          |

**Appendix 07: (Trilogy)**

A.07.1 – Site Plan



1:2,500 Date Printed: 31/05/2018

Public Geoserver

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 Data Captured from: 1988, 1994, 1998, 2004 & 2008 aerial photography and updates from 2012 orthophotos.  
 Truncated U.T.M. Coordinates. Levelling Datum M.S.L. (Mean sea level). Contours when shown are at 2.5m vertical interval. Not to be used for interpretation or scaling of scheme alignments  
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 www.pa.org.mt, mappingshop@pa.org.mt



**Appendix 07: (Trilogy)**  
A.07.2 – Photographs











**Appendix 07: (Trilogy)**

**A.07.3 – Planning Permit and Permit Drawings**



Mr. Mark Agius

Date: 4 December 2018

Our Ref: PA/05408/18

Application Number: PA/05408/18  
Application Type: Full development permission  
Date Received: 31 May 2018  
Approved Documents: PA 5408/18/16k/35b/74b/74c/74d/74e/74f/74g/74h/74i; and supporting documents:  
PA 5408/18/30b - Engineer's report  
PA 5408/18/61a - WSC

Location: Site at, Triq Guzeppi Bajada, Xaghra, Gozo  
Proposal: To construct 19 flats and excavate basement with 17 garages

### **Development Planning Act, 2016 Full Development Permission**

The Planning Authority hereby grants development permission in accordance with the application and documents described above, subject to the following conditions:

- 1 a) This development permission is valid for a period of FIVE YEARS from the date of publication of the decision in the press but will cease to be valid if the development is not completed by the end of this validity period.
- b) This permission relates only to the development as specifically indicated on the approved drawings. This permission does not sanction any other illegal development that may exist on the site.
- c) A Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, **if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised** - Article 72(4) of the Development Planning Act (2016).
- d) Copies of all approved drawings and documents shall be available for inspection on site by Planning Authority officers at all reasonable times.
- e) The development shall be carried out in complete accordance with the approved drawings, documents and conditions of this permission. Where a matter is not specified,

PA/05408/18

Print Date: 14/12/2018

then the conditions of this permission and of Development Control Design Policy, Guidance and Standards 2015 shall apply.

f) Before any part of the development hereby permitted commences, the enclosed green copy of this development permission shall be displayed on the site. This must be mounted on a notice board, suitably protected from the weather and located not more than 2 metres above ground level at a point on the site boundary where it is clearly visible and can be easily read from the street. The copy of the permission must be maintained in a good condition and it shall remain displayed on the site until the works are completed.

g) All building works shall be erected in accordance with the official alignment and official/existing finished road levels as set out on site by the Planning Authority's Land Surveyor. The Setting Out Request Notice must be submitted to the Land Survey Unit of the Planning Authority when the setting out of the alignment and levels is required.

h) Where an officially schemed street, within the development zone, bordering the site is unopened or unformed, it shall be opened up and brought up to its proper, approved and official formation levels prior to the commencement of any development hereby being permitted.

i) It is the responsibility of the permit holder to ensure that development is carried out in accordance with the provisions of the Environmental Management Construction Site Regulations, Legal Notice 295 of 2007 (or subsequent amendments). Any hoarding shall be erected in accordance with Schedule 2 of the same Regulations.

j) New development on vacant or redeveloped sites shall be provided with a water cistern to store rainwater run-off as required by the Energy Performance of Buildings Regulations (2012) [published through Legal Notice 376 of 2012 and any amendments thereto].

k) No steps, ramps or street furniture are to be constructed on or encroached onto the public pavement or road.

l) Any doors and windows, the lower edge of which is less than 2m above road level, and any gates shall not open outwards onto a public pavement or road.

m) Where present, window grilles (including 'pregnant' windows), sills, planters and other similar elements which are part of or fixed to the facade of buildings, the lower edge of which is less than 2 metres above road level, shall not project more than 0.15 metres from the facade over a public pavement or street.

n) Air conditioning units shall not be located on the facades of the building which are visible from the street or a public space.

o) There shall be no service pipes, cables or wires visible on the front elevation or on any other elevations of the building which are visible from the street or public space.

p) Any garages/parking spaces shall only be used for the parking of private cars and shall be kept available at all times for this purpose.

q) Any approved stores shall be used for domestic storage only and shall not be segregated from the rest of the building.

r) Any unit approved on more than one floor (duplex or more) shall remain physically

interconnected as a single unit, and shall not be sub-divided into separate units without specific Planning Authority consent.

- 2
  - a) The façade(s) of the building shall be constructed in local un-rendered and unpainted stone, except where other materials/finishes are indicated on the approved drawings.
  - b) All the apertures and balconies located on the façade(s) of the building shall not be in gold, silver or bronze aluminium.
  - c) Where a front garden is imposed, the 'solid part' of the boundary wall in the front garden shall not be higher than 1.4 metres above the external finished road level. Where the road is sloping, the wall shall be stepped accordingly. Any pillars or gateposts shall not exceed a height of 2.25 metres.
  - d) The height of the services on the roof of the building shall not extend beyond the approved height of the uppermost parapet wall.

- 3 The development hereby permitted shall be subject to Final Compliance (Completion) Certification, verifying that the development has been carried out in full accordance with the approved drawings, documents and conditions imposed in this development permission, except where such conditions are enforced by other entities. Prior to the issue of any compliance certificate on any part of this development, the applicant shall submit to Planning Authority, in relation to that part of the building:

- (i) certification from a qualified engineer confirming that the development fully satisfies the requirements specified in supporting document PA 5408/18/30b.

- 4 To make up for the shortfall in parking provision of 3 parking spaces, this development permission is subject to a contribution amounting to the sum of € 3,494.07 in favour of Planning Authority's Urban Improvements Fund for the locality. The funds raised shall be used to fund traffic management, green transport, urban improvements or similar projects. The contribution shall be utilised as required and directed by Planning Authority.

- 5 **Conditions imposed and enforced by other entities**

A. Where construction activity is involved:

- (a) the applicant shall:

- (i) **Appoint a Project Supervisor for the Design Stage and a Project Supervisor for the Construction Stage** and any such appointment shall be terminated, changed or renewed as necessary. The same person may be appointed to act as project supervisor for both the design and construction stage, if that person is competent to undertake the duties involved and

- (ii) **Keep a health and safety file** prepared by the Project Supervisor for the Design Stage.

- (b) When the construction works related to this application are scheduled to last longer than thirty working days and on which more than twenty workers are occupied simultaneously, or on which the volume of work is scheduled to exceed five hundred

person-days, the project supervisor **shall communicate a prior notice to the Occupational Health and Safety Authority (OHSA) at least four calendar weeks before commencement of works.**

(c) The Project Supervisor for the Design Stage shall **draw up a health and safety plan** which sets out the occupational health and safety rules applicable to the construction activities concerned, outlining the measures to ensure cooperation between different contractors and shall also include specific measures concerning occupational risks that may be present at this site.

B. Where the development concerns a change of use to a place of work, the applicant shall obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.

C. Where the development concerns a place of work:

The applicant shall:

(i) obtain a Perit's declaration that the necessary requirements arising out of LN 44 of 2002 have been included in the plans and drawings; and

(ii) obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.

D. The development is to strictly adhere to the 'Design Guidelines on fire safety for buildings in Malta' to ensure that all Fire Safety measures and provisions are addressed as indicated in the Design Guidelines on Fire Safety for Buildings in Malta, published by the DCID in 2004, (or other relevant standard, provided it is approved by the Civil Protection Department), Policies, and the Laws and Regulations of Malta.

E. Where the development includes a livestock farm:

(a) The farm **shall not** be connected directly to the sewer network.

(b) Silting traps, sedimentation pits as well as manure clamps shall be installed, as shown on the approved drawings. Settled Waste water shall only be discharged in approved waste receiving stations.

(c) Any effluents discharged shall have chloride levels lower than 1000 mg/L. The operators shall acquire a Public Sewer Discharge Permit before commencing operations.

F. Where the development includes a swimming pool:

(a) Any effluent, if discharged in the sewers, shall meet the specifications listed in L.N.139 of 2002 as amended by L.N.378 of 2005.

(b) Adequate sampling points should be installed as directed by WSC – Discharge Permit Unit officials.

(c) Chlorine concentration of the effluent should not exceed 100 mg/L Cl<sub>2</sub>.

G. Prior to laying of water and wastewater services in the road, the development shall comply with the requirements of Legal Notice 29/10 Part III (Roads in inhabited Areas) Clause 12.

H. In the event of an accidental discovery in the course of approved works, any cultural heritage feature discovered should not be damaged or disturbed and the Superintendence is to be immediately informed of such discovery. Any cultural heritage features discovered are to be investigated, evaluated and protected in line with the Cultural Heritage Act 2002 (CAP 445). The discovery of cultural heritage features may require the amendment of approved plans.

- 6 This permission is subject to a Bank Guarantee to the value of € 2,437.59 to ensure that the street is properly restored in accordance with the Environmental Management Construction Site Regulations, 2007 (Legal Notice 295 of 2007). The bank guarantee shall only be released after the perit submits a post-construction condition report together with photographs evidencing compliance with this condition, accompanied by clearance from the Local Council. The clearance from the Local Council is to be endorsed by the Mayor and the Executive Secretary of the Local Council. This guarantee shall be forfeited if, after 3 months from the date of notification by the Authority of a notice to effect the remedial works, these are not carried out. Its forfeiture shall not, however, preclude the applicant from adhering to all the conditions contained in this development permission.

In terms of Article 72(3) of the Development Planning Act, 2016, the execution and validity of this permission is automatically temporarily **suspended** and no works as approved by the said development permission may commence before the lapse of the time period established in Article 13 of the Environment and Planning Review Tribunal Act and subsequently will remain so suspended if the Tribunal so decides in accordance with the Environment and Planning Review Tribunal Act.

Where the approved drawings and/or documents are dimensioned, then the declared dimensions shall prevail over the actual size as depicted on the approved drawings and/or documents.

Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on the plan what needs to be carried out and obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.

If the declaration of ownership, as contained in the application form, is determined as incorrect by a Court of Law, then the said Court of Law can declare this development permission as null and void. This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance and agreement must be obtained for this development from the Land and/or Estate Management Departments.

This development permission is granted saving third party rights. This permission does not exonerate the applicant from obtaining any other necessary permission, license, clearance or approval required from any Government department, local council, agency or authority, as required by any law or regulation.

This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (Cap. 424) - Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.

For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes) Order 2014, or its subsequent amendments.

**This decision is being published on 19 December 2018.**

Marthese Debono  
Secretary Planning Commission (Development Permissions)



## Notes to Applicant and Perit

### Right for reconsideration

Where applicable, you have a right to submit a request for reconsideration to the Authority in terms of regulation 14 of Legal Notice 162 of 2016.

### Right for appeal

You have a right to submit an appeal, against the decision, to the Environment and Planning Review Tribunal in terms of Article 13 of the Environment and Planning Review Tribunal Act, 2016.

### Time limits

Requests for reconsideration or appeals must be made within 30 days from the publication of the decision notification in the local press as required by regulation 14(1) of Legal Notice 162 of 2016.

### Fees to submit a request for reconsideration or appeal

In either case, there is a fee to be paid which should accompany the request for reconsideration or the appeal. The fees are as follows:

For reconsideration - 3% of the Development Permit Fee paid in respect of the original application, subject to a minimum of €69.88.

For appeal - 5% of DPF (Development Permit Fee) paid in respect of the original application, subject to a minimum of €150 + €50 administrative fee (LN 112 of 2016).

### Submission of request for reconsideration or appeal

With regards to requests for reconsideration, Form PA 4/16 must be used for submission. All fields of the Form must be filled in as appropriate. Requests for reconsideration can only be submitted electronically.

With regards to appeals, as required by Article 13 of the Environment and Planning Review Tribunal Act, 2016, the submission must include the detailed grounds for appeal and the requests being made by the appellant. Appeals must be submitted physically at the offices of the Environment and Planning Review Tribunal, St. Francis Ditch, Floriana.

## Important Notice

**In view of the provisions of Article 72(4) of the Development Planning Act (2016), a Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised.**

-PADCN-

Mark Agius

Date: 4 December 2020  
Our Ref: PA/05408/18  
Perit Ref: AGIMAR/J-37/18

Dear Sir/Madam,

Application Number: PA/05408/18  
Location: Site at, Triq Guzeppi Bajada, Xaghra, Gozo  
Proposal: To construct 19 flats and excavate basement with 17 garages

**Development Planning Act, 2016  
Minor Amendment to Permission PA/05408/18  
in terms of regulation 15 of Legal Notice 162 of 2016**

Reference is made to the request for minor amendments, to the above quoted development permission, submitted on 7 April 2020.

The changes you propose are acceptable as a minor amendment to the development permission. The following drawings/documents are being endorsed:

PA/05408/18/MA/193A/193B/193C/193D/193E/193F/193G/193I/202B/202C/205A. 195B(Engineer's report)

This endorsement relates only to the changes described in your application form and specifically indicated on the drawings/documents. Any other changes from the original permission, which may be shown on the drawings/documents but which are not referred to in your application form, are not endorsed or accepted.

Consequently, this endorsement is **only** for the proposed development as specifically indicated and does not cover any other development or sanctions any illegal development which may exist on site, even if shown on the drawings/documents.

Please note that the conditions and amendments in the original permission remain valid and are therefore applicable to the development as amended, including the condition on the validity period of the permission. The other provisions of regulation 15 of Legal Notice 162 of 2016 also apply.

Yours faithfully

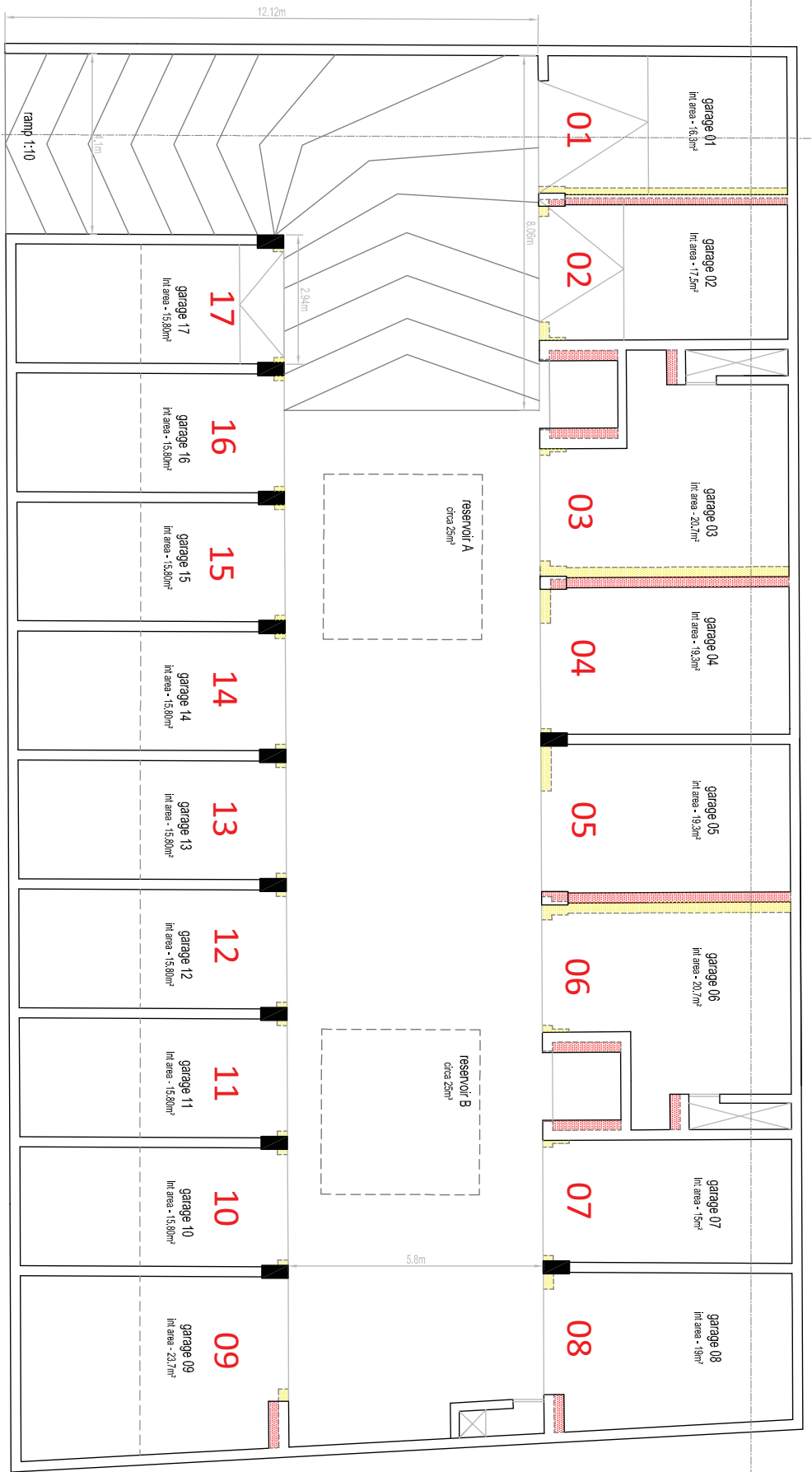
Jeffrey Vella  
for Executive Chairperson

-PAABMADcn-

Metric scale 1:50



**Proposal basement floor levels 1:100**



| rev no | drawn | date | description |
|--------|-------|------|-------------|
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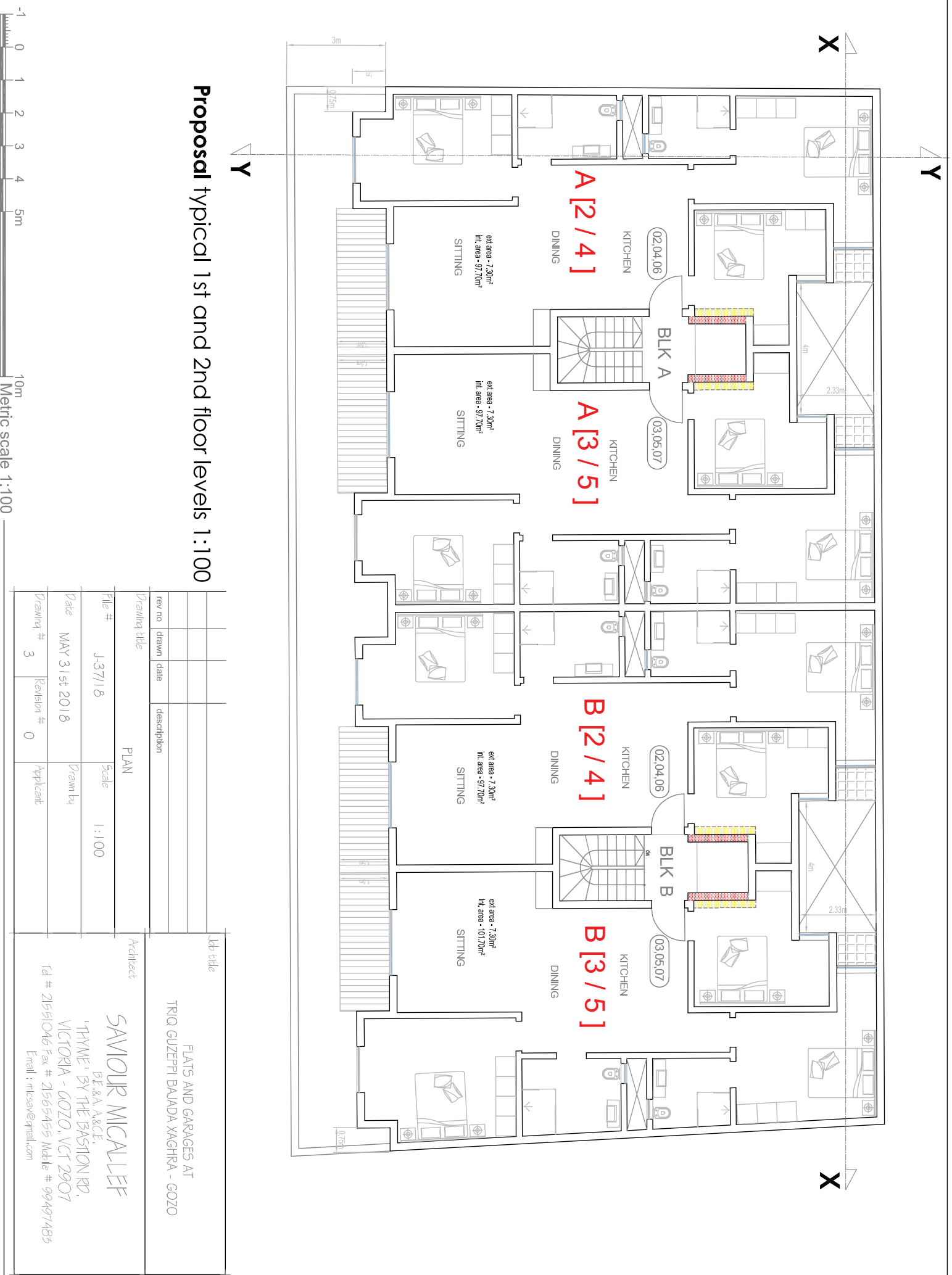
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| Date          | MAY 31st 2018 | Drawn by   |       |
| Drawing #     | 1             | Revision # | 0     |
|               |               | Applicant  |       |

|           |  |
|-----------|--|
| Job title | FLATS AND GARAGES AT<br>TRIO GUZEPI BAJADA XAGHRA - GOZO   |
| Architect | SAVIOUR MICALEF<br>B.E. & A&CE<br>'THYME BY THE BASTION' RD,<br>VICTORIA - GOZO, VCT 2907<br>Tel # 21551046 Fax # 21565455 Mobile # 99497485<br>Email : micsav@gmail.com |







**Proposal typical 1st and 2nd floor levels 1:100**

| rev no | drawn | date | description |
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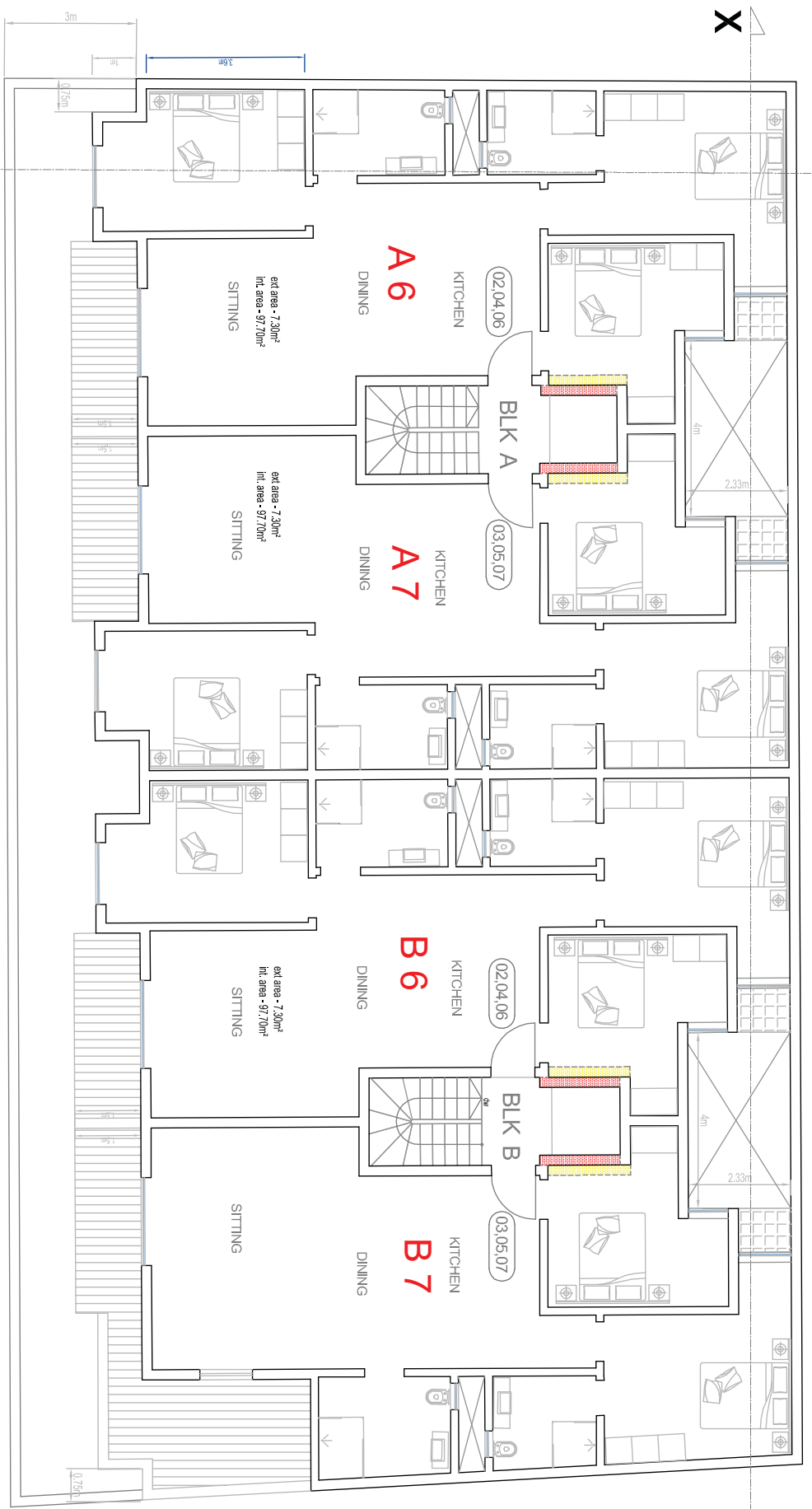
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| Date      | MAY 31st 2018 | Drawn by   |       |
| Drawing # | 3             | Revision # | 0     |
|           |               | Applicant  |       |

|           |   |
|-----------|---|
| Job title | FLATS AND GARAGES AT<br>TRIQ GUZEPII BALADA XAGHRA - GOZO   |
| Architect | SAVIOUR MICALLEF<br>BE&A A&CE<br>'THYME' BY THE BASTION RD,<br>VICTORIA - GOZO, VCT 2907<br>Tel # 21551046 Fax # 21565455 Mobile # 99497485<br>Email : micsav@gmail.com |

1 0 1 2 3 4 5m  
10m  
Metric scale 1:100

**Proposal 3rd floor level 1:100**



| rev no | drawn | date | description |
|--------|-------|------|-------------|
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| File #    | J-37118       | Scale      | 1:100 |
| Date      | MAY 31st 2018 | Drawn by   |       |
| Drawing # | 3             | Revision # | 0     |
|           |               | Applicant  |       |

|           |  |
|-----------|--|
| Job title | FLATS AND GARAGES AT<br>TRIQ GUZEPII BALADA XAGHRA - GOZO  |
| Architect | <b>SAVIOR MICALLEF</b><br>BE & A&C/E<br>'THYME' BY THE BASTION RD,<br>VICTORIA - GOZO, VCT 2907<br>Tel # 21551046 Fax # 21565455 Mobile # 99497485<br>Email : micsav@qmail.com |



Y

Y

X

X

**Proposal Penthouse floor levels 1:100**



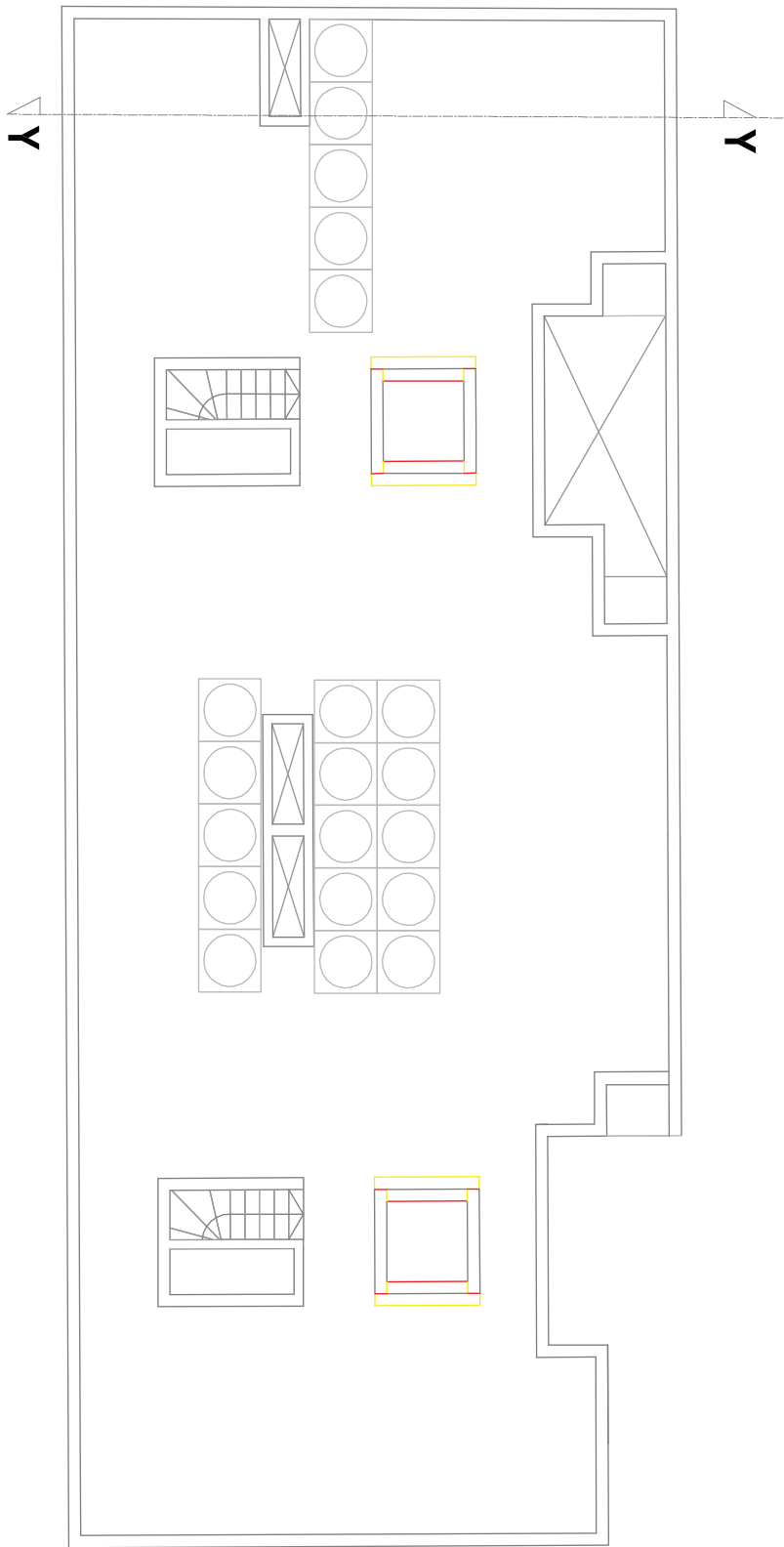
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| Drawing title |               | PLAN        |
| File #        | J-37118       | Scale 1:100 |
| Date          | MAY 31st 2018 | Drawn by    |
| Drawing #     | 4             | Revision #  |
|               |               | Applicant   |

Job title  
 FLATS AND GARAGES AT  
 TRIQ GUZEPII BALADA XAGHRA - GOZO

Architect  
**SAVIOR MICALLEF**  
 BE & A&C/E  
 'THYME' BY THE BASTION RD,  
 VICTORIA - GOZO, VCT 2907  
 Tel # 21551046 Fax # 21565455 Mobile # 99497485  
 Email : micsave@gmail.com



**Proposal roof levels 1:100**

10m  
Metric scale 1:100

| rev no | drawn | date | description |
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|        |       |      |             |
|        |       |      |             |
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| Drawing title |               | PLAN       |       |
| File #        | J-37/18       | Scale      | 1:100 |
| Date          | MAY 31st 2018 | Drawn by   |       |
| Drawing #     | 5             | Revision # | 0     |
|               |               | Applicant  |       |

|           |  |
|-----------|--|
| Job title | FLATS AND GARAGES AT<br>TRIQ GUZEPI BAJADA XAGHRA - GOZO   |
| Architect | <b>SAVIOUR MICALLEF</b><br>BE & A&C/E<br>'THYME' BY THE BASTION RD,<br>VICTORIA - GOZO, VCT 2907<br>Tel # 21551046 Fax # 21565455 Mobile # 99497485<br>Email : micsave@gmail.com |



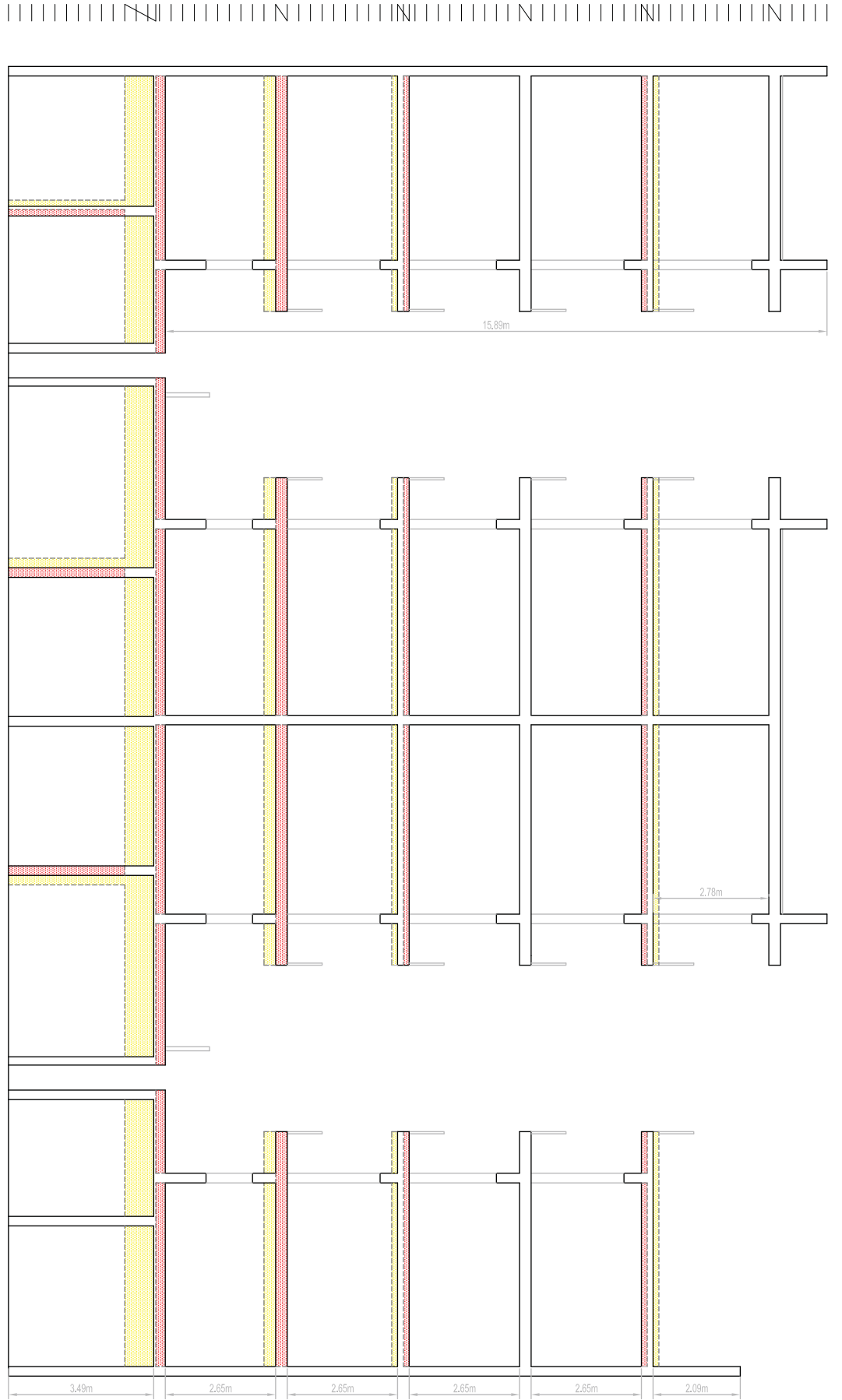
elevation A 1:100

1  
2  
3  
4  
5m

10m  
Metric scale 1:100

| no                                | drawn         | date       | description                                     |           |
|-----------------------------------|---------------|------------|---|-----------|
|                                   |               |            |   |           |
| ELEVATION                         |               |            |   |           |
| File #                            | J-371/B       | Scale      | 1:100   |           |
| Date                              | MAY 31ST 2018 | Drawn by   |   |           |
| Drawing #                         | 6             | Revision # | 0   | Applicant |
| Job title                         |               |            | Architect                                       |           |
| FLATS AND GARAGES AT              |               |            | SAVIOUR MICALLEF                                |           |
| TRIO GUZETHI BALADA XAGHRA - GOZO |               |            | BEA AARCE                                       |           |
|                                   |               |            | 'THYME' BY THE BASTION RD,                      |           |
|                                   |               |            | VICTORIA - GOZO, VCT 2907                       |           |
|                                   |               |            | Tel # 21651016 Fax # 21659499 Mobile # 99497469 |           |
|                                   |               |            | Email : micsav@prtel.com                        |           |

Metric scale 1:50



Section X-X 1:100



| rev no | drawn date | description |
|--------|------------|-------------|
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|        |            |             |
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|               |               |            |       |
|---------------|---------------|------------|-------|
| Drawing title |               | SECTION    |       |
| File #        | J-37/18       | Scale      | 1:100 |
| Date          | MAY 31st 2018 | Drawn by   |       |
| Drawing #     | 7             | Revision # | 0     |
|               |               | Applicant  |       |

|           |  |
|-----------|--|
| Job title | FLATS AND GARAGES AT<br>TRIO GUZEPI BAJADA YAGHRA - GOZO   |
| Architect | <b>SAVIOUR MICALLEF</b><br>B.E.&A.&C.E.<br>1THYME BY THE BASTION RD,<br>VICTORIA - GOZO, VCT 2907<br>Tel # 21551046 Fax # 21565455 Mobile # 99497485<br>Email : micsav@gmail.com |

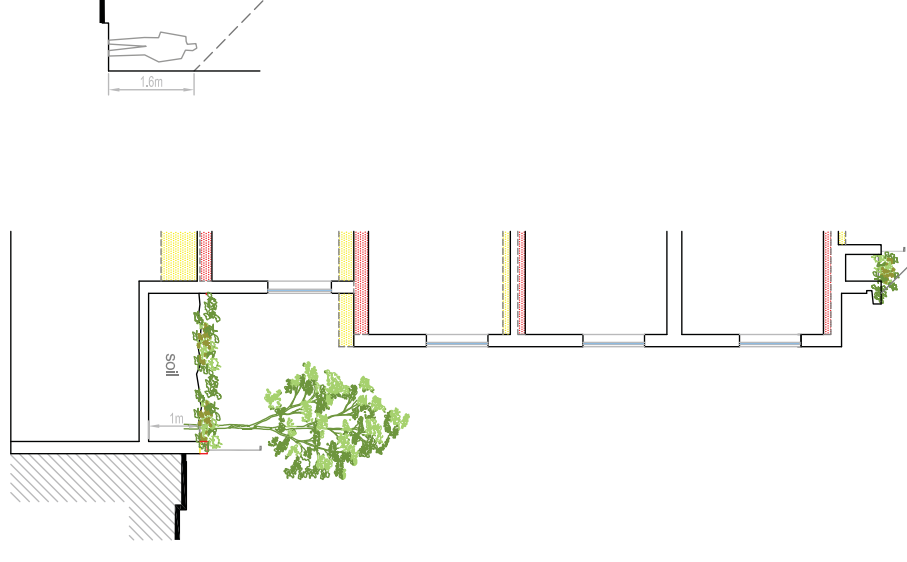


Metric scale 1:50



Section Y-Y 1:100

Section thru front garden 1:100



| rev no | drawn date | description |
|--------|------------|-------------|
|        |            |             |
|        |            |             |

|           |               |              |
|-----------|---------------|--------------|
| File #    | J-37/18       | SECTION      |
| Date      | MAY 31st 2018 | Scale 1:100  |
| Drawing # | 7             | Revision # 0 |
|           |               | Applicant    |

|           |  |
|-----------|--|
| Job title | FLATS AND GARAGES AT TRIQ GUZEPI BAJADA XAGHRA - GOZO  |
| Architect | SAVIOR MICALLEF<br>B.E.&A&C.E.<br>'THYME' BY THE BASTION RD,<br>VICTORIA - GOZO, VCT 2907<br>Tel # 21551046 Fax # 21565455 Mobile # 99497485<br>Email : micsav@gmail.com |

**Appendix 07: (Trilogy)**

**A.07.4 – Summary of Lease Agreements**

## Summary Lease Agreements

|   |            |
|---|------------|
| <b>Development Name:</b>                        | Trilogy    |
| <b>Location:</b>                                | Xaghra     |
| <b>Contract Date</b>                            | 23/03/2021 |
| <b>Start date</b>                               | 23/03/2021 |
| <b>End date</b>                                 | 22/03/2031 |
| <b>Term (in yrs)</b>                            | 10         |
| <b>Number of apartments</b>                     | 19         |
| <b>Monthly rent</b>                             | € 10,385   |
| <b>Rent per annum</b>                           | € 124,620  |
| <b>Contributions for common parts per annum</b> | € 3,900    |
| <b>% Per Year Increase</b>                      | 2%         |

**Appendix 08: Legal Searches**

**A.08.1 – Legal Searches – Dimech & Dimech Notaries**

Today the 1<sup>st</sup> August, 2024

Perit Dylan Agius

Oasis, Triq F.W. Ryan

San Pawl Tat-Targa

Naxxar

Dear Sir

**Re: Title of the Security Property for the Excel Finance p.l.c. bond issue:**

I am hereby issuing the following report regarding the title of the property listed hereunder presently held by the "**Company**" Excel Investments Limited C 81721 having its registered address at 72, Triq Mattia Preti, Victoria, Gozo, which shall constitute the security property of the aforementioned bond issue.

**A. The Housing Property**

**1. The Complex Citiway in Triq il-Madonna tal-Gebli, Gzira:**

The Complex was developed on a site measuring approximately two thousand square metres (2000sqm), bounded, on the North by Triq Mikiel Anton Vassalli, on the east in part by Triq il-Madonna tal-Gebli and on the South in part by property S. Mifsud & Sons Limited.

This Site was acquired by the Company by virtue of the following deeds received by Notary Kristen Dimech on the: 25<sup>th</sup> February 2021 (l. 8334/21), 1<sup>st</sup> October, 2020 (l. 3851/21), 22<sup>nd</sup> October, 2020 (l. 3854/21), 12<sup>th</sup> November, 2020 (l. 3850/21), 14<sup>th</sup> January 2020 (l. 4976/20) and two on the 8<sup>th</sup>

October, 2020 (I. 3852/21, I. 3853/21), and by virtue of a deed received by Notary Josette Spiteri Cauchi on the 30<sup>th</sup> January 2019 (I. 4301/2019).

The Site is registered at the Land Registry by certificates 21000206 and 21000115

The Site is free and unencumbered.

## **2. The Units forming part of the Complex bearing the name D Rock in Triq ta' Xaman and Triq Dun Lazzru, Camilleri, Sannat, Gozo,**

These units were acquired as portions of space or developed on plots of land acquired by the Company by virtue of the following deeds in the records of Notary Kristen Dimech of the 26<sup>th</sup> June, 2020 (Gl. 2733/20), 29<sup>th</sup> July, 2020 (Gl. 3102/20), 31<sup>st</sup> July, 2020 (Gl. 2734/20) and 22<sup>nd</sup> August, 2020 (Gl. 3108/20).

The land purchased by virtue of the said deeds, in aggregate measures approximately nine hundred and nineteen square metres (919sqm) which was in part taken up for street formation, and bounds, on the North by Triq ta' Xaman, on the South by Triq Lazzru Camilleri and on the East by property of the Buttigieg family, and was amalgamated to the development under construction bearing the name "De Rock" and forming an extension thereof.

All units are free and unencumbered and are registered with the Land Registry by certificate number 56002487.

## **3. Il-Midra Residence:**

This building was developed by the Company on the site known as "Ta' Bieb il-Ghar" in Triq il-Wileg San Lawrenz, Gozo, measuring approximately four hundred and four square metres (404sqm), bounded, on the North by Triq il-Wileg, on the South by Government property and on the West by property of Joseph Cauchi or of his successors in title.

The relative site was purchased by the Company by virtue of a deed in the records of Notary Sylvianne Xerri Zahra of the 25<sup>th</sup> June, 2019 (Gl. 2909/19). The site is free and unencumbered and does not lie within a compulsory land registration area.



#### **4. Innuendo:**

This Complex was developed by the Company on the plots of land numbered 8 and 9 situated in the whereabouts known as "Ix-Xaghra l-Kbira" in Triq Patri Anton Debono, Victoria, Gozo, altogether measuring approximately three hundred and eighty square metres (380sqm), bounded, on the South by Triq Patri Anton Debono, on the East by property of Paul Muscat or of his successors in title and on the North in part by property of Francis and Vivianne spouses Farrugia and in part by property of Guzeppa Muscat.

The land was purchased by the Company by virtue of a deed received by Notary Anna Theuma on the 19<sup>th</sup> February 2020 (GI 1804/20).

The site is free and unencumbered and does not lie within a compulsory land registration area.

#### **5. Trilogy:**

The Complex was built on the site known as "tat-Tokbu" in Triq Guzeppi Bajada, Xaghra, Gozo, measuring approximately six hundred square metres (600sqm), bounded, on the South by the street, on the North by property of Joseph Attard and on the East by property of siblings Refalo.

This site was purchased by the Company by virtue of a deed received by Notary Kristen Dimech on the 20<sup>th</sup> May, 2019 (GI. 2395/19). The site is free and unencumbered and does not lie within a compulsory land registration area.

The units within the afore described developments herein defined as "Housing Property" shall be sold by the Company to the limited liability company Excel Housing Limited C 108731 which transaction shall be financed by a loan in the region of eleven million Euro (€11,000,000) granted by Bank of Valletta plc C 2833. The loan shall be paid off via part of the Bond Issue expressly intended for such purpose and the Security Trustee shall on payment be subrogated into the hypothecary rights held by Bank of Valletta plc. The Security Trustee shall therefore be the sole and only creditor enjoying hypothecary rights over the Housing Property.

As stated in the descriptions above, the Housing Property is absolutely free and unencumbered except for those restrictions arising from their physical position or from the relative deeds since they

form part of larger developments. Each unit holds an undivided share in ownership and/or the perpetual right of use of all those common parts serving them.

The Housing Property may be rented out as per those lease agreements which have or shall be only entered into with the Security Trustee's knowledge and express written authorization.

In view of the above, the valuation of Housing Property is to be made at face value since any encumbrances or undertakings shall be disclosed to the Security Trustee and shall be only entered into by Excel Housing Limited with the express written consent and authorization of the Security Trustee and shall be pledged to the Security Trustee for the payment of the Bonds.

#### **B. The Q-Hub**

The Q- Hub consists of the mixed use development under construction together with the adjoining land known as "Tal-Erba' Qaddisin" situated in the territory "Tal-Istabal" in the limits of Qormi, in aggregate of a superficial area of approximately three thousand eight hundred and twenty square metres (3820sqm), bounded on the North East by Triq il-Belt Valletta, on the South by Triq Hal-Qormi and on the North West by Triq l-Erba' Qaddisin, or more accurate boundaries, with all its free overlying airspace without height limitation and subsoil without depth limitation.

The Q Hub was acquired by Excel MJD Limited C 102389 by virtue of a deed received by Notary Kristen Dimech on the 5<sup>th</sup> July, 2023 (I. 18771/2023 ) and is currently subject to the hypothec inscribed in volume hypothecs of the Public Registry Gozo by number (GH 1553/2023) in favour of creditor Bank FIMBank p.Lc., C 17003,, as per the annexed note marked as document A, which shall be paid off via part of the Bond Issue expressly intended for such purpose. The Security Trustee shall on payment, be subrogated into the hypothecary rights held by FIMBank plc. The Security Trustee shall therefore be the only creditor enjoying hypothecary rights over the Q Hub.

The Q - Hub is otherwise free and unencumbered. To my mind, as with the Housing Property, the Q-Hub is to be valued at face value since all existing liabilities have been disclosed to the Security Trustee and are catered for in the Bond issue.

Yours truly,

  
Not Kristen Dimech.

Doc 'A'

Note for the inscription of a Hypothec and Privilege

Progressive Number: 155.3

Remark: (office use only):

Creditor: FIMBank plc company registration number C-17003

Debtor: the limited liability company Excel MJD Limited with company registration number C-102389 - the Debtor Company.

the limited liability company Excel Investments Limited with company registration number C-81721 - the Surety Company.

**Credit:** The sum of fourteen million Euro (€14,000,000) granted on loan by the bank to the debtor company to be used as for the amount of two million three hundred thousand Euro (€2,300,000) to finance part of the purchase price of the immovable property situated in Qormi, Malta, described hereunder; the amount of three million fourteen thousand and one hundred Euro (€3,014,100) to pay off a loan due to Rossi Trading Limited (C-76643) which was originally given by Rossi Trading to Waterloo Properties Limited (C-81399) by virtue of a deed of loan and sale in my records, of the twenty eighth (28<sup>th</sup>) June two thousand and seventeen (2017), as duly inscribed in the Public Registry of Malta under acts of hypothec and privilege number thirteen thousand four hundred and forty nine of the year two thousand and seventeen (l. 13449/2017); as for the amount of nine hundred and eighty five thousand and nine hundred Euro (€985,900) to pay off any fees and expenses due to Jupiter Properties Limited (C-76555) for services which were originally rendered to Waterloo Properties Limited (C-81399) in connection with the development of the divided portion of land, known as 'Tal-Erba Qaddisin' forming part of the territory 'Tal-Istabal' in the limits of Qormi formerly limits of Marsa, including all and any structures built thereon, if at all, having a superficial area of circa three thousand eight hundred and twenty square meters (3820m<sup>2</sup>); and as for the balance of seven million and seven hundred thousand Euro (€7,700,000) to finance the construction and finishing works to be carried out in relation to the 'Q hub Project' which shall be developed on the immovable property situated in Qormi as better defined and described hereunder. Thus the debtor company delegated the bank to make the relative payments, which sum shall be repayable on demand, a simple request in writing to be deemed good and sufficient notice for this purpose, with interest at rates not exceeding the maximum rate allowed by law, the said rate of interest to be reckoned on the amount due for balance of loan from time to time in accordance with recognized banking practice, and the said rate of interest to be fixed by the creditor at its discretion from time to time, and other conditions mentioned in the deed, according to a deed enrolled in my records on the fifth (5<sup>th</sup>) July, two thousand and twenty three (2023).

**Crise of Preference:**

A **General Hypothec** for the sum of fourteen million Euro (€14,000,000) together with interest accrued thereon and charges connected therewith, granted by the Debtor Company over all its property in general present and future;

A **Special Hypothec** for the sum of fourteen million Euro (€14,000,000) and a **Special Privilege** for the sum of ten million Euro (€10,000,000) and interest accruing thereon and charges connected therewith, granted by the Debtor Company on the Property together with any and all improvements to be constructed thereon and/or in lieu thereof, and namely:

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the immovable property, namely the plot of land known as "Tal-Erba' Qaddisin" forming part of the territory "Tal-Istabal" in the limits of Gormi, Malta, including the farmhouse built thereon, of a superficial aggregate area of approximately three thousand eight hundred and twenty square metres (3820sqm), bounded on the North East by Triq il-Belt Valetta, on the South by Triq Hal-Qormi and on the North West by Triq l-Erba' Qaddisin, or more accurate boundaries, with all its free overlying airspace without height limitation and subsoil without depth limitation, free and unencumbered, with all its rights and accoutreances.

A Special Hypothec for the sum of ten million three hundred thousand Euro (€10,300,000) and interest accruing thereon and charges connected therewith, granted by the Surety Company, on the site occupied by:

A divided portion of the buildings at number 9 and 10, Triq il-Wied and number 17, 18 and 19, in Triq Kercem, Victoria, Gozo, together with the lands attached thereto, the said divided portion measuring circa four thousand five hundred and eighty five point eight six square metres (4585.86sqm) and bounded on the North in part by Triq il-Wied, in part by the other part of the said premises and in part by Triq Kercem, on the West in part by property of the successors in title of Maria Assunta Vella and in part by property of Magro Brothers (Estates) Limited or its successor in title, and on the South in part by Triq Pawlu Portelli and in part by third party property.

\* The divided portion of land known as "Tad-Dawwara" in Triq Pawlu Portelli, Victoria, Gozo including the unnumbered garage built thereon, measuring circa two hundred and eighty eight point seven three square metres (288.73sqm) bounded on the South by Triq Pawlu Portelli, North by property of Magro Brothers Estates Limited or of its successors in title and East by property of Maria Portelli and West in part by property of George Farrugia.

\* The divided portion of land known as "Tad-Dawwara" in Triq Pawlu Portelli, Victoria, Gozo measuring circa two hundred and sixty nine point five square metres (269.5sqm) bounded on the South by the said street, North by property of Magro Brothers Estates Limited or their successors in title and East by property of Nicholas Micallef.

\* Two contiguous portions of land together measuring nine hundred and sixty square metres (960sqm) in Triq Pawlu Portelli, Victoria, Gozo, bounded in their entirety on the South by the said street, East by property of Magro Brothes Estates Limited or its successor in title and West by property of Martin Gsch and others.

In lieu of the above described site, there shall be developed the mixed-use development to be known as "Tal Gelmus" consisting of the Upper Garage Complex, the Lower Garage Complex, the Blocks, the Commercial Outlets, the Pedestrian Area, the Gym and the Pool and Deck Area.

EXCLUDED from the above described security are the following spaces:

The airspace intended for construction of the Class 4B Commercial Outlet also referred to as Commercial Outlet Two (2) situated at level Zero (0) on Triq il-Wied, Victoria, Gozo;



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The airspace intended for construction of Apartment Two (2) situated at first (1<sup>st</sup>) floor level and which shall form part of Hal Gelmus Block A;

The airspaces intended for construction of Apartment Three (3), Apartment Four (4) and Penthouse Nine (9) together with its airspace without height limitation, which shall be situated at first (1<sup>st</sup>), second (2<sup>nd</sup>) and fourth (4<sup>th</sup>) floor level respectively and which all shall form part of Hal Gelmus Block B;

The airspace intended for construction of Penthouse Nine (9) together with its overlying airspace without height limitation situated at fourth (4<sup>th</sup>) floor level and which shall form part of Hal Gelmus Block C;

The airspace intended for construction of Maisonette Two (2) which shall be situated at ground floor level and shall form part of Hal Gelmus Block J;

The spaces intended for construction of Garages five (5) and ten (10) which shall form part of the Upper Garage Complex at level zero/level one of the Complex;

The spaces intended for the construction of Garages number twenty (20) and twenty-one (21) which shall form part of the Upper Garage Complex at level minus one (-1) of the Complex; and

The space intended for construction of garage eight (8) which shall form part of the Upper Garage Complex.

Hal Gelmus Site was acquired by the Surety Company by virtue of the deeds in my records dated eleventh (11<sup>th</sup>) December of the year two thousand and twenty one (2021); twenty seventh (27<sup>th</sup>) December of the year two thousand and twenty one (2021); fourth (4<sup>th</sup>) June of the year two thousand and twenty two (2022) and tenth (10<sup>th</sup>) June of the year two thousand and twenty two (2022).

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Director

Not. Kristen Dimech LL.D.

**Appendix 08: Legal Searches**

A.08.2 – Legal Searches for properties of Excel Property Trading Limited  
– Dimech & Dimech Notaries



Today the 22<sup>nd</sup> October, 2024

Perit Dylan Agius  
Oasis, Triq F.W. Ryan  
San Pawl tat-Targa  
Naxxar

Dear Sir

**Re: Title of the Security Property of the Excel Finance p.l.c. bond issue:**

I am hereby issuing the following report regarding the title of the property listed hereunder presently held by the "Company" **Excel Trading Property Ltd C-105617** having its registered address at Agius Building, Triq Qasam San Gorg, Victoria, Gozo, which shall constitute the security property of the aforementioned bond issue.

**Trading Properties**

1. **Units forming part of the Development named Orchidea Court, Block A in Triq ta' Cordina, Ghajnsielem, Gozo.**

These units consist of penthouses 19 and 20 in the same Block and the overlying units built in the airspace of these two penthouses.

The whole Development consists of blocks of residential units and of underlying internal garages bearing the name "**Orchidea Court**" in Triq ta' Cordina, Ghajnsielem, Gozo, in part accessible from the internal, private street which connects the complex with Triq ta' Cordina, and altogether



bounded, on the South by Triq ta' Cordina, on the East by the internal street, on the West by property of Rita Bugeja and on the North by property of the Zerafa family or by property of the respective successors in title.

These properties together with the relative common parts were acquired by Excel Investments Ltd by onerous title by virtue of two deeds received by Notary Vicyana Apap on the 14<sup>th</sup> December, 2023 (GI. 610/2024, GI 1286/2024), as corrected by virtue of a deed received by Notary Kristen Dimech on the 30<sup>th</sup> April, 2024 (GI 1967/2024). In turn, the Company acquired these properties by onerous title by virtue of a deed in the records of Notary Kristen Dimech of the 21<sup>st</sup> October, 2024.

These units are free and unencumbered and are registered with the Land Registry by certificate numbers 22003724 and 22003728.

## 2. Units forming part of HARRUBA RESIDENCES in Triq Sant Indrija, Nadur, Gozo.

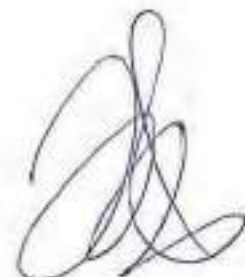
These units form part of the Complex which is being developed on the two divided portions of land forming part of the area known as "Tal-Harruba", in Triq Sant Indrija, limits of Nadur, Gozo, one measuring approximately one thousand and twenty square metres (1,020sq.m.), bounded from the North by property of family Attard, on the West in part by the street and in part by property of Claudio Spiteri, and from the East by an alley or more accurate and varying boundaries, and the other measuring approximately one thousand and four hundred square metres (1,400sq.m.), bounded from the West by an alley, from the East by property of unknown third parties, and from the North by property of the Attard family, or more accurate and varying boundaries. The Site includes sub-soil and airspace usque ad coelum, is free and unencumbered, with vacant possession and with all its rights and appurtenances. The Site enjoys the right of passage between the two divided portions of land over the common alley running between the two portions of land, and which right of passage has been enjoyed by the portions of land for well over thirty (30) years.

These properties were acquired by Excel Investments Ltd by onerous title by virtue of two deeds in the records of Notary Chantelle Pauline Cassar of the 13<sup>th</sup> June, 2023 (GI. 2537/2023) and of the 28<sup>th</sup> November, 2023 (GI 919/2024). In turn, the Company acquired these units by onerous title by virtue of a deed in the records of Notary Kristen Dimech of the 21<sup>st</sup> October, 2024.

The land is registered with the Land Registry by certificate numbers 43004201 and 43004202.

All units are free and unencumbered.

## 3. VISTA GIULIANA:

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- the maisonette together with its relative airspace *ad infinitum* situated at first floor level and overlying property of third parties, the said maisonette is officially numbered one hundred and seventy (170) previously numbered thirty three letter A (33A) in Birkirkara Road, Saint Julians, Malta, as free and unencumbered with all its rights and appurtenances – **excluding** however the airspace situated at fourth floor level measuring circa sixty nine point two nine square metres (69.29sq.m.) and which, when constructed, shall consist of a divided part of a two-bedroom apartment, without its relative airspace, to be unofficially internally numbered eight (8) situated on the fourth floor level and forming part of the unnumbered block and without name to be developed in lieu of the Site, bounded the said airspace on all compass points by property of Excel Investments Ltd and unknown third parties or their successors in title;
- the tenement officially numbered one hundred and seventy one (171) in Birkirkara Road, Saint Julians, Malta, as underlying third party property, including the courtyard situated at the back of part of the tenement and including its relative subsoil, as free and unencumbered with all its rights and appurtenances – **excluding** however the airspace situated at ground floor level and measuring circa eighty three point nine six square metres (83.96sq.m.), without its relative airspace, and which, when constructed, shall consist of a divided part of a maisonette having its own independent entrance from Birkirkara Road, without its relative airspace, to be unofficially numbered one (1) situated on the ground floor level and forming part of the unnumbered block and without name to be developed in lieu of the Site, bounded the said airspace on the south by Birkirkara Road, on the east by property of Excel Investments Ltd or its successors in title and on the west by property of the family Borg or their successors in title;
- the tenements consisting of a *remissa* officially numbered one hundred and seventy two (172), the tenement officially numbered one hundred and seventy three (173), and the house contiguous and annexed to the said tenement which is officially numbered one hundred and seventy four (174), together with its relative airspace, situated in Triq Birkirkara, Saint Julians, Malta, as free and unencumbered with all their rights and appurtenances, including a courtyard forming an integral part of the said properties.

The Complex shall be built in lieu of the above-mentioned tenements acquired by Excel Investments Ltd by onerous title by virtue of three deeds in the records of Notary Claire Camilleri of the 16<sup>th</sup> January, 2024 (I. 2821/2024), the 30<sup>th</sup> September, 2024 (I. 27335/2024) and the 9<sup>th</sup> October, 2024 (I. 27332/2024). The Company acquired the properties by onerous title by virtue of a deed in the records of Notary Kristen Dimech of the 21<sup>st</sup> October, 2024.

The site is free and unencumbered and does not lie within a compulsory land registration area.

4. **The Units forming part of TA' NONA SUITES in Xatt ix-Xlendi, Xlendi limits of Muxar, Gozo.**



These units form part of the Complex which was developed in lieu of (i) the garage unofficially known with number twenty three (23) and without name in Triq ix-Xatt sive Xatt ix-Xlendi previously known as Triq Marina, Xlendi, limits of Munxar, Gozo together with its sub-terrain usque ad inferos and its relative airspace usque ad coelum, free and unencumbered with all their rights and appurtenances, bounded on the West by the said street, on the North by property of spouses Borg or their successors in title and on the East by property of Joseph Muscat and/or more accurate and correct boundaries; and (ii) the unnumbered building bearing the name 'Ta' Nona' in Triq ix-Xatt sive Xatt ix-Xlendi previously known as Triq Marina, Xlendi limits of Munxar, Gozo and bounded on the West by the said street, on the North by property of Excel Investments Ltd and on the South by the property of Paul Scicluna or their successors in title, and/or more and accurate boundaries, including its sub-terrain usque ad inferos and relative airspace usque ad coelum, free and unencumbered, with vacant possession and with all its rights and appurtenances.

These sites were acquired by Excel Investments Ltd by virtue of two deeds, one in the records of Notary Kristen Dimech of the 27<sup>th</sup> December, 2021 (GI 2491/2022) and the other received by Notary Paul George Pisani on the 13<sup>th</sup> June, 2024 (GI 2458/2024). The Company acquired the units by onerous title by virtue of a deed in the records of Notary Kristen Dimech of the 21<sup>st</sup> October, 2024.

The Complex is free and unencumbered and is registered at the Land Registry by certificate number 42003245.

#### 5. TA' DBIEGI VIEW HOUSES:

These houses shall be built on:

- the plot of land situated in the whereabouts known as 'Tal-Fgura' in the limits of Gharb, Gozo, measuring approximately ninety four point one square metres (94.1sq.m.), bounded on the west by Sqaq Numru 1 in Triq Frangisk Portelli, Gharb, on the east by property of Charlie Axiak and on the north by property of Leslie and Burchdult spouses Kreupl, free and unencumbered, with all its rights and appurtenances, together with its overlying airspace without height limitation and underlying subsoil without depth limitation, and with vacant possession; and
- the plot of land situated in the whereabouts known as 'Tal-Fgura' in the limits of Gharb, Gozo, measuring approximately ninety nine square metres (99sq.m.), bounded on the west by Sqaq Numru 1 in Triq Frangisk Portelli, Gharb, Gozo on the east by property of Charlie Axiak and on the north by property of family Borg, free and unencumbered, with all its rights and appurtenances, together with its overlying airspace without height limitation and underlying subsoil without depth limitation, and with vacant possession.





The plots were acquired by onerous title by Excel Investments Ltd by virtue of two deeds in the records of Notary Kristen Dimech both of the 21<sup>st</sup> March, 2024 (GI. 1572/2024, GI. 1571/2024). The Company acquired the plots by onerous title by virtue of a deed in the records of Notary Kristen Dimech of the 21<sup>st</sup> October, 2024.

These plots are free and unencumbered and are registered at the Land Registry by certificate number 23000257.

#### 6. **GIOVANNI'S**

The site under construction, being developed over the divided portion of land measuring approximately five hundred and fifteen square metres (515 sq.m.), with its relative airspace usque ad coelum and sub-terrain, in Triq Hamsin, Xewkija, Gozo.

The site shall be developed into the Complex and bounds on the South-East by Triq Hamsin, on the South-West by property of the heirs of John Spiteri or their successors in title, and on the North-East by property of the Rapa family or their successors in title, or more accurate boundaries. The Development shall bear the name '**Giovanni's**'.

The site was purchased by Excel Investments Ltd by virtue of a deed published by Notary Chantelle Pauline Cassar on the 29<sup>th</sup> September, 2023 (GI 4054/2023). The Company acquired the property by onerous title by virtue of a deed in the records of Notary Kristen Dimech of the 21<sup>st</sup> October, 2024.

The site is free and unencumbered and does not fall within a compulsory land registration area.

#### 7. **BENGAZI SITE**

The divided portion of land forming part of a larger premises numbered twenty (20) in Triq Benghazi, Ghajnsielem, Gozo, measuring approximately two hundred and fifty four square metres (254sq.m.), together with its relative airspace and sub-soil, together with a divided share from the well/shaft (spiera) forming part of the same tenement starting from ground floor level upwards with its relative airspace without height limitation, altogether free and unencumbered, with vacant possession, with their relative airspace and sub-soil, and with all their rights and appurtenances.

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The site was acquired by Excel Investments Ltd by onerous title by virtue of a deed in the records of Notary Vicyana Apap of the 27<sup>th</sup> December, 2023 (GI 1472/2024).

The site is free and unencumbered and is registered at the Land Registry by certificate number 22003417.

8. **The Units forming part of BUGEJA COURT in Triq ta' Cordina, Ghajnsielem, Gozo.**

The units form part of the Development which shall be built on the site in Triq ta' Cordina, Ghajnsielem, Gozo, measuring approximately six hundred and eighty nine square meters (689sq.m.), bounded on the North West by Triq ta' Cordina, on the North East by property of Loreto Bugeja or of his successors in title and on the South West by a house bearing the name God Bless America. The Site includes its subsoil without depth limitation and its airspace without height limitation, enjoys the easements of passageway by all means of transport from Triq ta' Cordina to the public road network, the easement of the installation of services from and through Triq ta' Cordina to the public network as well as the unlimited easement of the opening of apertures, of prospect and protrusions and setting up of balconies and terraces on the same Triq ta' Cordina.

The relevant units were acquired by Excel Investments Ltd by onerous title by virtue of a deed received by Notary Kristen Dimech on the 4<sup>th</sup> March, 2024 (GI 1464/2024) which in turn were acquired by the Company by onerous title by virtue of a deed received by Notary Kristen Dimech on the 21<sup>st</sup> October, 2024.

The site is free and unencumbered. The property is registered at the Land Registry by certificate number 22003814.

9. **NARCISA**

The plot of land, under construction, known as 'ta' Borbolja' sive 'ta' Borbonja' in the limits of Sannat, Gozo, measuring approximately one hundred and eleven point four square metres (111.4sq.m.), bounded on the south and west by the plot of land described hereunder, and on the east by property of siblings Spiteri or their successors in title, or more correct and accurate boundaries, together with its airspace and subsoil without height and depth limitation, and one half (1/2) undivided share of all the rights on the plot of land known as 'ta' Borbolja' sive 'ta' Borbonja' in the limits of Sannat, Gozo, measuring approximately one hundred and forty nine square metres (149sq.m.), bounded on the





north in part by property of siblings Spiteri, in part by property of the limited liability company J.M.C. Bonnici, in part by property of Excel Investments Ltd and in part by a public alley abutting Triq ta' Cenc and on the South by property of spouses Bugeja, or more accurate and correct boundaries, together with its airspace and subsoil without height and depth limitation.

The site together with all the rights, easements and servitudes enjoyed by it was acquired by Excel Investments Ltd by virtue of a deed received by Notary Vicyana Apap on the 27<sup>th</sup> March, 2024 (GI. 2178/2024) and two deeds in the records of Notary Anthony Hili both of the 6<sup>th</sup> September, 2024 (GI. 3715/2024, GI. 3816/2024). The property was acquired by the Company by virtue of a deed in the records of Notary Kristen Dimech of the 21<sup>st</sup> October, 2024.

This property is registered at the Land Registry by certificate number 56000793.

#### 10. MISRAH IL-BARRIERI

The house numbered thirty-eight (38) and named 'Lucy' previously named 'St. George' including the adjacent garage numbered thirty-seven letter 'F' (37F) together with its backyard, in Triq Misrah il-Barrieri, Imsida. House thirty-eight (38) includes its airspace without height limitation and subsoil without depth limitation whereas garage thirty-seven letter 'F' (37F) underlies third party property and thus was transferred without its relative airspace but together with its subsoil without depth limitation. This property is free and unencumbered.

This property was purchased by Excel Investments Ltd by virtue of a deed received by Notary Jean Paul Farrugia on the 9<sup>th</sup> February 2024 (I. 5596/24) which in turn was acquired by the Company by virtue of a deed in the records of Notary Kristen Dimech of the 21<sup>st</sup> October, 2024.

The property does not lie within a compulsory land registration area.

#### 11. MILLHOUSE RESIDENCE

The undivided share of sixty two point five percent (62.5%) from the Development under construction to be named '**Mill House Residence**' being built on the plot of land known as 'ta' Semper' in Triq il-Mithna previously Triq il-Wileg, Qala, Gozo, measuring circa four hundred and thirty point six square metres (430.6sq.m.), bounded on the East in part by Triq il-Mithna and in part by property of Franco Mercieca, on the West by property of siblings Gauci and on the North in part by property of Franco Mercieca and in part by other property of siblings Gauci or their successors in



title, or more accurate boundaries, with its relative airspace without height limitation and sub-soil without depth limitation, free and unencumbered, with its vacant possession and with all its rights and appurtenances.

This property is free and unencumbered and was purchased by Excel Investments Ltd by virtue of a deed in the records of Notary Anthony Hill of the 29<sup>th</sup> April, 2024 (Gl. 1984/2024) which in turn was acquired by the Company by virtue of a deed in the records of Notary Kristen Dimech of the 21<sup>st</sup> October, 2024.

The property is registered at the Land Registry by certificate number 48002849.

As stated in the descriptions above, the Trading Property is absolutely free and unencumbered except for those restrictions arising from their physical position or from the relative deeds since they form part of larger developments. Each unit holds an undivided share in ownership and/or the perpetual right of use of all those common parts serving them.

Yours truly,



Notary Kristen Dimech



**Appendix 09: (Il-Harruba Residences)**

A.09.1 – Site Plan





**Appendix 09: (Il-Harruba Residences)**

**A.09.2 – Photographs**























**Appendix 09: (II-Harruba Residences)**

**A.09.3 – Planning Permit and Permit Drawings**



Mr Mark Agius

Date: 30 May 2023  
Our Ref: PA/04692/22

Application Number: PA/04692/22  
Application Type: Full development permission  
Date Received: 2 May 2022  
Approved Documents: PA4692/22/9D/57H/57M/105B/105C/105D/105E/105F/105G  
/105H/105I/105J/105K

*Supporting Document:*  
PA4692/22/68A (Transport Malta)  
PA4692/22/105L (Light and ventilation report)

Location: Vacant Plot, Triq Sant' Indrija, Nadur  
Proposal: To excavate and to construct 13 apartments, office (Class 4A) and 2 penthouses with underlying garages and car spaces. To also construct a 2 pools and a jacuzzi.

### **Development Planning Act, 2016 Full Development Permission**

The Planning Authority hereby grants development permission in accordance with the application and documents described above, subject to the following conditions:

- 1 a) This development permission is valid for a period of FIVE YEARS from the date of publication of the decision in the press but will cease to be valid if the development is not completed by the end of this validity period.
- b) This permission relates only to the development as specifically indicated on the approved drawings. This permission does not sanction any other illegal development that may exist on the site.
- c) A Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, **if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised** - Article 72(4) of the Development Planning Act (2016).

PA/04692/22

d) Copies of all approved drawings and documents shall be available for inspection on site by Planning Authority officers at all reasonable times.

e) The development shall be carried out in complete accordance with the approved drawings, documents and conditions of this permission. Where a matter is not specified, then the conditions of this permission and of Development Control Design Policy, Guidance and Standards 2015 shall apply.

f) Before any part of the development hereby permitted commences, the enclosed green copy of this development permission shall be displayed on the site. This must be mounted on a notice board, suitably protected from the weather and located not more than 2 metres above ground level at a point on the site boundary where it is clearly visible and can be easily read from the street. The copy of the permission must be maintained in a good condition and it shall remain displayed on the site until the works are completed.

g) All building works shall be erected in accordance with the official alignment and official/existing finished road levels as set out on site by the Planning Authority's Land Surveyor. A Setting Out Request must be submitted to the Land Survey Unit of the Planning Authority, prior to the commencement of works on site, when the setting out of the alignment and levels is required.

h) Where an officially schemed street, within the development zone, bordering the site is unopened or unformed, it shall be opened up and brought up to its proper, approved and official formation levels prior to the commencement of any development hereby being permitted.

i) No steps, ramps or street furniture are to be constructed on or encroached onto the public pavement or road.

j) Any doors and windows, the lower edge of which is less than 2m above road level, and any gates shall not open outwards onto a public pavement or road.

k) Where present, window grilles (including 'pregnant' windows), sills, planters and other similar elements which are part of or fixed to the facade of buildings, the lower edge of which is less than 2 metres above road level, shall not project more than 0.15 metres from the facade over a public pavement or street.

l) Air conditioning units shall not be located on the facades of the building which are visible from the street or a public space.

m) There shall be no service pipes, cables or wires visible on the front elevation or on any other elevations of the building which are visible from the street or public space.

n) Any garages/parking spaces shall only be used for the parking of private cars and shall be kept available at all times for this purpose.

2 a) The façade(s) of the building shall be constructed in local un-rendered and unpainted stone, except where other materials/finishes are indicated on the approved drawings.

b) All the apertures and balconies located on the façade(s) of the building shall not be in gold, silver or bronze aluminium.

c) The height of the services on the roof of the building shall not extend beyond the

approved height of the uppermost parapet wall.

- 3 The development hereby permitted shall be subject to Compliance Certification, verifying that the development has been carried out in full accordance with the approved drawings, documents and conditions imposed in this development permission, except where such conditions are enforced by other entities. Prior to the commencement of use or prior to the issue of any compliance certificate on the whole or any stand-alone planning unit of the development hereby approved, the applicant shall submit to the Planning Authority, in relation to the whole or that unit of the development:
- (i) certification by an engineer confirming that the development fully satisfies the requirements specified in supporting document PA4692/22/105L.
- 4 The conditions imposed and enforced by Transport Malta are at supporting document PA4692/22/68A. The architect/applicant is required to contact Transport Malta, throughout the implementation of the development hereby approved, to ensure conformity with the imposed conditions.
- 5 The dismantling of the rubble wall(s) is acceptable in accordance with the terms of the Legal Notice 160 of 1997, Rubble Wall and Rural Structures (Conservation and Maintenance) Regulations, 1997 (as amended by Legal Notice 169 of 2004), subject to the following conditions:
- i) Works are limited to the dismantling of the rubble walls indicated on drawing PA4692/22/57M;
- ii) The works shall not be allowed to result in direct or indirect damage to (or demolition of) any other existing rubble walls other than those covered by this permit, or to any other structure protected by Legal Notice 160 of 1997;
- iii) All material derived from the dismantling of such walls shall be collected for re-use;
- iv) At least four (4) weeks prior to the initiation of works, the following is to be submitted to the Planning Authority **for prior approval**:
- a) Details of the selected entity to whom rubble wall material will be given for re-use, or any other alternative use. Proof of receipt of the stones by the approved entity shall be then submitted as verification of compliance with this requirement;  
OR
- b) Details of a valid planning permit for the construction of a rubble wall where the rubble wall material will be re-used. Proof of re-use of the stones at the approved site (perit's declaration supported by photographs) shall be then submitted as verification of compliance with this requirement;  
OR
- c) Details of rubble wall-s to be repaired under the provisions of the Development Notification Order, 2016 (or subsequent amendments/replacements thereto), together with architect's declaration that works fall under the provisions of the same Order. Proof of re-use of the stones at the approved site (perit's declaration supported by photographs) shall be then submitted as verification of compliance with this requirement;
- v) The dismantled dry-stone rubble stones shall not be used for cladding and facing of

any non-rubble walls or structures except where the contrary is explicitly required by the Planning Authority;

vi) This permit for the dismantling of rubble walls is issued without prejudice to any additional conditions stipulated in all the relevant development permits.

- 6 To make up for the shortfall in parking provision of **6** parking spaces, this development permission is subject to a contribution amounting to the sum of **€ 29,000:00** in favour of the Planning Authority's Urban Improvements Fund for the locality. The funds raised shall be used to fund traffic management, green transport, urban improvements or similar projects. The contribution shall be utilised as required and directed by the Planning Authority.

7 **Conditions imposed and enforced by other entities**

A. Where construction activity is involved:

(a) the applicant shall:

(i) **Appoint a Project Supervisor for the Design Stage and a Project Supervisor for the Construction Stage** and any such appointment shall be terminated, changed or renewed as necessary. The same person may be appointed to act as project supervisor for both the design and construction stage, if that person is competent to undertake the duties involved and

(ii) **Keep a health and safety file** prepared by the Project Supervisor for the Design Stage.

(b) When the construction works related to this application are scheduled to last longer than thirty working days and on which more than twenty workers are occupied simultaneously, or on which the volume of work is scheduled to exceed five hundred person-days, the project supervisor **shall communicate a prior notice to the Occupational Health and Safety Authority (OHSA) at least four calendar weeks before commencement of works.**

(c) The Project Supervisor for the Design Stage shall **draw up a health and safety plan** which sets out the occupational health and safety rules applicable to the construction activities concerned, outlining the measures to ensure cooperation between different contractors and shall also include specific measures concerning occupational risks that may be present at this site.

(d) It is the responsibility of the permit holder to ensure that development is carried out in accordance with the provisions of the Environmental Management Construction Site Regulations, Legal Notice 295 of 2007 (or subsequent amendments). Any hoarding shall be erected in accordance with Schedule 2 of the same Regulations.

(e) New development on vacant or redeveloped sites shall be provided with a water cistern to store rainwater run-off as required by the Energy Performance of Buildings Regulations (2012) [published through Legal Notice 376 of 2012 and any amendments thereto].

- B.** Where the development concerns a change of use to a place of work, the applicant shall obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.
- C.** Where the development concerns a place of work:
- The applicant shall:
- (i) obtain a Perit's declaration that the necessary requirements arising out of LN 44 of 2002 have been included in the plans and drawings; and
  - (ii) obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.
- D.** The development is to strictly adhere to the 'Design Guidelines on fire safety for buildings in Malta' to ensure that all Fire Safety measures and provisions are addressed as indicated in the Design Guidelines on Fire Safety for Buildings in Malta, published by the DCID in 2004, (or other relevant standard, provided it is approved by the Civil Protection Department), Policies, and the Laws and Regulations of Malta.
- E.** Conditions imposed and enforced by Water Services Corporation:
- (a) Prior to laying of water and wastewater services in the road, the development shall comply with the requirements of Legal Notice 29/10 Part III (Roads in inhabited Areas) Clause 12.
  - (b) The applicant shall ensure that rain water and/or run-off collection from roofs, yards, balconies (and any other exposed areas) is being managed such that no rainwater, including overflow pipes (by pumping or gravity system), even from water storage reservoirs and/or oil interceptors, are connected to the WSC sewage network.
  - (c) Developers are obliged to check with the Manager region Office WSC for the invert level of the existing sewer and the provision of water up to the new level where water tanks shall be installed by sending an email to [region.consultations@wsc.com.mt](mailto:region.consultations@wsc.com.mt), requesting this information.
  - (d) For development falling within Classes 3a, 3b, 4b, 4c, 4d, 5a, 5b, 5c, 6a, 6b of the Development Planning (Use Classes) Order, 2014, developers are requested to submit floor plans (1:100) of the drainage system (rainwater and wastewater) to the Discharge Permit Unit, or via email at [dpu.consultations@wsc.com.mt](mailto:dpu.consultations@wsc.com.mt).
  - (e) Developers are advised to view requirements set out in:
    - (i) Sewage Discharge Control Regulations S.L. 545.08.
    - (ii) Legal Notice 29 of 2010 Part III (Roads in Inhabited Areas) Clause 12.
    - (iii) DC15 paragraph 4.3.3 Provision of Water Reservoirs and Second-Class Water Policy P47.
    - (iv) Building Regulations Technical Guide Document F where these apply to the proposed development.
- F.** In the event of an accidental discovery in the course of approved works, any cultural heritage feature discovered should not be damaged or disturbed and the Superintendence is to be immediately informed of such discovery. Any cultural heritage features discovered are to be investigated, evaluated and protected in line with the Cultural Heritage Act 2019 (CAP 445). The discovery of cultural heritage features may require the amendment of approved plans.



G. Any fissures (dagħbien), caves, caverns, hollows, geological faults, Quaternary deposits or other features of potential geological, geomorphological and/or palaeontological interest which are discovered must be reported immediately to the Environment and Resources Authority (ERA). No further works or activities must take place until the respective investigations have been completed, and thereafter works shall proceed strictly in line with the terms established by ERA. The approved development may need to be amended so as to accommodate in situ preservation of the discovered features.

H. For new development, the following condition, imposed and enforced by Enemalta, applies:

A culvert measuring 0.8m wide by 0.75m deep should be prepared along the façade of the development in order that any overhead lines may be substituted by underground cables. The culvert is to be interconnected to an adequate space consisting of a **small room or recess** located near the **entrance**, provided for the purpose of housing the electricity meter. Another adequate space for the purpose of housing the electricity meters, consisting of a **small room or recess** located in the basement near the **entrance**, also interconnected to the culvert, is to be provided. The architect/applicant is required to contact Enemalta, throughout the implementation of the development hereby approved, to ensure conformity with the imposed conditions.

I. Where the development includes a swimming pool:

- (a) Any effluent, if discharged in the sewers, shall meet the specifications listed in L.N.139 of 2002 as amended by L.N.378 of 2005.
- (b) Adequate sampling points should be installed as directed by WSC – Discharge Permit Unit officials.
- (c) Chlorine concentration of the effluent should not exceed 100 mg/L Cl<sub>2</sub>.

In terms of Article 72(3) of the Development Planning Act, 2016, the execution and validity of this permission is automatically temporarily **suspended** and no works as approved by the said development permission may commence before the lapse of the time period established in Article 13 of the Environment and Planning Review Tribunal Act. In the event that an application is submitted before the Environment and Planning Review Tribunal requesting the suspension of the execution of the permission, this permission will remain so suspended until the Tribunal otherwise decides in accordance with the Environment and Planning Review Tribunal Act.

Where the approved drawings and/or documents are dimensioned, then the declared dimensions shall prevail over the actual size as depicted on the approved drawings and/or documents.

Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on PA/04692/22

the plan what needs to be carried out and obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.

If the declaration of ownership, as contained in the application form, is determined as incorrect by a Court of Law, then the said Court of Law can declare this development permission as null and void. This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance shall be obtained from the Lands Authority prior to the execution of this development permission.

This development permission is granted saving third party rights. This permission does not exonerate the applicant from obtaining any other necessary permission, license, clearance or approval required from any Government department, local council, agency or authority, as required by any law or regulation.

This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (Cap. 424) - Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.

For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes) Order 2014, or its subsequent amendments.

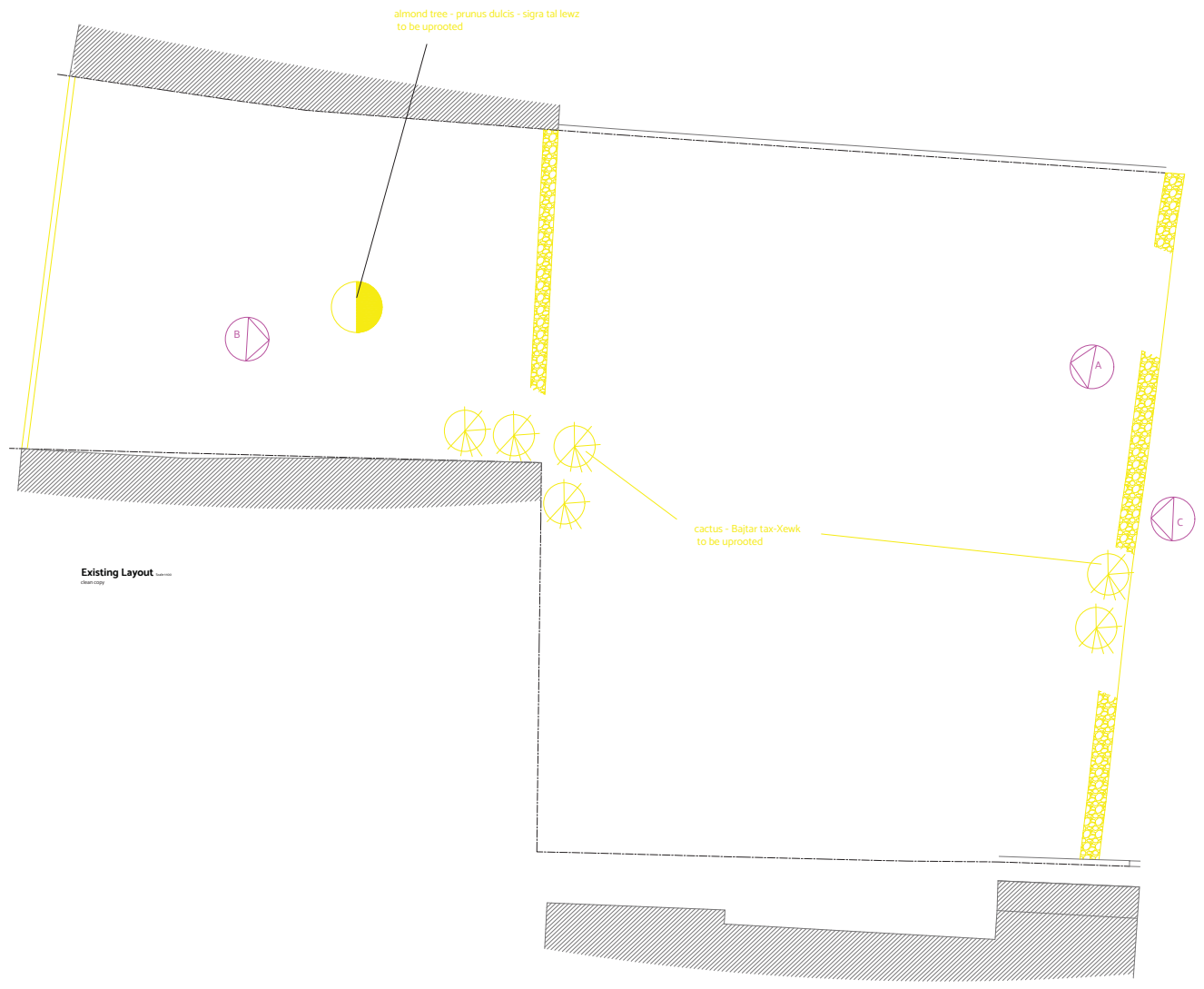
**This decision is being published on 6 June 2023.**

Lorna Vella  
Secretary Planning Commission  
Within Development Scheme

-PADCN-



TRIQ SANT' INDRIJA



Existing Layout  
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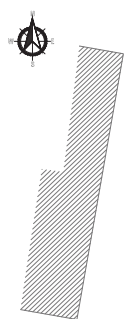
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CONSTRUCTION OF APARTMENTS

LOCATION  
NADUR, GOZO

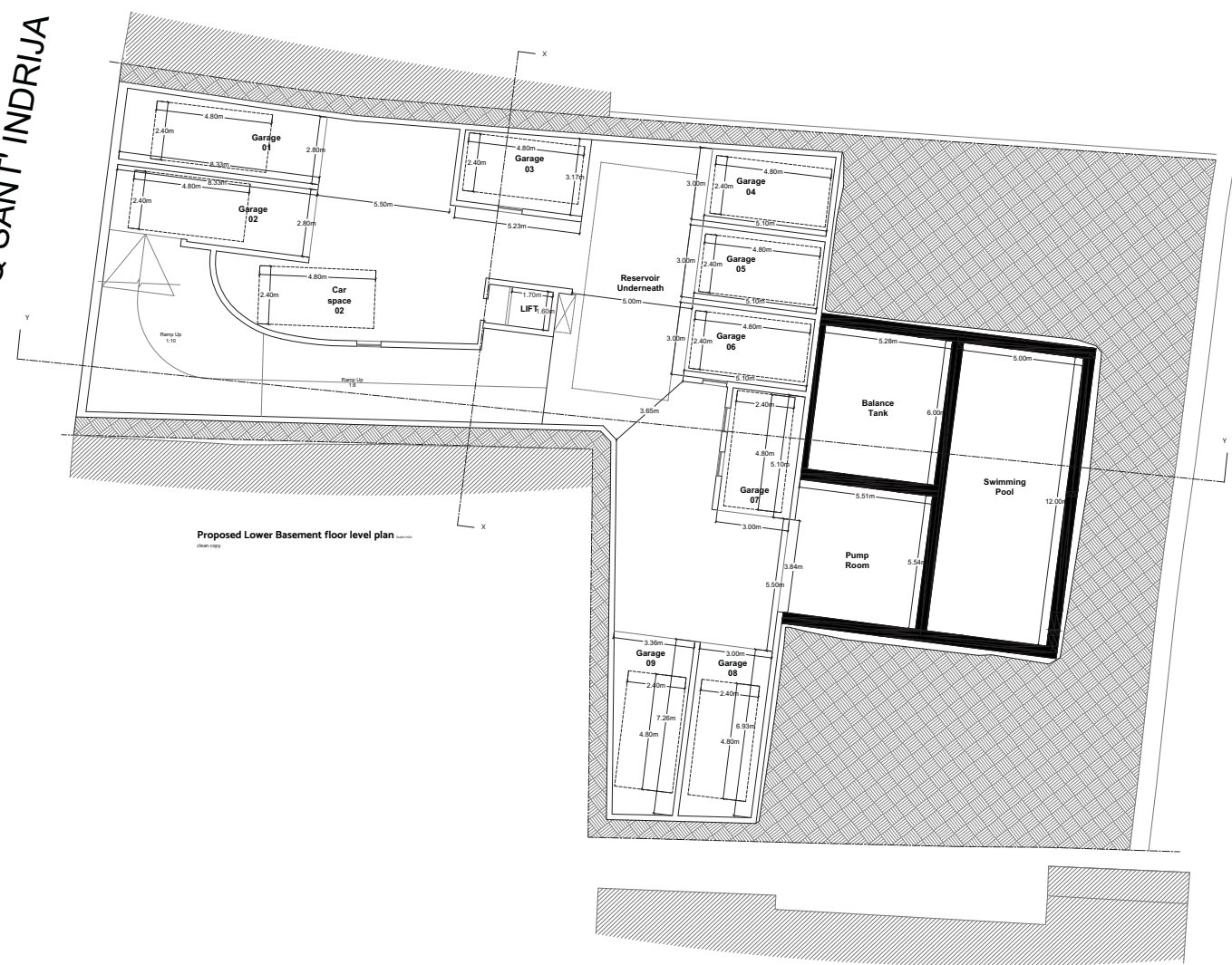
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| 256/2021 | 12 JANUARY 2022 |





TRIQ SANT' INDRIJA



Proposed Lower Basement floor level plan  
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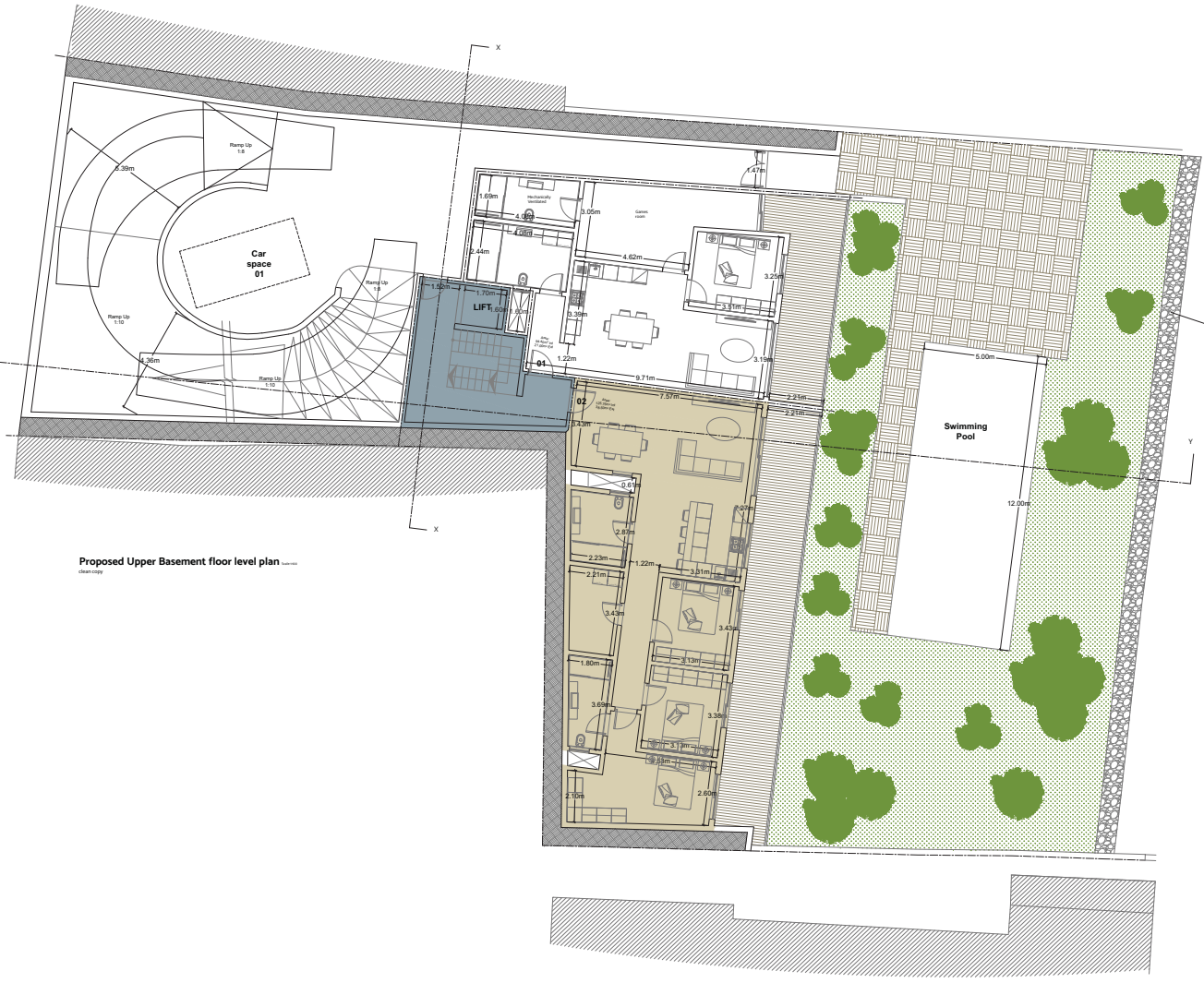


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LOCATION  
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DRAWING TITLE  
PLANS  
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DATE  
JANUARY 2022





TRIQ SANT' INDRIJA



Proposed Upper Basement floor level plan



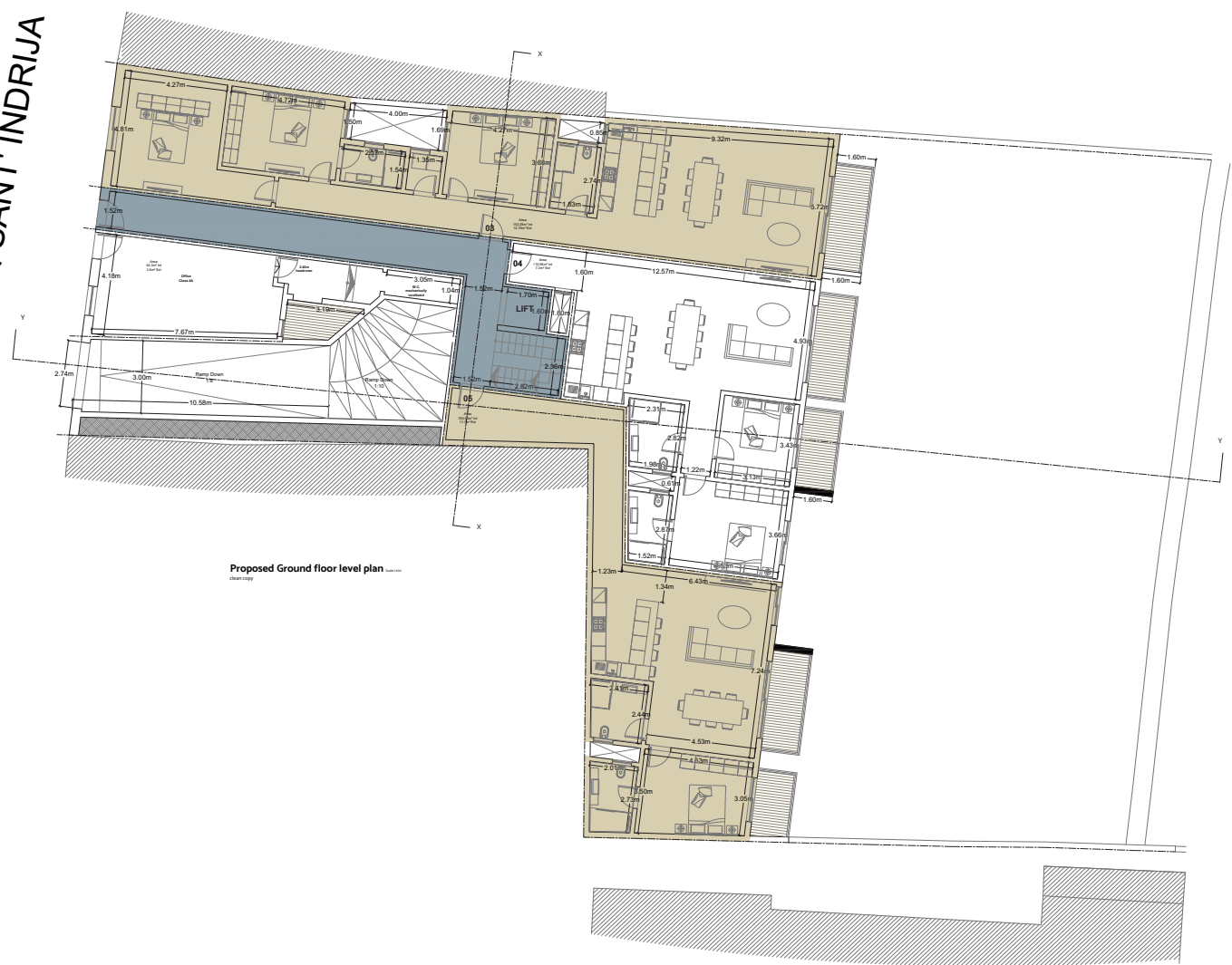
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JANUARY 2022







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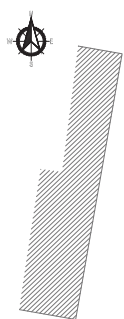


Proposed Ground floor level plan  
occupancy



PROJECT  
CONSTRUCTION OF APARTMENTS  
LOCATION  
NADUR, GOZO  
DRAWING TITLE  
PLANS  
NO. 256/2021  
DRAWING NO. 03  
DATE  
JANUARY 2022





TRIQ SANT' INDRIJA



Proposed First floor level plan



PROJECT  
CONSTRUCTION OF APARTMENTS  
LOCATION  
NADUR, GOZO  
DRAWING TITLE  
PLANS  
NO. 256/2021 DRAWING NO. 04 DATE  
JANUARY 2022





TRIQ SANT' INDRIJA



Proposed Second floor level plan  
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PROJECT  
CONSTRUCTION OF APARTMENTS  
LOCATION  
NADUR, GOZO  
DRAWING TITLE  
PLANS  
DATE  
26/02/2021  
DRAWING  
05  
DATE  
JANUARY 2022





TRIQ SANT' INDRIJA

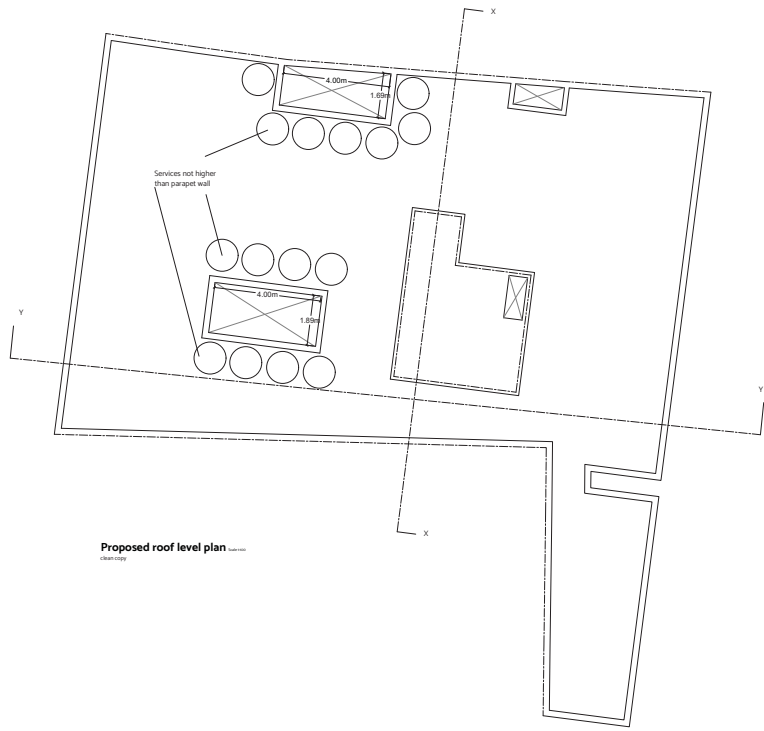


Proposed Receded floor level plan  
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PROJECT  
CONSTRUCTION OF APARTMENTS  
LOCATION  
NADUR, GOZO  
DRAWING TITLE  
PLANS  
DATE  
25/6/2021  
DRAWING NO.  
06  
DATE  
JANUARY 2022





Proposed roof level plan -----  
date: 07/01/2022



PROJECT  
CONSTRUCTION OF APARTMENTS  
LOCATION  
NADUR, GOZO

DRAWING TITLE  
PLANS  
NO. 256/2021  
DATE 07  
JANUARY 2022







Proposed front elevation  
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Proposed back elevation  
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Proposed Front Streetscape elevation  
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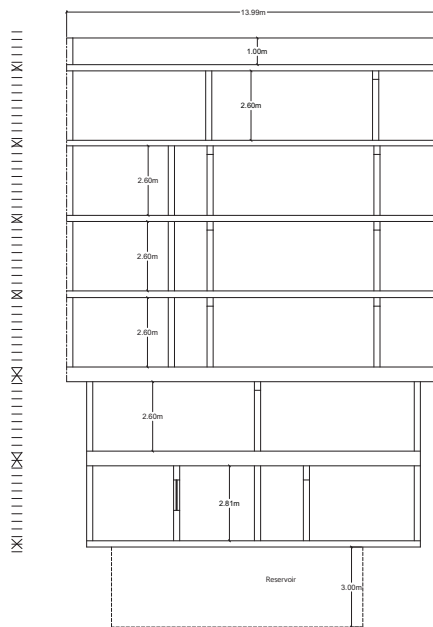
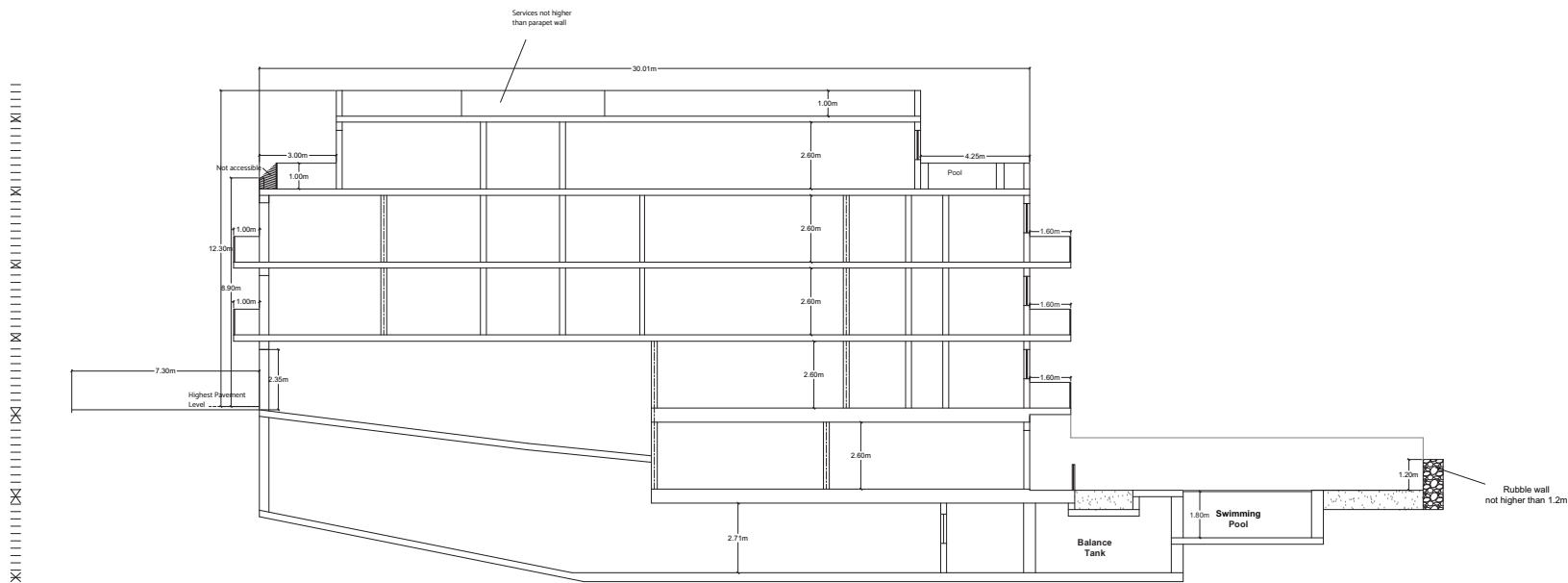


**ALEXANDER BIGENI**  
ARCHITECTS

PROJECT:  
CONSTRUCTION OF APARTMENTS  
LOCATION:  
NADUR, GOZO

DRAWING TITLE:  
PLANS  
DATE:  
25/01/2021  
DRAWING NO:  
09  
DATE:  
JANUARY 2022





Proposed section x-x



PROJECT  
CONSTRUCTION OF APARTMENTS

LOCATION  
NADUR, GOZO

DRAWING TITLE  
PLANS  
NO. 256/2021  
DRAWING  
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DATE  
JANUARY 2022



**Appendix 09: (Il-Harruba Residences)**

A.09.4 – Plan of fields



*Joseph Muscat*

TRIO SANT INDRILJA



**Appendix 10: (Orchidea Court)**

A.10.1 – Site Plan





**Appendix 10: (Orchidea Court)**

A.10.2 – Photographs















**Appendix 10: (Orchidea Court)**

**A.10.3 – Planning Permit and Permit Draw**

Joe Galea

Date: 6 December 2022  
Our Ref: PA/02808/19  
Perit Ref: 5897

Dear Sir/Madam,

Application Number: PA/02808/19  
Location: Orchidea Court, Triq ta' Cordina, Ghajnsielem  
Proposal: Proposed alterations and additions at third floor level  
consisting of demolition of walls and create 6 apartments  
instead of 2 recessed flats and proposed 2 new recessed flats  
at fourth floor level.

**Development Planning Act, 2016**  
**Minor Amendment to Permission PA/02808/19**  
**in terms of regulation 15 of Legal Notice 162 of 2016**

Reference is made to the request for minor amendments, to the above quoted development permission, submitted on 27 October 2022.

The changes you propose are acceptable as a minor amendment to the development permission. The following drawings/documents are being endorsed:

PA 2808/19/MA/128A/128B/128C.

This endorsement relates only to the changes described in your application form and specifically indicated on the drawings/documents. Any other changes from the original permission, which may be shown on the drawings/documents but which are not referred to in your application form, are not endorsed or accepted.

Consequently, this endorsement is **only** for the proposed development as specifically indicated and does not cover any other development or sanctions any illegal development which may exist on site, even if shown on the drawings/documents.

Please note that the conditions and amendments in the original permission remain valid and are therefore applicable to the development as amended, including the condition on the validity period of the permission. The other provisions of regulation 15 of Legal Notice 162 of 2016 also apply.

Yours faithfully

Malcolm Ferrigi  
for Executive Chairperson

-PAABMADcn-

Mr. Joe Galea

Date: 16 July 2019  
Our Ref: PA/02808/19

Application Number: PA/02808/19  
Application Type: Full development permission  
Date Received: 7 March 2019  
Approved Documents: PA 2808/19/1H/7D/7E/7F/7G/15C/48C

Supporting Document  
PA 2808/19/81B - Vibration Mitigation Report

Location: Orchidea Court, Triq ta' Cordina, Ghajnsielem  
Proposal: Proposed alterations and additions at third floor level consisting of demolition of walls and create 6 apartments instead of 2 receded flats and proposed 2 new receded flats at fourth floor level.

### **Development Planning Act, 2016 Full Development Permission**

The Planning Authority hereby grants development permission in accordance with the application and documents described above, subject to the following conditions:

- 1 a) This development permission is valid for a period of FIVE YEARS from the date of publication of the decision in the press but will cease to be valid if the development is not completed by the end of this validity period.
- b) This permission relates only to the development as specifically indicated on the approved drawings. This permission does not sanction any other illegal development that may exist on the site.
- c) A Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, **if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised** - Article 72(4) of the Development Planning Act (2016).
- d) Copies of all approved drawings and documents shall be available for inspection on site by Planning Authority officers at all reasonable times.

PA/02808/19

Print Date: 08/08/2019

e) The development shall be carried out in complete accordance with the approved drawings, documents and conditions of this permission. Where a matter is not specified, then the conditions of this permission and of Development Control Design Policy, Guidance and Standards 2015 shall apply.

f) Before any part of the development hereby permitted commences, the enclosed green copy of this development permission shall be displayed on the site. This must be mounted on a notice board, suitably protected from the weather and located not more than 2 metres above ground level at a point on the site boundary where it is clearly visible and can be easily read from the street. The copy of the permission must be maintained in a good condition and it shall remain displayed on the site until the works are completed.

g) It is the responsibility of the permit holder to ensure that development is carried out in accordance with the provisions of the Environmental Management Construction Site Regulations, Legal Notice 295 of 2007 (or subsequent amendments). Any hoarding shall be erected in accordance with Schedule 2 of the same Regulations.

h) No steps, ramps or street furniture are to be constructed on or encroached onto the public pavement or road.

i) Any doors and windows, the lower edge of which is less than 2m above road level, and any gates shall not open outwards onto a public pavement or road.

j) Air conditioning units shall not be located on the facades of the building which are visible from the street or a public space.

k) There shall be no service pipes, cables or wires visible on the front elevation or on any other elevations of the building which are visible from the street or public space.

2 a) The façade(s) of the building shall be constructed in local un-rendered and unpainted stone, except where other materials/finishes are indicated on the approved drawings.

b) All the apertures and balconies located on the façade(s) of the building shall not be in gold, silver or bronze aluminium.

c) The height of the services on the roof of the building shall not extend beyond the approved height of the uppermost parapet wall.

3 To make up for the shortfall in parking provision of 6 parking spaces, this development permission is subject to a contribution amounting to the sum of € 29,000 in favour of Planning Authority's Urban Improvements Fund for the locality. The funds raised shall be used to fund traffic management, green transport, urban improvements or similar projects. The contribution shall be utilised as required and directed by Planning Authority.

#### 4 **Conditions imposed and enforced by other entities**

A. Where construction activity is involved:

(a) the applicant shall:

(i) **Appoint a Project Supervisor for the Design Stage and a Project Supervisor for the Construction Stage** and any such appointment shall be terminated, changed or renewed as necessary. The same person may be appointed to act as project supervisor for both the design and construction stage, if that person is competent to undertake the duties involved and

(ii) **Keep a health and safety file** prepared by the Project Supervisor for the Design Stage.

(b) When the construction works related to this application are scheduled to last longer than thirty working days and on which more than twenty workers are occupied simultaneously, or on which the volume of work is scheduled to exceed five hundred person-days, the project supervisor **shall communicate a prior notice to the Occupational Health and Safety Authority (OHSA) at least four calendar weeks before commencement of works.**

(c) The Project Supervisor for the Design Stage shall **draw up a health and safety plan** which sets out the occupational health and safety rules applicable to the construction activities concerned, outlining the measures to ensure cooperation between different contractors and shall also include specific measures concerning occupational risks that may be present at this site.

**B.** Where the development concerns a place of work:

The applicant shall:

(i) obtain a Perit's declaration that the necessary requirements arising out of LN 44 of 2002 have been included in the plans and drawings; and

(ii) obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.

**C.** The development is to strictly adhere to the 'Design Guidelines on fire safety for buildings in Malta' to ensure that all Fire Safety measures and provisions are addressed as indicated in the Design Guidelines on Fire Safety for Buildings in Malta, published by the DCID in 2004, (or other relevant standard, provided it is approved by the Civil Protection Department), Policies, and the Laws and Regulations of Malta.

5 The development hereby permitted shall be subject to Final Compliance (Completion) Certification, verifying that the development has been carried out in full accordance with the approved drawings, documents and conditions imposed in this development permission, except where such conditions are enforced by other entities. Prior to the issue of any compliance certificate on any part of this development, the applicant shall submit to Planning Authority, in relation to that part of the building:

(i) certification from a qualified engineer confirming that the development fully satisfies the requirements specified in supporting document PA 2808/19/81B.

In terms of Article 72(3) of the Development Planning Act, 2016, the execution and validity of this permission is automatically temporarily **suspended** and no works as approved by the said PA/02808/19  
Print Date: 08/08/2019



development permission may commence before the lapse of the time period established in Article 13 of the Environment and Planning Review Tribunal Act and subsequently will remain so suspended if the Tribunal so decides in accordance with the Environment and Planning Review Tribunal Act.

Where the approved drawings and/or documents are dimensioned, then the declared dimensions shall prevail over the actual size as depicted on the approved drawings and/or documents.

Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on the plan what needs to be carried out and obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.

If the declaration of ownership, as contained in the application form, is determined as incorrect by a Court of Law, then the said Court of Law can declare this development permission as null and void. This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance and agreement must be obtained for this development from the Land and/or Estate Management Departments.

This development permission is granted saving third party rights. This permission does not exonerate the applicant from obtaining any other necessary permission, license, clearance or approval required from any Government department, local council, agency or authority, as required by any law or regulation.

This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (Cap. 424) - Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.

For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes) Order 2014, or its subsequent amendments.

**This decision is being published on 24 July 2019.**

Monica Gauci  
Secretary Planning Commission  
Within Development Scheme

## Notes to Applicant and Perit

### Right for reconsideration

Where applicable, you have a right to submit a request for reconsideration to the Authority in terms of regulation 14 of Legal Notice 162 of 2016.

### Right for appeal

You have a right to submit an appeal, against the decision, to the Environment and Planning Review Tribunal in terms of Article 13 of the Environment and Planning Review Tribunal Act, 2016.

### Time limits

Requests for reconsideration or appeals must be made within 30 days from the publication of the decision notification in the local press as required by regulation 14(1) of Legal Notice 162 of 2016.

### Fees to submit a request for reconsideration or appeal

In either case, there is a fee to be paid which should accompany the request for reconsideration or the appeal. The fees are as follows:

For reconsideration - 3% of the Development Permit Fee paid in respect of the original application, subject to a minimum of €69.88.

For appeal - 5% of DPF (Development Permit Fee) paid in respect of the original application, subject to a minimum of €150 + €50 administrative fee (LN 112 of 2016).

### Submission of request for reconsideration or appeal

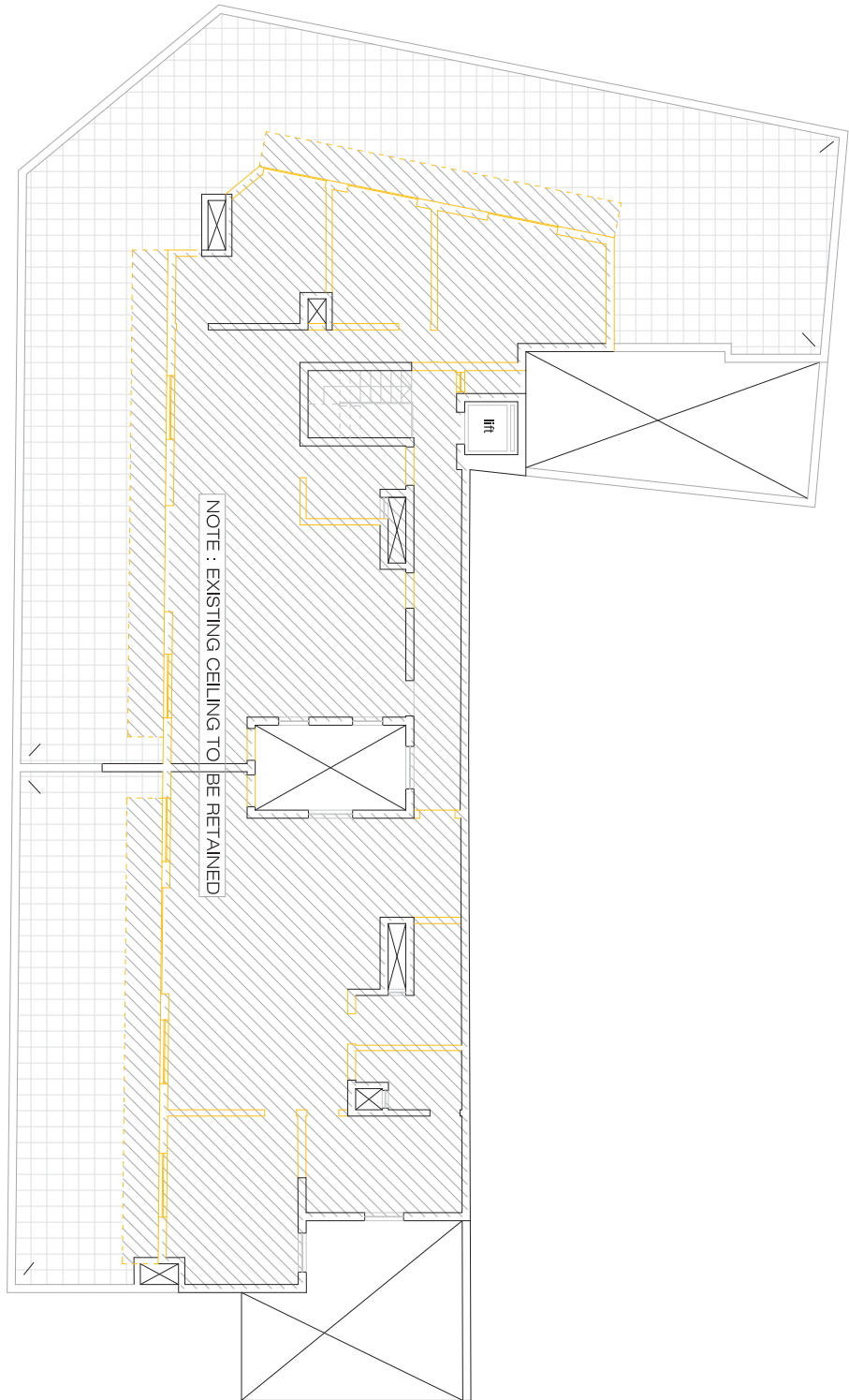
With regards to requests for reconsideration, Form PA 4/16 must be used for submission. All fields of the Form must be filled in as appropriate. Requests for reconsideration can only be submitted electronically.

With regards to appeals, as required by Article 13 of the Environment and Planning Review Tribunal Act, 2016, the submission must include the detailed grounds for appeal and the requests being made by the appellant. Appeals must be submitted physically at the offices of the Environment and Planning Review Tribunal, St. Francis Ditch, Floriana.

## **Important Notice**

**In view of the provisions of Article 72(4) of the Development Planning Act (2016), a Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised.**

-PADCN-



**Third Floor level**  
**DEMOLISHING PLAN - scale 1 : 100**



**ARCHITECT & CIVIL ENGINEER**

**EMANUEL VELLA**  
 "THE CLIFF"  
 MGN5, P.PACE STR.,  
 VICTORIA GOZO TEL: 21 551 9663

Date 27th March 2019

File No. 5897

Drwg. No. 5897/7

Scale 1 : 100

Drawn N. Portelli

SUBJECT

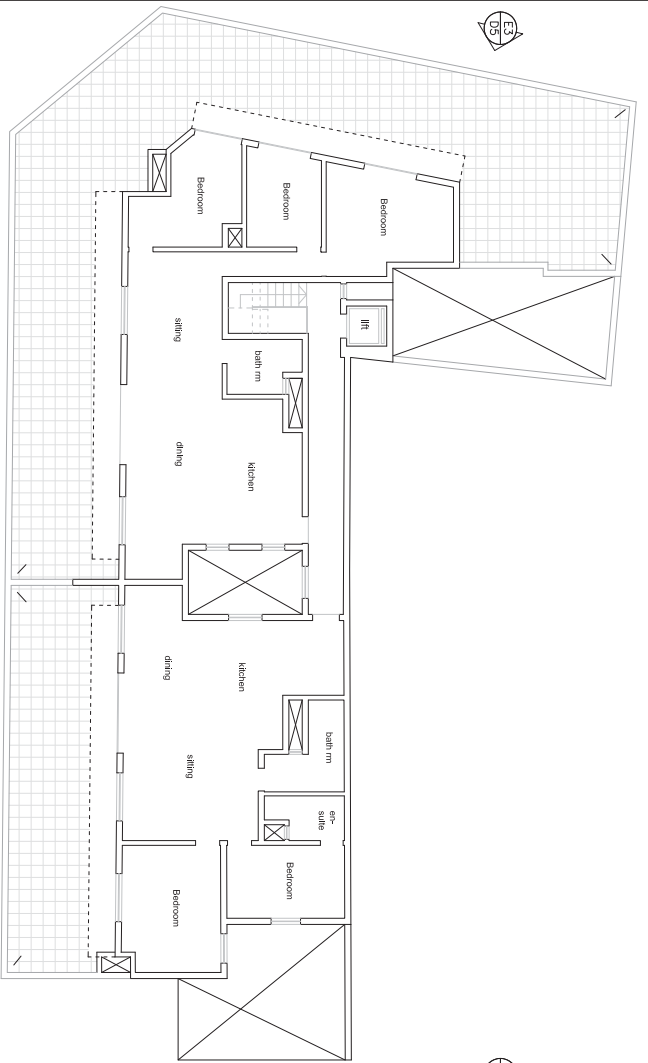
Proposed 6 Flats at Third Floor Level and Two Recessed Flats at Fourth Floor Level.

Site at 'Orchidea Court' Triq Cordina, Ghajnsielem Gozo.

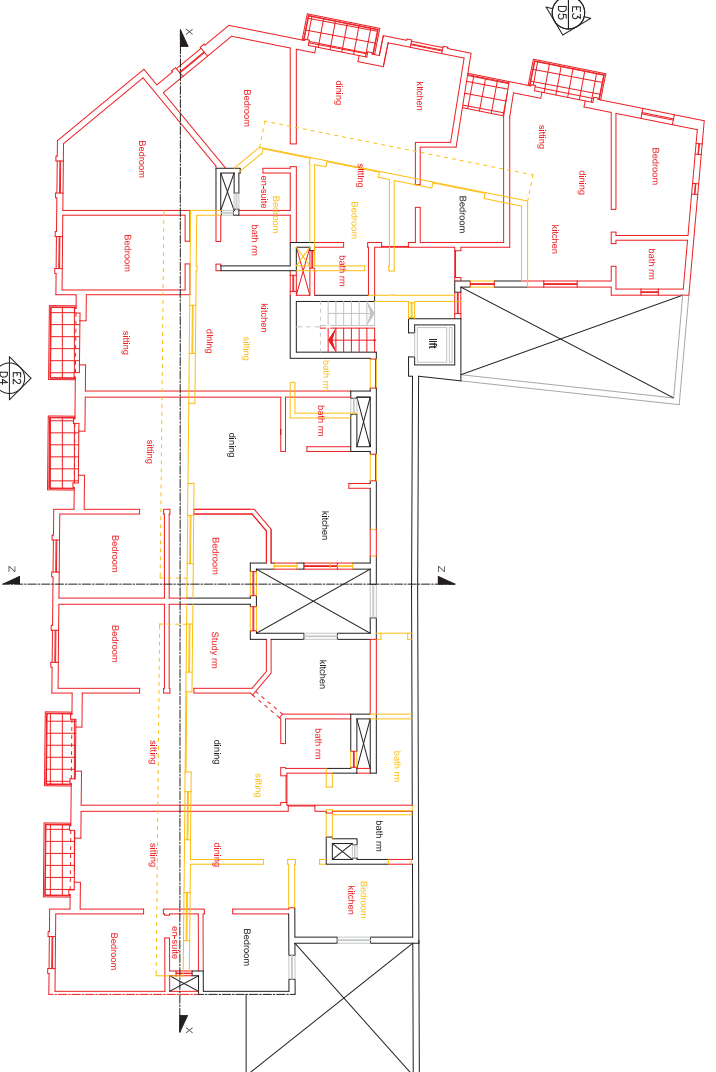
**REVISIONS**

| REF. | DATE     | DESCRIPTION       | INT |
|------|----------|-------------------|-----|
| 1    | 27-03-19 | Proposed drawings | NP  |
| 2    |          |                   |     |
| 3    |          |                   |     |
| 4    |          |                   |     |
| 5    |          |                   |     |

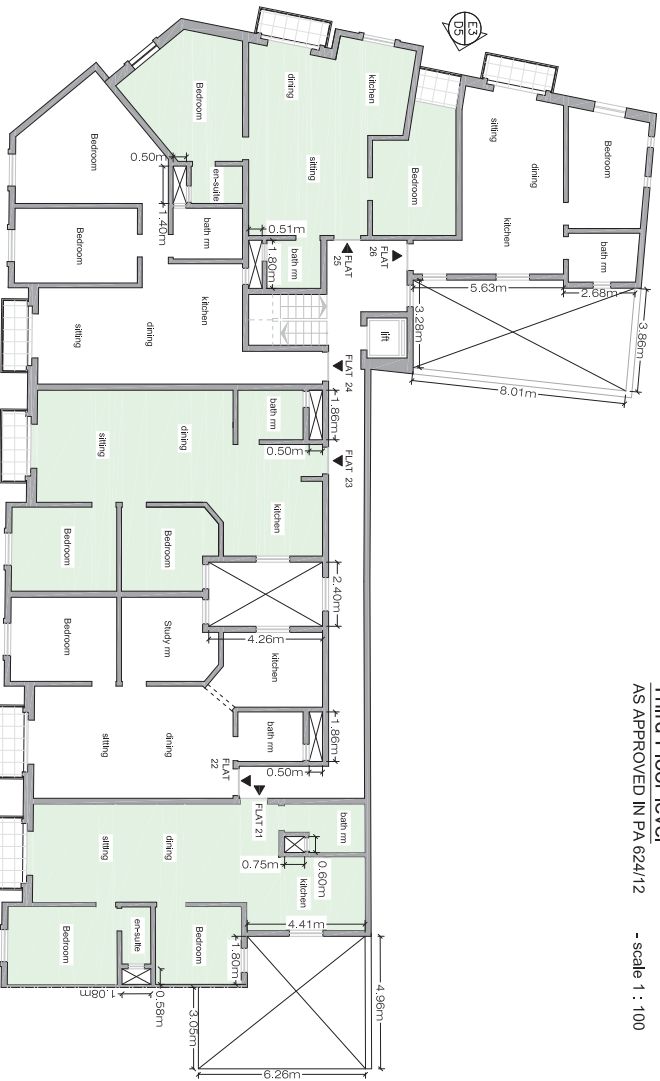




Third Floor level  
AS APPROVED IN PA 624/12 - scale 1 : 100



Third Floor level  
EXISTING & PROPOSED - scale 1 : 100



Third Floor level  
CLEAN COPY - scale 1 : 100

| FLAT    | INTERNAL AREA      | EXTERNAL AREA     | GROSS FLOOR AREA   |
|---------|--------------------|-------------------|--------------------|
| FLAT 26 | 53.8m <sup>2</sup> | 27m <sup>2</sup>  | 56.3m <sup>2</sup> |
| FLAT 25 | 84.9m <sup>2</sup> | 5.1m <sup>2</sup> | 90m <sup>2</sup>   |
| FLAT 24 | 86.3m <sup>2</sup> | 27m <sup>2</sup>  | 89m <sup>2</sup>   |
| FLAT 23 | 85.3m <sup>2</sup> | 27m <sup>2</sup>  | 88m <sup>2</sup>   |
| FLAT 22 | 80m <sup>2</sup>   | 27m <sup>2</sup>  | 82.7m <sup>2</sup> |
| FLAT 21 | 85.3m <sup>2</sup> | 27m <sup>2</sup>  | 88m <sup>2</sup>   |

Total Site Area 574m<sup>2</sup>



| REV. | DATE     | DESCRIPTION       | INT. |
|------|----------|-------------------|------|
| 1    | 27-02-19 | proposed drawings | NP   |
| 2    |          |                   |      |
| 3    |          |                   |      |
| 4    |          |                   |      |
| 5    |          |                   |      |

SUBJECT

Proposed 6 Flats at Third Floor Level and Two Recessed Flats at Fourth Floor Level.  
Site at 'Orchidea Court', Ting Cordina, Ghajnsiela, Gozo.

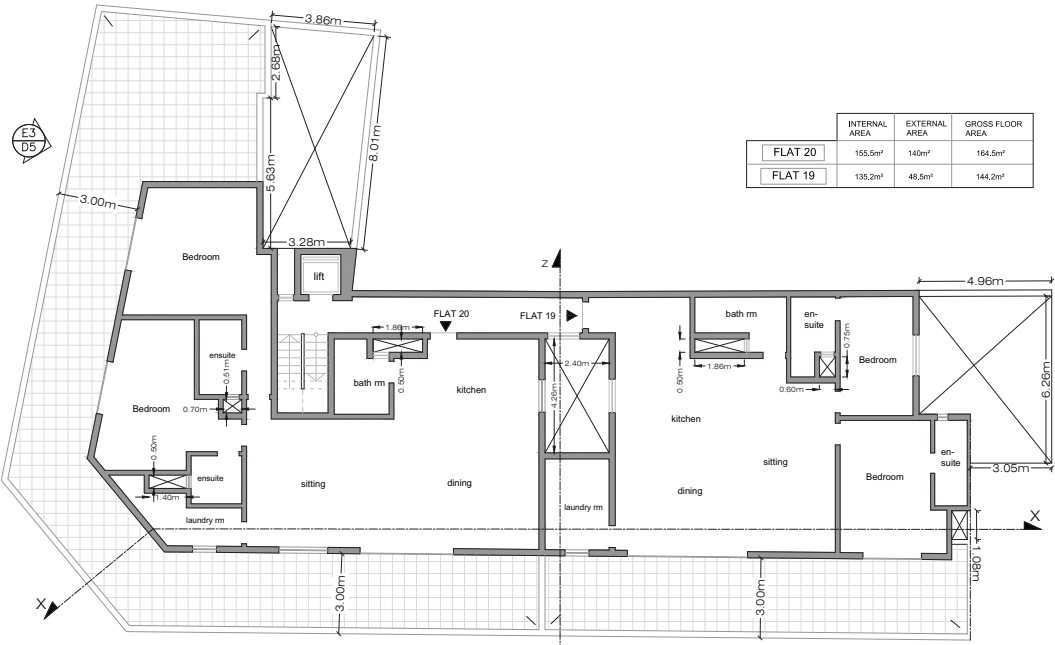
Date: 27th Feb 2019  
File No.: 5897  
Drwg. No.: 5897/2  
Scale: 1 : 100  
Drawn: N. Portelli

ARCHITECT & CIVIL ENGINEER

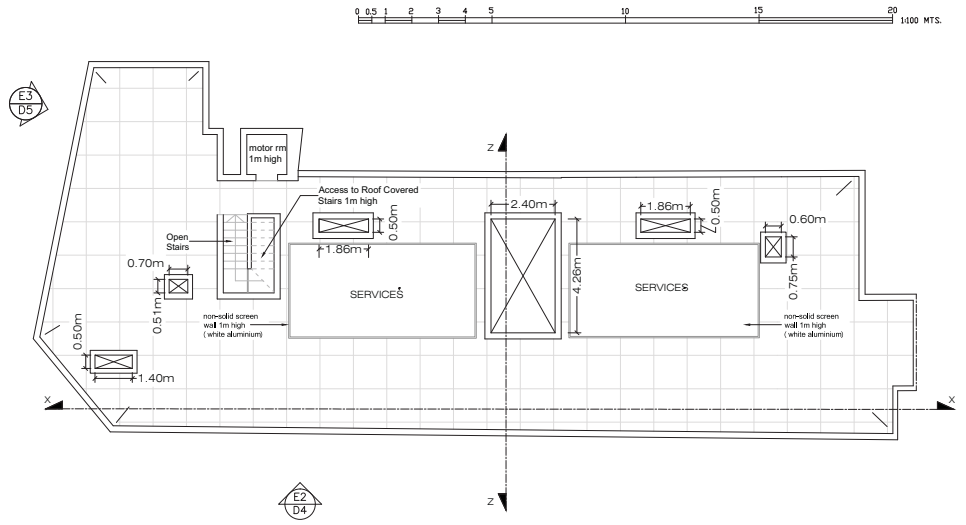


EMANUEL VELLA  
THE CLIFF,  
MONS. P. PAGE STR.,  
VICTORIA GOZO TEL: 21551963

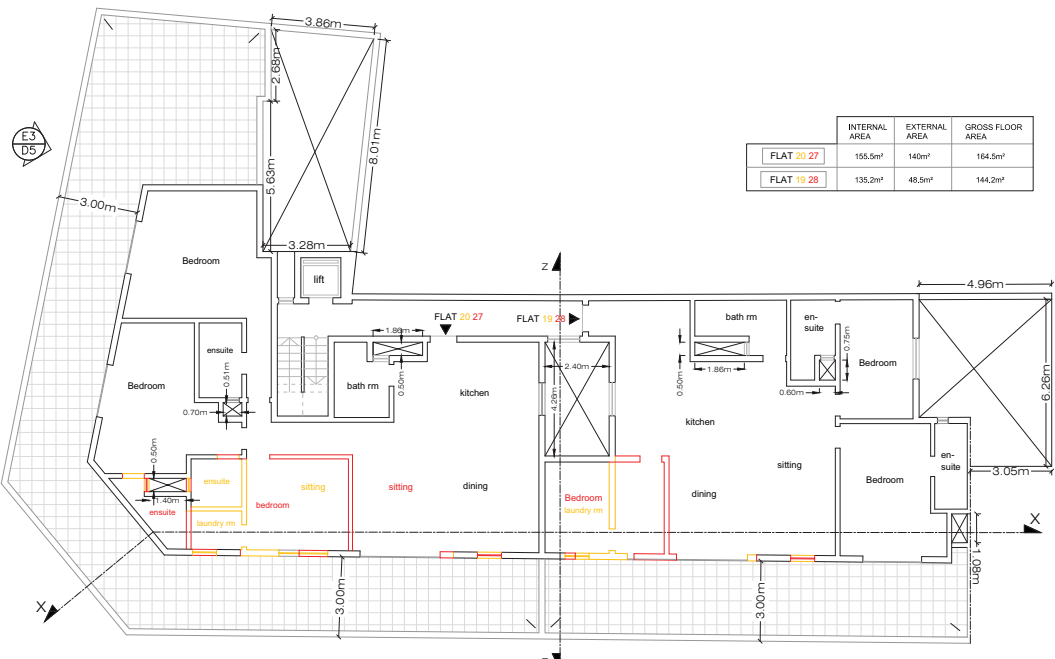
| REVISIONS |            |                   | SUBJECT  | ARCHITECT & CIVIL ENGINEER |               |
|-----------|------------|-------------------|--|----------------------------|---------------|
| REF.      | DATE       | DESCRIPTION       |  | File No.                   | Date          |
| 1         | 24-10-2022 | proposed drawings | Site at 'Orchidea Court'<br>Triq Cordina,<br>Ghajnsielem Gozo. | 5897                       | 24th OCT 2022 |
| 2         |            |                   |  | 5897/3                     |               |
| 3         |            |                   |  | 1 : 100 - A1               |               |
| 4         |            |                   |  | N. Portelli                |               |
| 5         |            |                   |  |                            |               |



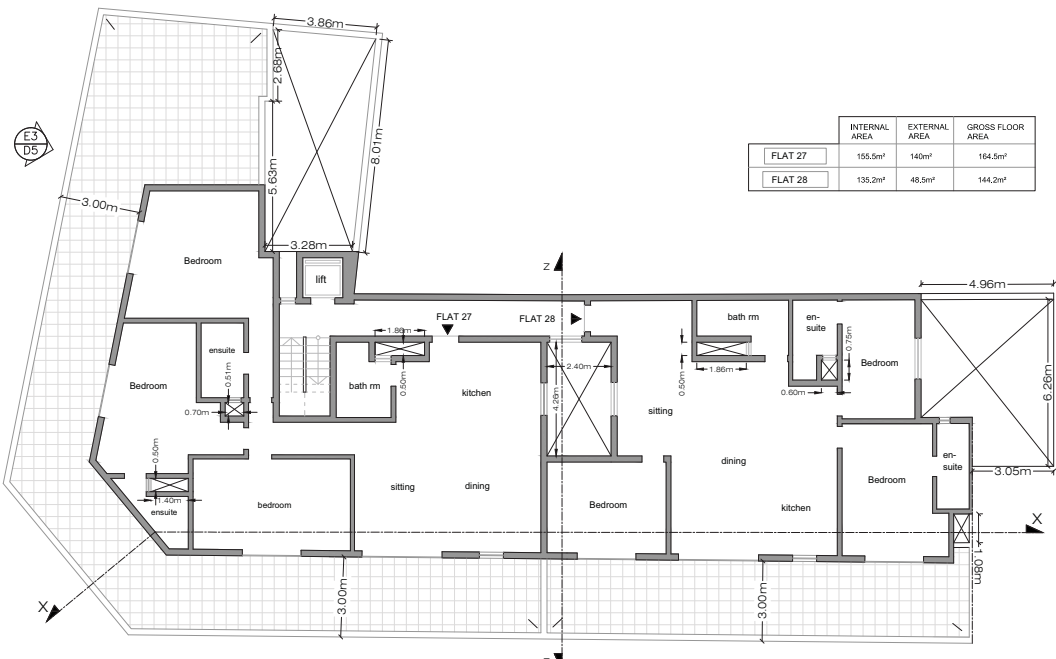
**Fourth Floor level**  
approved in PA 2808/19  
scale 1 : 100



**Roof Plan**  
approved in PA 2808/19 - no changes to roof plan  
scale 1 : 100

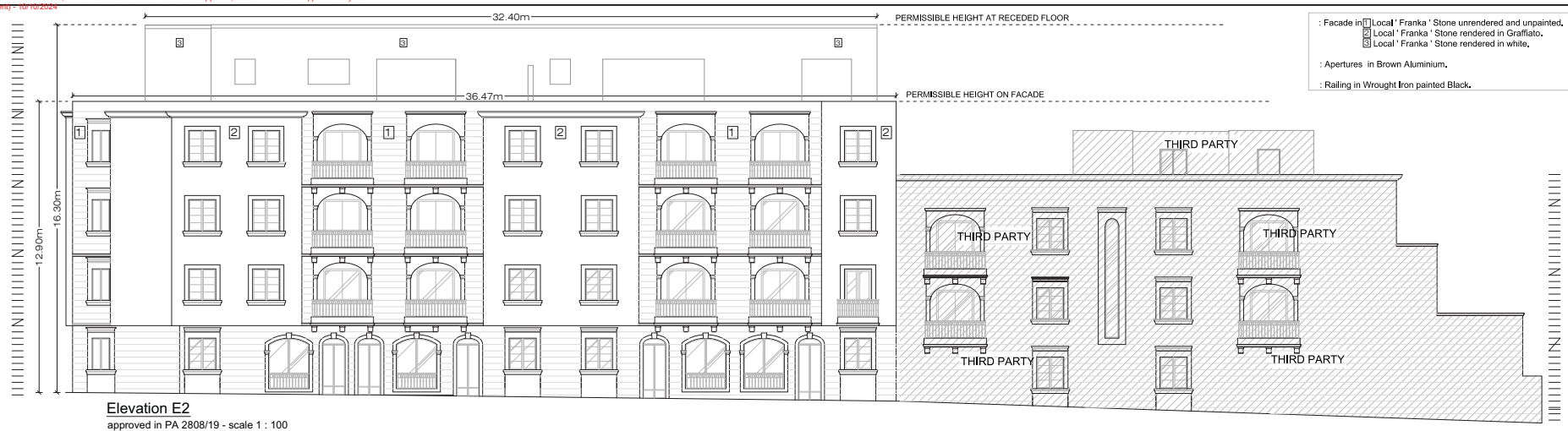


**Fourth Floor level**  
existing & proposed  
scale 1 : 100



**Fourth Floor level**  
clean copy  
scale 1 : 100

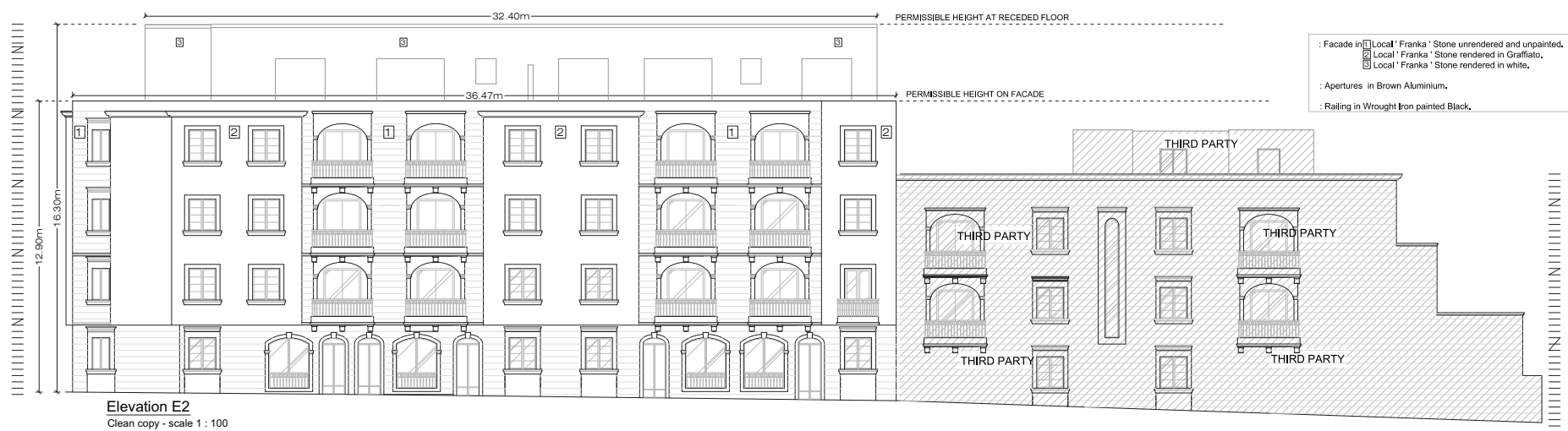




**Elevation E2**  
approved in PA 2808/19 - scale 1 : 100



**Elevation E2**  
Existing & Proposed - scale 1 : 100



**Elevation E2**  
Clean copy - scale 1 : 100

| REVISIONS |            |                   |      |
|-----------|------------|-------------------|------|
| REF.      | DATE       | DESCRIPTION       | INT. |
| 1         | 24-10-2022 | proposed drawings | NP   |
| 2         |            |                   |      |
| 3         |            |                   |      |
| 4         |            |                   |      |
| 5         |            |                   |      |

**SUBJECT**

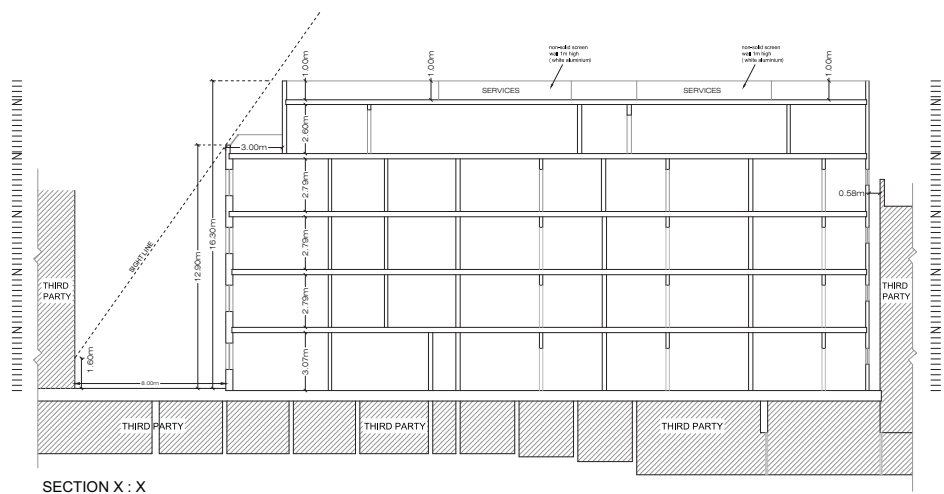
Site at 'Orchidea Court'  
Triq Cordina,  
Ghajnsielem Gozo.

Date 24th Oct 2022  
File No. 5897  
Drwg. No. 5897/4  
Scale 1 : 100 - A1  
Drawn N. Portelli

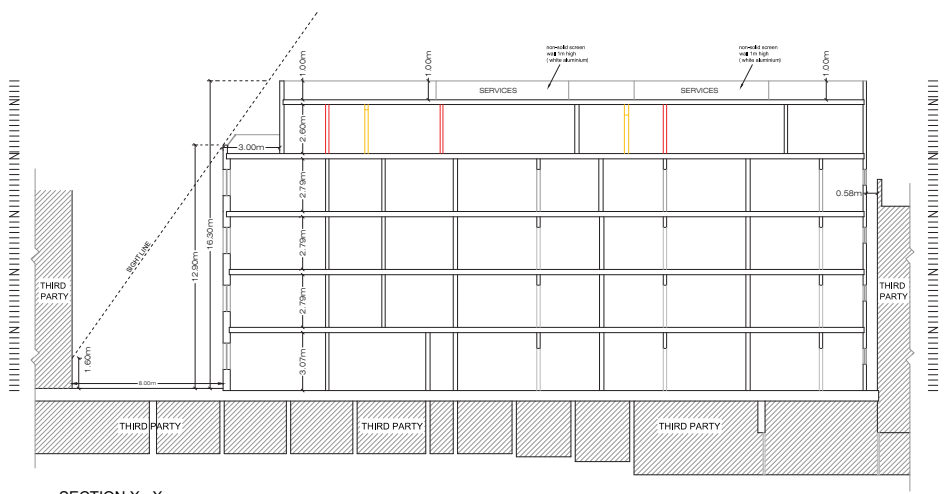
**ARCHITECT & CIVIL ENGINEER**

**EMANUEL VELLA**  
"THE CLIFF"  
MONS. P. PAGE BTR.,  
VICTORIA GOZO TEL: 21551963

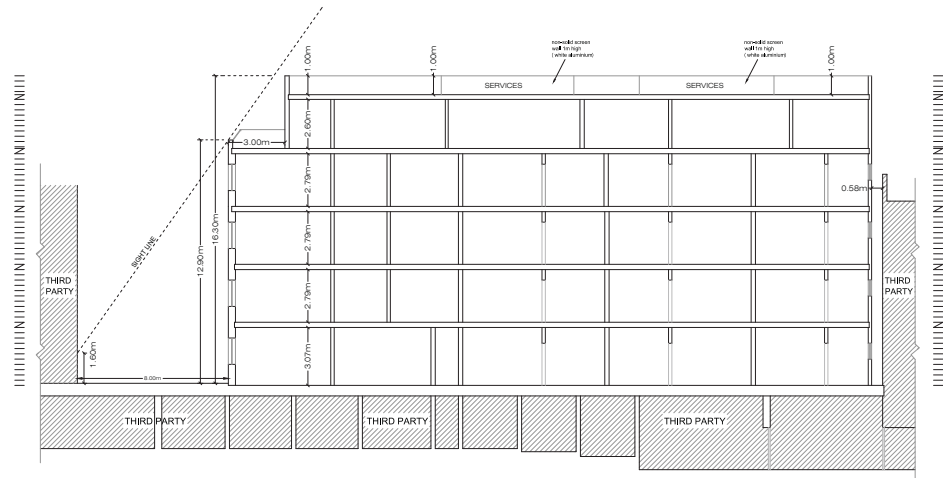




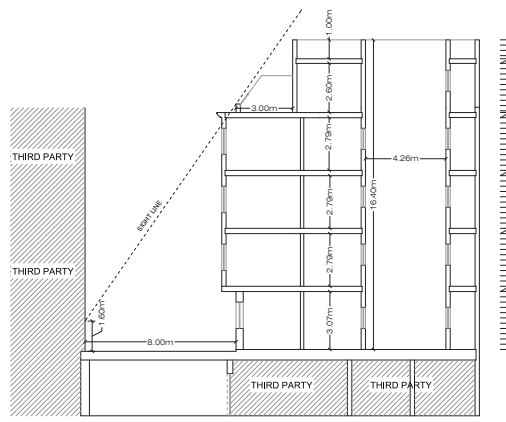
SECTION X : X  
approved in PA 2808/19 - scale 1 : 100



SECTION X : X  
Existing & Proposed - scale 1 : 100



SECTION X : X  
Clean Copy - scale 1 : 100



SECTION Z : Z  
approved in PA 2808/19 ( no changes ) - scale 1 : 100

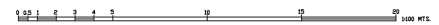
| REF. | DATE       | DESCRIPTION       | INT. |
|------|------------|-------------------|------|
| 1    | 24-10-2022 | proposed drawings |      |
| 2    |            |                   |      |
| 3    |            |                   |      |
| 4    |            |                   |      |
| 5    |            |                   |      |

SUBJECT

Site at 'Orchidea Court'  
Triq Cordina,  
Ghajnsielem Gozo.

Date 24th Oct 2022  
File No. 5897  
Drwg. No. 5897/6  
Scale 1 : 100 -A0  
Drawn N. Portelli

ARCHITECT & CIVIL ENGINEER  
**EMANUEL VELLA**  
THE CLIFF  
MGN, P. PACE BTR.,  
VICTORIA GOZO TEL: 2155 1963



**Appendix 11: (Vista Giuliana)**

A.11.1 – Site Plan







**Appendix 11: (Vista Giuliana)**

A.11.2 – Photographs





**Appendix 11: (Vista Giuliana)**

**A.11.3 – Planning Permit and Permit Draw**

No development may be carried out under the powers of the following development permission.

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Ma jista' jitwettaq l-ebda żvilupp bis-saħħa tas-segwentti permess għall-iżvilupp.

Eric Saliba

Date: 27 August 2024  
Our Ref: PA/07708/23

Application Number: PA/07708/23  
Application Type: Full development permission  
Date Received: 18 September 2023  
Approved Documents: PA 7708/23/9C/9K/9L/57B/57D/57E/57F/57i/102A/102B/128A; and supporting document: PA 7708/23/9N: *Fire Safety, Ventilation, Fumes Emissions & Noise Mitigation report.*

Location: 170, 171, 172, 173, 174, Triq Birkirkara, San Giljan  
Proposal: Proposed demolition of existing property, excavation of a plot, and construction of 3 garages and 2 parking spaces at level -1. Construction of 1 maisonette at ground floor level, 10 apartments, and 2 penthouses at receded level 6.

**Development Planning Act, 2016**  
**Non Executable — Full Development Permission**

The Planning Authority hereby grants development permission in accordance with the application and documents described above, subject to the following conditions:

- 1 a) This development permission is valid for a period of FIVE YEARS from the date of publication of the decision in the press but will cease to be valid if the development is not completed by the end of this validity period.

PA/07708/23

b) This permission relates only to the development as specifically indicated on the approved drawings. This permission does not sanction any other illegal development that may exist on the site.

c) A Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of S.L. 552.25, or its amendments, or its replacements. In addition, **if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised** - Article 72(4) of the Development Planning Act (Cap. 552).

d) Copies of all approved drawings and documents shall be available for inspection on site by Planning Authority officers at all reasonable times.

e) The development shall be carried out in complete accordance with the approved drawings, documents and conditions of this permission. Where a matter is not specified, then the conditions of this permission and of Development Control Design Policy, Guidance and Standards 2015 shall apply.

f) Before any part of the development hereby permitted commences, the enclosed green copy of this development permission shall be displayed on the site. This must be mounted on a notice board, suitably protected from the weather and located not more than 2 metres above ground level at a point on the site boundary where it is clearly visible and can be easily read from the street. The copy of the permission must be maintained in a good condition and it shall remain displayed on the site until the works are completed.

g) All building works shall be erected in accordance with the official alignment and official/existing finished road levels as set out on site by the Planning Authority's Land Surveyor. A Setting Out Request must be submitted to the Land Survey Unit of the Planning Authority, prior to the commencement of works on site, when the setting out of the alignment and levels is required.

h) No steps, ramps or street furniture are to be constructed on or encroached onto the public pavement or road.

i) Any doors and windows, the lower edge of which is less than 2m above road level, and any gates shall not open outwards onto a public pavement or road.

j) Where present, window grilles (including 'pregnant' windows), sills, planters and other similar elements which are part of or fixed to the facade of buildings, the lower edge of which is less than 2 metres above road level, shall not project more than 0.15 metres from the facade over a public pavement or street.

k) Air conditioning units shall not be located on the facades of the building which are visible from the street or a public space.

l) There shall be no service pipes, cables or wires visible on the front elevation or on any other elevations of the building which are visible from the street or public space.

m) Any use as a residence, whether or not as a sole or main residence, unless otherwise

specified, shall be limited to the provisions of Class 1(a) or Class 1(b) of S.L. 552.15.

n) The garages/parking spaces shall only be used for the parking of private cars and shall be kept available at all times for this purpose.

o) Any approved stores shall be used for domestic storage only.

2 a) The façade of the building shall be constructed in local un-rendered and unpainted stone, except where other materials/finishes are indicated on the approved drawings.

b) All the apertures and balconies located on the façade of the building shall not be in gold, silver or bronze aluminium.

c) The height of the services on the roof of the building shall not extend beyond the approved height of the uppermost parapet wall.

3 To make up for the shortfall in parking provision of eight (8) parking spaces, this development permission is subject to a contribution amounting to the sum of € 41,000 (forty one thousand Euro) in favour of the Planning Authority's Urban Improvements Fund for the locality. The funds raised shall be used to fund traffic management, green transport, urban improvements or similar projects. The contribution shall be utilised as required and directed by the Planning Authority.

4 The development hereby permitted shall be subject to Compliance Certification, verifying that the development has been carried out in full accordance with the approved drawings, documents and conditions imposed in this development permission, except where such conditions are enforced by other entities. Prior to the commencement of use or prior to the issue of any compliance certificate on the whole or any stand-alone planning unit of the development hereby approved, the applicant shall submit to the Planning Authority, in relation to the whole or that unit of the development:

(i) certification by an engineer confirming that the development fully satisfies the requirements specified in supporting document PA 7708/23/9N.

5 **Conditions imposed and enforced by the Building Construction Authority**

Prior to commencement of any development on site, a Bank Guarantee to the value of €1,483 shall be submitted to the Building and Construction Authority (BCA) in line with Regulation 10(1) of S.L. 623.08. This guarantee is to be issued in favour of the "Building and Construction Authority" and the original submitted at the BCA's head office.

**The above applies if the road is formed and constructed before start of works.** If the road has not yet been built, the above condition does not apply. In such cases, before the start of any works, the Perit is to submit a declaration (including photographic evidence) indicating that the road has not yet been formed.

6 **Conditions imposed and enforced solely by other entities**

**A. Where construction activity is involved:**



- (a) the applicant shall:
- (i) **Appoint a Project Supervisor for the Design Stage and a Project Supervisor for the Construction Stage** and any such appointment shall be terminated, changed or renewed as necessary. The same person may be appointed to act as project supervisor for both the design and construction stage, if that person is competent to undertake the duties involved and
  - (ii) **Keep a health and safety file** prepared by the Project Supervisor for the Design Stage.
- (b) When the construction works related to this application are scheduled to last longer than thirty working days and on which more than twenty workers are occupied simultaneously, or on which the volume of work is scheduled to exceed five hundred person-days, the project supervisor **shall communicate a prior notice to the Occupational Health and Safety Authority (OHSA) at least four calendar weeks before commencement of works.**
- (c) The Project Supervisor for the Design Stage shall **draw up a health and safety plan** which sets out the occupational health and safety rules applicable to the construction activities concerned, outlining the measures to ensure cooperation between different contractors and shall also include specific measures concerning occupational risks that may be present at this site.
- (d) It is the responsibility of the permit holder to ensure that development is carried out in accordance with the provisions of the Environmental Management Construction Site Regulations, S.L. 623.08. Any hoarding shall be erected in accordance with Schedule 2 of the same Regulations.
- (e) New development on vacant or redeveloped sites shall be provided with a water cistern to store rainwater run-off as required by the Energy Performance of Buildings Regulations, S.L. 623.01.
- (f) Where an officially schemed street bordering the site is unopened or unformed, it shall be opened up and brought up to its proper, approved and official formation levels prior to the commencement of any development hereby being permitted. The length of the road to be so levelled shall extend from any existing schemed road opened to the public to the extreme end of the frontage of the building to be erected, in line with Regulation 16 of S.L. 499.57.
- B. Where the development concerns a change of use to a place of work,** the applicant shall obtain a Perit's declaration that the building conforms to the requirements of S.L. 424.15.
- C. Where the development concerns a place of work:**
- The applicant shall:
- (a) obtain a Perit's declaration that the necessary requirements arising out of S.L. 424.15 have been included in the plans and drawings; and
  - (b) obtain a Perit's declaration that the building conforms to the requirements of S.L. 424.15.
- D.** The development is to strictly adhere to the 'Design Guidelines on fire safety for

buildings in Malta' to ensure that all Fire Safety measures and provisions are addressed as indicated in the Design Guidelines on Fire Safety for Buildings in Malta, published by the DCID in 2004, (or other relevant standard, provided it is approved by the Civil Protection Department), Policies, and the Laws and Regulations of Malta.

**E. Conditions imposed and enforced by Water Services Corporation:**

- (a) Prior to laying of water and wastewater services in the road, the development shall comply with the requirements of S.L. 499.57 Part III (Roads in inhabited Areas) Clause 12.
  - (b) The applicant shall ensure that rain water and/or run-off collection from roofs, yards, balconies (and any other exposed areas) is being managed such that **no** rainwater, including overflow pipes (by pumping or gravity system), even from water storage reservoirs and/or oil interceptors, are connected to the WSC sewage network.
  - (c) For all kinds of development, developers are to safeguard the Wastewater Network Infrastructure and make sure not to damage or dispose of any building/construction materials inside the existing Drainage House Connections (concrete, dewatering etc).
  - (d) For all developments falling within the different Classes of the Development Planning (Use Classes) Order (S.L. 552.15), developers are requested to submit floor plans (1:100), signed by a warranted Perit or Engineer, of the separate rainwater and wastewater drainage systems, for verification and approval by the Water Services Corporation, via email at [pa.clearances@wsc.com.mt](mailto:pa.clearances@wsc.com.mt) within 30 days from the publication date of the permission.
  - (e) Developers are advised to view requirements set out in:
    - (i) Sewage Discharge Control Regulations S.L. 545.08.
    - (ii) S.L. 499.57 Part III (Roads in Inhabited Areas) Clause 12.
    - (iii) DC15 paragraph 4.3.3 Provision of Water Reservoirs and Second-Class Water Policy P47.
    - (iv) Building Regulations Technical Guide Document F where these apply to the proposed development.
  - (f) Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on the plan what needs to be carried out and obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.
- F.** In the event of an accidental discovery in the course of approved works, any cultural heritage feature discovered should not be damaged or disturbed and the Superintendence is to be immediately informed of such discovery. Any cultural heritage features discovered are to be investigated, evaluated and protected in line with the Cultural Heritage Act 2019 (CAP. 445). The discovery of cultural heritage features may require the amendment of approved plans.
- G.** Any fissures (dagħbien), caves, caverns, hollows, geological faults, Quaternary deposits or other features of potential geological, geomorphological and/or palaeontological interest which are discovered must be reported immediately to the Environment and Resources Authority (ERA). No further works or activities must take place until the respective investigations have been completed, and thereafter works

shall proceed strictly in line with the terms established by ERA. The approved development may need to be amended so as to accommodate in situ preservation of the discovered features.

**H. For new development, the following condition, imposed and enforced by Enemalta, applies:**

- (a) An adequate space to service the development must be provided as follows:
- (i) a small room or recess located near the entrance to the garage for the purpose of housing the garages electricity meters. An appropriate access must be provided, for the installation of the service cable, between the room and the Enemata LV grid.
  - (ii) a small room or recess located in the common parts, next to the main door, for the purpose of housing the electricity meters of the common parts and apartments. An appropriate access must be provided, for the installation of the service cable, between the room and the Enemata LV grid.
- (b) Both rooms, or recesses, are to be shown on plan. The size of the rooms or recesses are to be based on metering equipment spacing as shown in Drawing EMC/DZ/42 available from Enemalta Drawing Office. The metering equipment is to be kept segregated from the water system such that any water leaks do not interfere with the electrical system. Eventually a cabinet is to be provided by the developer for installing all electricity metering equipment such that each individual meter is separately lockable as required at law, Clause 51 refers.

A culvert measuring 0.8m wide by 0.75m deep is to be prepared along the façade of the development in order that any overhead lines may be substituted by underground cables and to allow the development to be supplied by an underground cable.

- (c) If such notification and consultation is overlooked, the processing timeframes by Enemalta of any ARMS applications might be prolonged with a consequent delay for the provision of an electricity supply to any part of the development.
- (d) Furthermore, if for any reason while works are in progress, it is required to shift, remove, cover, or do anything to the electricity network external to the development, Enemalta is to be informed through the appropriate form to carry out the necessary works. Under no circumstances is the contractor or developer to intervene directly with the electricity network.
- I. This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (CAP. 424) – Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.
- J. For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes Order 2014, or its subsequent amendments.

In terms of Article 72(3) of the Development Planning Act, 2016, the execution and validity of this permission is automatically temporarily **suspended** and no works as approved by the said development permission may commence before the lapse of the time period established in Article 13 of the Environment and Planning Review Tribunal Act. In the event that an application is submitted before the Environment and Planning Review Tribunal requesting the suspension of the execution of the permission, this permission will remain so suspended until the Tribunal otherwise decides in accordance with the Environment and Planning Review Tribunal Act.

Where the approved drawings and/or documents are dimensioned, then the declared dimensions shall prevail over the actual size as depicted on the approved drawings and/or documents.

Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on the plan what needs to be carried out and obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.

This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance shall be obtained from the Lands Authority prior to the execution of this development permission.

This development permission is granted saving third party rights. This permission does not exonerate the applicant from obtaining any other necessary permission, license, clearance, or similar requirement emanating from any other law or regulation, nor from procuring any other certification or insurance that may be required.

This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (Cap. 424) - Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.

For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes) Order 2014, or its subsequent amendments.

**This decision is being published on 4 September 2024.**

Lorna Vella  
Secretary Planning Commission

PA/07708/23

Within Development Scheme



## Notes to Applicant and Perit — Non Executable Permit

### Non Executable Permit

Upon the full submission of the pending requirements, within the stipulated timeframe, the full development permit will be issued where validity of the permit shall remain as advised in the Non Executable Permit. If the pending requirements are not submitted within the time frame identified, the non-executable permission will be dismissed.

### Right for reconsideration

Where applicable, you have a right to submit a request for reconsideration to the Authority in terms of regulation 14 of S.L. 552.13. A request for a reconsideration may only be made in relation to a fine or a condition imposed in the decision of the Planning Board/Commission.

### Right for appeal

You have a right to submit an appeal, against the decision, to the Environment and Planning Review Tribunal in terms of article 13 the Environment and Planning Review Tribunal Act, 2016.

### Time limits

Requests for reconsideration or appeals must be made within 30 days from the publication of the decision notification in the local press as required by regulation 14(1) of S.L. 552.13.

### Fees to submit a request for reconsideration or appeal

In either case, there is a fee to be paid which should accompany the request for reconsideration or the appeal. The fees are as follows:

For reconsideration - 3% of the Development Permit Fee paid in respect of the original application, subject to a minimum of €69.88.

For appeal - 5% of DPF (Development Permit Fee) paid in respect of the original application, subject to a minimum of €150 + €50 administrative fee (S.L. 552.12).

### Submission of request for reconsideration or appeal

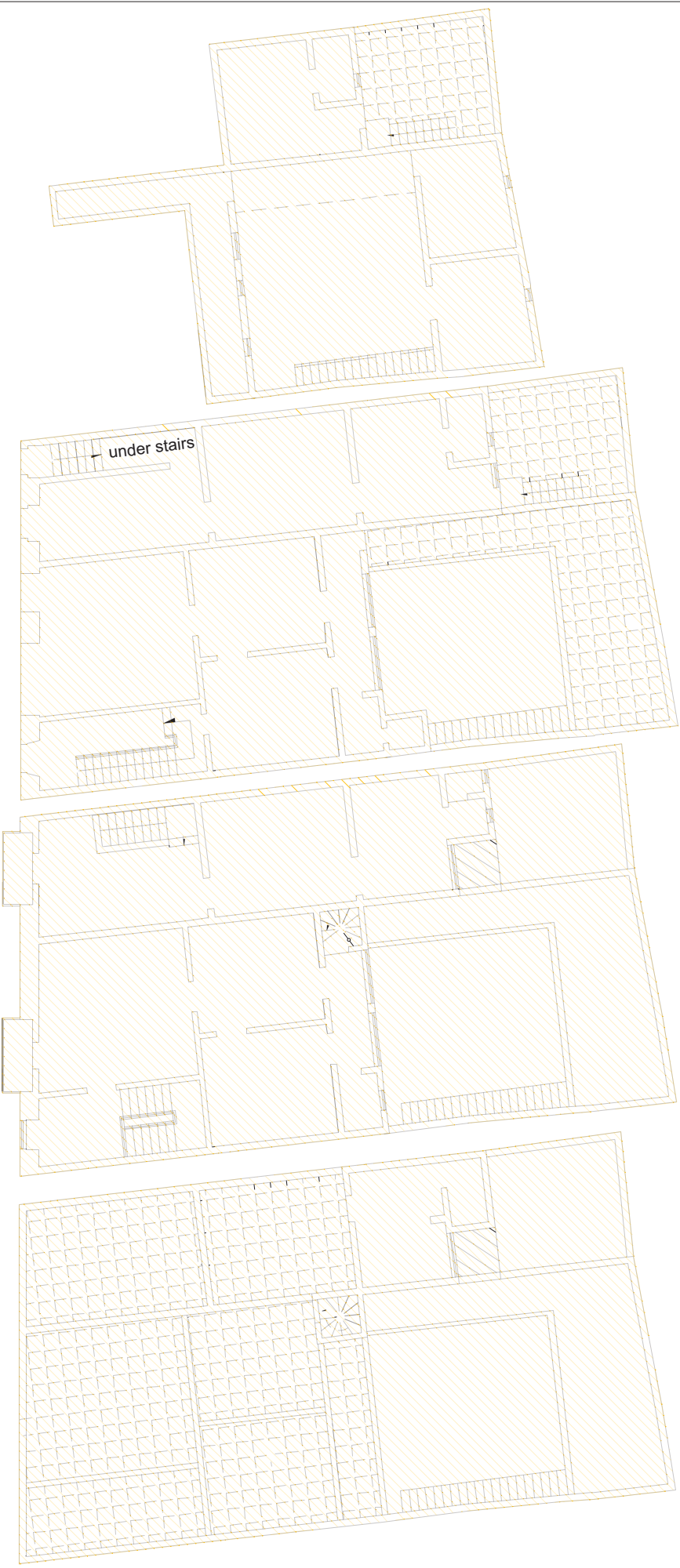
With regards to requests for reconsideration, Form PA 4/16 must be used for submission. All fields of the Form must be filled in as appropriate. Requests for reconsideration can only be submitted electronically.

With regards to appeals, as required by Article 13 of the Environment and Planning Review Tribunal Act, 2016, the submission must include the detailed grounds for appeal and the requests being made by the appellant. Appeals must be submitted physically at the offices of the Environment and Planning Review Tribunal, St. Francis Ditch, Floriana.

-PANeDCN-

PA/07708/23



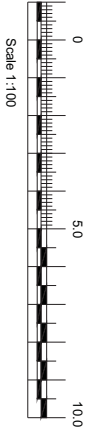


**Existing Basement**  
Scale 1:100

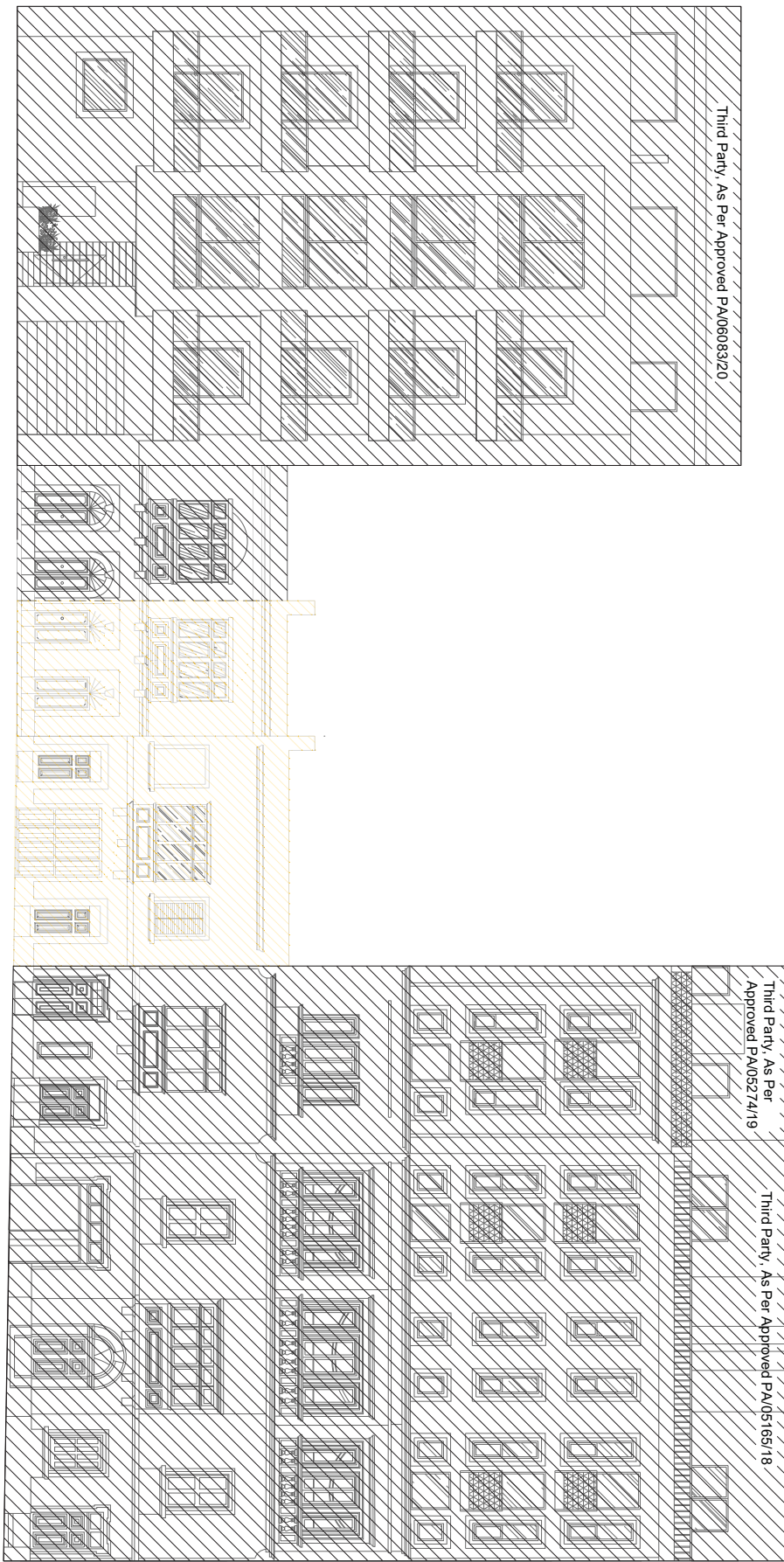
**Existing Ground**  
Scale 1:100

**Existing First**  
Scale 1:100

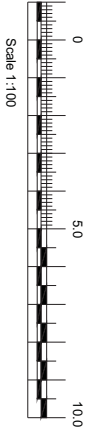
**Existing Roof Plan**  
Scale 1:100



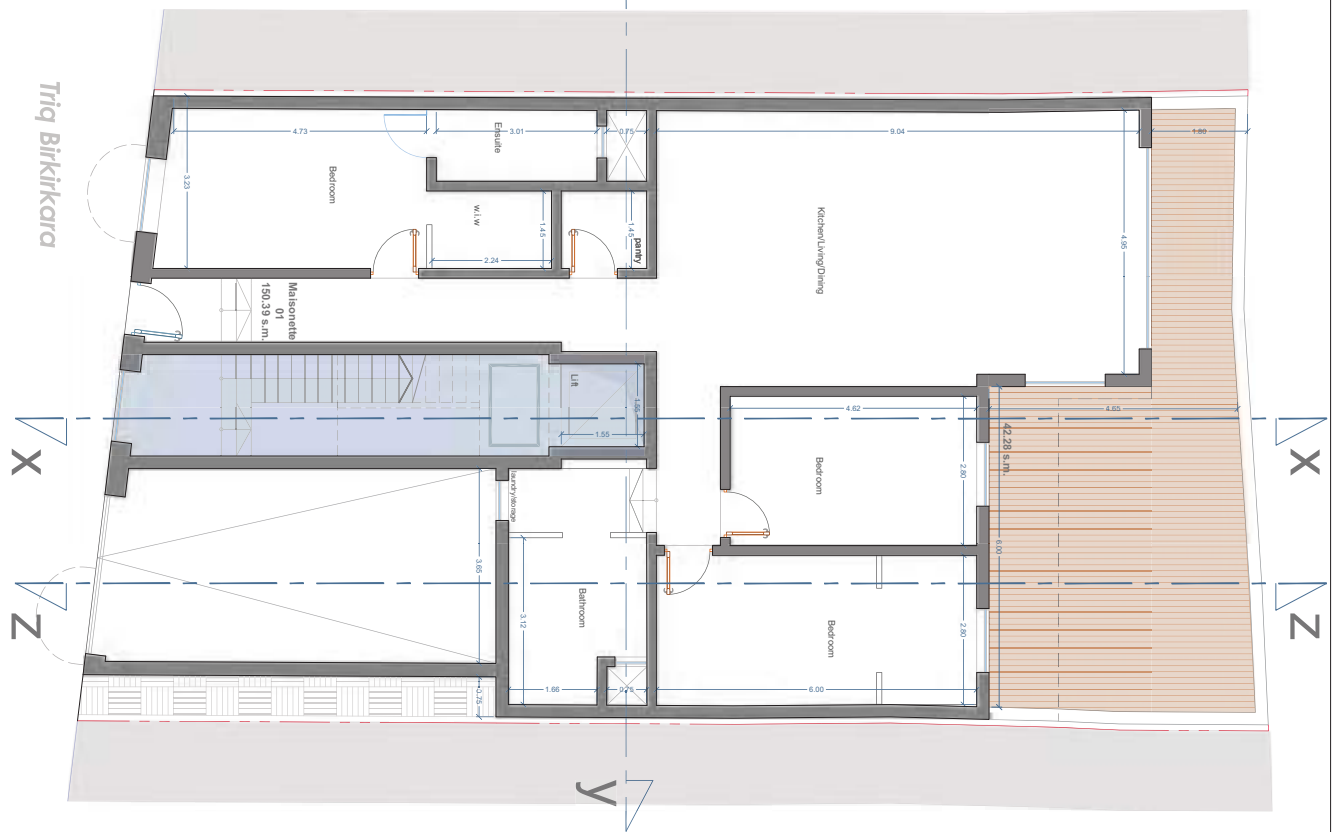
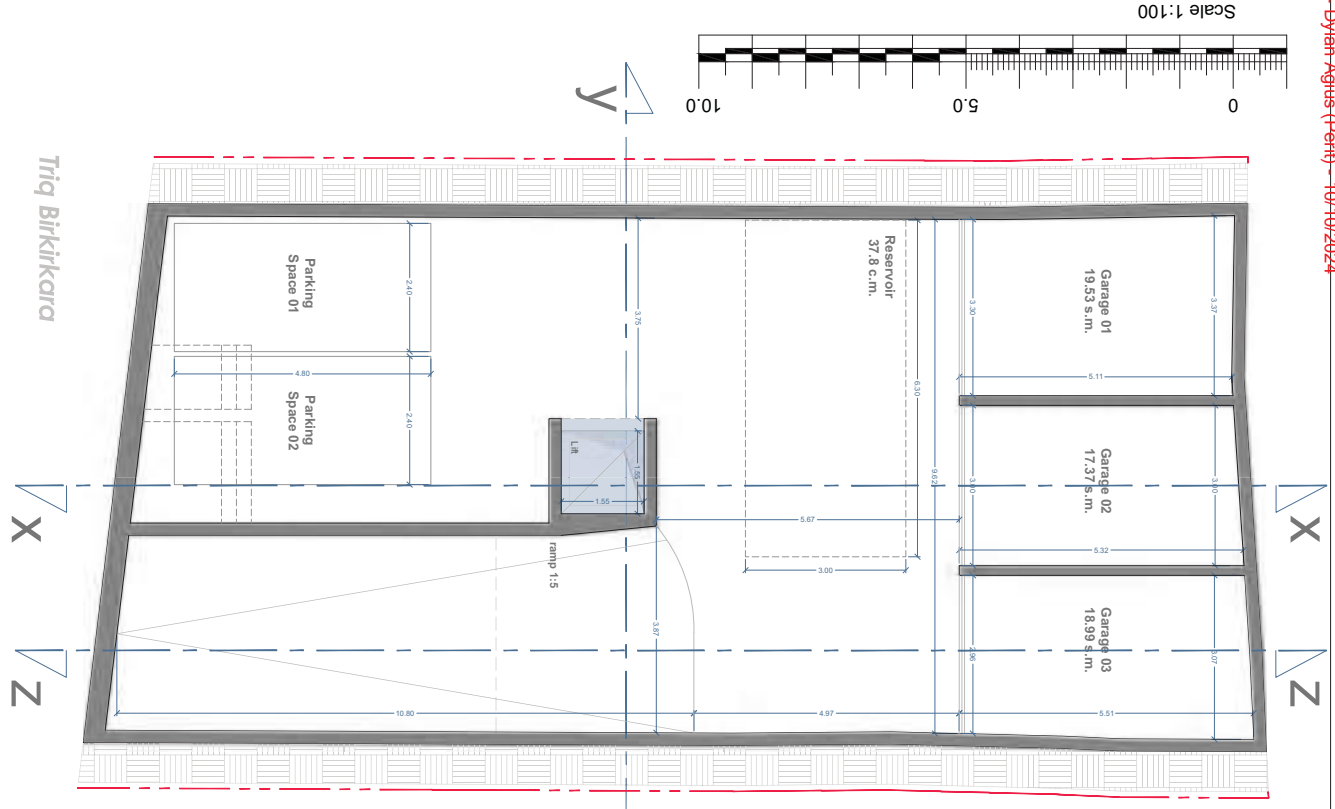
|  |                                     |   |  |  |   |
|--|-------------------------------------|---|--|--|---|
| <p><b>Project Title -</b><br/>Proposed demolition of existing property, rezoning of a plot, and construction of 3 garages and 2 parking spaces at level 0. Construction of 1 maisonette at ground floor level, 10 apartments, and 2 penthouses at receded level 6.</p> | <p><b>Scale -</b><br/>1:100</p>     | <p><b>Reference -</b><br/>ES.STJ.69.23.01</p> |  | <p>Maria Schembri Grima<br/>M. Sc. Structural Engineering,<br/>B.E. &amp; A.(Hons), A.&amp; C.E., Eur. Ing.,<br/>A - 23, Altima Court, Office 1,<br/>Triq G. Calleja, Swatar,<br/>T - 27120608<br/>M - 7709 5622<br/>E - maria@msgarchitects.com</p> | <p><b>Green - As Approved But Not Constructed</b><br/><b>Blue - As Actually Constructed</b><br/><b>Yellow - To be Demolished</b><br/><b>Red - Proposed for Construction</b></p> |
| <p><b>Drawing Title -</b><br/>Existing Plans</p>   | <p><b>Date -</b><br/>12/10/2023</p> | <p><b>Drawing No. -</b><br/>08</p>            |  |  |   |
| <p><b>Site Address -</b><br/>170, 171, 172, 173, 174, Triq Birkirkara, San Gġan</p>  | <p><b>Drawn by -</b><br/>A.Z.</p>   | <p><b>Client -</b><br/>Mr. Eric Saliba</p>    |  |  |   |



**Existing Elevations**  
Scale 1:100



|  |                                     |   |  |  |   |
|--|-------------------------------------|---|--|--|---|
| <p><b>Project Title -</b><br/>Proposed demolition of existing property, rezoning of a plot, and construction of 3 garages and 2 parking spaces at level 0. Construction of 1 maisonette at ground floor level, 10 apartments, and 2 penthouses at receded level 6.</p> | <p><b>Scale -</b><br/>1:100</p>     | <p><b>Reference -</b><br/>ES-STJ.69.23.01</p> |  | <p>Maria Schembri Grima<br/>M. Sc. Structural Engineering,<br/>B.E. &amp; A.(Hons), A.&amp; C.E., Eur. Ing.,<br/>A - 23, Altima Court, Office 1,<br/>Triq G. Calleja, Swatar,<br/>T - 27120608<br/>M - 7709 5622<br/>E - maria@msgarchitects.com</p> | <p><b>Green - As Approved But Not Constructed</b><br/><b>Blue - As Actually Constructed</b><br/><b>Yellow - To be Demolished</b><br/><b>Red - Proposed for Construction</b></p> |
| <p><b>Drawing Title -</b><br/>Existing Elevations</p>  | <p><b>Date -</b><br/>12/10/2023</p> | <p><b>Drawing No. -</b><br/>09</p>            |  |  |   |
| <p><b>Site Address -</b><br/>170, 171, 172, 173, 174, Triq Birkirkara, San Gġan</p>  | <p><b>Drawn by -</b><br/>A.Z.</p>   | <p><b>Client -</b><br/>Mr. Eric Saliba</p>    |  |  |   |



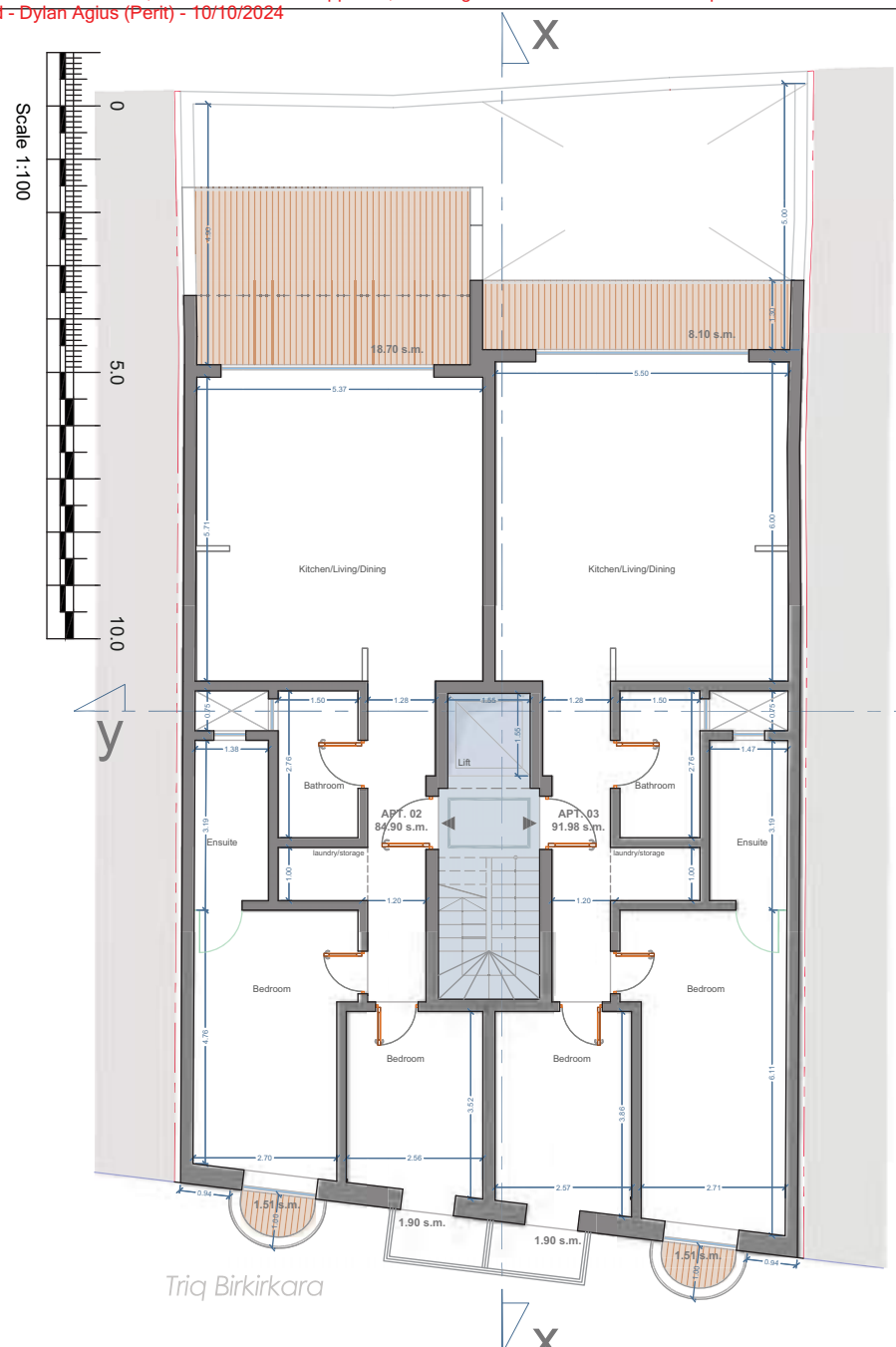
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|---|-----------------------------|--|
| <b>Project Title -</b><br>Proposed demolition of existing property, excavation of a plot, and construction of 3 garages and 2 parking spaces at level -1, construction of 1 maisonette at ground floor level, 10 apartments, and 2 penthouses at recoded level 5. | <b>Scale -</b><br>1:100     | <b>Reference -</b><br>JP.STJ.69.23     |
| <b>Drawing Title -</b><br>Proposed Basement Level and Ground Floor Level  | <b>Date -</b><br>01/03/2024 | <b>Drawing No. -</b><br>01             |
| <b>Site Address -</b><br>Triq Olaf Gollcher c.w. Triq L. Gatt, Birkirkara   | <b>Drawn by -</b><br>G.V.   | <b>Client -</b><br>Mr. Joseph Portelli |



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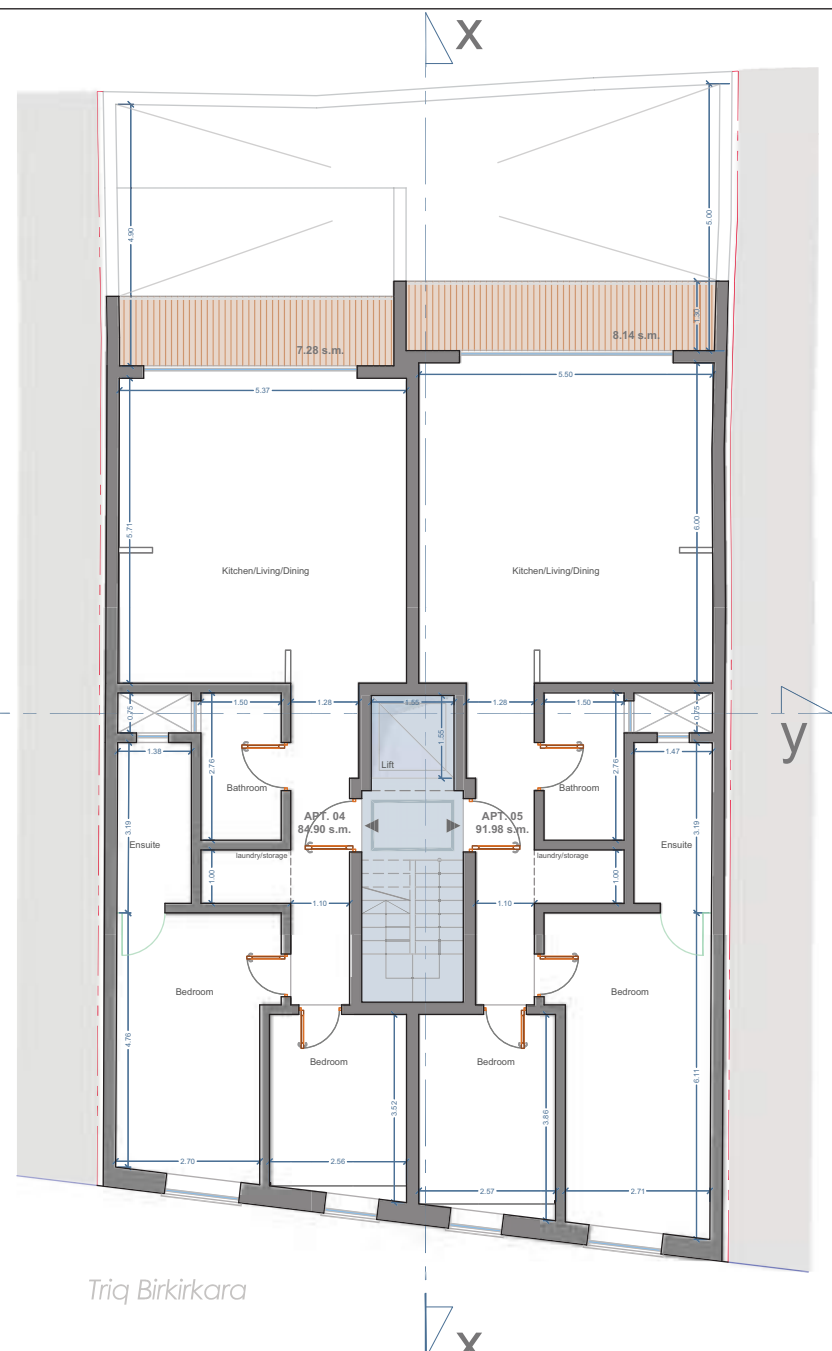
- Green - As Approved But Not Constructed
- Blue - As Actually Constructed
- Yellow - To be Demolished
- Red - Proposed for Construction





**Proposed First Floor Level**

Scale 1:100



**Proposed Second Floor Level**

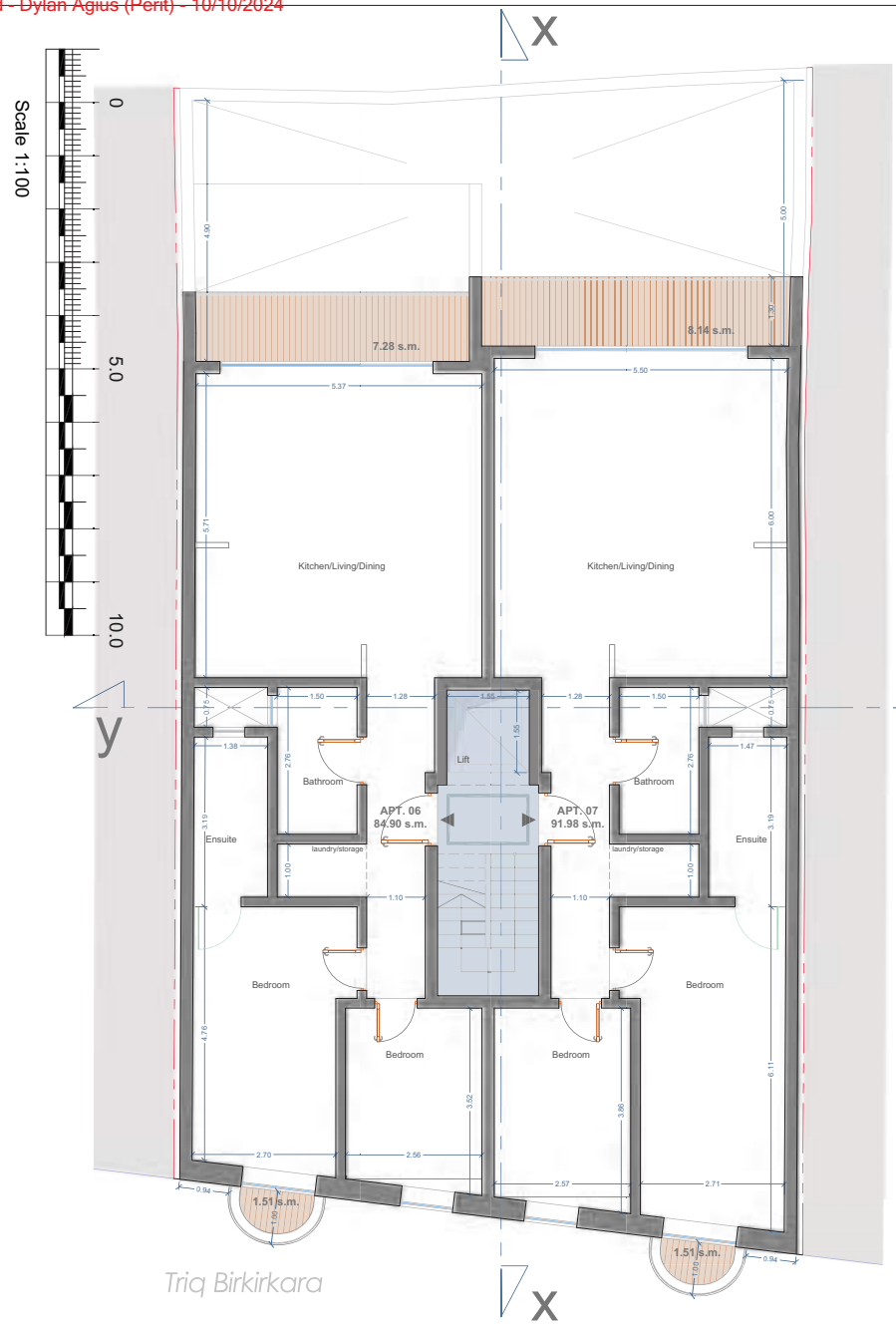
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Green - As Approved But Not Constructed  
 Blue - As Actually Constructed  
 Yellow - To be Demolished  
 Red - Proposed for Construction

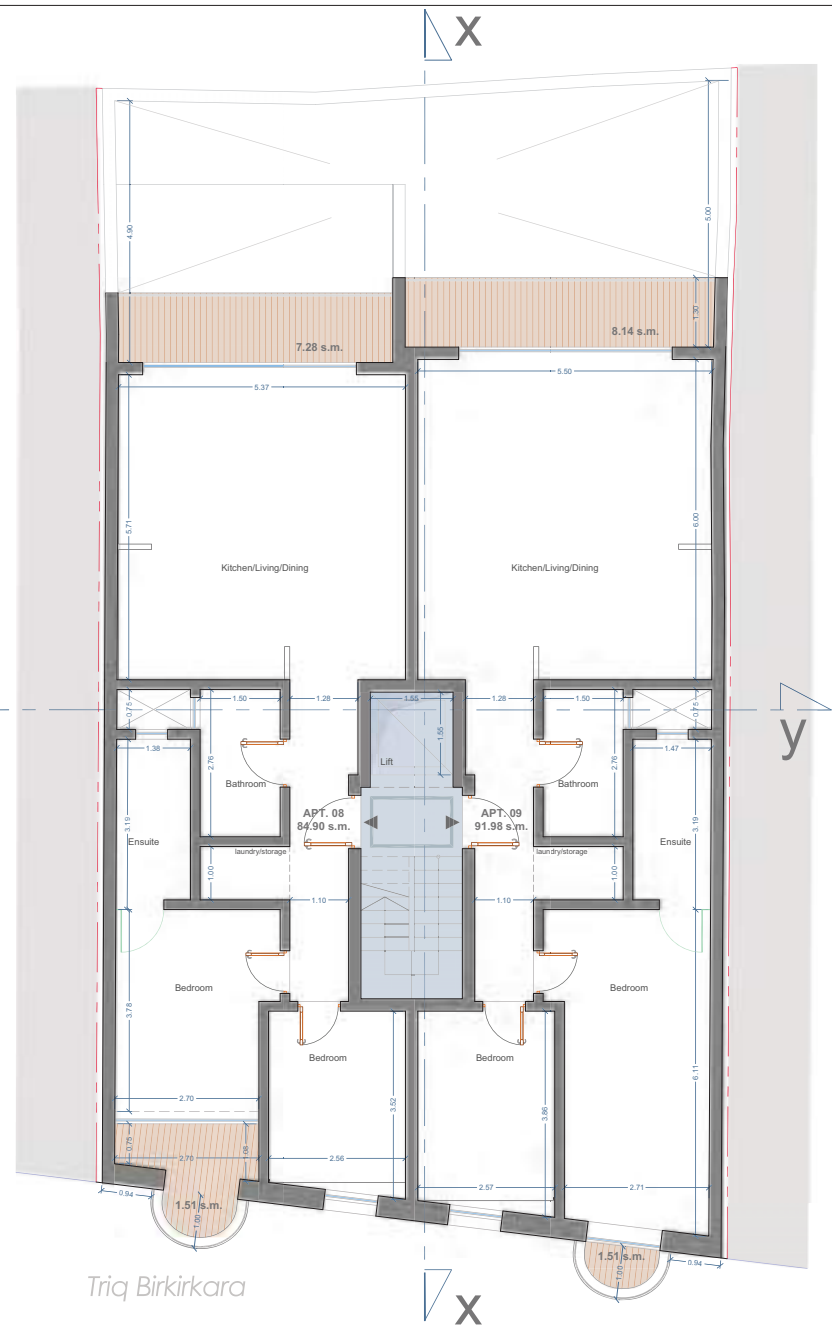
Maria Schembri Grima  
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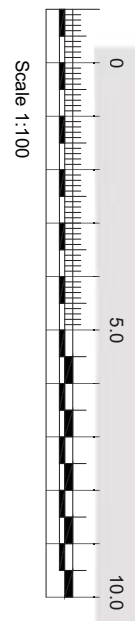
|  |                                 |
|--|---------------------------------|
| Project Title<br>Plot and construction of 3 garages and 2 parking spaces at level -1. Construction of 1 maisonette at ground floor level, 20 apartments, and 2 penthouses at second floor level. | Reference -<br>JP_STU.69.23     |
| Drawing Title -<br>Proposed First and Second Floor Level   | Drawing No. -<br>02             |
| Site Address -<br>Triq Orla Gollcher c.w. Triq L. Gatt, Birkirkara   | Client -<br>Mr. Joseph Portelli |
| Scale -<br>1:100   | Date -<br>27/06/2024            |
| Drawn by -<br>G.V.   |                                 |



**Proposed Third Floor Level**  
Scale 1:100



**Proposed Fourth Floor Level**  
Scale 1:100

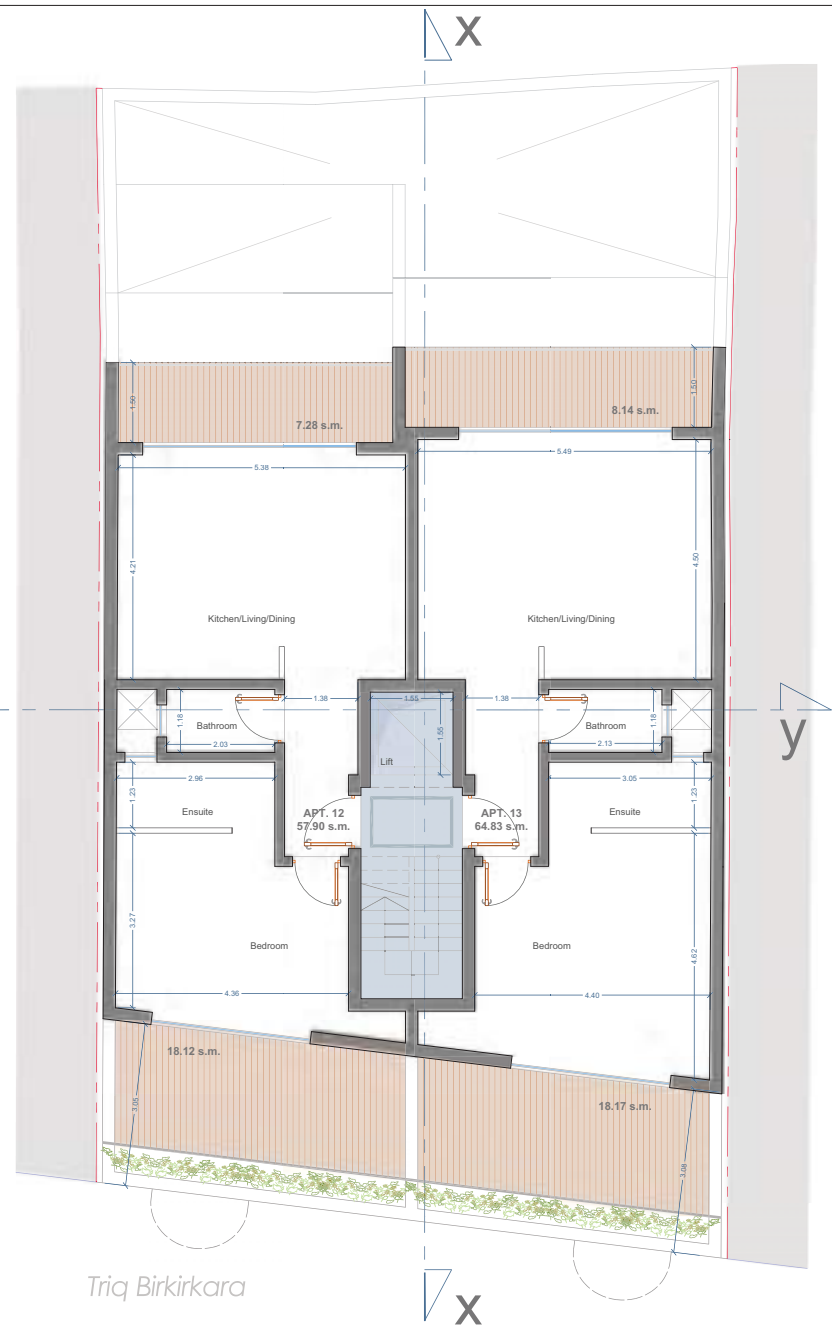
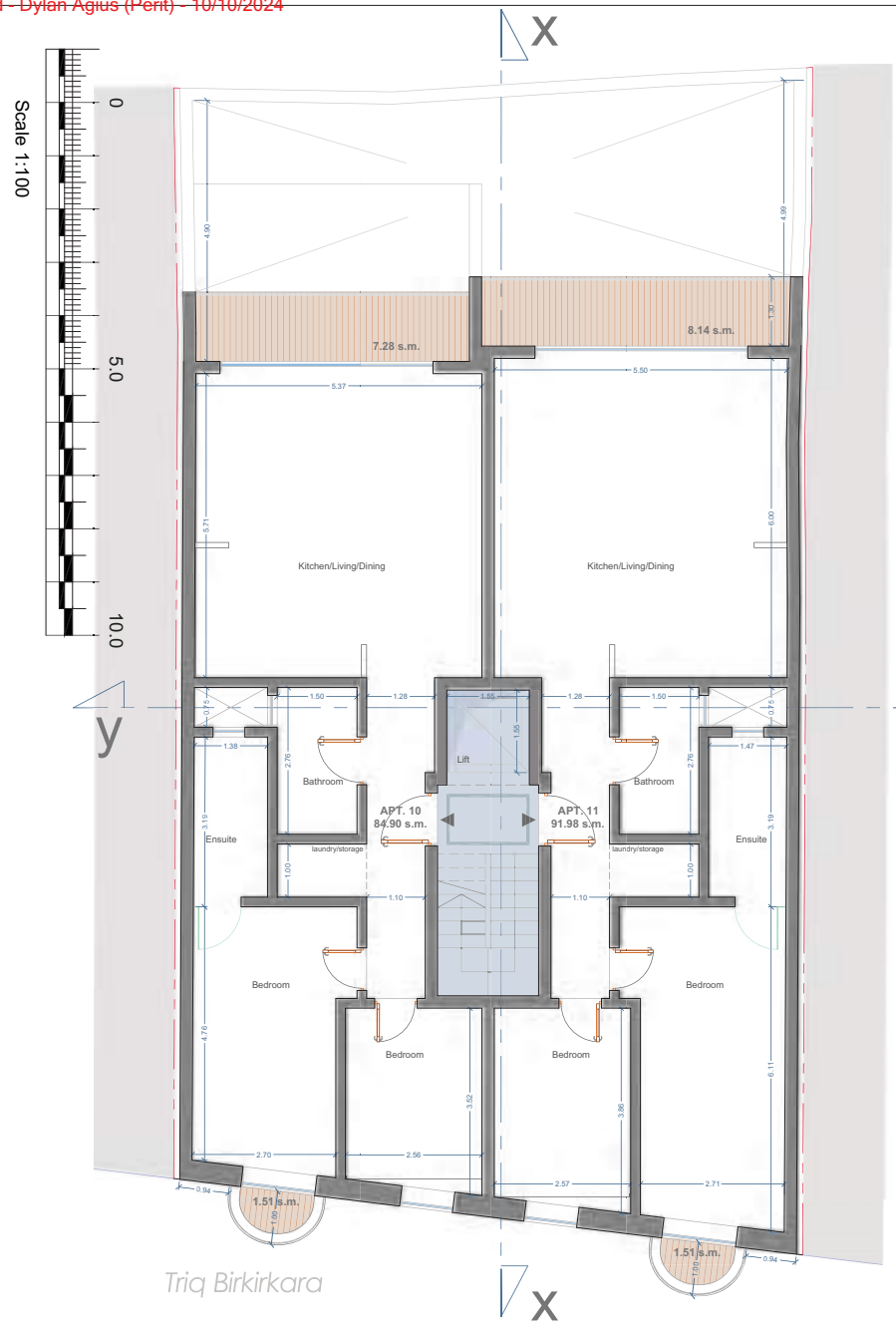


Green - As Approved But Not Constructed  
 Blue - As Actually Constructed  
 Yellow - To be Demolished  
 Red - Proposed for Construction

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|                                 |                      |   |
|---------------------------------|----------------------|---|
| Reference -<br>JP-STJ.69.23     | Scale -<br>1:100     | Project Title -<br>Proposed Third and Fourth Floor Level              |
| Drawing No. -<br>03             | Date -<br>01/03/2024 | Site Address -<br>Triq Otar Gollcher c.w. Triq L. Gatt,<br>Birkirkara |
| Client -<br>Mr. Joseph Portelli | Drawn by -<br>G.V.   |   |

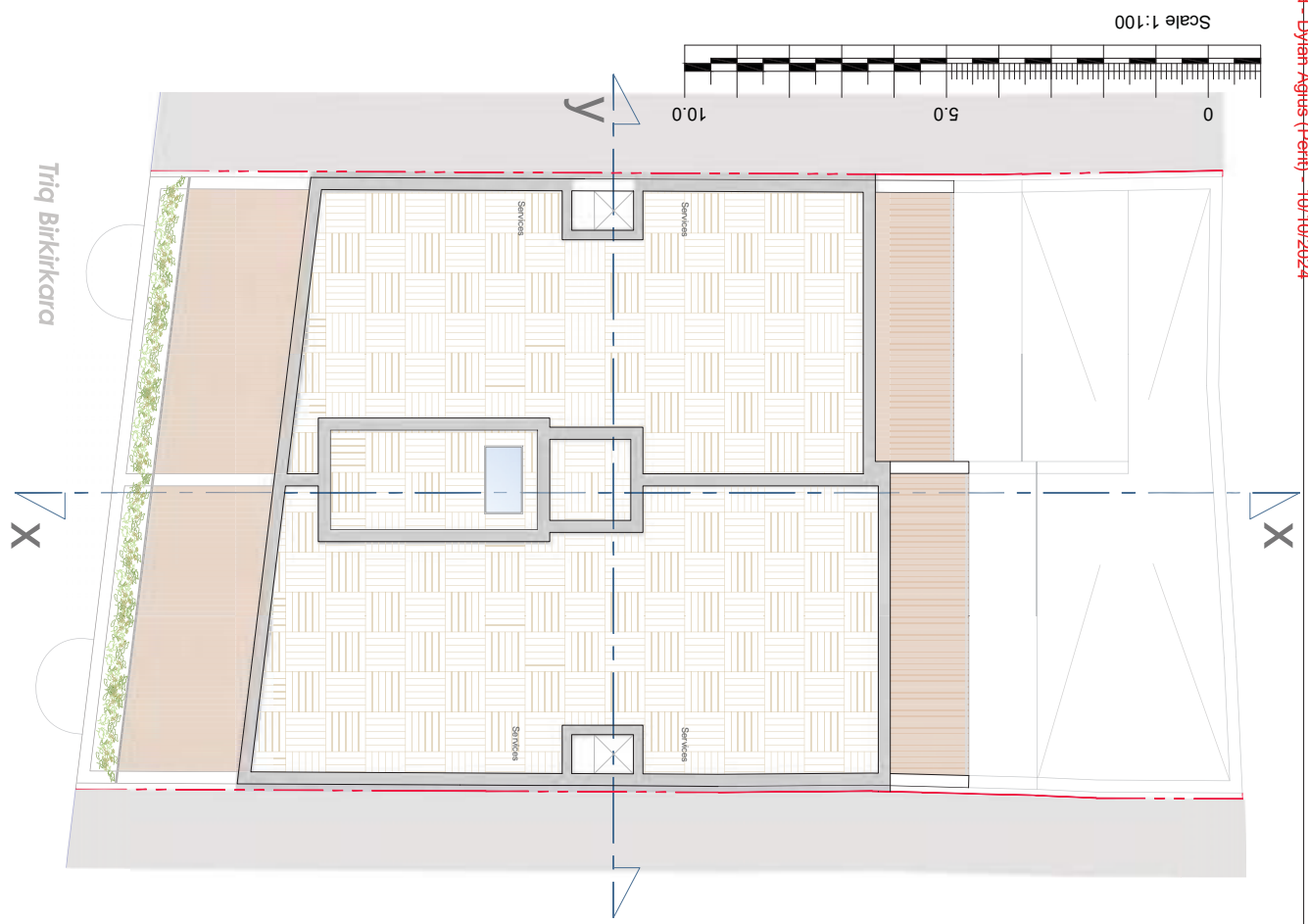


Green - As Approved But Not Constructed  
 Blue - As Actually Constructed  
 Yellow - To be Demolished  
 Red - Proposed for Construction

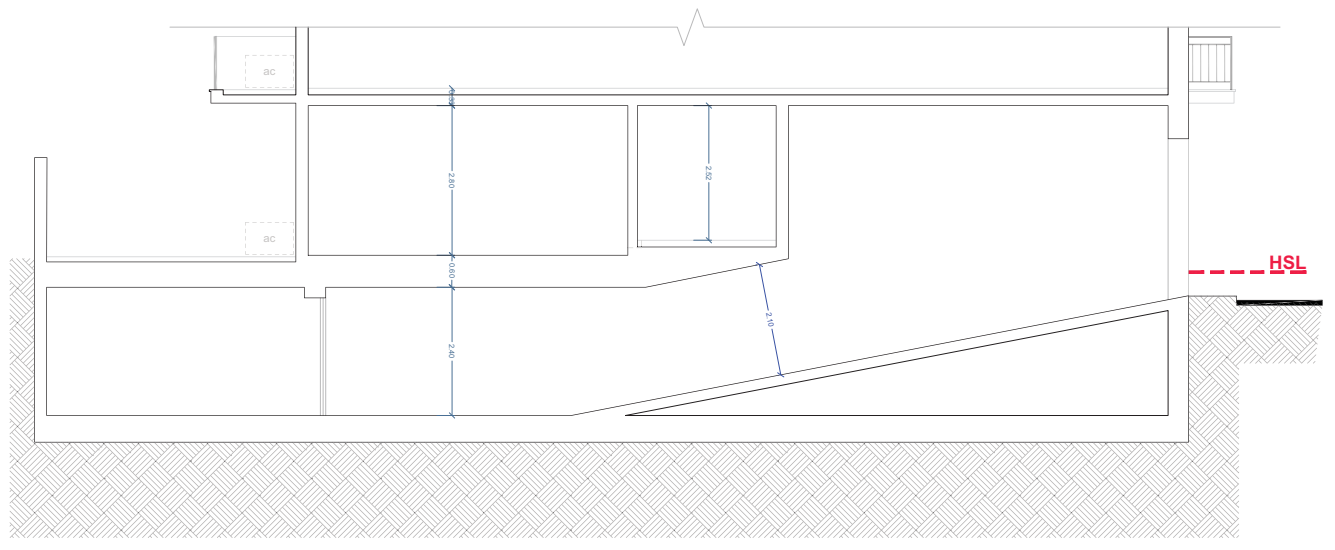
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|                                 |                      |  |
|---------------------------------|----------------------|--|
| Reference -<br>JP-STJ.69.23     | Scale -<br>1:100     | Project Title -<br>Proposed Fifth and Recessed Sixth Floor Level   |
| Drawing No. -<br>04             | Date -<br>01/03/2024 | Site Address -<br>Triq Otar Gollcher c.w. Triq L. Gatt, Birkirkara |
| Client -<br>Mr. Joseph Portelli | Drawn by -<br>G.V.   |  |



**Proposed Roof Level**  
Scale 1:100



**Proposed Section ZZ**  
Scale 1:100

|   |                             |  |
|---|-----------------------------|--|
| <b>Project Title -</b><br>Proposed demolition of existing property, excavation of a plot, and construction of 3 garages and 2 parking spaces at level -1, construction of 1 maisonette at ground floor level, 10 apartments, and 2 penthouses at recoded level 5. | <b>Scale -</b><br>1:100     | <b>Reference -</b><br>JP.STJ.69.23     |
| <b>Drawing Title -</b><br>Proposed Level -1   | <b>Date -</b><br>01/03/2024 | <b>Drawing No. -</b><br>04             |
| <b>Site Address -</b><br>Triq Olaf Gollcher c.w. Triq L. Gatt, Birkirkara   | <b>Drawn by -</b><br>G.V.   | <b>Client -</b><br>Mr. Joseph Portelli |

|                             |  |
|-----------------------------|--|
| <b>Scale -</b><br>1:100     | <b>Reference -</b><br>JP.STJ.69.23     |
| <b>Date -</b><br>01/03/2024 | <b>Drawing No. -</b><br>04             |
| <b>Drawn by -</b><br>G.V.   | <b>Client -</b><br>Mr. Joseph Portelli |



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E - maria@msgarchitects.com

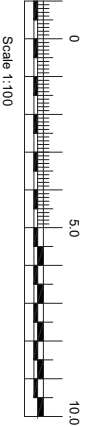
|  |   |
|--|---|
|  | Green - As Approved But Not Constructed |
|  | Blue - As Actually Constructed          |
|  | Yellow - To be Demolished               |
|  | Red - Proposed for Construction         |



**Proposed Front & Streetscape Elevations**

Scale 1:100

Triq Birkirkara



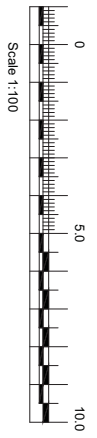
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| <p>Project Title -<br/>Proposed demolition of existing property, excavation of a plot, and construction of 3 garages and 2 parking spaces at level -1. Construction of 1 townhouse at ground floor level, 10 apartments, and 2 penthouses at raised level 6.</p> | <p>Scale -<br/>1:100</p>        | <p>Reference -<br/>ES.STJ.69.23.01</p> |  | <p>Maria Schembri Grima<br/>M. Sc. Structural Engineering,<br/>B.E. &amp; A.(Hons), A.&amp; C.E., Eur. Ing.,<br/>A - 23, Altima Court, Office 1,<br/>Triq G. Calleja, Swatar,<br/>T - 27120608<br/>M - 7709 5622<br/>E - maria@msgarchitects.com</p> | <p><b>Green</b> - As Approved But Not Constructed<br/><b>Blue</b> - As Actually Constructed<br/><b>Yellow</b> - To be Demolished<br/><b>Red</b> - Proposed for Construction</p> |
| <p>Drawing Title -<br/>Proposed Front Elevation and Streetscape</p>  | <p>Date -<br/>27/06/2024</p>    | <p>Drawing No. -<br/>07</p>            |  |  |   |
| <p>Site Address -<br/>170, 171, 172, 173, 174, Triq Birkirkara, San Gġan</p>   | <p>Drawn by -<br/>G.V./A.Z.</p> | <p>Client -<br/>Mr. Eric Saliba</p>    |  |  |   |



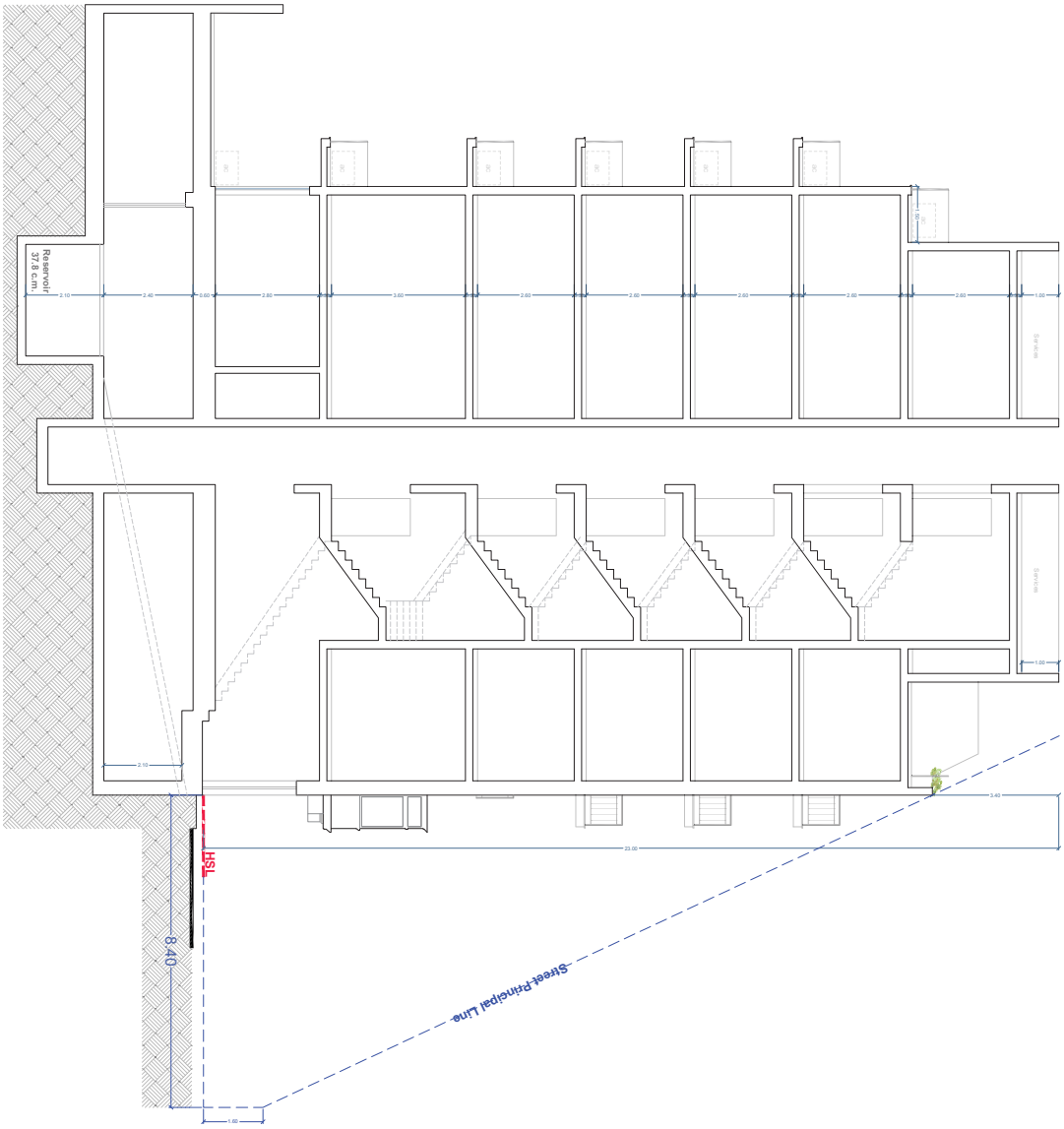


**Proposed Back Elevations**

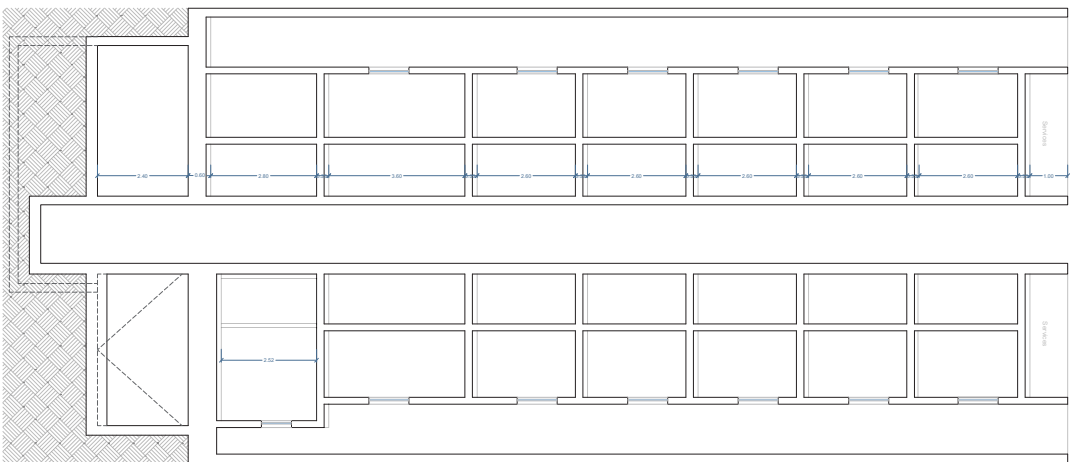
Scale 1:100



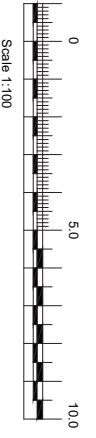
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|---|---------------------------------|---------------------------------------|--|--|---|
| <b>Project Title -</b><br>Proposed demolition of existing property, rezoning of a plot, and construction of 3 garages and 2 parking spaces at level 0. Construction of 1 residence at ground floor level, 10 apartments, and 2 penthouses at recoded level 6. | <b>Scale -</b><br>1:100         | <b>Reference -</b><br>ES-STJ.69.23.01 |  | Maria Schembri Grima<br>M. Sc. Structural Engineering,<br>B.E. & A.(Hons), A.& C.E., Eur. Ing.,<br>A - 23, Altima Court, Office 1,<br>Triq G. Calleja, Swatar,<br>T - 27120608<br>M - 7709 5622<br>E - maria@msgarchitects.com | Green - As Approved But Not Constructed<br>Blue - As Actually Constructed<br>Yellow - To be Demolished<br>Red - Proposed for Construction |
| <b>Drawing Title -</b><br>Proposed Back Elevation   | <b>Date -</b><br>01/03/2024     | <b>Drawing No. -</b><br>07            |  | E - maria@msgarchitects.com  |   |
| <b>Site Address -</b><br>170, 171, 172, 173, 174, Triq Birkirkara, San Giljan   | <b>Drawn by -</b><br>G.V.J.A.Z. | <b>Client -</b><br>Mr. Eric Saliba    |  |  |   |
| Project Title - Proposed demolition of existing property, rezoning of a plot, and construction of 3 garages and 2 parking spaces at level 0. Construction of 1 residence at ground floor level, 10 apartments, and 2 penthouses at recoded level 6.           |                                 |                                       |  |  |   |



**Proposed Section XX**  
Scale 1:100



**Proposed Section YY**  
Scale 1:100

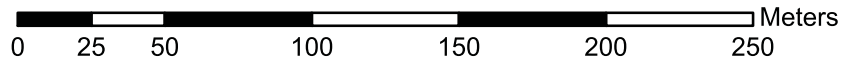
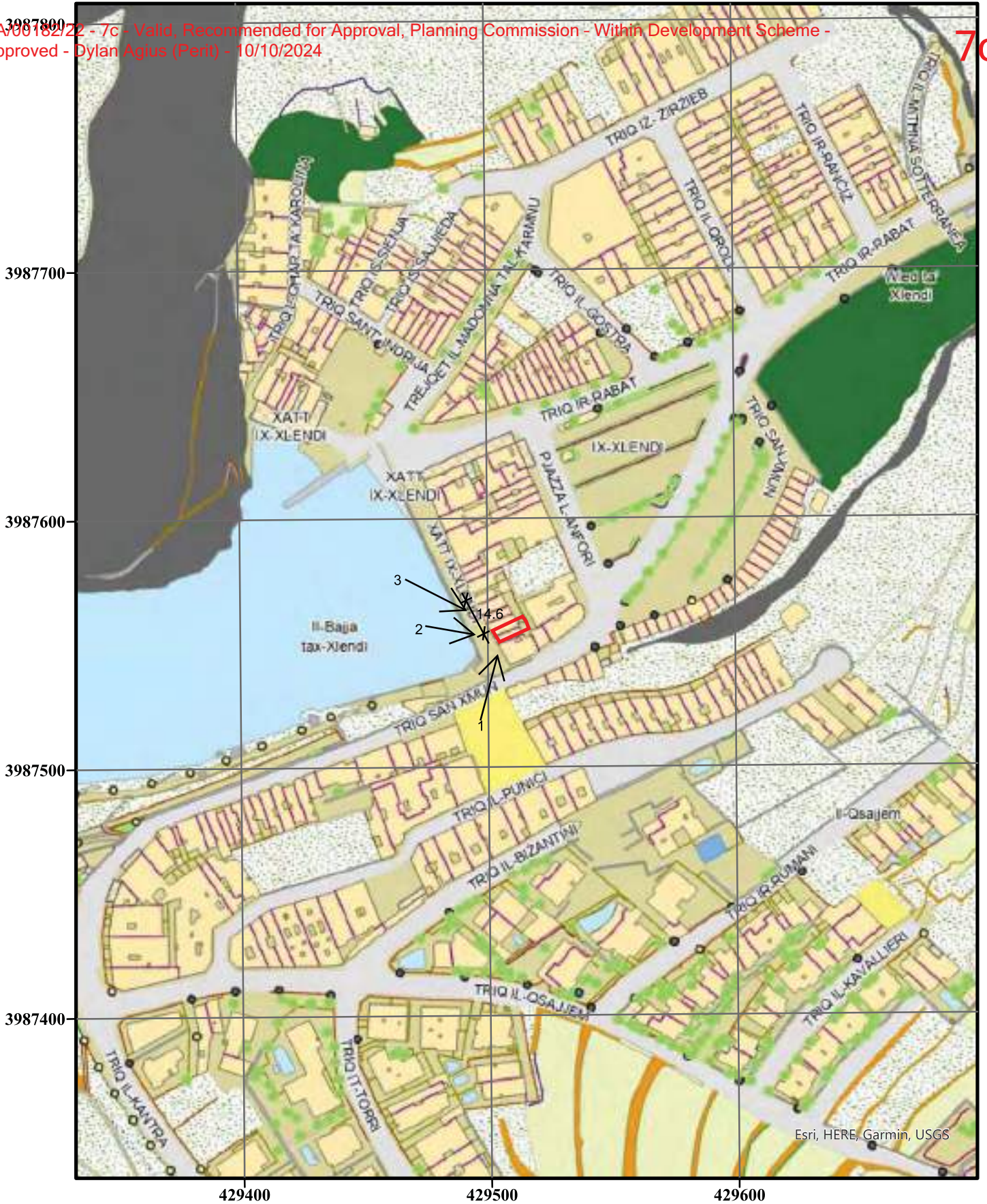


|  |                                |                                       |  |   |   |
|--|--------------------------------|---------------------------------------|--|---|---|
| <b>Project Title -</b><br>Proposed demolition of existing property, retention of a plot, and construction of 3 garages and 2 parking spaces at level 0, construction of 1 residence at ground floor level, 10 apartments, and 2 penthouses at receded level 6. | <b>Scale -</b><br>1:100        | <b>Reference -</b><br>ES.STJ.69.23.01 |  | Maria Schembri Grima<br>M. Sc. Structural Engineering,<br>B.E. & A.(Hons), A.& C.E., Eur. Ing.,<br>A - 23, Alltime Court, Office 1,<br>Triq G. Calleja, Swatar,<br>T - 27120608<br>M - 7709 5622<br>E - maria@msgarchitects.com | Green - As Approved But Not Constructed<br>Blue - As Actually Constructed<br>Yellow - To be Demolished<br>Red - Proposed for Construction |
| <b>Drawing Title -</b><br>Proposed Sections XX & YY  | <b>Date -</b><br>27/06/2024    | <b>Drawing No. -</b><br>06            |  |   |   |
| <b>Site Address -</b><br>170, 171, 172, 173, 174, Triq<br>Birkirkara, San Giljan   | <b>Drawn by -</b><br>G.V./A.Z. | <b>Client -</b><br>Mr. Eric Saliba    |  |   |   |

**Appendix 12: (Sunset Suites)**

A.12.1 – Site Plan





1:2,500

**Appendix 12: (Sunset Suites)**

A.12.2 – Photographs













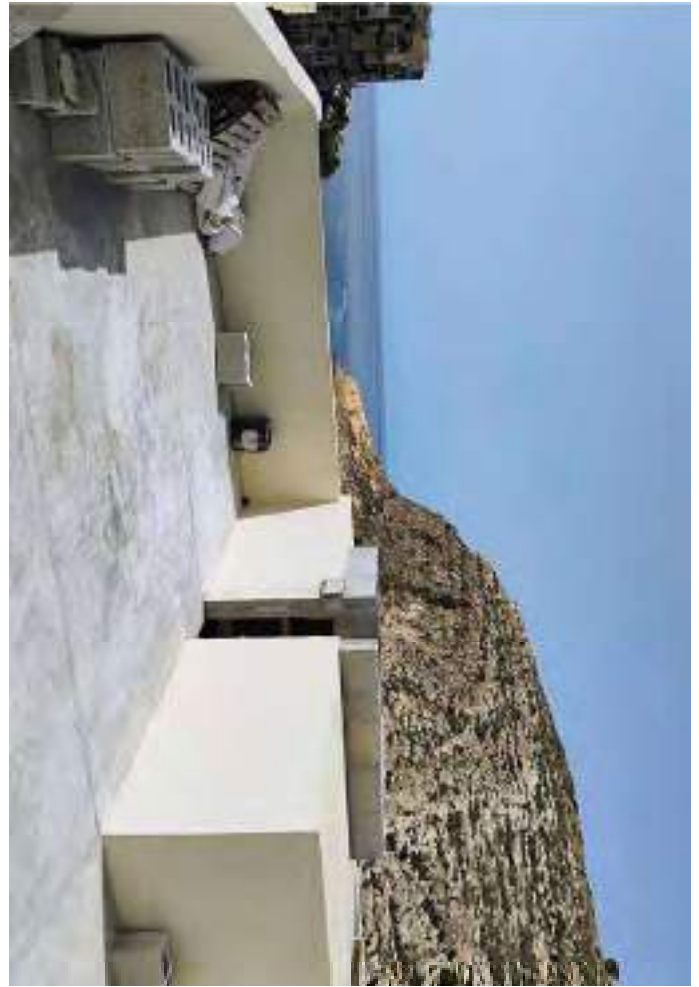












**Appendix 12: (Sunset Suites)**

A.12.3 – Planning Permit and Permit Draw

Mr Joseph Muscat

Date: 2 September 2022  
Our Ref: PA/00182/22

Application Number: PA/00182/22  
Application Type: Full development permission  
Date Received: 3 December 2021  
Approved Documents: PA 182/22/7C/52C/57C; and supporting documents:  
PA 182/22/39A - Water Services Corporation;  
PA 182/22/49A - Environmental Health Directorate; and  
PA 182/22/64B - Engineer's report:

Location: 23 and ta Nona, Xatt Ix-Xlendi, Xlendi, Munxar  
Proposal: To demolish exiting building, construct flats with different layout from that approved in PA1942/17 and proposed larger restaurant Class 4D and additional flats.

### **Development Planning Act, 2016 Full Development Permission**

The Planning Authority hereby grants development permission in accordance with the application and documents described above, subject to the following conditions:

- 1 a) This development permission is valid for a period of FIVE YEARS from the date of publication of the decision in the press but will cease to be valid if the development is not completed by the end of this validity period.
- b) This permission relates only to the development as specifically indicated on the approved drawings. This permission does not sanction any other illegal development that may exist on the site.
- c) A Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, **if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised** - Article 72(4) of the Development Planning Act (2016).
- d) Copies of all approved drawings and documents shall be available for inspection on site by Planning Authority officers at all reasonable times.

PA/00182/22

e) The development shall be carried out in complete accordance with the approved drawings, documents and conditions of this permission. Where a matter is not specified, then the conditions of this permission and of Development Control Design Policy, Guidance and Standards 2015 shall apply.

f) Before any part of the development hereby permitted commences, the enclosed green copy of this development permission shall be displayed on the site. This must be mounted on a notice board, suitably protected from the weather and located not more than 2 metres above ground level at a point on the site boundary where it is clearly visible and can be easily read from the street. The copy of the permission must be maintained in a good condition and it shall remain displayed on the site until the works are completed.

g) All building works shall be erected in accordance with the official alignment and official/existing finished road levels as set out on site by the Planning Authority's Land Surveyor. A Setting Out Request must be submitted to the Land Survey Unit of the Planning Authority, prior to the commencement of works on site, when the setting out of the alignment and levels is required.

h) Where an officially schemed street, within the development zone, bordering the site is unopened or unformed, it shall be opened up and brought up to its proper, approved and official formation levels prior to the commencement of any development hereby being permitted.

i) No steps, ramps or street furniture are to be constructed on or encroached onto the public pavement or road.

j) Any doors and windows, the lower edge of which is less than 2m above road level, and any gates shall not open outwards onto a public pavement or road.

k) Where present, window grilles (including 'pregnant' windows), sills, planters and other similar elements which are part of or fixed to the facade of buildings, the lower edge of which is less than 2 metres above road level, shall not project more than 0.15 metres from the facade over a public pavement or street.

l) Air conditioning units shall not be located on the facades of the building which are visible from the street or a public space.

m) There shall be no service pipes, cables or wires visible on the front elevation or on any other elevations of the building which are visible from the street or public space.

2 a) The façade of the building shall be constructed in local un-rendered and unpainted stone, except where other materials/finishes are indicated on the approved drawings.

b) All the apertures and balconies located on the façade of the building shall not be in gold, silver or bronze aluminium.

c) The height of the services on the roof of the building shall not extend beyond the approved height of the uppermost parapet wall.

3 The approved premises shall be used as indicated on the approved drawings or as limited by any condition of this permission. If a change of use is permitted through the Development Planning (Use Classes) Order, 2014 (or its subsequent amendments), and it



is not restricted by a condition of this permission, approval from the Commission for the Rights of Persons with Disability may still be required. Reference needs to be made to PA Circular 3/10 (with the exception of Appendix A), PA Circular 2/14 and their subsequent amendments.

The approved Class 4D premises, as indicated in approved drawing PA 182/22/57C, shall be used as a catering establishment for the preparation and sale of hot or cold food and drink for consumption on the premises where cooking is allowed.

- 4 No approval is hereby granted for the display of any sign or advertisement. This must be subject of a separate application.
- 5 The conditions imposed and enforced by the Environmental Health Directorate are at supporting document PA 182/22/49A. The architect/applicant is required to contact the Environmental Health Directorate, throughout the implementation of the development hereby approved, to ensure conformity with the imposed conditions.
- 6 The development hereby permitted shall be subject to Compliance Certification, verifying that the development has been carried out in full accordance with the approved drawings, documents and conditions imposed in this development permission, except where such conditions are enforced by other entities. Prior to the commencement of use or prior to the issue of any compliance certificate on the whole or any stand-alone planning unit of the development hereby approved, the applicant shall submit to the Planning Authority, in relation to the whole or that unit of the development a certification by an engineer confirming that the development fully satisfies the requirements specified in supporting document PA 182/22/64B.
- 7 To make up for the shortfall in parking provision of 3 parking spaces, this development permission is subject to a contribution amounting to the sum of €11,000 in favour of the Planning Authority's Urban Improvements Fund for the locality. The funds raised shall be used to fund traffic management, green transport, urban improvements or similar projects. The contribution shall be utilised as required and directed by the Planning Authority.
- 8 This permission is subject to a Bank Guarantee to the value of € 1,239.30 to ensure that the street and pavement are properly restored in accordance with the Environmental Management Construction Site Regulations, 2007 - Legal Notice 295 of 2007 (as amended). The bank guarantee shall only be released after the perit submits a post-construction condition report together with photographs evidencing compliance with this condition, accompanied by clearance from the Local Council. The clearance from the Local Council is to be endorsed by the Mayor and the Executive Secretary of the Local Council. This guarantee shall be forfeited if, after 3 months from the date of notification by the Authority of a notice to effect the remedial works, these are not carried out. Its forfeiture shall not, however, preclude the applicant from adhering to all the conditions contained in this development permission.
- 9 **Conditions imposed and enforced by other entities**
  - A. Where construction activity is involved:

- (a) the applicant shall:
- (i) **Appoint a Project Supervisor for the Design Stage and a Project Supervisor for the Construction Stage** and any such appointment shall be terminated, changed or renewed as necessary. The same person may be appointed to act as project supervisor for both the design and construction stage, if that person is competent to undertake the duties involved and
  - (ii) **Keep a health and safety file** prepared by the Project Supervisor for the Design Stage.
- (b) When the construction works related to this application are scheduled to last longer than thirty working days and on which more than twenty workers are occupied simultaneously, or on which the volume of work is scheduled to exceed five hundred person-days, the project supervisor **shall communicate a prior notice to the Occupational Health and Safety Authority (OHSA) at least four calendar weeks before commencement of works.**
- (c) The Project Supervisor for the Design Stage shall **draw up a health and safety plan** which sets out the occupational health and safety rules applicable to the construction activities concerned, outlining the measures to ensure cooperation between different contractors and shall also include specific measures concerning occupational risks that may be present at this site.
- (d) It is the responsibility of the permit holder to ensure that development is carried out in accordance with the provisions of the Environmental Management Construction Site Regulations, Legal Notice 295 of 2007 (or subsequent amendments). Any hoarding shall be erected in accordance with Schedule 2 of the same Regulations.
- (e) New development on vacant or redeveloped sites shall be provided with a water cistern to store rainwater run-off as required by the Energy Performance of Buildings Regulations (2012) [published through Legal Notice 376 of 2012 and any amendments thereto].
- B.** Where the development concerns a change of use to a place of work, the applicant shall obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.
- C.** Where the development concerns a place of work:
- The applicant shall:
- (i) obtain a Perit's declaration that the necessary requirements arising out of LN 44 of 2002 have been included in the plans and drawings; and
  - (ii) obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.
- D.** The development is to strictly adhere to the 'Design Guidelines on fire safety for buildings in Malta' to ensure that all Fire Safety measures and provisions are addressed as indicated in the Design Guidelines on Fire Safety for Buildings in Malta, published by the DCID in 2004, (or other relevant standard, provided it is approved by the Civil Protection Department), Policies, and the Laws and Regulations of Malta.
- E.** Conditions imposed and enforced by Water Services Corporation:

- (a) Prior to laying of water and wastewater services in the road, the development shall comply with the requirements of Legal Notice 29/10 Part III (Roads in inhabited Areas) Clause 12.
- (b) The applicant shall ensure that rain water and/or run-off collection from roofs, yards, balconies (and any other exposed areas) is being managed such that no rainwater, including overflow pipes (by pumping or gravity system), even from water storage reservoirs and/or oil interceptors, are connected to the WSC sewage network.
- (c) Developers are obliged to check with the Manager region Office WSC for the invert level of the existing sewer and the provision of water up to the new level where water tanks shall be installed by sending an email to [region.consultations@wsc.com .mt](mailto:region.consultations@wsc.com.mt), requesting this information.
- (d) For development falling within Classes 3a, 3b, 4b, 4c, 4d, 5a, 5b, 5c, 6a, 6b of the Development Planning (Use Classes) Order, 2014, developers are requested to submit floor plans (1:100) of the drainage system (rainwater and wastewater) to the Discharge Permit Unit, or via email at [dpu.consultations@wsc.com.mt](mailto:dpu.consultations@wsc.com.mt).
- (e) Developers are advised to view requirements set out in:
  - (i) Sewage Discharge Control Regulations S.L. 545.08.
  - (ii) Legal Notice 29 of 2010 Part III (Roads in Inhabited Areas) Clause 12.
  - (iii) DC15 paragraph 4.3.3 Provision of Water Reservoirs and Second-Class Water Policy P47.
  - (iv) Building Regulations Technical Guide Document F where these apply to the proposed development.
- F. In the event of an accidental discovery in the course of approved works, any cultural heritage feature discovered should not be damaged or disturbed and the Superintendence is to be immediately informed of such discovery. Any cultural heritage features discovered are to be investigated, evaluated and protected in line with the Cultural Heritage Act 2019 (CAP 445). The discovery of cultural heritage features may require the amendment of approved plans.
- G. Any fissures (dagħbien), caves, caverns, hollows, geological faults, Quaternary deposits or other features of potential geological, geomorphological and/or palaeontological interest which are discovered must be reported immediately to the Environment and Resources Authority (ERA). No further works or activities must take place until the respective investigations have been completed, and thereafter works shall proceed strictly in line with the terms established by ERA. The approved development may need to be amended so as to accommodate in situ preservation of the discovered features.
- H. For new development, the following condition, imposed and enforced by Enemalta, applies:

A culvert measuring 0.8m wide by 0.75m deep should be prepared along the façade of the development in order that any overhead lines may be substituted by underground cables. The culvert is to be interconnected to an adequate space consisting of a **small room or recess** located near the **entrance**, provided for the purpose of housing the electricity meter. Another adequate space for the purpose of housing the electricity meters, consisting of a **small room or recess** located in the basement near the **entrance**, also interconnected to the culvert, is to be provided. The architect/applicant is required to contact Enemalta, throughout the

implementation of the development hereby approved, to ensure conformity with the imposed conditions.

In terms of Article 72(3) of the Development Planning Act, 2016, the execution and validity of this permission is automatically temporarily **suspended** and no works as approved by the said development permission may commence before the lapse of the time period established in Article 13 of the Environment and Planning Review Tribunal Act. In the event that an application is submitted before the Environment and Planning Review Tribunal requesting the suspension of the execution of the permission, this permission will remain so suspended until the Tribunal otherwise decides in accordance with the Environment and Planning Review Tribunal Act.

Where the approved drawings and/or documents are dimensioned, then the declared dimensions shall prevail over the actual size as depicted on the approved drawings and/or documents.

Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on the plan what needs to be carried out and obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.

If the declaration of ownership, as contained in the application form, is determined as incorrect by a Court of Law, then the said Court of Law can declare this development permission as null and void. This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance and agreement must be obtained for this development from the Land and/or Estate Management Departments.

This development permission is granted saving third party rights. This permission does not exonerate the applicant from obtaining any other necessary permission, license, clearance or approval required from any Government department, local council, agency or authority, as required by any law or regulation.

This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (Cap. 424) - Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.

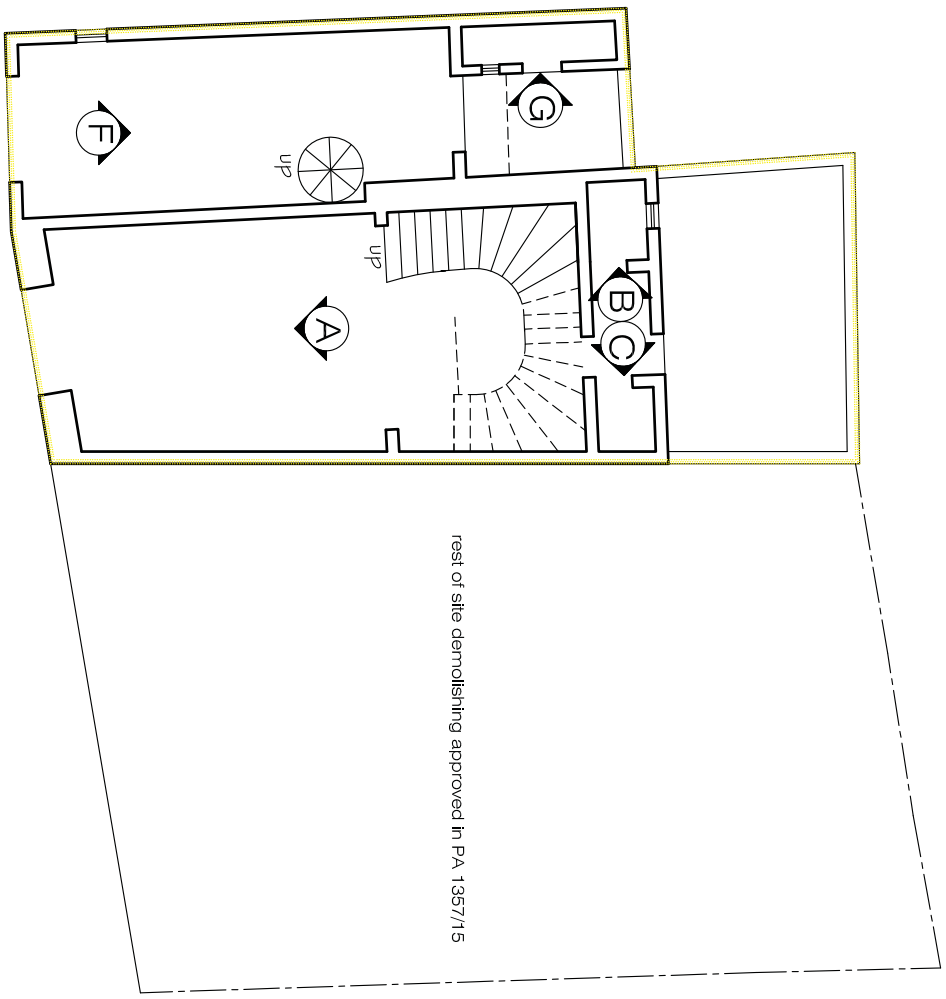
For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes) Order 2014, or its subsequent amendments.

**This decision is being published on 14 September 2022.**

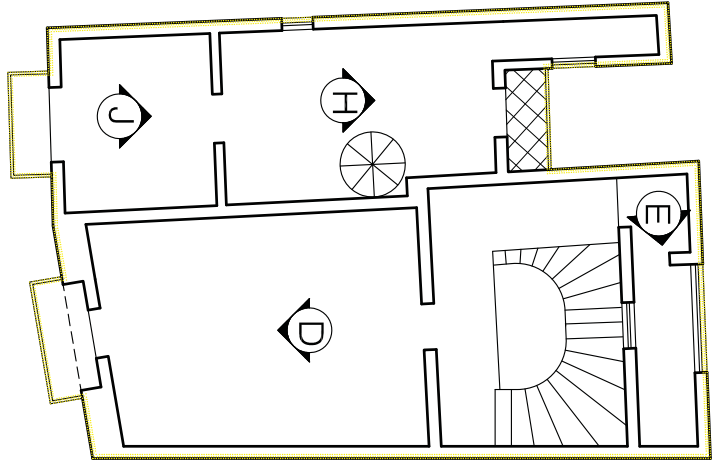
Lorna Vella  
Secretary Planning Commission  
Within Development Scheme

-PADCN-

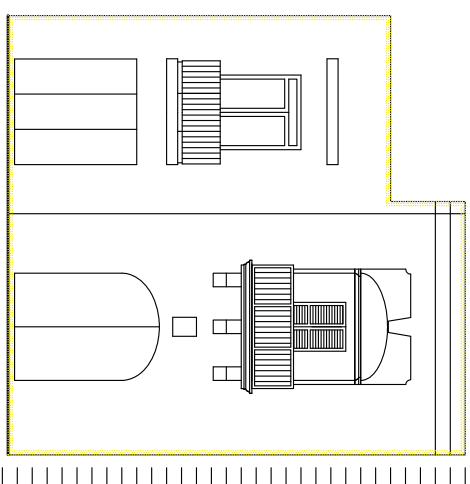




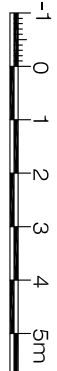
GROUND FLOOR PLAN (to be demolished) 1:100



FIRST FLOOR PLAN (to be demolished) 1:100



EXISTING FRONT ELEVATION (to be demolished) 1:100



10m  
Metric scale 1:100

| rev no    | drawn            | date       | description | Scale     |
|-----------|------------------|------------|-------------|-----------|
| File #    | T-50/14          |            |             | 1:100     |
| Date      | JANUARY 4th 2016 |            |             |           |
| Drawing # | 4                | Revision # | 0           | Applicant |
|           |                  |            |             | Drawn by  |

|               |   |
|---------------|---|
| Drawing title | PLANS AND ELEVATION   |
| Job title     | FLATS AND RESTAURANTS AT XATT IX-XLENDI XLENDI - GOZO   |
| Architect     | <p><b>SAVIOUR MCALLEP</b><br/>                 B.E.S.A., A.S.C.E.<br/>                 'THYME' BY THE BASTION RD,<br/>                 VICTORIA - GOZO, VCT 2907<br/>                 Tel # 21551046 Fax # 21565455 Mobile # 99497485<br/>                 Email : mcsav@gnmall.com</p> |





FRONT ELEVATION WITH ADJACENT BUILDINGS 1:100

Metric scale 1:50

5m

4

3

2

1

0

-1

1 0 1 2 3 4 5m

10m

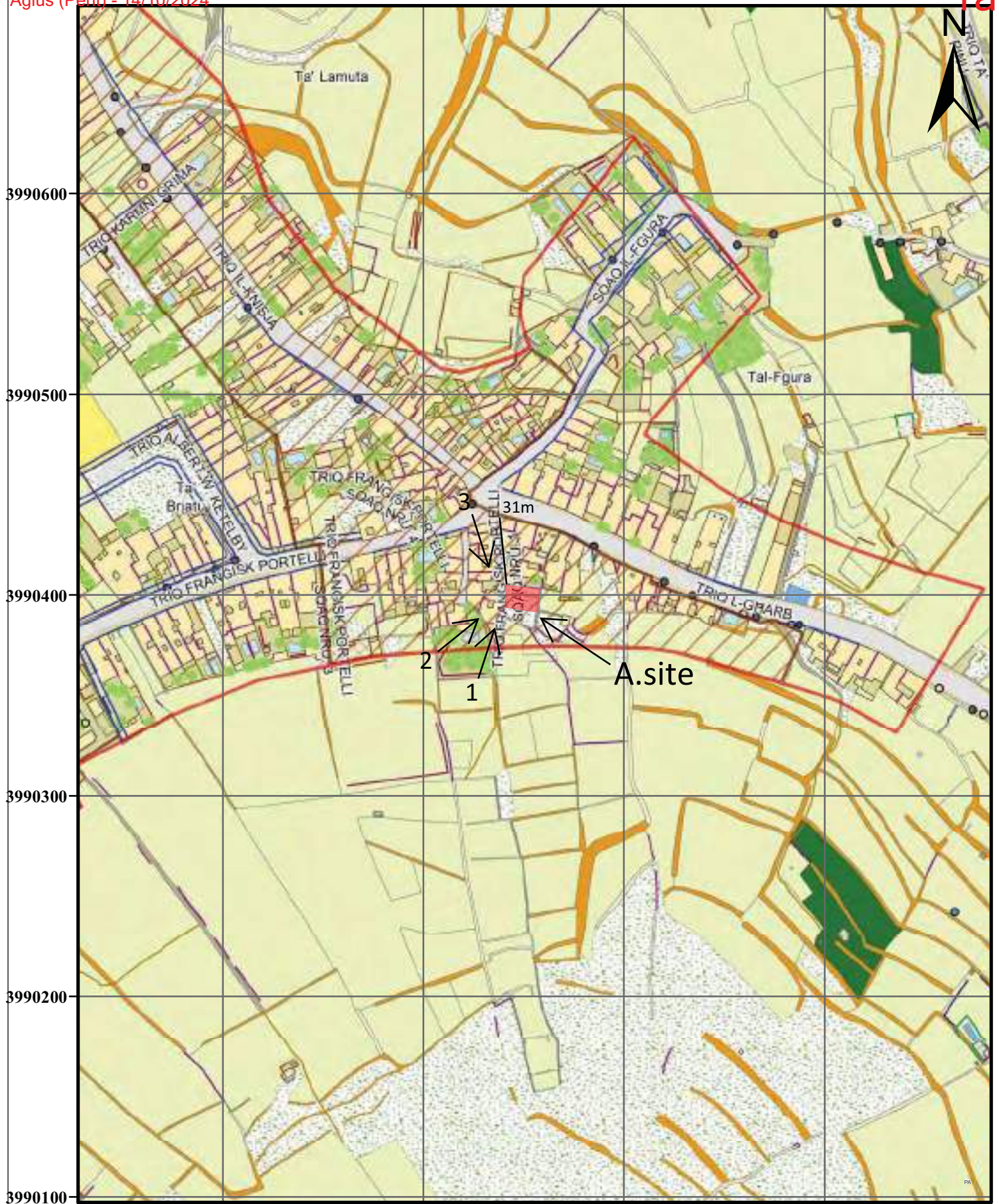
Metric scale 1:100

| rev no  | drawn             | date       | description |
|---|-------------------|------------|-------------|
| Drawing title<br>ELEVATIONS   |                   |            |             |
| Job title<br>FLATS AND RESTAURANT AT<br>KATT IX-XLENDI XLENDI - GOZO  |                   |            |             |
| File #  | 71/21             | Scale      | 1:100       |
| Date  | DECEMBER 3rd 2021 | Drawn by   |             |
| Drawing #   | 2                 | Revision # | 0           |
| Applicant   |                   |            |             |
| Architect<br><b>SAVIOUR MICALLEF</b><br>B.E. & A.C.E.<br>'THYME' BY THE BASTION RD.<br>VICTORIA - GOZO, VCT 2907<br>Tel # 21591046 Fax # 21565455 Mobile # 99497485<br>Email : micsav@gmail.com |                   |            |             |

**Appendix 13: (Ta' Dbiegi View Houses)**

A.13.1 – Site Plan





0 25 50 100 150 200 250 Meters **1:2,500**

Date Printed: 22/03/2023

Compiled and published by the Mapping Unit, Planning Authority.  
 ERDF.02.030 - SIntegraM data, (2018), Developing Spatial Data Integration for the Maltese Islands, Planning Authority.  
 Reproduction in whole or in part by any means is prohibited without the prior permission of the SIntegraM Project Leader. Data captured from: 2018 aerial photography, 2020 unmanned aerial vehicles(UAVs).  
 WGS 1984 UTM Zone 33N EPSG: 32633 M.S.L. (Mean sea level).Scale factor at the central meridian 0.9996.  
 Central meridian has a false origin of 500,000m at 150 East of Greenwich.  
 Northern coordinates have an origin of 0m at the Equator.  
 Not to be used for interpretation or scaling of scheme alignments. Copyright © PA Planning Authority.



**Appendix 13: (Ta' Dbiegi View Houses)**

**A.13.2 – Photographs**



**Appendix 13: (Ta' Dbiegi View Houses)**

**A.13.3 – Planning Permit and Permit Draw**

Mr Chris Borg

Date: 2 November 2023  
Our Ref: PA/02664/23

Application Number: PA/02664/23  
Application Type: Full development permission  
Date Received: 22 March 2023  
Approved Documents: PA/2664/23/1a/52c/65a

Location: Vacant Plot, Triq Frangisk Portelli, Sqaq Nru. 1, Gharb  
Proposal: To demolish existing building and construct 2 houses with 2 pools.

### **Development Planning Act, 2016 Full Development Permission**

The Planning Authority hereby grants development permission in accordance with the application and documents described above, subject to the following conditions:

- 1 a) This development permission is valid for a period of FIVE YEARS from the date of publication of the decision in the press but will cease to be valid if the development is not completed by the end of this validity period.
- b) This permission relates only to the development as specifically indicated on the approved drawings. This permission does not sanction any other illegal development that may exist on the site.
- c) A Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of S.L. 552.25, or its amendments, or its replacements. In addition, **if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised** - Article 72(4) of the Development Planning Act (Cap. 552).
- d) Copies of all approved drawings and documents shall be available for inspection on site by Planning Authority officers at all reasonable times.
- e) The development shall be carried out in complete accordance with the approved drawings, documents and conditions of this permission. Where a matter is not specified, then the conditions of this permission and of Development Control Design Policy, Guidance and Standards 2015 shall apply.

PA/02664/23



f) Before any part of the development hereby permitted commences, the enclosed green copy of this development permission shall be displayed on the site. This must be mounted on a notice board, suitably protected from the weather and located not more than 2 metres above ground level at a point on the site boundary where it is clearly visible and can be easily read from the street. The copy of the permission must be maintained in a good condition and it shall remain displayed on the site until the works are completed.

g) All building works shall be erected in accordance with the official alignment and official/existing finished road levels as set out on site by the Planning Authority's Land Surveyor. A Setting Out Request must be submitted to the Land Survey Unit of the Planning Authority, prior to the commencement of works on site, when the setting out of the alignment and levels is required.

h) Where an officially schemed street, within the development zone, bordering the site is unopened or unformed, it shall be opened up and brought up to its proper, approved and official formation levels prior to the commencement of any development hereby being permitted.

i) No steps, ramps or street furniture are to be constructed on or encroached onto the public pavement or road.

j) Any doors and windows, the lower edge of which is less than 2m above road level, and any gates shall not open outwards onto a public pavement or road.

k) Where present, window grilles (including 'pregnant' windows), sills, planters and other similar elements which are part of or fixed to the facade of buildings, the lower edge of which is less than 2 metres above road level, shall not project more than 0.15 metres from the facade over a public pavement or street.

l) Air conditioning units shall not be located on the facades of the building which are visible from the street or a public space.

m) There shall be no service pipes, cables or wires visible on the front elevation or on any other elevations of the building which are visible from the street or public space.

n) Any approved stores shall be used for domestic storage only and shall not be segregated from the rest of the building.

o) Any unit approved on more than one floor (duplex or more) shall remain physically interconnected as a single unit, and shall not be sub-divided into separate units without specific Planning Authority consent.

2 a) Where applicable, prior to any demolition of buildings/boundary walls abutting streets, the Setting Out Request Notice must be submitted to the Land Survey Unit of the Planning Authority. Demolition works shall not be undertaken before setting out is made by Planning Authority officials.

b) Original internal and external walls shall not be hacked (mbaqqna) or grit-blasted. New stone on the façade is to be fair faced without any attrition or marking, unless otherwise specified in approved drawings or supporting documents.

c) Unless otherwise indicated on the approved drawings, the facade of the building, all roof structures, rear garden/yard walls, (but excluding internal shafts), and back elevation



shall be retained/constructed in local stone. The stone shall remain unrendered and unpainted, and it shall be allowed to weather naturally. Such components of a building indicated to be rendered/finished other than in local stone, are to be painted in local stone colour, unless other colours are indicated on the approved drawings.

d) Unless otherwise indicated on the approved drawings, all external apertures and closed balconies, visible from a public space, shall be constructed in timber. Open balcony railings and all other metalwork, visible from a public space, shall be in wrought iron.

e) All services located on the roof of the uppermost roof structures shall not extend beyond the height of the approved parapet wall.

3 To make up for the shortfall in parking provision of 1 parking spaces, this development permission is subject to a contribution amounting to the sum of € 2500 in favour of the Planning Authority's Urban Improvements Fund for the locality. The funds raised shall be used to fund traffic management, green transport, urban improvements or similar projects. The contribution shall be utilised as required and directed by the Planning Authority.

4 The water sprout on the facade shall only be as a decorative feature.

5 **Conditions imposed and enforced solely by other entities**

**A. Where construction activity is involved:**

(a) the applicant shall:

(i) **Appoint a Project Supervisor for the Design Stage and a Project Supervisor for the Construction Stage** and any such appointment shall be terminated, changed or renewed as necessary. The same person may be appointed to act as project supervisor for both the design and construction stage, if that person is competent to undertake the duties involved and

(ii) **Keep a health and safety file** prepared by the Project Supervisor for the Design Stage.

(b) When the construction works related to this application are scheduled to last longer than thirty working days and on which more than twenty workers are occupied simultaneously, or on which the volume of work is scheduled to exceed five hundred person-days, the project supervisor **shall communicate a prior notice to the Occupational Health and Safety Authority (OHSA) at least four calendar weeks before commencement of works.**

(c) The Project Supervisor for the Design Stage shall **draw up a health and safety plan** which sets out the occupational health and safety rules applicable to the construction activities concerned, outlining the measures to ensure cooperation between different contractors and shall also include specific measures concerning occupational risks that may be present at this site.

(d) It is the responsibility of the permit holder to ensure that development is carried out in accordance with the provisions of the Environmental Management Construction Site Regulations, S.L. 623.08. Any hoarding shall be erected in accordance with Schedule 2 of the same Regulations.

- (e) New development on vacant or redeveloped sites shall be provided with a water cistern to store rainwater run-off as required by the Energy Performance of Buildings Regulations, S.L. 623.01.

**B. Where the development concerns a place of work:**

The applicant shall:

- (a) obtain a Perit's declaration that the necessary requirements arising out of S.L. 424.15 have been included in the plans and drawings; and
- (b) obtain a Perit's declaration that the building conforms to the requirements of S.L. 424.15.

**C.** The development is to strictly adhere to the 'Design Guidelines on fire safety for buildings in Malta' to ensure that all Fire Safety measures and provisions are addressed as indicated in the Design Guidelines on Fire Safety for Buildings in Malta, published by the DCID in 2004, (or other relevant standard, provided it is approved by the Civil Protection Department), Policies, and the Laws and Regulations of Malta.

**D.** In the event of an accidental discovery in the course of approved works, any cultural heritage feature discovered should not be damaged or disturbed and the Superintendence is to be immediately informed of such discovery. Any cultural heritage features discovered are to be investigated, evaluated and protected in line with the Cultural Heritage Act 2019 (CAP. 445). The discovery of cultural heritage features may require the amendment of approved plans.

**E.** Any fissures (dagħbien), caves, caverns, hollows, geological faults, Quaternary deposits or other features of potential geological, geomorphological and/or palaeontological interest which are discovered must be reported immediately to the Environment and Resources Authority (ERA). No further works or activities must take place until the respective investigations have been completed, and thereafter works shall proceed strictly in line with the terms established by ERA. The approved development may need to be amended so as to accommodate in situ preservation of the discovered features.

In terms of Article 72(3) of the Development Planning Act, 2016, the execution and validity of this permission is automatically temporarily **suspended** and no works as approved by the said development permission may commence before the lapse of the time period established in Article 13 of the Environment and Planning Review Tribunal Act. In the event that an application is submitted before the Environment and Planning Review Tribunal requesting the suspension of the execution of the permission, this permission will remain so suspended until the Tribunal otherwise decides in accordance with the Environment and Planning Review Tribunal Act.

Where the approved drawings and/or documents are dimensioned, then the declared dimensions shall prevail over the actual size as depicted on the approved drawings and/or documents.

Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on the plan what needs to be carried out and obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.

If the declaration of ownership, as contained in the application form, is determined as incorrect by a

PA/02664/23

Court of Law, then the said Court of Law can declare this development permission as null and void. This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance shall be obtained from the Lands Authority prior to the execution of this development permission.

This development permission is granted saving third party rights. This permission does not exonerate the applicant from obtaining any other necessary permission, license, clearance, or similar requirement emanating from any other law or regulation, nor from procuring any other certification or insurance that may be required.

This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (Cap. 424) - Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.

For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes) Order 2014, or its subsequent amendments.

**This decision is being published on 8 November 2023.**

Monica Gauci  
Secretary Planning Commission  
Outside Development Zone and Urban Conservation Areas

## Notes to Applicant and Perit

### Right for reconsideration

Where applicable, you have a right to submit a request for reconsideration to the Authority in terms of regulation 14 of S.L 552.13.

### Right for appeal

You have a right to submit an appeal, against the decision, to the Environment and Planning Review Tribunal in terms of Article 13 of the Environment and Planning Review Tribunal Act, 2016.

### Time limits

Requests for reconsideration or appeals must be made within 30 days from the publication of the decision notification in the local press as required by regulation 14(1) of S.L. 552.13.

### Fees to submit a request for reconsideration or appeal

In either case, there is a fee to be paid which should accompany the request for reconsideration or the appeal. The fees are as follows:

For reconsideration - 3% of the Development Permit Fee paid in respect of the original application, subject to a minimum of €70.00 (S.L. 552.12).

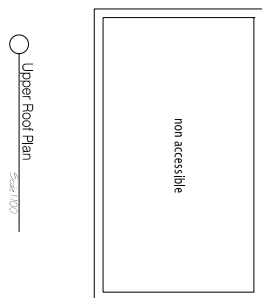
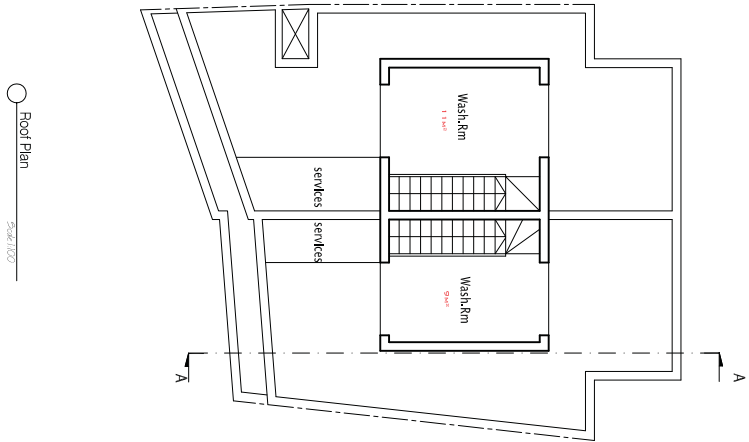
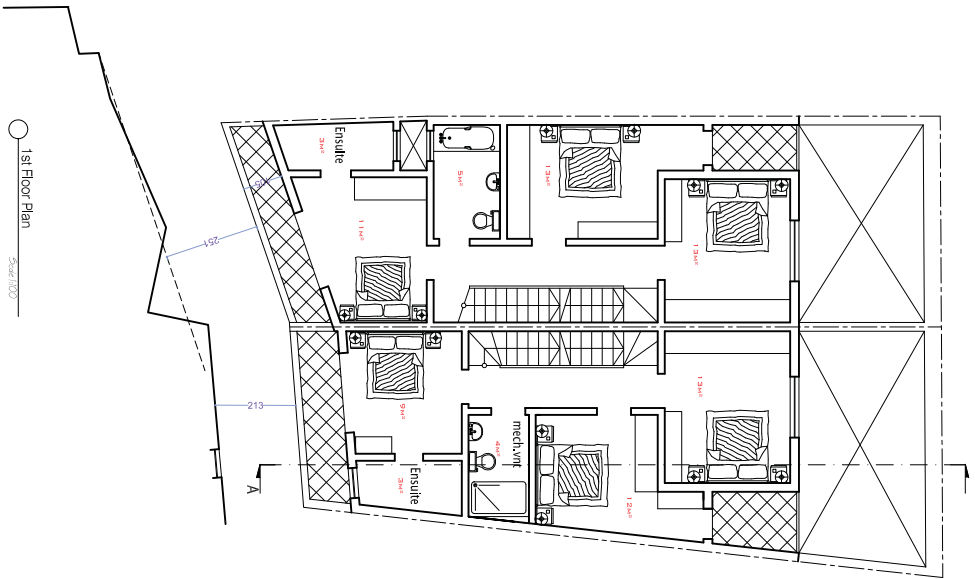
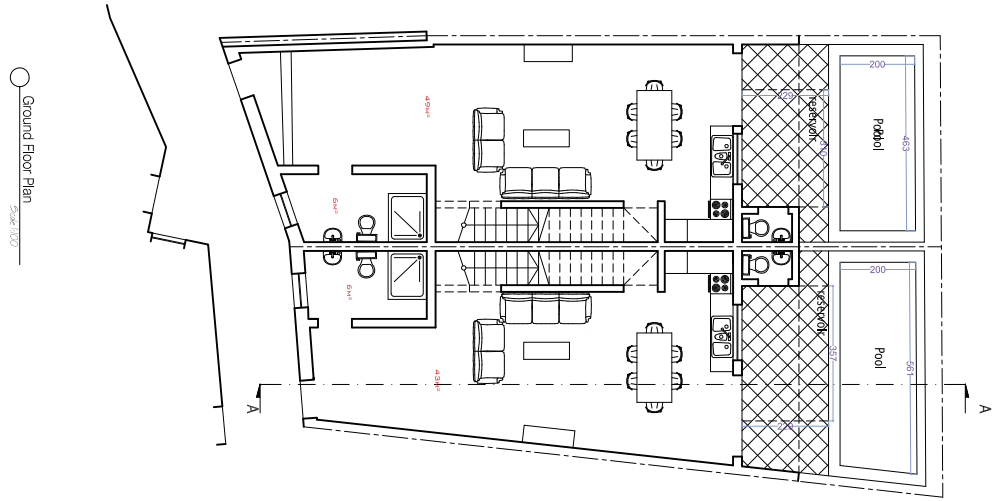
For appeal - 5% of DPF (Development Permit Fee) paid in respect of the original application, subject to a minimum of €150. €50 administrative fee also applies (S.L. 551.01).

### Submission of request for reconsideration or appeal

Requests for reconsideration can only be submitted electronically.

With regards to appeals, as required by Article 13 of the Environment and Planning Review Tribunal Act, 2016, the submission must include the detailed grounds for appeal and the requests being made by the appellant. Appeals must be submitted physically at the offices of the Environment and Planning Review Tribunal, St. Francis Ditch, Floriana.

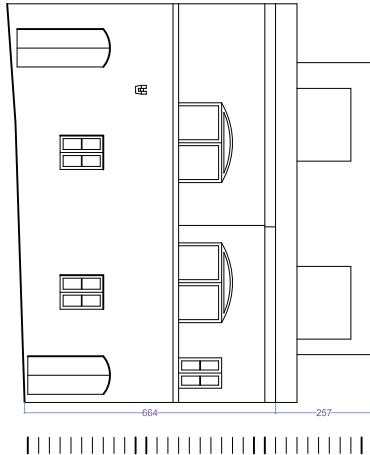
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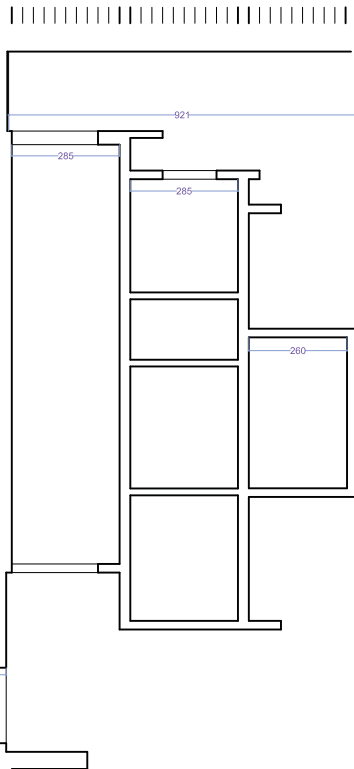
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| Job title     | Site at                                   |
|               | Sagee pool, Trig Franjelek Partali, Oerab |
| File #        | Scale                                     |
| 1725          | 1:100                                     |
| Date          | Drawn by                                  |
| 22/3/25       |   |
| Drawing #     | Applicant                                 |
|               |   |

Architect  
**SAVOUR MICALLEF**  
 DESIGN ARCHT.  
 'THYME' BY THE BASTION RD,  
 VICTORIA - GOZO, VCT 2907  
 Tel # 21551046 Fax # 21565455 Mobile # 99497489  
 Email - micsav@prml.com





○ Front Elevation  
Scale: 1:100  
Unpainted Franka Stone Facade  
Timber Apertures painted as per CS2 of DC15



○ Section A-A Through Building  
Scale: 1:100

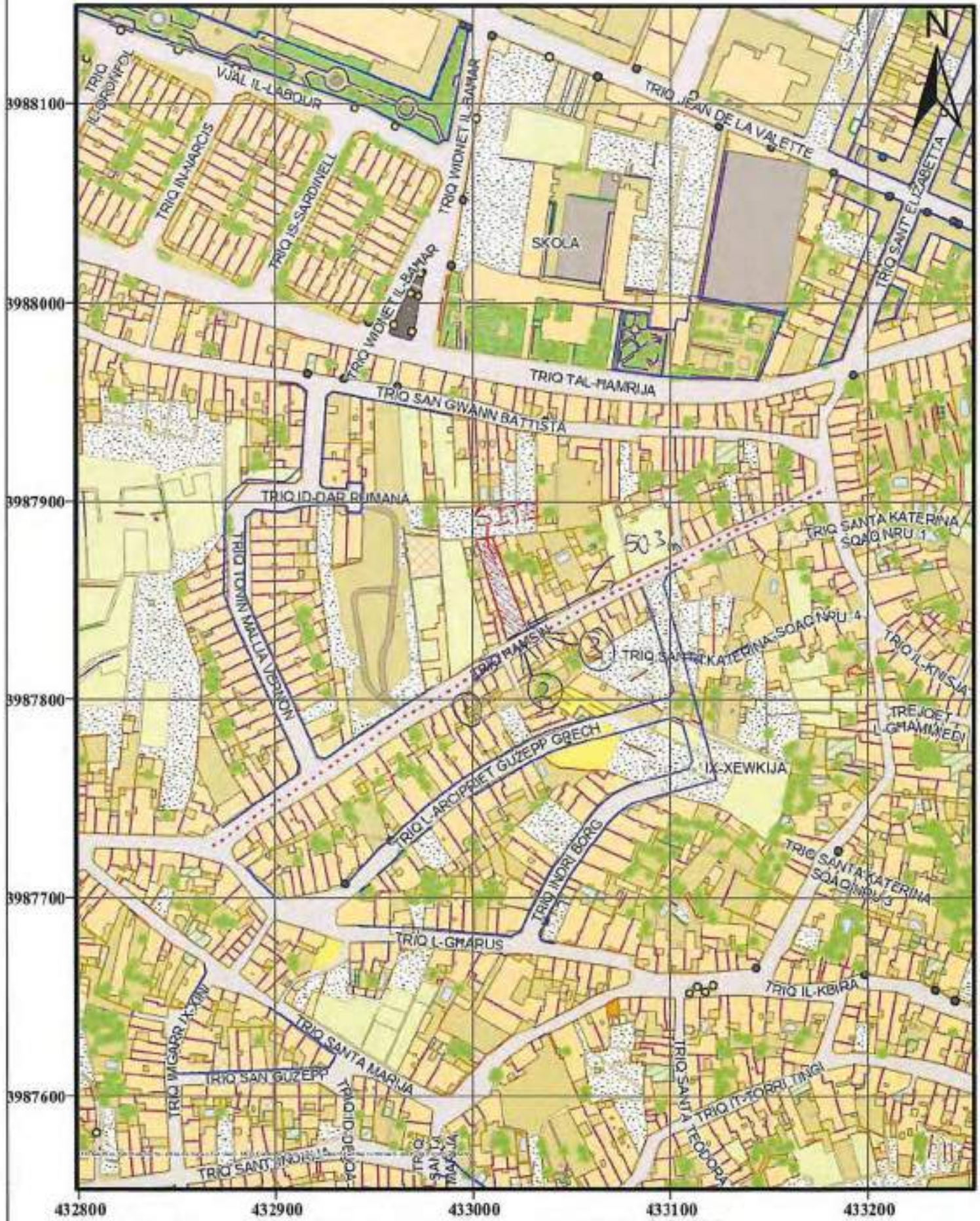
|               |  |             |
|---------------|--|-------------|
| Drawing title | Elevation and Section                    |             |
| Job title     | Site at                                  |             |
|               | Sagee pool Trig Franjelek Partiki, Oerab |             |
| File #        | 1725                                     | Scale 1:100 |
| Date          | 22/3/23                                  | Drawn by    |
| Drawing #     |  | Applicant   |

Architect  
**SAVOUR MICALLEF**  
 DESIGN ARCHITECTS  
 'THYME' BY THE BASTION RD,  
 VICTORIA - GOZO, VCT 2907  
 Tel # 21551046 Fax # 21565455 Mobile # 99497489  
 Email - micsav@prml.com

**Appendix 14: (Giovanni's)**

A.14.1 – Site Plan





0 25 50 100 150 200 250 Meters **1:2,500** Date Printed: 13/01/2022

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 ERDF.02.030 - SirtegraM data, (2018), Developing Spatial Data Integration for the Maltese Islands, Planning Authority.  
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 WGS 1984 UTM Zone 33N EPSG: 32633 M.S.L. (Mean sea level). Scale factor at the central meridian 0.9996.  
 Central meridian has a false origin of 500,000m at 150 East of Greenwich.  
 Northern coordinates have an origin of 0m at the Equator.  
 Not to be used for interpretation or scaling of scheme alignments. Copyright © PA Planning Authority.





**Appendix 14: (Giovanni's)**

A.14.2 – Photographs

















**Appendix 14: (Giovanni's)**

**A.14.3 – Planning Permit and Permit Draw**



Mark Agius

Date: 7 September 2024  
Our Ref: PA/00751/22  
Perit Ref: 10-2022

Dear Sir/Madam,

Application Number: PA/00751/22  
Location: Vacant Plot, Triq Hamsin, Xewkija  
Proposal: To excavate and to construct 10 apartments, 2 penthouses and a duplex penthouse with underlying garages. To also construct 2 pools.

**Development Planning Act, 2016  
Minor Amendment to Permission PA/00751/22  
in terms of regulation 15 of Legal Notice 162 of 2016**

Reference is made to the request for minor amendments, to the above quoted development permission, submitted on 12 June 2024.

The changes you propose are acceptable as a minor amendment to the development permission. The following drawings/documents are being endorsed:

PA/751/22/MA/249D/249E/253B

This endorsement relates only to the changes described in your application form and specifically indicated on the drawings/documents. Any other changes from the original permission, which may be shown on the drawings/documents but which are not referred to in your application form, are not endorsed or accepted.

Consequently, this endorsement is **only** for the proposed development as specifically indicated and does not cover any other development or sanctions any illegal development which may exist on site, even if shown on the drawings/documents.

Please note that the conditions and amendments in the original permission remain valid and are therefore applicable to the development as amended, including the condition on the validity period of the permission. The other provisions of regulation 15 of Legal Notice 162 of 2016 also apply.

Yours faithfully

Roderick Livori  
for Executive Chairperson

-PAABMADcn-

Mr Mark Agius

Date: 14 September 2022

Our Ref: PA/00751/22

Application Number: PA/00751/22  
Application Type: Full development permission  
Date Received: 14 January 2022  
Approved Documents: PA 751/22/1A/99B/99D/99G/149B/149C  
Supporting documents:  
PA 751/22/55B (Engineer's Report)

Location: Vacant Plot, Triq Hamsin, Xewkija  
Proposal: To excavate and to construct 10 apartments, 2 penthouses and a duplex penthouse with underlying garages. To also construct 2 pools.

### **Development Planning Act, 2016 Full Development Permission**

The Planning Authority hereby grants development permission in accordance with the application and documents described above, subject to the following conditions:

- 1 a) This development permission is valid for a period of FIVE YEARS from the date of publication of the decision in the press but will cease to be valid if the development is not completed by the end of this validity period.
- b) This permission relates only to the development as specifically indicated on the approved drawings. This permission does not sanction any other illegal development that may exist on the site.
- c) A Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, **if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised** - Article 72(4) of the Development Planning Act (2016).
- d) Copies of all approved drawings and documents shall be available for inspection on site by Planning Authority officers at all reasonable times.
- e) The development shall be carried out in complete accordance with the approved

PA/00751/22

drawings, documents and conditions of this permission. Where a matter is not specified, then the conditions of this permission and of Development Control Design Policy, Guidance and Standards 2015 shall apply.

f) Before any part of the development hereby permitted commences, the enclosed green copy of this development permission shall be displayed on the site. This must be mounted on a notice board, suitably protected from the weather and located not more than 2 metres above ground level at a point on the site boundary where it is clearly visible and can be easily read from the street. The copy of the permission must be maintained in a good condition and it shall remain displayed on the site until the works are completed.

g) All building works shall be erected in accordance with the official alignment and official/existing finished road levels as set out on site by the Planning Authority's Land Surveyor. A Setting Out Request must be submitted to the Land Survey Unit of the Planning Authority, prior to the commencement of works on site, when the setting out of the alignment and levels is required.

h) Where an officially schemed street, within the development zone, bordering the site is unopened or unformed, it shall be opened up and brought up to its proper, approved and official formation levels prior to the commencement of any development hereby being permitted.

i) No steps, ramps or street furniture are to be constructed on or encroached onto the public pavement or road.

j) Any doors and windows, the lower edge of which is less than 2m above road level, and any gates shall not open outwards onto a public pavement or road.

k) Where present, window grilles (including 'pregnant' windows), sills, planters and other similar elements which are part of or fixed to the facade of buildings, the lower edge of which is less than 2 metres above road level, shall not project more than 0.15 metres from the facade over a public pavement or street.

l) Air conditioning units shall not be located on the facades of the building which are visible from the street or a public space.

m) There shall be no service pipes, cables or wires visible on the front elevation or on any other elevations of the building which are visible from the street or public space.

n) Any garages/parking spaces shall only be used for the parking of private cars and shall be kept available at all times for this purpose.

o) Any unit approved on more than one floor (duplex or more) shall remain physically interconnected as a single unit, and shall not be sub-divided into separate units without specific Planning Authority consent.

2 a) The façade(s) of the building shall be constructed in local un-rendered and unpainted stone, except where other materials/finishes are indicated on the approved drawings.

b) All the apertures and balconies located on the façade(s) of the building shall not be in gold, silver or bronze aluminium.

c) The height of the services on the roof of the building shall not extend beyond the

approved height of the uppermost parapet wall.

- 3 To make up for the shortfall in parking provision of 5 parking spaces, this development permission is subject to a contribution amounting to the sum of €23,000 in favour of the Planning Authority's Urban Improvements Fund for the locality. The funds raised shall be used to fund traffic management, green transport, urban improvements or similar projects. The contribution shall be utilised as required and directed by the Planning Authority.

4 **Conditions imposed and enforced by other entities**

A. Where construction activity is involved:

(a) the applicant shall:

(i) **Appoint a Project Supervisor for the Design Stage and a Project Supervisor for the Construction Stage** and any such appointment shall be terminated, changed or renewed as necessary. The same person may be appointed to act as project supervisor for both the design and construction stage, if that person is competent to undertake the duties involved and

(ii) **Keep a health and safety file** prepared by the Project Supervisor for the Design Stage.

(b) When the construction works related to this application are scheduled to last longer than thirty working days and on which more than twenty workers are occupied simultaneously, or on which the volume of work is scheduled to exceed five hundred person-days, the project supervisor **shall communicate a prior notice to the Occupational Health and Safety Authority (OHSA) at least four calendar weeks before commencement of works.**

(c) The Project Supervisor for the Design Stage shall **draw up a health and safety plan** which sets out the occupational health and safety rules applicable to the construction activities concerned, outlining the measures to ensure cooperation between different contractors and shall also include specific measures concerning occupational risks that may be present at this site.

(d) It is the responsibility of the permit holder to ensure that development is carried out in accordance with the provisions of the Environmental Management Construction Site Regulations, Legal Notice 295 of 2007 (or subsequent amendments). Any hoarding shall be erected in accordance with Schedule 2 of the same Regulations.

(e) New development on vacant or redeveloped sites shall be provided with a water cistern to store rainwater run-off as required by the Energy Performance of Buildings Regulations (2012) [published through Legal Notice 376 of 2012 and any amendments thereto].

B. Where the development concerns a change of use to a place of work, the applicant shall obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.

C. Where the development concerns a place of work:



The applicant shall:

- (i) obtain a Perit's declaration that the necessary requirements arising out of LN 44 of 2002 have been included in the plans and drawings; and
  - (ii) obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.
- D.** The development is to strictly adhere to the 'Design Guidelines on fire safety for buildings in Malta' to ensure that all Fire Safety measures and provisions are addressed as indicated in the Design Guidelines on Fire Safety for Buildings in Malta, published by the DCID in 2004, (or other relevant standard, provided it is approved by the Civil Protection Department), Policies, and the Laws and Regulations of Malta.
- E.** Conditions imposed and enforced by Water Services Corporation:
- (a) Prior to laying of water and wastewater services in the road, the development shall comply with the requirements of Legal Notice 29/10 Part III (Roads in inhabited Areas) Clause 12.
  - (b) The applicant shall ensure that rain water and/or run-off collection from roofs, yards, balconies (and any other exposed areas) is being managed such that no rainwater, including overflow pipes (by pumping or gravity system), even from water storage reservoirs and/or oil interceptors, are connected to the WSC sewage network.
  - (c) Developers are obliged to check with the Manager region Office WSC for the invert level of the existing sewer and the provision of water up to the new level where water tanks shall be installed by sending an email to [region.consultations@wsc.com .mt](mailto:region.consultations@wsc.com.mt), requesting this information.
  - (d) For development falling within Classes 3a, 3b, 4b, 4c, 4d, 5a, 5b, 5c, 6a, 6b of the Development Planning (Use Classes) Order, 2014, developers are requested to submit floor plans (1:100) of the drainage system (rainwater and wastewater) to the Discharge Permit Unit, or via email at [dpu.consultations@wsc.com.mt](mailto:dpu.consultations@wsc.com.mt).
  - (e) Developers are advised to view requirements set out in:
    - (i) Sewage Discharge Control Regulations S.L. 545.08.
    - (ii) Legal Notice 29 of 2010 Part III (Roads in Inhabited Areas) Clause 12.
    - (iii) DC15 paragraph 4.3.3 Provision of Water Reservoirs and Second-Class Water Policy P47.
    - (iv) Building Regulations Technical Guide Document F where these apply to the proposed development.
- F.** In the event of an accidental discovery in the course of approved works, any cultural heritage feature discovered should not be damaged or disturbed and the Superintendence is to be immediately informed of such discovery. Any cultural heritage features discovered are to be investigated, evaluated and protected in line with the Cultural Heritage Act 2019 (CAP 445). The discovery of cultural heritage features may require the amendment of approved plans.
- G.** Any fissures (daghbien), caves, caverns, hollows, geological faults, Quaternary deposits or other features of potential geological, geomorphological and/or palaeontological interest which are discovered must be reported immediately to the Environment and Resources Authority (ERA). No further works or activities must take place until the respective investigations have been completed, and thereafter works shall proceed strictly in line with the terms established by ERA. The approved

development may need to be amended so as to accommodate in situ preservation of the discovered features.

- H. For new development, the following condition, imposed and enforced by Enemalta, applies:

A culvert measuring 0.8m wide by 0.75m deep should be prepared along the façade of the development in order that any overhead lines may be substituted by underground cables. The culvert is to be interconnected to an adequate space consisting of a **small room or recess** located near the **entrance**, provided for the purpose of housing the electricity meter. Another adequate space for the purpose of housing the electricity meters, consisting of a **small room or recess** located in the basement near the **entrance**, also interconnected to the culvert, is to be provided. The architect/applicant is required to contact Enemalta, throughout the implementation of the development hereby approved, to ensure conformity with the imposed conditions.

- I. Where the development includes a swimming pool:

- (a) Any effluent, if discharged in the sewers, shall meet the specifications listed in L.N.139 of 2002 as amended by L.N.378 of 2005.
- (b) Adequate sampling points should be installed as directed by WSC – Discharge Permit Unit officials.
- (c) Chlorine concentration of the effluent should not exceed 100 mg/L Cl<sub>2</sub>.

In terms of Article 72(3) of the Development Planning Act, 2016, the execution and validity of this permission is automatically temporarily **suspended** and no works as approved by the said development permission may commence before the lapse of the time period established in Article 13 of the Environment and Planning Review Tribunal Act. In the event that an application is submitted before the Environment and Planning Review Tribunal requesting the suspension of the execution of the permission, this permission will remain so suspended until the Tribunal otherwise decides in accordance with the Environment and Planning Review Tribunal Act.

Where the approved drawings and/or documents are dimensioned, then the declared dimensions shall prevail over the actual size as depicted on the approved drawings and/or documents.

Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on the plan what needs to be carried out and obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.

If the declaration of ownership, as contained in the application form, is determined as incorrect by a Court of Law, then the said Court of Law can declare this development permission as null and void. This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance and agreement must be obtained for this development from the Land and/or Estate Management Departments.

This development permission is granted saving third party rights. This permission does not exonerate PA/00751/22

the applicant from obtaining any other necessary permission, license, clearance or approval required from any Government department, local council, agency or authority, as required by any law or regulation.

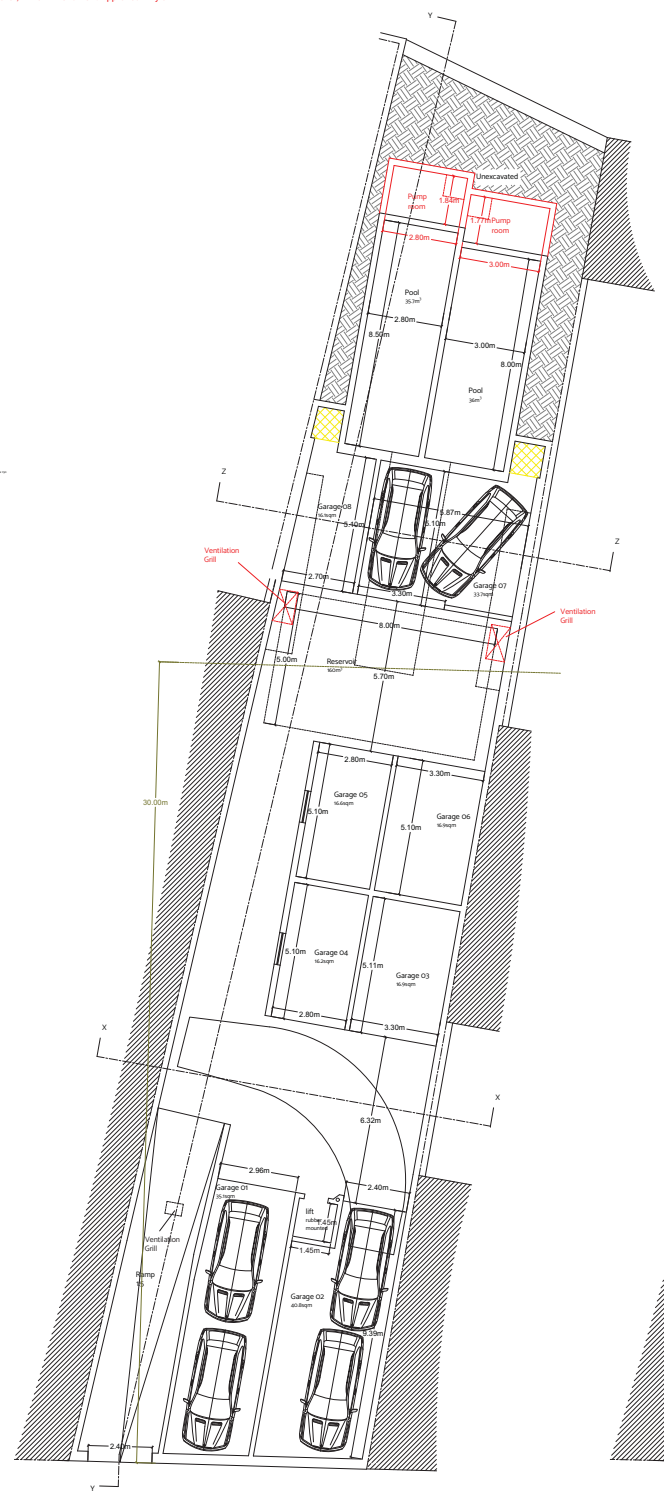
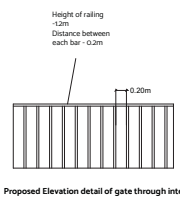
This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (Cap. 424) - Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.

For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes) Order 2014, or its subsequent amendments.

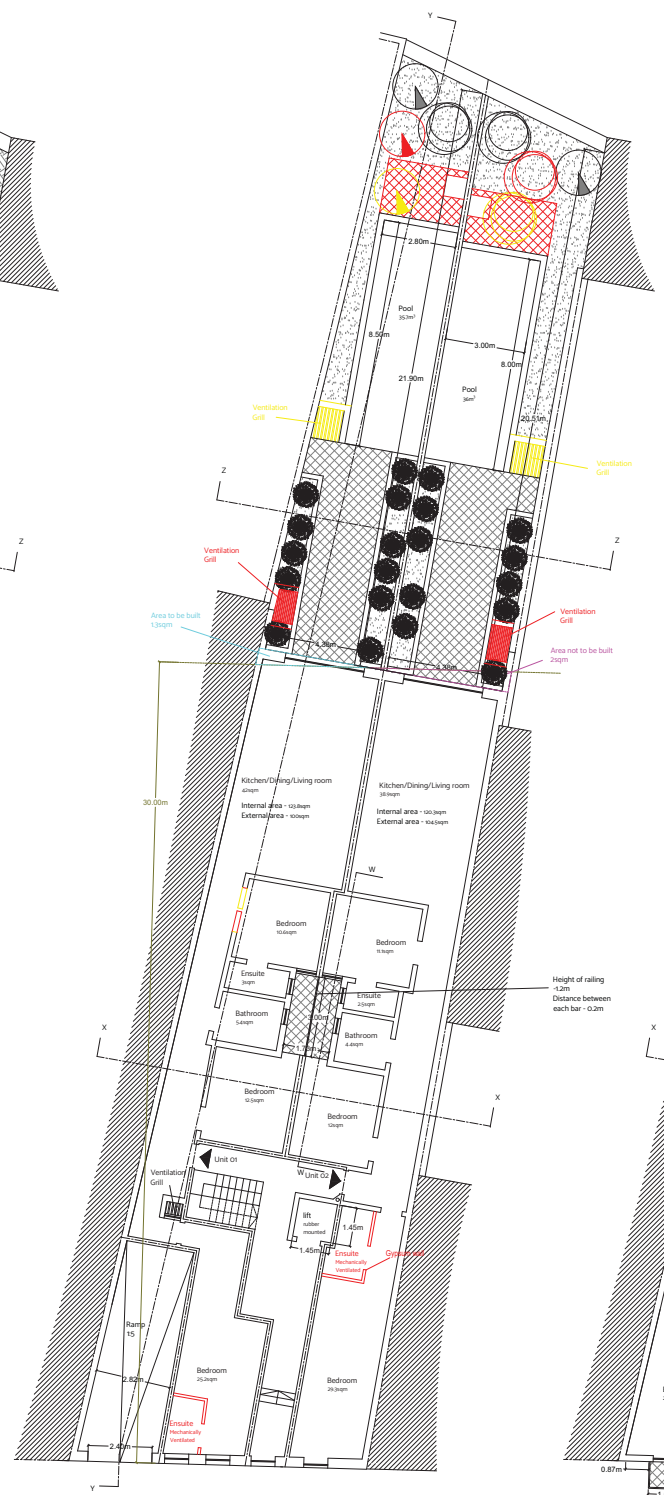
**This decision is being published on 28 September 2022.**

Lorna Vella  
Secretary Planning Commission  
Within Development Scheme

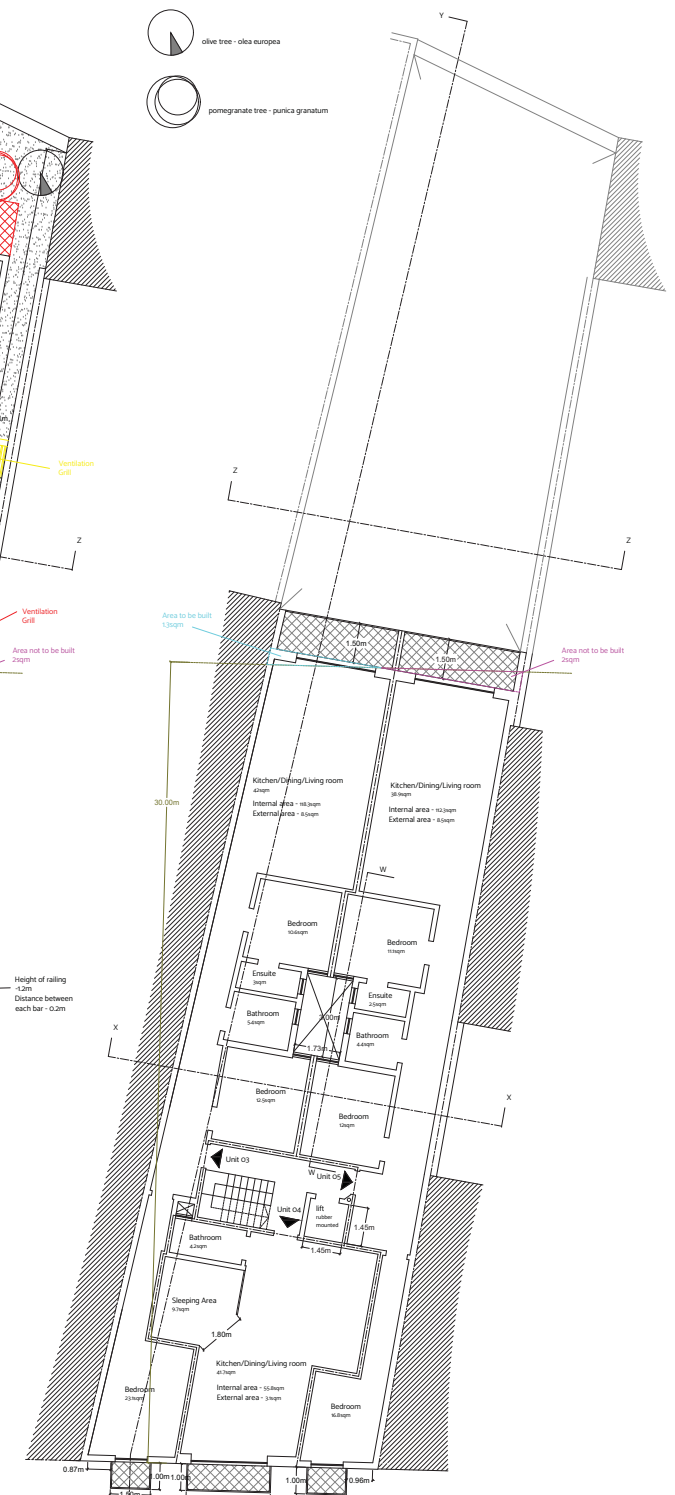
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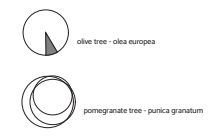
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Proposed Ground Floor Level Plan  
clean copy



Approved First Floor Level Plan  
No changes

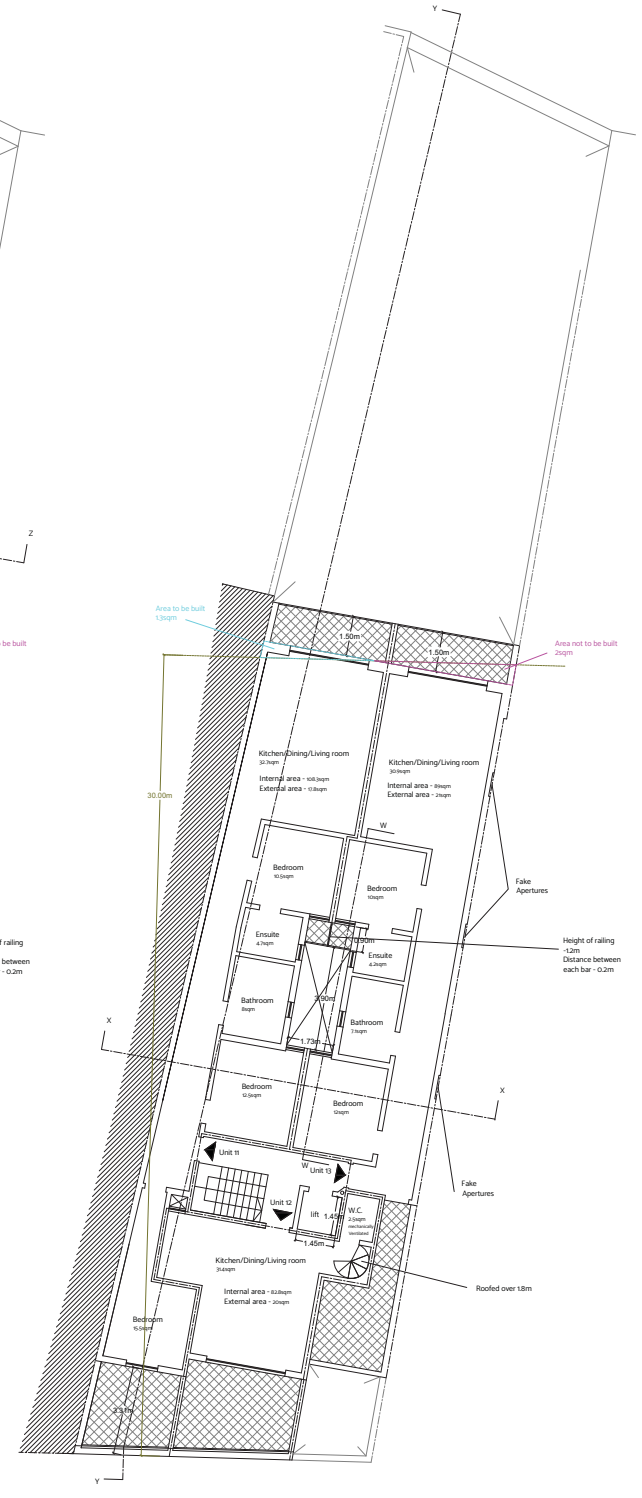
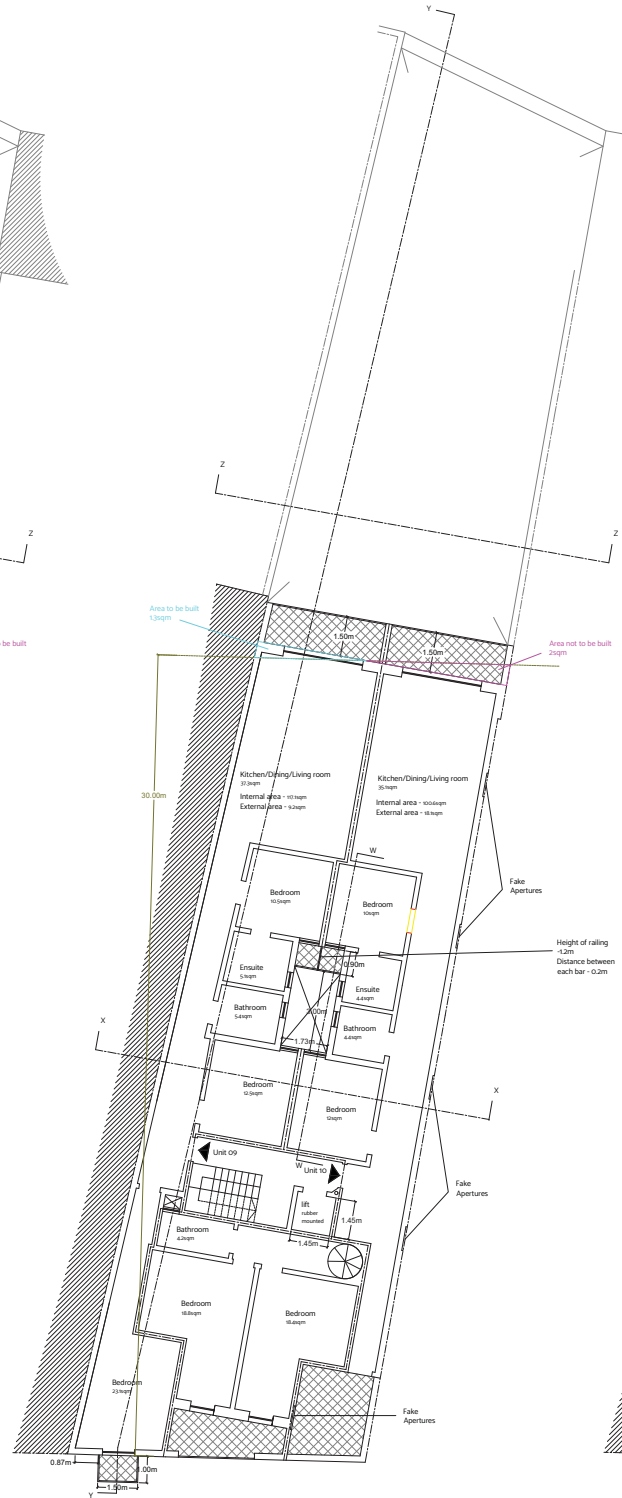
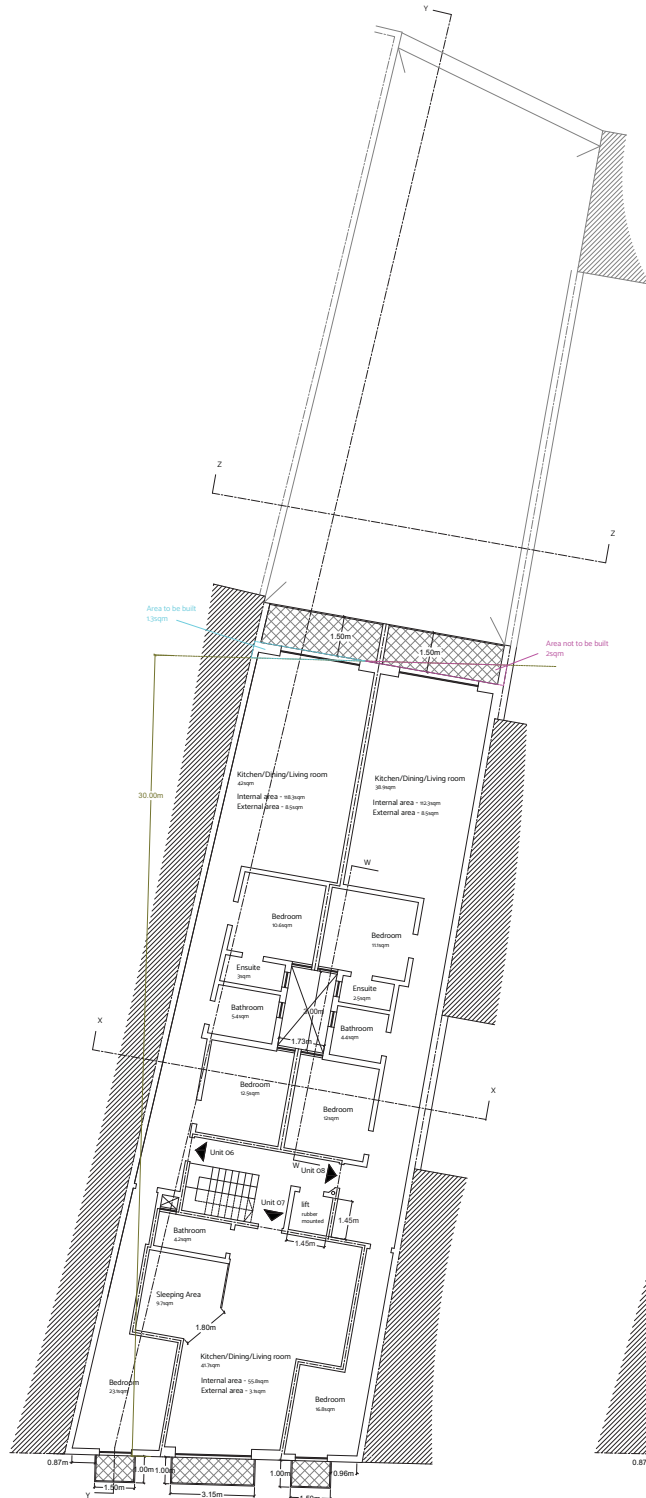


**ALEXANDER BIGENI**  
ARCHITECTS

PROJECT  
CONSTRUCTION OF APARTMENTS  
LOCATION  
XEWKHA, GOZO

DRAWING TITLE  
PLANS  
DATE  
10/2022  
DRAWING NO.  
01  
DATE  
JANUARY 2022

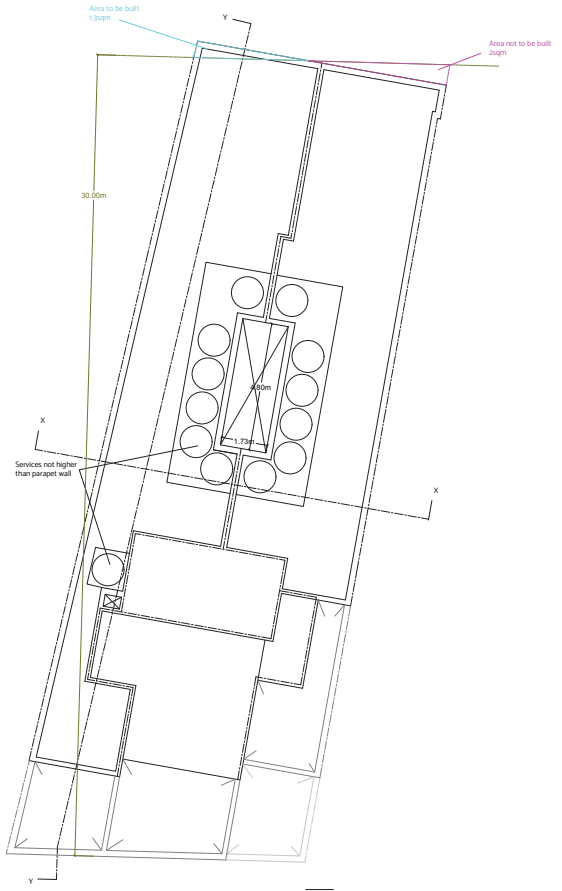
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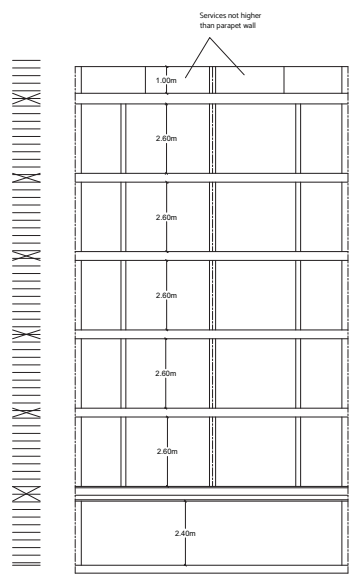
PROJECT  
CONSTRUCTION OF APARTMENTS  
LOCATION  
XENIKIA, GO20  
DRAWING TITLE  
PLANS  
DATE  
10/2022  
DRAWING NO.  
02  
SCALE  
1:100  
DATE  
JANUARY 2022



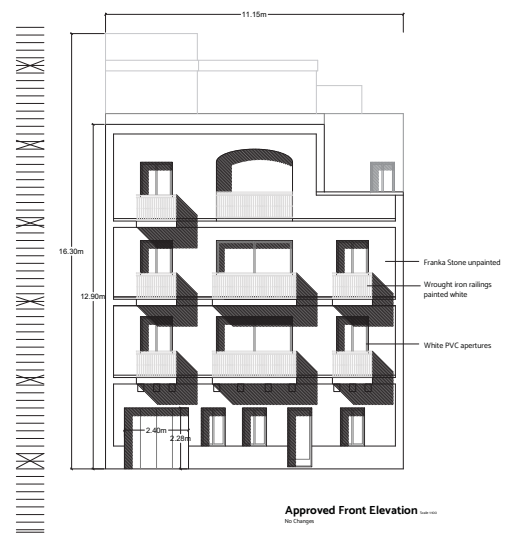




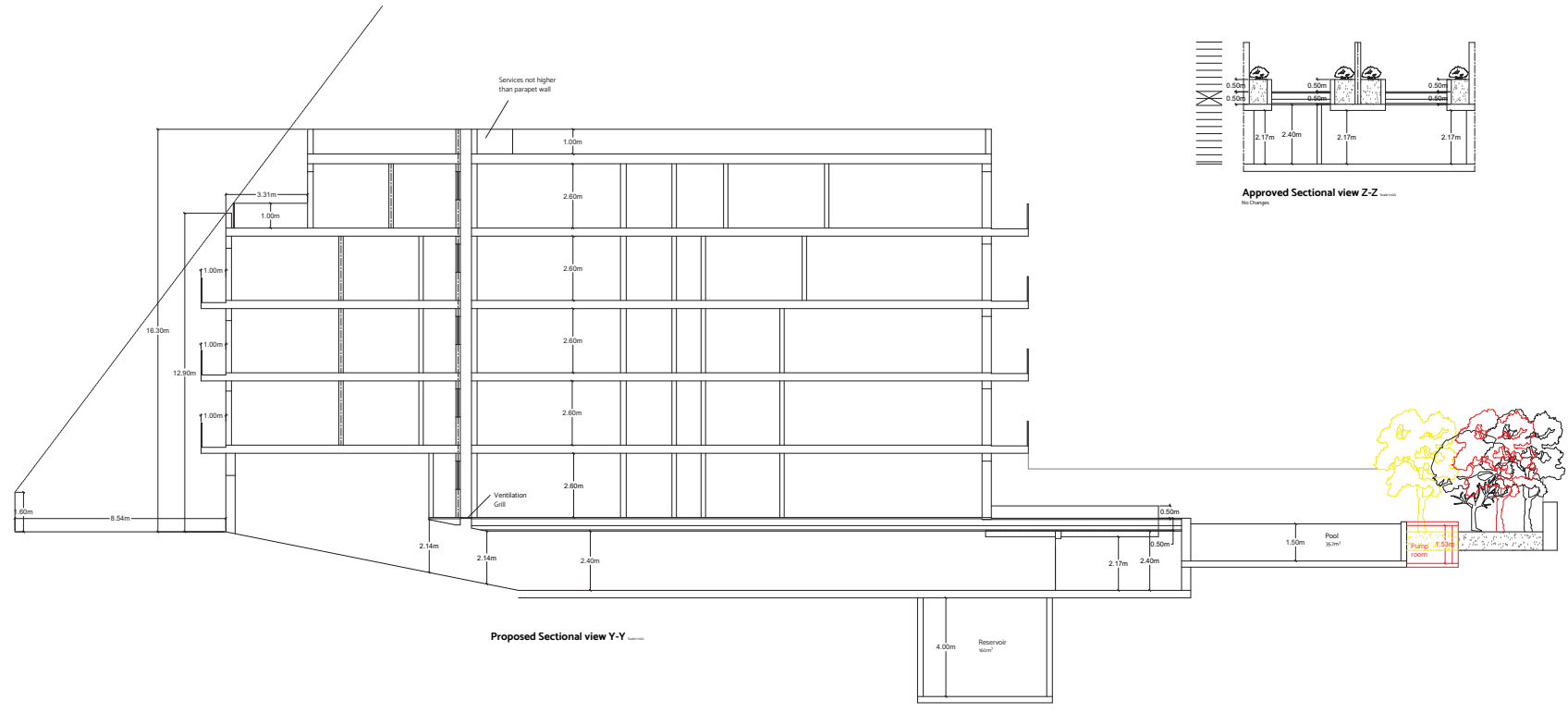
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No changes



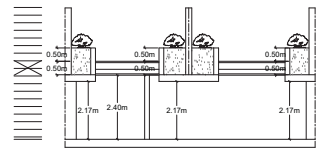
Approved Sectional view X-X  
No changes



Approved Front Elevation  
No changes



Proposed Sectional view Y-Y



Approved Sectional view Z-Z  
No changes



PROJECT  
CONSTRUCTION OF APARTMENTS  
LOCATION  
XENAKIA, GOZO

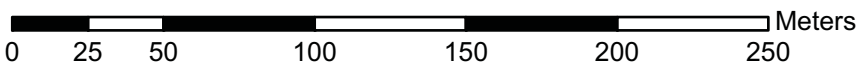
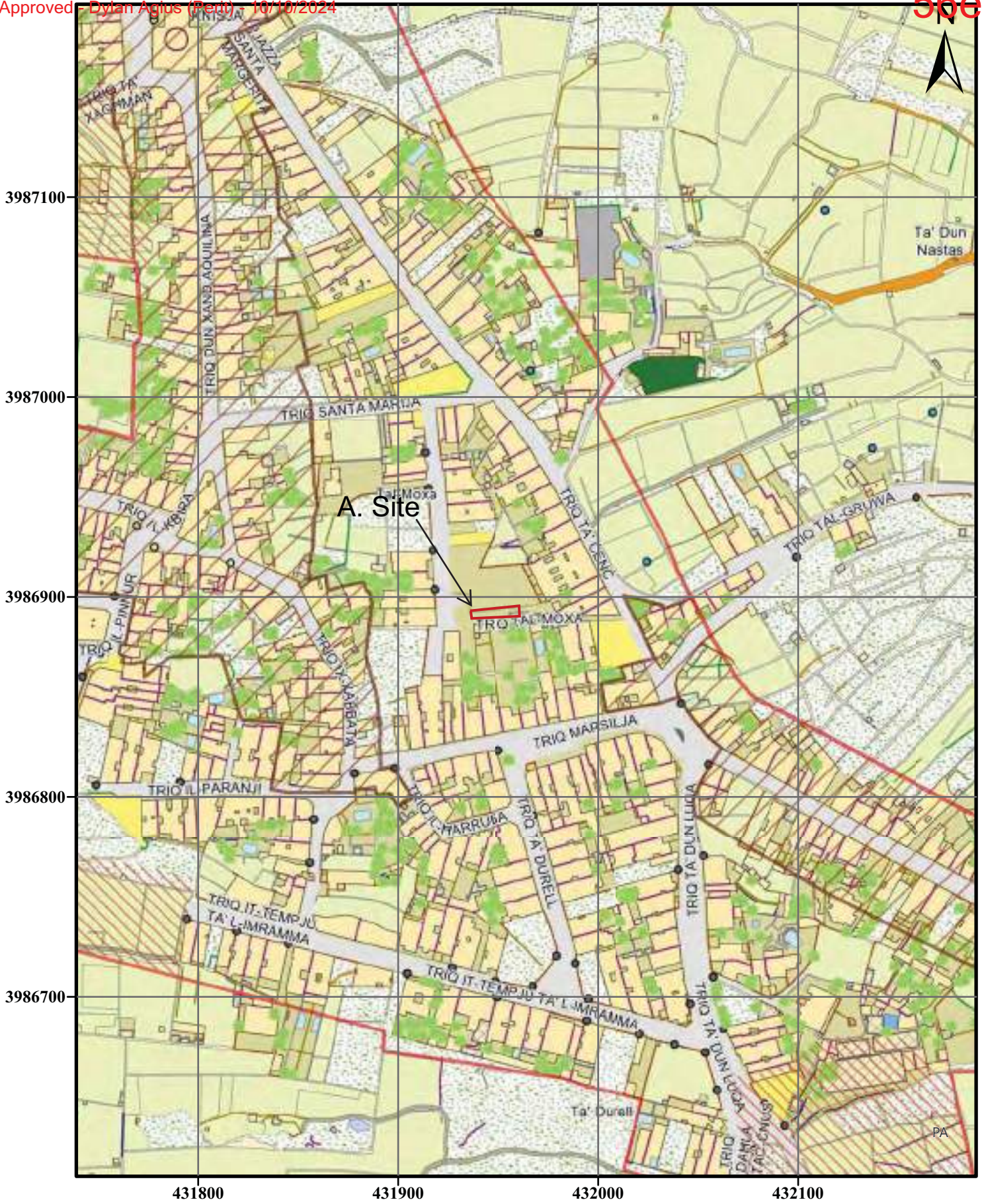
DRAWING TITLE  
PLANS, SECTIONS AND ELEVATIONS  
REV  
10/2022  
DATE  
03  
ISSUE  
JANUARY 2022



**Appendix 15: (Narcisa)**

A.15.1 – Site Plan





1:2,500

Date Printed: 06/07/2023

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 ERDF.02.030 - SinteGRAM data, (2019), Developing Spatial Data Integration for the Maltese Islands, Planning Authority.  
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 Data captured from: 2018 aerial photography, 2020 unmanned aerial vehicles(UAVs).  
 WGS 1984 UTM Zone 33N EPSG: 32633 M.S.L. (Mean sea level). Scale factor at the central meridian 0.9996.  
 Central meridian has a false origin of 500,000m at 150 East of Greenwich.  
 Northern coordinates have an origin of 0m at the Equator.  
 Not to be used for interpretation or scaling of scheme alignments. Copyright © PA Planning Authority.



**PLANNING AUTHORITY**  
 St. Francis Ravelin, Floriana.  
 Tel: +356 2290 0000, Fax: +356 2290 2295  
 www.pa.org.mt, mappingshop@pa.org.mt

**Appendix 15: (Narcisa)**

A.15.2 – Photographs







**Appendix 15: (Narcisa)**

**A.15.3 – Planning Permit and Permit Draw**

Mark Agius

Date: 17 May 2024  
Our Ref: PA/05722/23

|                     |                             |                       |
|---------------------|-----------------------------|-----------------------|
| Application Number: | PA/05722/23                 |                       |
| Application Type:   | Full development permission |                       |
| Date Received:      | 7 July 2023                 |                       |
| Approved Documents: | PA 5722/23/56E              | Site plan             |
|                     | PA 5722/23/44B              | Alignment plan        |
|                     | PA 5722/23/53D              | Sections              |
|                     | PA 5722/23/53E              | Elevations            |
|                     | PA 5722/23/56B              | Floor plan levels 0-2 |
|                     | PA 5722/23/56C              | Floor plan levels 3-4 |
|                     | PA 5722/23/75B              | Demolition plan       |

Location: Narcisa Court, Triq tal-Moxa c/w Alley in Triq, Ta' Cenc, Sannat  
Proposal: Proposed garages at ground floor level and three flats at first, second and third floor levels

### Development Planning Act, 2016 Full Development Permission

The Planning Authority hereby grants development permission in accordance with the application and documents described above, subject to the following conditions:

- 1 a) This development permission is valid for a period of FIVE YEARS from the date of publication of the decision in the press but will cease to be valid if the development is not completed by the end of this validity period.
- b) This permission relates only to the development as specifically indicated on the approved drawings. This permission does not sanction any other illegal development that may exist on the site.
- c) A Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of S.L. 552.25, or its amendments, or its replacements. In addition, **if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised** - Article 72(4) of the Development Planning Act (Cap. 552).

PA/05722/23

- d) Copies of all approved drawings and documents shall be available for inspection on site by Planning Authority officers at all reasonable times.
- e) The development shall be carried out in complete accordance with the approved drawings, documents and conditions of this permission. Where a matter is not specified, then the conditions of this permission and of Development Control Design Policy, Guidance and Standards 2015 shall apply.
- f) Before any part of the development hereby permitted commences, the enclosed green copy of this development permission shall be displayed on the site. This must be mounted on a notice board, suitably protected from the weather and located not more than 2 metres above ground level at a point on the site boundary where it is clearly visible and can be easily read from the street. The copy of the permission must be maintained in a good condition and it shall remain displayed on the site until the works are completed.
- g) All building works shall be erected in accordance with the official alignment and official/existing finished road levels as set out on site by the Planning Authority's Land Surveyor. A Setting Out Request must be submitted to the Land Survey Unit of the Planning Authority, prior to the commencement of works on site, when the setting out of the alignment and levels is required.
- h) Where an officially schemed street, within the development zone, bordering the site is unopened or unformed, it shall be opened up and brought up to its proper, approved and official formation levels prior to the commencement of any development hereby being permitted.
- i) No steps, ramps or street furniture are to be constructed on or encroached onto the public pavement or road.
- j) Any doors and windows, the lower edge of which is less than 2m above road level, and any gates shall not open outwards onto a public pavement or road.
- k) Where present, window grilles (including 'pregnant' windows), sills, planters and other similar elements which are part of or fixed to the facade of buildings, the lower edge of which is less than 2 metres above road level, shall not project more than 0.15 metres from the facade over a public pavement or street.
- l) Air conditioning units shall not be located on the facades of the building which are visible from the street or a public space.
- m) There shall be no service pipes, cables or wires visible on the front elevation or on any other elevations of the building which are visible from the street or public space.
- n) Any use as a residence, whether or not as a sole or main residence, unless otherwise specified, shall be limited to the provisions of Class 1(a) or Class 1(b) of S.L. 552.15.
- o) Any garages/parking spaces shall only be used for the parking of private cars and shall be kept available at all times for this purpose.
- p) Any approved stores shall be used for domestic storage only.
- q) Any unit approved on more than one floor (duplex or more) shall remain physically interconnected as a single unit, and shall not be sub-divided into separate units without specific Planning Authority consent.

- 2
- a) Unless otherwise indicated on the approved drawings, the facade of the building shall be retained/constructed in local stone. The stone shall remain unrendered and unpainted, and it shall be allowed to weather naturally. Such components of a building indicated to be rendered/finished other than in local stone, are to be painted in local stone colour, unless other colours are indicated on the approved drawings. Any blank party wall shall be rendered and painted in stone colour.
  - b) Unless otherwise indicated on the approved drawings, all the apertures and balconies located on the façade(s) of the building shall not be in gold, silver or bronze aluminium. The colour of apertures shall comply with Section 5.7 and G52 of Development Control Design Policy, Guidance and Standards 2015 (DC15).
  - c) The height of the services on the roof of the building shall not extend beyond the approved height of the uppermost parapet wall.

3 **Conditions imposed and enforced solely by other entities**

**A. Where construction activity is involved:**

- (a) the applicant shall:
  - (i) **Appoint a Project Supervisor for the Design Stage and a Project Supervisor for the Construction Stage** and any such appointment shall be terminated, changed or renewed as necessary. The same person may be appointed to act as project supervisor for both the design and construction stage, if that person is competent to undertake the duties involved and
  - (ii) **Keep a health and safety file** prepared by the Project Supervisor for the Design Stage.
- (b) When the construction works related to this application are scheduled to last longer than thirty working days and on which more than twenty workers are occupied simultaneously, or on which the volume of work is scheduled to exceed five hundred person-days, the project supervisor **shall communicate a prior notice to the Occupational Health and Safety Authority (OHSA) at least four calendar weeks before commencement of works.**
- (c) The Project Supervisor for the Design Stage shall **draw up a health and safety plan** which sets out the occupational health and safety rules applicable to the construction activities concerned, outlining the measures to ensure cooperation between different contractors and shall also include specific measures concerning occupational risks that may be present at this site.
- (d) It is the responsibility of the permit holder to ensure that development is carried out in accordance with the provisions of the Environmental Management Construction Site Regulations, S.L. 623.08. Any hoarding shall be erected in accordance with Schedule 2 of the same Regulations.
- (e) New development on vacant or redeveloped sites shall be provided with a water cistern to store rainwater run-off as required by the Energy Performance of Buildings Regulations, S.L. 623.01.

**B. Where the development concerns a change of use to a place of work,** the applicant shall obtain a Perit's declaration that the building conforms to the requirements of S.L. 424.15.

**C. Where the development concerns a place of work:**

The applicant shall:

- (a) obtain a Perit's declaration that the necessary requirements arising out of S.L. 424.15 have been included in the plans and drawings; and
- (b) obtain a Perit's declaration that the building conforms to the requirements of S.L. 424.15.

**D.** The development is to strictly adhere to the 'Design Guidelines on fire safety for buildings in Malta' to ensure that all Fire Safety measures and provisions are addressed as indicated in the Design Guidelines on Fire Safety for Buildings in Malta, published by the DCID in 2004, (or other relevant standard, provided it is approved by the Civil Protection Department), Policies, and the Laws and Regulations of Malta.

**E. Conditions imposed and enforced by Water Services Corporation:**

- (a) Prior to laying of water and wastewater services in the road, the development shall comply with the requirements of S.L. 499.57 Part III (Roads in inhabited Areas) Clause 12.
- (b) The applicant shall ensure that rain water and/or run-off collection from roofs, yards, balconies (and any other exposed areas) is being managed such that **no** rainwater, including overflow pipes (by pumping or gravity system), even from water storage reservoirs and/or oil interceptors, are connected to the WSC sewage network.
- (c) For all kinds of development, developers are to safeguard the Wastewater Network Infrastructure and make sure not to damage or dispose of any building/construction materials inside the existing Drainage House Connections (concrete, dewatering etc).
- (d) For all developments falling within the different Classes of the Development Planning (Use Classes) Order (S.L. 552.15), developers are requested to submit floor plans (1:100), signed by a warranted Perit or Engineer, of the separate rainwater and wastewater drainage systems, for verification and approval by the Water Services Corporation, via email at [pa.clearances@wsc.com.mt](mailto:pa.clearances@wsc.com.mt) within 30 days from the publication date of the permission.
- (e) Developers are advised to view requirements set out in:
  - (i) Sewage Discharge Control Regulations S.L. 545.08.
  - (ii) S.L. 499.57 Part III (Roads in Inhabited Areas) Clause 12.
  - (iii) DC15 paragraph 4.3.3 Provision of Water Reservoirs and Second-Class Water Policy P47.
  - (iv) Building Regulations Technical Guide Document F where these apply to the proposed development.
- (f) Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on the plan what needs to be carried out and



obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.

- F. In the event of an accidental discovery in the course of approved works, any cultural heritage feature discovered should not be damaged or disturbed and the Superintendence is to be immediately informed of such discovery. Any cultural heritage features discovered are to be investigated, evaluated and protected in line with the Cultural Heritage Act 2019 (CAP. 445). The discovery of cultural heritage features may require the amendment of approved plans.
- G. Any fissures (dagħbien), caves, caverns, hollows, geological faults, Quaternary deposits or other features of potential geological, geomorphological and/or palaeontological interest which are discovered must be reported immediately to the Environment and Resources Authority (ERA). No further works or activities must take place until the respective investigations have been completed, and thereafter works shall proceed strictly in line with the terms established by ERA. The approved development may need to be amended so as to accommodate in situ preservation of the discovered features.

**H. For new development, the following condition, imposed and enforced by Enemalta, applies:**

- (a) An adequate space to service the development must be provided as follows:
- (i) a small room or recess located near the entrance to the garage for the purpose of housing the garages electricity meters. An appropriate access must be provided, for the installation of the service cable, between the room and the Enemata LV grid.
  - (ii) a small room or recess located in the common parts, next to the main door, for the purpose of housing the electricity meters of the common parts and apartments. An appropriate access must be provided, for the installation of the service cable, between the room and the Enemata LV grid.
- (b) Both rooms, or recesses, are to be shown on plan. The size of the rooms or recesses are to be based on metering equipment spacing as shown in Drawing EMC/DZ/42 available from Enemalta Drawing Office. The metering equipment is to be kept segregated from the water system such that any water leaks do not interfere with the electrical system. Eventually a cabinet is to be provided by the developer for installing all electricity metering equipment such that each individual meter is separately lockable as required at law, Clause 51 refers.

A culvert measuring 0.8m wide by 0.75m deep is to be prepared along the façade of the development in order that any overhead lines may be substituted by underground cables and to allow the development to be supplied by an underground cable.

- (c) If such notification and consultation is overlooked, the processing timeframes by Enemalta of any ARMS applications might be prolonged with a consequent delay for the provision of an electricity supply to any part of the development.
- (d) Furthermore, if for any reason while works are in progress, it is required to shift, remove, cover, or do anything to the electricity network external to the development, Enemalta is to be informed through the appropriate form to carry out the necessary works. Under no circumstances is the contractor or developer to intervene directly

with the electricity network.

- I. This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (CAP. 424) – Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.
- J. For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes Order 2014, or its subsequent amendments.

In terms of Article 72(3) of the Development Planning Act, 2016, the execution and validity of this permission is automatically temporarily **suspended** and no works as approved by the said development permission may commence before the lapse of the time period established in Article 13 of the Environment and Planning Review Tribunal Act. In the event that an application is submitted before the Environment and Planning Review Tribunal requesting the suspension of the execution of the permission, this permission will remain so suspended until the Tribunal otherwise decides in accordance with the Environment and Planning Review Tribunal Act.

Where the approved drawings and/or documents are dimensioned, then the declared dimensions shall prevail over the actual size as depicted on the approved drawings and/or documents.

Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on the plan what needs to be carried out and obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.

This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance shall be obtained from the Lands Authority prior to the execution of this development permission.

This development permission is granted saving third party rights. This permission does not exonerate the applicant from obtaining any other necessary permission, license, clearance, or similar requirement emanating from any other law or regulation, nor from procuring any other certification or insurance that may be required.

This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (Cap. 424) - Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.

For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement

PA/05722/23

does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes) Order 2014, or its subsequent amendments.

**This decision is being published on 29 May 2024.**

Lorna Vella  
Secretary Planning Commission  
Within Development Scheme

## Notes to Applicant and Perit

### Right for reconsideration

Where applicable, you have a right to submit a request for reconsideration to the Planning Authority in terms of regulation 14 of S.L. 552.13.

### Right for appeal

You have a right to submit an appeal, against the decision, to the Environment and Planning Review Tribunal in terms of the Environment and Planning Review Tribunal Act, 2016 (CAP. 551).

### Time limits

Requests for reconsideration or appeals must be made within 30 days from the publication of the decision notification in the DOI website as required by regulation 14(1) of S.L. 552.13 and the Environment and Planning Review Tribunal Act, 2016 (CAP. 551) and S.L. 551.2.

### Fees to submit a request for reconsideration or appeal

In either case, there is a fee to be paid which should accompany the request for reconsideration or the appeal. The fees are as follows:

For reconsideration - 3% of the Development Permit Fee paid in respect of the original application, subject to a minimum of €70.00 (S.L. 552.12).

For appeal - 5% of DPF (Development Permit Fee) paid in respect of the original application, subject to a minimum of €150. €50 administrative fee also applies (S.L. 551.01).

### Submission of request for reconsideration or appeal


Requests for reconsideration to the Planning Authority can only be submitted electronically.

With regards to appeals, as required by the Environment and Planning Review Tribunal Act, 2016 (CAP. 551), the submission must include the detailed grounds for appeal and the requests being made by the appellant. Appeals must be submitted via email on [info@eprt.org.mt](mailto:info@eprt.org.mt) or physically at the offices of the Environment and Planning Review Tribunal, St. Francis Ditch, Floriana. An appeal must also be accompanied by the receipt showing that the fees due have been paid.

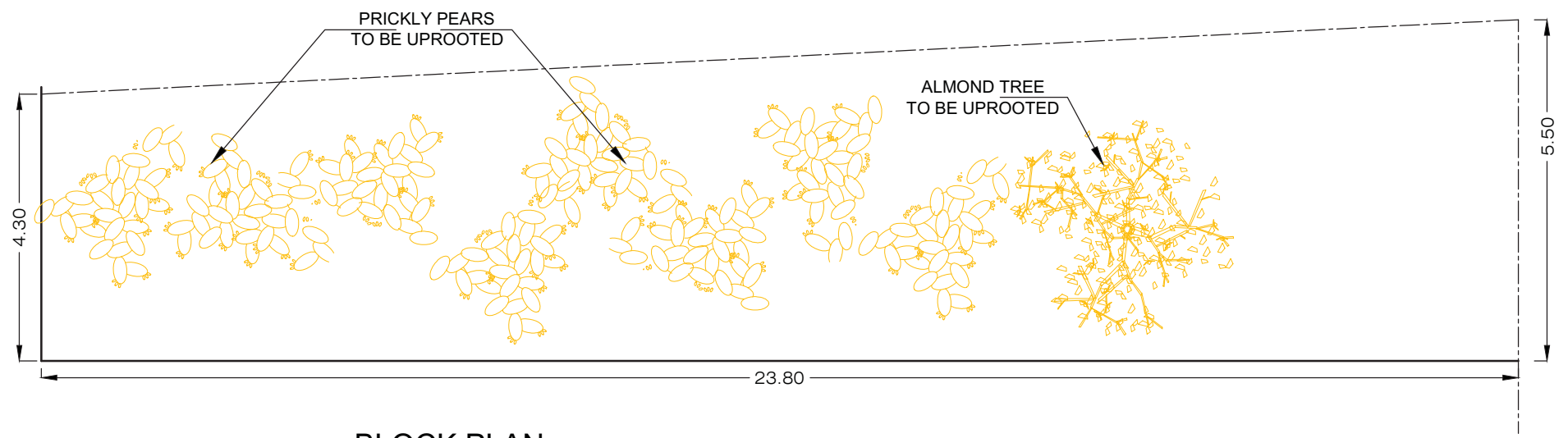
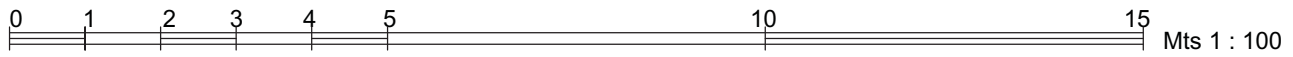
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|-----------|----------|-------------------|------|-----------------|-----------|---------------|
| REF.      | DATE     | DESCRIPTION       | INT. |                 | File No.  | 4901          |
| 1         | 15-12-23 | Proposed Drawings | JV   | PROPERTY        | Drwg. No. | 4901/7        |
| 2         | 20-03-24 | Revised Drawings  | JV   | AT TRIQ ta-MOXA | Scale     | 1 : 100 (A4)  |
| 3         | 2-04-24  | Revised Drawings  | JV   | SANNAT - GOZO   | Drawn     | J. Vella      |
| 4         | 10-04-24 | Revised Drawings  | JV   |                 |           |               |

ARCHITECT & CIVIL ENGINEER



EMANUEL VELLA  
 'THE CLIFF'  
 Mons. P. Pace STR.  
 Victoria Gozo Tel: 21551963  
 email : evella.perit@gmail.com



**BLOCK PLAN**  
 EXISTING Scale 1:100

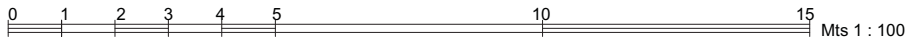


| REVISIONS |          |                   |      |
|-----------|----------|-------------------|------|
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| 1         | 5-07-22  | Proposed Drawings | JV   |
| 2         | 15-12-23 | Revised Drawings  | JV   |
| 3         | 20-02-24 | Revised Drawings  | JV   |
| 4         |          |                   |      |

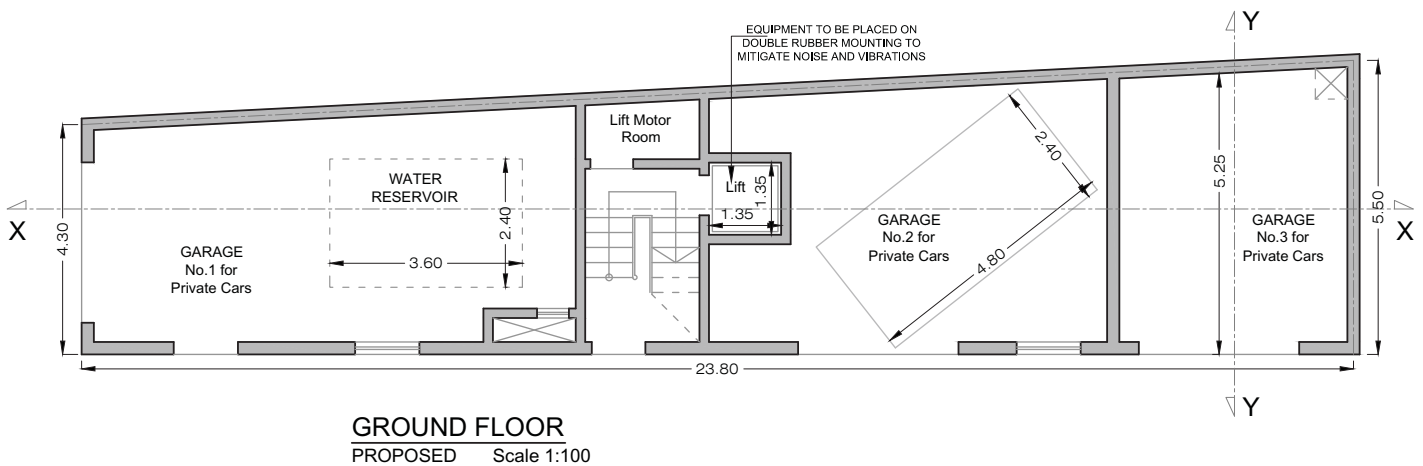
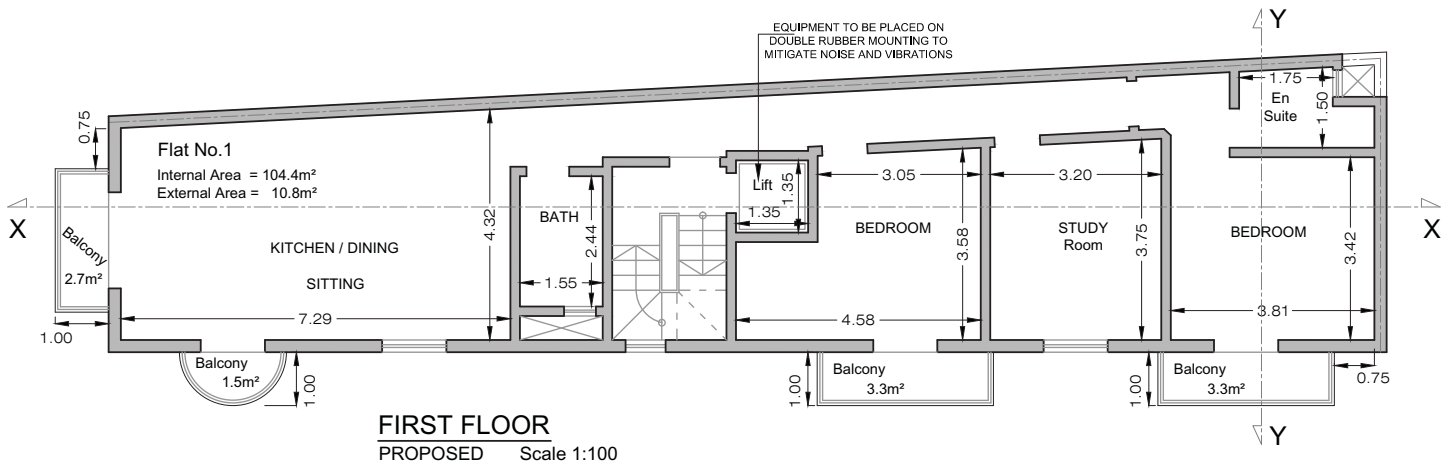
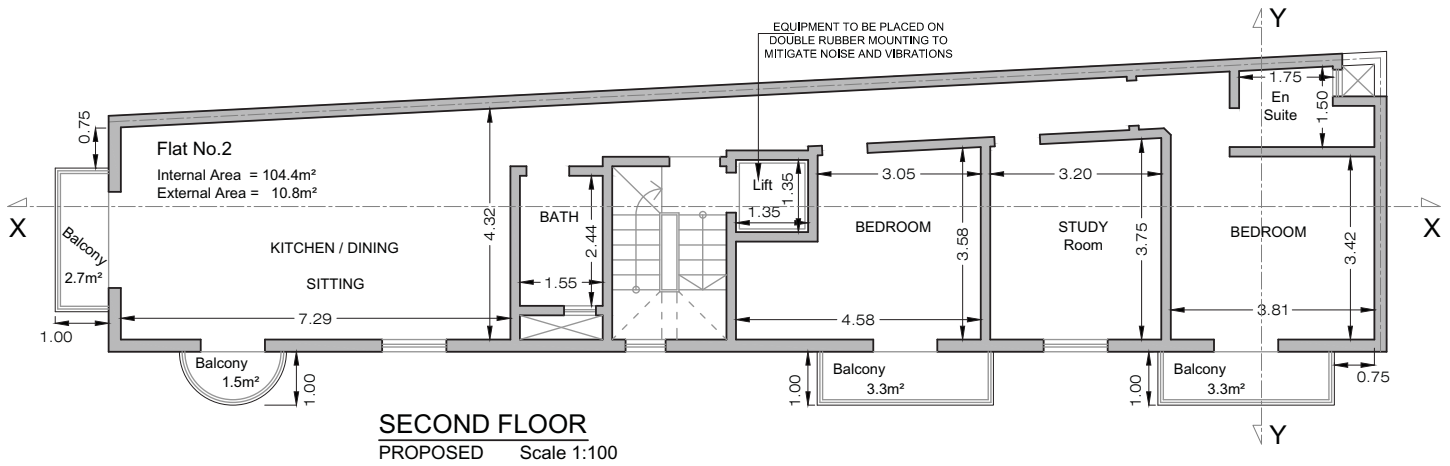
**SUBJECT**  
 PROPERTY  
 AT TRIQ tal-MOXA  
 SANNAT - GOZO

|           |               |
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| Drwg. No. | 4901/1        |
| Scale     | 1 : 100 (A3)  |
| Drawn     | J.Vella       |

ARCHITECT & CIVIL ENGINEER




**SITE AREA:- 116.6m<sup>2</sup>**

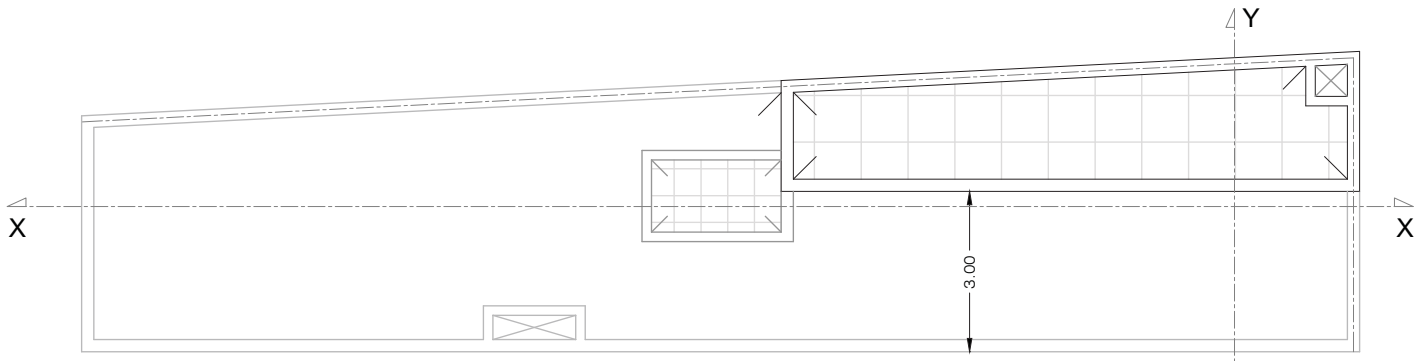
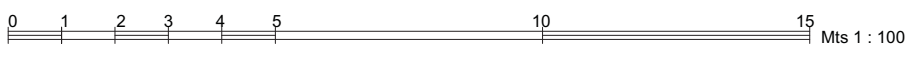


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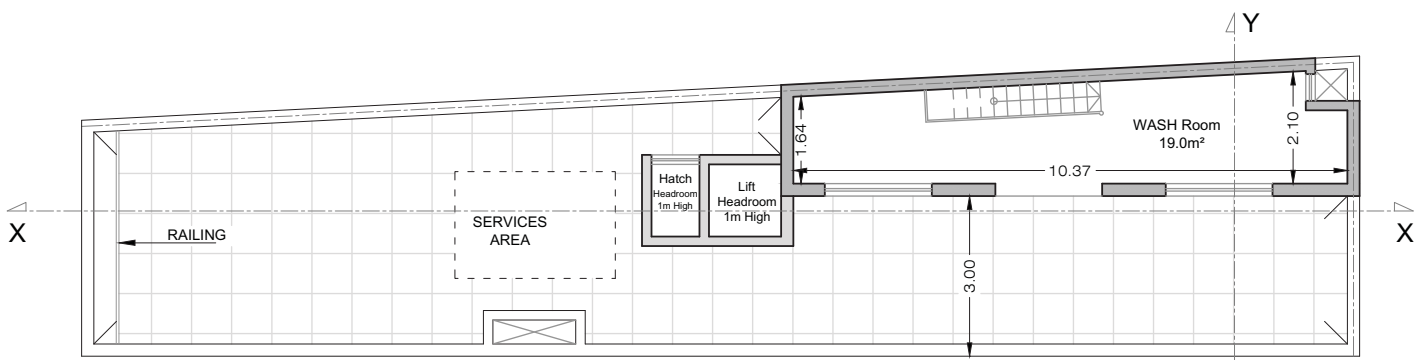
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 SANNAT - GOZO

Date 20th FEB 2024  
 File No. 4901  
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 Drawn J. Vella

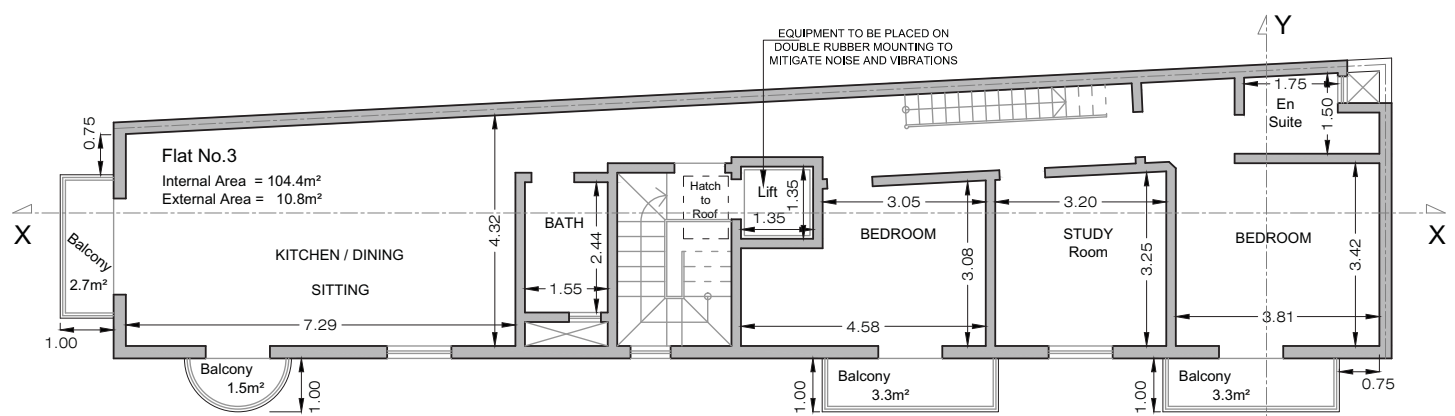
ARCHITECT & CIVIL ENGINEER  
  
 EMANUEL VELLA  
 "THE CLIFF"  
 Mons. P.Pace STR.  
 Victoria Gozo Tel: 21551963  
 email : evella.perit @ gmail.com



**UPPER ROOF PLAN**  
 PROPOSED Scale 1:100



**ROOF PLAN**  
 PROPOSED Scale 1:100




**THIRD FLOOR**  
 PROPOSED Scale 1:100

| REVISIONS |          |                   |      |
|-----------|----------|-------------------|------|
| REF.      | DATE     | DESCRIPTION       | INT. |
| 1         | 5-07-22  | Proposed Drawings | JV   |
| 2         | 15-12-23 | Revised Drawings  | JV   |
| 3         |          |                   |      |
| 4         |          |                   |      |

**SUBJECT**  
 PROPERTY  
 AT TRIQ tal-MOXA  
 SANNAT - GOZO

|           |               |
|-----------|---------------|
| Date      | 15th DEC 2023 |
| File No.  | 4901          |
| Drwg. No. | 4901/4        |
| Scale     | 1 : 100 (A3)  |
| Drawn     | J.Vella       |

ARCHITECT & CIVIL ENGINEER



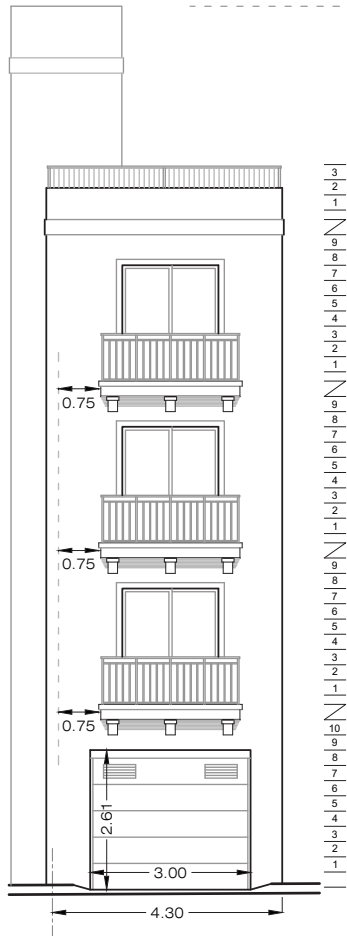
EMANUEL VELLA  
 'THE CLIFF'  
 Mons. P.Pace STR.  
 Victoria Gozo Tel: 21551963  
 email: evela.perit@gmail.com



- FACADE :LOCAL STONE UNPAINTED & UN RENDERED
- APERTURES :WHITE ALUMINIUM
- BALCONY RAILING :WHITE ALUMINIUM
- GARAGE DOOR :WHITE POLYURETHANE UP & OVER

FULL RECEDED POTENTIAL  
 SCHEMATIC HEIGHT

FULL STREET POTENTIAL  
 SCHEMATIC HEIGHT



**Side Elevation**  
 Scale 1:100




**FRONT ELEVATION**  
 on TRIQ tal-MOXA Scale 1:100

| REVISIONS |          |                   |      |
|-----------|----------|-------------------|------|
| REF.      | DATE     | DESCRIPTION       | INT. |
| 1         | 5-07-22  | Proposed Drawings | JV   |
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| 3         |          |                   |      |
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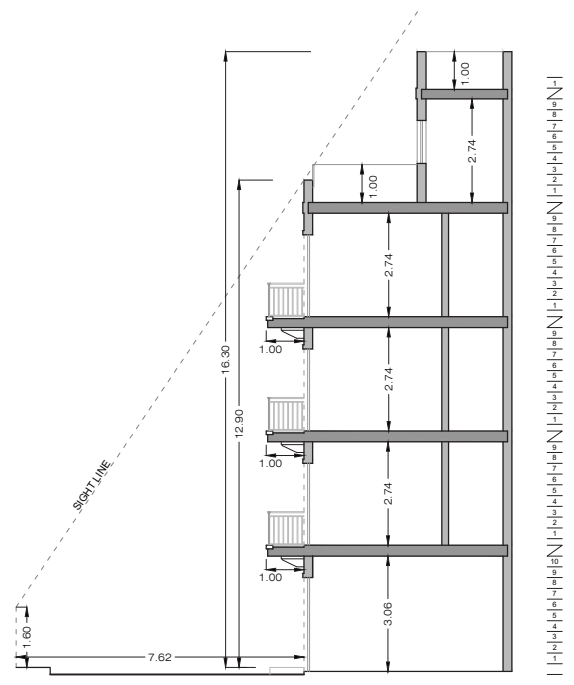
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|----------|--------------------------------|
| PROPERTY |                                |
| AT       | TRIQ tal-MOXA<br>SANNAT - GOZO |

|           |               |
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| Drawn     | J. Vella      |

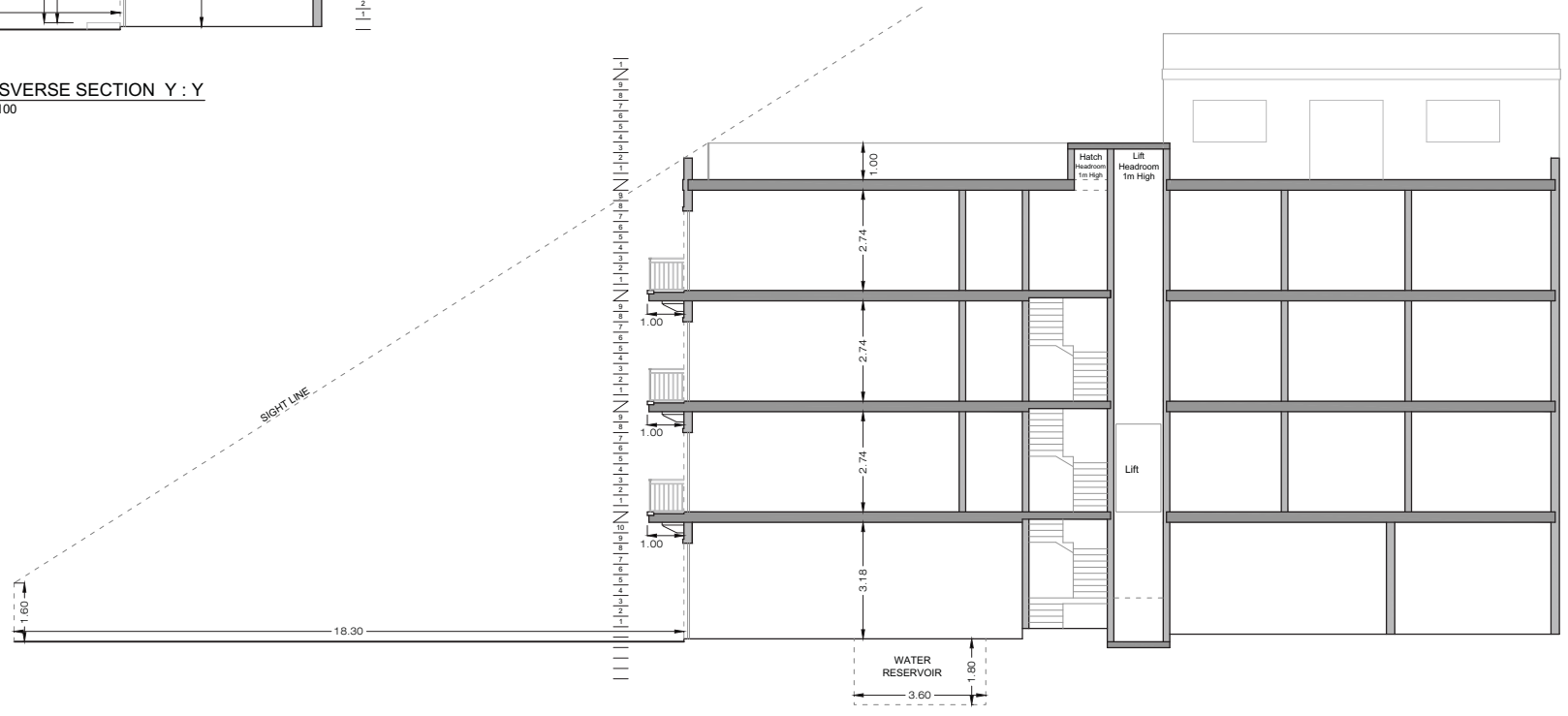
ARCHITECT & CIVIL ENGINEER



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Victoria Gozo Tel: 21551983  
email: vella.perit@gmail.com



TRANSVERSE SECTION Y : Y  
Scale 1:100



LONGITUDINAL SECTION X : X  
Scale 1:100

**Appendix 16: (Misrah il-Barrieri)**

A.16.1 – Site Plan





0 25 50 100 150 200 250 Meters 1:2,500

453500 453600 453700 453800 453900

Date Printed: 10/04/2023

Compiled and published by the Mapping Unit, Planning Authority  
 Error: 02.030 - Streetwork data, (2019), Developing Spatial Data integration for the Maltese Islands, Planning Authority.  
 Reproduction in whole or in part by any means is prohibited without the prior permission of the Strategic Project  
 Leader. Data captured from: 2018 aerial photography, 2020 unmanned aerial vehicles(UAVs),  
 MOE 1084 UTM Zone 33N EPSG: 30833 M.S.L. (Mean sea level). Scale factor at the central meridian 0.9996  
 Central meridian has a false origin of 500,000m at 150 East of Greenwich.  
 Northern coordinates have an origin of 0m at the Equator.  
 Not to be used for interpretation or scaling of scheme alignments Copyright © PA, Planning Authority



**Appendix 16: (Misrah il-Barrieri)**

A.16.2 – Photographs



**Appendix 16: (Misrah il-Barrieri)**

**A.16.3 – Planning Permit and Permit Draw**

Mr Mark Agius

Date: 22 September 2023

Our Ref: PA/03119/23

Application Number: PA/03119/23  
Application Type: Full development permission  
Date Received: 14 April 2023  
Approved Documents: PA 3119/23/13C/13D/13E/18A/37A/73B

Supporting Document  
PA 3119/23/14A - Lift Report  
PA 3119/23/85A - Enemalta

Location: 38, Lucy, Triq Misrah il-Barrieri, Msida  
Proposal: Proposed demolition and excavation/clearing of soil. Proposed internal alterations at ground floor including 1 car private garage and a Class 4A office. Proposed construction of 6 studio apartments (one per level) from the first floor to receded floor at sixth level.

### **Development Planning Act, 2016 Full Development Permission**

The Planning Authority hereby grants development permission in accordance with the application and documents described above, subject to the following conditions:

- 1 a) This development permission is valid for a period of FIVE YEARS from the date of publication of the decision in the press but will cease to be valid if the development is not completed by the end of this validity period.
- b) This permission relates only to the development as specifically indicated on the approved drawings. This permission does not sanction any other illegal development that may exist on the site.
- c) A Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, **if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised** - Article 72(4) of the Development Planning Act (2016).
- d) Copies of all approved drawings and documents shall be available for inspection on site

PA/03119/23



by Planning Authority officers at all reasonable times.

e) The development shall be carried out in complete accordance with the approved drawings, documents and conditions of this permission. Where a matter is not specified, then the conditions of this permission and of Development Control Design Policy, Guidance and Standards 2015 shall apply.

f) Before any part of the development hereby permitted commences, the enclosed green copy of this development permission shall be displayed on the site. This must be mounted on a notice board, suitably protected from the weather and located not more than 2 metres above ground level at a point on the site boundary where it is clearly visible and can be easily read from the street. The copy of the permission must be maintained in a good condition and it shall remain displayed on the site until the works are completed.

g) All building works shall be erected in accordance with the official alignment and official/existing finished road levels as set out on site by the Planning Authority's Land Surveyor. A Setting Out Request must be submitted to the Land Survey Unit of the Planning Authority, prior to the commencement of works on site, when the setting out of the alignment and levels is required.

h) No steps, ramps or street furniture are to be constructed on or encroached onto the public pavement or road.

i) Any doors and windows, the lower edge of which is less than 2m above road level, and any gates shall not open outwards onto a public pavement or road.

j) Where present, window grilles (including 'pregnant' windows), sills, planters and other similar elements which are part of or fixed to the facade of buildings, the lower edge of which is less than 2 metres above road level, shall not project more than 0.15 metres from the facade over a public pavement or street.

k) Air conditioning units shall not be located on the facades of the building which are visible from the street or a public space.

l) There shall be no service pipes, cables or wires visible on the front elevation or on any other elevations of the building which are visible from the street or public space.

m) The garages shall only be used for the parking of private cars and shall be kept available at all times for this purpose.

2 The approved premises shall be used as indicated on the approved drawings or as limited by any condition of this permission. If a change of use is permitted through the Development Planning (Use Classes) Order, 2014 (or its subsequent amendments), and it is not restricted by a condition of this permission, approval from the Commission for the Rights of Persons with Disability may still be required. Reference needs to be made to PA Circular 3/10 (with the exception of Appendix A), PA Circular 2/14 and their subsequent amendments.

3 a) The façades of the building shall be constructed in local un-rendered and unpainted stone, except where other materials/finishes are indicated on the approved drawings.

b) All the apertures and balconies located on the façades of the building shall not be in

gold, silver or bronze aluminium.

c) The height of the services on the roof of the building shall not extend beyond the approved height of the uppermost parapet wall.

4 **Conditions imposed and enforced by the Building Construction Authority**

Prior to commencement of any development on site, a Bank Guarantee to the value of €1167.54 shall be submitted to the Building Construction Authority in line with Regulation 10(1) of S.L. 623.08. This guarantee is to be issued in favour of the Building and Construction Authority and the original submitted at the Authority's head office.

5 The development hereby permitted shall be subject to Compliance Certification, verifying that the development has been carried out in full accordance with the approved drawings, documents and conditions imposed in this development permission, except where such conditions are enforced by other entities. Prior to the commencement of use or prior to the issue of any compliance certificate on the whole or any stand-alone planning unit of the development hereby approved, the applicant shall submit to the Planning Authority, in relation to the whole or that unit of the development:

(i) certification by an engineer confirming that the development fully satisfies the requirements specified in supporting document PA 3119/23/14A.

6 No approval is hereby granted for the display of any sign or advertisement. This must be subject of a separate application.

7 **Conditions imposed and enforced solely by other entities**

**A. Where construction activity is involved:**

(a) the applicant shall:

(i) **Appoint a Project Supervisor for the Design Stage and a Project Supervisor for the Construction Stage** and any such appointment shall be terminated, changed or renewed as necessary. The same person may be appointed to act as project supervisor for both the design and construction stage, if that person is competent to undertake the duties involved and

(ii) **Keep a health and safety file** prepared by the Project Supervisor for the Design Stage.

(b) When the construction works related to this application are scheduled to last longer than thirty working days and on which more than twenty workers are occupied simultaneously, or on which the volume of work is scheduled to exceed five hundred person-days, the project supervisor **shall communicate a prior notice to the Occupational Health and Safety Authority (OHSA) at least four calendar weeks before commencement of works.**

- (c) The Project Supervisor for the Design Stage shall **draw up a health and safety plan** which sets out the occupational health and safety rules applicable to the construction activities concerned, outlining the measures to ensure cooperation between different contractors and shall also include specific measures concerning occupational risks that may be present at this site.
- (d) It is the responsibility of the permit holder to ensure that development is carried out in accordance with the provisions of the Environmental Management Construction Site Regulations, S.L. 623.08. Any hoarding shall be erected in accordance with Schedule 2 of the same Regulations.
- (e) New development on vacant or redeveloped sites shall be provided with a water cistern to store rainwater run-off as required by the Energy Performance of Buildings Regulations, S.L. 623.01.

**B. Where the development concerns a change of use to a place of work**, the applicant shall obtain a Perit's declaration that the building conforms to the requirements of S.L. 424.15.

**C. Where the development concerns a place of work:**

The applicant shall:

- (a) obtain a Perit's declaration that the necessary requirements arising out of S.L. 424.15 have been included in the plans and drawings; and
  - (b) obtain a Perit's declaration that the building conforms to the requirements of S.L. 424.15.
- D.** The development is to strictly adhere to the 'Design Guidelines on fire safety for buildings in Malta' to ensure that all Fire Safety measures and provisions are addressed as indicated in the Design Guidelines on Fire Safety for Buildings in Malta, published by the DCID in 2004, (or other relevant standard, provided it is approved by the Civil Protection Department), Policies, and the Laws and Regulations of Malta.

**E. Conditions imposed and enforced by Water Services Corporation:**

- (a) Prior to laying of water and wastewater services in the road, the development shall comply with the requirements of S.L. 499.57 Part III (Roads in inhabited Areas) Clause 12.
- (b) The applicant shall ensure that rain water and/or run-off collection from roofs, yards, balconies (and any other exposed areas) is being managed such that no rainwater, including overflow pipes (by pumping or gravity system), even from water storage reservoirs and/or oil interceptors, are connected to the WSC sewage network.
- (c) Developers are obliged to check with the Manager region Office WSC for the invert level of the existing sewer and the provision of water up to the new level where water tanks shall be installed by sending an email to [region.consultations@wsc.com .mt](mailto:region.consultations@wsc.com.mt), requesting this information.
- (d) For development falling within Classes 3a, 3b, 4b, 4c, 4d, 5a, 5b, 5c, 6a, 6b of the Development Planning (Use Classes) Order, S.L. 552.15, developers are requested to submit floor plans (1:100) of the drainage system (rainwater and wastewater) to the Discharge Permit Unit, or via email at [dpu.consultations@wsc.com.mt](mailto:dpu.consultations@wsc.com.mt).

- (e) Developers are advised to view requirements set out in:
  - (i) Sewage Discharge Control Regulations S.L. 545.08.
  - (ii) S.L. 499.57 Part III (Roads in Inhabited Areas) Clause 12.
  - (iii) DC15 paragraph 4.3.3 Provision of Water Reservoirs and Second-Class Water Policy P47.
  - (iv) Building Regulations Technical Guide Document F where these apply to the proposed development.
- (f) Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on the plan what needs to be carried out and obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.
- F. In the event of an accidental discovery in the course of approved works, any cultural heritage feature discovered should not be damaged or disturbed and the Superintendence is to be immediately informed of such discovery. Any cultural heritage features discovered are to be investigated, evaluated and protected in line with the Cultural Heritage Act 2019 (CAP. 445). The discovery of cultural heritage features may require the amendment of approved plans.

**G. For new development, the following condition, imposed and enforced by Enemalta, applies:**

- (a) An adequate space to service the development must be provided as follows:
  - (i) a small room or recess located near the entrance to the garage for the purpose of housing the garages electricity meters. An appropriate access must be provided, for the installation of the service cable, between the room and the Enemata LV grid.
  - (ii) a small room or recess located in the common parts, next to the main door, for the purpose of housing the electricity meters of the common parts and apartments. An appropriate access must be provided, for the installation of the service cable, between the room and the Enemata LV grid.
- (b) Both rooms, or recesses, are to be shown on plan. The size of the rooms or recesses are to be based on metering equipment spacing as shown in Drawing EMC/DZ/42 available from Enemalta Drawing Office. The metering equipment is to be kept segregated from the water system such that any water leaks do not interfere with the electrical system. Eventually a cabinet is to be provided by the developer for installing all electricity metering equipment such that each individual meter is separately lockable as required at law, Clause 51 refers.

A culvert measuring 0.8m wide by 0.75m deep is to be prepared along the façade of the development in order that any overhead lines may be substituted by underground cables and to allow the development to be supplied by an underground cable.

- (c) If such notification and consultation is overlooked, the processing timeframes by Enemalta of any ARMS applications might be prolonged with a consequent delay for the provision of an electricity supply to any part of the development.

- (d) Furthermore, if for any reason while works are in progress, it is required to shift, remove, cover, or do anything to the electricity network external to the development, Enemalta is to be informed through the appropriate form to carry out the necessary works. Under no circumstances is the contractor or developer to intervene directly with the electricity network.

In terms of Article 72(3) of the Development Planning Act, 2016, the execution and validity of this permission is automatically temporarily **suspended** and no works as approved by the said development permission may commence before the lapse of the time period established in Article 13 of the Environment and Planning Review Tribunal Act. In the event that an application is submitted before the Environment and Planning Review Tribunal requesting the suspension of the execution of the permission, this permission will remain so suspended until the Tribunal otherwise decides in accordance with the Environment and Planning Review Tribunal Act.

Where the approved drawings and/or documents are dimensioned, then the declared dimensions shall prevail over the actual size as depicted on the approved drawings and/or documents.

Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on the plan what needs to be carried out and obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.

If the declaration of ownership, as contained in the application form, is determined as incorrect by a Court of Law, then the said Court of Law can declare this development permission as null and void. This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance shall be obtained from the Lands Authority prior to the execution of this development permission.

This development permission is granted saving third party rights. This permission does not exonerate the applicant from obtaining any other necessary permission, license, clearance, or similar requirement emanating from any other law or regulation, nor from procuring any other certification or insurance that may be required.

This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (Cap. 424) - Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.

For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes) Order 2014, or its subsequent amendments.



**This decision is being published on 4 October 2023.**

Lorna Vella  
Secretary Planning Commission  
Within Development Scheme

## Notes to Applicant and Perit

### Right for reconsideration

Where applicable, you have a right to submit a request for reconsideration to the Authority in terms of regulation 14 of S.L 552.13.

### Right for appeal

You have a right to submit an appeal, against the decision, to the Environment and Planning Review Tribunal in terms of Article 13 of the Environment and Planning Review Tribunal Act, 2016.

### Time limits

Requests for reconsideration or appeals must be made within 30 days from the publication of the decision notification in the local press as required by regulation 14(1) of S.L. 552.13.

### Fees to submit a request for reconsideration or appeal

In either case, there is a fee to be paid which should accompany the request for reconsideration or the appeal. The fees are as follows:

For reconsideration - 3% of the Development Permit Fee paid in respect of the original application, subject to a minimum of €70.00 (S.L. 552.12).

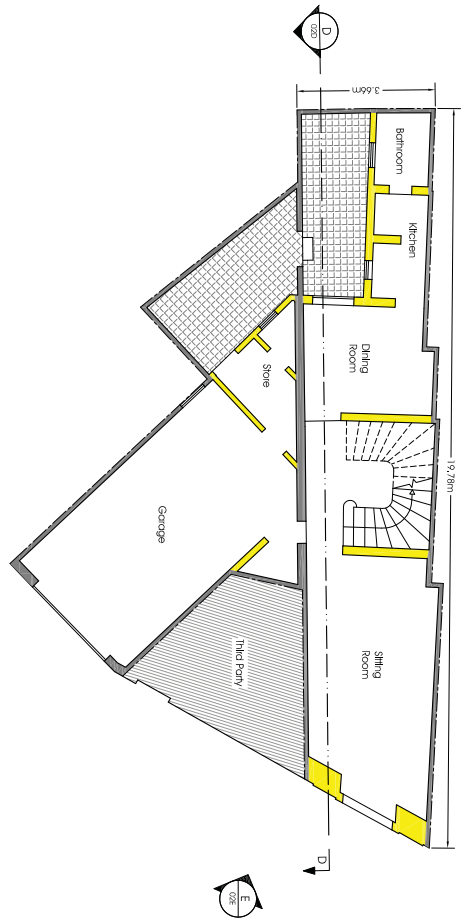
For appeal - 5% of DPF (Development Permit Fee) paid in respect of the original application, subject to a minimum of €150. €50 administrative fee also applies (S.L. 551.01).

### Submission of request for reconsideration or appeal

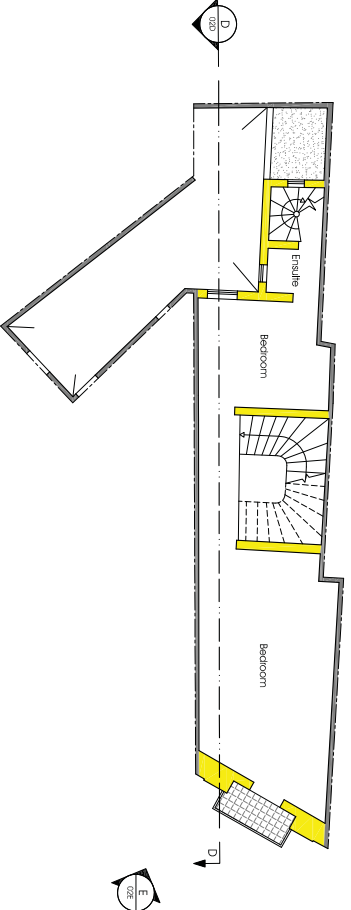
Requests for reconsideration can only be submitted electronically.

With regards to appeals, as required by Article 13 of the Environment and Planning Review Tribunal Act, 2016, the submission must include the detailed grounds for appeal and the requests being made by the appellant. Appeals must be submitted physically at the offices of the Environment and Planning Review Tribunal, St. Francis Ditch, Floriana.

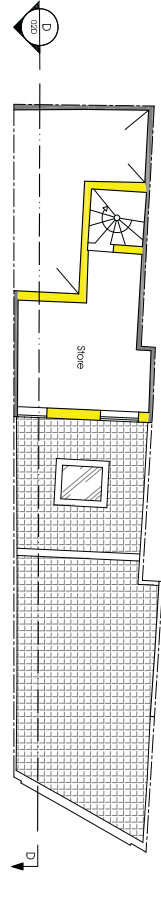
-PADCN-



**A** Existing Ground Floor Plan  
 Ref. 01A  
 Scale 1:100



**B** Existing First Floor Plan  
 Ref. 01B  
 Scale 1:100



**C** Existing Roof Floor Plan  
 Ref. 01C  
 Scale 1:100



**designprinciple**  
 5, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 92, 94, 96, 98, 100  
 177-03

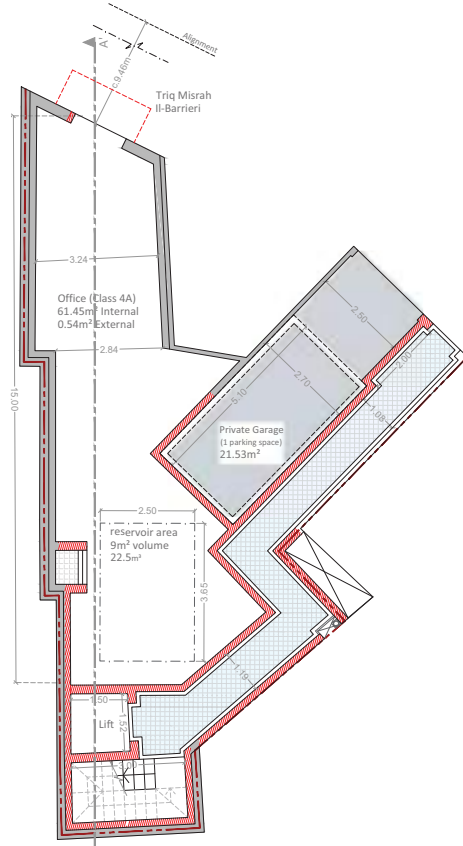
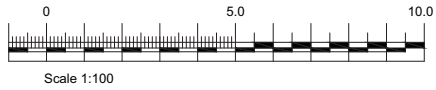
**Job Description**  
 To demish existing two-story dwelling and construct 12-unit guesthouse (class 3A), including class 4/C establishment on ground floor.

**Client**  
 M. Chris Vella  
 Site location  
 Lucy  
 381 Tind Mission, Biscuiti  
 MADA

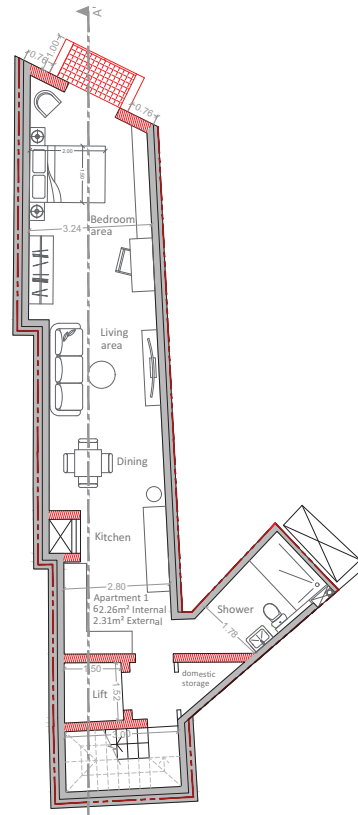
**Drawn by**  
 Land Survey  
 04/1/2020/2016  
 Bank Form  
 A/1/20/02/2016  
 Application Drawings  
 Jul 1/20/02/2016

**Perit Architects**  
 01  
 Drawing Title  
 Existing Floor Plans  
 Scale  
 1:100

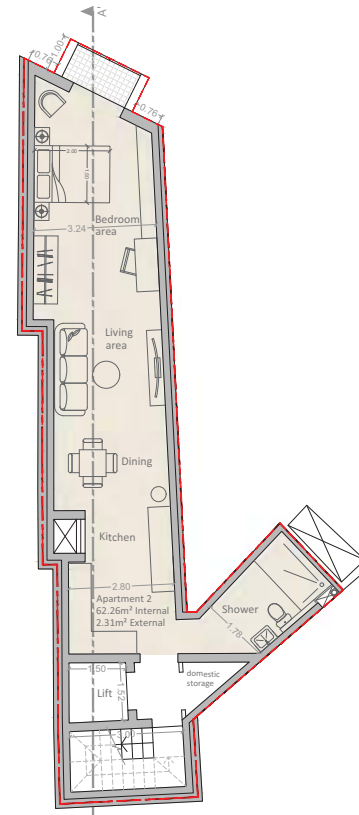




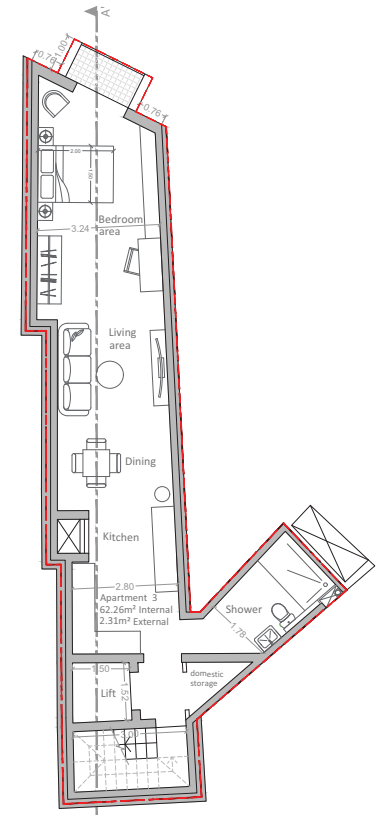
Proposed Ground Floor



Proposed First Floor



Proposed Second Floor



Proposed Third Floor

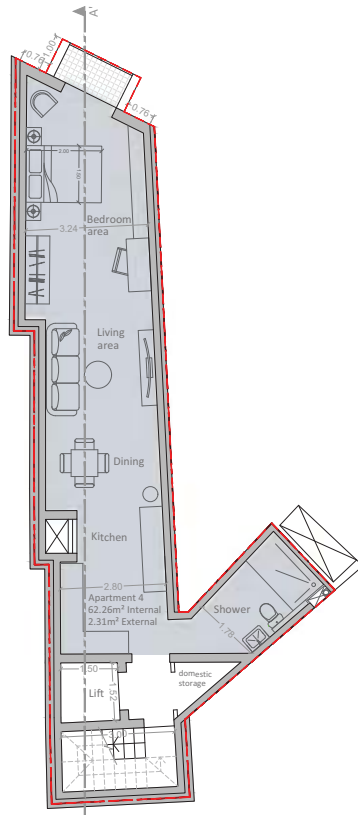
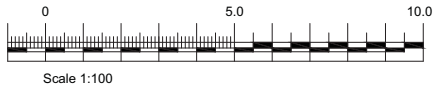
|  |                      |                             |
|--|----------------------|-----------------------------|
| Project Title -<br>Proposed demolition and excavation/raising of soil. Proposed internal alterations to ground floor including 1 car private garage and a Class 4A office. Proposed construction of 6 studio apartments (one per level) from the first floor to the third floor at each level. | Scale -<br>1:100     | Reference -<br>MA.MSD.17.23 |
| Drawing Title -<br>Proposed Ground to Third Floor Plans  | Date -<br>23/06/2023 | Drawing No. -<br>04         |
| Site Address -<br>38, Lucy, Triq Misrah Il-Barrieri, L-Imbida  | Drawn by -<br>AZ     | Client -<br>Mr. Mark Aglius |



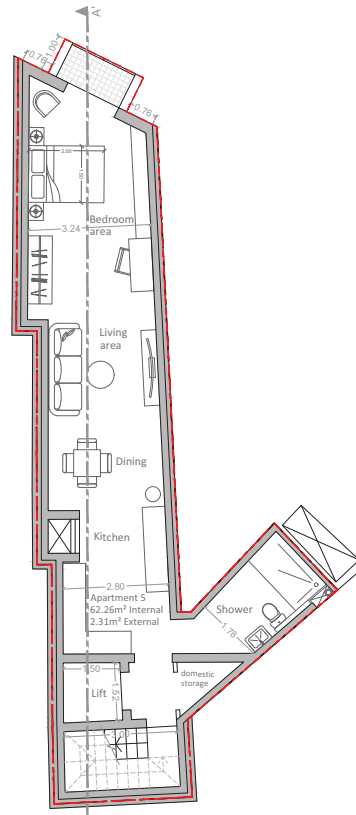
Maria Schembri Grima  
M. Sc. Structural Engineering,  
B.E. & A.(Hons), A.& C.E., Eur. Ing.,  
A - 23, Altimia Court, Office 1,  
Triq G. Calleja, Swatar.  
T - 27120608  
M - 7709 5622  
E - maria@msgarchitects.com

- Green - As Approved But Not Constructed
- Blue - As Actually Constructed
- Yellow - To be Demolished
- Red - Proposed for Construction

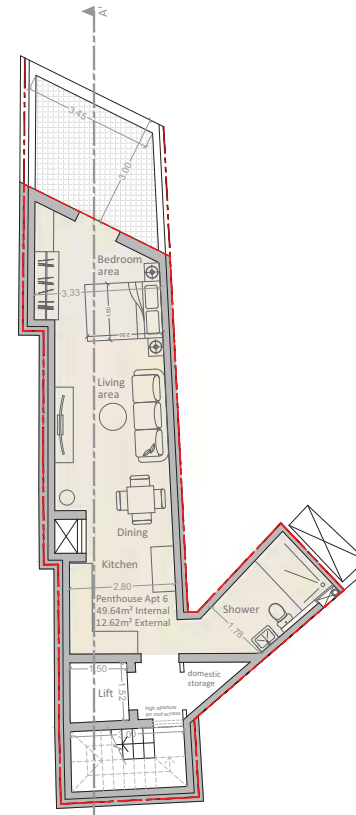




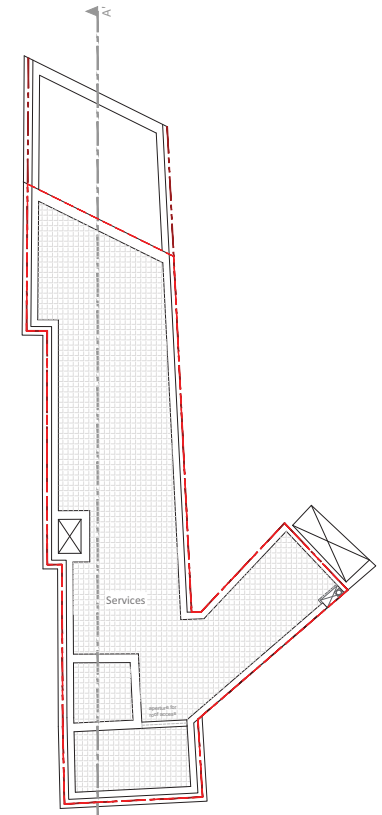
Proposed Fourth Floor



Proposed Fifth Floor



Proposed Sixth Floor (Receded)



Proposed Seventh Floor (Roof)

|  |                      |                             |
|--|----------------------|-----------------------------|
| Project Title -<br>Proposed demolition and reconstruction of all. Proposed internal alterations to ground floor including 1 car garage and a Class A1 office. Proposed construction of 6 studio apartments (one per level) from the first floor to receded floor on sixth level. | Scale -<br>1:100     | Reference -<br>MA.MSD.17.23 |
| Drawing Title -<br>Proposed Fourth, Floor, Fifth, Sixth (Receded) & Seventh (Roof) Plans   | Date -<br>27/04/2023 | Drawing No. -<br>05         |
| Site Address -<br>38, Lucy, Triq Misrah Il-Barrieri, L-Imsida  | Drawn by -<br>AZ     | Client -<br>Mr. Mark Agius  |

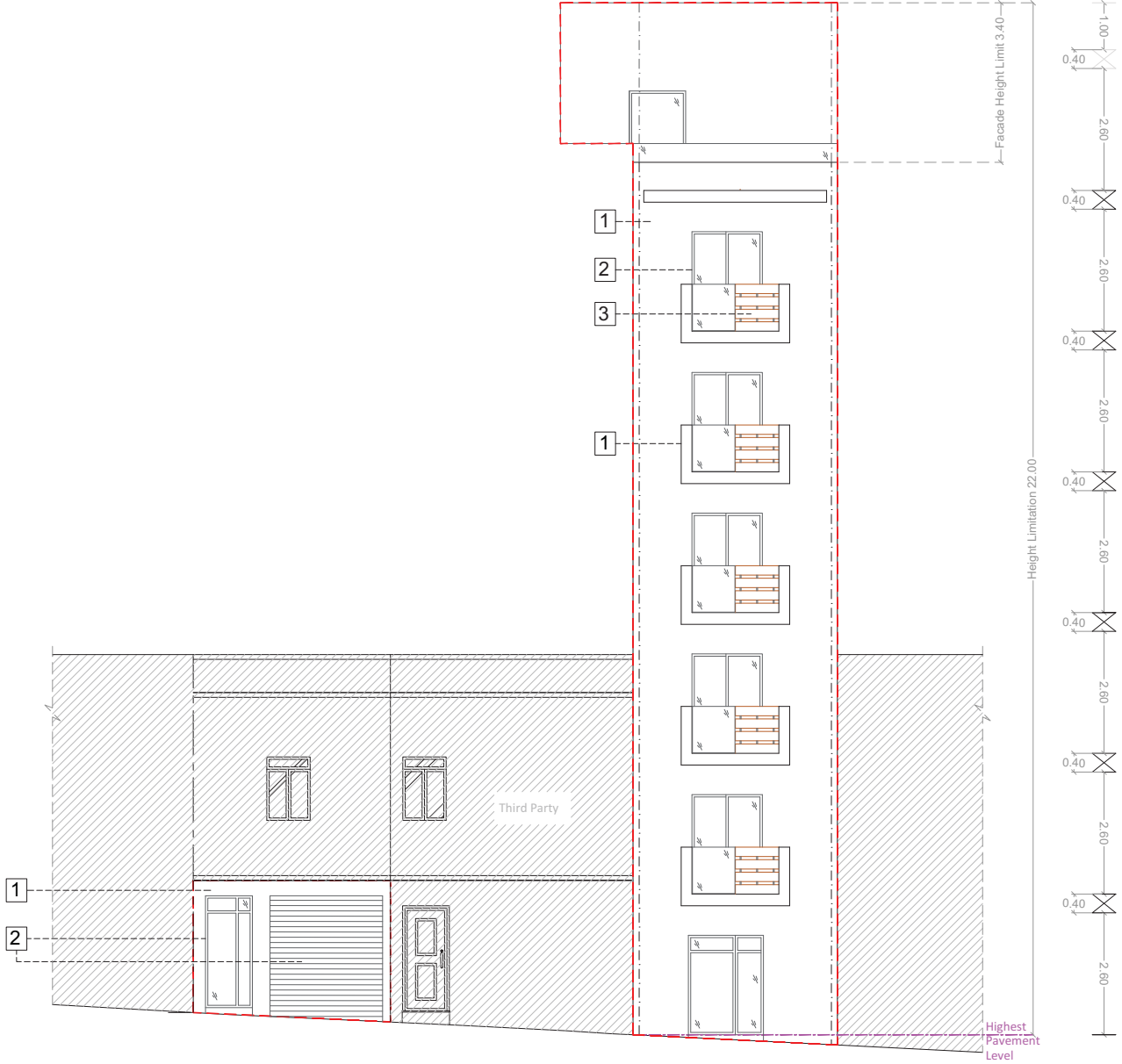


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**Materials Legend**

- 1 Silicato plaster rendering (RAL 9001 color)
- 2 Aluminium/uPvc apertures (RAL 9010 color)
- 3 Timber like element (Natural color)



Proposed demolition and excavation/loading of soil. Proposed internal alterations at ground floor including 1 car private garage and a Class 4a office. Proposed construction of 6 studio apartments (one per level) from the first floor to receded floor at sixth level!

Scale -  
1:100

Reference -  
MA.MSD.17

Drawing Title -  
Proposed Elevation

Date -  
27/04/2023

Drawing No. -  
07

Site Address -  
38, Lucy, Triq Misrah Il-Barrieri,  
L-Imnsida

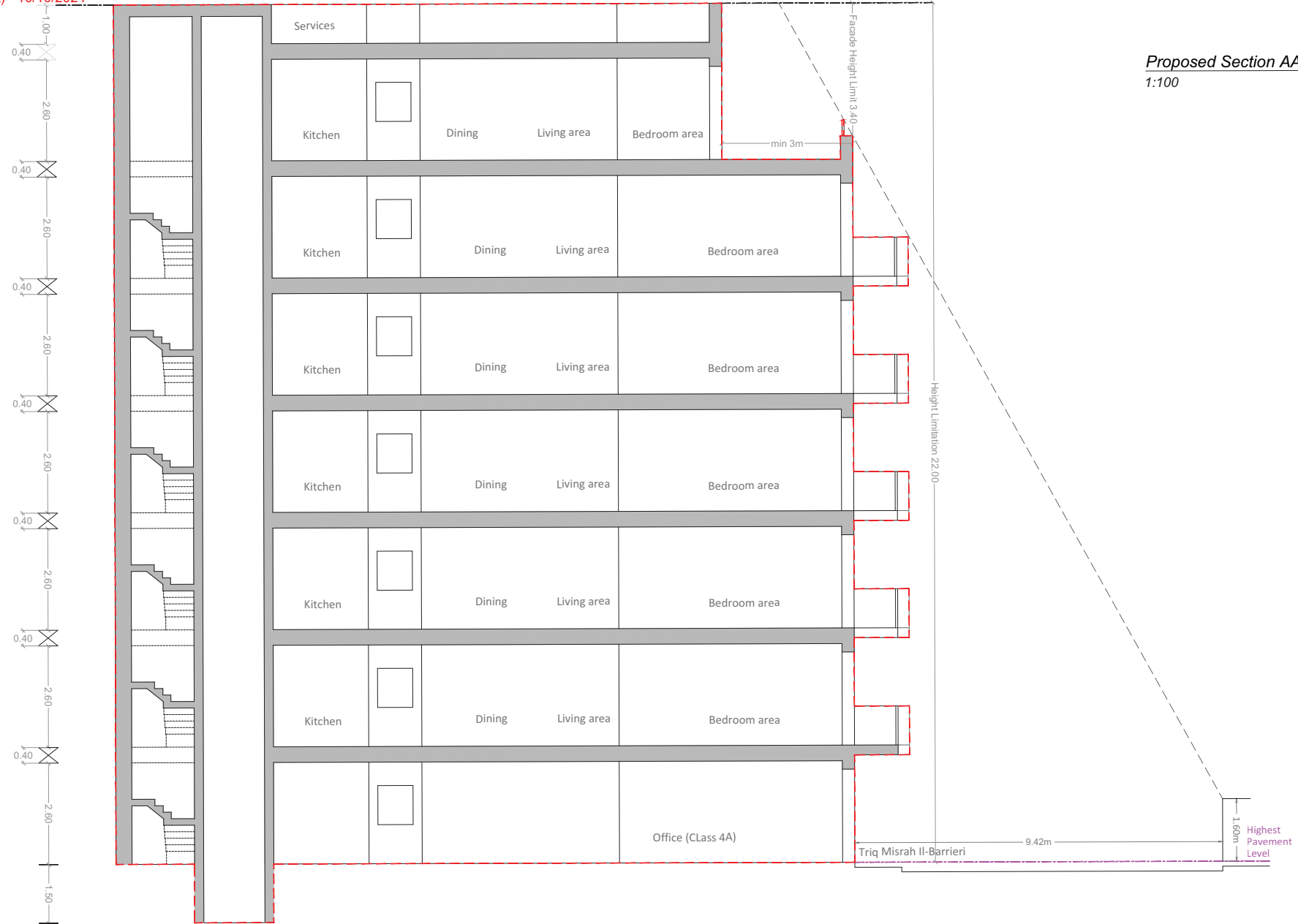
Drawn by -  
A.Z

Client -  
Mr. Mark Agius



Maria Schembri Grima  
 M. Sc. Structural Engineering,  
 B.E. & A.(Hons), A.& C.E., Eur. Ing.,  
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 E - maria@msgarchitects.com

- Green - As Approved But Not Constructed
- Blue - As Actually Constructed
- Yellow - To be Demolished
- Red - Proposed for Construction



*Proposed Section AA'*  
1:100

|  |                              |                                    |  |  |  |   |
|--|------------------------------|------------------------------------|--|--|--|---|
| <p>Project Title -<br/>Proposed demolition and excavation/clearing of soil. Proposed internal alterations at ground floor including 1 car private garage and a Class 4A office. Proposed construction of 6 studio-apartments (one per level) from the first floor to recorded floor at sixth level</p> | <p>Scale -<br/>1:100</p>     | <p>Reference -<br/>MA.MSD.17</p>   |  |  | <p>Maria Schembri Grima<br/>M. Sc. Structural Engineering,<br/>B.E. &amp; A.(Hons), A.&amp; C.E., Eur. Ing.,<br/>A - 23, Altima Court, Office 1,<br/>Triq G. Calleja, Swatar.<br/>T - 27120608<br/>M - 7709 5622<br/>E - maria@msgarchitects.com</p> | <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: green; margin-right: 5px;"></span> Green - As Approved But Not Constructed</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: blue; margin-right: 5px;"></span> Blue - As Actually Constructed</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; margin-right: 5px;"></span> Yellow - To be Demolished</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: red; margin-right: 5px;"></span> Red - Proposed for Construction</li> </ul> |
| <p>Drawing Title -<br/>Proposed Section AA'</p>  | <p>Date -<br/>27/04/2023</p> | <p>Drawing No. -<br/>06</p>        |  |  |  |   |
| <p>Site Address -<br/>38, Lucy, Triq Misrah Il-Barrieri,<br/>L-Imnsida</p>   | <p>Drawn by -<br/>AZ</p>     | <p>Client -<br/>Mr. Mark Agius</p> |  |  |  |   |

**Appendix 17: (Bugeja Court)**

A.17.1 – Site Plan







**Appendix 17: (Bugeja Court)**

A.17.2 – Photographs

















**Appendix 17: (Bugeja Court)**

**A.17.3 – Planning Permit and Permit Draw**



Mr Mark Aguis

Date: 9 November 2022

Our Ref: PA/02942/22

Application Number: PA/02942/22  
Application Type: Full development permission  
Date Received: 10 January 2022  
Approved Documents: PA 2942/22/9B/78B/124B/124C

Supporting document:  
PA 2942/22/55E/115A (Engineer's Light and Ventilation Report)

Location: Vacant Plot, Triq ta' Cordina, Ghajnsielem  
Proposal: To excavate site and construct 15 basement garages, domestic store, a sub-station and overlying 16 flats and 4 penthouses.

### **Development Planning Act, 2016 Full Development Permission**

The Planning Authority hereby grants development permission in accordance with the application and documents described above, subject to the following conditions:

- 1 a) This development permission is valid for a period of FIVE YEARS from the date of publication of the decision in the press but will cease to be valid if the development is not completed by the end of this validity period.
- b) This permission relates only to the development as specifically indicated on the approved drawings. This permission does not sanction any other illegal development that may exist on the site.
- c) A Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, **if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised** - Article 72(4) of the Development Planning Act (2016).
- d) Copies of all approved drawings and documents shall be available for inspection on site by Planning Authority officers at all reasonable times.
- e) The development shall be carried out in complete accordance with the approved

PA/02942/22

drawings, documents and conditions of this permission. Where a matter is not specified, then the conditions of this permission and of Development Control Design Policy, Guidance and Standards 2015 shall apply.

f) Before any part of the development hereby permitted commences, the enclosed green copy of this development permission shall be displayed on the site. This must be mounted on a notice board, suitably protected from the weather and located not more than 2 metres above ground level at a point on the site boundary where it is clearly visible and can be easily read from the street. The copy of the permission must be maintained in a good condition and it shall remain displayed on the site until the works are completed.

g) All building works shall be erected in accordance with the official alignment and official/existing finished road levels as set out on site by the Planning Authority's Land Surveyor. A Setting Out Request must be submitted to the Land Survey Unit of the Planning Authority, prior to the commencement of works on site, when the setting out of the alignment and levels is required.

h) Where an officially schemed street, within the development zone, bordering the site is unopened or unformed, it shall be opened up and brought up to its proper, approved and official formation levels prior to the commencement of any development hereby being permitted.

i) No steps, ramps or street furniture are to be constructed on or encroached onto the public pavement or road.

j) Any doors and windows, the lower edge of which is less than 2m above road level, and any gates shall not open outwards onto a public pavement or road.

k) Where present, window grilles (including 'pregnant' windows), sills, planters and other similar elements which are part of or fixed to the facade of buildings, the lower edge of which is less than 2 metres above road level, shall not project more than 0.15 metres from the facade over a public pavement or street.

l) Air conditioning units shall not be located on the facades of the building which are visible from the street or a public space.

m) There shall be no service pipes, cables or wires visible on the front elevation or on any other elevations of the building which are visible from the street or public space.

n) Any garages/parking spaces shall only be used for the parking of private cars and shall be kept available at all times for this purpose.

o) Any approved stores shall be used for domestic storage only and shall not be segregated from the rest of the building.

2 a) The façade(s) of the building shall be constructed in local un-rendered and unpainted stone, except where other materials/finishes are indicated on the approved drawings.

b) All the apertures and balconies located on the façade(s) of the building shall not be in gold, silver or bronze aluminium.

c) The height of the services on the roof of the building shall not extend beyond the approved height of the uppermost parapet wall.



- 3 This permission is subject to a Bank Guarantee to the value of € 1633.44 to ensure that the street and pavement are properly restored in accordance with the Environmental Management Construction Site Regulations, 2007 - Legal Notice 295 of 2007 (as amended). The bank guarantee shall only be released after the perit submits a post-construction condition report together with photographs evidencing compliance with this condition, accompanied by clearance from the Local Council. The clearance from the Local Council is to be endorsed by the Mayor and the Executive Secretary of the Local Council. This guarantee shall be forfeited if, after 3 months from the date of notification by the Authority of a notice to effect the remedial works, these are not carried out. Its forfeiture shall not, however, preclude the applicant from adhering to all the conditions contained in this development permission.
- 4 The development hereby permitted shall be subject to Compliance Certification, verifying that the development has been carried out in full accordance with the approved drawings, documents and conditions imposed in this development permission, except where such conditions are enforced by other entities. Prior to the commencement of use or prior to the issue of any compliance certificate on the whole or any stand-alone planning unit of the development hereby approved, the applicant shall submit to the Planning Authority, in relation to the whole or that unit of the development:
- (i) certification by an engineer confirming that the development fully satisfies the requirements specified in supporting documents PA 2942/22/55E/115A.
- 5 To make up for the shortfall in parking provision of six (6) parking spaces, this development permission is subject to a contribution amounting to the sum of € 29000 in favour of the Planning Authority's Urban Improvements Fund for the locality. The funds raised shall be used to fund traffic management, green transport, urban improvements or similar projects. The contribution shall be utilised as required and directed by the Planning Authority.
- 6 **Conditions imposed and enforced by other entities**
- A. Where construction activity is involved:
- (a) the applicant shall:
- (i) **Appoint a Project Supervisor for the Design Stage and a Project Supervisor for the Construction Stage** and any such appointment shall be terminated, changed or renewed as necessary. The same person may be appointed to act as project supervisor for both the design and construction stage, if that person is competent to undertake the duties involved and
- (ii) **Keep a health and safety file** prepared by the Project Supervisor for the Design Stage.
- (b) When the construction works related to this application are scheduled to last longer than thirty working days and on which more than twenty workers are occupied

simultaneously, or on which the volume of work is scheduled to exceed five hundred person-days, the project supervisor **shall communicate a prior notice to the Occupational Health and Safety Authority (OHSA) at least four calendar weeks before commencement of works.**

- (c) The Project Supervisor for the Design Stage shall **draw up a health and safety plan** which sets out the occupational health and safety rules applicable to the construction activities concerned, outlining the measures to ensure cooperation between different contractors and shall also include specific measures concerning occupational risks that may be present at this site.
- (d) It is the responsibility of the permit holder to ensure that development is carried out in accordance with the provisions of the Environmental Management Construction Site Regulations, Legal Notice 295 of 2007 (or subsequent amendments). Any hoarding shall be erected in accordance with Schedule 2 of the same Regulations.
- (e) New development on vacant or redeveloped sites shall be provided with a water cistern to store rainwater run-off as required by the Energy Performance of Buildings Regulations (2012) [published through Legal Notice 376 of 2012 and any amendments thereto].

**B.** Where the development concerns a place of work:

The applicant shall:

- (i) obtain a Perit's declaration that the necessary requirements arising out of LN 44 of 2002 have been included in the plans and drawings; and
- (ii) obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.

**C.** The development is to strictly adhere to the 'Design Guidelines on fire safety for buildings in Malta' to ensure that all Fire Safety measures and provisions are addressed as indicated in the Design Guidelines on Fire Safety for Buildings in Malta, published by the DCID in 2004, (or other relevant standard, provided it is approved by the Civil Protection Department), Policies, and the Laws and Regulations of Malta.

**D.** Conditions imposed and enforced by Water Services Corporation:

- (a) Prior to laying of water and wastewater services in the road, the development shall comply with the requirements of Legal Notice 29/10 Part III (Roads in inhabited Areas) Clause 12.
- (b) The applicant shall ensure that rain water and/or run-off collection from roofs, yards, balconies (and any other exposed areas) is being managed such that no rainwater, including overflow pipes (by pumping or gravity system), even from water storage reservoirs and/or oil interceptors, are connected to the WSC sewage network.
- (c) Developers are obliged to check with the Manager region Office WSC for the invert level of the existing sewer and the provision of water up to the new level where water tanks shall be installed by sending an email to [region.consultations@wsc.com .mt](mailto:region.consultations@wsc.com.mt), requesting this information.
- (d) For development falling within Classes 3a, 3b, 4b, 4c, 4d, 5a, 5b, 5c, 6a, 6b of the Development Planning (Use Classes) Order, 2014, developers are requested to

submit floor plans (1:100) of the drainage system (rainwater and wastewater) to the Discharge Permit Unit, or via email at [dpu.consultations@wsc.com.mt](mailto:dpu.consultations@wsc.com.mt).

- (e) Developers are advised to view requirements set out in:
  - (i) Sewage Discharge Control Regulations S.L. 545.08.
  - (ii) Legal Notice 29 of 2010 Part III (Roads in Inhabited Areas) Clause 12.
  - (iii) DC15 paragraph 4.3.3 Provision of Water Reservoirs and Second-Class Water Policy P47.
  - (iv) Building Regulations Technical Guide Document F where these apply to the proposed development.
- E. In the event of an accidental discovery in the course of approved works, any cultural heritage feature discovered should not be damaged or disturbed and the Superintendence is to be immediately informed of such discovery. Any cultural heritage features discovered are to be investigated, evaluated and protected in line with the Cultural Heritage Act 2019 (CAP 445). The discovery of cultural heritage features may require the amendment of approved plans.
- F. Any fissures (dagħbien), caves, caverns, hollows, geological faults, Quaternary deposits or other features of potential geological, geomorphological and/or palaeontological interest which are discovered must be reported immediately to the Environment and Resources Authority (ERA). No further works or activities must take place until the respective investigations have been completed, and thereafter works shall proceed strictly in line with the terms established by ERA. The approved development may need to be amended so as to accommodate in situ preservation of the discovered features.
- G. For new development, the following condition, imposed and enforced by Enemalta, applies:

A culvert measuring 0.8m wide by 0.75m deep should be prepared along the façade of the development in order that any overhead lines may be substituted by underground cables. The culvert is to be interconnected to an adequate space consisting of a **small room or recess** located near the **entrance**, provided for the purpose of housing the electricity meter. Another adequate space for the purpose of housing the electricity meters, consisting of a **small room or recess** located in the basement near the **entrance**, also interconnected to the culvert, is to be provided. The architect/applicant is required to contact Enemalta, throughout the implementation of the development hereby approved, to ensure conformity with the imposed conditions.

In terms of Article 72(3) of the Development Planning Act, 2016, the execution and validity of this permission is automatically temporarily **suspended** and no works as approved by the said development permission may commence before the lapse of the time period established in Article 13 of the Environment and Planning Review Tribunal Act. In the event that an application is submitted before the Environment and Planning Review Tribunal requesting the suspension of the execution of the permission, this permission will remain so suspended until the Tribunal otherwise decides in accordance with the Environment and Planning Review Tribunal Act.

Where the approved drawings and/or documents are dimensioned, then the declared dimensions shall prevail over the actual size as depicted on the approved drawings and/or documents.

Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on

PA/02942/22

the plan what needs to be carried out and obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.

If the declaration of ownership, as contained in the application form, is determined as incorrect by a Court of Law, then the said Court of Law can declare this development permission as null and void. This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance and agreement must be obtained for this development from the Land and/or Estate Management Departments.

This development permission is granted saving third party rights. This permission does not exonerate the applicant from obtaining any other necessary permission, license, clearance or approval required from any Government department, local council, agency or authority, as required by any law or regulation.

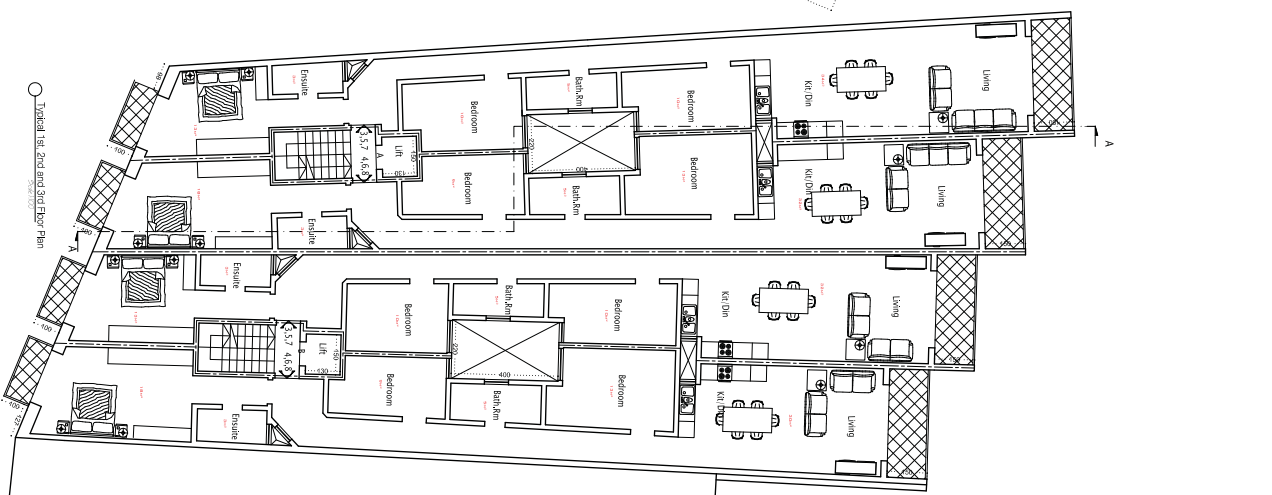
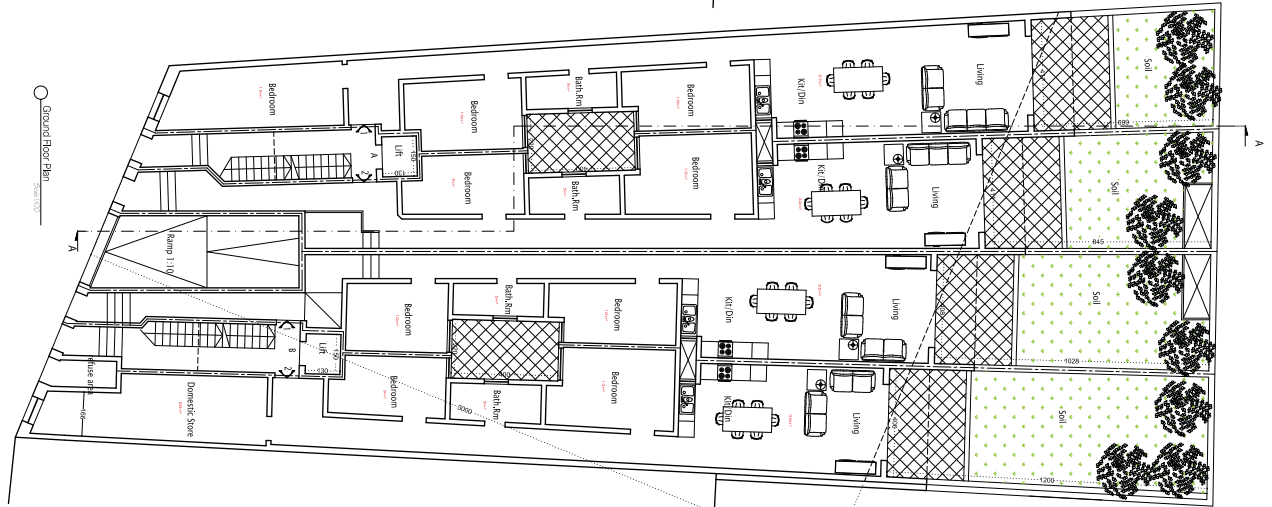
This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (Cap. 424) - Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.

For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes) Order 2014, or its subsequent amendments.

**This decision is being published on 23 November 2022.**

Lorna Vella  
Secretary Planning Commission  
Within Development Scheme

-PADCN-

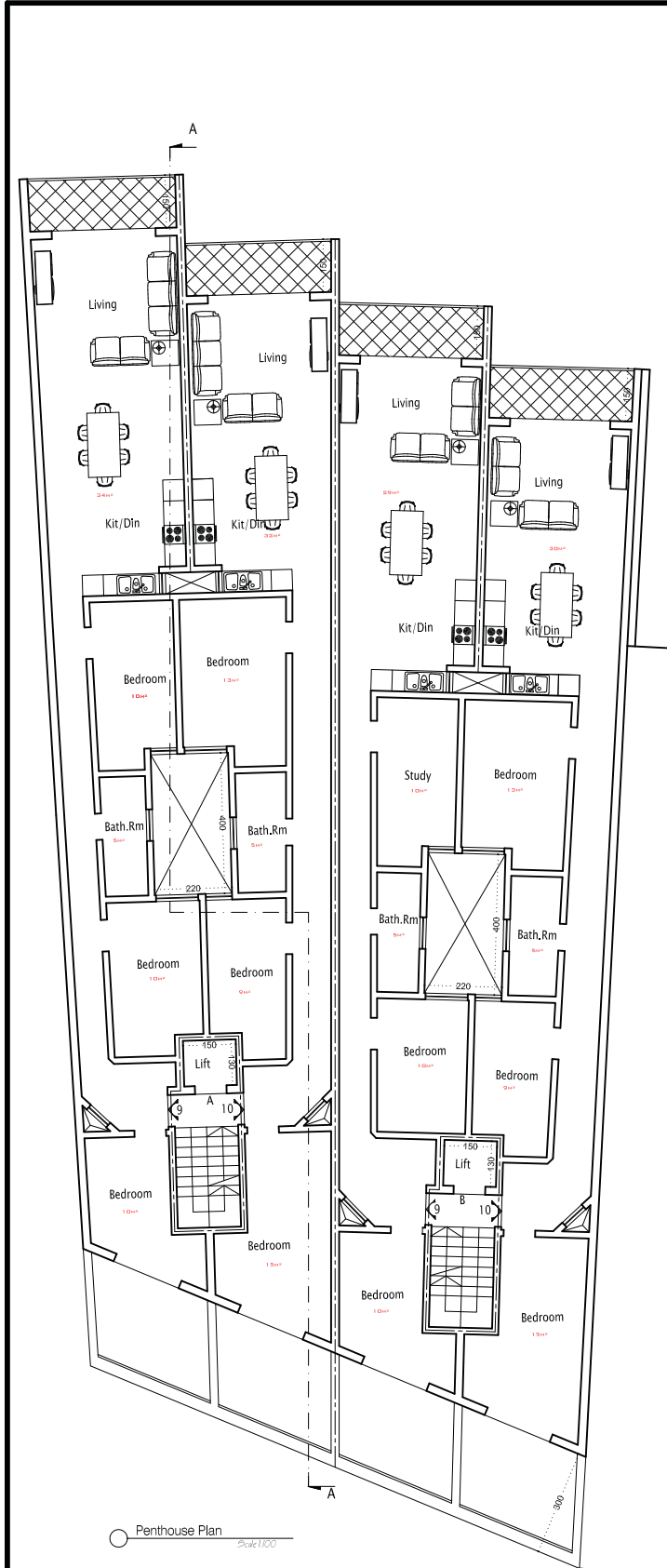


| Area | Number of Bedrooms | Bedroom Area        | Bedroom Area      |
|------|--------------------|---------------------|-------------------|
| 1A   | 3                  | 1,144m <sup>2</sup> | 334m <sup>2</sup> |
| 2A   | 2                  | 1,024m <sup>2</sup> | 320m <sup>2</sup> |
| 1B   | 2                  | 964m <sup>2</sup>   | 464m <sup>2</sup> |
| 2B   | 2                  | 1,144m <sup>2</sup> | 320m <sup>2</sup> |
| 3A   | 3                  | 1,176m <sup>2</sup> | 944m <sup>2</sup> |
| 4A   | 3                  | 1,184m <sup>2</sup> | 944m <sup>2</sup> |
| 3B   | 3                  | 1,124m <sup>2</sup> | 944m <sup>2</sup> |
| 4B   | 3                  | 1,224m <sup>2</sup> | 944m <sup>2</sup> |

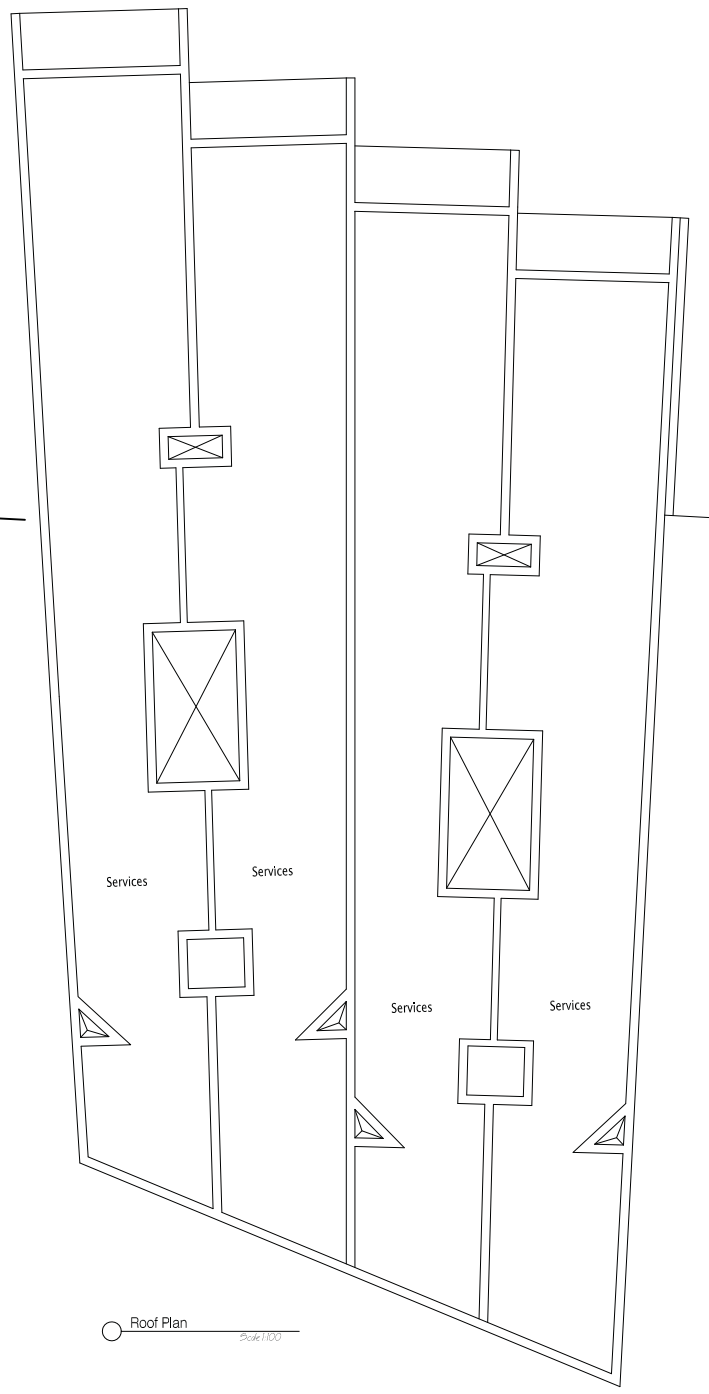
|              |                                    |
|--------------|------------------------------------|
| Project Name | Flats at The 1st Cedars, Gungahlin |
| Client       | SAVOIR MCALLEE                     |
| Architect    | THE BIGNOLDI GROUP                 |
| Date         | 06/06/2022                         |
| Scale        | 1:100                              |
| Project No.  | 1418-2018-016                      |
| Project Name | Flats at The 1st Cedars, Gungahlin |

SAVOIR MCALLEE  
 15/234/2/2/2  
 1418-2018-016  
 1418-2018-016  
 1418-2018-016  
 1418-2018-016



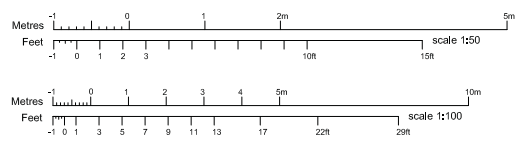


Penthouse Plan Scale 1:100



Roof Plan Scale 1:100

| Aptment no | number of bedrooms | interior area     | exterior area    |
|------------|--------------------|-------------------|------------------|
| 9A         | 3                  | 107M <sup>2</sup> | 21M <sup>2</sup> |
| 10A        | 3                  | 106M <sup>2</sup> | 21M <sup>2</sup> |
| 9B         | 2                  | 101M <sup>2</sup> | 21M <sup>2</sup> |
| 10B        | 3                  | 108M <sup>2</sup> | 21M <sup>2</sup> |

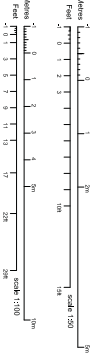
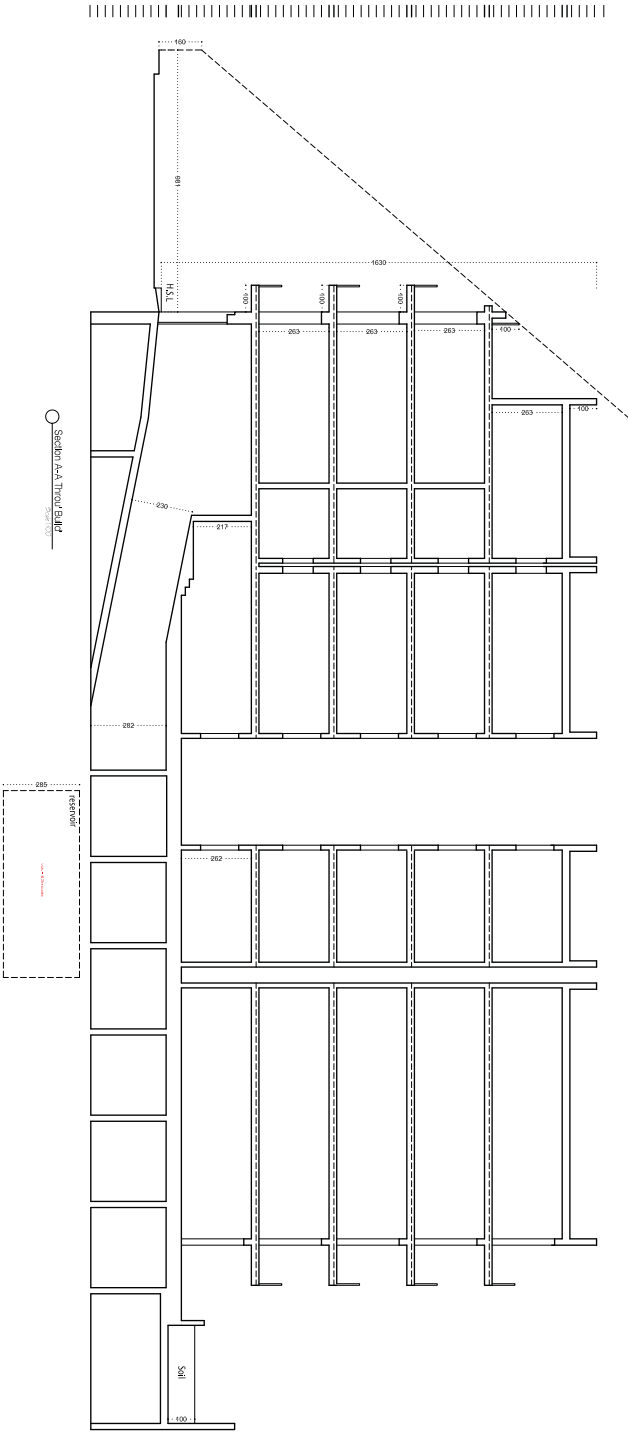
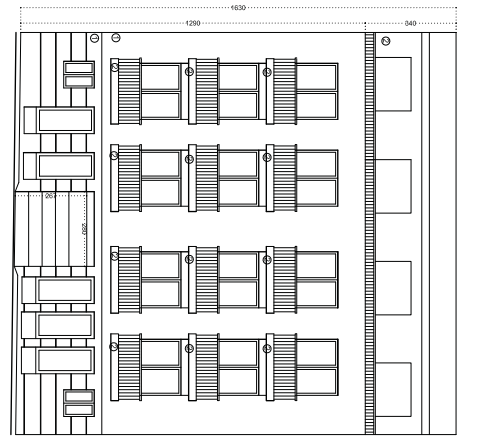


|               |  |
|---------------|--|
| Drawing title | Plans                                    |
| Job title     | Site at<br>Triq ta' Cordina, Ghajnsielem |
| File #        | 64.19                                    |
| Date          | 25/06/2021                               |
| Scale         | 1:100                                    |
| Drawn by      |  |

Architect

**SAVIOUR MICALLEF**  
 B.E.&A.A.&C.E.  
 'THYME' BY THE BASTION RD.  
 VICTORIA - GOZO, VCT 2907

Tel # 21591046 Fax # 21565455 Mobile # 99497483  
 Email : micsav@gmail.com



Section A-A Through Building

Unpainted Frame Stone

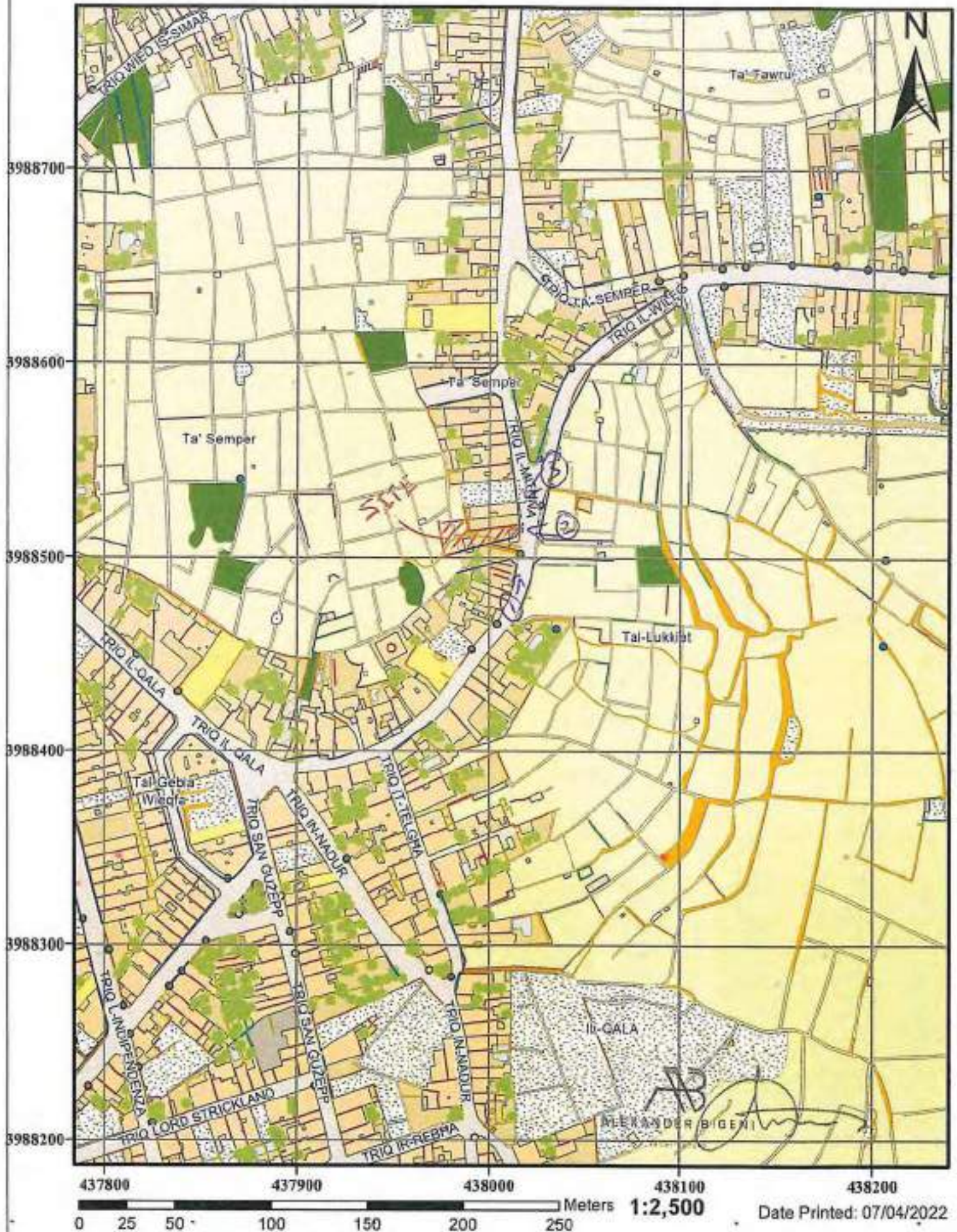
Painted Stone Cladding With Aluminium Openings

|              |   |             |       |
|--------------|---|-------------|-------|
| Project Name | Elevation and Section   |             |       |
| Job No.      | Site at<br>Frigate, Corvallis, Oregon   |             |       |
| File No.     | 6419  | Scale       | 1/100 |
| Date         | 06/06/2022  | Project No. |       |
| Drawn by     |   | Project No. |       |
| Project      | <b>SAMIR MCALLEE</b><br>ARCHITECT<br>19 WILSON STREET, CORVALLIS, OREGON<br>MICOM - 503.753.2907<br>1414 2nd Street SW, Vancouver, BC V6C 1A5<br>604.681.8888 |             |       |

**Appendix 18: (Mill House)**

A.18.1 – Site Plan





0 25 50 100 150 200 250 Meters 1:2,500 Date Printed: 07/04/2022

Compiled and published by the Mapping Unit, Planning Authority.  
 ERDF.02.030 - Siniegram data, (2018), Developing Spatial Data Integration for the Maltese Islands, Planning Authority.  
 Reproduction in whole or in part by any means is prohibited without the prior permission of the Siniegram Project Leader. Data captured from: 2018 aerial photography. 2020 unmanned aerial vehicles (UAVs).  
 WGS 1984 UTM Zone 33N EPSG: 32633 M.S.L. (Mean sea level). Scale factor at the central meridian 0.9996.  
 Central meridian has a false origin of 500,000m at 150 East of Greenwich.  
 Northern coordinates have an origin of 0m at the Equator.

**Appendix 18: (Mill House)**

A.18.2 – Photographs









**Appendix 18: (Mill House)**

**A.18.3 – Planning Permit and Permit Draw**

Mark Falzon

Date: 18 April 2024  
Our Ref: PA/07213/22

Application Number: PA/07213/22  
Application Type: Full development permission  
Date Received: 14 October 2022  
Approved Documents: PA 7213/22/7G/88B/88F/88G/128B/152B/152C and;

Supporting Documents  
PA 7213/22/51A - Enemalta Conditions

Location: Vacant Plot, Triq il-Mithna c/w New street off, Triq il-Mithna, Qala  
Proposal: To demolish existing structures, to excavate and to construct 11 residential units, an office (Class 4A) and 6 garages. To also construct 2 pools.

### **Development Planning Act, 2016 Full Development Permission**

The Planning Authority hereby grants development permission in accordance with the application and documents described above, subject to the following conditions:

- 1 a) This development permission is valid for a period of FIVE YEARS from the date of publication of the decision in the press but will cease to be valid if the development is not completed by the end of this validity period.
- b) This permission relates only to the development as specifically indicated on the approved drawings. This permission does not sanction any other illegal development that may exist on the site.
- c) A Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of S.L. 552.25, or its amendments, or its replacements. In addition, **if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised** - Article 72(4) of the Development Planning Act (Cap. 552).
- d) Copies of all approved drawings and documents shall be available for inspection on site by Planning Authority officers at all reasonable times.

PA/07213/22

e) The development shall be carried out in complete accordance with the approved drawings, documents and conditions of this permission. Where a matter is not specified, then the conditions of this permission and of Development Control Design Policy, Guidance and Standards 2015 shall apply.

f) Before any part of the development hereby permitted commences, the enclosed green copy of this development permission shall be displayed on the site. This must be mounted on a notice board, suitably protected from the weather and located not more than 2 metres above ground level at a point on the site boundary where it is clearly visible and can be easily read from the street. The copy of the permission must be maintained in a good condition and it shall remain displayed on the site until the works are completed.

g) All building works shall be erected in accordance with the official alignment and official/existing finished road levels as set out on site by the Planning Authority's Land Surveyor. A Setting Out Request must be submitted to the Land Survey Unit of the Planning Authority, prior to the commencement of works on site, when the setting out of the alignment and levels is required.

h) Where an officially schemed street, within the development zone, bordering the site is unopened or unformed, it shall be opened up and brought up to its proper, approved and official formation levels prior to the commencement of any development hereby being permitted.

i) No steps, ramps or street furniture are to be constructed on or encroached onto the public pavement or road.

j) Any doors and windows, the lower edge of which is less than 2m above road level, and any gates shall not open outwards onto a public pavement or road.

k) Where present, window grilles (including 'pregnant' windows), sills, planters and other similar elements which are part of or fixed to the facade of buildings, the lower edge of which is less than 2 metres above road level, shall not project more than 0.15 metres from the facade over a public pavement or street.

l) Air conditioning units shall not be located on the facades of the building which are visible from the street or a public space.

m) There shall be no service pipes, cables or wires visible on the front elevation or on any other elevations of the building which are visible from the street or public space.

n) Any use as a residence, whether or not as a sole or main residence, unless otherwise specified, shall be limited to the provisions of Class 1(a) or Class 1(b) of S.L. 552.15.

o) Any garages/parking spaces shall only be used for the parking of private cars and shall be kept available at all times for this purpose.

p) Any approved stores shall be used for domestic storage only.

q) Any unit approved on more than one floor (duplex or more) shall remain physically interconnected as a single unit, and shall not be sub-divided into separate units without specific Planning Authority consent.

2 a) Unless otherwise indicated on the approved drawings, the facade of the building shall



be retained/constructed in local stone. The stone shall remain unrendered and unpainted, and it shall be allowed to weather naturally. Such components of a building indicated to be rendered/finished other than in local stone, are to be painted in local stone colour, unless other colours are indicated on the approved drawings. Any blank party wall shall be rendered and painted in stone colour.

b) Unless otherwise indicated on the approved drawings, all the apertures and balconies located on the façade(s) of the building shall not be in gold, silver or bronze aluminium. The colour of apertures shall comply with Section 5.7 and G52 of Development Control Design Policy, Guidance and Standards 2015 (DC15).

c) The height of the services on the roof of the building shall not extend beyond the approved height of the uppermost parapet wall.

3 The class 4a premises shall be used only as an office and for no other purpose, including any use falling within Class 4a of the Development Planning (Use Classes) Order, 2014 (or its subsequent amendments).

4 No approval is hereby granted for the display of any sign or advertisement. This must be subject of a separate application.

5 **Conditions imposed and enforced by the Building Construction Authority**

Prior to commencement of any development on site, a Bank Guarantee to the value of € 2562.45 (two thousand five hundred sixty two eleven Euro 45 cents) shall be submitted to the Building and Construction Authority (BCA) in line with Regulation 10(1) of S.L. 623.08. This guarantee is to be issued in favour of the "Building and Construction Authority" and the original submitted at the BCA's head office.

**The above applies if the road is formed and constructed before start of works.** If the road has not yet been built, the above condition does not apply. In such cases, before the start of any works, the Perit is to submit a declaration (including photographic evidence) indicating that the road has not yet been formed.

6 To make up for the shortfall in parking provision of 6 parking spaces, this development permission is subject to a contribution amounting to the sum of € 29000 (twenty nine thousand Euro) in favour of the Planning Authority's Urban Improvements Fund for the locality. The funds raised shall be used to fund traffic management, green transport, urban improvements or similar projects. The contribution shall be utilised as required and directed by the Planning Authority.

7 **Conditions imposed and enforced solely by other entities**

**A. Where construction activity is involved:**

(a) the applicant shall:

(i) **Appoint a Project Supervisor for the Design Stage and a Project Supervisor for the Construction Stage** and any such appointment shall be terminated, changed or renewed as necessary. The same person may be appointed to act as project

supervisor for both the design and construction stage, if that person is competent to undertake the duties involved and

- (ii) **Keep a health and safety file** prepared by the Project Supervisor for the Design Stage.
- (b) When the construction works related to this application are scheduled to last longer than thirty working days and on which more than twenty workers are occupied simultaneously, or on which the volume of work is scheduled to exceed five hundred person-days, the project supervisor **shall communicate a prior notice to the Occupational Health and Safety Authority (OHSA) at least four calendar weeks before commencement of works.**
- (c) The Project Supervisor for the Design Stage shall **draw up a health and safety plan** which sets out the occupational health and safety rules applicable to the construction activities concerned, outlining the measures to ensure cooperation between different contractors and shall also include specific measures concerning occupational risks that may be present at this site.
- (d) It is the responsibility of the permit holder to ensure that development is carried out in accordance with the provisions of the Environmental Management Construction Site Regulations, S.L. 623.08. Any hoarding shall be erected in accordance with Schedule 2 of the same Regulations.
- (e) New development on vacant or redeveloped sites shall be provided with a water cistern to store rainwater run-off as required by the Energy Performance of Buildings Regulations, S.L. 623.01.

**B. Where the development concerns a change of use to a place of work,** the applicant shall obtain a Perit's declaration that the building conforms to the requirements of S.L. 424.15.

**C. Where the development concerns a place of work:**

The applicant shall:

- (a) obtain a Perit's declaration that the necessary requirements arising out of S.L. 424.15 have been included in the plans and drawings; and
- (b) obtain a Perit's declaration that the building conforms to the requirements of S.L. 424.15.

**D.** The development is to strictly adhere to the 'Design Guidelines on fire safety for buildings in Malta' to ensure that all Fire Safety measures and provisions are addressed as indicated in the Design Guidelines on Fire Safety for Buildings in Malta, published by the DCID in 2004, (or other relevant standard, provided it is approved by the Civil Protection Department), Policies, and the Laws and Regulations of Malta.

**E. Conditions imposed and enforced by Water Services Corporation:**

- (a) Prior to laying of water and wastewater services in the road, the development shall comply with the requirements of S.L. 499.57 Part III (Roads in inhabited Areas) Clause 12.
- (b) The applicant shall ensure that rain water and/or run-off collection from roofs, yards, balconies (and any other exposed areas) is being managed such that **no** rainwater,

including overflow pipes (by pumping or gravity system), even from water storage reservoirs and/or oil interceptors, are connected to the WSC sewage network.

- (c) For all kinds of development, developers are to safeguard the Wastewater Network Infrastructure and make sure not to damage or dispose of any building/construction materials inside the existing Drainage House Connections (concrete, dewatering etc).
  - (d) For all developments falling within the different Classes of the Development Planning (Use Classes) Order (S.L. 552.15), developers are requested to submit floor plans (1:100), signed by a warranted Perit or Engineer, of the separate rainwater and wastewater drainage systems, for verification and approval by the Water Services Corporation, via email at [pa.clearances@wsc.com.mt](mailto:pa.clearances@wsc.com.mt) within 30 days from the publication date of the permission.
  - (e) Developers are advised to view requirements set out in:
    - (i) Sewage Discharge Control Regulations S.L. 545.08.
    - (ii) S.L. 499.57 Part III (Roads in Inhabited Areas) Clause 12.
    - (iii) DC15 paragraph 4.3.3 Provision of Water Reservoirs and Second-Class Water Policy P47.
    - (iv) Building Regulations Technical Guide Document F where these apply to the proposed development.
  - (f) Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on the plan what needs to be carried out and obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.
- F.** In the event of an accidental discovery in the course of approved works, any cultural heritage feature discovered should not be damaged or disturbed and the Superintendence is to be immediately informed of such discovery. Any cultural heritage features discovered are to be investigated, evaluated and protected in line with the Cultural Heritage Act 2019 (CAP. 445). The discovery of cultural heritage features may require the amendment of approved plans.
- G.** Any fissures (dagħbien), caves, caverns, hollows, geological faults, Quaternary deposits or other features of potential geological, geomorphological and/or palaeontological interest which are discovered must be reported immediately to the Environment and Resources Authority (ERA). No further works or activities must take place until the respective investigations have been completed, and thereafter works shall proceed strictly in line with the terms established by ERA. The approved development may need to be amended so as to accommodate in situ preservation of the discovered features.
- H. For new development, the following condition, imposed and enforced by Enemalta, applies:**
- (a) An adequate space to service the development must be provided as follows:
    - (i) a small room or recess located near the entrance to the garage for the purpose of housing the garages electricity meters. An appropriate access must be provided, for the installation of the service cable, between the room and the Enemata LV grid.

- (ii) a small room or recess located in the common parts, next to the main door, for the purpose of housing the electricity meters of the common parts and apartments. An appropriate access must be provided, for the installation of the service cable, between the room and the Enemata LV grid.
- (b) Both rooms, or recesses, are to be shown on plan. The size of the rooms or recesses are to be based on metering equipment spacing as shown in Drawing EMC/DZ/42 available from Enemalta Drawing Office. The metering equipment is to be kept segregated from the water system such that any water leaks do not interfere with the electrical system. Eventually a cabinet is to be provided by the developer for installing all electricity metering equipment such that each individual meter is separately lockable as required at law, Clause 51 refers.

A culvert measuring 0.8m wide by 0.75m deep is to be prepared along the façade of the development in order that any overhead lines may be substituted by underground cables and to allow the development to be supplied by an underground cable.

- (c) If such notification and consultation is overlooked, the processing timeframes by Enemalta of any ARMS applications might be prolonged with a consequent delay for the provision of an electricity supply to any part of the development.
- (d) Furthermore, if for any reason while works are in progress, it is required to shift, remove, cover, or do anything to the electricity network external to the development, Enemalta is to be informed through the appropriate form to carry out the necessary works. Under no circumstances is the contractor or developer to intervene directly with the electricity network.

**I. Where the development includes a swimming pool:**

- (a) Any pool backwash, if discharged in the sewers, shall meet the specifications listed in S.L. 545.08.
- (b) Chloride (Salt) concentration of the effluent should not exceed 1000mg/L. Particular care is to be taken if electro-chlorinators will be used as regards to meeting the chloride limit.

**J. Where the development includes a livestock farm:**

- (a) The farm **shall not** be connected directly to the sewer network.
- (b) Silting traps, sedimentation pits as well as manure clamps shall be installed, as shown on the approved drawings. Settled Waste water shall only be discharged in approved waste receiving stations.
- (c) Any effluents discharged shall have chloride levels lower than 1000 mg/L. The operators shall acquire a Public Sewer Discharge Permit before commencing operations.

**K.** This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (CAP. 424) – Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said

substances may require a new or amended development permission in line with current policies and regulations.

- L. For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes Order 2014, or its subsequent amendments.

- M. The conditions imposed and enforced by the Enemalta Corporation are at supporting document PA7213/22/51a. The architect/applicant is required to contact the Enemalta Corporation, throughout the implementation of the development hereby approved, to ensure conformity with the imposed conditions.

In terms of Article 72(3) of the Development Planning Act, 2016, the execution and validity of this permission is automatically temporarily **suspended** and no works as approved by the said development permission may commence before the lapse of the time period established in Article 13 of the Environment and Planning Review Tribunal Act. In the event that an application is submitted before the Environment and Planning Review Tribunal requesting the suspension of the execution of the permission, this permission will remain so suspended until the Tribunal otherwise decides in accordance with the Environment and Planning Review Tribunal Act.

Where the approved drawings and/or documents are dimensioned, then the declared dimensions shall prevail over the actual size as depicted on the approved drawings and/or documents.

Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on the plan what needs to be carried out and obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.

This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance shall be obtained from the Lands Authority prior to the execution of this development permission.

This development permission is granted saving third party rights. This permission does not exonerate the applicant from obtaining any other necessary permission, license, clearance, or similar requirement emanating from any other law or regulation, nor from procuring any other certification or insurance that may be required.

This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (Cap. 424) - Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.

For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes)

PA/07213/22

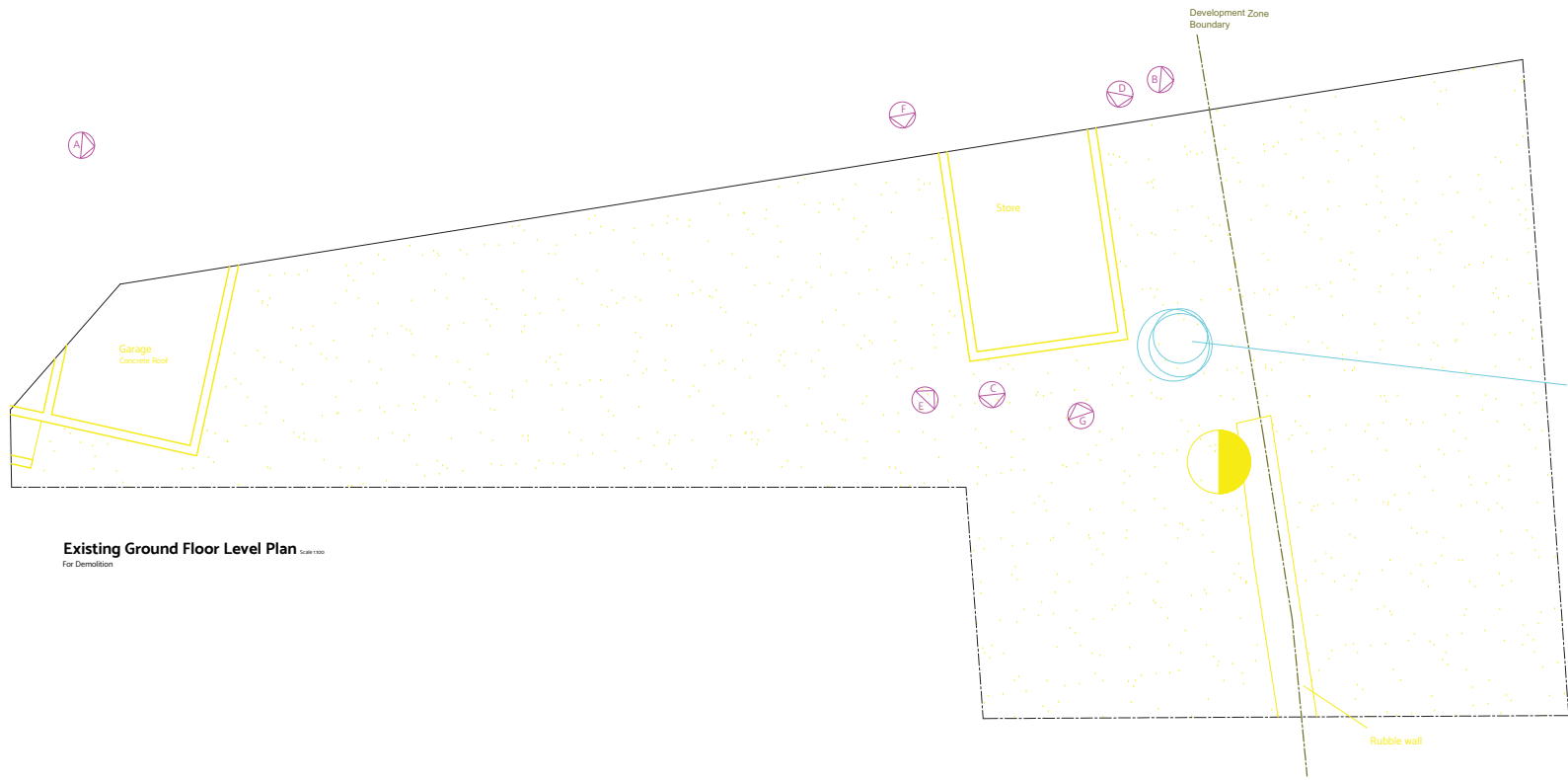


Order 2014, or its subsequent amendments.

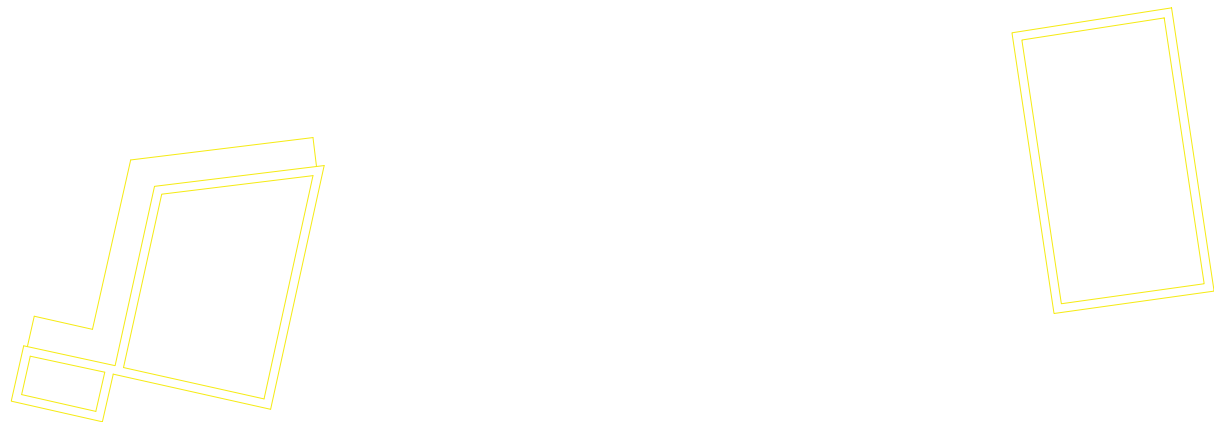
**This decision is being published on 30 April 2024.**

Monica Gauci  
Secretary Planning Commission  
Outside Development Zone and Urban Conservation Areas

-PADCN-



**Existing Ground Floor Level Plan** Scale 1:500  
For Demolition

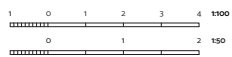


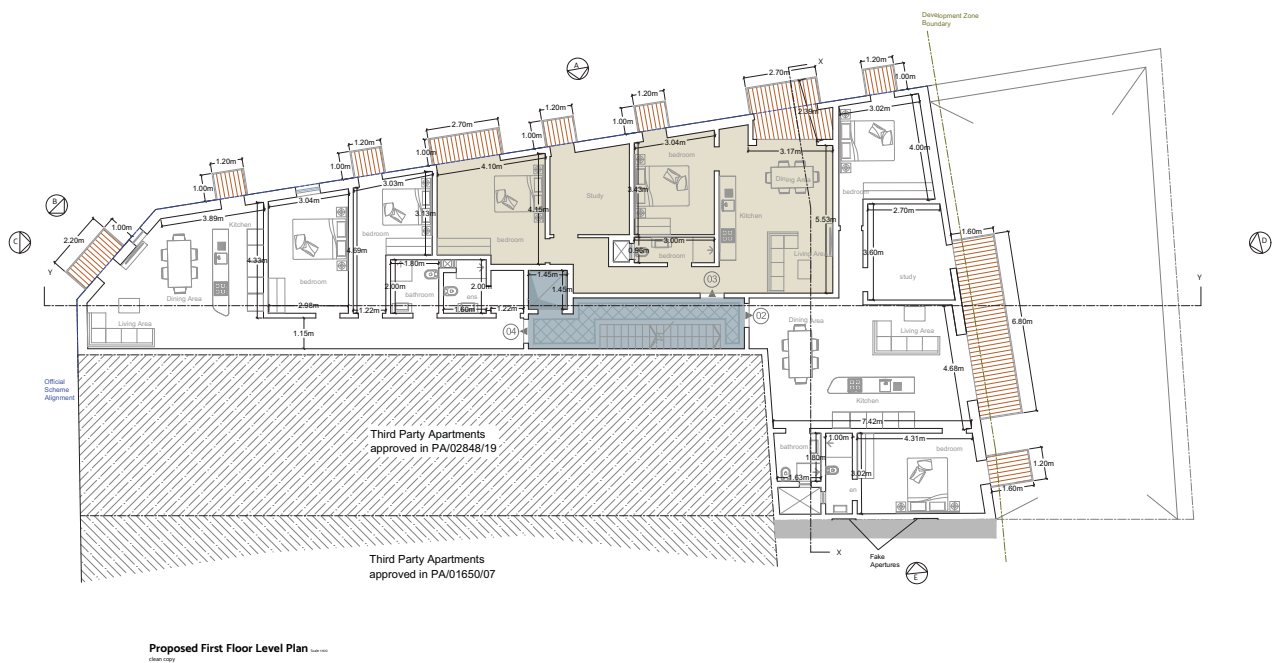
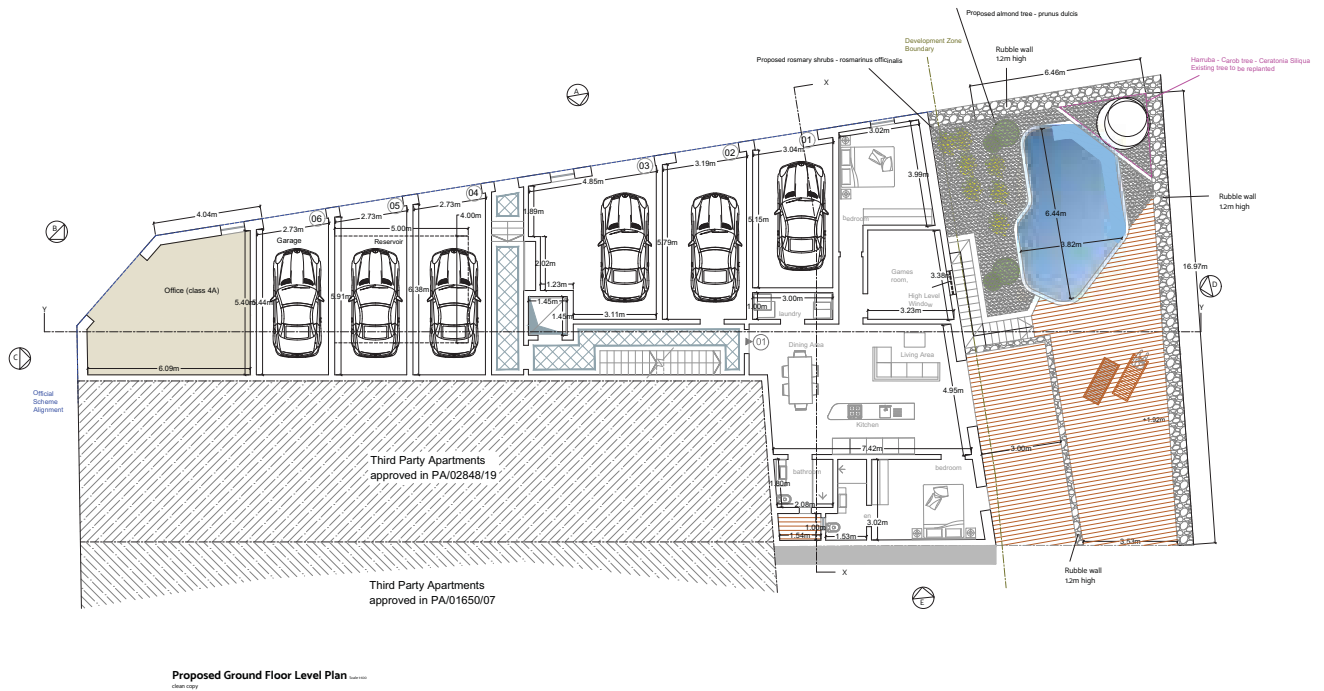
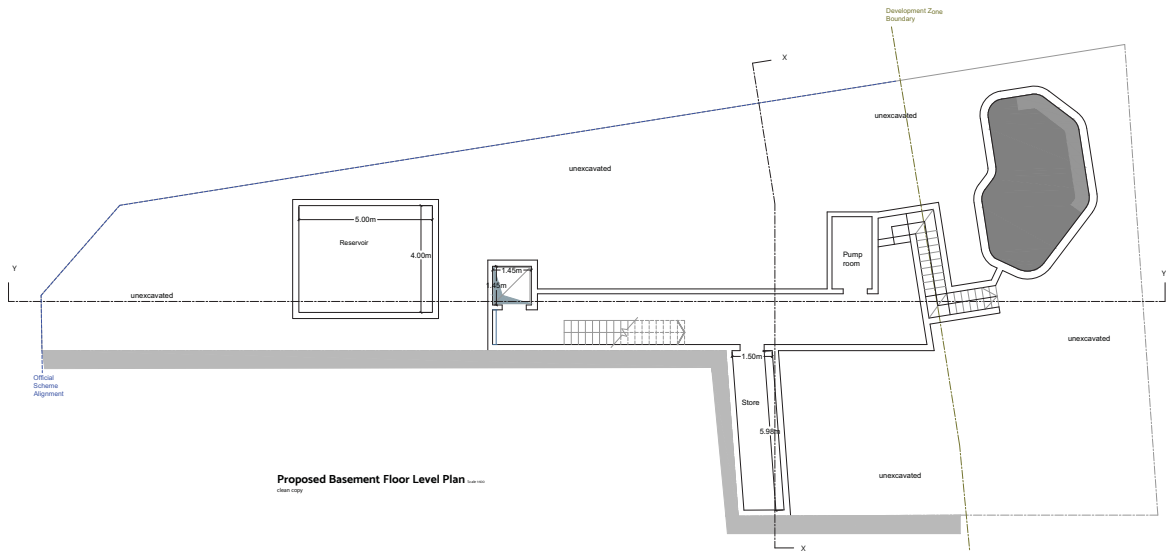
**Existing Roof Plan** Scale 1:500  
For Demolition



PROJECT  
CONSTRUCTION OF APARTMENTS  
LOCATION  
QALA, GOZO

DRAWING TITLE  
PLANS  
FILE  
239/2022  
DRAWING  
OO  
DATE  
OCTOBER 2022





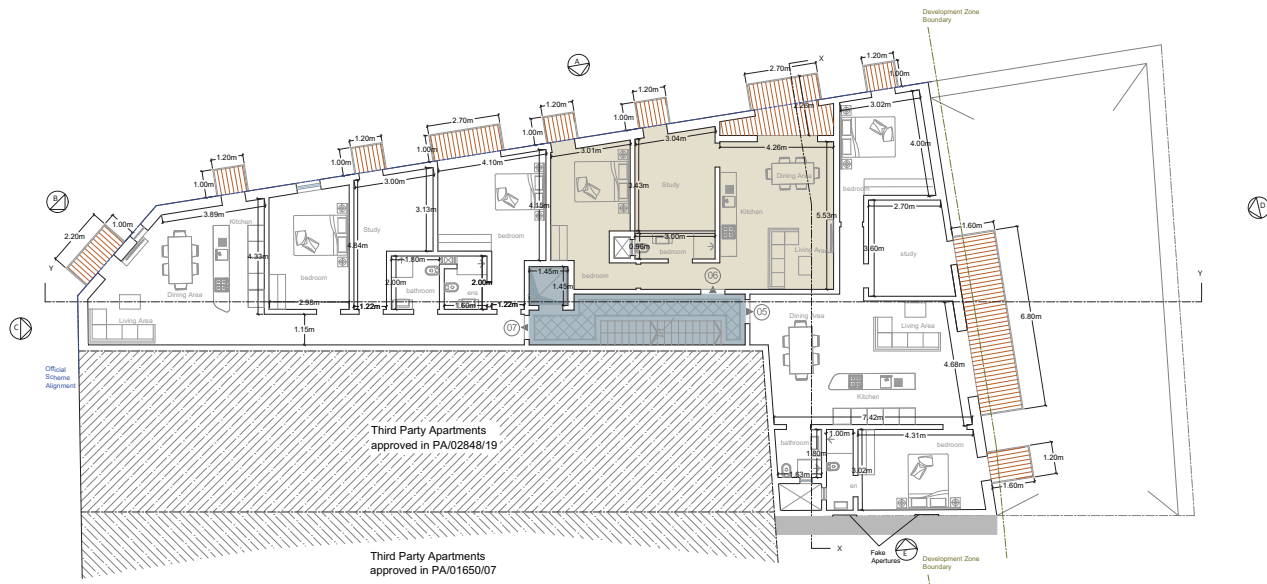
INSTRUCTION OF APARTMENTS

NO: 022  
 DATE: OCTOBER 2022

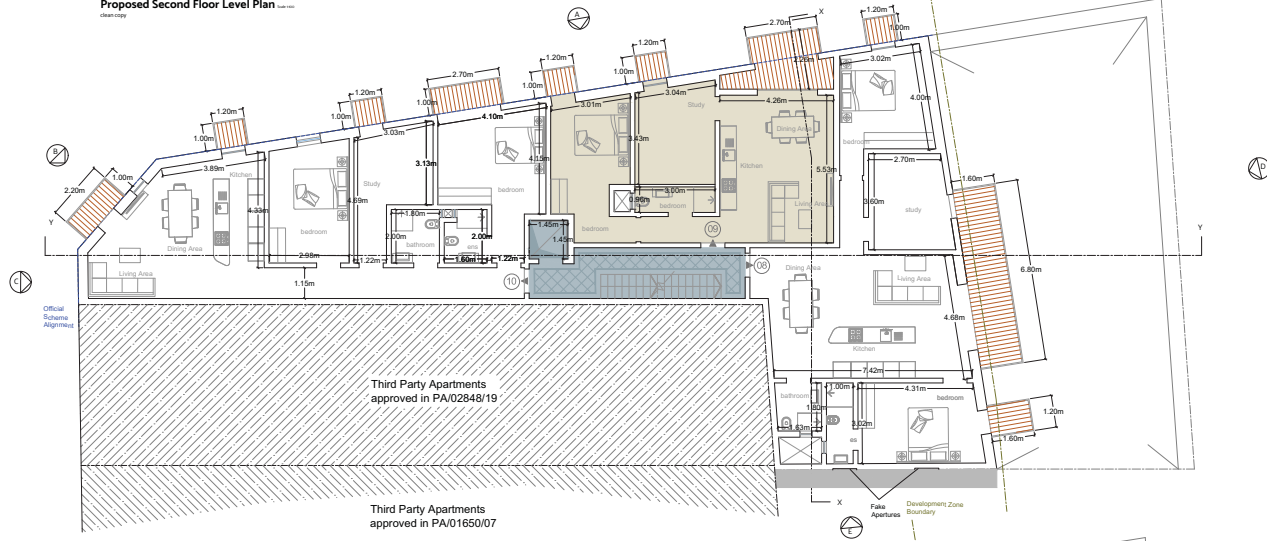
| Residence ID | No of Beds | Internal F1 Area    | External Area      | Gross F1 Area       |
|--------------|------------|---------------------|--------------------|---------------------|
| APT - 01     | 2+Study    | 100.4m <sup>2</sup> | 26.7m <sup>2</sup> | 127.1m <sup>2</sup> |
| APT - 02     | 2+Study    | 96.4m <sup>2</sup>  | 13.9m <sup>2</sup> | 110.3m <sup>2</sup> |
| APT - 03     | 2+Study    | 81.2m <sup>2</sup>  | 11.5m <sup>2</sup> | 92.7m <sup>2</sup>  |
| APT - 04     | 2          | 88.5m <sup>2</sup>  | 4.8m <sup>2</sup>  | 93.1m <sup>2</sup>  |

| Residence ID | No of Beds | Internal F1 Area | External Area | Gross F1 Area    |
|--------------|------------|------------------|---------------|------------------|
| Office       | -          | -                | -             | 32m <sup>2</sup> |

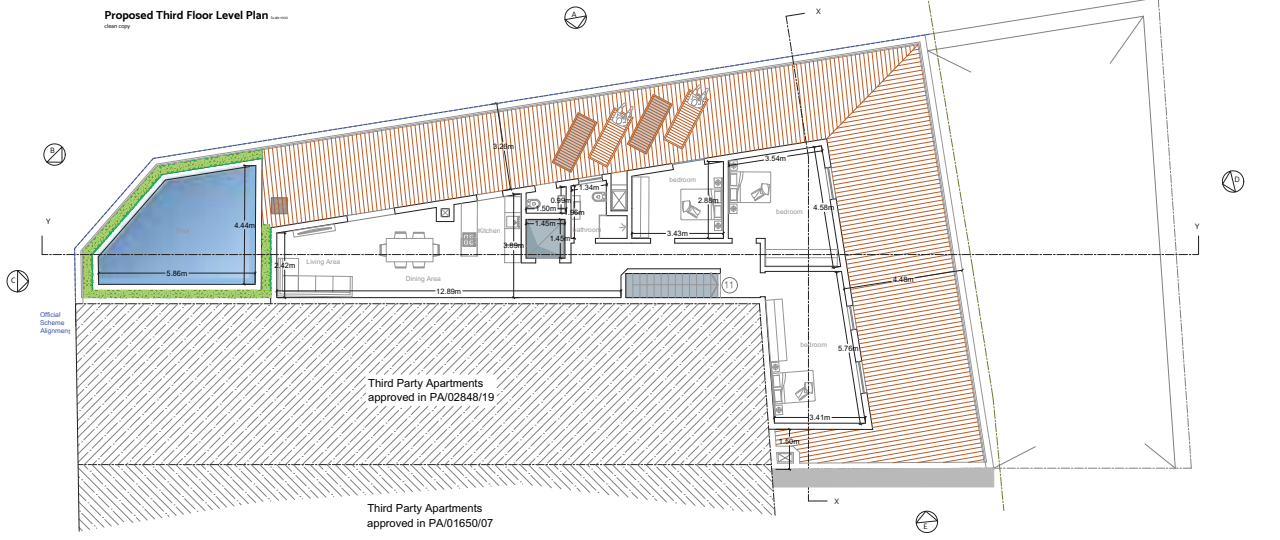
| Garage ID | Internal F1 Area | External Area | Gross F1 Area       |
|-----------|------------------|---------------|---------------------|
| Garage 01 |                  |               | 18.8m <sup>2</sup>  |
| Garage 02 |                  |               | 22.0m <sup>2</sup>  |
| Garage 03 |                  |               | 26.5m <sup>2</sup>  |
| Garage 04 |                  |               | 21.2m <sup>2</sup>  |
| Garage 05 |                  |               | 19.40m <sup>2</sup> |
| Garage 06 |                  |               | 18.10m <sup>2</sup> |



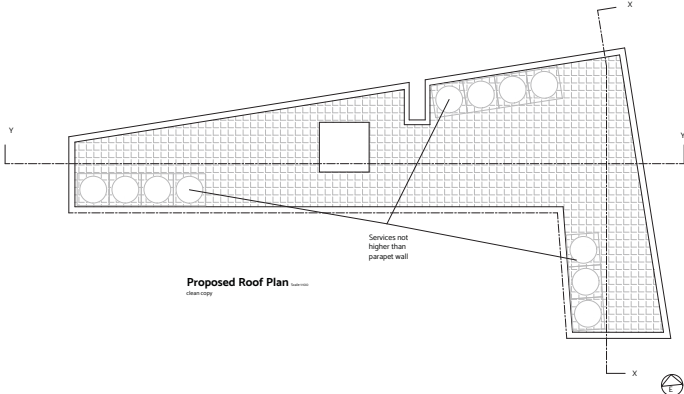
Proposed Second Floor Level Plan  
clear copy



Proposed Third Floor Level Plan  
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Proposed Receded Floor Level Plan  
clear copy



Proposed Roof Plan  
clear copy

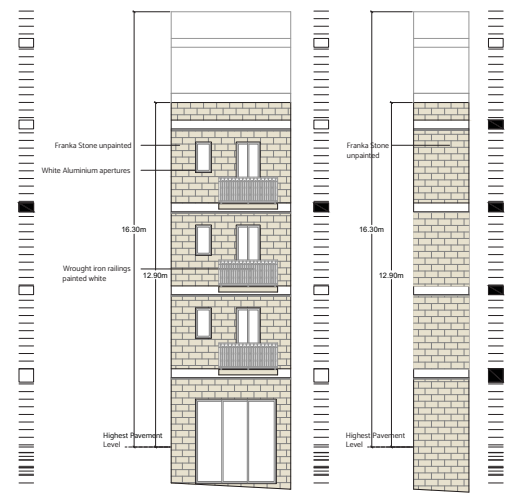
| Residence ID | No of Beds | Internal FI Area    | External Area       | Gross FI Area       |
|--------------|------------|---------------------|---------------------|---------------------|
| APT - 05     | 2+Study    | 96.6m <sup>2</sup>  | 13.8m <sup>2</sup>  | 110.4m <sup>2</sup> |
| APT - 06     | 1+Study    | 63.1m <sup>2</sup>  | 10.1m <sup>2</sup>  | 73.2m <sup>2</sup>  |
| APT - 07     | 2+Study    | 105.6m <sup>2</sup> | 7.3m <sup>2</sup>   | 112.9m <sup>2</sup> |
| APT - 08     | 2+Study    | 96.6m <sup>2</sup>  | 13.8m <sup>2</sup>  | 110.4m <sup>2</sup> |
| APT - 09     | 1+Study    | 63.1m <sup>2</sup>  | 10.1m <sup>2</sup>  | 73.2m <sup>2</sup>  |
| APT - 10     | 2+Study    | 105.6m <sup>2</sup> | 7.3m <sup>2</sup>   | 112.9m <sup>2</sup> |
| PH - 11      | 3          | 106.1m <sup>2</sup> | 163.2m <sup>2</sup> | 269.3m <sup>2</sup> |



PROJECT:  
CONSTRUCTION OF APARTMENTS  
LOCATION:  
QALA GOZO  
DRAWING TITLE:  
PLANS  
REV: 239/2022  
DATE: OCTOBER 2022

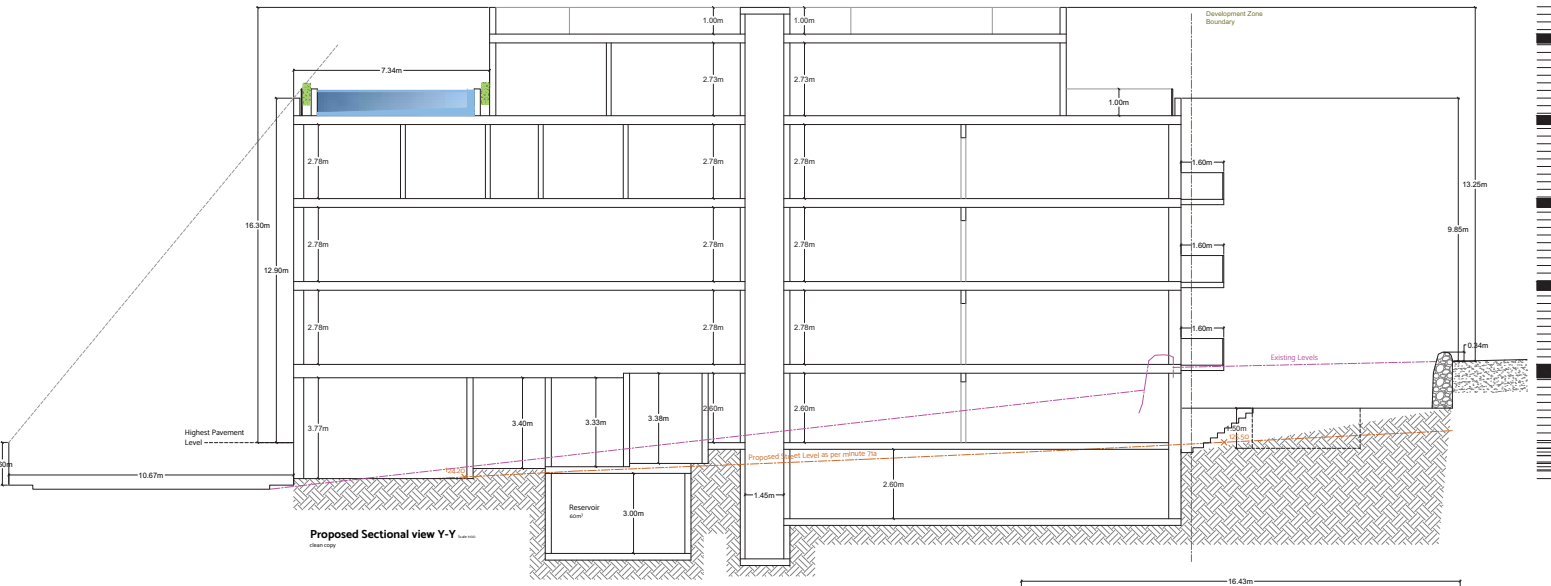


Proposed Elevation A

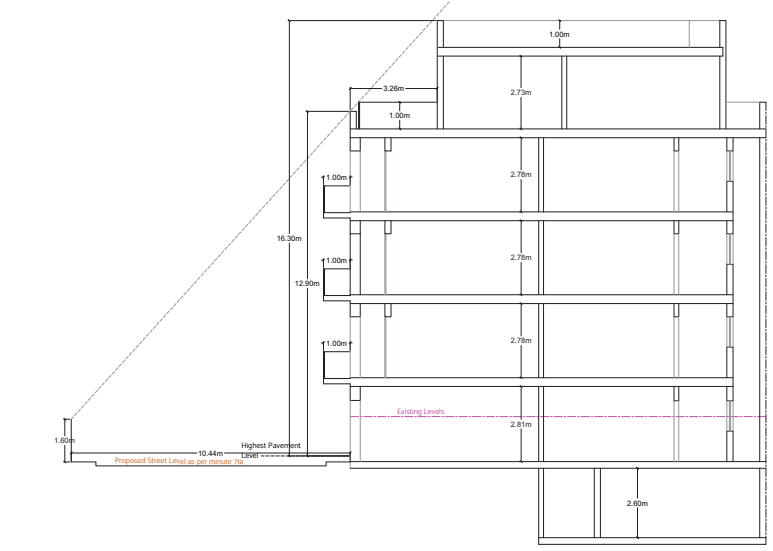


Proposed Elevation B

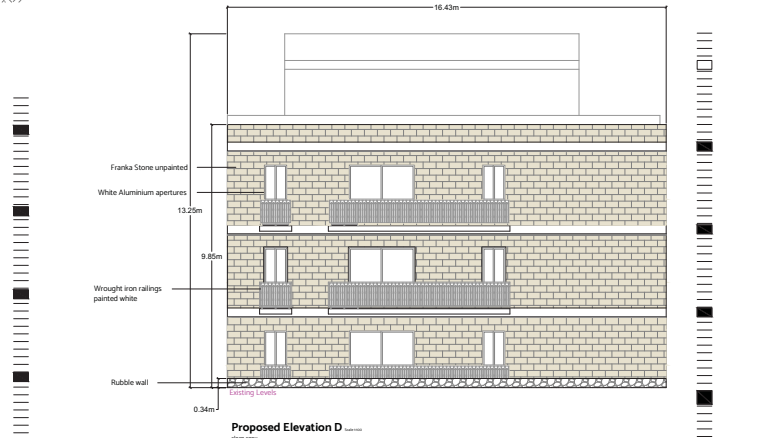
Proposed Elevation C



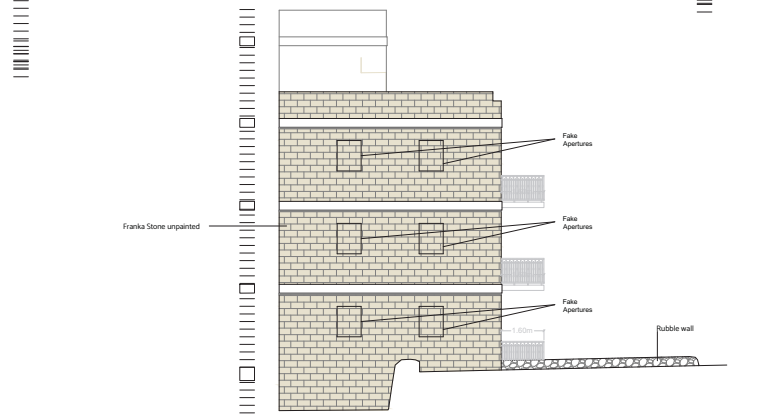
Proposed Sectional view Y-Y



Proposed Sectional view X-X



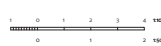
Proposed Elevation D



Proposed Elevation E



PROJECT  
CONSTRUCTION OF APARTMENTS  
LOCATION  
QALA GOZO  
DRAWING TITLE  
SECTIONS, ELEVATIONS  
NO. 03  
DATE  
SEPTEMBER 2023





**Appendix 19: (Benghazi Site)**

A.19.1 – Site Plan



**Appendix 19: (Benghazi Site)**

A.19.2 – Photographs



