

Dr. Dino Mangion  
 Medichem Manufacturing (Malta) Ltd.  
 Hf61 Hal Far Industrial Estate  
 Hal Far BBG 3000

Date: 12 April 2013  
 Our Ref: PA/02877/12

Application Number: PA/02877/12  
 Application Type: Full development permission  
 Date Received: 6 August 2012  
 Approved Documents: PA 2877/12/1A/1C  
 Fire Safety and Ventilation Report PA 2877/12/14D  
 Civil Protection Department PA 2877/12/38

Location: Medichem Manufacturing ( Malta) Ltd. HF61, Qasam Industrijali, Hal Far, Birzebbugia, Malta  
 Proposal: Installation of prefabricated modular laboratory facilities at Medichem manufacturing (Malta) Ltd. factory.

### **Environment and Development Planning Act, 2010 Full Development Permission**

The Malta Environment & 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 MEPA staff at all reasonable times. All works shall be carried out strictly in 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 Policy and Design Guidance shall take precedence and shall modify the drawings and documents accordingly.
  - d) Where applicable, all building works shall be erected in accordance with the official alignment and official/existing finished road levels as set out on site by MEPA's Land Surveyor. The Setting Out Request Notice must be submitted to the Land Survey Unit of MEPA when the setting out of the alignment and levels is required.

e) Where an officially schemed street, within the development zone, bordering the site is

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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.

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 complete.

g) The enclosed Commencement Notice shall be returned to MEPA so that it is received at least five days prior to the commencement of any works hereby permitted.

h) Where applicable, the development hereby permitted shall be 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.

i) All new developments 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] and to Technical Guidance Document F [published through Government Notice 1002 of 2006 and any amendments thereto] which are prevailing at the time of construction of the development.

j) The height of the development shall not exceed the permitted number of floors and the height in metres as indicated on the approved drawings.

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

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.

- 2 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 of permission. Prior to the issuing of the Final Compliance Certificate for this development, the applicant shall submit to MEPA:-

- certification from a qualified engineer confirming that the development fully satisfies the requirements specified in report PA 2877/12/14D.

- 3 The following conditions are being imposed by the Environment Protection Department:-

1. In view of the requirement of a variation in the IPPC permit applicant shall either (i) integrate this activity with the IPPC renewal process to commence in 2013 or (ii) prior to commencement of operation of the modular laboratory facilities, be in possession of a variation to the IPPC permit covering this activity.
2. All operations concerning the management of waste are subject to the legal provisions of Legal Notice 184 of 2011 [The Waste Management Regulations 2011] as amended

and Legal Notice 106 of 2007 [Waste Management (Activity Registration) Regulations of 2007].

3. Inert waste material resulting from excavations or from demolition may be reused as fill material on the site covered by this application, or shall be deposited at facilities permitted by MEPA and in accordance with the legal provisions laid down in Legal Notice 184 of 2011 [The Waste Management Regulations of 2011] as amended and Legal Notice 106 of 2007 [Waste Management (Activity Registration) Regulations of 2007].
4. All material, structures, vehicles and machinery used for, or generated by, the works are to be entirely confined to the site approved for development and/or the land area occupied by the existing road carriageways. No overspills or vehicular trampling/maneuvering beyond such land area are to be allowed. This applies to both the construction/site preparation phase and the operational use of the site.
5. Applicant is to make provisions to prevent dust, mud and construction-phase debris from over-spilling or contaminating areas adjacent to the site.

- 4 The conditions imposed and enforced by the Civil Protection Department are at document PA 2877/12/38. The architect/applicant are required to contact the Civil Protection Department, throughout all the construction phases of the development hereby approved, to ensure that the development is carried out in conformity with the conditions imposed by the Civil Protection Department.

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.

A third party may have the right of appeal against this permission. Any action taken on this permission when such an appeal has been made, or until the time limit for the submission of such an appeal has expired, is undertaken at the risk that this permission may be revoked by the Environment and Planning Review Tribunal or quashed by the Court of Appeal.

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 (including MEPA), 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 Protection Directorate (within MEPA) to obtain any necessary operational permit or registration. This requirement does not apply to Class 4, 5, 7 and 8 uses as listed in the Development Planning (Use Classes) Order (1994), or its subsequent amendments.

**This decision is being published on 20 April 2013.**

David Cassar  
f/Head EPC Secretariat  
Environment and Planning Commission

## **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 10 of Legal Notice 514 of 2010.

### **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 41 and the Second Schedule of the Environment and Development Planning Act, 2010.

### **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 6(6) of Legal Notice 514 of 2010.

### **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 the Development Permit Fee paid in respect of the original application, subject to a minimum of €186.35.

### **Submission of request for reconsideration or appeal**

With regards to requests for reconsideration, Form MEPA 6/10 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 the Second Schedule of the Act, 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.

### **Submission of an appeal — General Services Board**

If this application has been refused on sanitary issues, an appeal to the General Services Board may be submitted within one month from publication of Decision Notification on the press.

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