

# Copy of Original Decision Notice



To: Mr George Cilia  
obo Malta Industrial Parks Ltd.  
PO Box 112  
Sliema SLM 01

Date: 14 September,  
2005  
Our Ref: PA 04257/04

Application Number: PA 04257/04  
Application Type: Full Development Permission / 01  
Date Received: 20 July, 2004  
Approved  
Documents : PA 4257/04/1B/1C/1D/17A/17B/17C/17D/1H/1J/1L

Location: Factory HF 61, Qasam Industrijali, Hal Far  
Proposal: Installation of manufacturing plant for production of active pharmaceutical ingredients (AP1) in a facility/factory already covered by permit PA 1792/04.

## Development Planning Act 1992 Section 33 Full Development Permission

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

1. The conditions laid out in this planning permit are without prejudice to any conditions related to the operation and monitoring of the facility that may be included in the IPPC permit.
2. Condition 8 of PA1792/04 is superseded by this development permission. The specific use of this installation shall be subject to the IPPC permit and shall be limited to the production of active pharmaceutical ingredients.
3. All external lighting shall be downward facing using antiglare fixtures. Lighting at the back of the facility (facing Wied Zhuber) shall be as dim as possible and not facing the valley.
4. Landscaping
  - (a) Given that the Southern periphery is facing the valley (Wied Zhuber), an indigenous climber instead of *Bougainvillea glabra* shall be used. Increased landscaping along the Southern periphery of the site shall be provided to the satisfaction of the Malta Environment and Planning Authority.
  - (b) Landscaping of the site shall be implemented in its entirety within the first planting

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season following completion of the development hereby approved, in accordance with the details submitted with the application unless the prior approval in writing of the Malta Environment & Planning Authority has been obtained to depart from these details. No compliance certificate (partial or full) shall be issued on part, or the whole, of the development hereby approved prior to the implementation of the landscaping scheme in its entirety.

5. General:

(a) There shall be no service pipes, cables or wires visible on the front elevation of the building.

(b) Air conditioning units shall not be located on the facades of the building which are visible from a public space. Any such units located at roof level shall be set back from the facade by at least 1 metre.

6. All buildings used by the public must have appropriate access, toilet and internal arrangements for the disabled (including self-propelled wheelchair users), the elderly and children in prams or pushchairs. Adequate parking provision must be provided for the physically handicapped.

7. The risk register included as part of the EIA shall be re-assessed every five years and submitted to the Malta Environment and Planning Authority.

8. The internal fire safety measures shall be certified by architects and engineers responsible for the development to the satisfaction of the Civil Protection Department.

9. Drainage:

(a) A Public Sewer Discharge Permit in accordance with LN 139 of 2002 may be required for this development.

(b) All commercial premises are subject to inspection and clearance from the Drainage Department.

(c) All liquid trade effluent shall be properly treated prior to its discharge to the drainage system.

(d) The development hereby permitted shall be connected to public sewers.

10. a) This development permission is valid for a period of FIVE YEARS from the date of this notice but will cease to be valid if the development is not completed by the end of this five year period.

b) It should be noted that a third party may have the right of appeal against this permission. Any development which is carried out 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 Planning Appeals Board or quashed by the Court of Appeal.

c) 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.



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d) All works shall be carried out strictly in accordance with the approved plans and the conditions of this permission. Where a matter is not specified on the plans then the conditions of this permission and of Development Control Policy and Design Guidance shall take precedence and modify the plans accordingly.

e) All building works shall be erected in accordance with the official alignment and proposed/existing finished road levels as set out on site by the Malta Environment & Planning Authority's Land Surveyor. The Setting Out Request Notice must be returned to the Land Survey Unit of the Malta Environment & Planning Authority when the setting out of the alignment and levels is required.

f) Before any part of the development hereby permitted commences, the enclosed green copy of the Development Permit 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 permit 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 the Malta Environment & Planning Authority so that it is received at least five days prior to the commencement of the development hereby permitted.

h) Copies of all approved plans and elevations shall be available for inspection on site by Malta Environment & Planning Authority staff at all reasonable times.

i) Where the street bordering the site is unopened, it shall be opened up **prior to the commencement of the building operations** hereby permitted.

j) Work shall not commence on the construction (including excavation), alteration or demolition of the building until a covered way or a fence, boarding or barricade has been constructed as follows

A Where the construction or demolition activity is located **less than 2 metres from a public way used by pedestrians** a covered way shall be provided (unless the work is carried out within a solid enclosure; site work conditions are more than 2 metres from a public way used by pedestrians, or the work duration does not exceed 5 days). This covered way shall

- (i) have a clear height of not less than 2.5 metres;
- (ii) have a clear width of not less than 1.5 metres or the width of the public way whichever is the lesser;
- (iii) be designed and constructed to safely support all loads that may be reasonably be expected to be applied to it;
- (iv) have a weather tight roof sloped towards the site or if flat be equipped with a splash board not less than 300mm high on the road side;
- (v) be totally enclosed on the site side with an enclosure having a reasonably smooth surface facing the public way;
- (vi) have a railing 1 metre high on the road side where the covered way is supported by posts on the road side, and
- (vii) be adequately lighted between sunset and sunrise.

B Where the construction or demolition activity is located **2 metres or more from a public way used by pedestrians**, a strongly constructed hoarding, boarding or

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barricade shall be erected between the site and the public way or open sides of a construction site, and the hoarding, boarding or barricade shall

- (i) be not less than 1.8 metres high;
- (ii) have a reasonably smooth surface facing the public way;
- (ii) be without openings, except those required for access.

Access openings shall be equipped with solid gates which shall be kept closed and locked when the site is unattended and shall be maintained in place until completion of the construction or demolition activity.

Authorisation for these arrangements must be obtained from the Local Council.

k) No building material, waste material, machinery or plant shall obstruct the pavement or the smooth flow of traffic on the road in the vicinity of the site. The deposit of materials or the placing of equipment in the street must be authorised by the Police.

l) Any soil on the site shall not be built over but shall be collected for reuse. A permit from the Director of Agriculture is required to remove the soil from the site. All soil shall be deposited at the place indicated by the Director of Agriculture.

m) Rock spoil, boulders and other waste materials resulting from excavations or from demolition on this site shall be deposited at an official waste disposal site or used as fill material. If waste materials from the development are not to be reused, they shall not be disposed of other than at an official waste disposal site. A permit from the Environmental Protection Directorate is required to this effect.

n) The development hereby permitted shall not be brought into use until the Final Compliance (Completion) Certificate, certifying that the development has been carried out in full accordance with the plans approved by this permission and with the other conditions imposed in this permission, has been issued by the Malta Environment & Planning Authority.

o) The permit is issued on condition that, where applicable, any excavation shall be subject to the requirements of the Civil Code regarding neighbouring tenements.

This permit is granted saving third party rights. The applicant is not excused from obtaining any other permission required by law. The applicant should contact the following regarding the location and provision of services prior to commencing development:- Enemalta, Water Services Corporation, Maltacom, Drainage Department and Melita Cable.



Francis Tabone  
Board Secretary  
MEPA