

Copy of Original Decision Notice



Mr. Simone Ferlin
Sterling Chemicals Malta Ltd.
C/O 44
Triq San Frangisk
Sliema SLM 2069

Date: 26 June 2013
Our Ref: PA/03033/12

Application Number: PA/03033/12
Application Type: Full development permission
Date Received: 17 October 2012
Approved Documents: Site Plan - PA3033/12/1A
Part existing and proposed Plan - PA3033/12/36a
Part existing and proposed Elevation - PA3033/12/36b
Civil Protection Directorate Conditions - PA3033/12/35

Location: Factory HF 51, Qasam Industrijali, Hal Far, Birzebbugia, Malta
Proposal: Installation of LPG bulk storage in a facility/factory already covered by permit PA/04236/08.

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 Environmental Conditions:

a. Removal and re-use of soil, and management of waste generated by site preparation, excavation and construction operations:

(i) Any soil on the site shall not be built over but shall be collected for re-use in accordance with the Fertile Soil (Preservation) Act, 1973. A permit from the Director of Agriculture may be required to this effect.

(ii) The deposition and reuse of any soil removed from the site shall be approved in advance by MEPA's Environment Protection Directorate if it would involve deposition or re-use in any site which is located Outside Development Zones or within a scheduled or otherwise legally protected site.

(iii) Contaminated soils are to be managed and disposed of in accordance with the legal provisions laid down in Legal Notice 184 of 2011 [The Waste Management Regulations of 2011] as amended by Legal Notice 441 of 2011 and L.N. 168 of 2002 [Waste Management (Landfill) Regulations of 2002] and its amendments. (d) Inert waste material resulting from demolition may be reused as fill material within the site (as long as this is in

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line with the approved plans and other conditions of this permit), 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 by Legal Notice 441 of 2011 and Legal Notice 106 of 2007 [Waste Management (Activity Registration) Regulations of 2007].

(iv) 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 by Legal Notice 441 of 2011 and Legal Notice 106 of 2007 [Waste Management (Activity Registration) Regulations of 2007].

b. All operations concerning the management of waste are subject to the legal provisions of Legal Notice 184 of 2011 [The Waste Management Regulations of 2011] as amended by Legal Notice 441 of 2011 and Legal Notice 106 of 2007 [Waste Management (Activity Registration) Regulations, 2007].

c. Inert waste material/rock resulting from excavations or from demolition may be reused as fill material on site 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 by Legal Notice 441 of 2011 and Legal Notice 106 of 2007 [Waste Management (Activity Registration) Regulations, 2007].

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

j) 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.

- 3 The conditions imposed and enforced by the Civil Protection Department are at document PA3033/12/35. 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 6 July 2013.

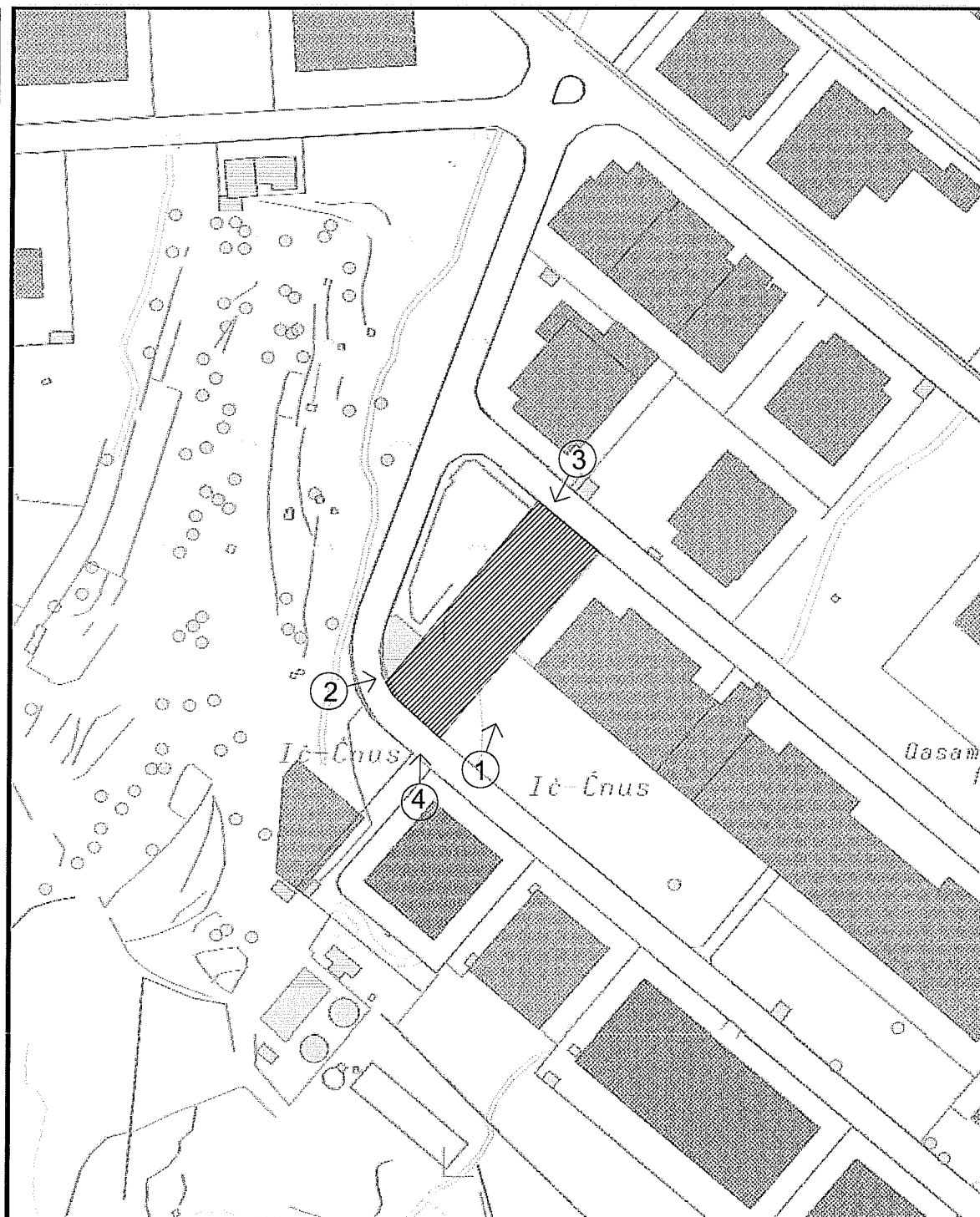


David Cassar
f/Head EPC Secretariat
Environment and Planning Commission

[PADCNCopy]

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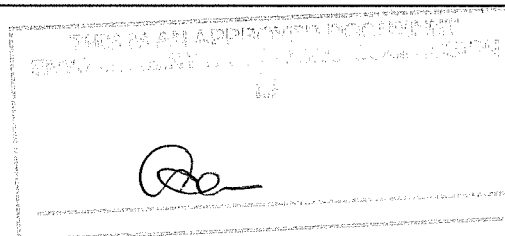
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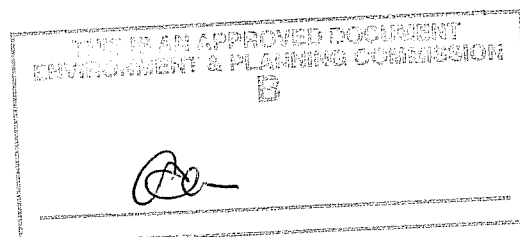
Site Plan, Scale 1:2500

Printed on: Thursday, May 03, 2012

Not to be used for interpretation or scaling of scheme alignments
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MINISTERU TAL-INTERN

119122
MINISTRY FOR HOME AFFAIRS*Dipartiment tal-Protezzjoni Civili**Civil Protection Department**Our Ref:***Malta Environment & Planning Authority**
Application: PA 03033/1216th February 2013**Attn: Bernard Ferry BA (Hons),****Installation of LPG storage tank in Factory in Hal-Far**PLAN no PA 3033/12 / 35
D.C.C Board No _____

With reference to the above mentioned proposal the Civil Protection Department finds no objection provided that it complies with guidelines laid by the LPG Code of practice.

The fence round the storage should be professionally build, no parking spaces near the LPG tank installation be allowed, the installation should be properly security and labeled. Main supply of LPG inside the building should be protected by a valve to close the LPG supply in case of emergency and be properly labeled, any type of grass or weeds of any type is to be allowed to grow near the installation and it should continuously be kept clean.

We suggest that the MRA LPG code of practice should further be consulted.

Regards,

Tony Pisani
Operations manager