



**Architectural, Structural Design Studio  
Environmental Management Consultancy  
Urban Planning and Design Consultancy**

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Malta (Europe)  
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**Your Ref:** PA 7902/05

**Our Ref:** 25/07

**e-mail:** l\_bianco@maltanet.net

16<sup>th</sup> July 2007

The Chairman  
Malta Environment and Planning Authority  
St Francis Ravelin  
Floriana

***Re Full development permit PA 7902/05***

The undersigned architect and civil engineer is writing on behalf of Ms Carmen Bajada (I.D. 15166G) of 'Venerina', Triq Dun Vincenz Cauchi, Xaghra, a resident and local councilor.

Reference is made to the above full development planning consent which was granted by the Malta Environment and Planning Authority on 6<sup>th</sup> June 2007. To-date, permit PA 7902/05 was not issued to the applicant to commence works on site.

Planning permission PA 7902/05, as per outline permission PA 5138/02, had granted development of villas on a public right of way as per declaration of the Director of Estate Management Department, hereby attached as Document 1. This is a statement of fact which MEPA was not aware of when issuing both development permits as applicant submitted Certificate of Ownership A, thus declaring that he is the sole owner of the site, hereby attached as Document 2.

You are thus duly informed that,

1. declaration of ownership is not correct and, given that it is a public right of way, it is not just a matter of land ownership, but a planning control consideration with direct material bearing on the issuing of development permission PA 7902/05 and
2. if permit 7902/05 is issued to applicant, the Malta Environment and Planning Authority is to be held criminally responsible for granting consent to a pretended right by a private party, which right interferes with the public enjoyment of an official right of way.

Lino Bianco A.&C.E.

cc. The Director, Estate Management Department, Auberge de Baviere, Valletta  
Commissioner of Police, Police General Headquarters, Floriana

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DOCUMENT 1:

Application of Director, Estate Management Department,  
to Lands Registry re government property at  
Ramla I-Hamra

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**APPLIKAZZJONI GHAL TITOLU:**

Numru: LAAC 176/2002  
Data: 25/3/02  
Hlas: km 00 TV 600002349  
Ricevitur: *fo*

**XORTA TA' APPLIKAZZJONI:**

L-ewwel Registrazzjoni.

**DESKRIZZJONI TAL-PROPRJETA:**

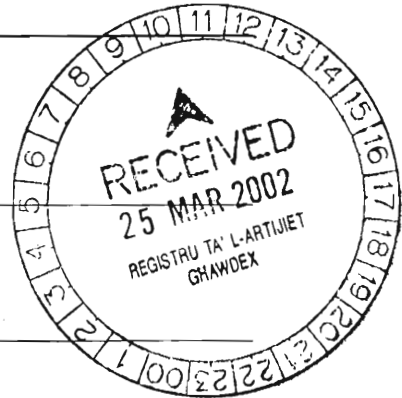
Porzjonijiet ta' art fin-Nadur, fix-Xaghra u f'Zebbug Ghawdex, kif mhurija fuq il-lista numru SG3491A mehmuzza ma' din l-applikazzjoni.

**APPLIKANT:**

Il-Gvern ta' Malta.

**BAZI TA' L-APPLIKAZZJONI:**

Skond L-Annessa Dikjarazzjoni



**LISTA TAD-DOKUMENTI PREZENTATI:**

1. Dikjarazzjoni.
2. Lista ta' Porzjonijiet ta' Art – Lista numru SG3491A.
3. Pjanta Numru SG3491.

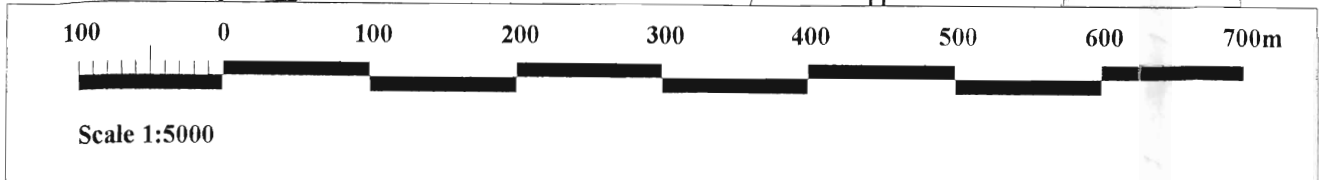
Jien hawn taht iffirmit niddikjara li kull ma jinsab f'din il-formola sa fejn naf jien huwa veru, u li jiena ivverifikajt id-dokumenti rilevanti, u ma hemm ebda fatt li jien naf bih li hu kuntrarju ghal dak migjub fid-dokumenti.

Joseph Caruana

Direttur, Dipartiment ghat-Tmexxija tal-Propjeta'

25 MAR 2002

# NADUR, XAGHRA, ZEBBUG (GHAWDEX)



<b>LOCALITY: NADUR, XAGHRA, ZEBBUG (GHAWDEX)</b>		
<b>S.P. No: SG3491</b>		<b>SCALE 1:5000</b>
<b>FILE:</b>	<b>DRAWN BY:</b> MUSCS006	<b>CHECKED BY:</b>

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**DOCUMENT 2:**

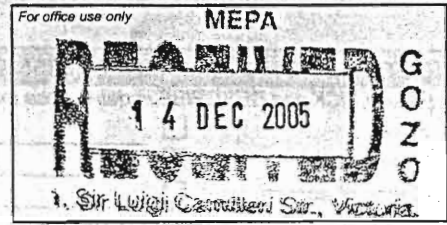
Full Development Planning Application PA 7902/05  
including site plan submitted

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# APPLICATION FOR DEVELOPMENT PERMISSION

(Form PA 1/02) in terms of the Development Planning Act 1992

Awtorita' ta' Malta dwar l-Ambjent u l-Ippjanar,  
St Francis Ravelin, Floriana GPO 01 Tel: 2290 0000 Fax: 2290 2295



7902 05

**1 Applicant** (Please complete in block letters)

Name: MR. EMIDIO AZZOPARDI,  
Address: C/O 66, VASRINGA STR.  
VICTORIA, GOZO.

ID No: 78650(G) Postcode: VCT105  
Tel No: \_\_\_\_\_ Mobile: \_\_\_\_\_  
E-mail: \_\_\_\_\_ Fax: \_\_\_\_\_

**2 Perit** (Please complete in block letters)

Name: ANNAMARIA ATTARD MONTALTO f/p. ARC  
Address: AND PERIT DANIEL SCERRI,  
66, VASRINGA STR, VICTORIA, GOZO.

Your ref. for this application: \_\_\_\_\_

ID No: 3569(G) Postcode: \_\_\_\_\_  
Tel No: 21556330 Mobile: \_\_\_\_\_  
E-mail: \_\_\_\_\_ Fax: \_\_\_\_\_

**3 (a) Category of application** (Tick ONE box ONLY)

B1 Full development permission  
 B2 Outline development permission  
 B6 Renewal of development permission  
 B7 Amended development permission  
 B10 Approval of details reserved by permit condition

**(b) Type of development** (Tick more than one box if appropriate)

B3 Quarrying/Minerals extraction - Use separate form  
 B4 Internal alterations not permitted by DNO  
 -- Development cleared by Malta Tourism Authority  
 B5 Advertisement consent  
 B8 Telecommunications antennae  
 B9 Householder development permission  
 B11 Scheduled Property consent  
 Other (specify): \_\_\_\_\_

**(c) Supplementary forms attached** (where required)

B12 Additional information form (required for new offices, shops, hotels, commercial, industrial, warehousing, leisure or mixed development)  
 C2 Additional information on swimming pools  
 Other (specify): \_\_\_\_\_

**4 Location of proposed development** (Please use block letters)

Property name: SITE AT Door \_\_\_\_\_  
Street name(s): TRIQ GHASH QAMAR,  
Locality: XAGHRA Local council: XAGHRA

**5 Description of proposed development** (Describe ALL project components. Indicate both SCALE and TYPE of development proposed. Include the number of units. Describe ALL proposed alterations in detail. For extensions, indicate the number of additional units.)

DEMOLITION OF EXISTING COMMERCIAL COMPLEX AND ERECTION OF DWELLING UNITS WITH POOLS AS PER OUTLINE PERMIT PA 5138/02

**6 List of plans and drawings**

Please TICK, if continuation sheets are attached

Plan/Drawing title	Your unique ref.
1.	
2.	
3. <u>SEE ATTACHED SHEET.</u>	
4.	
5.	
6.	
7.	
8.	

**7 (a) Development Profile**

Site area (m<sup>2</sup>): 39,000

	Existing		Proposed	
	Floors	Basements	Floors	Basements
No. of floors & basements	2	1	2	1
Total floorspace (m <sup>2</sup> )	6500		6700/2043	
Number of dwelling units	1		23	

**(b) Main use of the site/buildings**

Existing: COMMERCIAL  
Proposed: \_\_\_\_\_

**8 OUTLINE DEVELOPMENT PERMISSION ONLY** **B2**

*(Please TICK and DESCRIBE in detail those matters that are reserved for further approval)*

Siting	<input type="checkbox"/>	_____
Design	<input type="checkbox"/>	_____
Means of access	<input type="checkbox"/>	_____
Landscaping	<input type="checkbox"/>	_____
External appearance	<input type="checkbox"/>	_____
Technical studies	<input type="checkbox"/>	_____
Method statement(s)	<input type="checkbox"/>	_____
Other (specify)	<input type="checkbox"/>	_____

**Perit's declaration (outline applications only)**  
 I, the undersigned Perit, hereby declare that to the best of my knowledge all the technical content contained in this application and on the submitted plans is correct.

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 Signed \_\_\_\_\_ Perit (Official stamp) \_\_\_\_\_ Date \_\_\_\_\_

**9 ADVERTISEMENT CONSENT ONLY** **B5**

Type of advertisement (Tick as appropriate):

<input type="checkbox"/> Billboard	<input type="checkbox"/> Projection Sign
<input type="checkbox"/> Fascia sign	<input type="checkbox"/> Other (Specify): _____

For how long is consent required?  Indefinite  If not indefinite, date of expiry: \_\_\_\_\_

Is illumination required?	<input type="checkbox"/> No	<input type="checkbox"/> Yes		
If yes, describe the type of illumination:	<input type="checkbox"/> Internal	<input type="checkbox"/> External	<input type="checkbox"/> Static	<input type="checkbox"/> Intermittent

Is the applicant the owner of the land or building?  Yes  No  
**If NO, the owner must complete the following declaration:**

I, the undersigned \_\_\_\_\_ (ID card number: \_\_\_\_\_), as owner of the land or building to which the advertisement(s) are to be fixed, hereby give permission for the display of the advertisement(s).

Signed \_\_\_\_\_ Date \_\_\_\_\_

**10 RENEWAL OF PERMISSION OR AMENDED PERMISSION ONLY** **B6-B7**

Reference number of development permission that is currently valid: \_\_\_\_\_

Expiry date of currently valid permission: \_\_\_\_\_  
*(A full development permit application is required if the permission has expired)*

Describe in detail the differences between this proposal and the current permission:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

List the approved plan numbers (of the existing valid permit) which are to be amended:

\_\_\_\_\_

\_\_\_\_\_

*If there are any differences between this proposal and the existing valid permit, this will be treated as an application for amended permission. An application for full development permission is required if there is a significant change in the form or content of the development.*

**11 TELECOMMUNICATIONS ANTENNAE ONLY**

**B8**

Description of apparatus (Include technical specifications of the receiver, decoder, low noise block and antenna - preferably a manufacturer's brochure)

Maximum height above ground level (m):

Are there any other antennae on the site?  Yes  No

If yes, describe and indicate on plan:

**12 APPROVAL OF DETAILS RESERVED BY CONDITION ONLY**

**B10**

Reference number of related permission:

Date of expiry of related permission:

(An application for full development permission is required if the related permission has expired)

Permit conditions to which this application relates:

Condition no.	Summary of permit condition

Permit conditions still outstanding after this application:

Condition no.	Summary of permit condition

**13 APPLICATIONS IN SCHEDULED PROPERTY, PROTECTED AREAS or OTHER CONSERVATION AREAS**

- SCHEDULED PROPERTY refers to buildings, sites or areas specifically declared under Sections 46-48 of the Development Planning Act.
- PROTECTED AREAS refers to sites specifically declared as protected under the Environment Protection Act or other legislation.
- OTHER CONSERVATION AREAS include Urban, Rural and Marine Conservation Areas as well as existing Village Cores.

Tick ALL the categories that apply:

Type of scheduling, protection or designation	Govt. Notice No. (where applicable)	Property ref.	Name and description of building, site or area
<input type="checkbox"/> Urban Conservation Area / Village Core			
<input checked="" type="checkbox"/> Rural Conservation Area			
<input type="checkbox"/> Marine Conservation Area			
<input type="checkbox"/> Scheduled / listed building			
<input type="checkbox"/> Archaeological site			
<input type="checkbox"/> Area of landscape value			
<input checked="" type="checkbox"/> Area of ecological and/or scientific value			
<input type="checkbox"/> Scheduled/protected tree/s			
<input checked="" type="checkbox"/> Area of agricultural value			
<input type="checkbox"/> Other			



**14 Access**

This development includes or entails:

- A new vehicular access  Yes  No  
 - An altered access  Yes  No

Name of affected roads (& indicate proposed changes on plan):

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**15 Trees**

This development includes or entails:

- Felling of trees  Yes  No

Indicate location and species of affected trees on plan numbers(s)

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**16 Water, Sewage and Electricity**

What is the source of water supply? MAINS SUPPLY  
 How will foul sewage be disposed of? MAINS SEWER  
 How will surface water run-off be disposed of? TO RESERVOIR  
 What is the maximum electrical power requirement for this development (KVA)? 8KVA per dwelling

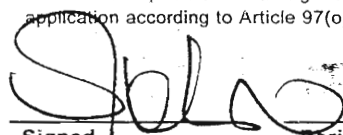
**17 Alignment/levels** Does the development require alignment/levels to be set?  Yes  No

**18 Previous applications, permits, clearances and notifications on this site**  
 (to include all PABP, PA, GDO/DNO and SE cases, providing the respective reference number as used by Authority)

MEPA reference no.	Description	Expiry
P.1240/73/1352/69	TO ERECT TEA ROOMS....	12/04/1974
PA 2326/95	CONVERSION OF EXISTING FLOORS AND EXTENSION...	
PA 5138/02	RE-DEVELOPMENT OF AN EXISTING FULLY LICENCED COMMERCIAL COMPLEX	14/10/2010

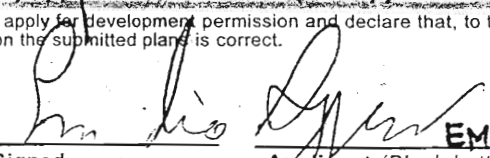
**19 (a) Perit's declaration (except for outline applications)**

I, the undersigned Perit, hereby declare that to the best of my knowledge all the technical content contained in this application and on the submitted plans and drawings is correct and that I shall undertake the direction and responsibility for the works referred to in this application according to Article 97(o) of the Code of Police Laws (Chapter 10).

 **ANTONIO MONTALTO BELLA ARCE**  
 Signed Perit (Official Stamp) Date 14/12/05

**(b) Applicant's declaration (ALL applications)**

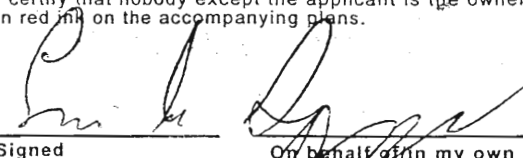
I apply for development permission and declare that, to the best of my knowledge, all the information contained in this application and on the submitted plans is correct.

 **EMIDIO AZZOPARDI**  
 Signed Applicant (Block Letters) Date 14/12/05

**20 Certificate of Ownership (Applicant is the sole owner of this site)**

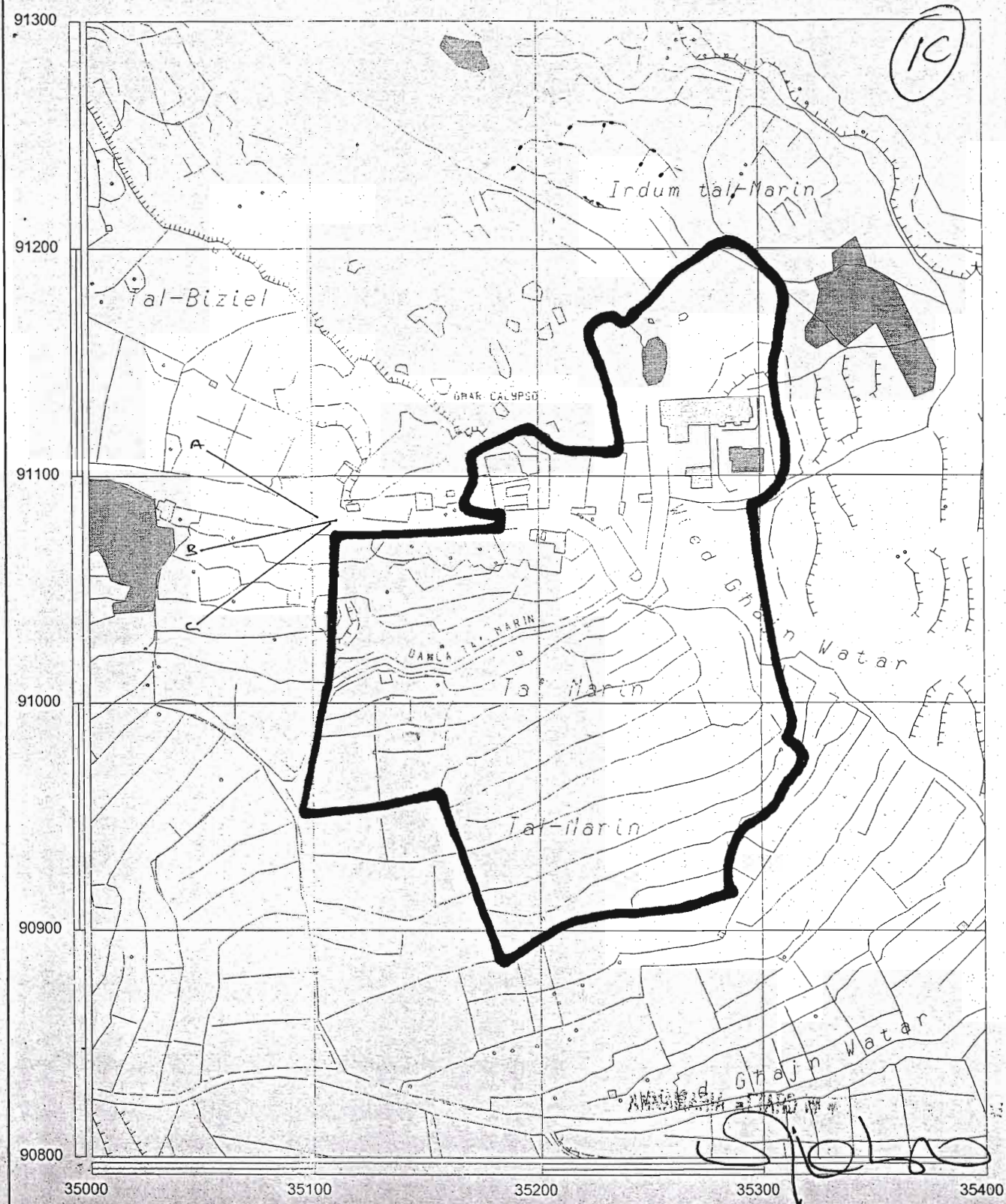
If Certificate of Ownership B (other, known owners exist) or C (one or more owners unknown) is required, please attach to the application with all relevant documentation.

I certify that nobody except the applicant is the owner of any part of the land to which this application relates, as shown in red ink on the accompanying plans.

 **EMIDIO AZZOPARDI**  
 Signed On behalf of/in my own name ID Number 78650(G) Date 14/12/05

- 21 Attachments and drawings checklist (to be completed by Perit)**
- |  |  |
|--|--|
| <input type="checkbox"/> Building Levy fee receipt attached                | <input type="checkbox"/> Appropriate Certificate of Ownership completed/attached   |
| <input type="checkbox"/> All required questions answered                   | <input type="checkbox"/> Full description of proposed development & site location  |
| <input type="checkbox"/> Required copies of application form and plans     | <input type="checkbox"/> All drawings folded to A4 size and duly collated          |
| <input type="checkbox"/> All drawings titled and signed by the Perit       | <input type="checkbox"/> Use of rooms indicated on drawings                        |
| <input type="checkbox"/> Colour & type of all external materials indicated | <input type="checkbox"/> For Change of Use, area affected clearly indicated        |
| <input type="checkbox"/> Three sets of colour photos, on an A4 sheet       | <input type="checkbox"/> Malta Tourism Authority clearance attached where required |
| <input type="checkbox"/> Additional information fully attached as required | <input type="checkbox"/> Other (specify)   |

NB: Application may be rejected at the front desk if requirements are incomplete, unclear, insufficient or erroneous.



Malta Environment & Planning Authority  
 Mapping Unit Site Plan, Scale 1:2500

St. Francis Ravelin  
 Floriana  
 PO Box 200, Valletta  
 Tel:21240976 Fax:21224846  
 www.mepa.org.mt



Part of Survey Sheet(s): 3490 3491

Date Issued:- 9/12/05

- The numbered lines indicate 100m intervals on a U.T.M. grid
- This site plan is not to be used for interpretation or scaling of scheme alignments

