

28 November 2022
The Directors,
GAP Group PLC
GAP Holdings Head Office
Triq Censu Scerri,
Tigne', Sliema
SLM 3060

Subject: Valuation Report

Property: Site having a façade on Triq I-Għaġuża, Triq il-Bajja and Triq I-Ghawwiema in Marsascale, Malta.

I, the undersigned Architect and Civil Engineer (BE&A Hons.), have been requested to evaluate the property in caption.

General

The valuation has been prepared in accordance with Chapter 7 of the Capital Markets Rules issued by the Malta Financial Services Authority.

Requirement for a valuation report

The purpose of this valuation is for the inclusion thereof within the prospectus to be published in connection with the issue of up to €23,000,000 4.75% Secured Bonds 2025 -2027 by GAP Group p.l.c. (C 75875) (the "Issuer").

Reporting Standards

The valuation has been carried out by the undersigned, as an independent valuer. Given that the valuer is not a member of the Royal Institute of Chartered Surveyors (RICS), the valuation has been undertaken with due consideration to the UK Royal Institution of Chartered Surveyors Appraisal and Valuation Manual.

Independence of valuer

The undersigned confirms that there is no conflict of interest in issuing this valuation report, since the undersigned and his associates and employees will not benefit from the valuation instruction, other than the receipt of the valuation fee.

A. Contents of valuation report

1. Address

The property subject of this valuation is a building site with façades on Triq il-Bajja, Triq I-Għaġuża, and Triq I-Għawwiema. A site plan has been included in Appendix A to this report. Photos of the site in its current state are attached to this report as Appendix B.

2. Nature of valuer's inspection

The property subject of this valuation has been inspected by the undersigned. The undersigned declares that he has visited the site and carried out a visual inspection and is fully familiar with the plans of the property submitted to the Planning Authority.

3. Brief Description

The site subject of this valuation report is located in the Zonqor area of Marsascala. Its façade is directly on Triq I-Għaġuża, Triq il-Bajja and Triq I-Għawwiema, with its main façade being south facing. Once developed, its façade will also abut onto two (2) new roads in Marsascala, Malta (to be built). The development to be undertaken on the site shall be fully residential, apart from two (2) small Class 4B shops. The development will consist of one hundred and eighteen (118) residential units which will be sold in a finished state (excluding internal doors) and including all common areas. One hundred and eighty-two (182) lock-up garages, situated at basement level will also form part of the development. The site has a superficial area of approximately three thousand five hundred square meters (3,500m²). On completion, the development will comprise ten (10) blocks of residential units, each with a separate entrance and served with passenger lifts accessing both the residential units and the underlying garage levels. The penthouses at the topmost floor of the blocks will have full ownership of the respective roof and airspace.

Out of the ten (10) blocks, one (1) block will contain nine (9) units, four (4) blocks will contain ten (10) units each, one (1) block will contain thirteen (13) units, one (1) block will contain twelve (12) units, two (2) blocks will contain fourteen (14) units each, whilst the remaining block will contain sixteen (16) units. The residential units shall be spread on eight (8) levels in each block. The development shall also include one hundred and eighty-two (182) lock up garages spread over five (5) underground levels. The combined gross floor area of the residential units and garages shall result in a saleable area of approximately thirty-one thousand five hundred and sixty square metres (31,560m²). The size of the residential units shall vary between 550m² and 210m², depending on the number of bedrooms of an individual unit, and will comprise a mix of one, two and three bedroomed residential units.

A more detailed breakdown is given in the table below:

Block	Floor	Number	Beds
A	-2	M1	3
A	-1	2	2
A	-1	3	2
A	0	4	2
A	0	5	2
A	1	6	2
A	1	7	2
A	2 TER	8	2
A	2 TER	9	2

Block	Floor	Number	Beds
B	-2	SHOP	
B	-2	M1	2
B	-1	2	1
B	-1	3	2
B	0	4	1
B	0	5	2
B	1	6	1
B	1	7	2
B	2 TER	8	3
B	3 PH	9	2
B	3 PH	10	2

Block	Floor	Number	Beds
C	1	M1	3
C	1	M2	3
C	2	3	3
C	2	4	3
C	3	5	3
C	3	6	3
C	4	7	3
C	4	8	3
C	5 PH	9	2
C	5 PH	10	3

Block	Floor	Number	Beds
D	1	M1	3
D	1	M2	3
D	2	3	3
D	2	4	3
D	3	5	3
D	3	6	3
D	4	7	3
D	4	8	3
D	5 PH	9	3
D	5 PH	10	3

Block	Floor	Number	Beds
E	1	M1	3
E	1	M2	3
E	2	3	3
E	2	4	3
E	3	5	3
E	3	6	3
E	4	7	3
E	4	8	3
E	5 PH	9	3
E	5 PH	10	3

Block	Floor	Number	Beds
F	-2	M1	3
F	-2	M2	3
F	-1	3	3
F	-1	4	3
F	0	5	3
F	0	6	3
F	1	7	3
F	1	8	3
F	2 TER	9	3
F	2 TER	10	3
F	3 TER	11	3
F	3 TER	12	3
F	4 TER	13	3
F	4 TER	14	3
F	5 PH	15	3
F	5 PH	16	3

Block	Floor	Number	Beds
G	-1	M1	3
G	-1	2	3
G	0	3	3
G	0	4	3
G	1	5	3
G	1	6	3
G	2	7	3
G	2	8	3
G	3 TER	9	3
G	3 TER	10	3
G	4 TER	11	3
G	4 TER	12	3
G	5 PH	13	3
G	5 PH	14	2

Block	Floor	Number	Beds
H	-1	M1	3
H	-1	M2	3
H	0	3	3
H	0	4	3
H	1	5	3
H	1	6	3
H	2	7	3
H	2	8	3
H	3 TER	9	3
H	3 TER	10	3
H	4 TER	11	3
H	4 TER	12	2
H	5 PH	13	2
H	5 PH	14	2

Block	Floor	Number	Beds
I	0	M1	3
I	0	M2	2
I	1	3	3
I	1	4	2
I	2	5	3
I	2	6	2
I	3	7	3
I	3	8	2
I	4 TER	9	3
I	4 TER	10	2
I	5 PH	11	2
I	5 PH	12	2

Block	Floor	Number	Beds
J	0	SHOP	
J	0	M1	2
J	0	M2	2
J	1	3	2
J	1	4	2
J	1	5	1
J	2	6	2
J	2	7	2
J	2	8	1
J	3	9	2
J	3	10	2
J	3	11	1
J	4 TER	12	2
J	4 TER	13	2

Description	Number
Parking space x1	2
Lock-up garage x1	153
Lock-up garage x2	21
Lock-up garage x3	5
Lock-up garage x4	1

The residential units will be finished to high standards and each unit will include all the electrical and plumbing systems, bathrooms, the low voltage system (phone/internet), air condition installation points (excluding copper), gypsum plastering and two (2) coats of white paint, all floor tiles (both internal and external) as well as all external apertures in double glazed aluminum.

The façade of the development will be composed of various materials such as silicate rendering, hard stone cladding, and other suitable materials. A block plan of the development over the site is attached hereto as Appendix C.

4. Existing Use

As at the date of this valuation report, the site is unused, has not been developed and consists of bare rock.

5. Relevant planning applications

Given that the site is located within a rationalisation scheme, the site can only be developed following the approval of a PC application. The site is subject to an approved Planning Control application with application number PC/00055/18. The approved PC application, PC/00055/18, designated the site detailed in this valuation report as residential with a height limitation of 17.50m. Accordingly, four full floors and an overlying penthouse can be developed over the site. The PC application with application number PC/00055/18 was approved on 4 December 2018.

Moreover, the site is covered by a full development permit, PA/00777/22, which was granted by the Planning Authority on 27 October 2022. The development shall include ten (10) individual blocks, having a total of one hundred and eighteen apartments (118), one hundred and eighty-two (182) garages at basement level and two (2) Class 4B shops as detailed in section of 3 of this valuation report. The approved drawings are available for inspection at the Issuer's registered office.

A copy of PC/00055/18 and PA/00777/22 are annexed to this valuation report as Appendix D.

6. Material contravention of statutory requirements

CMR 7.4.1.6: Not applicable.

7. Tenure

The site is subject to the annual and perpetual ground-rent of €1.92c payable to the Land Registry of Malta. The architect was informed that the contract of emphyteusis dated 17 July 1683 in the records of Notary Marco Antonio Brancati could not be traced and, accordingly, the conditions pertaining to the deed of emphyteusis, if any, cannot be determined.

Main terms of tenants' leases or sub-leases

CMR 7.4.1.8: Not applicable.

8. Approximate age of any buildings

No works have been carried out on the site as at the date of this valuation report.

9. Present capital value in existing state

The estimated present capital value of the site in its existing state is calculated using the discounted cash flow method.

The selection of the discount rate is based on the long-term risk-free rate of return, expressed in current terms, that is including inflation, and on a specific risk premium for the individual property being valued, taking into account factors such as property illiquidity, management limitations, type, size and location of property, competition, potential delays, future uncertainty, status of building permits, counter-party risks, and resource risks. A pre-tax risk-free rate of 2.75%, which approximates to the current yield on a 5-year Malta Government Stock issue, has been adopted for this valuation. A risk premium of 9.75% was considered as adequate for valuing the property. Therefore, the discounted cash flow is taken at the rate of 12.5%.

Development site cleaning and preparatory works on the development over the site subject of this valuation will commence in Q1 2023 and the development should be completed and finished two (2) years later by Q1 2025. Remaining payments to suppliers are expected to be spread over the next three (3) years until December 2025, where the highest cash outflows are projected during 2024 and 2025 at circa 40% and 32% respectively, of the remaining development costs.

In terms of revenue (cash inflows), the Gap Group expects to enter into promise of sale agreements shortly after the launch on the market of the residential units and garages in Q2 2024. In this regard, the cash flow projections assume an even spread of deposits receivable from promise of sale agreements between Q2 2024 and Q1 2026, whilst sales contracts for 100% of residential units and garages are expected to be signed between Q1 2025 and Q3 2026.

Present Capital Value

On the basis of the above, the present capital value of the site in its current state is estimated to be **€16,400,000 (sixteen million and four hundred thousand Euro)**.

Expected Date of Completion

It is expected that the project will be completed and finished in Q1 2025.

Estimated Total Cost of the Development

The estimated total cost of development is approximately **€17,640,000 (seventeen million and six hundred and forty thousand Euro)** which is divided as follows:

Excavation	€ 2,800,000
Construction	€ 6,700,000
Finishes	€ 6,700,000
Contingency	€ 1,440,000

This amount excludes professional fees and marketing expenses and financial carrying charges.

The financial carrying charges in relation to the development are €3,277,500.¹

Estimated Capital Value

The capital value at current market prices and on the basis of current market conditions, after the development has been completed is estimated at €47,800,000 (forty-seven million and eight hundred thousand Euro).

10. Terms of intra-Group lease on Property occupied by the Group (identifying the Properties) to the extent that such leases are taken into account in the valuation

CMR7.4.1.11: Not applicable.

11. Other matters which materially affect the value

CMR.4.1.12: Not applicable.

12. Sources of information and verification

All information that was considered necessary for the purpose of drawing up the present report was obtained from the directors of the Issuer. This included all planning applications, construction and finishing cost estimates, design, management and supervision costs, marketing and selling costs, estate management costs, and financing costs. There was also access to the projections of sales and cash flow.

13. Details of registered mortgages and privileges and other charges, real rights thereon including details of emphyteutical concessions, easements, and other burdens

The site is subject to perpetual emphyteutical concession constituted by virtue of a deed in the acts of notary Marco Antonio Brancati dated 17 July 1683. Pursuant to this emphyteutical concession an annual and perpetual ground rent of €1.92 is payable to the Joint Office in Malta.

¹ The financial carrying charges refer to the interest payable on the €23,000,000 secured bonds to be issued by GAP Group p.l.c. on the assumption that the €23,000,000 secured bonds are redeemed on the earliest redemption date (22 December 2025).

Saving the emphyteutical concession detailed above, there are no other charges, real rights, easements, or any other burdens encumbering the site.

B. Details of valuer

Tancred Mifsud
B.E.&A. (Hons) A.&C.E.
Tancred Mifsud Services Limited
Tel: [+356] 2144 4293
Mob: [+356] 7944 4293
Email: tmperit@outlook.com
Address: Ralmant, Flat No. 1, B. Bontadini Street, Balzan, BZN 1370
Warrant No: 471

C. Date of valuation

The valuation was completed on, and the effective date thereof is, the 28 November 2022.

D. Basis of valuation

The Capital Markets Rules issued by the Malta Financial Services Authority require that the valuation be made on the basis of an open market value for existing use. An open market value represents an opinion of the best price for which the sale of an interest in a property would have been completed unconditionally for a cash consideration on the date of valuation.

Since projects of this nature and scale do not easily lend themselves to a method of valuation which is based on the comparative method, this valuation method is based on the profits, or earnings method, using a discounted cash flow approach. The open market value is considered to correspond to the capitalised sum of the fair business earning potential. The valuation was therefore based on the determination of likely future operational cash-flows, discounted to net present value at an appropriate rate of return.

E. Assumptions

An open market valuation assumes that there is a willing seller, that the interest being valued would have been, prior to the transaction, properly marketed, that the state of the market, level of values and other circumstances are consistent over the period of the valuation, that no account is taken of any additional bid by a prospective purchaser with special interest, and that both parties to the transaction act knowledgeably, prudently and without compulsion.

An existing use value follows on the definition of the open market value, with the added assumptions that the property can be used, for the foreseeable future, only for the existing use, and that vacant possession is provided on completion of the sale of all parts occupied by the business.

F. Benefits/Detriments of contractual agreements

CMR 7.4.7: Not applicable.

G. Acquisitions/Disposals Interest

CMR 7.4.8: Not applicable.

H. Other Relevant matters

No responsibility is being assumed to the third parties to whom this report may be disclosed and no liability is accepted in contract, negligence, restitution with regards to any loss including profits, goodwill or opportunity. While the above is deemed to provide a reasonable valuation of the property in question, such estimate may also vary between one valuer and another. This valuation is also subject to changes over relatively short periods due to economic conditions.

I. Standards and Guidelines

The valuation has been carried out with due consideration given to the standards and guidelines issued by the Royal Institute of Chartered Surveyors (RICS).

TANCRED MIFSUD

B.E. & A. (Hons) A. & CE

PERIT

M: 79444293

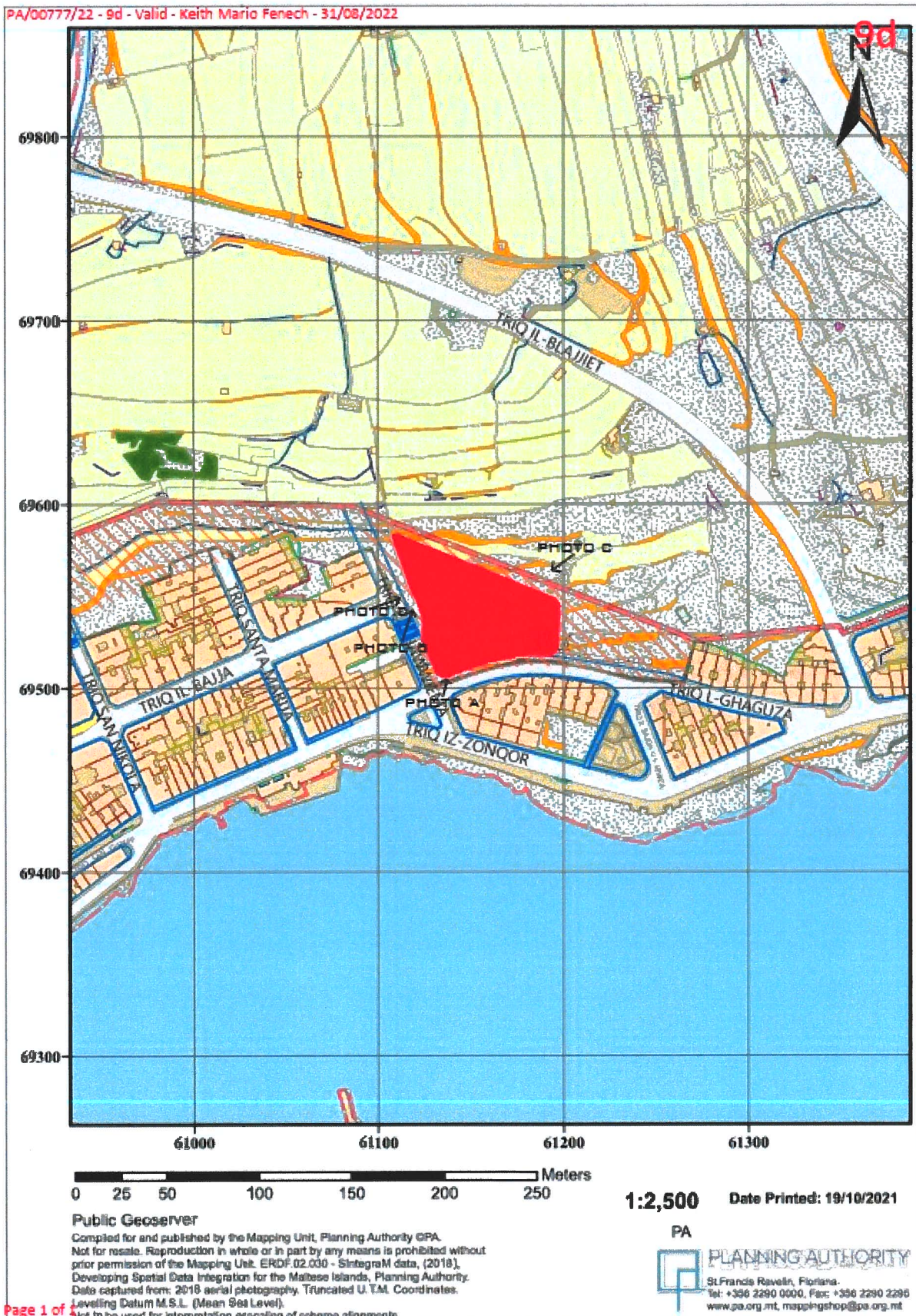
Tancred Mifsud tancredm@maknet.net

B.E. & A. (Hons) A. & C.E.

Perit

Appendix A
Site Plan

PA/00777/22 - 9d - Valid - Keith Mario Fenech - 31/08/2022



Public Geoserver
Compiled for and published by the Mapping Unit, Planning Authority (PA).
Not for resale. Reproduction in whole or in part by any means is prohibited without prior permission of the Mapping Unit. ERDF.02.030 - SintegraM data, (2018).
Developing Spatial Data Integration for the Maltese Islands, Planning Authority.
Data captured from: 2018 aerial photography. Truncated U.T.M. Coordinates.
Levelling Datum M.S.L. (Mean Sea Level).
Not to be used for interpretation or scaling of scheme alignments.

1:2,500 Date Printed: 19/10/2021

PA
PLANNING AUTHORITY
St. Francis Ravelin, Floriana.
Tel: +356 2290 0000, Fax: +356 2290 2296
www.pa.org.mt, mappingshop@pa.org.mt

Appendix B
Photographs



Appendix C
Block Plan



Appendix D
Permits

PA/00777/22
PC/00055/18

GAP Projects Limited Attn: Mr Paul Attard

Date: 14 November 2022
Our Ref: PA/00777/22

Application Number: PA/00777/22
Application Type: Full development permission
Date Received: 19 October 2021
Approved Documents: PA 777/22/9D;

PA 777/22/309A Level -3;
PA 777/22/275C Level -2b;
PA 777/22/275D Level -2;
PA 777/22/278B Level -1;
PA 777/22/278C Level 0;
PA 777/22/278D Level 1;
PA 777/22/278E Level 2;
PA 777/22/278F Level 3;
PA 777/22/278G Level 4;
PA 777/22/278H Level 5;
PA 777/22/278i Level 6 (roof);

PA 777/22/94A Alignment;
PA 777/22/197A Block plan (trees);

PA 777/22/310A South Elevation;
PA 777/22/310B West & East Elevations;
PA 777/22/278L North Elevation;

PA 777/22/278M/278N/278/O/278P; and supporting documents:

PA 777/22/210A/ 276A Engineer's report;

PA 777/22/40A Superintendence Cultural Heritage;
PA 777/22/89A Water Services Corporation;
PA 777/22/182A Commission Rights Persons Disability;
PA 777/22/206B Environment & Resources Authority;
PA 777/22/237A Transport Malta

Location: Site at Zonqor, Triq I-Ghaguza c/w, Triq I-Ghawwiema, Marsascala
Proposal: To excavate and construct 182 garages at basement level, 2 Class 4B shops, and 118 overlying units.

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

PA/00777/22

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.
- 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 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 a) 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.
- b) The approved shops 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 communal parking area shall only be used for the uses indicated on the approved drawings and shall be kept available at all times for such use. 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.
- 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:

(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 777/22/182A.

Note: Should a compliance certificate be requested for a planning unit not comprising the whole approved development, a Bank Guarantee of € 50,000 shall apply to ensure that CRPD clearance is obtained.

(ii) certification by an engineer confirming that the development fully satisfies the requirements specified in supporting documents PA 777/22/210A/276A.

7 This permission is subject to a Bank Guarantee to the value of € 10,715.70 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.

8 **Reserve matters:**

a. Endorsement by Enemalta in relation to the layout of the substation shall be submitted within six (6) months from the date of issuing of this development permission or prior to commencement of construction works on site, whichever is the earliest.

b. Endorsement by Infrastructure Malta in relation to the detailed layout of the roads and water culverts abutting the site shall be submitted prior any construction works reach street level.

9 The architect/applicant is required to contact the following entities throughout the implementation of the development hereby approved, to ensure conformity with the imposed conditions. A copy of the relative correspondence / clearance shall be submitted to the Planning Authority accordingly.

a) The conditions imposed and enforced by the Superintendence of Cultural Heritage are at supporting document PA 777/22/40A.

b) The conditions imposed and enforced by the Water Services Corporation are at supporting document PA 777/22/89A.

c) The conditions imposed and enforced by the Environment and Resources Authority are at supporting document PA 777/22/206B.

d) The conditions imposed and enforced by Transport Malta are at supporting document PA 777/22/237A.

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 777/22/197A.

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.

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.
 - (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.
- (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.

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/00777/22

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 23 November 2022.

Yoanne Muscat
Board Secretary
Planning Board

PA/00777/22

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.

-PADCN-

Anton Camilleri

Date: 26 January 2021
Our Ref: PC/00055/18

Dear Sir/Madam,

Application Number: PC/00055/18
Location: Zonqor, Triq l-Ghaguza c/w Triq l-Ghawwiema and Triq il-Bajda
u s-Sewda, , Marsaskala, Marsascala
Proposal: To establish the zoning, building height and road alignment of
the rationalization exercise site (2006) (17.5m height limitations)

**Development Planning Act, 2016
Decision Notice**

Reference is being made to your planning control application validated on 26 April 2018.

I am pleased to inform you that the Executive Council at its meeting held on 4 December 2018 has approved your application as per attached plans PC 0055/18/93B/208B. The requested minor modification to plan was endorsed by the Hon Minister on 14 January 2021 subject to the following conditions:

- (1) The area is zoned as a Residential Area in terms of policy SMHO 02 of the South Malta Local Plan (2006), and any other subsequent amendment.
- (2) The building heights for the area shall not exceed the maximum limits indicated on Map PC 55/18/208B. The height limitation is to be measured from the public roads.
- (3) A Construction Method Statement has to be submitted as part of first planning application development submitted within the PC site boundary. The Method Statement shall provide for:
 - a) the remediation and mitigation of the rock face along the northern part of the site, along the Limits to Development;
 - b) road design to cater for adequate water culverts along the proposed streets to reduce the storm water surface runoff;
 - c) measures to control the emission of dust and dirt during construction, including wheel washing;
 - d) a scheme for recycling/disposing of waste resulting from demolition and construction works.

- (4) All development within the area covered by this PC is to include a reservoir with a capacity of 20% in excess of the minimum requirement of Part II of L.N. 227 of 2016 – Development Planning (Health and Sanitary) Regulations, 2016.
- (5) No vehicular access is allowed on the private open space indicated on Map PC 55/18/208B. This same area is to include soft landscaping.
- (6) Any blank party walls are to be treated.
- (7) A nature permit is required for the uprooting of trees.
- (8) Site shall not be subject to Floor Area Ratio Planning considerations.
- (9) Detailed development proposals shall be subject to any legal third party access rights through or to the site.

This decision notice is being published on 3 February 2021.

Yours faithfully,

Yoanne Muscat
Executive Council Secretary

c.c. Colin Zammit

-DocPCDcnAEndorsed-