

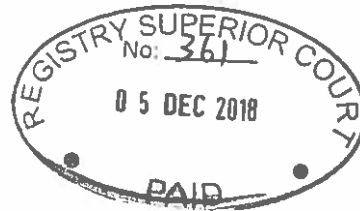
FIL-QORTI ĊIVILI, PRIM' AWLA

**FL-ATTI TAS-SUBBASTA
Rikors Nru 23/18**

**Avukat Edward Debono et
vs
Jean Pierre Borg *sive* Jean Borg**

Mandat ta' Qbid ta' Hwejjeg Immobili u Bejgh b'Subbasta ta' Jean Pierre Borg

Rapport tal-Perit Arielle Agius



PERIT ARIELLE AGIUS

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16 ta' Novembru, 2018

FL-ATTI TAS-SUBBASTA

RIK.NRU:23/18

Avukat Edward Debono et

vs

Jean Pierre Borg sive Jean Borg

Re: Rapport ghal- Mandat ta' Qbid ta' Hwejjeg Immobili u bejgh b'Subbasta ta' Jean Pierre Borg

Jiena l-Perit hawn taht iffirmata, ġejt inkarigata biex naghmel stima fuq il-fond tal-Hunting Lodge u artijiet adjaċenti sitwati fit-territorju maghruf bhala Ta' Baldu, fiż-żona maghrufa bhala 'Misrah Suffara', fil-limiti ta' Had-Dingli; ghal-kawza ġudizjarja fl-Atti tas-Subbasta nru. 23/18 fl-isem ta' Jean Pierre Borg.

Inkonnessjoni mar-rikors fuq imsemmi, inizjalment intbghatu ittri registrati lin-nutara Dr. Andre Farrugia u Dr. Sandra Valentino (b'kopji mibghutin ukoll lil-kreditur, intimat u id-deputat registrar) bit-talba ghal kopji ta' *site plans* u pjanti tal-proprjetajiet.

La darba dawn kienu mibghutin lili, saret ir-riċerka sabiex ninvestiga fejn jinsabu il-proprjetajiet u minn hemmhekk intbghatu ittri registrati lil-kreditur u l-intimat (b'kopja mibghuta ukoll lid-deputat registrar) biex inzomm aċċess fuq il-post.

Wara li sar dan, jien il-Perit Arielle Agius (ID: 8985M) flimkien ma' l-assistent tiegħi s-sur Simon Junior Grech (ID: 501492M) zammejt l-ewwel aċċess fuq il-post nhar il-Erbgħa 24 ta' Ottubru, 2018 mill-10:30am sa 13:15pm, sabiex inkun fil-pożizzjoni aħjar biex ikun nista' naqdi l-inkarigu mogħti lili. Preżenti għal-intimat is-sur Ryan Azzopardi (ID: 494491M), u għal-kreditur is-sur Dottor Karl Micallef (ID: 145393M).

Waqt din l-ispezzjoni, tnejn mil-proprjetajiet ma kinux aċċessibbli. Għalhekk, ġiet mitluba ispezzjoni oħra b'permezz ta' ittri registrati li ntbghatu lil kreditur u l-intimat (b'kopja mibghuta ukoll lid-deputat registrar) biex għal darbohra inzomm aċċess fuq il-post.

Wara li sar dan, jien il-Perit Arielle Agius (ID: 8985M) flimkien ma' l-assistent tiegħi s-sur Simon Junior Grech (ID: 501492M) zammejt it-tieni aċċess fuq il-post nhar il-Hamis 15 ta' Novembru, 2018 mill-10:00am sa 13:00pm. Din id-darba, preżenti kien hemm il-bidwi John Gauci (ID: 381258M) li jahdem u jiehu hsieb l-artijiet.

Wara li saret it-tieni spezzjoni, saru ir-riċerki kollha possibbli mal-Awtorita tal-Ippjanar. Lista ta' dawn ir-riċerki tinsab lejn l-aħħar tar-rapport. Kopja tal-permessi, applikazzjonijiet u okkorenzi ta' infurzar jinsabu annessi f'Appendici E ta' dan ir-rapport.

Wara dan kollhu, irrizulta li t-tgħarif li ngabar, flimkien mar-riċerka kompluta li kienet saret preċidentament, kienu biżżejjed biex ir-rapport jinghalaq.

Kopji ta' l-ittri li nbghatu u l-riċevuti homor tal-posta registrata qeghdin mehmuzin f'Appendici A ta' dan ir-rapport filwaqt li d-dokumenti riċevuti minghand Dr Andre Farrugia u Dr Sandra Valentino qeghdin mehmuzin f'Appendici B ta' dan ir-rapport.

Dan ir-rapport huwa inkonnessjoni ma' partijiet individwali mil-fond imsemmi hawn fuq konsistenti fis-segwenti:

Għar ta' kejl ta' aċċessibbli minn mogħdija komuni li tagħti għal fuq Triq San Ġakbu u li tmiss mill-punent l-Ilbiċ mas-surreferita mogħdija komuni, mill-majjistral ma' proprjeta' hawn deskritta – indikat bhala proprjeta' A f'dan ir-rapport u fir-ritratti annessi.

Porzjoni ta' art magħrufa bhala "Tal-Laring" li tmiss minn nofsinhar u f'partijiet minnha mill-punent ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu, f'partijiet minnha mill-punent ta' mogħdija, u mill-lvant ma' proprjeta' hawn deskritta - indikata bhala proprjeta' B.

Porzjoni ta' art kif soġġetta għad-dritt ta' mogħdija u ta' akwedotti, li tmiss mill-punent ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu, mill-lvant ma' mogħdija, u mit-tramuntana ma' proprjeta' hawn deskritta - indikata bhala proprjeta' C.

Porzjoni ta' art magħrufa bhala "Iz-Żebbuġ ta' Fuq" li tmiss mill-lvant ma' Triq San Ġakbu, minn nofsinhar ma' proprjeta' hawn deskritta u mill-punent ma' beni tal-familja Bugeja, kultant deskritta wkoll bhala li tmiss mill-punent ma' sies - indikata bhala proprjeta' D.

Porzjoni ta' art magħrufa bhala "Ir-Roqa t'Isfel" kif soġġetta għad-dritt tal-mogħdija u s-sieqja tal-ilma, u li tmiss mit-tramuntana ma' beni tal-Baruni Salvatore Testaferrata Moroni Viani jew l-aventi kawża tiegħu, minn nofsinhar ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu, u mill-punent ma' proprjeta' hawn deskritta - indikata bhala proprjeta' E.

Għar fil-viċinanzi, li parti minnu huma sottostanti beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu, li jmiss mat-tramuntana ma' mogħdija komuni, u mill-irjeh l-ohra kollha ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu - indikata bhala proprjeta' F.

Porzjoni ta' art magħrufa bhala "Il-Mandra" fl-istess viċinanzi u dintorni, u li tmiss minn nofsinhar ma' mogħdija, mill-punent ma' proprjeta' hawn deskritta, u mill-lvant ma' proprjeta' tal-aventi kawża ta' Carmelo Scicluna - indikata bhala proprjeta' G.

Kamra fl-istess viċinanzi u dintorni li tmiss mit-tramuntana ma' beni ta' Giuseppe Muscat jew l-aventi kawża tiegħu, minn nofsinhar ma' mogħdija, u mill-punent ma' proprjeta' hawn deskritta - indikata bhala proprjeta' H.

Porzjoni ta' art magħrufa bhala "Ir-Roqa t'Isfel" sive "Il-Mahsel" li tmiss mit-tramuntana ma' proprjeta' tal-Baruni Salvatore Testaferrata Moroni Viani jew l-aventi kawża tiegħu, mill-lvant

ma' proprjeta' tas-surreferita familja Bugeja u li kultant tigi deskritta wkoll bhala li tmiss ma' sies, u mill-punent ma' beni ta' Carmelo Scicluna jew l-aventi kawza tieghu - indikata bhala proprjeta' I.

Kmamar kontigwi u adjaċenti wahda mal-ohra, li ghandhom l-entraturi taghhom iharsu lejn in-nofsinar, flimkien mal-art maghhom anessa u formanti parti integrali mill-istess, sitwata fuq in-naha ta' wara ta' dawn l-imsemmija kmamar, li jmissu mill-punent ma' kamra proprjeta' ta' Pawlina Muscat, minn nofsinar ma' moghdija u mill-lvant mal-proprjeta' deskritta hawn fuq - indikati bhala proprjeta' J.

Porzjoni ta' art maghrufa bhala "Il-Laring il-Qares" kif ukoll zewg gherien li jinsabu fuq l-istess art, liema art tmiss mill-majjistral ma' proprjeta' fl-istess territorju, minn nofsinar ma' beni tal-Gvern ta' Malta u mill-lvant ma' beni ta' Carmelo Scicluna jew is-suċċessuri tieghu - indikati bhala proprjeta' K.

Porzjoni ta' art maghrufa bhala "Il-Laring il-Helu li tmiss mill-irjihat kollha mal-proprjeta' hawn deskritta - indikata bhala proprjeta' L.

Porzjoni ta' art maghrufa bhala "Il-Mahsel", maghrufa wkoll bhala "Il-Mansab" li tinkludi wkoll *hunting lodge* jew *hunting tower* li tinstab fuq din l-imsemmija porzjoni ta' art. Din il-porzjoni ta' art tmiss mill-lbic u mill-lvant ma' proprjeta' hawn deskritta u minn nofsinar ma' beni ta' Carmelo Scicluna jew l-aventi kawza tieghu - indikata bhala proprjeta' M.

Porzjoni ta' art maghrufa bhala "Ir-Roqa t'Isfel" li tmiss mill-majjistral ma' beni tal-Baruni Testaferrata Moroni Viani jew l-aventi kawza tieghu u mill-lbic u mill-grigal ma' proprjeta' hawn deskritta - indikata bhala proprjeta' N.

Kamra aċċessibbli minn moghdija komuni maghrufa bhala it-*Triq tal-Karrettun tal-Komun* u li tmiss mill-majjistral u mix-xlokk ma' proprjeta' hawn deskritta u mill-lbic mal-moghdija surreferita - indikata bhala proprjeta' O.

Kamra b'porzjoni ta' art adjaċenti maghha aċċessibbli minn moghdija privata, u li tmiss mill-majjistral u mix-xlokk ma' proprjeta' hawn deskritta u mill-lbic mal-imsemmija moghdija - indikata bhala proprjeta' P.

Porzjoni ta' art maghrufa bhala "Ta' Laringa" kif ukoll moghdija komuni li jmissu t-tnejn li huma (stante li huma kontigwi), mill-majjistral ma' beni hawn deskritta, mill-lbic f'partijiet ma' beni ta' Carmelo Scicluna jew l-aventi kawza tieghu u f'partijiet ma' proprjeta' hawn deskritta, u mill-grigal ma' moghdija - indikata bhala proprjeta' Q.

Porzjoni ta' art maghrufa bhala "Iz-Zebbug ta' Fuq", li tmiss mit-tramuntana ma' Triq San Ġakbu, mill-majjistral ma' proprjeta' hawn deskritta u minn nofsinar ma' proprjeta' ohra hawn deskritta - indikata bhala proprjeta' R.

Porzjoni ta' art maghrufa bhala "Tal-Mansab", li tmiss mill-grigal u mill-majjistral ma' proprjeta' hawn deskritta u minn nofsinar ma' beni ta' Carmelo Scicluna jew l-aventi kawza tieghu - indikata bhala proprjeta' S.

Porzjoni ta' art maghrufa bhala "Ir-Roqa l-Hazina" maghrufa wkoll bhala "Ir-Roqa t'Isfel" li tmiss mill-grigal ma' proprjeta' hawn deskritta, mill-majjistral ma' beni ta' Baruni Testaferrata jew is-sucċessuri tiegħu u mill-lbiċ ma' proprjeta' hawn deskritta - indikata bhala proprjeta' T.

Kamra rurali aċċessibli minn mogħdija komuni u li tmiss mill-lbiċ mas-surreferita mogħdija komuni, mill-majjistral u mix-xlokk ta' proprjeta' hawn deskritta - indikata bhala proprjeta' U.

Porzjoni ta' art li tmiss mill-grigal u mix-xlokk ma' trejqa, u mill-lbiċ ma' beni tal-aventi kawza ta' Carmelo Scicluna - indikata bhala proprjeta' V.

Porzjoni ta' art maghrufa bhal "Tal-Mansab" li tmiss mill-punent majjistru, mill-lbiċ u mill-grigal ma' proprjeta' hawn deskritta - indikata bhala proprjeta' W.

Porzjoni ta' art maghrufa bhala "Tal-Laring" u li tmiss mill-punent ma' beni tas-sucċessuri ta' Carmelo Scicluna, mill-grieg il-lvant u mill-punent ma' proprjeta' hawn deskritta - indikata bhala proprjeta' X.

Porzjoni ta' art maghrufa bhala "ir-Roqa t'Isfel" li tmiss mill-grigal ma' proprjeta' li tinsab fl-istess territorju, mill-majjistral ma' beni tal-Baruni Testaferrata Moroni Viani jew is-sucċessuri tiegħu u mill-lbiċ ma' beni ta' Carmelo Scicluna jew l-aventi kawza tiegħu - indikata bhala proprjeta' Y.

Kamra li hi aċċessibli minn mogħdija komuni u li tmiss mill-majjistral ma' beni tal-aventi kawza ta' Carmelo Scicluna, mill-lbiċ u mix-xlokk ma' proprjeta' hawn deskritta - indikata bhala proprjeta' Z.

Deskrizzjoni tal-proprjetajiet

Proprjeta' A

Din l-proprjeta' tikkonsisti f'ghar li prezentament qieghed jintuza bhala mahzen.

Dan l-ghar huwa immarkat bl-ittra A fuq il-mappa anessa f'Appendici C u fir-ritratti annessi f'Appendici D ta' dan ir-rapport.

Dan l-ghar huwa aċċessibli minn grada prinċipali li tinsab fi Triq Ta' San Gakbu. Din il-grada tghati għal trejqa (li jirrizulta li hija ta' proprjeta' tas-sur Jean Pierre Borg hekk kif deskritt f'**Proprjeta' P**) li twassal għal l-ghar hawn imsemmi.

Skond l-informazzjoni miġjuba minghand il-Qorti ta' Malta, il-kejl tal-ghar huwa ta' ċirka hamsa u ghoxrin (25) metri kwadri. Skond l-ispezzjoni li saret il-kejl tal-ghar huwa ta' ċirka disgha u ghoxrin punt erbgha wiehed (29.41) metri kwadri.

Dan l-ghar huwa eżenti minn kwalunkwe ċens jew piż piju li jista' jiggrava l-imsemmija proprjeta'.

Il-proprjeta' tinsab f'*ODZ (Outside Development Zone)* li, skond ir-*Rural Policy and Design Guidance* tal-2014 maħruġ mil-MEPA, tfisser spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements rurali esclusi*).

Proprjeta' B

Din l-proprjeta' tikkonsisti f'art agrikola li prezentament qieghda tiġi maħduma minn John Gauci biex jikabbru sigar tal-laring, tuffieħ u tewm.

Din il-porzjoni ta' art hija immarkata l-ittra B fuq il-mappa anessa f'Appendici C u fir-ritratti annessi f'Appendici D ta' dan ir-rapport.

Din l-art hija aċċessibli minn grada prinċipali li tinsab fi Triq Ta' San Gakbu. Din il-grada tghati għal trejqa (li jirrizulta li hija ta' proprjeta' tas-sur Jean Pierre Borg hekk kif deskritt f'**Proprjeta' P**) li twassal għal passaġġ fuq in-naħa tal-lemin li mbaġhad jwassal għal-proprjeta' hawn deskritta.

Skond l-informazzjoni miġjuba minghand il-Qorti ta' Malta, il-kejl tal-art huwa ta' ċirka diisa' mija u tlieta u tletin punt tlieta tlieta (933.33) metri kwadri. Skond l-ispezzjoni li saret u il-*Geoportal* tal-Awtorita tal-Ippjanar, il-kejl tal-art huwa ta' ċirka seba' mija erbgha u sebghin punt tnejn tmienja (774.28) metri kwadri.

Din il-porzjoni ta' art tgawdi flimkien ma' artijiet oħra minn ġwiebi u nixxighat tal-ilma. Ukoll, din l-art hija eżenti minn piżijiet piji kif ukoll miċ-ċens li għalih hija soġġetta l-imsemmija proprjeta'.

Il-proprjeta' tinsab f'ODZ (*Outside Development Zone*) li, skond ir-*Rural Policy and Design Guidance* tal-2014 maħruġ mil-MEPA, tfisser spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements* rurali eslussi).

Proprjeta' C

Din il-proprjeta' tikkonsisti f'art agrikola li preżentament qieghda tiġi maħduma minn John Gauci biex jtkabbru sigar taż-żebbug, harrub, naspli u laring. F'din hemm ukoll ġiebjja preżenti. Din il-ġiebjja ma kinitx accessibli għal-ispezzjoni minhabba li kienet mimlija b'ilma.

Din il-porzjoni ta' art hija immarkata bl-ittra **C** fuq il-mappa anessa f'Appendiċi **C** u fir-ritratti annessi f'Appendiċi **D** ta' dan ir-rapport.

Din l-art hija aċċessibli minn grada prinċipali li tinsab fi Triq Ta' San Gakbu. Din il-grada tghati għal trejqa (li jirrizulta li hija ta' proprjeta' tas-sur Jean Pierre Borg hekk kif deskritt f'**Proprjeta' P**) li twassal għal passagġ fuq in-naħa tal-lemin li mbagħad jwassal għal l-art hawn deskritta.

Skond l-informazzjoni miġjuba minghand il-Qorti ta' Malta, il-kejl tal-art huwa ta' ċirka erba' mija u sitta u sittin punt hamsa (466.5) metri kwadri. Skond l-ispezzjoni li saret u il-*Geoportal* tal-Awtorita tal-Ippjanar, il-kejl tal-art huwa ta' ċirka disgħa mija tmienja u ħamsin punt disgħa disgħa (958.99) metri kwadri. Ukoll, il-ġiebjja li hemm preżenti għandha tul ta' ċirka disgħa punt tmienja sebgha (9.87) metri. Il-wisgħa ma setax jittiehed minhabba li l-ġiebjja ma kinitx aċċessibli.

Din il-porzjoni ta' art tgawdi flimkien ma' artijiet ohra minn ġwiebi u nixxighat tal-ilma. Ukoll, din l-art hija eżenti minn piżijiet piġi kif ukoll miċ-ċens li għalih hija soġġetta l-imsemmiġja proprjeta'.

Il-proprjeta' tinsab f'ODZ (*Outside Development Zone*) li, skond ir-*Rural Policy and Design Guidance* tal-2014 maħruġ mil-MEPA, tfisser spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements* rurali eslussi).

Proprjeta' D

Din il-proprjeta' tikkonsisti f'art agrikola li preżentament qieghda tiġi maħduma minn John Gauci biex jtkabbru sigar tal-gheneb.

Din il-porzjoni ta' art hija immarkata bl-ittra **D** fuq il-mappa anessa f'Appendiċi **C** u fir-ritratti annessi f'Appendiċi **D** ta' dan ir-rapport.

Skond l-informazzjoni miġjuba minghand il-Qorti ta' Malta, il-kejl tal-art huwa ta' ċirka elf mija u sebgha u ħamsin punt erbgha (1157.4) metri kwadri. Skond l-ispezzjoni li saret u il-*Geoportal* tal-Awtorita tal-Ippjanar, il-kejl tal-art huwa ta' ċirka seba' mija sebgha u sittin punt tlieta tlieta (767.33) metri kwadri.

Din l-art hija aċċessibli minn grada prinċipali li tinsab fi Triq Ta' San Gakbu. Din il-grada tghati għal trejqa (li jirrizulta li hija ta' proprjeta' tas-sur Jean Pierre Borg hekk kif deskritt

f'Proprjeta' P) li twassal immedjatament ghal-proprjeta' R. Wiehed ghandu jghaddi minn gewwa proprjeta' R sabiex jasal ghal din l-art imsemmija.

Din il-porzjoni ta' art tgawdi flimkien ma' artijiet ohra minn ġwiebi u nixxighat tal-ilma. Ukoll, din l-art hija eżenti minn piżijiet piji kif ukoll miċ-ċens li ghalih hija soġġetta l-imsemmija proprjeta'.

Il-proprjeta' tinsab f'ODZ (*Outside Development Zone*) li, skond ir-*Rural Policy and Design Guidance* tal-2014 maħruġ mil-MEPA, tfisser spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements* rurali eslussi).

Proprjeta' E

Din il-proprjeta' tikkonsisti f'art agrikola li preżentament qieghda tiġi maħduma minn John Gauci biex jitkabbru sigar taż-zebbuġ.

Din il-porzjoni ta' art hija immarkata bl-ittra E fuq il-mappa anessa f'Appendiċi C u fir-ritratti annessi f'Appendiċi D ta' dan ir-rapport.

Din l-art hija aċċessibli minn grada prinċipali li tinsab fi Triq Ta' San Gakbu. Din il-grada tgħati ghal trejqa (li jirriżulta li hija ta' proprjeta' tas-sur Jean Pierre Borg hekk kif deskritt f'Proprjeta' P) li twassal ghal passaġġ fuq in-naħa tal-lemin li mbagħad jwassal ghal-proprjeta' C. Wiehed ghandu jghaddi minn proprjeta' C kif ukoll, aktar il-quddiem, minn proprjetajiet M u I sabiex jasal ghal-art hawn deskritta.

Skond l-informazzjoni miġjuba minghand il-Qorti ta' Malta, il-kejl tal-art huwa ta' ċirka tmin mija u sitta u sebghin punt disgha (876.9) metri kwadri. Skond l-ispezzjoni li saret u il-*Geoportal* tal-Awtorita tal-Ippjanar, il-kejl tal-art huwa ta' ċirka diśa' mija tlieta u sittin punt zero tnejn (963.02) metri kwadri.

Din il-porzjoni ta' art tgawdi flimkien ma' artijiet ohra minn ġwiebi u nixxighat tal-ilma. Ukoll, din l-art hija eżenti minn piżijiet piji kif ukoll miċ-ċens li ghalih hija soġġetta l-imsemmija proprjeta'.

Il-proprjeta' tinsab f'ODZ (*Outside Development Zone*) li, skond ir-*Rural Policy and Design Guidance* tal-2014 maħruġ mil-MEPA, tfisser spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements* rurali eslussi).

Proprjeta' F

Din il-proprjeta' tikkonsisti f'ghar li qieghed jintuza bhala maħżen.

Dan l-ghar huwa mmarkat bl-ittra F fuq il-mappa anessa fl-Appendiċi C u fir-ritratt annessi f'Appendiċi D ta' dan ir-rapport.

Dan l-ghar huwa aċċessibli minn grada prinċipali li tinsab fi Triq Ta' San Gakbu. Din il-grada tgħati ghal-trejqa (li jirriżulta li hija ta' proprjeta' tas-sur Jean Pierre Borg hekk kif deskritt

f' **Proprjeta' P**) li twassal għal-nizla fuq il-lemin (hekk kif wiehed jaqbeż it-tieni *farmhouse*) li tagħti għal-għar hawn deskritt.

Skond l-ispezzjoni li saret, il-kejl tal-għar huwa ta' cirka erbgħa u għoxrin punt sebgha sitta (24.76) metri kwadri.

Ġie innutat waqt l-ispezzjoni li kien hemm qasma fis-saqaf tal-blat fl-entratata ta' dan l-għar li tista' tkun ta' periklu.

Dan l-għar huwa eżenti minn pizijiet piji kif ukoll miċ-ċens li għalih hija soġġetta l-imsemmija proprjeta'.

Il-proprjeta' tinsab f' *ODZ (Outside Development Zone)* li, skond ir-*Rural Policy and Design Guidance* tal-2014 maħruġ mil-MEPA, tfisser spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements rurali eslussi*).

Proprjeta' G

Din il-proprjeta' tikkonsisti f'art li preżentament qiegħda tiġi uzata bħala terazzin. Din l-art hija ikkonsolidata ma' kmamar **H, O, P, U** u **Z** sabiex jiffurmaw proprjeta' wahda. Aktar informazzjoni flimkien mal-kejl komplut ta' din l-imsemmija proprjeta' jinsabu imnizzlin fl-aħhar ta' din il-parti ta' dan ir-rapport taht **Proprjeta' GHOPUZ**.

Din l-art hija mmarkata bl-ittra **G** fuq il-mappa anessa fl-Appendici **C** u fir-ritratt annessi f'Appendici **D** ta' dan ir-rapport.

Din l-art hija aċċessibli minn grada prinċipali li tinsab fi Triq Ta' San Gakbu. Din il-grada tghati għal-trejqqa (li jirrizulta li hija ta' proprjeta' tas-sur Jean Pierre Borg hekk kif deskritt f' **Proprjeta' P**) li twassal għal-art hawn deskritta.

Skond l-informazzjoni miġjuba minghand il-Qorti ta' Malta, l-kejl superfiċjali tal-art huwa ta' cirka tmintax punt sebgha tlieta hamsa (18.735) metri kwadri.

Din l-art hija eżenti minn pizijiet piji kif ukoll miċ-ċens li għalih hija soġġetta l-imsemmija proprjeta'.

Il-proprjeta' tinsab f' *ODZ (Outside Development Zone)* li, skond ir-*Rural Policy and Design Guidance* tal-2014 maħruġ mil-MEPA, tfisser spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements rurali eslussi*).

Proprjeta' H

Din il-proprjeta' tikkonsisti f'kamra li preżentament hija ikkonsolidata ma' kmamar **G, O, P, U** u **Z** sabiex jiffurmaw proprjeta' wahda. Aktar informazzjoni flimkien mal-kejl komplut ta' din l-imsemmija proprjeta' jinsabu imnizzlin fl-aħhar ta' din il-parti ta' dan ir-rapport taht **Proprjeta' GHOPUZ**.

Din il-kamra hija mmarkata bl-ittra **H** fuq il-mappa anessa fl-Appendici **C** u fir-ritratt annessi f'Appendici **D** ta' dan ir-rapport.

Din l-kamra hija aċċessibli minn grada prinċipali li tinsab fi Triq Ta' San Gakbu. Din il-grada tghati għal-trejqa (li jirrizulta li hija ta' proprjeta' tas-sur Jean Pierre Borg hekk kif deskritt f'**Proprjeta' P**) li twassal għal-proprjeta' **U**. Wiehed għandu jgħaddi minn ġewwa proprjeta' **U** sabiex jasal fil-kamra hawn deskritta.

Din il-kamra hija ezenti minn kwalunkwe ċens jew piż piju li jista' jiggrava l-imsemmija proprjeta'.

Il-proprjeta' tinsab f'*ODZ (Outside Development Zone)* li, skond ir-*Rural Policy and Design Guidance* tal-2014 maħruġ mil-MEPA, tfisser spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements rurali eslussi*).

Proprjeta' I

Din il-proprjeta' tikkonsisti f'art agrikola li preżentament qieghda tiġi maħduma minn John Gauci biex jitkabbru sigar taż-żebbuġ u tal-gheneb.

Din l-art hija immarkata bl-ittra **I** fuq il-mappa anessa f'Appendici **C** u fir-ritratti annessi f'Appendici **D** ta' dan ir-rapport.

Din l-art hija aċċessibli minn grada prinċipali li tinsab fi Triq Ta' San Gakbu. Din il-grada tghati għal trejqa (li jirrizulta li hija ta' proprjeta' tas-sur Jean Pierre Borg hekk kif deskritt f'**Proprjeta' P**) li twassal għal passaġġ fuq in-naħa tal-lemin li mbagħad jwassal għal-proprjeta' **C**. Wiehed għandu jgħaddi minn proprjeta' **C** kif ukoll, aktar il-quddiem, minn proprjetajiet **M** sabiex jasal għal-art hawn deskritta.

Skond l-informazzjoni miġjuba minghand il-Qorti ta' Malta, il-kejl tal-art huwa ta' ċirka erbat elef sitt mija u hamsin (4,650) metri kwadri. Skond l-ispezzjoni li saret u il-*Geoportal* tal-Awtorita tal-Ippjanar, il-kejl tal-art huwa ta' ċirka elfejn sitt mija tnejn u tmenin punt wiehed tmienja (2682.18) metri kwadri.

Din l-imsemmija art hija sogġetta għad-dritt ta' mogħdija u ta' akwedotti. Ukoll, din il-porzjoni ta' art tgawdi flimkien ma' artijiet ohra minn ġwiebi u nixxighat tal-ilma.

L'ebda pagament ta' kwalunkwe piżijiet piji jew ċnus m'huma dovuti fuq din l-art u għal-kull buon fini qieghed jiġi dikjarat illi din il-proprjeta' hija ezenti minn kull piż piju u minn kull ċens gravanti l-imsemmija proprjeta'.

Il-proprjeta' tinsab f'*ODZ (Outside Development Zone)* li, skond ir-*Rural Policy and Design Guidance* tal-2014 maħruġ mil-MEPA, tfisser spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements rurali eslussi*).

Proprjeta' J

Din il-proprjeta' tikkonsisti f'kmamar li prezentament qeghdin jintużaw bhala mahżnijiet. Skond il-pjanti tal-kuntratt tat-22 ta' Diċembru 2003 miksuba minghand Dottor Andre Farrugia, jinsabu żewg kmamar adjaċenti ma' xulxin u erbgha oħra adjaċenti ma xulxin. Ukoll, skond l-informazzjoni miġjuba minghand il-Qorti ta' Malta, tinsab art fuq in-naħa ta' wara tal-kmamar. Din l-art kif ukoll l-erbgha kmamar ma kinux misjubin waqt l-ispezzjoni. Il-bidwi, John Gauci, qal li dawn il-kmamar ma jafx bihom.

Iż-żewg kmamar adjaċenti li nstabu huma immarkati bl-ittra J fuq il-mappa anessa f'Appendiċi C fuq fir-ritratti anessi f'Appendiċi D ta' dan ir-rapport.

Iż-żewg kmamar adjaċenti li nstabu huma aċċessibli minn grada prinċipali li tinsab fi Triq Ta' San Gakbu. Din il-grada tgħati għal-trejqa (li jirriżulta li hija ta' proprjeta' tas-sur Jean Pierre Borg hekk kif deskritt f'Proprjeta' P) li twassal għal-kmamar hawn deskritti.

Skond l-ispezzjoni li saret, il-kejl taż-żewg kmamar huwa ta ċirka hmistax punt tlieta sebgha (15.37) metri kwadri.

L'ebda pagament ta' kwalunkwe piżijiet piji jew ċnus m'huma dovuti fuq din il-proprjeta' u għal-kull buon fini qiegħed jiġi dikjarat illi din il-proprjeta' hija eżenti minn kull piż piju u minn kull ċens gravanti l-imsemmija proprjeta'.

Il-proprjeta' tinsab f'ODZ (*Outside Development Zone*) li, skond ir-Rural Policy and Design Guidance tal-2014 mahruġ mil-MEPA, tfisser spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements rurali esclusi*).

Proprjeta' K

Din il-proprjeta' tikkonsisti f'art agrikola li prezentament qiegħda tiġi maħduma minn John Gauci biex jitkabbru sigar taż-żebbuġ, laring, prinjal u pastard. F'din l-art hemm prezenti ukoll żewg gherien kif ukoll spiera. Skond l-informazzjoni miksuba minghand John Gauci, parti minn din l-art kienet tintuża bhala *pitch* żgħira tal-futbol.

Din l-art u l-gherien huma immarkati bl-ittra K fuq il-mappa anessa f'Appendiċi C u fir-ritratti annessi f'Appendiċi D ta' dan ir-rapport.

Din l-art hija aċċessibli minn grada prinċipali li tinsab fi Triq Ta' San Gakbu. Din il-grada tgħati għal-trejqa (li jirriżulta li hija ta' proprjeta' tas-sur Jean Pierre Borg hekk kif deskritt f'Proprjeta' P) li twassal għal-taraġ fuq il-lemin (hekk kif wiehed jaqbeż l-ewwel *farmhouse*) li jagħti għal-art hawn deskritta.

Skond l-informazzjoni miġjuba minghand il-Qorti ta' Malta, il-kejl tal-art huwa ta' ċirka elf hames mija u hamsa u sebghin (1,575) metri kwadri. Skond l-ispezzjoni li saret u il-*Geoportal* tal-Awtorita tal-Ippjanar, il-kejl tal-art huwa ta' ċirka elf erba' mija hamsa u ghoxrin punt tnejn tmienja (1425.28) metri kwadri. Il-kejl tal-gherien huwa ta' ċirka ghoxin punt sebgha wiehed (20.71) metri kwadri.

Din l-imsemmija art hija eżenti miċ-ċens jew minn pizijiet piji li jistghu jiggravaw l-imsemmija proprjeta’.

Il-proprjeta’ tinsab f’*ODZ (Outside Development Zone)* li, skond ir-*Rural Policy and Design Guidance* tal-2014 mahruġ mil-MEPA, tfisser spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements* rurali eslussi).

Proprjeta’ L

Din il-proprjeta’ tikkonsisti f’art agrikola li preżentament qieghda tiġi mahduma minn John Gauci biex jitkabbru sigar tad-dwieli u hawh.

Din l-art hija immarkata bl-ittra **L** fuq il-mappa anessa f’Appendiċi **C** u fir-ritratti annessi f’Appendiċi **D** ta’ dan ir-rapport.

Din l-art hija aċċessibli minn grada prinċipali li tinsab fi Triq Ta’ San Gakbu. Din il-grada tghati għal-trejqa (li jirriżulta li hija ta’ proprjeta’ tas-sur Jean Pierre Borg hekk kif deskritt f’**Proprjeta’ P**) li twassal għal-taraġ fuq il-lemin (hekk kif wiehed jaqbez l-ewwel *farmhouse*) li jagħti għal-art hawn deskritta.

Skond l-informazzjoni miġjuba minghand il-Qorti ta’ Malta, il-kejl tal-art huwa ta’ ċirka mitejn u sebgha (207) metri kwadri. Skond l-ispezzjoni li saret u il-*Geoportal* tal-Awtorita tal-Ippjanar, il-kejl tal-art huwa ta’ ċirka mitejn sitta u hamsin punt tnejn disgha (256.29) metri kwadri.

Din l-art hija eżenti miċ-ċens u jew minn pizijiet piji li jistghu jiggravaw l-imsemmija proprjeta’.

Il-proprjeta’ tinsab f’*ODZ (Outside Development Zone)* li, skond ir-*Rural Policy and Design Guidance* tal-2014 mahruġ mil-MEPA, tfisser spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements* rurali eslussi).

Proprjeta’ M

Din il-proprjeta’ tikkonsisti f’art agrikola li preżentament qieghda tiġi mahduma minn John Gauci biex jitkabbru sigar taż-żebbug. F’din l-art hemm preżenti ukoll kamra mibnija bl-injam li qieghda tintuża bhala mahżen.

Din l-art hija immarkata bl-ittra **M** fuq il-mappa anessa f’Appendiċi **C** u fir-ritratti annessi f’Appendiċi **D** ta’ dan ir-rapport.

Din l-art hija aċċessibli minn grada prinċipali li tinsab fi Triq Ta’ San Gakbu. Din il-grada tghati għal trejqa (li jirriżulta li hija ta’ proprjeta’ tas-sur Jean Pierre Borg hekk kif deskritt f’**Proprjeta’ P**) li twassal għal passagġ fuq in-naħa tal-lemin li mbagħad jwassal għal-proprjeta’ **C**. Wiehed għandu jgħaddi minn proprjeta’ **C** sabiex jasal għal-art hawn deskritta.

Skond l-informazzjoni miġjuba minghand il-Qorti ta’ Malta, il-kejl tal-art huwa ta’ ċirka hames mija u sebgha u ghoxrin (527) metri kwadri. Skond l-ispezzjoni li saret u il-*Geoportal* tal-

Awtorita tal-Ippjanar, il-kejl tal-art huwa ta ċirka hames mija disgħa u għoxrin punt erbgha disgħa (529.49) metri kwadri.

Din l-art hija eżenti miċ-ċens u jew minn piżijiet piġi li jistgħu jiggravaw l-imsemmija proprjeta'.

Il-proprjeta' tinsab f'*ODZ (Outside Development Zone)* li, skond ir-*Rural Policy and Design Guidance* tal-2014 maħruġ mil-MEPA, tfisser spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements* rurali eslussi).

Skond **PA 03459/05**, tinsab giebja bil-permess f'din l-art. Din il-giebja ma kinitx viżibbli meta saru l-ispezzjonijiet. Qieghed jiġi ssoponut li din il-giebja tinsab taht il-kamra tal-injam.

Proprjeta' N

Din il-proprjeta' tikkonsisti f'art agrikola li preżentament qieghda tiġi maħduma minn John Gauci biex jitkabbru sigar taż-żebbuġ.

Din l-art hija immarkata bl-ittra **N** fuq il-mappa anessa f'Appendiċi **C** u fir-ritratti annessi f'Appendiċi **D** ta' dan ir-rapport.

Din l-art hija aċċessibbli minn grada prinċipali li tinsab fi Triq Ta' San Gakbu. Din il-grada tghati għal trejqa (li jirriżulta li hija ta' proprjeta' tas-sur Jean Pierre Borg hekk kif deskritt f'**Proprjeta' P**) li twassal għal passagġ fuq in-naħa tal-lemin li mbagħad jwassal għal-proprjeta' **C**. Wiehed għandu jgħaddi minn proprjeta' **C** kif ukoll, aktar il-quddiem, minn proprjetajiet **M, I, E, u T** sabiex jasal għal-art hawn deskritta.

Skond l-informazzjoni miġjuba minghand il-Qorti ta' Malta, il-kejl tal-art huwa ta' ċirka tmin mija u disgħin (890) metri kwadri. Skond l-ispezzjoni li saret u il-*Geoportal* tal-Awtorita tal-Ippjanar, il-kejl tal-art huwa ta' ċirka tmin mija disgħa u disgħin punt disgħa (899.9) metri kwadri.

Din l-art hija eżenti miċ-ċens u jew minn piżijiet piġi li jistgħu jiggravaw l-imsemmija proprjeta'.

Il-proprjeta' tinsab f'*ODZ (Outside Development Zone)* li, skond ir-*Rural Policy and Design Guidance* tal-2014 maħruġ mil-MEPA, tfisser spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements* rurali eslussi).

Proprjeta' O

Din il-proprjeta' tikkonsisti f'kamra li preżentament hija ikkonsolidata ma' kmamar **G, H, P, U u Z** sabiex jiffurmaw proprjeta' wahda. Aktar informazzjoni flimkien mal-kejl komplut ta' din l-imsemmija proprjeta' jinsabu imniżżlin fl-aħħar ta' din il-parti ta' dan ir-rapport taht **Proprjeta' GHOPUZ**.

Din il-kamra hija mmarkata bl-ittra **O** fuq il-mappa anessa fl-Appendiċi **C** u fir-ritratt annessi f'Appendiċi **D** ta' dan ir-rapport.

Din il-kamra hija aċċessibli minn grada prinċipali li tinsab fi Triq Ta' San Gakbu. Din il-grada tghati għal-trejqa (li jirrizulta li hija ta' proprjeta' tas-sur Jean Pierre Borg hekk kif deskritt f'**Proprjeta' P**) li twassal għal-proprjeta' U. Wiehed għandu jgħaddi minn gewwa proprjeta' U sabiex jasal fil-kamra hawn deskritta.

Skond l-informazzjoni migjuba minghand il-Qorti ta' Malta, il-kejl tal-kamra huwa ta' ċirka tmin tletin (30) metri kwadri.

Din il-kamra hija eżenti miċ-ċens u jew minn piżijiet piji li jistgħu jiggravaw l-imsemmija proprjeta'.

Il-proprjeta' tinsab f'*ODZ (Outside Development Zone)* li, skond ir-*Rural Policy and Design Guidance* tal-2014 maħruġ mil-MEPA, tfisser spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements* rurali eslussi).

Proprjeta' P

Din il-proprjeta' tikkonsisti f'kamra b'porzjoni ta' art adjaċenti magħha li preżentament huma ikkonsolidati ma' kmamar **G, H, O, U** u **Z** sabiex jiffurmaw proprjeta' wahda. Aktar informazzjoni flimkien mal-kejl komplut ta' din l-imsemmija proprjeta' jinsabu imnizzlin fl-aħhar ta' din il-parti ta' dan ir-rapport taht **Proprjeta' GHOPUZ**.

Din il-kamra hija mmarkata bl-ittra **P** fuq il-mappa anessa fl-Appendici **C** u fir-ritratt annessi f'Appendici **D** ta' dan ir-rapport.

Din l-kamra hija aċċessibli minn grada prinċipali li tinsab fi Triq Ta' San Gakbu. Din il-grada tghati għal-trejqa (li jirrizulta li hija ta' proprjeta' tas-sur Jean Pierre Borg hekk kif deskritt f'**Proprjeta' P**) li twassal għal-proprjeta' U. Wiehed għandu jgħaddi minn gewwa proprjeta' U kif ukoll proprjeta' **H** sabiex jasal fil-kamra hawn deskritta.

Skond l-informazzjoni migjuba minghand il-Qorti ta' Malta, il-kejl tal-kamra u l-art huwa ta' ċirka tnejn u għoxrin (22) metri kwadri.

Din il-kamra u art hija eżenti miċ-ċens u jew minn piżijiet piji li jistgħu jiggravaw l-imsemmija proprjeta'.

Il-proprjeta' tinsab f'*ODZ (Outside Development Zone)* li, skond ir-*Rural Policy and Design Guidance* tal-2014 maħruġ mil-MEPA, tfisser spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements* rurali eslussi).

Proprjeta' Q

Din il-proprjeta' tikkonsisti f'pixxina imdawra bid-*decking*, ġibjeta kif ukoll f'art agrikola li preżentament qieghda tiġi maħduma minn John Gauci biex jitkabbru sigar tar-randa, laring, lumi, żebbuġ u *grapefruit*.

Din il-proprjeta' hija immarkata bl-ittra **Q** fuq il-mappa anessa f'Appendiċi **C** u fir-ritratti annessi f'Appendiċi **D** ta' dan ir-rapport.

Din il-proprjeta' hija aċċessibli minn grada prinċipali li tinsab fi Triq Ta' San Gakbu. Din il-grada tghati għal trejqa (li jirrizulta li hija ta' proprjeta' tas-sur Jean Pierre Borg hekk kif deskritt f'**Proprjeta' P**) li twassal għal passaġġ fuq in-naħa tal-lemin li mbagħad jwassal għal-proprjeta' hawn deskritta.

Skond l-informazzjoni miġjuba mingħand il-Qorti ta' Malta, il-kejl tal-art huwa ta' ċirka elf tlett mija u sitta u disghin (1396) metri kwadri. Skond l-ispezzjoni li saret u il-*Geoportal* tal-Awtorita tal-Ippjanar, il-kejl tal-art huwa ta' ċirka elf tnejn u sebghin punt tlieta sitta (1072.63) metri kwadri.

Din il-porzjoni ta' art tgawdi flimkien ma' artijiet oħra minn ġwiebi u nixxighat tal-ilma. Ukoll, din l-art hija ukoll eżenti minn kwalunkwe cens jew piż piju li jista' jiggravaw l-imsemmija proprjeta'.

Il-proprjeta' tinsab f'*ODZ (Outside Development Zone)* li, skond ir-*Rural Policy and Design Guidance* tal-2014 mahruġ mil-MEPA, tfisser spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements rurali eslussi*).

Ma nstab l-ebda permess li jkopri il-pixxina bid-*decking* li hemm preżenti f'din il-proprjeta'. Preżenti fuq is-sit kien hemm infurzar li sar mil-*MEPA (EC 00078/08)* fuq din il-pixxina. Ukoll, wara dan l-infurzar, kienet giet sottomessa applikazzjoni (*PA 03395/08*) sabiex tissanzjona l-kostruzzjoni ta' din il-pixxina. Din l-applikazzjoni giet rifjutata mil-*MEPA*.

Proprjeta' R

Din il-proprjeta' tikkonsisti f'art agrikola li preżentament qieghda tiġi maħduma minn John Gauci biex jitkabbru siġar tal-ġheneb. F'din l-art hemm ġiebja u kamra tal-pompa preżenti wkoll.

Din l-art hija immarkata bl-ittra **R** fuq il-mappa anessa f'Appendiċi **C** u fir-ritratti annessi f'Appendiċi **D** ta' dan ir-rapport.

Din l-art hija aċċessibli minn grada prinċipali li tinsab fi Triq Ta' San Gakbu. Din il-grada tghati għal trejqa (li jirrizulta li hija ta' proprjeta' tas-sur Jean Pierre Borg hekk kif deskritt f'**Proprjeta' P**) li twassal immedjatament għal-art hawn deskritta.

Skond l-informazzjoni miġjuba mingħand il-Qorti ta' Malta, il-kejl tal-art huwa ta' ċirka elf tlett mija u tnejn u sebghin (1372) metri kwadri. Skond l-ispezzjoni li saret u il-*Geoportal* tal-Awtorita tal-Ippjanar, il-kejl tal-art huwa ta' ċirka elf mitejn sebgha u tletin punt tmienja disgha (1237.89) metri kwadri.

Din il-porzjoni ta' art tgawdi flimkien ma' artijiet oħra minn ġwiebi u nixxighat tal-ilma. Ukoll, din l-art hija wkoll eżenti minn kwalunkwe cens jew piż piju li jista' jiggrava l-imsemmija proprjeta'.

Il-proprjeta' tinsab f'ODZ (*Outside Development Zone*) li, skond ir-*Rural Policy and Design Guidance* tal-2014 mahruġ mil-MEPA, tfisser spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements* rurali eslussi).

Skond DN 04046/01, kienet ġiet sottomessa applikazzjoni sabiex il-ġiebjia u il-kamra tal-pompa jiġu kostrutti. Din l-applikazzjoni ġiet rifjutata. Din l-applikazzjoni tinsab annessa f'Appendiċi E ta' dan ir-rapport.

Proprjeta' S

Din il-proprjeta' tikkonsisti f'art agrikola li prezentament qieghda tiġi maħduma minn John Gauci biex jitkabbru siġar tal-ġheneb.

Din l-art hija immarkata bl-ittra S fuq il-mappa annessa f'Appendiċi C u fir-ritratti annessi f'Appendiċi D ta' dan ir-rapport.

Din l-art hija aċċessibli minn grada prinċipali li tinsab fi Triq Ta' San Gakbu. Din il-grada tġhati għal trejqa (li jirriżulta li hija ta' proprjeta' tas-sur Jean Pierre Borg hekk kif deskritt f'**Proprjeta' P**) li twassal għal passagġ fuq in-naħa tal-lemin li mbagħad jwassal għal-proprjeta' C. Wiehed għandu jgħaddi minn proprjeta' C kif ukoll, aktar il-quddiem, minn proprjetajiet M u I sabiex jasal għal-art hawn deskritta.

Skond l-informazzjoni miġjuba minghand il-Qorti ta' Malta, il-kejl tal-art huwa ta' ċirka mija wiehed u tletin (131) metri kwadri. Skond l-ispezzjoni li saret u il-*Geoportal* tal-Awtorita tal-Ippjanar, il-kejl tal-art huwa ta' ċirka mija sitta u hamsin punt hamsa erbgha (156.54) metri kwadri.

Din il-porzjoni ta' art tgawdi flimkien ma' artijiet oħra minn ġwiebi u nixxighat tal-ilma. Ukoll, din l-art hija wkoll eżenti minn kwalunkwe ċens jew piż piju li jista' jiggrava l-imsemmija proprjeta'.

Il-proprjeta' tinsab f'ODZ (*Outside Development Zone*) li, skond ir-*Rural Policy and Design Guidance* tal-2014 mahruġ mil-MEPA, tfisser spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements* rurali eslussi).

Proprjeta' T

Din il-proprjeta' tikkonsisti f'art agrikola li prezentament qieghda tiġi maħduma minn John Gauci biex jitkabbru siġar taż-żebbuġ.

Din l-art hija immarkata bl-ittra T fuq il-mappa annessa f'Appendiċi C u fir-ritratti annessi f'Appendiċi D ta' dan ir-rapport.

Din l-art hija aċċessibli minn grada prinċipali li tinsab fi Triq Ta' San Gakbu. Din il-grada tġhati għal trejqa (li jirriżulta li hija ta' proprjeta' tas-sur Jean Pierre Borg hekk kif deskritt f'**Proprjeta' P**) li twassal għal passagġ fuq in-naħa tal-lemin li mbagħad jwassal għal-proprjeta' C. Wiehed għandu jgħaddi minn proprjeta' C kif ukoll, aktar il-quddiem, minn proprjetajiet M, I u E sabiex jasal għal-art hawn deskritta.

Skond l-informazzjoni miġjuba minghand il-Qorti ta' Malta, il-kejl tal-art huwa ta' ċirka seba' mija u disgħa u sittin (769) metri kwadri. Skond l-ispezzjoni li saret u il-*Geoportal* tal-Awtorita tal-Ippjanar, il-kejl tal-art huwa ta' ċirka tmin mija u disgħin punt hamsa tlieta (890.53) metri kwadri.

Din il-porzjoni ta' art tgawdi flimkien ma' artijiet ohra minn ġwiebi u nixxighat tal-ilma. Ukoll, din l-art hija wkoll eżenti minn kwalunkwe ċens jew piż piju li jista' jiggrava l-imsemmija proprjeta'.

Il-proprjeta' tinsab f'*ODZ (Outside Development Zone)* li, skond ir-*Rural Policy and Design Guidance* tal-2014 maħruġ mil-MEPA, tfisser spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements rurali eslussi*).

Proprjeta' U

Din il-proprjeta' tikkonsisti f'kamra li prezentament hija ikkonsolidata ma' kmamar **G, H, O, P, u Z** sabiex jiffurmaw proprjeta' wahda. Aktar informazzjoni flimkien mal-kejl komplut ta' din l-imsemmija proprjeta' jinsabu imniżżlin fl-ahħar ta' din il-parti ta' dan ir-rapport taht **Proprjeta' GHOPUZ**.

Din il-kamra hija mmarkata bl-ittra **U** fuq il-mappa anessa fl-Appendici **C** u fir-ritratt annessi f'Appendici **D** ta' dan ir-rapport.

Din il-kamra hija aċċessibli minn grada prinċipali li tinsab fi Triq Ta' San Gakbu. Din il-grada tghati għal trejqa (li jirriżulta li hija ta' proprjeta' tas-sur Jean Pierre Borg hekk kif deskritt f'**Proprjeta' P**) li twassal għal kmamar hawn imsemmijin.

Skond l-informazzjoni miġjuba minghand il-Qorti ta' Malta, il-kejl tal-kamra huwa ta' ċirka hmistax punt hamsa (15.5) metri kwadri.

Din l-kamra hija eżenti minn kwalunkwe ċens jew piż piju li jista' jiggrava l-imsemmija proprjeta'.

Il-proprjeta' tinsab f'*ODZ (Outside Development Zone)* li, skond ir-*Rural Policy and Design Guidance* tal-2014 maħruġ mil-MEPA, tfisser spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements rurali eslussi*).

Proprjeta' V

Din il-proprjeta' tikkonsisti f'art agrikola li prezentament qieghda tigi maħduma minn John Gauci biex jitkabbru sigar taż-żebbuġ.

Din l-art hija immarkata bl-ittra **V** fuq il-mappa anessa f'Appendici **C** u fir-ritratti annessi f'Appendici **D** ta' dan ir-rapport.

Din l-art hija aċċessibli minn grada prinċipali li tinsab fi Triq Ta' San Gakbu. Din il-grada tghati għal-trejqqa (li jirriżulta li hija ta' proprjeta' tas-sur Jean Pierre Borg hekk kif deskritt f'**Proprjeta' P**) li twassal għal-art hawn deskritta.

Skond l-informazzjoni miġjuba minghand il-Qorti ta' Malta, il-kejl tal-art huwa ta' ċirka mitejn u hmistax (215) metri kwadri. Skond l-ispezzjoni li saret u il-*Geoportal* tal-Awtorita tal-Ippjanar, il-kejl tal-art huwa ta' ċirka mitejn tlieta u tletin punt tnejn sitta (233.26) metri kwadri.

Din l-art hija eżenti minn kwalunkwe ċens jew piż piju li jista' jiggrava l-imsemmija proprjeta'.

Il-proprjeta' tinsab f'*ODZ (Outside Development Zone)* li, skond ir-*Rural Policy and Design Guidance* tal-2014 maħruġ mil-MEPA, tfisser spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements* rurali eslussi).

Proprjeta' W

Din il-proprjeta' tikkonsisti f'art agrikola li preżentament qieghda tigi maħduma minn John Gauci biex jitkabbru sigar taċ-citru.

B'referenza lejn ir-ritratti annessi bl-ittra **W** f'Appendiċi **C**, din l-art hija immarkata ukoll bl-ittra **W** fuq il-mappa anessa f'Appendiċi **D** ta' dan ir-rapport.

Din l-art hija aċċessibli minn grada prinċipali li tinsab fi Triq Ta' San Gakbu. Din il-grada tghati għal trejqqa (li jirriżulta li hija ta' proprjeta' tas-sur Jean Pierre Borg hekk kif deskritt f'**Proprjeta' P**) li twassal għal passaġġ fuq in-naħa tal-lemin li mbagħad jwassal għal-proprjeta' **C**. Wiehed għandu jgħaddi minn proprjeta' **C** kif ukoll, aktar il-quddiem, minn proprjetajiet **M** sabiex jasal għal-art hawn deskritta.

Skond l-informazzjoni miġjuba minghand il-Qorti ta' Malta, il-kejl tal-art huwa ta' ċirka disa' mija u tmenin (980) metri kwadri. Skond l-ispezzjoni li saret u il-*Geoportal* tal-Awtorita tal-Ippjanar, il-kejl tal-art huwa ta' erbgha mija tnejn u sebghin punt sitta sitta (472.66) metri kwadri.

Din il-porzjoni ta' art tgawdi flimkien ma' artijiet oħra minn ġwiebi u nixxighat tal-ilma. Ukoll, l-art hija wkoll eżenti minn kull ċens jew piż piju li jista' jiggravi tali proprjeta'.

Il-proprjeta' tinsab f'*ODZ (Outside Development Zone)* li, skond ir-*Rural Policy and Design Guidance* tal-2014 maħruġ mil-MEPA, tfisser spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements* rurali eslussi).

Proprjeta' X

Din il-proprjeta' tikkonsisti f'art agrikola li preżentament qieghda tigi maħduma minn John Gauci biex jitkabbru sigar tad-dwieli u hawh.

Din l-art hija immarkata ukoll bl-ittra **X** fuq il-mappa anessa f'Appendiċi **C** u fir-ritratti annessi f'Appendiċi **D** ta' dan ir-rapport.

Din l-art hija aċċessibli minn grada prinċipali li tinsab fi Triq Ta' San Gakbu. Din il-grada tghati ghal trejqa li twassal (li jirrizulta li hija ta' proprjeta' tas-sur Jean Pierre Borg hekk kif deskritt f'**Proprjeta' P**) ghal passagġ fuq in-naħa tal-lemin li mbagħad jwassal għal-proprjeta' **Q**. Wieħed għandu jgħaddi minn ġewwa proprjeta' **Q** sabiex jasal f'din l-art deskritta.

Skond l-informazzjoni miġjuba mingħand il-Qorti ta' Malta, il-kejl tal-art huwa ta' ċirka mitejn u sbatax (217) metri kwadri. Skond l-ispezzjoni li saret u il-*Geoportal* tal-Awtorita tal-Ippjanar, il-kejl tal-art huwa ta' ċirka mitejn u sebgħin punt tlieta sitta (270.36) metri kwadri.

Din il-porzjoni ta' art tgawdi flimkien ma' artijiet oħra minn ġwiebi u nixxighat tal-ilma. Ukoll, din l-art hija ezenti minn kull ċens jew piż piju li jista' jiggravi tali proprjeta'.

Il-proprjeta' tinsab f'*ODZ (Outside Development Zone)* li, skond ir-*Rural Policy and Design Guidance* tal-2014 mahruġ mil-MEPA, tfisser spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements* rurali eslussi).

Proprjeta' Y

Din il-proprjeta' tikkonsisti f'art agrikola li preżentament qieghda tiġi mahduma minn John Gauci biex jitkabbru sigar taż-żebbuġ.

Din l-art hija immarkata bl-ittra **Y** fuq il-mappa anessa f'Appendiċi **C** u fir-ritratti anessi f'Appendiċi **D** ta' dan ir-rapport.

Din l-art hija aċċessibli minn grada prinċipali li tinsab fi Triq Ta' San Gakbu. Din il-grada tghati għal trejqa (li jirrizulta li hija ta' proprjeta' tas-sur Jean Pierre Borg hekk kif deskritt f'**Proprjeta' P**) li twassal għal passagġ fuq in-naħa tal-lemin li mbagħad jwassal għal-proprjeta' **C**. Wieħed għandu jgħaddi minn proprjeta' **C** kif ukoll, aktar il-quddiem, minn proprjetajiet **M, I, E, T** u **N** sabiex jasal għal-art hawn deskritta.

Skond l-informazzjoni miġjuba mingħand il-Qorti ta' Malta, il-kejl tal-art huwa ta' ċirka seba' mija u hamsa u disgħin (795) metri kwadri. Skond l-ispezzjoni li saret u il-*Geoportal* tal-Awtorita tal-Ippjanar, il-kejl tal-art huwa ta' ċirka tmin mija tlieta u hamsin punt wieħed tlieta (853.13) metri kwadri.

Din il-porzjoni ta' art tgawdi flimkien ma' artijiet oħra minn ġwiebi u nixxighat tal-ilma. Ukoll, l-art hija wkoll ezenti minn kull ċens jew piż piju li jista' jiggravi tali proprjeta'.

Il-proprjeta' tinsab f'*ODZ (Outside Development Zone)* li, skond ir-*Rural Policy and Design Guidance* tal-2014 mahruġ mil-MEPA, tfisser spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements* rurali eslussi).

Proprjeta' Z

Din il-proprjeta' tikkonsisti f'kamra li preżentament hija ikkonsolidata ma' kmamar **G, H, O, P** u **U** sabiex jiffurmaw proprjeta' waħda. Aktar informazzjoni flimkien mal-kejl komplut ta' din l-imsemmija proprjeta' jinsabu imniżżlin fl-aħħar ta' din il-parti ta' dan ir-rapport taht **Proprjeta' GHOPUZ**.

Din il-kamra hija mmarkata bl-ittra **Z** fuq il-mappa anessa fl-Appendici **C** u fir-ritratt annessi f'Appendici **D** ta' dan ir-rapport.

Din l-kamra hija aċċessibli minn grada prinċipali li tinsab fi Triq Ta' San Gakbu. Din il-grada tghati għal-trejqqa (li jirrizulta li hija ta' proprjeta' tas-sur Jean Pierre Borg hekk kif deskritt f'**Proprjeta' P**) li twassal għal-proprjeta' **U**. Wiehed għandu jgħaddi minn għewwa proprjeta' **U** kif ukoll proprjeta' **H** u **P** sabiex jasal fil-kamra hawn deskritta.

Skond l-informazzjoni miġjuba minghand il-Qorti ta' Malta, il-kejl tal-kamra u l-art huwa ta' ċirka erbgħin (40) metri kwadri.

Din l-kamra hija ezenti minn kull cens jew piz piju li jista' jiggravi tali proprjeta'.

Il-proprjeta' tinsab f'**ODZ (Outside Development Zone)** li, skond ir-*Rural Policy and Design Guidance* tal-2014 mahruġ mil-MEPA, tfigger spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements* rurali eslużi).

Proprjeta' GHOPUZ

Din il-proprjeta' tikkonsisti fi kmamar u porzjonijiet ta' art magħhom konsolidati flimkien sabiex jiffurmaw proprjeta' wahda. Din il-proprjeta' hija mibnija fuq żewg sulari b'hitan tal-*globigerina limestone* u msaqqfa bix-xorok t tal-*globigerina limestone* li huma mizmuma bi travi tal-injam.

Is-sular terran jikkonsisti f'kċina u f'salott mghaqudin flimkien, entrata, kamra tal-ikel, kamra tas-sodda b'*ensuite*, kamra tal-WC u biha zghira. Fl-ewwel sular, din tikkonsisti f'zewg kmamar tas-sodda, żewg kmamar tal-banju *en-suite* u żewg terrazini.

Il-proprjeta' għandha l-art parzjalment mghotijja b'madum *parquet* u parzjalment b'gebla naturali. Xi uħud mil-hitan huma miksjin u mizbugħin u oħrajn thallew bil-gebla oriġinali mikxufa. Il-kmamar tal-banju huma kompluti b'madum mal-art u mal-hitan b'muntaġġi kollha installati u f'kundizzjoni tajba. Aperturi interni u esterni huma kollha installati u f'kundizzjoni tajba. L-aperturi esterni huma tal-injam u huma *single glazed*. L-istruttura hija f'kundizzjoni tajba ukoll.

Il-proprjeta' għandha installati servizzi ta' dawl u ilma bil-*meters* inklużi kif ukoll sistema ta' kundizzjonar tal-arja. Ġiet innutata waqt l-ispezzjoni ċertu evidenza ta' penetrazzjoni ta l-ilma fuq wiehed mil-hitan tal-kamra tas-sodda fis-sular terran u fil-kurutur ta l-ewwel sular.

Skond l-ispezzjoni li saret u mil-pjanti miksuba mil-Awtorita tal-Ippjanar, din il-proprjeta' għandha kejl *footprint* ta' ċirka mitejn tmienja u hamsin punt disgħa sitta (258.96) metri kwadri; l'ispazju intern hu ta' ċirka mija wiehed u sebghin punt hamsa tmienja (171.58) metri kwadri; u l'ispazju *gross* ta' ċirka erba' mija u ghoxrin punt tmienja tnejn (420.82) metri kwadri). Il-proprjeta' ukoll għandha faċċata ta' ċirka sitta u tletin punt erbgħa hamsa (36.45) metri li thares fuq Triq il-Karrettun tal-Komun.

Tul iż-żminijiet, fuq din il-proprjeta' kien hemm diversi applikazzjonijiet ta' pjanar li għew sottomessi lil-Awtorita ta' l-Ippjanar (**PA**) kif ukoll okkorrenzi ta' infurzar (**EC**) fuq il-

proprjeta' mil-Awtorita ta' Ippjanar. L-eqdem li nstabet hija EC 00086/04 li hija okkurenza ta' infurzar fuq il-bini li giet maghluqa permezz ta' applikazzjoni PA 00800/04 li sanzjonat dak li kien qiegħed jiġi infurzat. Minn hemmhekk giet sottomessa applikazzjoni PA 02600/06 sabiex jiġi mibni sular iehor u jsiru xi alterazzjonijiet. Din l-applikazzjoni giet approvata imma wara kien hemm okkorenza oħra ta infurzar EC 00313/10 minhabba li s-sular ġie mibni akbar milli stipulat fil-pjanti. Minn hemmhekk giet sottomessa applikazzjoni PA 04629/10 sabiex isiru modifikazzjonijiet mil-permess PA 02600/06. L-Aplikazzjoni PA 04629/10 giet rifjutata.

Ukoll, waqt l-ispezzjoni, ġie innutat li l-*en-suite* fis-sular terran ma dehret fl'ebda permess jew applikazzjoni.

Il-proprjeta' tinsab f'ODZ (*Outside Development Zone*) li, skond ir-*Rural Policy and Design Guidance* tal-2014 mahruġ mil-MEPA, tfisser spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements rurali eslussi*).

Policies u kundizzjonijiet tal-MEPA li japplikaw fuq il-proprjeta kollha

Il-fond kollu jinsab f'ODZ (*Outside Development Zone*) li, skond ir-Rural Policy and Design Guidance tal-2014 mahruġ mil-MEPA, tfisser spazji li jinsabu barra iż-żoni stipulati fil-pjanti lokali fejn żvilupp urban huwa permess (*settlements rurali esclusi*).

Matul iż-żminijiet, kien hemm diversi

- 1) Applikazzjonijiet ta' pjanar (PA u DN) li ġew sottomessi lil-Awtorita ta' l-Ippjanar għal-diversi proposti differenti
- 2) Okkorrenzi ta' infurzar (EC) fuq il-proprjeta' mil-Awtorita ta' Ippjanar

Dawn, flimkien mad-deskrizzjoni taghhom u l-istat taghhom huma:

PA 04807/10	<i>To sanction modification to approved permit PA 5089/05 to include already installed paving in walkways and timber shed to store agricultural tools and machinery – Rifjutat</i>
PA 04629/10	<i>Modifications to approved permit PA 2600/06 – Rifjutat</i>
EC 00313/10	<i>Żvilupp mhux skond il-pjanti approvati tal-permess PA 2600/06 datata 19 ta' Frar 2008, u dan peress li l-ewwel sular inbena akbar minn dak approvat fl-istess permess - Sospiz</i>
EC 00102/10	<i>Żvilupp mingħajr permess li jikkonsisti minn kisi ta' passagġ eżistenti biċ-ċangatura, installazzjoni ta' dawl dekorattiv ma' l-istess passagġ kif ukoll bini ta' kamra ta' l-injam u dan kollhu f'sit skedat – Sospiz</i>
PA 03395/08	<i>To sanction installation of demountable pool not requiring any earth intervention – Rifjutat</i>
EC 00078/08	<i>Żvilupp mingħajr permess li jikkonsisti minn bini ta' swimming pool f'żona skedata skond il-liġi – Sospiz</i>
PA 07509/07	<i>Correction of site plan from that approved in PA 3459/05 – Approvat</i>
PA 03495/07	<i>To sanction an existing gate and to install two more gates – Rifjutat</i>
PA 01209/07	<i>Maintenance of the existing rubble walls, consolidation of existing road & tracks, planting of trees & soft landscaping and general cleaning of the area – Approvat</i>
PA 02600/06	<i>To construct first floor and alterations to ground floor – Approvat</i>

- EC 00503/06** *Żvilupp minghajr permess li jikkonsisti minn landscaping works skond applikazzjoni ghal l-iżvilupp PA 5089/05, twaqqugh u bini mill-ġdid ta' hitan tas-sejjeġh, iffurmar ta' turgien, rampi u passaġġi fil-wied, iffurmar ta' pitch bit-turf, pavimentar u nstallazzjoni ta' bankijiet, dawl dekorattiv u mwejjed tal-ġebel, kif ukoll engineering works ohra u sit skedat – **Magħluq***
- PA 05089/05** *Sanctioning of maintenance works to existing rubble walls, consolidation of existing road and tracks, and sanctioning of planting of trees and soft landscaping and general cleaning of the area – **Approvat***
- PA 03459/05** *To sanction construction of reservoir – **Approvat***
- PA 00800/04** *To sanction alterations and maintenance works – **Approvat***
- EC 00086/04** *Żvilupp minajr permess li jikkonsisti minn alterazzjoni u addizzjoni astrutturali fuq bini li jinsab il-barra mill-konfini ta' żvilupp, u meta l-istess sit jaqa' f'area protetta ta' importanza arkeologika – **Magħluq***
- DN 04046/01** *Proposed reservoirs and pump room – **Rifjutat***

Id-dokumenti rispettivi ta' dawn imsemmjin hawn fuq huma annessi fl-Appedici E ta' dan ir-rapport.

Prezz Kummerċjali

Wara li ġie eżaminat l-fond fejn hu, l-kundizzjoni tiegħu, u kwalunkwe haġa ohra rilevanti, jiena ninsab fil-pożizzjoni li nistma l-proprjeta' bil-valur totali ta' **tlettax il-miljun ewro (€13,000,000)**.

Dan il-valur qiegħed jigi mahrug b'mogħod komparrativ b'referenza lejn tlett proprjetajiet simili. Dawn huma:

1. *Farmhouse* gewwa Gharghur tal-kejl ta' 5000 metri kwadri bil-valur ta' €5,500,000.
2. *Farmhouse* gewwa San Pawl il-Bahar tal-kejl ta' 5000 metri kwadri bil-valur ta' €5,000,000.
3. *Farmhouse* gewwa Gharghur tal-kejl ta' 4700 metri kwadri bil-valur ta' €7,500,000.



Perit Arielle Agius
B.E.&A.(Hons.), M.I.D. (Politecnico di Milano), A.&C.E

05 DEC 2018

ILLUM
Ippreżentata mill..... *Perit Arielle Agius*
bla dok./b..... *diversi*dokumenti

ILLUM..... *23 ta' Mejju, 2019*
DEHER IL-PERIT LEGALI/TEKNIKU..... *Arielle Agius*
8985M.....LI HALEF LI QEDA FEDELMENT
U ONESTAMENT L-INKARIGU MOGHTI LILU



DEPUTAT REGISTRATUR

Gaetana Aquilina
Deputat Registratur
Deputy Registrar
Qrati tal-Gustizzja (Malta)
Law Courts (Malta)

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Sandra Valentino

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Appendiçi A

Ittri Mibghutin

FIL-QORTI CIVILI, PRIM' AWLA

**FI-ATTI TAS-SUBBASTA
Rikors Nru 23/18**

**Avukat Dottor Edward Debono
vs
Jean Pierre Borg *sive* Jean Borg**

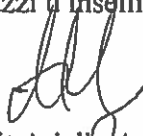
Mandat ta' Qbid ta' Hwejjeg Immobli b'Subbasta ta' Jean Pierre Borg

Lin-Nutar Dottor Sandra Valentino

Jien, l-Perit hawn taht iffirmata, qeda niktiblek din l-ittra sabiex namel rikjesta ghal-kopji tal-pjanti tar-Registru tal-Artijiet ghal-proprjeta hawn taht msemija ghar-rikors imsemmi hawn fuq.

- Ghar ta' kejl ta' aċċessibbli minn moghdija kouni li taghti ghal fuq Triq San Ġakbu u li tmiss mill-punent l-Ilbici mas-surreferita moghdija komuni, mill-majjistral ma' proprjeta hawn deskritta hekk kif jirrizulta mill-pjanta annessa ma' kuntratt fl-atti tieghek tas-27 ta' Ottubru 1998, liema pjanta hija hemm annessa u mmarkata bhala Dokument 'G'.

Grazzi u inselli ghalik,


Perit Arielle Agius
m: 7906 9110

Lir-Reċipjent Dottor Sandra Valentino
4, Triq San Frangisk, Rabat, Malta

Lill-Kreditur: Avukat Dottor Edward DeBono
Fenech & Fenech Advocates, 198, Old Bakery Street, Valletta

Lill-Intimat: Jean Pierre *sive* Jean Borg
Flat 5, 13/14, Graham Street, Sliema

Lid-Dep Reg Marbeck Spiteri
Courts of Justice, Republic Street, Valletta

FIL-QORTI CIVILI, PRIM' AWLA

**FL-ATTI TAS-SUBBASTA
Rikors Nru 23/18**

**Avukat Dottor Edward Debono
vs
Jean Pierre Borg *sive* Jean Borg**

Mandat ta' Qbid ta' Hwejjeg Immobli b'Subbasta ta' Jean Pierre Borg

Lin-Nutar Dottor Andre Farrugia,

Jien, l-Perit hawn taht iffirmata, qeda nikteb din l-ittra sabiex namel rikjesta ghal-kopji tal-pjanti tar-Registru tal-Artijiet ghal-proprjetajiet hawn taht (msemmin flimkien mal-kejl tagħhom u d-data ta' meta kien sar il-kuntratt rispettiv) ghar-rikors imsemmi hawn fuq.

- Porzjoni ta' art maghrufa bhala "Tal-Laring" immarkata bin-numru 9a - Circa 933.33 m², 30 ta' Lulju 2003
- Porzjoni ta' art immarkata bin-numru 9b – Circa 466.5 m², 30 ta' Lulju 2003
- Porzjoni ta' art maghrufa bhala "Iz-Zebbug ta' Fuq" immarkata bin-numru 9c – Circa 1157.4 m², 30 ta' Lulju 2003
- Porzjoni ta' art maghrufa bhala "Ir-Roqa t-Isfel" immarkata bin-numru 9d – Circa 876.90 m², 30 ta' Lulju 2003
- Għar indikat bin-numru 9, 30 ta' Lulju 2003
- Porzjoni ta' art maghrufa bhala "Il-Mandra" indikata bhala "Mandra ta' Kejla" numru 9, 30 ta' Lulju 2003
- Kamra indikata bhala numru 9, 30 ta' Lulju 2003
- Porzjon ta' art maghrufa bhala "Ir-Roqa t'Isfel" sive "Il-Maħsel" immarkata bin-numru 10a u bin-numru (10b) - Circa 4650 m², 30 ta' Lulju 2003
- Kmamar kontigwi u adjacenti wahda mal-ohra flimkien ma' l-art magħhom – 22 ta' Dicembru 2003

- Porzjoni ta' art maghrufa bhala "Il-Laring il-Qares" indikati bin-numru 11b, 12b u 12bb - Circa 4575 m², 30 ta' Lulju 2003
- Porzjoni ta' art maghrufa bhala "Tal-Laring il-Helu" indikati bin-numru 12c – Circa 207 m², 30 ta' Lulju 2003
- Porzjoni ta' art maghrufa bhala "Il-Mahsel", maghrufa wkoll bhala "Il-Mansab" li tinkludi *hunting lodge* jew *hunting tower* indikata bin-numru 12d – Circa 527 m², 30 ta' Lulju 2000.
- Porzjoni ta' art maghrufa bhala "Ir-Roqa t-Isfel" immarkata bin-numru 12e – Circa 890 m², 30 ta' Lulju 2000
- Kamra aċċessibli minn moghdija komuni maghrufa bhala it-Triq tal-Karrettun il-Komun indikata bin-numru 12 – Circa 30 m², 30 ta' Lulju 2000
- Kamra b'porzjoni ta' art adjacenti maghha aċċessibli minn moghdija private indikata bin-numru 12 – Circa 22 m², 30 ta' Lulju 2000
- Porzjoni ta' art maghrufa bhala Ta' Laringa kif ukoll moghdija komuni indikata bin-numru 13a - Circa 1396 m² u 180 m², 30 ta' Lulju 2003
- Porzjoni ta' art maghrufa bhala "Iz-Żebbug ta' Fuq" indikata bin numru 13b - Circa 1372 m², 30 ta' Lulju 2003
- Porzjoni ta' art maghrufa bhala "Tal-Mansab" indikata bin-numru 13c – Circa 131 m², 30 ta' Lulju 2003
- Porzjoni ta' art maghrufa bhala "Ir-Roqa il-Hazina, maghrufa wkoll bhala "Ir-Roqa t-Isfel" indikata bin-numru 13d – Circa 769 m², 30 ta' Lulju 2003
- Kamra rurali aċċessibli minn moghdija komuni indikata bin-numru 13 – Circa 15.5 m², 30 ta' Lulju 2003
- Porzjoni ta' art indikata bin-numru 13e – Circa 215 m², 30 ta' Lulju 2003
- Porzjoni ta' art maghrufa bhala "Tal-Mansab" indikata bin-numru 11d – Circa 980 m², 30 ta' Lulju 2003
- Porzjoni ta' art maghrufa bhala "Tal-Laring" indikata bin-numru 11c – Circa 217 m², 30 ta' Lulju 2003
- Porzjoni ta' art maghrufa bhala "Ir-Roqa ta' Isfel" indikata bin-numru 11e – Circa 795 m², 30 ta' Lulju 2003
- Kamra li hi aċċessibli minn moghdija komuni immarkata bin numru 11 – Circa 40 m², 30 ta' Lulju 2003

Grazzi u inselli ghalik,



Perit Arielle Agius
m: 7906 9110

Lir-Recipjent: Doctor Andre Farrugia
 *113, Farrugia & Farrugia Kappara Business Centre, Truq San
 Giljan, San Gwann*

Lill-Kreditur: Avukat Dottor Edward DeBono
 Fenech & Fenech Advocates, 198, Old Bakery Street, Valletta

Lill-Intimat: Jean Pierre sive Jean Borg
 Flat 5, 13/14, Graham Street, Sliema

Lid-Dep Reg Marbeck Spiteri
 Courts of Justice, Republic Street, Valletta



Triq il-Ferrovija l-Qadima, Hamrun
 Hamrun
 Tel: (+356) 21224421
 EXO No: EX0947
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HMR035016S 02 Oct 2018 12:08:14
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 Contact Name: CASH SALE CLIENT
 Vat Number: 1906-8805

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			5.80
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 Change: €4.20

 VAT Analysis €

Full	F 18%:	0.00
Reduced	R 5%:	0.00
Exempt	E 0%:	5.80
Non-Vatable NV	OX:	0.00

 VAT Paid: €0.00



HMR0979715B

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malta post
REGISTERED MAIL
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 Rabat

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REGISTERED MAIL
 RR410872198MT

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 Jean Pierre BORG
 Sliema

malta post
REGISTERED MAIL
 RR410872153MT

 Sent to:
 Ancha Fungia
 San Gwann

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 Valletta

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 Valletta

FIL-QORTI ĊIVILI, PRIM' AWLA

**FL-ATTI TAS-SUBBASTA
Rikors Nru 23/18**

**Dr Edward Debono noe
vs
Jean Pierre sive Jean Borg**

Mandat ta' Qbid ta' Hwejjeġ Immobli b'Subbasta ta' Jean Pierre sive Jean Borg

Il-Perit Arielle Aġius ser iżzomm aċċess fuq il-postijiet ġewwa l-limiti ta' Had-Dingli, nhar il-Erbgha, 24 ta' Ottubru 2018 f' 10.30am.

Ghaldaqstant intom mitluba tkunu prezenti quddiem il-knisja ta' Santa Marija ġewwa Had-Dingli fil-hin u data indikati hawn fuq. Minn hemmhekk nirrikorru lejn il-projetajiet:

Hunting Lodge u artijiet adjaċenti sitwati fit-territorju maghruf bhala Ta' Baldu, fiz-zona maghrufa bhala 'Misrah Suffara', fil-limiti ta' Had-Dingli konsistenti fis-segwenti:

- Porzjoni ta' art maghrufa bhala "Tal-Laring", tal-kejl ta' ċirka 933.33 metru kwadri, li tmiss minn nofsinhar u f'partijiet minnha mill-punent ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu, f'partijiet minnha mill-punent ta' mogħdija, u mill-lvant ma' proprjeta hawn deskritta.
- Porzjoni ta' art tal-kejl ta' ċirka 466.5 metri kwadri, kif soġġetta għad-dritt ta' mogħdija u ta' akwedotti, li tmiss mill-punent ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu, mill-lvant ma' mogħdija, u mit-tramuntana ma' proprjeta hawn deskritta.
- Porzjoni ta' art maghrufa bhala "Iż-Żebbuġ ta' Fuq, tal-kejl ta' ċirka 1157.4 metri kwadri, li tmiss mill-lvant ma' Triq San Ġakbu, minn nofsinhar ma' proprjeta hawn deskritta u mill-punent ma' beni tal-familja Buġeja, kultant deskritta wkoll bhala li tmiss mill-punent ma' sies.
- Porzjoni ta' art maghrufa bhala "Ir-Roqa t'Isfel", tal-kejl ta' ċirka 876.9 metri kwadri kif soġġetta għad-dritt tal-mogħdija u s-sieqja tal-ilma, u li tmiss mit-tramuntana ma' beni tal-Baruni Salvatore Testaferrata Moroni Viani jew l-aventi kawża tiegħu, minn nofsinhar ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu, u mill-punent ma' proprjeta hawn deskritta.

- Ghar fil-viċinanzi, li parti minnu huma sottstanti beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu, li jmiss mat-tramuntana ma' mogħdija komuni, u mill-irjeh l-oħra kollha ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu.
- Porzjoni ta' art magħrufa bhala "Il-Mandra" fl-istess viċinanzi u dintorni, li għandha il-kejl superficjali ta' 18.735 metri kwadri u li tmiss minn nofsinhar ma' mogħdija, mill-punent ma' proprjeta hawn deskritta, mill-lvant ma' proprjeta tal-aventi kawża ta' Carmelo Scicluna.
- Kamra fl-istess viċinanzi u dintorni li tmiss mit-tramuntana ma' beni ta' Giuseppe Muscat jew l-aventi kawża tiegħu, minn nofsinhar ma' mogħdija, u mill-punent ma' proprjeta hawn deskritta.
- Porzjoni ta' art magħrufa bhala "Ir-Roqa t'Isfel" sive "Il-Mahsel", ta' kejl ta' ċirka 4,650 metri kwadri li tmiss mit-tramuntana ma' proprjeta tal-Baruni Salvatore Testaferrata Moroni Viani jew l-aventi kawża tiegħu, mill-lvant ma' proprjeta tas-surreferitaq familja Bugeja u li kultant tigi deskritta wkoll bhala li tmiss ma' sies, u mill-punent ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu.
- Kmamar kontigwi u adjaċenti wahda mal-oħra, li għadhom entraturi tagħhom jharsu lejn in-nofsinar, flimkien mal-art magħhom annessa u formanti parti integrali mill-istess, sitwata fuq in-naħa ta' wara ta' dawn l-imsemmija kmamar, li jmissu mill-punent ma' karma proprjeta' ta' Pawlina Muscat, minn nofsinhar ma' mogħdija u mill-lvant mal-proprjeta deskritta hawn fuq.
- Porzjoni ta' art magħrufa bhala "Il-Laring il-Qares" tal-kejl ta' ċirka 1575 metri kwadri, kif ukoll żewġ għerien li jinsabu fuq l-istess art, liema art tmiss mill-majjistral ma' proprjeta' hawn deskritta, minn nofsinhar ma' beni tal-Gvern ta' Malta u mill-lvant ma' beni ta' Carmelo Scicluna jew is-suċċessuri tiegħu.
- Porzjoni ta' art magħrufa bhala "Il-Laring il-Helu", tal-kejl ta' ċirka 207 metri kwadri, li tmiss mill-irjihat kollha mal-proprjeta hawn deskritta.
- Porzjoni ta' art magħrufa bhala "Il-Mahsel", magħrufa bhala "Il-Mansab", tal-kejl ta' ċirka 527 metri kwadri, li tinkludi wkoll *hunting lodge* jew *hunting tower* li tinstab fuq din l-imsemmija porzjoni ta' art. Din il-porzjoni ta' art tmiss mill-lbiċ u mill-lvant ma' proprjeta hawn deskritta u minn nofsinhar ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu.
- Porzjoni ta' art magħrufa bhala "Ir-Roqa t'Isfel" tal-kejl ta' ċirka 890 metri kwadri, li tmiss mill-majjistral ma' beni tal-Baruni Testaferrata Moroni Viani jew l-aventi kawża tiegħu u mill-lbiċ u mill-grigal ma' proprjeta' hawn deskritta.

- Kamra tal-kejl ta' ċirka 30 metru kwadru, aċċessibbli minn mogħdija komuni magħrufa bhala it-Triq tal-Karettun tal-Komun u li tmiss mill-majjistral u mix-xlokk ma' proprjeta' hawn deskritta u mill-lbiċ mal-ghodija surreferita.
- Kamra b'porzjoni ta' art adjaċenti magħha tal-kejl ta' ċirka 22 metru kwadru, aċċessibbli minn mogħdija private, u li tmiss mill-majjistral u mix-xlokk ma' proprjeta' hawn deskritta u mill-lbiċ mal-imsemmija mogħdija.
- Porzjoni ta' art magħrufa bhala "Ta' Laringa" tal-kejl ta' ċirka 1396 metru kwadru, kif ukoll mogħdija komuni tal-kejl ta' ċirka 180 metru kwadru, li jmissu t-tnejn li huma (stante li huma kontigwi), mill-majjistral ma' beni hawn deskritta, mill-lbiċ f'partijiet ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu u f'partijiet ma' proprjeta' hawn deskritta u mill-grigal ma' mogħdija.
- Porzjoni ta' art magħrufa bhala z-Żebbuġ ta' Fuq, tal-kejl ta' ċirka 1372 metru kwadru, li tmiss mit-tramuntana ma' Triq San Gakbu, mill-majjistral ma' proprjeta' hawn deskritta u minn nofsinhar ma' proprjeta' oħra hawn deskritta.
- Porzjoni ta' art magħrufa bhala "Tal-Mansab", tal-kejl ta' ċirka 131 metru kwadru, li tmiss mill-grigal u mill-majjistral ma' proprjeta' hawn deskritta u minn nofsinhar ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu.
- Porzjoni ta' art magħrufa bhala "Ir-Roqa l-Hażina" magħrufa wkoll bhala "Ir-Roqa t'Isfel", tal-kejl ta' ċirka 769 metru kwadru u li tmiss mill-grigal ma' proprjeta' hawn deskritta, mill-majjistral ma' beni ta' Baruni Testaferrata jew is-suċċessuri tiegħu u mill-lbiċ ma' proprejta hawn deskritta.
- Kamra rurali tal-kejl ta' ċirka 15.5 metru kwadru, aċċessibbli minn mogħdija komuni u li tmiss mill-lbiċ mas-surreferita mogħdija komuni, mill-majjistral u mix-xlokk ta' proprjeta' hawn deskritta.
- Għar tal-kejl ta' ċirka 25 metru kwadru, aċċessibbli minn mogħdija komuni li tagħti għal fuq Triq San Gakbu u li tmiss mill-lbiċ mas-surreferita mogħdija komuni, mill-majjistral ma' proprjeta' hawn deskritta u mix-xlokk ma' beni ta' Carmelo Scicluna jew is-suċċessuri tiegħu.
- Porzjoni ta' art magħrufa bħal "Tal-Mansab", tal-kejl ta' ċirka 980 metru kwadru, li tmiss mill-punent majjistru, mill-lbiċ u mill-grigal ma' proprjeta' hawn deskritta.
- Porzjoni ta' art magħrufa bhala "Tal-Laring", tal-kejl ta' ċirka 217 metru kwadru u li tmiss mill-punent ma' beni tas-suċċessuri ta' Carmelo Scicluna, mill-grieg il-lvant u mill-punent ma' proprjeta' hawn deskritta.
- Porzjoni ta' art magħrufa bhala "Ir-Roqa ta' Isfel" tal-kejl ta' ċirka 795 metru kwadru u li tmiss mill-grigal ma' proprjeta' hawn deskritta, mill-majjistral ma' beni tal-Baruni Testaferrata Moroni Viani jew is-suċċessuri tiegħu u mill-lbiċ ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu.

- Kamra tal-kejl ta' ċirka 40 metru kwadru u li hi aċċessibbli minn mogħdija komuni u li tmiss mill-majjistral ma' beni tal-aventi kawża ta' Carmelo Scicluna, mill-lbiċ u mix-xlokk ma' proprjeta' hawn deskritta.

Intom gentilment mitlub ukoll sabiex tieħdu hsieb tavżaw lil-Avukati tagħkom dwar dan.

Grazzi u inselli għalikom



Perit Arielle Agius
m: 7906 9110

Lill-Kreditur:	Avukat Dottor Edward DeBono <i>Fenech & Fenech Advocates, 198, Old Bakery Street, Valletta</i>
Lill-Intimat:	Jean Pierre sive Jean Borg <i>Flat 5, 13/14, Graham Street, Sliema</i>
Lid-Dep Reg	Marbeck Spiteri <i>Courts of Justice, Republic Street, Valletta</i>



Triq il-Wied, Birkirkara
 Birkirkara
 Tel: (+356) 21224421
 FXO No: EX0947
 FAX No: MT15114134
 E-mail: ---

KR035967S 12 Oct 2018 08:20:49
 SER: ACH388 - KIRSTY MERCIECA
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 Contact Number: NA

Invoice Number: BKR0972828B

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Grand Total: €3.48

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 Cash Tendered: 10.00

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VAT Analysis €

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Reduced	R 5%:	0.00
Exempt	E 0%:	3.48
Non-Vatable	NV 0%:	0.00

Total: €0.00

BKR0972828

BKR0972828

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FIL-QORTI ĊIVILI, PRIM' AWLA

**FL-ATTI TAS-SUBBASTA
Rikors Nru 23/18**

**Dr Edward Debono noe
vs
Jean Pierre sive Jean Borg**

Mandat ta' Qbid ta' Hwejjeġ Immobili b'Subbasta ta' Jean Pierre sive Jean Borg

Peress li ma kienx hemm aċċess fil-kmamar u spazji kollha waqt l-ewwel ispezzjoni li saret l-Erbgħa, 24 ta' Ottubru 2018, l-Perit Arielle Aġius ser terġa iżżomm aċċess fuq il-postijiet ġewwa l-limiti ta' Had-Dingli, nhar il-Flamis, 15 ta' Novembru 2018 f' 10.00am.

Ghaldaqstant intom mitluba tkunu prezenti quddiem l-entrata tal-proprjeta' hawn msemmija fi Triq ta' San Gakbu ġewwa Had-Dingli fil-hin u data indikati hawn fuq. Minn hemmhekk nirrikorru lejn il-propjetajiet:

Hunting Lodge u artijiet adjaċenti sitwati fit-territorju magħruf bhala Ta' Baldu, fiż-zona magħrufa bhala 'Misraħ Suffara', fil-limiti ta' Had-Dingli konsistenti fis-segwenti:

- Porzjoni ta' art magħrufa bhala "Tal-Laring", tal-kejl ta' ċirka 933.33 metru kwadri, li tmiss minn nofsinhar u f'partijiet minnha mill-punent ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu, f'partijiet minnha mill-punent ta' mogħdija, u mill-lvant ma' proprjeta hawn deskritta.
- Porzjoni ta' art tal-kejl ta' ċirka 466.5 metri kwadri, kif soġġetta għad-dritt ta' mogħdija u ta' akwedotti, li tmiss mill-punent ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu, mill-lvant ma' mogħdija, u mit-tramuntana ma' proprjeta hawn deskritta.
- Porzjoni ta' art magħrufa bhala "Iż-Zebbuġ ta' Fuq, tal-kejl ta' ċirka 1157.4 metri kwadri, li tmiss mill-lvant ma' Triq San Gakbu, minn nofsinhar ma' proprjeta hawn deskritta u mill-punent ma' beni tal-familja Bugeja, kultant deskritta wkoll bhala li tmiss mill-punent ma' sies.
- Porzjoni ta' art magħrufa bhala "Ir-Roqa t'Isfel", tal-kejl ta' ċirka 876.9 metri kwadri kif soġġetta għad-dritt tal-mogħdija u s-sieqja tal-ilma, u li tmiss mit-tramuntana ma' beni tal-Baruni Salvatore Testaferrata Moroni Viani jew l-aventi kawża tiegħu, minn nofsinhar ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu, u mill-punent ma' proprjeta hawn deskritta.

- Ghar fil-viċinanzi, li parti minnu huma sottstanti beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu, li jmiss mat-tramuntana ma' mogħdija komuni, u mill-irjiegħ l-oħra kollha ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu.
- Porzjoni ta' art magħrufa bħala "Il-Mandra" fl-istess viċinanzi u dintorni, li għandha il-kejl superficjali ta' 18.735 metri kwadri u li tmiss minn nofsinhar ma' mogħdija, mill-punent ma' proprjeta hawn deskritta, mill-lvant ma' proprjeta tal-aventi kawża ta' Carmelo Scicluna.
- Kamra fl-istess viċinanzi u dintorni li tmiss mit-tramuntana ma' beni ta' Giuseppe Muscat jew l-aventi kawża tiegħu, minn nofsinhar ma' mogħdija, u mill-punent ma' proprjeta hawn deskritta.
- Porzjoni ta' art magħrufa bħala "Ir-Roqa t'Isfel" sive "Il-Maħsel", ta' kejl ta' ċirka 4,650 metri kwadri li tmiss mit-tramuntana ma' proprjeta tal-Baruni Salvatore Testaferrata Moroni Viani jew l-aventi kawża tiegħu, mill-lvant ma' proprjeta tas-surreferita familja Bugeja u li kultant tiġi deskritta wkoll bħala li tmiss ma' sies, u mill-punent ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu.
- Kmamar kontigwi u adjaċenti wahda mal-oħra, li għadhom entraturi tagħhom jharsu lejn in-nofsinar, flimkien mal-art magħhom annessa u formanti parti integrali mill-istess, sitwata fuq in-naħa ta' wara ta' dawn l-imsemmija kmamar, li jmissu mill-punent ma' karma proprjeta' ta' Pawlina Muscat, minn nofsinhar ma' mogħdija u mill-lvant mal-proprjeta deskritta hawn fuq.
- Porzjoni ta' art magħrufa bħala "Il-Laring il-Qares" tal-kejl ta' ċirka 1575 metri kwadri, kif ukoll żewġ għerien li jinsabu fuq l-istess art, liema art tmiss mill-majjistral ma' proprjeta' hawn deskritta, minn nofsinhar ma' beni tal-Gvern ta' Malta u mill-lvant ma' beni ta' Carmelo Scicluna jew is-suċċessuri tiegħu.
- Porzjoni ta' art magħrufa bħala "Il-Laring il-Ħelu", tal-kejl ta' ċirka 207 metri kwadri, li tmiss mill-irjiegħ kollha mal-proprjeta hawn deskritta.
- Porzjoni ta' art magħrufa bħala "Il-Maħsel", magħrufa bħala "Il-Mansab", tal-kejl ta' ċirka 527 metri kwadri, li tinkludi wkoll *hunting lodge* jew *hunting tower* li tinstab fuq din l-imsemmija porzjoni ta' art. Din il-porzjoni ta' art tmiss mill-lbiċ u mill-lvant ma' proprjeta hawn deskritta u minn nofsinhar ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu.
- Porzjoni ta' art magħrufa bħala "Ir-Roqa t'Isfel" tal-kejl ta' ċirka 890 metri kwadri, li tmiss mill-majjistral ma' beni tal-Baruni Testaferrata Moroni Viani jew l-aventi kawża tiegħu u mill-lbiċ u mill-grigal ma' proprjeta' hawn deskritta.

- Kamra tal-kejl ta' ċirka 30 metru kwadru, aċċessibbli minn mogħdija komuni magħrufa bħala it-Triq tal-Karettun tal-Komun u li tmiss mill-majjistral u mix-xlokk ma' proprjeta' hawn deskritta u mill-lbiċ mal-ghodija surreferita.
- Kamra b'porzjoni ta' art adjaċenti magħha tal-kejl ta' ċirka 22 metru kwadru, aċċessibbli minn mogħdija private, u li tmiss mill-majjistral u mix-xlokk ma' proprjeta' hawn deskritta u mill-lbiċ mal-imsemmija mogħdija.
- Porzjoni ta' art magħrufa bħala "Ta' Laringa" tal-kejl ta' ċirka 1396 metru kwadru, kif ukoll mogħdija komuni tal-kejl ta' ċirka 180 metru kwadru, li jmissu t-tnejn li huma (stante li huma kontigwi), mill-majjistral ma' beni hawn deskritta, mill-lbiċ f'partijiet ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu u f'partijiet ma' proprjeta' hawn deskritta u mill-grigal ma' mogħdija.
- Porzjoni ta' art magħrufa bħala ż-Zebbuġ ta' Fuq, tal-kejl ta' ċirka 1372 metru kwadru, li tmiss mit-tramuntana ma' Triq San Ġakbu, mill-majjistral ma' proprjeta' hawn deskritta u minn nofsinhar ma' proprjeta' oħra hawn deskritta.
- Porzjoni ta' art magħrufa bħala "Tal-Mansab", tal-kejl ta' ċirka 131 metru kwadru, li tmiss mill-grigal u mill-majjistral ma' proprjeta' hawn deskritta u minn nofsinhar ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu.
- Porzjoni ta' art magħrufa bħala "Ir-Roqa l-Ħażina" magħrufa wkoll bħala "Ir-Roqa t'Isfel", tal-kejl ta' ċirka 769 metru kwadru u li tmiss mill-grigal ma' proprjeta' hawn deskritta, mill-majjistral ma' beni ta' Baruni Testaferrata jew is-suċċessuri tiegħu u mill-lbiċ ma' propjeta' hawn deskritta.
- Kamra rurali tal-kejl ta' ċirka 15.5 metru kwadru, aċċessibbli minn mogħdija komuni u li tmiss mill-lbiċ mas-surreferita mogħdija komuni, mill-majjistral u mix-xlokk ta' proprjeta' hawn deskritta.
- Għar tal-kejl ta' ċirka 25 metru kwadru, aċċessibbli minn mogħdija komuni li tagħti għal fuq Triq San Ġakbu u li tmiss mill-lbiċ mas-surreferita mogħdija komuni, mill-majjistral ma' proprjeta' hawn deskritta u mix-xlokk ma' beni ta' Carmelo Scicluna jew is-suċċessuri tiegħu.
- Porzjoni ta' art tal-kejl ta' ċirka 215 metru kwadru li tmiss mill-grigal u mix-xlokk ma' trejqa, u mill-lbiċ ma' beni tal-aventi kawża ta' Carmelo Scicluna.
- Porzjoni ta' art magħrufa bħal "Tal-Mansab", tal-kejl ta' ċirka 980 metru kwadru, li tmiss mill-punent majjistru, mill-lbiċ u mill-grigal ma' proprjeta' hawn deskritta.
- Porzjoni ta' art magħrufa bħala "Tal-Laring", tal-kejl ta' ċirka 217 metru kwadru u li tmiss mill-punent ma' beni tas-suċċessuri ta' Carmelo Scicluna, mill-grieg il-lvant u mill-punent ma' proprjeta' hawn deskritta.

- Porzjoni ta' art maghrufa bhala "Ir-Roqa ta' Isfel" tal-kejl ta' cirka 795 metru kwadru u li tmiss mill-grigal ma' proprjeta hawn deskritta, mill-majjstral ma' beni tal-Baruni Testaferrata Moroni Viani jew is-successuri tieghu u mill-lbiç ma' beni ta' Carmelo Scicluna jew l-aventi kawza tieghu.
- Kamra tal-kejl ta' cirka 40 metru kwadru u li hi accessibbli minn moghdija komuni u li tmiss mill-majjstral ma' beni tal-aventi kawza ta' Carmelo Scicluna, mill-lbiç u mix-xlokk ma' proprjeta' hawn deskritta.

Intom gentilment mitluba ukoll sabiex tiehdu hsieb tavżaw lil-Avukati tagħkom dwar dan.

Grazzi u inselli ghalikom



Perit Arielle Agius
m: 7906 9110

Lill-Kreditur:	Avukat Dottor Edward DeBono <i>Fenech & Fenech Advocates, 198, Old Bakery Street, Valletta</i>
Lill-Intimat:	Jean Pierre sive Jean Borg <i>Flat 5, 13/14, Graham Street, Sliema</i>
Lid-Dep Reg	Marbeck Spiteri <i>Courts of Justice, Republic Street, Valletta</i>



Triq il-Ferrovija l-Qadima, Hamrun
 Hamrun
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 FXO No: EX0947
 FAX No: MT15114134
 E-Mail No: ---

IMR035086S 12 Nov 2018 12:16:23
 USER: ACH430 - JOANNE MICALF
 Contact Name: CASH SALE CLIENT
 Contact Number: NA

Invoice Number: HMR0986813B

Description	T	€
3 €1.16 Traditional Cos E		3.48
		3.48

Grand Total: €3.48

Total Tendered: 3.50
 Cash Tendered: 3.50

Change: €0.02

AT Analysis €

Full	F 18%	0.00
Reduced	R 5%	0.00
Exempt	E 0%	3.48
Non-Vatable NV	0%	0.00

AT Paid: €0.00



HMR0986813B

This receipt is invalid
 if cheque is dishonoured
 or payment against Local Purchase Order

REGISTERED MAIL

RR410875693MT

Sent to:
 Dr. Edward Debono
 Valletta

REGISTERED MAIL

RR410875676MT

Sent to:
 Jean Pierre Borel
 Sliema

REGISTERED MAIL

RR410875680MT

Sent to:
 Monbeck Spital
 Valletta

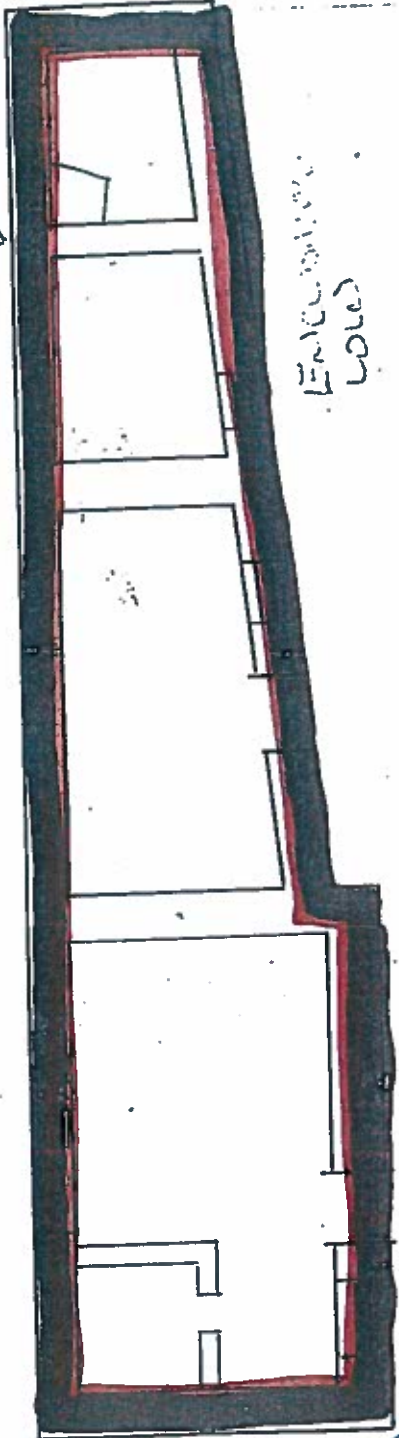
Appendiçi B

Dokumenti ta' Dr. Andre Farrugia u
Dr Sandra Valentino

3RD PARTY

RUBBLE WALL

3RD PARTY



ENCLOSURE

3RD PARTY

INVEST SWEESA JGM 4

DOCUMENT NO. 3
OLD F/H AREA: CIRCA 100sq.m.

TITLE: LAND AT TA' RAJDI

I/O RABAT

DATE: 30/7/98 SCALE: 1:50

Not. Dr. Andre' Farrugia B.A., LL.D.
 Notary Public in Malta
 Commissioner for Oaths
 Farrugia + Farrugia, Kappara Business Centre,
 St. Julian's Road, Sliema, SGN 2801

Today: 04/10/18

Certified True Copy of the original

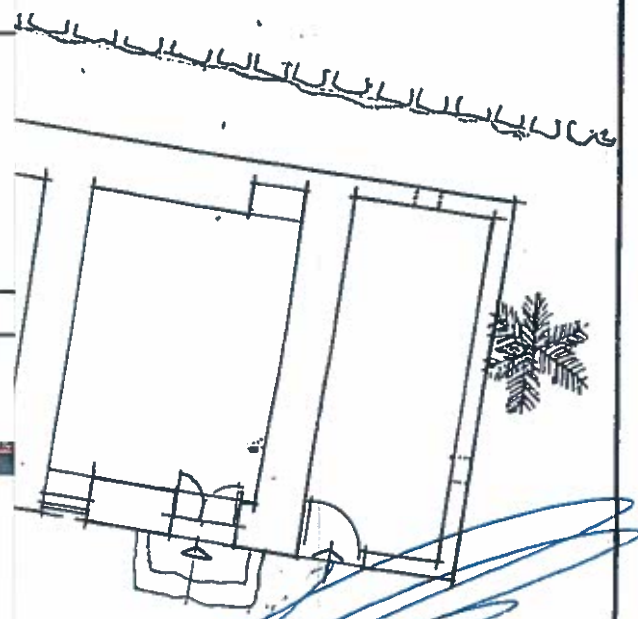
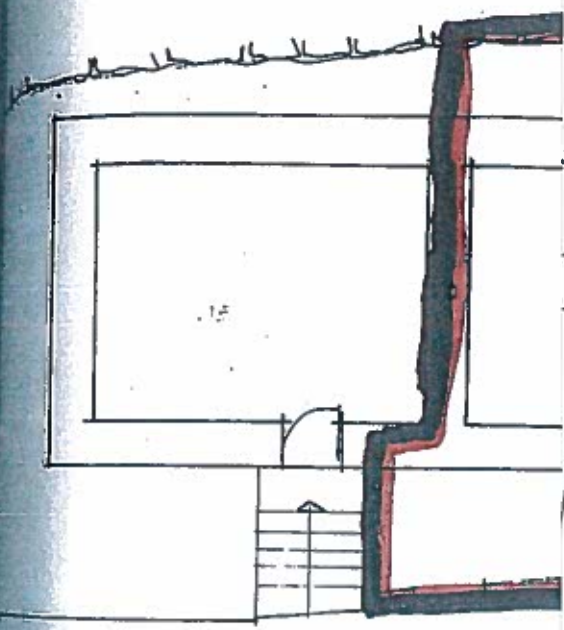
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PIUS BUSUTTI LL. ASCE
 B.A. (ARCH) B. ARCH. HONS
 PERIT
 414 107 1097 8538

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Doc 'A'



Certified True Copy of the original
 today 04/10/18

Not. Dr. Andre' Farrugia B.A., LL.D,
 Notary Public in Malta
 Commissioner for Oaths
 Farrugia + Farrugia, Keppara Business Centre,
 St. Julians Road, San Gwann, SGN 2801



scale 1:100

CHRISTIAN SPITERI

ARCHITECT & CIVIL ENGINEER

27, St. Georges Str, Gzira. GZR 04
 Telephone: 21 32 00 05, 21 32 00 33. Fax: 21 34

project title

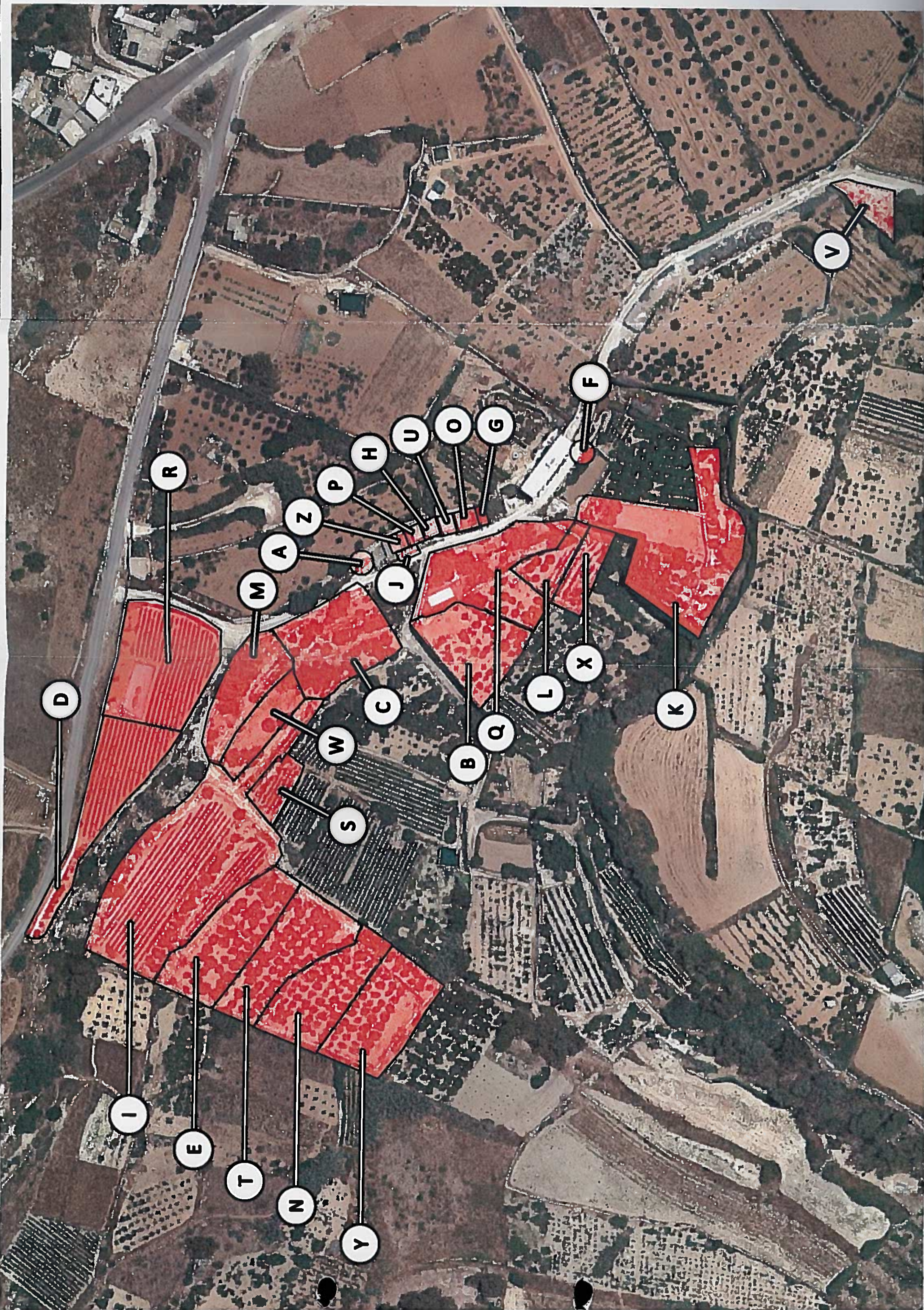
EXISTING AGRICULTURAL
 ROOMS

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Appendiċi Ċ

Mappa tal-Fond



Appendiċi D

Ritratti tal-Proprietajiet



A. Agius
ARCHITECT ARIELLE AGIUS
B. E. & A. (Hons.), M. O. (POLITECNICO DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Ritratt A1 minn A6

- A - Ghar ta' kejl ta' aċċessibbli minn mogħdija komuni li tagħti għal fuq Triq San Ġakbu u li tmiss mill-punent l-Ilbiċ mas-surreferita mogħdija komuni, mill-majjistral ma' proprjeta hawn deskritta.



A. Agius
ARCHITECT ARIELLE AGIUS
B. E. & A. (HONOR. M.L.E. (POLITECNICO DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Ritratt A2 minn A6

- A - Ghar ta' kejl ta' aċċessibbli minn moghdija komuni li taghti ghal fuq Triq San Ġakbu u li tmiss mill-punent l-Ilbiċ mas-surreferita moghdija komuni, mill-majjistral ma' proprjeta hawn deskritta.



Arielle Agius
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B. E. & A. (Hons.), M. I. D. (POLITECNICO DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Ritratt A3 minn A6

- A - Ghar ta' kejl ta' aċċessibbli minn moghdija komuni li taghti ghal fuq Triq San Ġakbu u li tmiss mill-punent l-Ilbiċ mas-surreferita moghdija komuni, mill-majjstral ma' proprjeta hawn deskritta.




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Ritratt A4 minn A6

- A - Ghar ta' kejl ta' aċċessibbli minn moghdija komuni li taghti ghal fuq Triq San Ġakbu u li tmiss mill-punent l-Ilbiċ mas-surreferita moghdija komuni, mill-majjistral ma' proprjeta hawn deskritta.




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Ritratt A5 minn A6

- A - Ghar ta' kejl ta' aċċessibbli minn moghdija komuni li taghti għal fuq Triq San Ġakbu u li tmiss mill-punent l-Ilbiċ mas-surreferita moghdija komuni, mill-majjistral ma' proprjeta hawn deskritta.




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Ritratt A6 minn A6

- A - Ghar ta' kejl ta' aċċessibbli minn moghdija komuni li taghti ghal fuq Triq San Ġakbu u li tmiss mill-punent l-Ilbiċ mas-surreferita moghdija komuni, mill-majjistral ma' proprjeta hawn deskritta.




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Ritratt B1 minn B5

- B –** Porzjoni ta' art maghrufa bhala "Tal-Laring" li tmiss minn nofsinhar u f'partijiet minnha mill-punent ma' beni ta' Carmelo Scicluna jew l-aventi kawza tieghu, f'partijiet minnha mill-punent ta' moghdija, u mill-lvant ma' proprjeta hawn deskritta.




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Ritratt B2 minn B5

- B –** Porzjoni ta' art maghrufa bhala "Tal-Laring" li tmiss minn nofsinhar u f'partijiet minnha mill-punent ma' beni ta' Carmelo Scicluna jew l-aventi kawza tieghu, f'partijiet minnha mill-punent ta' moghdija, u mill-lvant ma' proprjeta hawn deskritta.




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Ritratt B3 minn B5

- B –** Porzjoni ta' art maghrufa bhala "Tal-Laring" li tmiss minn nofsinhar u f'partijiet minnha mill-punent ma' beni ta' Carmelo Scicluna jew l-aventi kawza tieghu, f'partijiet minnha mill-punent ta' moghdija, u mill-lvant ma' proprjeta hawn deskritta.




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Ritratt B4 minn B5

- B –** Porzjoni ta' art maghrufa bhala "Tal-Laring" li tmiss minn nofsinhar u f'partijiet minnha mill-punent ma' beni ta' Carmelo Scicluna jew l-aventi kawza tieghu, f'partijiet minnha mill-punent ta' moghdija, u mill-lvant ma' proprjeta hawn deskritta.




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Ritratt B5 minn B5

- B –** Porzjoni ta' art maghrufa bhala "Tal-Laring" li tmiss minn nofsinhar u f'partijiet minnha mill-punent ma' beni ta' Carmelo Scicluna jew l-aventi kawza tieghu, f'partijiet minnha mill-punent ta' moghdija, u mill-lvant ma' proprjeta hawn deskritta.




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Ritratt C1 minn C6

- C – Porzjoni ta' art kif soggetta ghad-dritt ta' moghdija u ta' akwedotti, li tmiss mill-punent ma' beni ta' Carmelo Scicluna jew l-aventi kawza tieghu, mill-lvant ma' moghdija, u mit-tramuntana ma' proprjeta hawn deskritta.




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Ritratt C2 minn C6

- C – Porzjoni ta' art kif soġġetta ghad-dritt ta' mogħdija u ta' akwedotti, li tmiss mill-punent ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu, mill-lvant ma' mogħdija, u mit-tramuntana ma' proprjeta hawn deskritta.



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Ritratt C3 minn C6

- C – Porzjoni ta' art kif soġġetta ghad-dritt ta' moghdija u ta' akwedotti, li tmiss mill-punent ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu, mill-lvant ma' moghdija, u mit-tramuntana ma' proprjeta hawn deskritta.




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Ritratt C4 minn C6

- C – Porzjoni ta' art kif soggetta ghad-dritt ta' moghdija u ta' akwedotti, li tmiss mill-punent ma' beni ta' Carmelo Scicluna jew l-aventi kawza tieghu, mill-lvant ma' moghdija, u mit-tramuntana ma' proprjeta hawn deskritta.



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ARCHITECT & CIVIL ENGINEER

Ritratt C5 minn C6

- C – Porzjoni ta' art kif soggetta ghad-dritt ta' moghdija u ta' akwedotti, li tmiss mill-punent ma' beni ta' Carmelo Scicluna jew l-aventi kawza tieghu, mill-lvant ma' moghdija, u mit-tramuntana ma' propjeta hawn deskritta.



Arielle Agius
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Ritratt C6 minn C6

- C – Porzjoni ta' art kif soggetta ghad-dritt ta' moghdija u ta' akwedotti, li tmiss mill-punent ma' beni ta' Carmelo Scicluna jew l-aventi kawza tieghu, mill-lvant ma' moghdija, u mit-tramuntana ma' proprjeta hawn deskritta.




ARCHITECT ARIELLE AGIUS
B. E. & A. (Hons.), M. L. T. (POLITECNICO DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Ritratt D1 minn D5

- D –** Porzjoni ta' art maghrufa bhala "Iż-Żebbuġ ta' Fuq" li tmiss mill-lvant ma' Triq San Ġakbu, minn nofsinhar ma' proprjeta hawn deskritta u mill-punent ma' beni tal-familja Bugeja, kultant deskritta wkoll bhala li tmiss mill-punent ma' sies.




ARCHITECT ARIELLE AGIUS
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Ritratt D2 minn D5

- D –** Porzjoni ta' art maghrufa bhala "Iz-Zebbug ta' Fuq" li tmiss mill-lvant ma' Triq San Ġakbu, minn nofsinhar ma' proprjeta hawn deskritta u mill-punent ma' beni tal-familja Bugeja, kultant deskritta wkoll bhala li tmiss mill-punent ma' sies.



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Ritratt D3 minn D5

- D –** Porzjoni ta' art maghrufa bhala "Iz-Żebbug ta' Fuq" li tmiss mill-lvant ma' Triq San Ġakbu, minn nofsinhar ma' proprjeta hawn deskritta u mill-punent ma' beni tal-familja Bugeja, kultant deskritta wkoll bhala li tmiss mill-punent ma' sies.




ARCHITECT ARIELLE AGIUS
B. E. & A. (Hons.), M.A. (POLITECNICO DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Ritratt D4 minn D5

- D –** Porzjoni ta' art maghrufa bhala "Iz-Zebbug ta' Fuq" li tmiss mill-lvant ma' Triq San Ġakbu, minn nofsinhar ma' proprjeta hawn deskritta u mill-punent ma' beni tal-familja Bugeja, kultant deskritta wkoll bhala li tmiss mill-punent ma' sies.





ARCHITECT ARIELLE AGIUS
B. E. & A. (Hons.), M.I.E. (POLYTECHNIC OF MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Ritratt D5 minn D5

- D –** Porzjoni ta' art maghrufa bhala "Iz-Zebbug ta' Fuq" li tmiss mill-lvant ma' Triq San Ġakbu, minn nofsinhar ma' proprjeta hawn deskritta u mill-punent ma' beni tal-familja Bugeja, kultant deskritta wkoll bhala li tmiss mill-punent ma' sies.




ARCHITECT ABELLE AGIUS
B. E. & A. (Hons.), M.I.D. (POLITECNICO DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Ritratt E1 minn E2

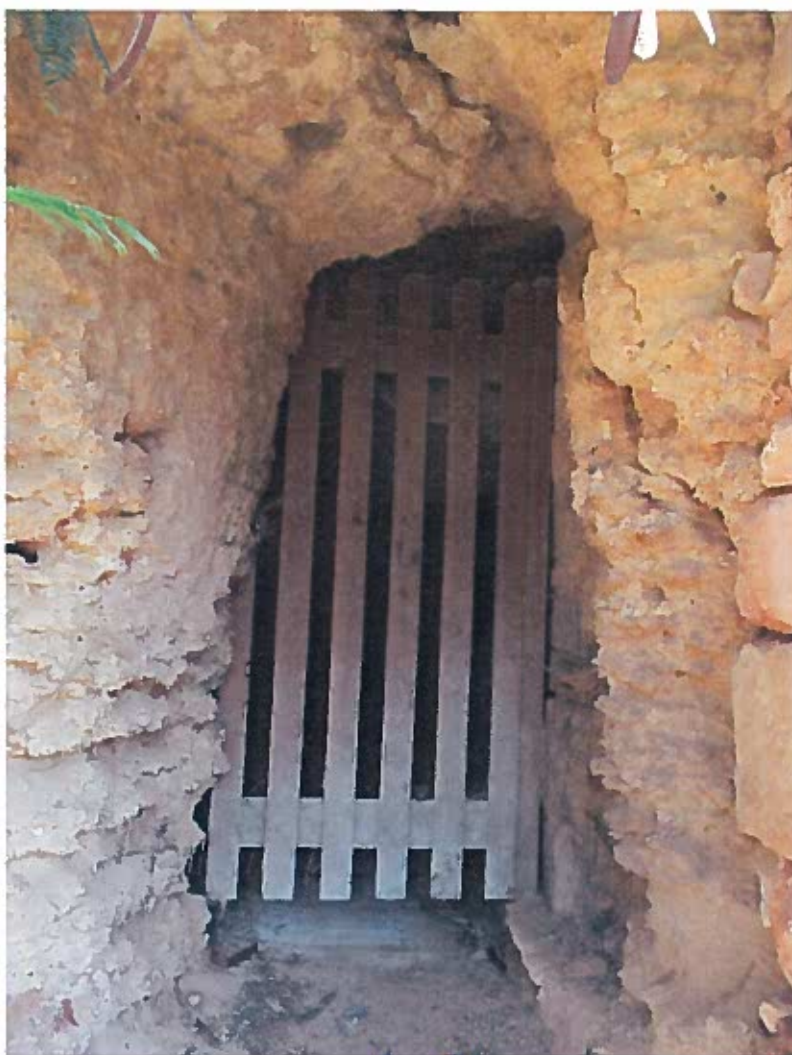
- E –** Porzjoni ta' art maghrufa bhala "Ir-Roqa t'Isfel" kif soggetta ghad-dritt tal-moghdija u s-sieqja tal-ilma, u li tmiss mit-tramuntana ma' beni tal-Baruni Salvatore Testaferrata Moroni Viani jew l-aventi kawza tieghu, minn nofsinhar ma beni ta' Carmelo Scicluna jew l-aventi kawza tieghu, u mill-punent ma' proprjeta hawn deskritta.




ARCHITECT ARIELLE AGIUS
B. E. & A. (Hons.), M.I.E. (POLITECNICO DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Ritratt E2 minn E2

- E –** Porzjoni ta' art maghrufa bhala "Ir-Roqa t'Isfel" kif soggetta ghad-dritt tal-moghdija u s-sieqja tal-ilma, u li tmiss mit-tramuntana ma' beni tal-Baruni Salvatore Testaferrata Moroni Viani jew l-aventi kawza tieghu, minn nofsinhar ma' beni ta' Carmelo Scicluna jew l-aventi kawza tieghu, u mill-punent ma' propjeta hawn deskritta.



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Ritratt F1 minn F5

- F – Ghar fil-viċinanzi, li parti minnu huma sottostanti beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu, li jmiss mat-tramuntana ma' mogħdija komuni, u mill-irjeh l-oħra kollha ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu.



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Ritratt F2 minn F5

- F – Ghar fil-vicinanzi, li parti minnu huma sottostanti beni ta' Carmelo Scicluna jew l-aventi kawża tieghu, li jmiss mat-tramuntana ma' moghdija komuni, u mill-irjeh l-ohra kollha ma' beni ta' Carmelo Scicluna jew l-aventi kawża tieghu.



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Ritratt F3 minn F5

- F –** Ghar fil-vicinanzi, li parti minnu huma sottostanti beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu, li jmiss mat-tramuntana ma' mogħdija komuni, u mill-irjeh l-oħra kollha ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu.



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Ritratt F4 minn F5

- F –** Ghar fil-viċinanzi, li parti minnu huma sottostanti beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu, li jmiss mat-tramuntana ma' moghdija komuni, u mill-irjeh l-oħra kollha ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu.



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Ritratt F5 minn F5

- F – Ghar fil-vicinanzi, li parti minnu huma sottostanti beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu, li jmiss mat-tramuntana ma' moghdija komuni, u mill-irjeh l-oħra kollha ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu.




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Ritratt G1 minn G4

- G –** Porzjoni ta' art maghrufa bhala "Il-Mandra" fl-istess vicinanzi u dintorni, u li tmiss minn nofsinhar ma' mogħdija, mill-punent ma' proprjeta hawn deskritta, u mill-lvant ma' proprjeta tal-aventi kawża ta' Carmelo Scicluna.



[Handwritten signature]
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Ritratt G2 minn G4

- G –** Porzjoni ta' art maghrufa bhala "Il-Mandra" fl-istess vicinanzi u dintorni, u li tmiss minn nofsinhar ma' moghdija, mill-punent ma' proprjeta hawn deskritta, u mill-lvant ma' proprjeta tal-aventi kawza ta' Carmelo Scicluna.




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Ritratt G3 minn G4

- G –** Porzjoni ta' art maghrufa bhala "Il-Mandra" fl-istess vicinanzi u dintorni, u li tmiss minn nofsinhar ma' moghdija, mill-punent ma' proprjeta hawn deskritta, u mill-lvant ma' proprjeta tal-aventi kawza ta' Carmelo Scicluna.



A. Agius
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L. E. & A. (Hons.), M.I.E. (POLITECNICO DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Ritratt G4 minn G4

- G –** Porzjoni ta' art maghrufa bhala "Il-Mandra" fl-istess vicinanzi u dintorni, u li tmiss minn nofsinhar ma' moghdija, mill-punent ma' proprjeta hawn deskritta, u mill-lvant ma' proprjeta tal-aventi kawza ta' Carmelo Scicluna.




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ARCHITECT & CIVIL ENGINEER

Ritratt H1 minn H7

H – Kamra fl-istess vicinanzi u dintorni li tmiss mit-tramuntana ma' beni ta' Giuseppe Muscat jew l-aventi kawża tieghu, minn nofsinhar ma' moghdija, u mill-punent ma' proprjeta hawn deskritta.



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Ritratt H2 minn H7

- H –** Kamra fl-istess vicinanzi u dintorni li tmiss mit-tramuntana ma' beni ta' Giuseppe Muscat jew l-aventi kawża tieghu, minn nofsinhar ma' moghdija, u mill-punent ma' proprjeta hawn deskritta.



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Ritratt H3 minn H7

H – Kamra fl-istess vicinanzi u dintorni li tmiss mit-tramuntana ma' beni ta' Giuseppe Muscat jew l-aventi kawża tieghu, minn nofsinhar ma' moghdija, u mill-punent ma' proprjeta hawn deskritta.



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Ritratt H4 minn H7

- H – Kamra fl-istess vicinanzi u dintorni li tmiss mit-tramuntana ma' beni ta' Giuseppe Muscat jew l-aventi kawza tieghu, minn nofsinhar ma' moghdija, u mill-punent ma' proprjeta hawn deskritta.



A. Agius
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Ritratt H5 minn H7

- H – Kamra fl-istess vicinanzi u dintorni li tmiss mit-tramuntana ma' beni ta' Giuseppe Muscat jew l-aventi kawza tieghu, minn nofsinhar ma' mogħdija, u mill-punent ma' propjeta hawn deskritta.



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Ritratt H6 minn H7

- H – Kamra fl-istess vicinanzi u dintorni li tmiss mit-tramuntana ma' beni ta' Giuseppe Muscat jew l-aventi kawża tieghu, minn nofsinhar ma' moghdija, u mill-punent ma' proprjeta hawn deskritta.



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Ritratt H7 minn H7

- H – Kamra fl-istess vicinanzi u dintorni li tmiss mit-tramuntana ma' beni ta' Giuseppe Muscat jew l-aventi kawza tieghu, minn nofsinhar ma' moghdija, u mill-punent ma' proprjeta hawn deskritta.



ARCHITECT ARIELLE AGIUS
P. E. E. A. (Hons.), M.L.B. (POLITECNICO DI MILANO), A & C. E.
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Ritratt I1 minn I4

- I – Porzjoni ta' art maghrufa bhala "Ir-Roqa t'Isfel" sive "Il-Mahsel" li tmiss mit-tramuntana ma' proprjeta tal-Baruni Salvatore Testaferrata Moroni Viani jew l-aventi kawza tieghu, mill-lvant ma' proprjeta tas-surreferita familja Bugeja u li kultant tigi deskritta wkoll bhala li tmiss ma' sies, u mill-punent ma' beni ta' Carmelo Scicluna jew l-aventi kawza tieghu.



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Ritratt I2 minn I4

- I – Porzjoni ta' art maghrufa bhala "Ir-Roqa t'Isfel" sive "Il-Mahsel" li tmiss mit-tramuntana ma' proprjeta tal-Baruni Salvatore Testaferrata Moroni Viani jew l-aventi kawza tieghu, mill-lvant ma' proprjeta tas-surreferita familja Bugeja u li kultant tigi deskritta wkoll bhala li tmiss ma' sies, u mill-punent ma' beni ta' Carmelo Scicluna jew l-aventi kawza tieghu.




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Ritratt I3 minn I4

- I – Porzjoni ta’ art maghrufa bhala “Ir-Roqa t’Isfel” sive “Il-Mahsel” li tmiss mit-tramuntana ma’ proprjeta tal-Baruni Salvatore Testaferrata Moroni Viani jew l-aventi kawza tieghu, mill-lvant ma’ proprjeta tas-surreferita familja Bugeja u li kultant tigi deskritta wkoll bhala li tmiss ma’ sies, u mill-punent ma’ beni ta’ Carmelo Scicluna jew l-aventi kawza tieghu.




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Ritratt I4 minn I4

- I – Porzjoni ta' art maghrufa bhala "Ir-Roqa t'Isfel" sive "Il-Mahsel" li tmiss mit-tramuntana ma' proprjeta tal-Baruni Salvatore Testaferrata Moroni Viani jew l-aventi kawza tieghu, mill-lvant ma' proprjeta tas-surreferita familja Bugeja u li kultant tigi deskritta wkoll bhala li tmiss ma' sies, u mill-punent ma' beni ta' Carmelo Scicluna jew l-aventi kawza tieghu.



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ARCHITECT & CIVIL ENGINEER

Ritratt J1 minn J3

- J –** Kmamar kontigwi u adjaċenti wahda mal-oħra, li għandhom l-entraturi tagħhom iharsu lejn in-nofsinar, flimkien mal-art magħom anessa u formanti parti integrali mill-istess, sitwata fuq in-naha ta' wara ta' dawn l-imsemmija kmamar, li jmissu mill-punent ma' kamra proprjeta' ta' Pawlina Muscat, minn nofsinar ma' mogħdija u mill-lvant mal-proprjeta deskritta hawn fuq.



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Ritratt J2 minn J3

- J –** Kmamar kontigwi u adjaċenti wahda mal-oħra, li għandhom l-entraturi tagħhom iħarsu lejn in-nofsinar, flimkien mal-art magħom anessa u formanti parti integrali mill-istess, sitwata fuq in-naħa ta' wara ta' dawn l-imsemmija kmamar, li jmissu mill-punent ma' kamra proprjeta' ta' Pawlina Muscat, minn nofsinar ma' mogħdija u mill-lvant mal-proprjeta deskritta hawn fuq.




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ARCHITECT & CIVIL ENGINEER

Ritratt J3 minn J3

- J –** Kmamar kontigwi u adjacenti wahda mal-ohra, li ghandhom l-entraturi taghom iharsu lejn in-nofsinar, flimkien mal-art maghom anessa u formanti parti integrali mill-istess, sitwata fuq in-naha ta' wara ta' dawn l-imsemmija kmamar, li jmissu mill-punent ma' kamra proprjeta' ta' Pawlina Muscat, minn nofsinar ma' moghdija u mill-lvant mal-proprjeta deskritta hawn fuq.




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Ritratt K1 minn K11

- K –** Porzjoni ta' art maghrufa bhala "Il-Laring il-Qares" kif ukoll zewg gherien li jinsabu fuq l-istess art, liema art tmiss mill-majjistral ma' proprjeta' fl-istess territorju, minn nofinshar ma' beni tal-Gvern ta' Malta u mill-lvant ma' beni ta' Carmelo Scicluna jew is-successuri tieghu.




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Ritratt K2 minn K11

- K –** Porzjoni ta' art maghrufa bhala "Il-Laring il-Qares" kif ukoll zewg gherien li jinsabu fuq l-istess art, liema art tmiss mill-majjistral ma' proprjeta' fl-istess territorju, minn nofinshar ma' beni tal-Gvern ta' Malta u mill-lvant ma' beni ta' Carmelo Scicluna jew is-successuri tieghu.



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Ritratt K3 minn K11

- K –** Porzjoni ta' art maghrufa bhala "Il-Laring il-Qares" kif ukoll żewġ gherien li jinsabu fuq l-istess art, liema art tmiss mill-majjistral ma' proprjeta' fl-istess territorju, minn nofinshar ma' beni tal-Gvern ta' Malta u mill-lvant ma' beni ta' Carmelo Scicluna jew is-successuri tieghu.




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Ritratt K4 minn K11

- K – Porzjoni ta' art maghrufa bhala "Il-Laring il-Qares" kif ukoll żewġ gherien li jinsabu fuq l-istess art, liema art tmiss mill-majjistral ma' proprjeta' fl-istess territorju, minn nofinshar ma' beni tal-Gvern ta' Malta u mill-lvant ma' beni ta' Carmelo Scicluna jew is-suċċessuri tiegħu.




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Ritratt K5 minn K11

- K –** Porzjoni ta' art maghrufa bhala "Il-Laring il-Qares" kif ukoll zewg gherien li jinsabu fuq l-istess art, liema art tmiss mill-majjistral ma' proprjeta' fl-istess territorju, minn nofinshar ma' beni tal-Gvern ta' Malta u mill-lvant ma' beni ta' Carmelo Scicluna jew is-sucċessuri tieghu.




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Ritratt K6 minn K11

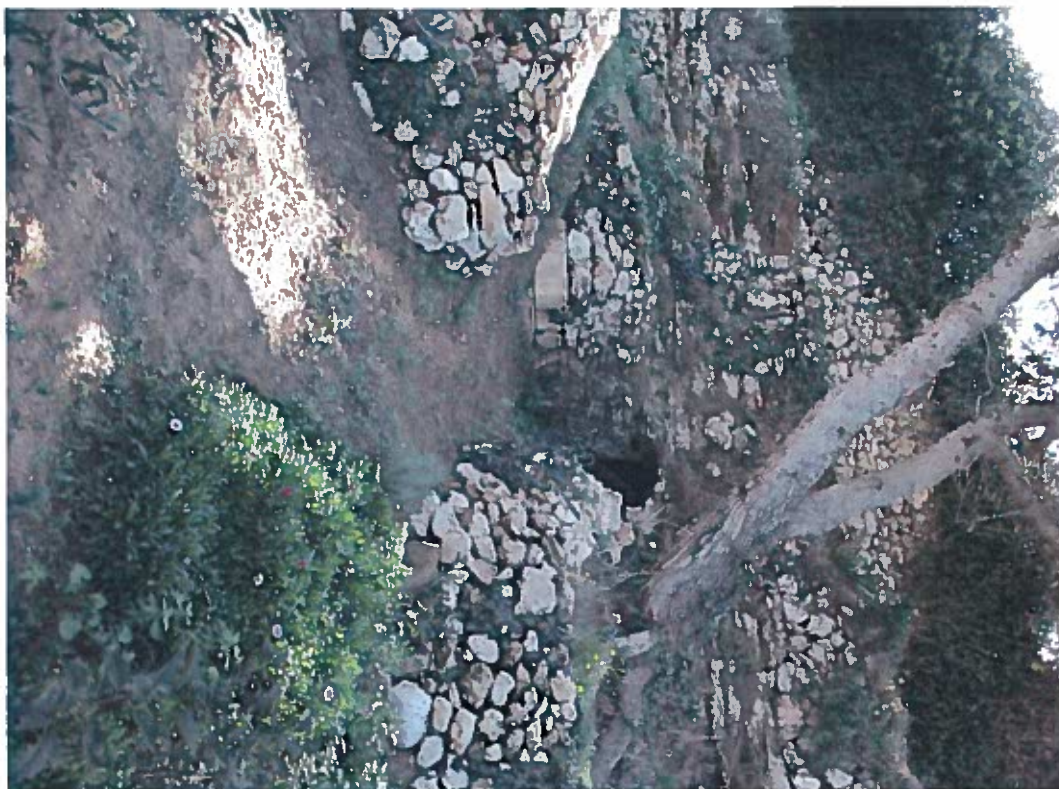
- K –** Porzjoni ta' art maghrufa bhala "Il-Laring il-Qares" kif ukoll zewg gherien li jinsabu fuq l-istess art, liema art tmiss mill-majjistral ma' proprjeta' fl-istess territorju, minn nofinshar ma' beni tal-Gvern ta' Malta u mill-lvant ma' beni ta' Carmelo Scicluna jew is-suċċessuri tieghu.




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Ritratt K7 minn K11

- K –** Porzjoni ta' art maghrufa bhala "Il-Laring il-Qares" kif ukoll żewġ gherien li jinsabu fuq l-istess art, liema art tmiss mill-majjistral ma' proprjeta' fl-istess territorju, minn nofinshar ma' beni tal-Gvern ta' Malta u mill-lvant ma' beni ta' Carmelo Scicluna jew is-successuri tieghu.




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Ritratt K8 minn K11

- K –** Porzjoni ta' art maghrufa bhala "Il-Laring il-Qares" kif ukoll żewġ gherien li jinsabu fuq l-istess art, liema art tmiss mill-majjistral ma' proprjeta' fl-istess territorju, minn nofinshar ma' beni tal-Gvern ta' Malta u mill-lvant ma' beni ta' Carmelo Scicluna jew is-successuri tieghu.



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Ritratt K9 minn K11

- K –** Porzjoni ta' art maghrufa bhala "Il-Laring il-Qares" kif ukoll żewġ gherien li jinsabu fuq l-istess art, liema art tmiss mill-majjistral ma' proprjeta' fl-istess territorju, minn nofinshar ma' beni tal-Gvern ta' Malta u mill-lvant ma' beni ta' Carmelo Scicluna jew is-successuri tieghu.




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Ritratt K10 minn K11

- K –** Porzjoni ta' art maghrufa bhala "Il-Laring il-Qares" kif ukoll zewg gherien li jinsabu fuq l-istess art, liema art tmiss mill-majjistral ma' proprjeta' fl-istess territorju, minn nofinshar ma' beni tal-Gvern ta' Malta u mill-lvant ma' beni ta' Carmelo Scicluna jew is-sucċessuri tieghu.




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Ritratt K11 minn K11

- K –** Porzjoni ta' art maghrufa bhala "Il-Laring il-Qares" kif ukoll zewg gherien li jinsabu fuq l-istess art, liema art tmiss mill-majjistral ma' proprjeta' fl-istess territorju, minn nofinshar ma' beni tal-Gvern ta' Malta u mill-lvant ma' beni ta' Carmelo Scicluna jew is-sucċessuri tieghu.



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Ritratt L1 minn L2

- L – Porzjoni ta' art maghrufa b'hala "Il-Laring il-Helu li tmiss mill-irjihat kollha mal-propjeta hawn deskritta.



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Ritratt L2 minn L2

- L – Porzjoni ta' art maghrufa bhala "Il-Laring il-Helu li tmiss mill-irjihat kollha mal-propjeta hawn deskritta.




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B. E. & A. (Hons.), M. J. D. POLYTECHNIC OF MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Ritratt M1 minn M3

- M – Porzjoni ta’ art maghrufa bhala “Il-Mahsel”, maghrufa wkoll bhala “Il-Mansab” li tinkludi wkoll *hunting lodge* jew *hunting tower* li tinstab fuq din l-imsemmija porzjoni ta’ art. Din il-porzjoni ta’ art tmiss mill-lbiç u mill-lvant ma’ proprjeta hawn deskritta u minn nofsinhar ma’ beni ta’ Carmelo Scicluna jew l-aventi kawża tiegħu.



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ARCHITECT & CIVIL ENGINEER

Ritratt M2 minn M3

- M –** Porzjoni ta' art maghrufa bhala "Il-Mahsel", maghrufa wkoll bhala "Il-Mansab" li tinkludi wkoll *hunting lodge* jew *hunting tower* li tinstab fuq din l-imsemmija porzjoni ta' art. Din il-porzjoni ta' art tmiss mill-lbiċ u mill-lvant ma' proprjeta hawn deskritta u minn nofsinhar ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu.




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ARCHITECT & CIVIL ENGINEER

Ritratt M3 minn M3

- M –** Porzjoni ta' art maghrufa bhala "Il-Mahsel", maghrufa wkoll bhala "Il-Mansab" li tinkludi wkoll *hunting lodge* jew *hunting tower* li tinstab fuq din l-imsemmija porzjoni ta' art. Din il-porzjoni ta' art tmiss mill-lbiç u mill-lvant ma' proprjeta hawn deskritta u minn nofsinhar ma' beni ta' Carmelo Scicluna jew l-aventi kawża tieghu.




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Ritratt N1 minn N4

- N – Porzjoni ta' art maghrufa bhala "Ir-Roqa t'Isfel" li tmiss mill-majjistral ma' beni tal-Baruni Testaferrata Moroni Viani jew l-aventi kawza tieghu u mill-lbiç u mill-grigal ma' proprjeta hawn deskritta.




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Ritratt N2 minn N4

N – Porzjoni ta' art maghrufa bhala "Ir-Roqa t'Isfel" li tmiss mill-majjistral ma' beni tal-Baruni Testaferrata Moroni Viani jew l-aventi kawza tieghu u mill-lbiç u mill-grigal ma' proprjeta hawn deskritta.




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ARCHITECT & CIVIL ENGINEER

Ritratt N3 minn N4

N – Porzjoni ta' art maghrufa bhala "Ir-Roqa t'Isfel" li tmiss mill-majjistral ma' beni tal-Baruni Testaferrata Moroni Viani jew l-aventi kawza tieghu u mill-lbiç u mill-grigal ma' proprjeta hawn deskritta.




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ARCHITECT & CIVIL ENGINEER

Ritratt N4 minn N4

N – Porzjoni ta' art maghrufa bhala "Ir-Roqa t'Isfel" li tmiss mill-majjistral ma' beni tal-Baruni Testaferrata Moroni Viani jew l-aventi kawza tieghu u mill-lbiç u mill-grigal ma' proprjeta hawn deskritta.




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ARCHITECT & CIVIL ENGINEER

Ritratt O1 minn O4

- O – Kamra aċċessibbli minn moghdija komuni maghrufa bhala it-*Triq tal-Karrettun tal-Komun* u li tmiss mil-majjistral u mix-xlokk ma' proprjeta' hawn deskritta u mill-lbic mal-moghdija surreferita.



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Ritratt O2 minn O4

- O – Kamra aċċessibbli minn mogħdija komuni magħrufa bhala it-*Triq tal-Karrettun tal-Komun* u li tmiss mil-majjistral u mix-xlokk ma' proprjeta' hawn deskritta u mill-lbiec mal-mogħdija surreferita.



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ARCHITECT & CIVIL ENGINEER

Ritratt O3 minn O4

- O –** Kamra aċċessibbli minn moghdija komuni maghrufa bhala it-*Triq tal-Karrettun tal-Komun* u li tmiss mil-majjistral u mix-xlokk ma' proprjeta' hawn deskritta u mill-lbic mal-moghdija surreferita.




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ARCHITECT & CIVIL ENGINEER

Ritratt O4 minn O4

- O – Kamra aċċessibbli minn mogħdija komuni magħrufa bhala it-*Triq tal-Karrettun tal-Komun* u li tmiss mil-majjistral u mix-xlokk ma' proprjeta' hawn deskritta u mill-lbic mal-mogħdija surreferita.



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ARCHITECT & CIVIL ENGINEER

Ritratt P1 minn P3

- P –** Kamra b'porzjoni ta' art adjaċenti magħha aċċessibbli minn mogħdija private, u li tmiss mill-majjistral u mix-xlokk ma' proprjeta hawn deskritta u mill-lbie mal-imsemmija mogħdija.



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ARCHITECT & CIVIL ENGINEER

Ritratt P2 minn P3

- P –** Kamra b'porzjoni ta' art adjaċenti magħha aċċessibbli minn mogħdija private, u li tmiss mill-majjistral u mix-xlokk ma' proprjeta hawn deskritta u mill-lbic mal-imsemmija mogħdija.



Arielle Agius
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ARCHITECT & CIVIL ENGINEER

Ritratt P3 minn P3

- P –** Kamra b'porzjoni ta' art adjaċenti magħha aċċessibbli minn mogħdija private, u li tmiss mill-majjistral u mix-xlokk ma' proprjeta hawn deskritta u mill-lbic mal-imsemmija mogħdija.



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ARCHITECT & CIVIL ENGINEER

Ritratt Q1 minn Q7

- Q – Porzjoni ta' art maghrufa bhala "Ta' Laringa" kif ukoll moghdija komuni li jmissu t-tnejn li huma (stante li huma kontigwi), mill-majjistral ma' beni hawn deskritta, mill-lbiċ f'partijiet ma' beni ta' Carmelo Scicluna jew l-aventi kawza tieghu u f'partijiet ma' proprjeta hawn deskritta, u mill-grigal ma' moghdija.



Arielle Agius
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ARCHITECT & CIVIL ENGINEER

Ritratt Q2 minn Q7

- Q – Porzjoni ta’ art maghrufa bhala “Ta’ Laringa” kif ukoll mogħdija komuni li jmissu t-tnejn li huma (stante li huma kontigwi), mill-majjistral ma’ beni hawn deskritta, mill-lbiç f’partijiet ma’ beni ta’ Carmelo Scicluna jew l-aventi kawża tiegħu u f’partijiet ma’ proprjeta hawn deskritta, u mill-grigal ma’ mogħdija.



Arielle Agius
ARCHITECT ARIELLE AGIUS
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ARCHITECT & CIVIL ENGINEER

Ritratt Q3 minn Q7

- Q – Porzjoni ta’ art maghrufa bhala “Ta’ Laringa” kif ukoll mogħdija komuni li jmissu t-tnejn li huma (stante li huma kontigwi), mill-majjistral ma’ beni hawn deskritta, mill-lbiç f’partijiet ma’ beni ta’ Carmelo Scicluna jew l-aventanti kawża tiegħu u f’partijiet ma’ proprjeta hawn deskritta, u mill-grigal ma’ mogħdija.



A. Agius
ARCHITECT ARIELLE AGIUS
B. E. & A. (Hons.), M.I.C.E. (POLITECNICO DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Ritratt Q4 minn Q7

- Q – Porzjoni ta' art maghrufa bhala "Ta' Laringa" kif ukoll moghdija komuni li jmissu t-tnejn li huma (stante li huma kontigwi), mill-majjistral ma' beni hawn deskritta, mill-lbiç f'partijiet ma' beni ta' Carmelo Scicluna jew l-aventi kawza tieghu u f'partijiet ma' proprjeta hawn deskritta, u mill-grigal ma' moghdija.



Arielle Agius
ARCHITECT ARIELLE AGIUS
B. E. & A. (Hons.), M.I.D. (DIPLOMATICO DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Ritratt Q5 minn Q7

- Q – Porzjoni ta' art maghrufa bhala "Ta' Laringa" kif ukoll moghdija komuni li jmissu t-tnejn li huma (stante li huma kontigwi), mill-majjistral ma' beni hawn deskritta, mill-lbiç f'partijiet ma' beni ta' Carmelo Scicluna jew l-aventi kawża tieghu u f'partijiet ma' proprjeta hawn deskritta, u mill-grigal ma' moghdija.



Arielle Agius
ARCHITECT ARIELLE AGIUS
B. E. & A. (Hons.), M.I.D. (POLITECNICO DI MILANO), A.S.C.E.
ARCHITECT & CIVIL ENGINEER

Ritratt Q6 minn Q7

- Q –** Porzjoni ta' art maghrufa bhala "Ta' Laringa" kif ukoll moghdija komuni li jmissu t-tnejn li huma (stante li huma kontigwi), mill-majjistral ma' beni hawn deskritta, mill-lbiç f'partijiet ma' beni ta' Carmelo Scicluna jew l-aventi kawza tiegħu u f'partijiet ma' proprjeta hawn deskritta, u mill-grigal ma' moghdija.



Arielle Agius
ARCHITECT ARIELLE AGIUS
B. E. & A. (Hons.), M.I.E. (POLITECNICO DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Ritratt Q7 minn Q7

- Q –** Porzjoni ta' art maghrufa bhala "Ta' Laringa" kif ukoll moghdija komuni li jmissu t-tnejn li huma (stante li huma kontigwi), mill-majjistral ma' beni hawn deskritta, mill-lbiç f'partijiet ma' beni ta' Carmelo Scicluna jew l-aventi kawża tieghu u f'partijiet ma' proprjeta hawn deskritta, u mill-grigal ma' moghdija.




ARCHITECT ARIELLE AGIUS
B. E. & A. (Hons.), M. B. POLITECNICO DI MILANO, A & C. E.
ARCHITECT & CIVIL ENGINEER

Ritratt R1 minn R4

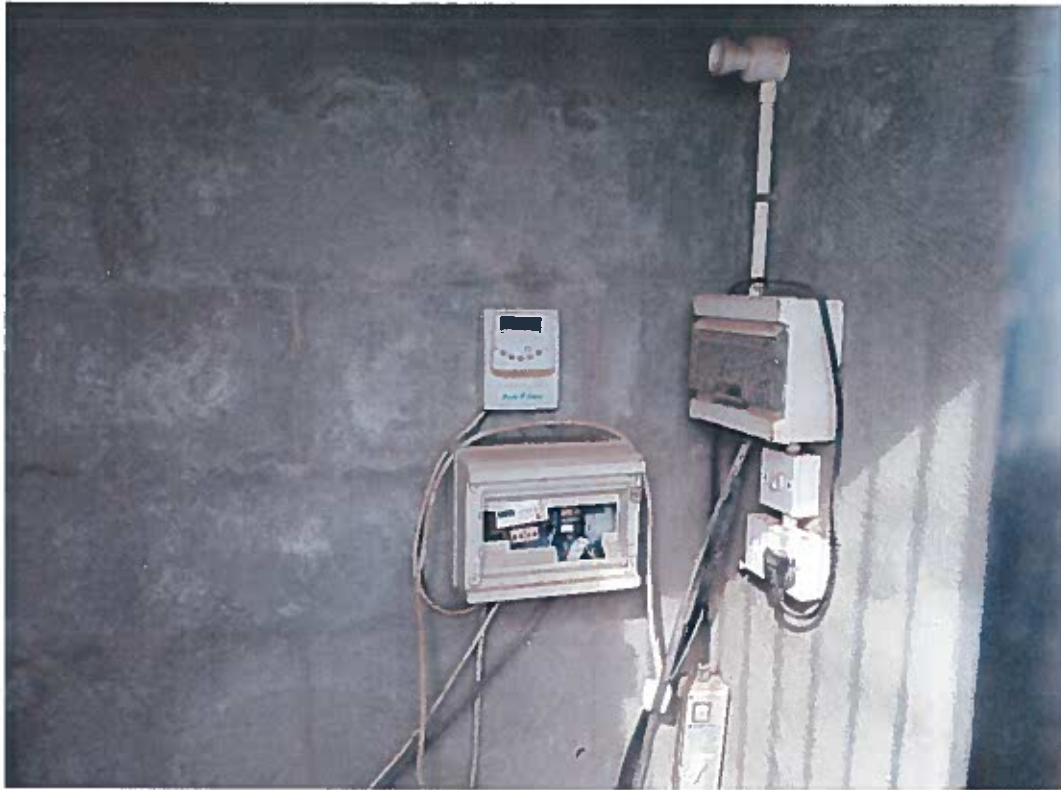
- R – Porzjoni ta’ art maghrufa bhala “Iż-Żebbug ta’ Fuq”, li tmiss mit-tramuntana ma Triq San Ġakbu, mill-majjistral ma’ proprjeta hawn deskritta u minn nofsinhar ma’ proprjeta ohra hawn deskritta.



Abel Agius
ARCHITECT ABEL AGIUS
B. E. & A. (Hons.), M.I.D. (INGEGNERE DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Ritratt R2 minn R4

- R –** Porzjoni ta' art maghrufa bhala "Iż-Żebbug ta' Fuq", li tmiss mit-tramuntana ma Triq San Ġakbu, mill-majjistral ma' proprjeta hawn deskritta u minn nofsinhar ma' proprjeta oħra hawn deskritta.



Arielle Agius
ARCHITECT ARIELLE AGIUS
B. E. & A. (Hons.), M.I.D. (POLITECNICO DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Ritratt R3 minn R4

- R – Porzjoni ta' art maghrufa bhala "Iż-Zebbug ta' Fuq", li tmiss mit-tramuntana ma Triq San Ġakbu, mill-majjistral ma' proprjeta hawn deskritta u minn nofsinhar ma' proprjeta ohra hawn deskritta.



Arielle Agius
ARCHITECT ARIELLE AGIUS
B.E. & A. (Hons.), M.I.D. (POLITECNICO DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Ritratt R4 minn R4

- R – Porzjoni ta' art maghrufa bhala "Iż-Zebbug ta' Fuq", li tmiss mit-tramuntana ma Triq San Ġakbu, mill-majjistral ma' proprjeta hawn deskritta u minn nofsinhar ma' proprjeta ohra hawn deskritta.




ARCHITECT ARIELLE AGIUS
B. E. & A. (Hons.), M. I. D. (POLITECNICO DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Ritratt S1 minn S3

- S – Porzjoni ta' art maghrufa bhala "Tal-Mansab", li tmiss mill-grigal u mill-majjistral ma' proprjeta' prezenti fl-istess territorju msemmi u minn nofsinhar ma' beni ta' Carmelo Scicluna jew l-aventi kawża tieghu.



ARCHITECT ARIELLE AGIUS
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ARCHITECT & CIVIL ENGINEER

Ritratt S2 minn S3

- S – Porzjoni ta' art maghrufa bhala "Tal-Mansab", li tmiss mill-grigal u mill-majjistral ma' proprjeta' prezenti fl-istess territorju msemmi u minn nofsinhar ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu.



Arielle Agius
ARCHITECT ARIELLE AGIUS
B. E. & A. (Hons.), M.A.S. (POLITECNICO DI MILANO), A & C.E.
ARCHITECT & CIVIL ENGINEER

Ritratt S3 minn S3

- S – Porzjoni ta' art maghrufa bhala "Tal-Mansab", li tmiss mill-grigal u mill-majjistral ma' proprjeta' prezenti fl-istess territorju msemmi u minn nofsinhar ma' beni ta' Carmelo Scicluna jew l-aventi kawza tieghu.



Handwritten signature
ARCHITECT ARIELLE AGIUS
B. E. & A. (Hons.), M. A. (POLITECNICO DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Ritratt T1 minn T2

- T –** Porzjoni ta' art maghrufa bhala "Ir-Roqa l-Hażina" maghrufa wkoll bhala "Ir-Roqa t'Isfel" li tmiss mill-grigal ma' proprjeta prezenti fl-istess territorju hawn imsemmi, mill-majjstral ma' beni ta' Baruni Testaferrata jew is-suċċessuri tiegħu u mill-lbiċ ma' proprjeta' hawn deskritta.



Arjelle Agius
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Ritratt T2 minn T2

- T –** Porzjoni ta' art maghrufa bhala "Ir-Roqa l-Hazina" maghrufa wkoll bhala "Ir-Roqa t'Isfel" li tmiss mill-grigal ma' proprjeta prezenti fl-istess territorju hawn imsemmi, mill-majjistrat ma' beni ta' Baruni Testaferrata jew is-suċċessuri tiegħu u mill-lbiċ ma' proprjeta' hawn deskritta.



Arielle Agius
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B. E. & A. (Hons.), M. D. (POLITECNICO DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Ritratt U1 minn U2

- U –** Kamra rurali aċċessibli minn moghdija komuni u li tmiss mill-lbiċ mas-surreferita moghdija komuni, mill-majjistral u mix-xlokk ta' proprjeta hawn deskritta.



Arielle Agius
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ARCHITECT & CIVIL ENGINEER

Ritratt U2 minn U2

- U – Kamra rurali aċċessibli minn moghdija komuni u li tmiss mill-lbiċ mas-surreferita moghdija komuni, mill-majjistral u mix-xlokk ta' proprjeta hawn deskritta.



Arielle Agius
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ARCHITECT & CIVIL ENGINEER

Ritratt V1 minn V4

V – Porzjoni ta' art li tmiss mill-grigal u mix-xlokk ma' trejqa, u mill-lbiç ma' beni tal-aventi kawza ta' Carmelo Scicluna.




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ARCHITECT & CIVIL ENGINEER

Ritratt V2 minn V4

V – Porzjoni ta' art li tmiss mill-grigal u mix-xlokk ma' trejqa, u mill-lbiç ma' beni tal-aventi kawza ta' Carmelo Scicluna.




ARCHITECT ARIELLE AGIUS
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ARCHITECT & CIVIL ENGINEER

Ritratt V3 minn V4

V – Porzjoni ta' art li tmiss mill-grigal u mix-xlokk ma' trejqa, u mill-lbiç ma' beni tal-aventi kawza ta' Carmelo Scicluna.



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ARCHITECT & CIVIL ENGINEER

Ritratt V4 minn V4

V – Porzjoni ta' art li tmiss mill-grigal u mix-xlokk ma' trejqa, u mill-lbiç ma' beni tal-aventi kawza ta' Carmelo Scicluna.




ARCHITECT ARIELLE AGIUS
F. E. & A. (Hons.), M.I.D. (POLITECNICO DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Ritratt W1 minn W2

W – Porzjoni ta’ art maghrufa bħal “Tal-Mansab” li tmiss mill-punent majjistru, mill-lbiç u mill-grigal ma’ proprjeta prezenti fl-istess territorju hawn imsemmi.




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ARCHITECT & CIVIL ENGINEER

Ritratt W2 minn W2

W – Porzjoni ta' art maghrufa bhal "Tal-Mansab" li tmiss mill-punent majjistru, mill-lbiċ u mill-grigal ma' proprjeta prezenti fl-istess territorju hawn imsemmi.



Arielle Agius
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ARCHITECT & CIVIL ENGINEER

Ritratt X1 minn X1

- X – Porzjoni ta' art maghrufa bhala "Tal-Laring" u li tmiss mill-punent ma' beni tas-suċċessuri ta' Carmelo Scicluna, mill-grieg il-lvant u mill-punent ma' proprjeta' prezenti fl-istess territorju hawn msemmi.



Arielle Agius
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ARCHITECT & CIVIL ENGINEER

Ritratt Y1 minn Y2

- Y –** Porzjoni ta' art maghrufa bhala "ir-Roqa t'Isfel" li tmiss mill-grigal ma' proprjeta' li tinsab fl-istess territorju, mill-majjistral ma' beni tal-Baruni Testaferrata Moroni Viani jew is-suċċessuri tiegħu u mill-lbic ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu.



Armel Agius
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ARCHITECT & CIVIL ENGINEER

Ritratt Y2 minn Y2

- Y – Porzjoni ta' art maghrufa bhala "ir-Roqa t'Isfel" li tmiss mill-grigal ma' proprjeta' li tinsab fl-istess territorju, mill-majjistral ma' beni tal-Baruni Testaferrata Moroni Viani jew is-successuri tieghu u mill-lbic ma' beni ta' Carmelo Scicluna jew l-aventi kawza tieghu.



Arielle Agius
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L. L. E. A. (Hons.), M. I. D. (POLITECNICA DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Ritratt Z1 minn Z5

- Z – Kamra li hi aċċessibbli minn mogħdija komuni u li tmiss mill-majjistral ma' beni tal-aventi kawża ta' Carmelo Scicluna, mill-lbiċ u mix-xlokk ma' proprjeta hawn deskritta.



ARCHITECT ARIELLE AGIUS
B. E. & A. (Hons.), M. Sc. (POLITECNICO DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Ritratt Z2 minn Z5

- Z – Kamra li hi aċċessibbli minn moghdija komuni u li tmiss mill-majjistral ma' beni tal-aventi kawża ta' Carmelo Scicluna, mill-lbiċ u mix-xlokk ma' proprjeta hawn deskritta.



Arielle Agius
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B. E. & A. (Hons.), M.I.D. (POLITECNICO DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Ritratt Z3 minn Z5

- Z – Kamra li hi aċċessibbli minn moghdija komuni u li tmiss mill-majjistral ma' beni tal-aventi kawża ta' Carmelo Scicluna, mill-lbiċ u mix-xlokk ma' proprjeta hawn deskritta.



Arielle Agius
ARCHITECT ARIELLE AGIUS
B.E.E.A. (Hons.), M.I.E. POLITECNICO DI MILANO, A & C.E.
ARCHITECT & CIVIL ENGINEER

Ritratt Z4 minn Z5

- Z – Kamra li hi aċċessibbli minn moghdija komuni u li tmiss mill-majjstral ma' beni tal-aventi kawża ta' Carmelo Scicluna, mill-lbiċ u mix-xlokk ma' proprjeta hawn deskritta.



Arielle Agius
ARCHITECT ARIELLE AGIUS
B. E. & A. (Hons.), M. D. (POLITECNICO DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Ritratt Z5 minn Z5

- Z –** Kamra li hi aċċessibbli minn moghdija komuni u li tmiss mill-majjistral ma' beni tal-aventi kawża ta' Carmelo Scicluna, mill-lbiċ u mix-xlokk ma' proprjeta hawn deskritta.

Appendiċi E

**Applikazzjonijiet ta' Pjanar (PA u DN) u
Okkurenzi ta' Infurzar (EC)**

PA / MEPA



PLANNING AUTHORITY

St Francis Ravelin, Floriana, FRN 1230, Malta
www.pa.org.mt

Tel: (+356) 2290 0000
VAT No: MT 1281-6708

customercare@pa.org.mt
Exemption No: EXO 1188

Cash Sale

Name: Arch. Arielle Abdilla
Address: St. Venera

Cash Sale Number: 265327-9827-7
Date: 02 November 2018

VAT No.: 19068805

Item Description	Qty	Unit Price (excl VAT)	Net Amount (excl VAT)	VAT Amount	VAT Rate %
Copy of permit PAs 3459/05, 5089/05, 800/04, 2600/06	4	€4.66	€18.64	€0.00	0
Copy of plans (digital) PAs 3459/05, 5089/05, 800/04, 2600/06	10	€11.65	€116.50	€0.00	0

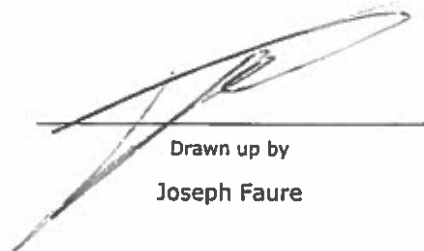
Payment Details:

Cash

Cash Sale Status:

Settled

Total NET: €135.14
Total VAT: €0.00
Total: €135.14



Drawn up by
Joseph Faure

Receipt is not valid if payment is dishonoured.



PLANNING AUTHORITY

St Francis Ravelin, Floriana, FRN 1230, Malta
www.pa.org.mt

Tel: (+356) 2290 0000 customercare@pa.org.mt
VAT No: MT 1281-6708 Exemption No: EXO 1188

Cash Sale

Name: Perit Arielle Abdilla

Cash Sale Number: 267174-7709-1

Address:

Date: 09 November 2018

VAT No.:

Item Description	Qty	Unit Price (excl VAT)	Net Amount (excl VAT)	VAT Amount	VAT Rate %
Copy of plans DN 4046/01	2	€11.65	€23.30	€0.00	0
Copy of permit DN 4046/01	1	€4.66	€4.66	€0.00	0

Payment Details:

BOV Debit / Credit Card

Cash Sale Status:

Settled

Total NET: €27.96
Total VAT: €0.00
Total: €27.96

LARBOY

Drawn up by

Larah Borg

Receipt is not valid if payment is dishonoured.

- 1 PA 04807/10
- 2 PA 04629/10
- 3 EC 00313/10
- 4 EC 00102/10
- 5 PA 03395/08
- 6 EC 00078/08
- 7 PA 07509/07
- 8 PA 03495/07
- 9 PA 01209/07
- 10 PA 02600/06
- 11 EC 00503/06
- 12 PA 05089/05
- 13 PA 03459/05
- 14 PA 00800/04
- 15 EC 00086/04
- 16 DN 04046/01
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PA 04807/10

To sanction modification to approved permit PA 5089/05 to include already installed paving in walkways and timber shed to store agricultural tools and machinery

Rifjutat

Mr. Jean Borg
1A Triq Wied Ghomor
St Julians

Date: 28 June 2017
Our Ref: PA/04807/10

Application Number: PA/04807/10
Application Type: Amended development permission
Date Received: 12 October 2010
Location: Site at, Ta Baldu off, Triq San Gakbu, Rabat, Malta
Proposal: To sanction modification to approved permit PA 5089/05 to include already installed paving in walkways and timber shed to store agricultural tools and machinery

Development Planning Act, 2016 Refusal of Development Permission

The Planning Authority hereby refuses permission for the development described above, for the following reasons:

- 1 The proposal cannot be considered further unless the following illegal development is first sanctioned or removed and this in terms of regulation 17 of Legal Notice 162 of 2016. The illegal development consists of the modifications and interventions subject to enforcement notices ECF317/04, ECF 78/08, and ECF 313/10.

- 2 The 50sq.m agricultural store runs counter to criterion 6 of policy 2.5A of the Rural Policy & Design Guidance (RPDG) 2014 in that the applicant does not till the required minimum land area to qualify even for the minimum amount of agricultural storage permissible. It therefore also runs counter to the Thematic Objective 1.10 of the Strategic Plan for Environment & Development which only allows for rural development which is legitimate or necessary.

- 3 The agricultural store runs counter to criteria 1, 2, 4 and 10 of policy 2.5A of the Rural Policy & Design Guidance (RPDG) 2014 in that:
 - i) the Department of Agriculture and the EPD (ERA's predecessor) objected to the proposal on agricultural and environmental grounds respectively;

PA/04807/10

Print Date: 30/06/2017

- ii) the store is not located on land registered for agriculture;
- iii) the store is located in a Level 2 Area of Ecological Importance, Area of High Landscape Value, Special Area of Conservation (Natura 2000) and a Class B Area of Archaeological Importance;
- iv) the agriculture store has a poor rural design and is not finished in recycled stone. It detracts from the rural character of the surrounding landscape in that it is built in timber and has a layout and design which is not typical of the Maltese rural area.

- 4 The landscaping, paving of passageways in flagstones and lighting contribute to the formalisation of a landscape that has traditionally been dominated by typical countryside and arable farming. The proposal thus has a deleterious and cumulative impact on the surrounding rural landscape especially when considering the development history of the site in question, the unauthorised timber shed & landscaping works (paving of the passageway & fixing of lightning) subject to this application, the landscaping works originally approved in permit PA5089/05 and the illegalities mentioned in ECF317/04 and ECF78/08. The proposal thus runs counter to Policy 1.2H of the Rural Policy and Design Guidance (2014) and Rural Objective 3 and 4 of the Strategic Plan for the Environment and Development which seek to protect the character, scenic or ecological value of the rural area and the positive qualities of the rural landscape by controlling the cumulative effect of development.

Your rights to appeal to the Environment and Planning Review Tribunal, is described in the attached notes.

This decision is being published on 12 July 2017.

Marthese Debono
Secretary Planning Commission (Development Permissions)

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-

Mr. Jean Borg
1A Triq Wied Ghomor
St Julians

Date: 24 April 2013
Our Ref: PA/04807/10

Application Number: PA/04807/10
Application Type: Amended development permission
Date Received: 12 October 2010
Location: Site at, Ta Baldu off, Triq San Gakbu, Rabat, Malta
Proposal: To sanction modification to approved permit PA 5089/05 to include already installed paving in walkways and timber shed to store agricultural tools and machinery

Environment and Development Planning Act, 2010 Refusal of Development Permission

The Malta Environment & Planning Authority hereby refuses permission for the development described above, for the following reasons:

- 1 The modifications to the approved landscaping and the construction of the timber shed have already been carried out and are subject to Enforcement Notice ECF 102/10. Also, the site is currently subject to enforcement notices ECF 317/04, ECF 78/08, and ECF 313/10 for various other interventions on site without permit. Therefore, the proposal cannot be considered further unless the other illegalities on site are first sanctioned or removed, as required by Regulation 14 of Legal Notice 514 of 2010.
- 2 The site is a Scheduled Level 2 Area of Ecological Importance and an Area of High Landscape Value as per Government Notice 400 of 1996. The proposed store, paving of pathway, and fixing of lighting, in conjunction with the other unauthorised works which have been carried out on site have led to the formalisation of this sensitive site, and would therefore adversely affect the area, hinder its protection, and run counter to the rural conservation and ecological objectives of Structure Plan policies RCO 2, RCO 4 & RCO 12.
- 3 The store under consideration does not satisfy criteria (1) & (6c) of Policy 2.4A of the Policy and Design Guidance on Agriculture, Farm Diversification and Stables (2008) in that the applicant is not a registered farmer and since the site is designated as an Area of High Landscape Value & Area of Ecological Importance.

Your rights to appeal to the Environment and Planning Review Tribunal, is described in the attached notes.

PA/04807/10

Print Date: 25/04/2013

This decision is being published on 4 May 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

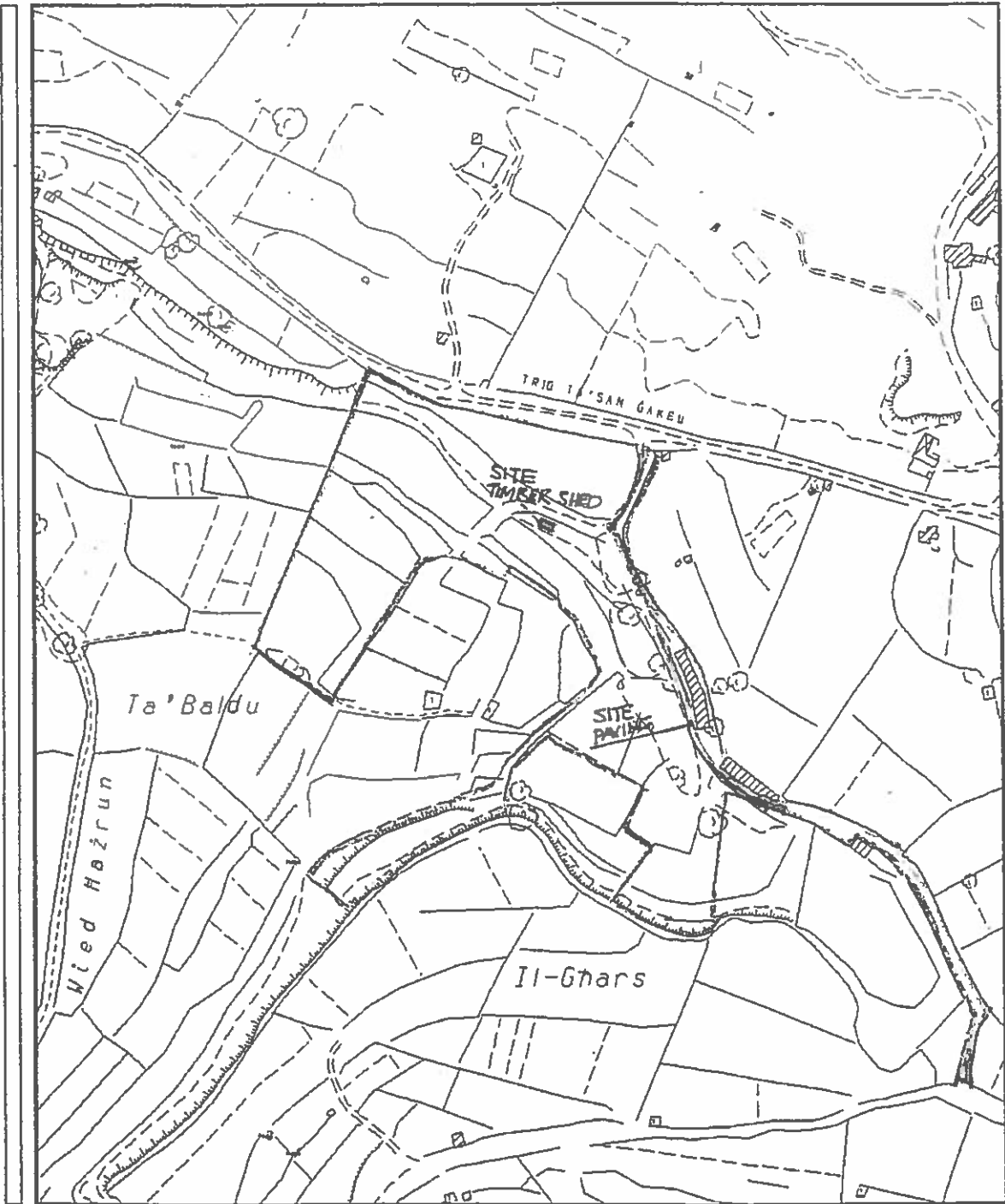
If this application has been refused on sanitary issues, an appeal to the General Services Board may be submitted within one month from publication of Decision Notification on the press.

Christian Spiteri
27,
St. George's Street
Gzira GZR 1536

[PADCN]

TA BALDU
TA BALDU OFF TRIG SAN GAKU
KARAT

500m



0m

Min Easting = 42981.79, Min Northing = 69774.45, Max Easting = 43381.79, Max Northing = 70274.33



MEPA

St. Francis Ravelin
Floriana
PO Box 200, Valletta, Malta
Tel: +356 240976 Fax: +356 224846

www.mepa.org.mt

Site Plan, Scale 1:2500 Printed on: Thursday, November 17, 2005

Not to be used for interpretation or scaling of scheme alignments

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PA 04207/10
MODIF. TO APPROVED PERMIT
PA 5089/05 TO INCLUDE
ALREADY INSTALLED PAVING
IN WALKWAYS & TIMBER
SHED TO STORE AGRICULTURAL
TOOLS & MACHINERY

Mr. Alex Vella
24,
Sir Adrian Dingli Street
Sliema

Date: 08 Jun 2012
Our Ref: PA/04807/10

Dear Sir/Madam

Application Number: PA/04807/10
Location: Site at, Ta Baldu off, Triq San Gakbu, Rabat, Malta
Proposal: To sanction modification to approved permit PA 5089/05 to include already installed paving in walkways and timber shed to store agricultural tools and machinery

**Environment and Development Planning Act, 2010
Notification of Recommendation and Board Date**

Further to your submission on this application, you are hereby being notified that the report for the Development Permit Application (DPA) has been prepared.

You are invited to make a written submission, if you so wish. Any written submission received will be attached to the DPA report and referred to the Environment Planning Commission (EPC). Written submission should reach the Malta Environment & Planning Authority **10 days prior to the date of sitting**, otherwise the Authority will assume that you have no submissions to make on the contents of the DPA report. Late submissions and submissions with erroneous reference numbers will not be considered by the Commission.

This application shall be decided at Environment and Planning Commission A at the meeting of 4 July 2012. Sitting will be held from 08:30am onwards and this application is item 02 on the agenda. The meeting shall take place at the Malta Environment and Planning Authority, Hexagon House, Spencer Hill, Marsa.

Yours faithfully

EPC Secretariat

FOR GUIDANCE

The EPC shall decide applications in order of item number on agenda and not on a first come basis. It is envisaged that four (4) files to eight (8) files per hour shall be presented and discussed at the Board.

Mr. Alex Vella
24,
Sir Adrian Dingli Street
Sliema

Date: 27 Mar 2013
Our Ref: PA/04807/10

Dear Sir/Madam

Application Number: PA/04807/10
Location: Site at, Ta Baldu off, Triq San Gakbu, Rabat, Malta
Proposal: To sanction modification to approved permit PA 5089/05 to include already installed paving in walkways and timber shed to store agricultural tools and machinery

**Environment and Development Planning Act, 2010
Notification of Recommendation and Board Date**

Further to your submission on this application, you are hereby being notified that the report for the Development Permit Application (DPA) has been prepared.

You are invited to make a written submission, if you so wish. Any written submission received will be attached to the DPA report and referred to the Environment Planning Commission (EPC). Written submission should reach the Malta Environment & Planning Authority **10 days prior to the date of sitting**, otherwise the Authority will assume that you have no submissions to make on the contents of the DPA report. Late submissions and submissions with erroneous reference numbers will not be considered by the Commission.

This application shall be decided at Environment and Planning Commission A at the meeting of 23 April 2013. Sitting will be held from 09:30am onwards and this application is item 10 on the agenda. The meeting shall take place at the Malta Environment and Planning Authority, Hexagon House, Spencer Hill, Marsa.

Yours faithfully

EPC Secretariat

FOR GUIDANCE

The EPC shall decide applications in order of item number on agenda and not on a first come basis. It is envisaged that four (4) files to eight (8) files per hour shall be presented and discussed at the Board.

26 April 2013

Our Ref: PA/04807/10

Mr. Alex Vella
24,
Sir Adrian Dingli Street
Sliema

Dear Sir/Madam

We enclose for your information, a copy of the decision notice relating to the development application on which you made representations.

Yours faithfully

Marie Louise Portelli
Environment and Planning Commission

enc.

Notes To Representee

Right for Third Party 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 appeal 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 appeals by third parties

5% of the Development Permit Fee paid in respect of the original application, subject to a minimum of €186.35.

Submission of appeal

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.

[PADccObjMng]



Diane
Abdilla/PlanningAuthority
22/04/2013 15:49

To Mailroom
cc
bcc

27811

Subject Fw: PA/04807/10 Site at Ta' Baldu off Triq San Gakbu,
Rabat, Malta

Kindly note e-mail below and upload in respective file.

Regards,

Diane Abdilla
Secretary
Environment and Planning Commission Agenda
Malta Environment & Planning Authority
Hexagon House
Spencer Hill
Marsa

Tel: 22907146

— Forwarded by Diane Abdilla/PlanningAuthority on 22/04/2013 15:49 —



Customer
Care/PlanningAuthority
22/04/2013 14:50

To Diane Abdilla/PlanningAuthority@PlanningAuthority
cc

Subject Fw: PA/04807/10 Site at Ta' Baldu off Triq San Gakbu,
Rabat, Malta

email below referred please. Kindly note that application is on agenda for tomorrow but Roderick has also been copied with this email.

Thanks

Yianne

— Forwarded by Customer Care/PlanningAuthority on 22/04/2013 14:49 —



Ramblers Association of
Malta
<ram205@gmail.com>
13/04/2013 22:58

To mepa.enquiries@mepa.org.mt
cc Rodrick.Micallef@mepa.org.mt

Subject PA/04807/10 Site at Ta' Baldu off Triq San Gakbu, Rabat,
Malta

Attention Diane Abdilla, Secretary EPC Secretariat

We are in receipt of your letter dated 27th March notifying us that the DPA report has been prepared.

We have gone through the said report and as registered objectors would like to confirm our full agreement with its contents. This application is another in a series of numerous attempts by the same applicant to regularise fait accomplit irregularities he brazenly accomplished on a Natura2000 site.

We would especially like to emphasise that an Audit Report was drawn by the Mepa Auditor (Ref.2009/079) which condemned in no uncertain manner the Authority for allowing lawlessness to prevail on "a highly sensitive site protected by law due to its environmental

127812

and archaeological sensitivity.....and gets away with it with the blessings of the authorities who are supposed to be responsible for safeguarding for the whole of society (and not on behalf of a privileged few) the natural and historic heritage of the country"

My Association contends that the Environment and Planning Commission A should not only refuse this planning application but also seriously consider referring the conclusions and recommendations of the said Audit report to the MEPA Board for effective application.

Regards

Ingram Bondin

Secretary

Ramblers' Association of Malta

<http://ramblersassociation.blogspot.com/>

<http://www.facebook.com/ramblersmalta>

Section: Refused - Scheduled for DCC A
Board No.:

APPLICATION No. PA/04807/10

Application Details:

Applicable DC Guidance: DC15
Press Date: 4 February 2012
Application Type: Amended development permission

Applicant: Mr. Jean Borg
Architect: Spiteri, Perit Christian

Drawing Numbers: PA 4807/10/1C/1D/1E/1F/1G/37A

Proposal: To sanction modification to approved permit PA 5089/05 to include already installed paving in walkways and timber shed to store agricultural tools and machinery

Location: Site at, Ta Baldu off, Triq San Gakbu, Rabat, Malta

Additional Notes:

- 1 It is recommended that four applications; PA 4629/10, PA 4807/10, PA 3395/08 and PA 3495/07 are decided together since all concern the same site and same applicant.
- 2 This site is currently subject to Enforcement Action.
- 3 This application proposes the sanctioning of development and a fine is payable before a permit can be issued. The application has been validated before the coming into force of LN 277 of 12 (24/11/12); therefore Planning Commission should indicate whether the fine is to be minor, major or maximum.
- 4 The proposal has already been assessed as per DPA report in document 50. Following the refusal decision (document 69) an appeal was lodged. The EPRT referred the case for re-assessment in terms of the transitory provision clause 0.26 of the Rural Policy & Design Guidance (RPDG) 2014 (which came into force after the EPC decision to refuse) as per document 87.

Environment & Development (SPED) has been approved replacing the Structure Plan. Therefore the proposal is also being re-assessed in terms the rural objectives of the SPED 2015.

Further Consultations

No further consultations were required.

Policy Context

Strategic Plan for Environment & Development (SPED) - July 2015

Thematic Objective 8

To safeguard and enhance biodiversity, cultural heritage, geology and geomorphology by:

2. Safeguarding protected areas including SACs, SPAs, and MPAs whilst enabling activities aimed at enhancing their management objectives.
7. Controlling activities which might have an impact on areas, buildings, structures, sites, spaces and species with a general presumption against the demolition of scheduled and vernacular buildings.

Rural Objective 3

To guide development which is either justified to be located in the Rural Area in approved Government policies, plans or programmes, or is incompatible with urban uses and where alternatives are not possible, to the Rural Area away from protected areas and areas of high landscape sensitivity, preferably on Areas of Containment, previously developed land or existing buildings while ensuring the improvement of the quality of the rural environment.

3. controlling the cumulative effect of such development.

Rural Objective 4

To protect and enhance the positive qualities of the landscape and the traditional components of the rural landscape.

- 3a. protect the most sensitive landscapes of cultural importance and natural beauty.

Rural Policy & Design Guidance (RPDG) - 2014

Policy 1.2H: Protection of Landscape Features

The Authority will seek to conserve, maintain and enhance important landscape features that contribute to:

- the connectivity, appearance and/or integrity of protected areas, sites and/or features,
- the character, scenic or ecological value of the rural area. Proposals which would have an adverse impact on important landscape features, including their integrity or character, will not be permitted, unless the adverse impact is avoided or mitigated to the satisfaction of the Authority.

The Authority will seek to establish a legal management agreement with

the applicant to ensure adequate protection and continuous management of important landscape features.

Policy 2.5A: New, or extension to, agricultural stores for arable farming
Permission may be granted for the construction of a building (or an extension to an existing building) for farming facilities intended for sustainable farming and to comply with rules and regulations related to the EU's Common Agriculture Policy and National Agricultural Policy.

Farming facilities may include storage of farm machinery, agricultural equipment and inputs, produce, grading, cold storage, health and safety and sanitary facilities, provided that all of the following criteria are satisfied:

- (1) subject to consultation with the AAC and ERA;
- (2) the proposal shall be located on land registered in the name of the farmer, located within the region containing the agricultural land registered on the farmer;
- (3) the store (or extension) is proposed on registered land, but shall not be located on land supporting important natural habitats;
- (4) the proposed development is of a high quality rural design and must respect the rural context. Scheduled locations (Class A or Class B Area/Site of Archaeological Importance, and/or Level 1 or 2 Area of Ecological Importance/Site of Scientific Importance and scheduled AHLV) are in principle considered inappropriate locations, unless it can be duly demonstrated through the necessary assessment that the development does not compromise the site scheduling characteristics; and/or
- (5) the proposed development is not located within a distance of 30m from public groundwater abstraction sources;
- (6) the general maximum storage entitlement for farmers are as follows:

Size of Holding with the region (measured externally)	Storage room entitlement
4 to 10 Tumoli	15 m ²
10 to 20 Tumoli	20 m ²
20 to 46 Tumoli	40 m ²
> 46 Tumoli	60 m ²

An internally connected full basement level not extending beyond the footprint of the room, may be constructed below ground level;

(7) on the basis of an assessment and recommendation by the AAC, permission may be granted for additional storage requirement (i.e. more than the 10% as per para. 0.23) for farmers, on the basis of the type, nature, the number of years in operation and the annual turnover. Such additional storage requirements shall have the form of light/demountable structures that are made of recyclable material such as timber that blends with the environment. This structure shall have an area of 5m² per tumolo, capped at a maximum of 60m²;

(8) the proposed building does not exceed a height of 3.2 metres (measured externally) unless, in exceptional cases, the applicant demonstrates, to the satisfaction of the Authority that (when measured externally) a height exceeding 3.2m (even in addition to the 10% tolerance set out in para. 0.23) is essential, to store agricultural machinery necessitating such height; and

(9) where available, the proposed building is located adjacent to existing buildings; and

(10) the proposed building shall not detract from the landscape and the

rural character of the area (the building shall be located so as to be the least intrusive within the site) and shall be finished in recycled stone. Upon issue of a permit, the Authority shall map and link the registered land with the store, to ensure that such land is not subsequently used for additional storage requirements.

LN 162/16 (Regulation 17)

(5) Where parts of a site or building are illegal, permission for new development elsewhere on the site or on the building shall not be refused solely because there are illegalities on the site or on the building, subject, however, to all of the following conditions:

- (a) the illegal parts do not form part of the application; and
- (b) granting permission for the new development will not physically prevent, hinder or make difficult enforcement action, either for the removal or for the rectification, of the illegal parts; and
- (c) the applicant has no control, whether directly or indirectly, over the illegal parts and the applicant was not involved directly or indirectly in the illegal development, even if the development formed part of a larger development which includes the illegal parts.

Discussion

Introduction

The site is located within the area known as Ta Baldu, situated at the limits of Dingli. Due to its landscape and environmental characteristics, Ta Baldu falls within a **Special Area of Conservation under the EU Habitats Directive (92/43/EEC and EU Birds Directive (79/409/EEC)** via GN 223/05 and LN 112/07; a **Level 2 Area of Ecological Importance and Site of Scientific Importance (GN 400/96)**; and **scheduled Area of High Landscape Value (GN 400/96)** (see EPD doc. 42). The site is also subject to a number of archaeological-related constraints; **Degree of Protection A Area of Archaeological Importance** featuring a series of rock-cut reservoirs hewn cut of the rock having a rock-cut square pillar supporting the natural roof; **Class B Archaeological Area (GN 492/06)** and a **designated Archaeological Area under GN 114/04**.

The site has already been granted permission for extensive landscaping works in previous permit PA5089/05 (document 1H). As evidenced in ECF102/10, additional works (surfacing of the existing passageway in *franka* flag stones [documents 1E - F], installation of low pathway lighting [document 1G] and construction of an agricultural tool room in timber [1D]) have been carried out on site.

Illegal development on site

The site is subject to other active enforcement notices ECF 317/04, ECF 78/08 & ECF 313/10. PA 3495/07, PA 3395/08 and PA 4629/10 were submitted to partially (i.e. not all) address these infringements; however these applications are still pending. In line with **Regulation 17 (5) of LN 162/16**, when existing development on site is wholly or partly illegal, the Authority shall refuse a development application relating to new development on that site, unless the illegal development is included for sanctioning and the illegal development complies with the current policies.

Agricultural store in timber

The proposed agricultural 50sq.m store in timber runs counter to **Policy 2.5A of the RPDG (2014)** in that:

- i) the Department of Agriculture objected to the proposal because the applicant is not a registered farmer and the EPD (ERA's predecessor) objected to the proposal on environmental grounds (see para 4.7 for further details) - counter to criterion 1;
- ii) the store is not located on land registered for agriculture - counter to criterion 2;
- iii) the store is located in a Level 2 Area of Ecological Importance, Area of High Landscape Value, Special Area of Conservation (Natura 2000) and a Class B Area of Archaeological Importance - counter to criterion 4;
- iv) the applicant does not qualify for agricultural storage since he has no land registered for agriculture - counter to criterion 6;
- v) the agriculture store has a poor rural design and is not finished in recycled stone. It detracts from the rural character of the surrounding landscape in that it is built in timber and has a layout and design which is not typical of the Maltese rural area. Thus it runs counter to criteria 4 and 10 of Policy 2.5A of the RPDG (2014) which requires agricultural storage to be finished in recycled stone and must not detract from the landscape and character of the surroundings.

Consequently considering the environmentally sensitive context of the surroundings, the proposal is deemed to run counter to **Thematic Objective 8 (2, 7), Urban Objective 2 (2) and Rural Objective 4 of the SPED** which seek to safeguard protected areas and landscapes of cultural and environmental importance from unjustified development and activities that might have a deleterious impact.

Additional landscaping works

Considering the development history of the site in question, the unauthorised timber shed & landscaping works (paving of the passageway & fixing of lightning) subject to this application, the landscaping works originally approved in permit PA5089/05 and the illegalities mentioned in ECF317/04 (gate) & ECF78/08 (pool), the proposed development results in a cumulative impact on both the physical and visual characteristics of this environmentally sensitive, scheduled and Natura 2000 site. This is also of concern to the Environment Protection Directorate (EPD) who described the proposed development as one of a series of piecemeal developments forming part of an extension intervention which are transforming the site into a highly developed one (document 26). Furthermore, these 'landscaping' works involving the covering of existing country paths in flag stones and the fixing of lighting are increasing the formalisation of a landscape that has traditionally been dominated by typical countryside and arable farming.

The proposal is not acceptable in that it has a deleterious impact on the landscape and thus runs counter to **Policy 1.2H of the RPDG (2014)** and **Rural Objective 3 and 4** of the SPED which seek to protect the character, scenic or ecological value of the rural area and the positive qualities of the rural landscape by controlling the cumulative effect of development.

Appropriate Assessment

EPD objected to the modifications to permit PA5089/05, however in case of further consideration, the proposal would require the submission of an appropriate assessment as per Regulation 19(1) of LN 311/06. The architect was notified of this but no further information/studies were submitted.

Conclusion

In view of the above, a refusal is recommended.

Revised Conditions/Reasons:

- 1 The proposal cannot be considered further unless the following illegal development is first sanctioned or removed and this in terms of regulation 17 of Legal Notice 162 of 2016. The illegal development consists of the modifications and interventions subject to enforcement notices ECF317/04, ECF 78/08, and ECF 313/10.

- 2 The 50sq.m agricultural store runs counter to criterion 6 of policy 2.5A of the Rural Policy & Design Guidance (RPDG) 2014 in that the applicant does not till the required minimum land area to qualify even for the minimum amount of agricultural storage permissible. It therefore also runs counter to the Thematic Objective 1.10 of the Strategic Plan for Environment & Development which only allows for rural development which is legitimate or necessary.

- 3 The agricultural store runs counter to criteria 1, 2, 4 and 10 of policy 2.5A of the Rural Policy & Design Guidance (RPDG) 2014 in that:
 - i) the Department of Agriculture and the EPD (ERA's predecessor) objected to the proposal on agricultural and environmental grounds respectively;
 - ii) the store is not located on land registered for agriculture;
 - iii) the store is located in a Level 2 Area of Ecological Importance, Area of High Landscape Value, Special Area of Conservation (Natura 2000) and a Class B Area of Archaeological Importance;
 - iv) the agriculture store has a poor rural design and is not finished in recycled stone. It detracts from the rural character of the surrounding landscape in that it is built in timber and has a layout and design which is not typical of the Maltese rural area.

contribute to the formalisation of a landscape that has traditionally been dominated by typical countryside and arable farming. The proposal thus has a deleterious and cumulative impact on the surrounding rural landscape especially when considering the development history of the site in question, the unauthorised timber shed & landscaping works (paving of the passageway & fixing of lightning) subject to this application, the landscaping works originally approved in permit PA5089/05 and the illegalities mentioned in ECF317/04 and ECF78/08. The proposal thus runs counter to Policy 1.2H of the Rural Policy and Design Guidance (2014) and Rural Objective 3 and 4 of the Strategic Plan for the Environment and Development which seek to protect the character, scenic or ecological value of the rural area and the positive qualities of the rural landscape by controlling the cumulative effect of development.

The DPA report for the case is also being appended for ease of reference.

Endorsed by: Anthony Borg

Appendix: Development Permission Application Report

1. Information Note:

Please note that the report below could have been prepared in relation to a set of drawings other than the ones listed in the previous sections of this updated statement.

2. Representations:

Representation letter from the Ramblers Association submitted on 20 February 2012 (doc. 46). In view that the site lies odz, they would like to be registered objectors.

3. Notes To Committee:

3.1 This site is currently subject to Enforcement Action - ECF317/04, ECF78/08, ECF102/10 & ECF313/10.

3.2 Files attached: PA3459/05 & PA1209/07

3.3 Minute 91 - AAC Meeting dated 23rd February, 2015

The Committee recommends the paving of the walkways as indicated provided that grass blocks are used or any other paving material that is permeable which respect the rural character.

However the proposed timber shed is not being recommended in view that it does not comply with Rural Policy and Design Guidance.

3.4 This application was pending at the Environment & Planning Review Tribunal (appeal No. 113/13) and is being processed in parallel with three other appeals cases (namely No. 149/12, 177/12 & 178/12). In EPRT Sitting dated 2nd October, 2014 the Tribunal ordered that the case be remit to the EPC Board for re-assessment in view of the recent approved Rural Policy and Design Guidance (2014) - (Minute 115).

The following comments apply in view of the new Rural Policy 2014.

Directorate's comments

The proposal seeks development permission for the sanctioning of modification to approved permit PA 5089/05 to include already installed paving in walkways and timber shed to store agricultural tools and machinery. The site is located Outside Development Zone and falls within an area scheduled as a Special Area of Conservation of International Importance (LN 257/03 & GN 223/05), a Level 2 Area of Ecological Importance and High Landscape Value (GN 400/96), a Class B Archaeological Area (GN 492/06) and an Archaeological Buffer Zone (GN 114/04).

As a Preliminary Plea the Planning Directorate asserts that the EPC Board cannot hear and decide on the merits of this appeal as this application seeks to sanction illegal development in a scheduled area. Article 70 (1) and Schedule 6 (2) of Act X of 2010 (Environment and Development Planning Act) unequivocally state that no development may be regularized in scheduled property.

Further to this, this application does not seek to sanction other illegal developments on site in the form the construction of a pool (subject to ECF 78/08), fixing of a metal gate (subject to ECF 317/04), and construction of a first floor larger than approved in PA 2600/06 (subject to ECF 313/10). Article 14(1) of LN 514/10 clearly states that where illegal development is present on a site, new development on that same site cannot be considered unless it is regularized.

The new approved Rural Policy 2014 regulates access to arable farm holdings under policy 2.10. Consultation carried out with the AAC (Doc 91) left a favourable recommendation with regards to the paving of the walkways as indicated, provided that grass blocks are used or any other paving material that is permeable which respect the rural character. Therefore the development can be acceptable from a planning point of view with regards to policy 2.10, subject to amendment on plan and on site (since the pathway already exists and is requested for sanctioning).

The Rural Policy 2014 also permits for the construction of new, or extensions to, agricultural stores under policy 2.5. The development is proposing the construction of a timber shed with an area of 50m² and an external height of 5.8m (Doc 1D). The site is scheduled as a Level 2 Area of Ecological Importance and a Class B Archaeology Area, and criterion (4) of policy 2.5 stipulates that both locations in their own merits would be considered inappropriate locations for an agricultural store; therefore the fact that the site is covered by a high level of protection for ecological and archaeological reasons combined places any arguments that the development may be considered acceptable to rest. This recommendation is further confirmed by consultations carried out during the processing stages of the application, where the HPU (Doc 21), the NHAC (Doc 23), the Department of Agriculture (Doc 25), the EPD (Doc 26) and the AAC (Doc 91) all objected to the proposal.

As stipulated in criterion (6) of policy 2.5, the size of the storage room permissible is tied to the tumuli of land tilled by the appellant. In consultation with Department of Agriculture (Doc 25A) it resulted that the applicant is NOT registered as a farmer with the Department. Criterion (2) of the same policy also indicates that the proposal must be located on land registered in the name of the applicant; and hence the applicant is ineligible for development of an agricultural store in accordance with criterion (2) and (6) of policy 2.5 of the Rural Policy Guidance 2014.

In addition to this, criterion (8) of policy 2.5 specifies that the overall height of the building should not exceed 3.2m (a 10% tolerance maybe considered in exceptional cases); whilst criterion (10) of the same policy states that the building shall not detract from the landscape/rural character of the area, and shall be finished in recycled stone. With a height of 5.8m the agricultural room proposed for sanctioning exceeds by far the maximum permissible height; and the construction of the store in timber results in breach of criterion (8) and (10) of policy 2.5 of the Rural Policy Guidance 2014.

The original reasons for refusal are being amended accordingly, however the recommendation for refusal is being retained.

4. Case Officer's Report:

4.1 SUMMARY OF ISSUES

According to ECF 102/10, the construction of the timber shed, paving of passageway and fixing of lighting have already been carried out, and other illegalities (subject to separate enforcement notices) exist on the applicant's site. To this end, the provisions of **Regulation 14 of L.N. 514 of 2010** apply.

This site is also considered as environmentally sensitive (SAC, scheduled AEI & AHLV and Archaeological Area), hence, considering the overall site context, the **proposal will further intensify the formalisation of this site** whilst consolidating the unauthorised interventions present on site, consequently **diminishing its conservation value** as noted by the Environment Protection Directorate (doc. 26).

4.2 PROPOSAL

This planning application is seeking development permission for modifications to permit PA5089/05. As indicated in doc. 1 and submitted drwgs. 1D - 1G, the modifications consist of alterations to part of the existing passage way (flag stone paving), the introduction of floor mounted light fixtures and construction of a timber shed (50m² x 5.8m high - drwg. 1D).

4.3 SITE DESCRIPTION

The site is outside development zone within an area known as Ta Baldu, limits of Dingli, off Triq Ta San Gakbu, Rabat (Malta). The area is mainly characterized by agricultural land forming part of a valley (see photos at doc. 1B in file PA3395/08 & doc. 1A in current file).

4.4 SITE CONSTRAINTS

North West Local Plan

- Agriculture Area (North West Local Plan Map: 2)
- Area of High Landscape Value (North West Local Plan Map: 2)
- Garigue

Map Server

- Special Area of Conservation of International Importance - Rdimijiet ta Malta: Ir-Ramla ta-Cirkezza sa il-Ponta ta Benghajsa (LN 257/03 & GN 223/05)
- Level 2 Area of Ecological Importance (GN400/96)
- Level 3 Area of Ecological Importance - Buffer zone to protect coastal cliffs
- Area of High Landscape Value (GN400/96)
- Class B Archaeology Area (GN492/06)
- Degree of Protection B Archaeological Area
- Archaeological Buffer Zone (GN114/04).

4.5 DEVELOPMENT PLANNING HISTORY ON SITE

ECF 86/04 – enforcement notification issued in view of illegal modifications and additions to an old structure in archaeological area. PA 800/04 was issued and sanctioned the infringements in ECF 86/04.

ECF 317/04 – enforcement notification issued in view of the construction of a water reservoir, room and fixing of a metal gate without permit. PA 3459/05 was submitted to sanction reservoir but indicated a different location. PA 7509/07 was submitted later to correct position of site and was approved. Since PA 3459/05 only sanctioned the construction of a reservoir, ECF 317/04 was referred for direct action for the removal of the pump room, steel gate and pilasters which have not been sanctioned. On 04/10/2011, enforcement officer confirmed that the plotting of ECF 317/04 is incorrect as the gate and the stone pillars are located outside the area subject to enforcement action.

PA 800/04 – full development permission application proposing the sanctioning of alterations and maintenance works. The application was approved by DCC Board in view that architect satisfied DCC requests through the submission of a method statement to address works to be carried out. The permit was issued on 02/02/2006.

PA 3459/05 (attached) - planning application proposing the sanctioning of reservoir. Application was granted by DCC Board at reconsideration in view of agricultural requirement and that reservoir is to be left open. Permit was issued on 09/01/2006.

PA 5089/05 - application proposing the maintenance of existing rubble wall, consolidation of existing road and tracks, planting of trees and soft landscaping and general cleaning of the area. The application was approved by DCC Board following a site inspection where it was noted that the development is not objectionable. Permit was issued on 07/01/2008 (refer to doc. 1H in file PA4807/10).

ECF 503/06 – enforcement notice in view of landscaping works, reconstruction of boundary walls, formation of passage ways, ramps and stairs to valley and other engineering works without permit. The infringements have been sanctioned through permit PA 5089/05.

PA 2600/06 – application for the construction of first floor and alterations to ground floor of an existing building. The application was approved by DCC Board at reconsideration in view that extension does not exceed 50sqm and is not in conflict with grade 2 listed buildings as per policy UCO7. The permit was issued on 25/02/2008.

PA 3495/07 - application seeking to sanction an existing gate and construct two more gates. This application was refused in view of pending illegalities on site & the gates, in conjunction with all the other unauthorised works run counter to Structure Plan policies RCO 2, RCO 4 & RCO 12 in view of the formalisation of this sensitive area.

PA 1209/07 (attached) – development application for maintenance of the existing rubble walls, consolidation of existing road & tracks, planting of trees & soft landscaping and general cleaning of the area. The application has been withdrawn.

PA 7509/07 – full development application seeking correction of site plan from that approved in PA 3459/05. Permit was issued on 21/11/2008.

ECF 78/08 - enforcement notification in view of construction of swimming pool without permit. The current planning application (PA 3395/08) has been submitted accordingly.

PA3395/08 - application to sanction installation of demountable pool not requiring any earth intervention. This application was refused as the pool does not comply with the criteria set out in Circular PA1/100 (Swimming Pools Outside Development Zone).

ECF 102/10 - enforcement notification in view of hard paving of existing passageway, installation of low pathway lighting and erection of wooden tool room within scheduled property. Applicant is to submit an application in order to sanction it. A stop and enforcement notice was issued. PA 4807/10 was submitted.

ECF 313/10 - enforcement notification for the construction of a first floor larger than approved. PA 4629/10 was submitted to sanction these modifications.

PA 4629/10 - application for modifications to approved permit PA2600/06. This application was refused as proposal is in breach of PLP20 and Regulation 14 of L.N. 514/10.

4.6 POLICY CONTEXT

- **North West local Plan, July 2006**

The site falls under the North West Local Plan and is subject to the following policies:

NWAG 1: Protection of Agricultural Land - Within designated AAVs only buildings, structures and uses essential to the needs of arable agriculture will be permitted on condition that it can be demonstrated to the satisfaction of MEPA that they will not adversely affect the quality of water resources, soil and landscape, and that they will not conflict with scenic, ecological, scientific, archaeological and mineral interests. In addition, applications for agricultural related development that will result in the subdivision of land holdings will not be permitted within AAVs.

NWCO 10 : Woodland Conservation Areas and Afforestation Projects - No development that is detrimental to the ecosystem of the area will be permitted.

NWCO 13: Garigue - MEPA will protect areas of garigue from activities that create adverse impact. The illegal deposit of soil, or the use of off-roading on such areas will not be permitted.

- **Structure Plan for the Maltese Islands (December 1990)**

BEN 5 - Applications for permits outside the development zone to be judged against the Local Plans for Rural Conservation Areas, Structure Plan Policies and the Explanatory Memorandum.

RCO 2 - prohibits development within Rural Conservation Areas, with the exception to developments which are of agricultural, ecological and scenic interest.

RCO 4 - prohibits developments in rural areas which will adversely affect the scenic value of an area

RCO 12 - In Local Plans, the Planning Authority will give protection ratings to Areas of Ecological Importance and Sites of Scientific Importance as follows:

LEVEL 2 zones will include important habitat types present in relatively large areas and/or sites with rare species or features

SET 11 – No form of urban development permitted outside the existing and committed built up areas. Permitted forms of urban development outside such areas are restricted to the categories referred to in Paragraph 7.6.

SET 12 – Applicant to present evidence as to why policy SET 11 should be infringed, if proposed development runs counter to SET 11 and, consequently, to Paragraph 7.6. Reasons must be given from a planning point of view as to why the proposal cannot be located in areas designated for development.

Paragraph 7.6 – Permitted development ODZ: farmhouses, genuine agricultural buildings, reservoirs, picnic area toilets and car parks and control buildings and walls/fences at archaeological and ecological sites.

ARC 1 - In Local Plans for Rural Conservation areas, the Planning Authority will identify and designate Areas and Sites of Archaeological Importance. In Local Plans for urban areas, whether Urban Conservation Areas or not, the Planning authority will identify and designate Sites of Archaeological Importance.

ARC 2 – In making the designations referred to in Policy ARC 1, the Planning Authority will give protection ratings as appropriate to local circumstances.

Class B: Very important to be preserved at all costs. Adequate measures to be taken to preclude any damage from immediate development.

ARC 3 - Applications for planning permission for development affecting ancient monuments and important archaeological areas and sites, including areas and sites having such potential, will normally be refused if there is an overriding case for preservation. Where there is no overriding case for preservation developments of such sites will not normally be permitted until adequate opportunities have been provided for the recording and, where desirable, the excavation of such sites.

- **Structure Plan for the Maltese Islands, Explanatory Memorandum (December, 1990)**

For Level 2 AEIs and SSIs, which include important habitat types present in relatively large areas and/or sites with rare species or features, the following are applicable;

1. Human intervention strictly controlled.

2. Physical development limited to the maintenance of already existing structures, and construction of minor amenities designed to enhance the educational and recreational use of the area) eg. narrow footpaths, nature trails, small scale visitor centres). Any such developments to be carried out with the least possible damage to the environment.

3. Traditional activities (eg. agriculture) can continue, unless in conflict with other policies, but no new land diverted to these uses except for the suitable re-establishment of abandoned fields for agriculture.

- **Regulation 14 of LN 514/10**

(1) Without prejudice to article 70 and the Sixth Schedule of the Act, when existing development on site is wholly or partly illegal, the Authority shall refuse a development application relating to new development on that site, unless the illegal development is included for sanctioning and the illegal development complies with the current policies.

4.7 CONSULTATIONS

Heritage Protection Unit

The timber shed (agricultural store) is not acceptable since it is located within the scheduled Level 2 AEI and AHLV (coastal cliffs) as published via G.N. No. 400/96, dated 25/6/1996. Within Level 2 sites/areas only maintenance of existing (legal) structures may be permitted (Para. 15.38 of the SP Explanatory Memorandum). The paving is predominantly within the scheduled Level 2 AEI (the northernmost part lies within the Level 3 buffer zone). Furthermore, the construction of new boundary walls and/or reconstruction of existing ones are also unacceptable within a scheduled Level 2 AEI. Also, light fixtures cannot be considered as maintenance (min. 18).

The proposal mainly impacts the ecology of the area. In view of archaeology extent in the area, works should have been monitored against a Bank Guarantee and since this was not imposed, MEPA is not in a position to ascertain whether any archaeological deposits were disturbed by the works. In view of the above and further urbanisation of a rural area, the proposal cannot be recommended (min. 21).

panel maintains its objections and **recommends refusal** of the proposed modifications (min. 23).

Enforcement Directorate

Site is subject to enforcement action - ECF 102/10, ECF 78/08, ECF 317/04 (min. 23).

Malta Resources Authority

No objection to proposal subject to relevant conditions (doc. 24A).

Department of Agriculture

There is no objection for the paving of existing paths since land is of no agricultural value. As for the sanctioning of timber shed, this department **objects** since applicant is not registered as a farmer (doc. 25).

Environment Protection Directorate (EPD)

- This application is but one of a series of piecemeal submissions forming part of a more extensive intervention that is totally unacceptable in principle (PA 800/04, PA 5089/05, PA 2600/06, PA3495/07, PA 7509/07; PA3395/08 and PA4629/10 all pertain to the same site, with most of these applications requesting to sanction illegal development).
- EPD reiterates its comments made on other pending applications for the same site (PA3395/08; PA 3495/07; PA 4629/10), i.e. such proposals in the area are cumulatively transforming the site into a developed area regardless of its sensitive location, its formal scheduling, and its Natura 2000 designation.
- The proposed sanctioning is expected to cumulatively have a significant impact on the Natura 2000 site particularly in the form of land take up since paving of walkways has occurred through land clearance, as have other works pertaining to this piecemeal development.
- This proposal would require further assessment as per Regulation 19 of LN 311/06 if it were to be considered further.
- EPD considers the proposal as **objectionable in principle** and recommends that the application be refused.
- Other applications granted on the same site are currently under review vis-à-vis possible revocation of permit, including PA 5809/05 (the permit to which this application is requesting modification) (doc. 26).

4.8 DISCUSSION

–Foreword

The site is located within the area known as Ta Baldu, situated at the limits of Dingli. Due to its landscape and environmental characteristics, Ta Baldu falls within a **Special Area of Conservation under the EU Habitats Directive (92/43/EEC and EU Birds Directive (79/409/EEC)** via GN 223/05 and LN 112/07; a Level 2 Area of Ecological Importance and Site of Scientific Importance (GN 400/96); and scheduled **Area of High Landscape Value** (GN 400/96) (see EPD doc. 42). The site is also subject to a number of archaeological-related constraints; Degree of Protection A Area of Archaeological Importance featuring a series of rock-cut reservoirs hewn cut of the rock having a rock-cut square pillar supporting the natural roof; Class B Archaeological Area (GN 492/06) and a designated Archaeological Area under GN 114/04.

PA5089/05 (doc. 1H). As evidenced in ECF102/10, additional works (surfacing of the existing passageway with Maltese flag stones [1E - F], installation of low pathway lighting [1G] and construction of wooden tool room [1D]) have been carried out on site.

--Timber store (shed for agricultural tools & machinery - drwg. 1D)

Policy 2.4A of the Policy and Design Guidance on Agriculture, Farm Diversification and Stables allows the construction of an agricultural store provided that:

- The applicant is a registered farmer with the Department of Agriculture for at least 2 consecutive years prior to submission of application as per criterion 1a of Policy 2.4A;
- The applicant submits evidence of a history of producing substantial and genuine agricultural crops for human consumption / processing for at least 2 years prior to the application as required in criterion 1b of Policy 2.4A;
- The applicant's arable farm occupies a total land area of at least 5 tumoli of land as per criterion 1c of Policy 2.4A. Criterion 4 of this same policy requires that the applicant's holdings are located within a radius of 1km from the proposed development and no other storage building is located within these arable land holdings and the development is located on land which is registered on applicant with the Department of Agriculture; and
- There is no disused or under-utilised building on any arable farm holding of the applicant as stated in criterion 2 of Policy 2.4A;

In this case, the Department of Agriculture stated that according to the LPIS records, the applicant is not registered as a farmer (doc. 25A). Hence, the applicant does not satisfy criterion (1) of Policy 2.4A and is not eligible for a tool room, let alone a 50m² store (drwg. 1D). In addition, the construction of a store within a scheduled Level 2 Area of High Landscape Value and Area of High Landscape Value is not permitted as per criterion (6) of Policy 2.4A. The Heritage Protection Unit are against the construction of a store within such a sensitive area and pointed out that in accordance with para. 15.38 of the Structure Plan Explanatory Memorandum, within Level 2 sites / areas only maintenance of existing (legal) structures may be permitted (min. 18). Therefore, even if the applicant was eligible for a store, this would still be objectionable in terms of location.

--Additional landscaping works

Considering the development history of the site in question (refer to para. 4.5), the unauthorised timber shed & landscaping works (paving of the passageway & fixing of lightning - drwgs. 1C - 1G) subject to this application (PA4807/10) and ECF102/10, together with landscaping works originally approved in permit PA5089/05 (refer to doc. 1H) and the illegalities mentioned in ECF317/04 (gate) & ECF78/08 (pool), are resulting in a cumulative impact on both the physical and visual characteristics of this environmentally sensitive, scheduled and Natura 2000 site. This is also of concern to the Environment Protection Directorate (EPD) who describe the proposed development as one of a series of piecemeal developments forming part of an extension intervention which are transforming the site into a highly developed one (doc. 26). To this end, the EPD considers the proposal as objectionable from an environmental point of view as it would further alter the integrity and character of this area through formalisation (doc. 26). In the light of the above, the proposal will contravene with the overall objectives of policies RCO 2 & RCO 4 of the Structure Plan which seek to promote the protection of the countryside and its landscape value. Proposal also runs counter to Structure Plan policy RCO 12 for the protection of Level 2 & 3 Areas of Ecological Importance. The Natural Heritage Advisory Committee are also objecting to the proposal (min. 23).

--Appropriate Assessment

EPD are objecting to the modifications to permit PA5089/05, however in case of further consideration, the proposal would require the submission of an appropriate assessment as per Regulation 19(1) of LN 311/06. The architect was notified of this but no further information/studies were submitted.

--Illegalities

The application is seeking development permission for amendments to permit PA5089/05 (doc. 1). In accordance with ECF102/10, these amendments have already been carried out. Furthermore, the site is subject to other active enforcement notices ECF 317/04, ECF 78/08 & ECF 313/10. PA 3495/07, PA 3395/08 and PA 4629/10 were submitted to address the infringements mentioned in these enforcement notifications but were refused (refer to para. 4.5). In view that this application is not requesting sanctioning, and in view of the other enforcement notices, provisions of Regulation 14 of LN 514/10 apply and the application cannot be considered any further.

4.9 COMMUNICATION WITH ARCHITECT

The architect was requested to submit;

A revised site plan indicating full site extent and was informed that Section 13 of the application form is missing scheduling information - *revised site plan was submitted at doc. 37A.*

Appropriate Assessment in terms of Regulation 19 LN311/2006 - *this was not submitted.*

Revise proposal to include sanctioning since the proposed modifications have already been carried out as per ECF102/10 - *this was not submitted.*

4.10 CONCLUSION

The modifications to the landscaping works have already been carried out as per EC102/10. In view that this application does not specifically seek to regularize these interventions, and since other enforcement notices are active on site, the proposal cannot be considered further in terms of Regulation 14 of the Legal Notice 514/10. Also, as stated by the Environment Protection Directorate, the proposal forms part of a number of other unauthorised interventions which have progressively taken place within this Natura 2000 site, resulting in its obliteration (doc. 26). In the light of this, the proposal cannot be positively recommended.

5. Recommendation: REFUSE - for the following reasons:

0 The store under consideration does not satisfy criteria (1) & (6c) of Policy 2.4A of the Policy and Design Guidance on Agriculture, Farm Diversification and Stables (2008) in that the applicant is not a registered farmer and since the site is designated as an Area of High Landscape Value & Area of Ecological Importance.

0 ~~The modifications to the approved landscaping and the construction of the timber shed have already been carried out and are subject to Enforcement Notice ECF102/10. Also, the site is currently subject to enforcement notices ECF317/04, ECF 78/08, and ECF 313/10 for various other interventions on site without permit. Therefore, the proposal cannot be considered further unless the other illegalities on site are first sanctioned or removed, as required by Regulation 14 of Legal Notice 514 of 2010.~~

- 1 The site is subject to active enforcement notices ECF 317/04, ECF 78/08 & ECF 313/10. Therefore, the proposal cannot be considered further unless the illegal development is first sanctioned or removed, as required by Regulation 14 of Legal Notice 514 of 2010.
- 2 This application seeks to sanction illegal development in a scheduled area. Article 70 (1) and Schedule 6 (2) of Act X of 2010 (Environment and Development Planning Act) unequivocally state that no development may be regularized in scheduled property.
- 3 The site is a Scheduled Level 2 Area of Ecological Importance and an Area of High Landscape Value as per Government Notice 400 of 1996. The proposed store, paving of pathway, and fixing of lighting, in conjunction with the other unauthorised works which have been carried out on site have led to the formalisation of this sensitive site, and would therefore adversely affect the area, hinder its protection, and run counter to the rural conservation and ecological objectives of Structure Plan policies RCO 2, RCO 4 & RCO 12.
- 4 The proposal runs counter to criterion (2) of policy 2.5 of Rural Policy and Design Guidance 2014, since the development is not located on land registered in the name of the applicant.
- 5 The proposed swimming pool runs counter to criterion (4) of policy 2.5 of the Rural Policy and Design Guidance 2014 in that the agricultural store does not respect the rural context. The site is scheduled as a Class B Archaeology Area and Level 2 Area of Ecological Importance, therefore the development is inappropriate in principle.
- 6 The proposed swimming pool runs counter to criterion (6) of policy 2.5 of the Rural Policy and Design Guidance 2014 in that the applicant is exceeding the maximum storage entitlement as stipulated in the policy.
- 7 The proposed swimming pool runs counter to criterion (8) of policy 2.5 of the Rural Policy and Design Guidance 2014 in that the proposed building exceeds the maximum permissible height as stipulated in the policy.
- 8 The proposed swimming pool runs counter to criterion (10) of policy 2.5 of the Rural Policy and Design Guidance 2014 in that the proposed building will detract from the landscape and the rural character of the area, and is not finished in recycled stone.

This report to the Planning Commission (Development Permissions) has been prepared and endorsed by:

Case Officer: Jonathan Borg

Endorsed By: Carmel Caruana

Signature:

Signature:

Date:

Date:

~~-PAABRepUpdEndorsed-~~

PA/04807/10

Name :
Address :
Phone : /
Email :
ID Number :

Subject : Consultation Reply - Approve

Minute Text : MRA Consultation

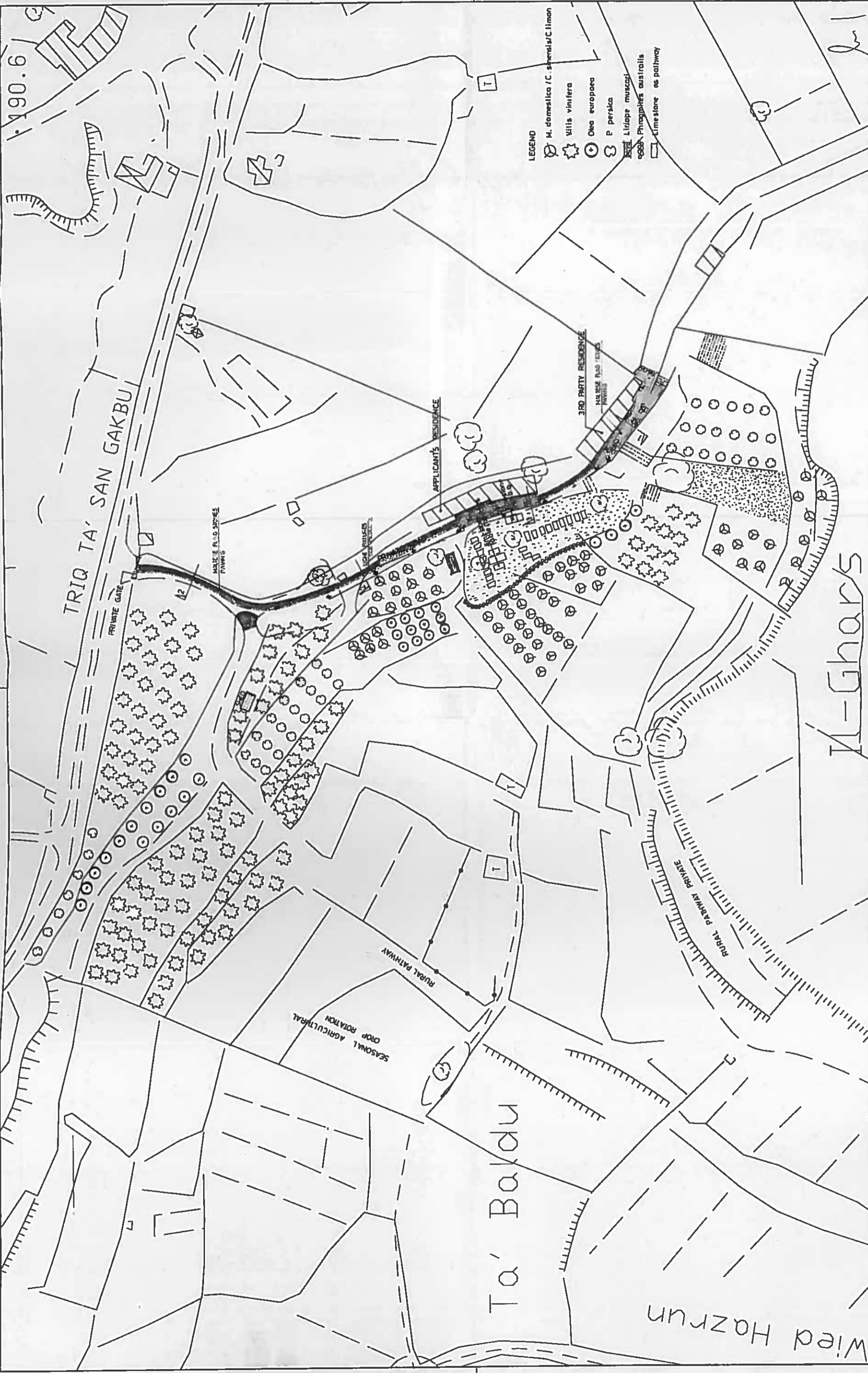
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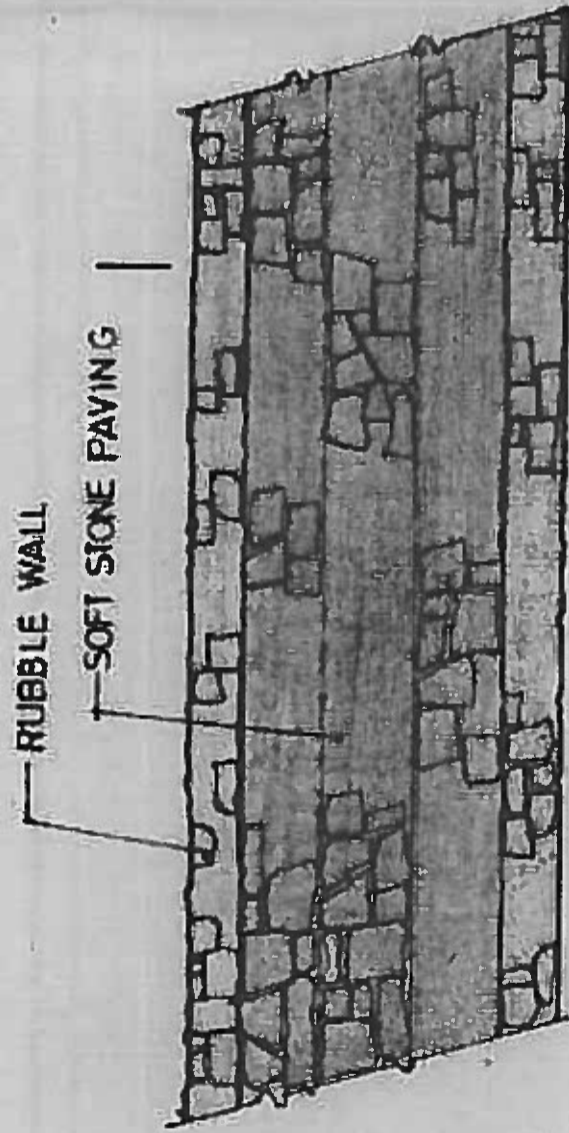
Subject : Consultation Reply - Other

Minute Text :

746489



client	Mr. J. Borg	location	Site at Ta' Baldu, Limits of Dingli	drawing title	Block Plan	project title	MODIFICATION TO APPROVED PERMIT PA5089/05 DESIGN OF WALKS IN MALIASE FLAG STONES AND TIMBER SHED TO STORE AGRICULTURAL MACHINERY	chkd	apptd	alteration	rev	date	by	scale	1:500	km	CHRISTIAN SPITERI
														drawn by			ARCHITECT & CIVIL ENGINEER
														checked by			
														drawing no.	01		
														date	SEPT. 10		
														file no.			27, S. Georges Str, Gzira, GZR 04 Telephone: 21 32 00 05, 21 32 00 33 Fax: 21 34 71 26



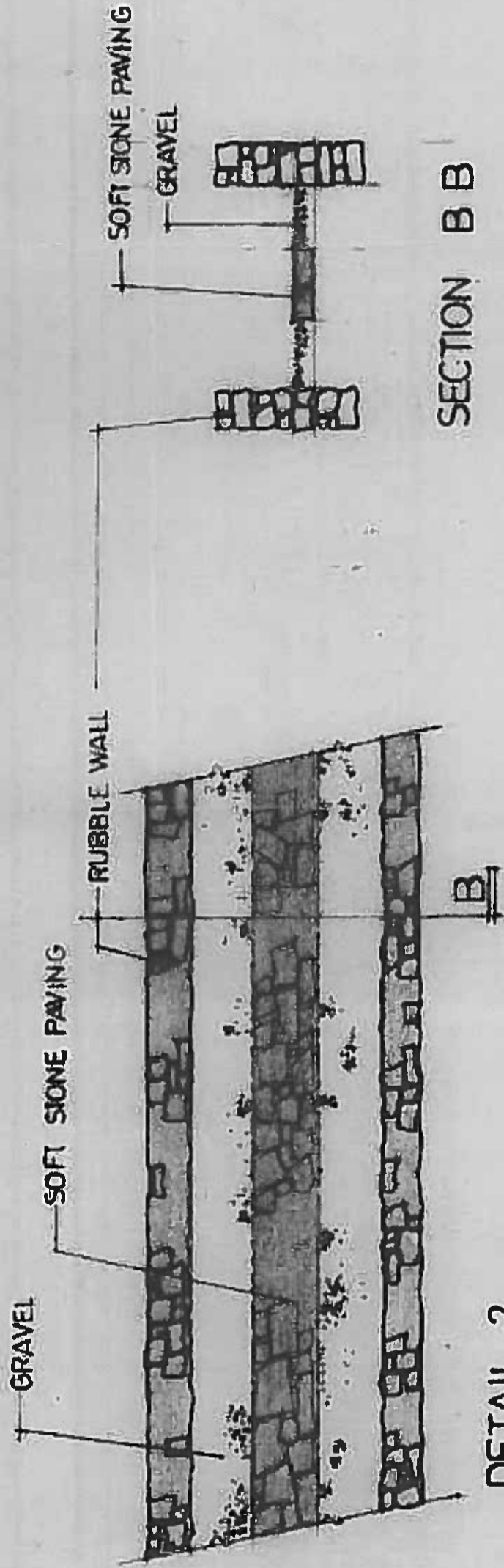
DETAIL 1

1A



SECTION AA

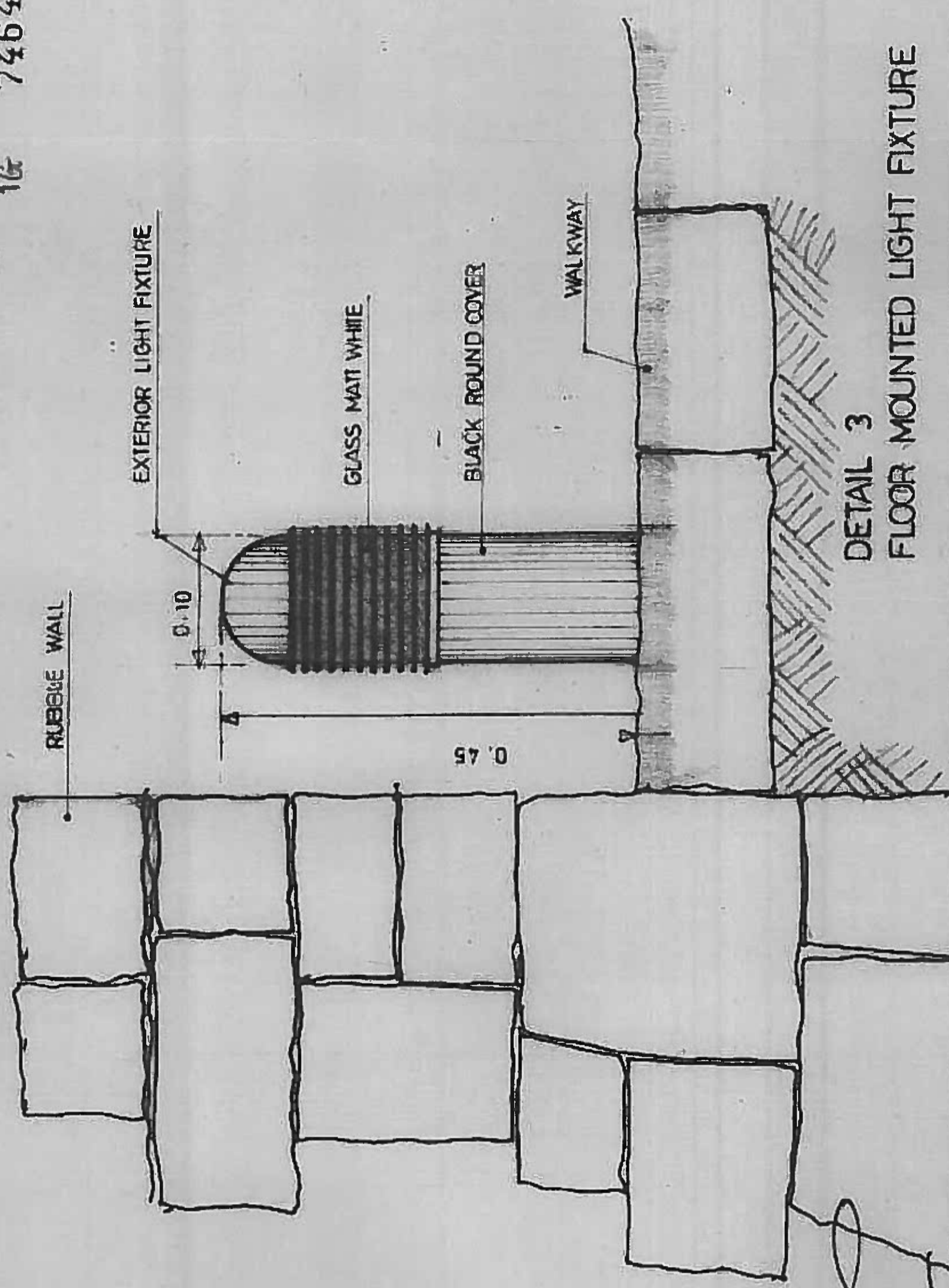
<p>CHRISTIAN SPITERI ARCHITECT & CIVIL ENGINEER 27, St. Georges Str, Gzira. GZR 04 Telephone: 21 32 08 05, 21 32 00 33 Fax: 21 34 71 26</p>		<p>date</p>	<p>signature</p>	<p>scale</p>	<p>drawn by</p>	<p>checked by</p>	<p>drawing no.</p>	<p>file no.</p>	<p>location</p> <p>TA BALDU 4/O DINGLI RABAT</p>	<p>client</p>	<p>drawing title</p>	<p>project title</p>
<p style="text-align: center;">all dimensions in mm</p>												



[Handwritten signature]

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DETAIL 3
FLOOR MOUNTED LIGHT FIXTURE

date _____ signature _____		scale: 1:5	location: TA BALDI 410 DANIELI RABAT	client:	drawing title:	project title:
drawn by:	checked by:	drawing no.:	file no.:	all dimensions in mm		

CHRISTIAN SPITERI
 ARCHITECT & CIVIL ENGINEER
 27, St. Georges St., Colne, GZR 04
 Telephone: 21 33 03 05; 21 32 00 33 Fax: 21 34 71 25

PA 04629/10

Modifications to approved permit PA 2600/06

Rifjutat

Mr. Jean Borg
1A Tri Wied Ghomor
St Julians

Date: 28 June 2017
Our Ref: PA/04629/10

Application Number: PA/04629/10
Application Type: Amended development permission
Date Received: 4 October 2010
Location: Site at Ta' Baldu (L/o Dingli) off, Triq San Gakbu, Rabat, Malta
Proposal: Modifications to approved permit PA 2600/06

Development Planning Act, 2016 Refusal of Development Permission

The Planning Authority hereby refuses permission for the development described above, for the following reasons:

- 1 The proposal cannot be considered further unless the following illegal development is first sanctioned or removed and this in terms of regulation 17 of Legal Notice 162 of 2016. The illegal development consists of the modifications carried out departing from approved permit PA 2600/06. These are being indicated as proposed development in this application; however it is clear that they have already been carried out but no request for their sanctioning is made in this application.
- 2 The proposed internal alterations, which have already been carried out, have removed all the remaining original parts of the internal walls which formed an integral part of the Grade 2 scheduled building. These were vernacular features which merited to be conserved. Furthermore, these alterations were not covered by a restoration / works method statement. Thus the proposal runs counter to Criteria 1 and 2 of Policy 6.2B the Rural and Policy and Design Guidance (2014). Consequently the proposal runs counter to Thematic Objective 8 (6, 7) and Urban Objective 2 (2) of the Strategic Plan for the Environment and Development which call for controlling activities which impact scheduled and vernacular buildings and to encourage good restoration practices and conservation.

Your rights to appeal to the Environment and Planning Review Tribunal, is described in the attached notes.

This decision is being published on 12 July 2017.

PA/04629/10

Print Date: 30/06/2017

Marthese Debono
Secretary Planning Commission (Development Permissions)

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

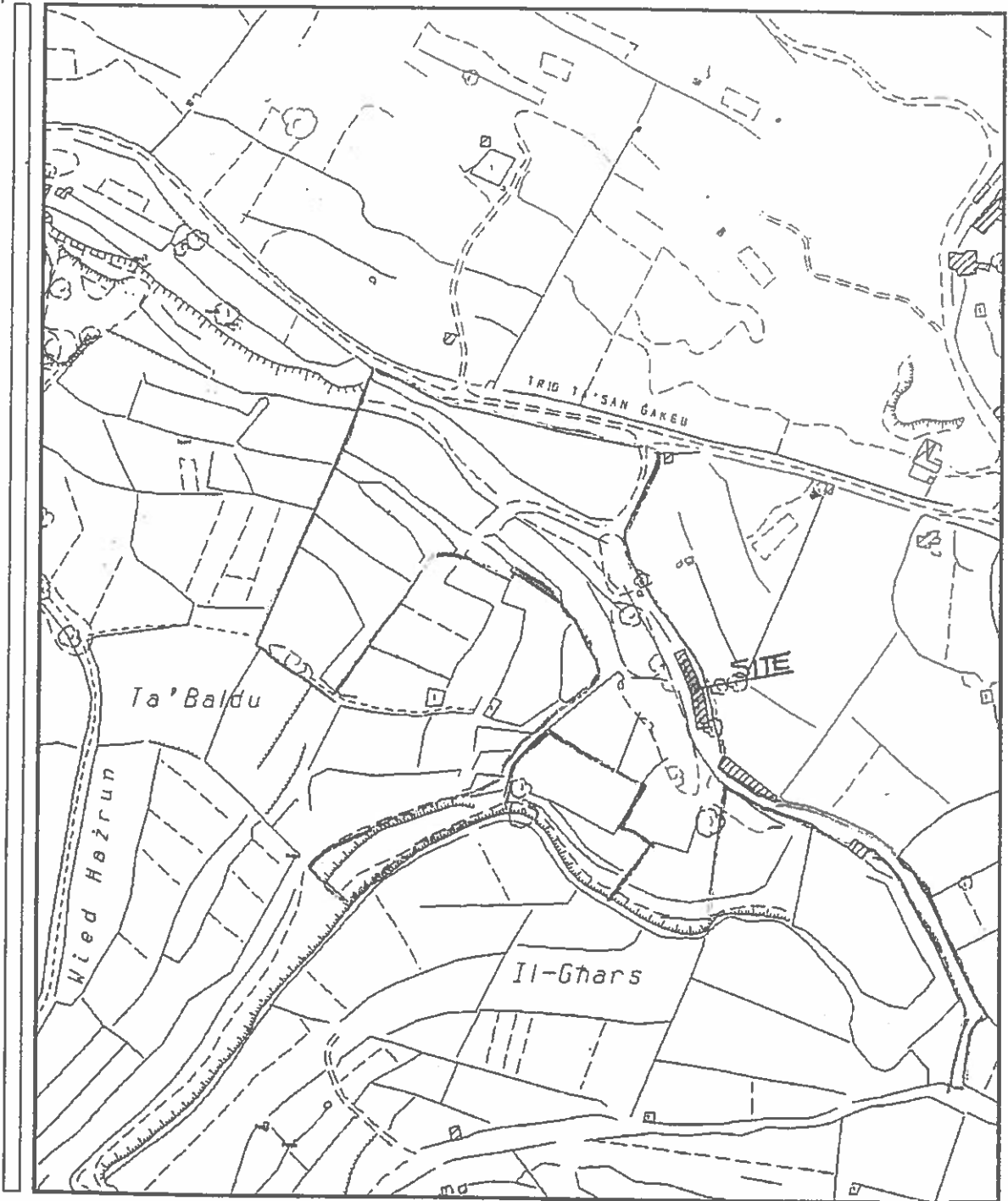
With regards to requests for reconsideration, Form PA 4/16 must be used for submission. All fields of the Form must be filled in as appropriate. Requests for reconsideration can only be submitted electronically.

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-

TA BALDU
TA BALDU OFF TRIS SAN GAKU
RIGAT

500m



0m

Min Easting = 42981.79, Min Northing = 69774.45, Max Easting = 43381.79, Max Northing = 70274.33

0m

400m

MEPA

St. Francis Ravelin
Floriana
PO Box 200, Valletta, Malta
Tel: +356 240978 Fax: +356 224846

www.mepa.org.mt

PA 046 29/10
MODIF. TO APPROVED PERMIT
PA 2500/06

Site Plan, Scale 1:2500 Printed on: Thursday, November 17, 2005

Not to be used for interpretation or scaling of scheme alignments

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Section: Refused - Scheduled for EPCA
Board No.:

APPLICATION No. PA/04629/10

Application Details:

Applicable DC Guidance: DC15
Press Date: 3 December 2011
Application Type: Amended development permission

Applicant: Mr. Jean Borg
Architect: Spiteri, Perit Christian

Drawing Numbers: PA 4629/10/41A/1C/1D/1E

Proposal: Modifications to approved permit PA 2600/06
Location: Site at Ta' Baldu (L/o Dingli) off, Triq San Gakbu, Rabat,
Malta

Additional Notes:

1 It is recommended that four applications; PA 4629/10, PA 4807/10, PA 3395/08 and PA 3495/07 are decided together since all concern the same site and same applicant.

2 The proposal has already been assessed as per DPA report in document 68. Following the refusal decision (document 77) an appeal was lodged. The EPRT referred the case for re-assessment in terms of the transitory provision clause 0.26 of the Rural Policy & Design Guidance (RPDG) 2014 (which came into force after the EPC decision to refuse) as per document 102.

During the re-processing of this application, the Strategic Plan for Environment & Development (SPED) has been approved replacing the Structure Plan. Therefore the proposal is also being re-assessed in terms the rural objectives of the SPED 2015.

Further Consultations

No further consultations were required.

Policy Context

Strategic Plan for Environment & Development (SPED) - July 2015

Thematic Objective 8

To safeguard and enhance biodiversity, cultural heritage, geology and geomorphology by:

6. Re-appraising the value of the character, amenity and distinctiveness of designated areas and site for their built heritage value.
7. Controlling activities which might have an impact on areas, buildings, structures, sites, spaces and species with a general presumption against the demolition of scheduled and vernacular buildings.

Urban Objective 2

To improve the townscape and environment in historic cores and their setting with a presumption against demolition of property worthy of conservation by:

2. Encouraging good restoration practices and conservation.

Rural Policy & Design Guidance (RPDG) - 2014

Policy 6.2B: Rehabilitation and Change of use of Scheduled buildings ODZ

Permission may be granted for the rehabilitation and change of use of a scheduled building located outside development zone, provided that all of the following criteria are satisfied:

1. the applicant shall ensure that the historic aspect of the building is not compromised;
2. when interventions and/or alterations are required, a method statement shall be submitted to ensure that these are carried out in a satisfactory manner; and
3. the use of the building shall be subject to prior consultation with the Departments/Authorities responsible for regulating such use; and
4. the use does not involve warehousing and/or industrial activity, unless the building is already covered by a valid licence for such use.

Where no legally-established peripheral boundary walls exist around the scheduled building to be converted, the Authority may allow the construction of a random rubble wall, including walls built in random-sized irregularly shaped rough dressed stones (recycled from demolition) using the same traditional construction methodology of rubble walling, to define the curtilage of the building, provided this does not lead to visual or environmental impacts (including the demolition of existing rubble walls).

The proposal shall demonstrate to the satisfaction of the Authority that the existing road network serving the site is capable of dealing satisfactorily with the traffic which will be generated by the development. The vehicular access to the site shall be appropriately located and is not to cause a traffic hazard, to the satisfaction of the competent authority.

The proposed conversion/change of use shall also accommodate the additional parking needs on site without causing adverse impacts. The use of grass blocks for parking areas will be considered.

6.3 Extensions of Existing Dwellings ODZ

Permission may be granted for a limited extension to an existing dwelling outside development zone, provided that all of the following

criteria are satisfied:

(1) the building is not of architectural, historical, vernacular or other significance, and/or is not scheduled, in which case it shall be assessed on the basis of Policy 6.2A and 6.2B;

(2) the proposed extension is of a compatible design and must respect the rural context. Scheduled locations (Class A or Class B Area/Site of Archaeological Importance, and/or Level 1 or 2 Area of Ecological Importance/Site of Scientific Importance) are in principle considered inappropriate locations, unless it can be duly demonstrated through the necessary assessment, that the development does not compromise the site scheduling characteristics;

(3) the applicant can sufficiently prove that:

a) the property in question has been used as a residence prior to 1992 or

b) the dwelling is covered by a development permission, or dates back to pre-1978;

(4) the dwelling can be extended up to a maximum floor space of 200m²;

and

(5) the scale, massing and design of the extension shall:

a) not visually dominate the existing dwelling; and

b) be acceptable in the wider landscape setting of the site;

(6) extensions to existing dwellings ODZ made prior to October 1994 may be regularised, provided that all the conditions of paragraph (5) are respected.

A basement completely below ground level may be permitted provided it does not extend beyond the footprint of the building and is accessible internally.

LN 162/16 (Regulation 17)

(5) Where parts of a site or building are illegal, permission for new development elsewhere on the site or on the building shall not be refused solely because there are illegalities on the site or on the building, subject, however, to all of the following conditions:

(a) the illegal parts do not form part of the application; and

(b) granting permission for the new development will not physically prevent, hinder or make difficult enforcement action, either for the removal or for the rectification, of the illegal parts; and

(c) the applicant has no control, whether directly or indirectly, over the illegal parts and the applicant was not involved directly or indirectly in the illegal development, even if the development formed part of a larger development which includes the illegal parts.

Discussion

Introduction

The proposal seeks development permission for modifications to approved permit PA 2600/06 (which approved alterations to ground floor and construction of first floor). The ground floor area remains unchanged in terms of area (150sq.m) however minor internal alterations have been carried out. Further alterations have been carried out at first floor involving the installation of timber railings instead of masonry 'opramorta'.

The dwelling is a Grade 2 Scheduled property as per GN 492/06. The

site is located Outside Development Zone and falls within an area scheduled as a Special Area of Conservation of International Importance (LN 257/03 & GN 223/05), a Level 2 Area of Ecological Importance and High Landscape Value (GN 400/96), a Class B Archaeological Area (GN 492/06) and an Archaeological Buffer Zone (GN 114/04).

Illegal development on site

It is important to note that the development being proposed in this application has already taken place. In line with Regulation 17 (5) of LN 162/16, when existing development on site is wholly or partly illegal, the Authority shall refuse a development application relating to new development on that site, unless the illegal development is included for sanctioning and the illegal development complies with the current policies.

Proposed development vis-à-vis emergent policy

The proposed development (which in reality has already been carried out) results in a dwelling of circa 203sq.m. This is just slightly more than the maximum of 200sq.m residential space permitted for extensions to existing dwellings by Policy 6.3 of the RPDG (2014). The excess is deemed negligible and therefore the reason for refusal based on the comprehensive size of the dwelling is no longer valid.

However, Policy 6.2B (1, 2) of the RPDG (2014) states that the rehabilitation of scheduled buildings is allowed subject that the historic aspect of the building is not compromised and when interventions and/or alterations are required, a method statement shall be submitted to ensure that these are carried out in a satisfactory manner.

In this case the Planning Directorate notes the CHAC's comments which stated that "*Din il-proposta se tkompli tizznatura il-karattru storiku u rurali awtentiku tal-post. Ghalhekk il-Kumitat hu tal-fehma li **din it-talba ma ghandiex tigi milqugha.***" Whilst the HPUC stated that the proposed interventions are minor and thus not objectionable, the Planning Directorate notes that the proposed interventions whilst minor, continue to change the nature of the internal layout of the scheduled farmhouse. Whilst the original farmhouse was characterised by wide internal dividing walls - typical of vernacular architecture - and that the previous permits allowed their breach / access widening, most of the said dividing walls could still be 'read' as they retained their width and position; acting as a 'memory' screen of the original structure. **The proposal will do away with the remaining original parts of the internal dividing walls.** Furthermore these works (which have already been illegally carried out) are **not covered by a restoration / works method statement** (which should have been a must given that the building is scheduled). Thus the proposal is not acceptable according to **Criteria 1 and 2 of Policy 6.2B the RPDG (2014)**. Consequently the proposal runs counter to **Thematic Objective 8 (6, 7) and Urban Objective 2 (2) of the SPED** which call for controlling activities which impact scheduled and vernacular buildings and to encourage good restoration practices and conservation.

In view of the above, a refusal is recommended.

Revised Conditions/Reasons:

- 1 The proposal cannot be considered further unless the following illegal development is first sanctioned or removed and this in terms of regulation 17 of Legal Notice 162 of 2016. The illegal development consists of the modifications carried out departing from approved permit PA 2600/06. These are being indicated as proposed development in this application; however it is clear that they have already been carried out but no request for their sanctioning is made in this application.

- 2 The proposed internal alterations, which have already been carried out, have removed all the remaining original parts of the internal walls which formed an integral part of the Grade 2 scheduled building. These were vernacular features which merited to be conserved. Furthermore, these alterations were not covered by a restoration / works method statement. Thus the proposal runs counter to Criteria 1 and 2 of Policy 6.2B the Rural and Policy and Design Guidance (2014). Consequently the proposal runs counter to Thematic Objective 8 (6, 7) and Urban Objective 2 (2) of the Strategic Plan for the Environment and Development which call for controlling activities which impact scheduled and vernacular buildings and to encourage good restoration practices and conservation.

The DPA report for the case is also being appended for ease of reference.

Endorsed by: Anthony Borg

Appendix: Development Permission Application Report

1. Information Note:

Please note that the report below could have been prepared in relation to a set of drawings other than the ones listed in the previous sections of this updated statement.

2. Representations:

Objection letter from the Ramblers Association of Malta dated 27/11/2010 (docs. 17, 18, 19 & 64), FAA Committee dated 29/11/2010 (doc. 20), , Archaeological Society Malta dated 02/01/2012 (doc. 61) and Rabat Local Council dated 01/02/2012 (doc. 62). The main concerns outlined in these letters are as follows;

- There is no justification to sanction, even less to modify the terms of that sanction.
- This is the third application to sanction illegal development after irreparable damage was caused to a Grade 2 building, which consequently made the MEPA Board downgrade it to Grade 3.
- Approval of this application will denote that the policy of continuous abuse is sooner or later rewarded by MEPA, and will confirm that it pays to present illegalities to MEPA as a fait accompli.
- Further validations of planning applications on the protected site of Ta Baldu should be suspended in consideration that it would have more proper to apply; a) Art 39/A because the proposed development was not as described by applicant in his application forms; and b) Art 52.7 of the Planning Act (2008) for the dismissal of relevant applications following verification that stop orders went unheeded.
- It is incorrect practice that an application is accepted or validated from an architect whose role in the same case is still being considered by the MEPA chairman.
- The display of the permit for public viewing was affixed to a wall in a place where access to the public is prohibited by the illegally installed gate and by the unofficial "NO ENTRY" signs recently put up.
- The proposed modifications are not necessary for the improvement of the infrstrsuture of a Natura 2000 site but will only add to the alien ambience of "landscaped villa garden".
- The proposed modifications will destroy the true "staple" character of the listed building.

Letter from the Dingli Local Council dated 02/01/2012 (doc. 60) where the Local Council is requesting to be registered as an official objector. The Local Council is stating that the application does not propose any improvement in managing the site and further technical submissions may be carried out by the Council as it deems fit in order to assist MEPA.

Objection letter from the Ta Baldu farmers dated 13/12/2011 (doc. 63). The objectors are contending that;

- Development within a Natura 2000 should be of national interest only.
- The intrinsic value of the existing building is not being respected.
- The provisions of Art. 39/A should be applied.

3. Notes To Committee:

- 3.2 File attached: PA2600/06
- 3.3 EPC may wish to note that this application is one of the four pending applications relating to the site in question. The other applications are PA3495/07, PA3395/08 and PA4807/10.
- 3.4 This application was pending at the Environment & Planning Review Tribunal (appeal No. 178/12) and is being processed in parallel with three other appeals cases (namely No. 149/12, 177/12 & 113/13). In EPRT Sitting dated 2nd October, 2014 the Tribunal ordered that the case be remit to the EPC Board for re-assessment in view of the recent approved Rural Policy and Design Guidance (2014) - (Minute 115).

The following comments apply in view of the new Rural Policy 2014.

Directorate's comments

The proposal seeks development permission for modifications to approved permit PA 2600/06 (which approved alterations to ground floor and construction of first floor). The ground floor area now remains unchanged in terms of area (150m²) however minor internal alterations have been carried out. Further alterations are being proposed at first floor through the installation of timber railings instead of masonry 'opramorta'. The site is located Outside Development Zone and falls within an area scheduled as a Special Area of Conservation of International Importance (LN 257/03 & GN 223/05), a Level 2 Area of Ecological Importance and High Landscape Value (GN 400/96), a Class B Archaeological Area (GN 492/06) and an Archaeological Buffer Zone (GN 114/04).

As a Preliminary Plea the Planning Directorate asserts that the EPC Board cannot hear and decide on the merits as this application does not seek to sanction the modifications requested at first floor level which have already been carried out (and are subject to ECF 313/10). In addition, other illegal developments are also present on site in the form of hard paving, installation of low pathway lighting and erection of wooden tool room (subject to ECF 102/10), the construction of a pool (subject to ECF 78/08) and fixing of wrought iron gate (subject to ENF 317/04). Article 14(1) of LN 514/10 clearly states that where illegal development is present on a site, new development on that same site cannot be considered unless it is regularized.

The new approved Rural Policy and Design Guidance 2014 is in favour of the extension to existing dwellings ODZ under policy 6.3 of the new policy. The site is scheduled as a Level 2 Area of Ecological Importance and a Class B Archaeology Area, and criterion (2) of policy 6.3 stipulates that both locations in their own merits would be considered inappropriate locations unless the development does not compromise the site scheduling characteristics. During the processing stages of this application, communication with CHAC (Doc 29) resulted in an unfavourable recommendation since the alterations would contribute towards the further loss of the historic character and rural authenticity of the structure. On the other hand, the HPUN (Doc 25) and HPUC (Doc 26) deemed the development acceptable since the modifications do not lead to

material changes to what has already been approved prior to this application. The alterations proposed development therefore are not considered as compromising the site scheduling characteristics and is in line with criterion (2) of policy 6.4.

The structure is covered by permit PA 2600/06 for residential use, and proposes a floorspace of circa 150m² and is minimal in terms of extension from the previous permit. The development is therefore also in line with the requirements of criterion (3), (4) and (5) of policy 6.4.

The original reasons for refusal are being amended accordingly, however the recommendation for refusal is being retained.

4. Case Officer's Report:

4.1 SUMMARY OF ISSUES

The alterations indicated on the submitted plans (drwgs. 1C & 1D) are not likely to affect the vernacular character of the existing farmhouse since the first floor approved in PA 2600/06 is a totally new addition (approved drwg. PA2600/06/39A).

Notwithstanding, as noted in ECF 313/10, the first floor has an area of **52sqm**, creating a **total floorspace of 200sqm**. Previous permit PA2600/06 has already granted permission for a floorspace (200m²) which exceeds that specified by policy PLP 20, hence additional extensions cannot be favourably considered. Also, in accordance with ECF 313/10, the alterations at first floor have already been carried out, and other illegalities (subject to separate enforcement notices) exist on the applicant's site. To this end, the provisions of **Regulation 14 of L.N. 514 of 2010** apply.

4.2 PROPOSAL

This is an amended development application requesting modifications to permit PA2600/06 (see drwg. 1D & approved drwg. PA2600/06/39A in relevant file). PA2600/06 approved the construction of the first floor and alterations at ground floor level. As indicated in submitted drwg. 1D, the first floor occupies an area of 52 sqm. The ground floor area remains unchanged (150 sqm) but minor internal alterations have been carried out (drwg. 1C). Further alterations are being proposed at first floor level through the installation of timber railings instead of the masonry 'apramorta'.

Works approved in PA 2600/06 were not carried out in accordance to permit and ECF313/10 was issued for the construction of a first floor larger than approved.

4.3 SITE DESCRIPTION

The farmhouse under consideration is located outside development zone within an area known as 'Ta' Baldu', limits of Dingli, off Triq Ta San Gakbu, Rabat (Malta) (see photos at doc. 1A). The area is mainly characterized by agricultural land and is surrounded by a number of valleys. Another two farmhouses are present within close proximity of this farmhouse (see site plan at doc. 41A & photos at doc. 44A & 44B in file PA2600/06). The area of 'Ta' Baldu' includes a number of environmental designations as noted in the following section.

4.4 SITE CONSTRAINTS

North West Local Plan:

- Agriculture Area
- Area of High Landscape Value
- Garigue

Map Server:

- Special Area of Conservation of International Importance - Rđumijiet ta Malta: Ir-Ramla ta-Cirkewwa sa il-Ponta ta Benghajsa (LN 257/03 & GN 223/05)
- Level 2 Area of Ecological Importance (GN400/96)
- Level 3 Area of Ecological Importance - Buffer zone to protect coastal cliffs
- Area of High Landscape Value (GN400/96)
- Class B Archaeology Area (GN492/06)
- Degree of Protection B Archaeological Area
- Archaeological Buffer Zone (GN114/04).

4.5 DEVELOPMENT PLANNING HISTORY ON SITE

ECF 86/04 – enforcement notification issued in view of illegal modifications and additions to an old structure in archaeological area. PA 800/04 was issued and sanctioned the infringements in ECF 86/04.

ECF 317/04 – enforcement notification issued in view of the construction of a water reservoir, room and fixing of a metal gate without permit. PA 3459/05 was submitted to sanction reservoir but indicated a different location. PA 7509/07 was submitted later to correct position of site and was approved. Since PA 3459/05 only sanctioned the construction of a reservoir, ECF 317/04 was referred for direct action for the removal of the pump room, steel gate and pilasters which have not been sanctioned. On 04/10/2011, enforcement officer confirmed that the plotting of ECF 317/04 is incorrect as the gate and the stone pillars are located outside the area subject to enforcement action.

PA 800/04 – full development permission application proposing the sanctioning of alterations and maintenance works. The application was approved by DCC Board in view that architect satisfied DCC requests through the submission of a method statement to address works to be carried out. The permit was issued on 02/02/2006.

PA 3459/05 - planning application proposing the sanctioning of reservoir. Application was granted by DCC Board at reconsideration in view of agricultural requirement and that reservoir is to be left open. Permit was issued on 09/01/2006.

PA 5089/05 - application proposing the maintenance of existing rubble wall, consolidation of existing road and tracks, planting of trees and soft landscaping and general cleaning of the area. The application was approved by DCC Board following a site inspection where it was noted that the development is not objectionable. Permit was issued on 07/01/2008.

ECF 503/06 – enforcement notice in view of landscaping works, reconstruction of boundary walls, formation of passage ways, ramps and stairs to valley and other engineering works without permit. The infringements have been sanctioned through permit PA 5089/05.

PA 2600/06 (attached) – application for the construction of first floor and alterations to ground floor of an existing building. The application was approved by DCC Board at reconsideration in view that extension does not exceed 50sqm and is not in conflict with grade 2 listed buildings as per policy UCO7. The permit was issued on 25/02/2008.

Page 9 of PA 3495/07 -development permission application seeking to sanction an existing gate and construct two more gates. This application is still being processed.

PA 1209/07 – development permission application for maintenance of the existing rubble walls, consolidation of existing road & tracks, planting of trees & soft landscaping and general cleaning of the area. The application has been withdrawn.

PA 7509/07 – full development permission application seeking correction of site plan from that approved in PA 3459/05. Permit was issued on 21/11/2008.

PA 3395/08 -planning application to "sanction installation of demountable pool not requiring any earth intervention". This application is being **recommended for refusal** as the pool does not comply with all of the criteria set out in Circular PA1/100 (Swimming Pools Outside Development Zone).

ECF 78/08 - enforcement notification in view of construction of swimming pool without permit. The current planning application (PA 3395/08) has been submitted accordingly.

ECF 102/10 - enforcement notification in view of hard paving of existing passageway, installation of low pathway lighting and erection of wooden tool room within scheduled property. Applicant is to submit an application in order to sanction it. A stop and enforcement notice was issued. PA 4807/10 was submitted in order to sanction these illegalities.

ECF 313/10 - enforcement notification for the construction of a first floor larger than approved. PA 4629/10 was submitted to sanction these modifications.

PA 4807/10 - application for modifications to approved permit PA 5089/05 to include already installed paving in walkways and timber shed to store agricultural tools and machinery. This application is still being processed.

4.6 POLICY CONTEXT

- **North West local Plan, July 2006**

The site falls under the North West Local Plan and is subject to the following policies:

NWAG 1: Protection of Agricultural Land - Within designated AAVs only buildings, structures and uses essential to the needs of arable agriculture will be permitted on condition that it can be demonstrated to the satisfaction of MEPA that they will not adversely affect the quality of water resources, soil and landscape, and that they will not conflict with scenic, ecological, scientific, archaeological and mineral interests. In addition, applications for agricultural related development that will result in the subdivision of land holdings will not be permitted within AAVs.

NWCO 10 : Woodland Conservation Areas and Afforestation Projects - No development that is detrimental to the ecosystem of the area will be permitted.

NWCO 13: Garigue - MEPA will protect areas of garigue from activities that create adverse impact. The illegal deposit of soil, or the use of off-roading on such areas will not be permitted.

- **Structure Plan for the Maltese Islands (December 1990)**

BEN 5 - Applications for permits outside the development zone to be judged against the Local Plans for Rural Conservation Areas, Structure Plan Policies and the Explanatory Memorandum.

RCO 2 - prohibits development within Rural Conservation Areas, with the exception to developments which are of agricultural, ecological and scenic interest.

RCO 4 - prohibits developments in rural areas which will adversely affect the scenic value of an area

RCO 12 - In Local Plans, the Planning Authority will give protection ratings to Areas of Ecological Importance and Sites of Scientific Importance as follows:

LEVEL 2 zones will include important habitat types present in relatively large areas and/or sites with

rare species or features

SET 11 – No form of urban development permitted outside the existing and committed built up areas. Permitted forms of urban development outside such areas are restricted to the categories referred to in Paragraph 7.6.

SET 12 – Applicant to present evidence as to why policy SET 11 should be infringed, if proposed development runs counter to SET 11 and, consequently, to Paragraph 7.6. Reasons must be given from a planning point of view as to why the proposal cannot be located in areas designated for development.

Paragraph 7.6 – Permitted development ODZ: farmhouses, genuine agricultural buildings, reservoirs, picnic area toilets and car parks and control buildings and walls/fences at archaeological and ecological sites.

ARC 1 - In Local Plans for Rural Conservation areas, the Planning Authority will identify and designate Areas and Sites of Archaeological Importance. In Local Plans for urban areas, whether Urban Conservation Areas or not, the Planning authority will identify and designate Sites of Archaeological Importance.

ARC 2 – In making the designations referred to in Policy ARC 1, the Planning Authority will give protection ratings as appropriate to local circumstances.

Class B: Very important to be preserved at all costs. Adequate measures to be taken to preclude any damage from immediate development.

ARC 3 - Applications for planning permission for development affecting ancient monuments and important archaeological areas and sites, including areas and sites having such potential, will normally be refused if there is an overriding case for preservation. Where there is no overriding case for preservation developments of such sites will not normally be permitted until adequate opportunities have been provided for the recording and, where desirable, the excavation of such sites.

- **Structure Plan for the Maltese Islands, Explanatory Memorandum (December, 1990)**

For Level 2 AEIs and SSIs, which include important habitat types present in relatively large areas and/or sites with rare species or features, the following are applicable;

1. Human intervention strictly controlled.

2. Physical development limited to the maintenance of already existing structures, and construction of minor amenities designed to enhance the educational and recreational use of the area) eg. narrow footpaths, nature trails, small scale visitor centres). Any such developments to be carried out with the least possible damage to the environment.

3. Traditional activities (eg. agriculture) can continue, unless in conflict with other policies, but no new land diverted to these uses except for the suitable re-establishment of abandoned fields for agriculture.

- **Development Control Outside Built-Up Areas - Policy PLP 20 (1995)**

Para. 8.1 (i to iii) – conditions for the eligibility for the conversion of buildings in rural areas. These include the requirement that the building must be of architectural and historical interest, when the proposal leads to an improvement to the rural character of the area, the building is clearly redundant (subject to proof), the building must be in sound structural condition and does not require substantial rebuilding.

Para 8.1. (vii) - the new use of the building must not adversely affect the visual character of the site and its surroundings or the wider landscape setting of the area in which it is situated.

Para. 8.1 (ix) - adequate provision must be made for services including the disposal of sewage.

Para. 8.2 (i) – the need for the new development must be clearly explained and justified, to the satisfaction of the Authority, and in particular why the proposal cannot be accommodated on a site within the limits of development.

Para. 8.2 (ii) – the applicant must be able to demonstrate that the original building or use is implemented in accordance with a valid development permit, or that the development dates from a period before such permits were necessary.

Para. 8.2 (iii) - extensions to existing buildings must not create a total floorspace which exceeds 150 sqm.

Para. 8.2 (vi) – the visual impact of the new development, particularly its scale and massing, must be acceptable in the wider landscape setting of the site. If new development would be prominent in attractive or important views and cannot be adequately screened by landscaping, it will not be acceptable.

Para. 8.2(viii) – Extension to a residential property which creates a new unit of accommodation will not be acceptable.

- **Regulation 14 of LN 514/10**

Without prejudice to article 70 and the Sixth Schedule of the Act, when existing development on site is wholly or partly illegal, the Authority shall refuse a development application relating to new development on that site, unless the illegal development is included for sanctioning and the illegal development complies with the current policies.

4.7 CONSULTATIONS

Heritage Protection Unit (Natural) (HPUN) - In view of the site scheduling, paragraph 15.38 of the Structure Plan Explanatory Memorandum applies, which, inter alia, specifies that only maintenance to existing buildings may be considered. Unfortunately, this overarching development control parameter has been undermined through former permits on site. HPUN concluded that the proposed modifications do not lead to material changes to what has already been approved prior to this application. Thus, the proposed modifications (shown on drawings 1C to 1E.) are deemed acceptable from a scheduled natural heritage perspective (min. 25).

Heritage Protection Unit (Cultural) (HPUC)

- Proposed modifications to approved permit will not impact on the archaeological features recorded in the area (min. 26).
- There is **no objection** to the proposal from a cultural heritage point of view since: a) The proposal aims at modifying the permission granted and not the building proper. Most of the changes are less intensive than the original proposal and thus may be considered acceptable; and b) The modifications at first floor are not an issue as this is a modern extension and thus is of no cultural heritage value;
- HPU is however concerned by the successive applications submitted in this area which are serving to further urbanise a predominantly rural area (min. 31).

Cultural Heritage Advisory Committee (CHAC)

CHAC mtg. no. 634 dated 17/01/11

*Il-Kumitat ikkunsidra it-talba u innota ukoll il-minuti nru 25/26. Il-kumitat hu tal-fehma li dan huwa post ta' importanza storika u ambjentali eccezzjonali u ix-xogholijiet li saru sa issa, (ghalkemm koperti bil-permess PA2600/06), u dawk proposti mhumiex kompatibli mal valur ta' dan il-post bhala wirt nazzjonali. Din il-proposta se tkompli tizznatura il-karattru storiku u rurali awtentiku tal-post. Ghalhekk il-Kumitat hu tal-fehma li **din it-talba ma ghandiex tigi milqugha**. L-applikant ghandu jehel multa adegwata ghax xoghol li sar bla permess (min. 29).*

- EPD notes that this application is one of a series of piecemeal submissions forming part of a

more extensive intervention that is totally unacceptable in principle & re-iterated the comments made on other pending applications for the same site (PA3395/08; PA 3495/07). Such proposals in the area are cumulatively transforming the site into a developed area regardless of its sensitive location, its formal scheduling, and its Natura 2000 designation.

- The piecemeal modifications proposed by this application are considered minor, and are not expected to give rise to a significant impact on the integrity of the SAC and would not require further assessment as per Regulation 19 of LN 311/06.
- However, the proposal is objectionable from a wider aspect, as it would further consolidate an unacceptable land use within a particularly sensitive location and further alter the characteristics of the site.
- Thus EPD considers the proposal as objectionable in principle.
- Other applications granted on the same site are currently under review vis-à-vis possible revocation of permit including PA 2600/06 (doc. 30).

Sanitary Engineering Office (SEO)

Sanita approved plans 1c, 1d on condition that internal height of habitable rooms is not less than 2.75m (min. 67).

4.8 COMMENTS

--Foreword

The farmhouse is located within the area known as Ta Baldu, situated at the limits of Dingli. Due to its landscape and environmental characteristics, Ta Baldu falls within a **Special Area of Conservation under the EU Habitats Directive**; a **Level 2 Area of Ecological Importance and Site of Scientific Importance (GN 400/96)**; and scheduled **Area of High Landscape Value** (see EPD memo in doc. 42). The site is also falls within a **Class A 'Area of Archaeological Importance' (AAI)** featuring a series of rock-cut reservoirs hewn cut of the rock having a rock-cut square pillar supporting the natural roof.

The farmhouse is located outside development zone and does not fall within the boundaries of a **Category Settlement** as identified in the **Local Plans**; hence development should be restricted to conserve the rural environment and limit intensification of buildings within rural areas as per **Structure Plan policy RCO 2**. To this end, the provisions of **PLP 20 - "Development Control Guidance - Developments Outside Built-up Area**.

--Scale and Design

PA2600/06 granted permission for an extension of 50 sqm at first floor level, overlying the original ground floor level (150 sqm), creating a total floorspace of 200 sqm (refer to PA2600/06/39A in file PA2600/06). The proposal is requesting to carry out modifications to the approved first floor, including the installation of timber railings instead of masonry 'apramorta', and minor internal alterations at ground floor (drwg. 1C/1D). Drawing 1D shows the proposed first floor level with a floorspace of 51 sqm, however **ECF 313/10 (see para. 4.5) noted that the existing first floor has already been constructed, and it is slightly larger (52 sqm) than that approved.**

From a heritage aspect, there are no particular concerns for these modifications, as they do not lead to material changes to what has already been approved (min. 25), and since the first floor has no cultural significant since it had been approved as a totally new extension to the original building (mins. 25 & 31). Contrary to this, the **Cultural Heritage Advisory Committee (CHAC) objected to the proposal, stating that the works approved in PA 2600/06 and the proposal, are not compatible with this area of national importance (min. 29)**

The amendments are not affecting the overall massing of the farmhouse and are not likely to increase the visual impact. However, criterion (iii) in Section 8.2 of PLP 20 states that extensions to existing buildings must not create a total floorspace which exceeds 150 sqm. In view that the building was already granted permission for a 200 sqm floorspace, the increase in floorspace by 2

sqm runs counter to this policy.

—Illegals

The application is seeking development permission for amendments to permit PA2600/06 (doc. 1). In accordance with ECF313/10, these amendments have already been carried out. Furthermore, the farmhouse forms part of a larger site that is subject to active enforcement notices ECF 317/04, ECF 78/08 & ECF 102/10. Two other applications have been submitted to regularise these illegalities. PA 3395/08 has been recommended for refusal and is currently pending decision. PA 4807/10 is still being processed in view of additional studies that are required (refer to paragraph 4.5). In view that this application is not requesting sanctioning, and in view of the other enforcement notices, provisions of Regulation 14 of LN 514/10 apply and the application cannot be considered any further.

4.9 COMMUNICATION WITH ARCHITECT

The architect was also requested to submit a revised site plan indicating the full extent of the application site (including all land necessary to carry out the proposed development) outlined in red and all the other land in the area owned by the applicant outlined in blue & to update Section 13 of the application form (missing scheduling information). A revised site plan was submitted at doc. 41A.

4.10 CONCLUSION

The modifications to the first floor level have already been carried out as per ECF313/10. In view that this application does not specifically seek to regularize these interventions, and since other enforcement notices are active on site, the proposal cannot be considered further in terms of Regulation 14 of the Legal Notice 514/10. Also, the alterations to the originally approved first floor are creating a total floorspace of 202 sqm, and hence cannot be favourably considered in terms of Section 8.2 (iii) of Policy PLP 20.

5. Recommendation: REFUSE - for the following reasons:

- 0 ~~The proposal runs counter to the Policy and Design Guidance — Developments Outside Built-up Areas (1995), in particular to Sections 8.2 (iii) in that the approved floorspace already exceeds the maximum allowable floorspace of 150m².~~
- 1 The modifications to the approved first floor have already been carried out as indicated Enforcement Notice ECF 313/10. Furthermore, the farmhouse forms part of a larger site that is subject to active enforcement notices ECF 317/04, ECF 78/08 & ECF 102/10. Therefore, the proposal cannot be considered further unless all illegalities are specifically indicated for sanctioning on the proposal description, as required by Regulation 14 of Legal Notice 514 of 2010.

Case Officer: Jonathan Borg

Endorsed By: Alexander Zammit

Signature:

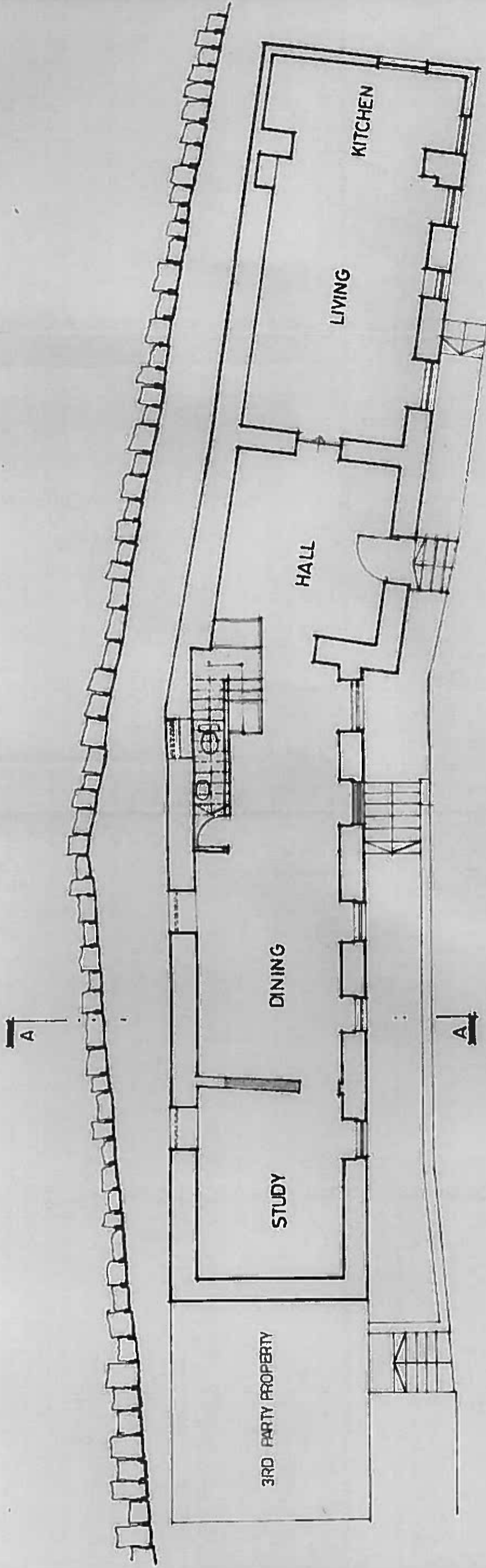
Signature:

Date:

Date:

Planning Commission (Development Permissions) Decision:

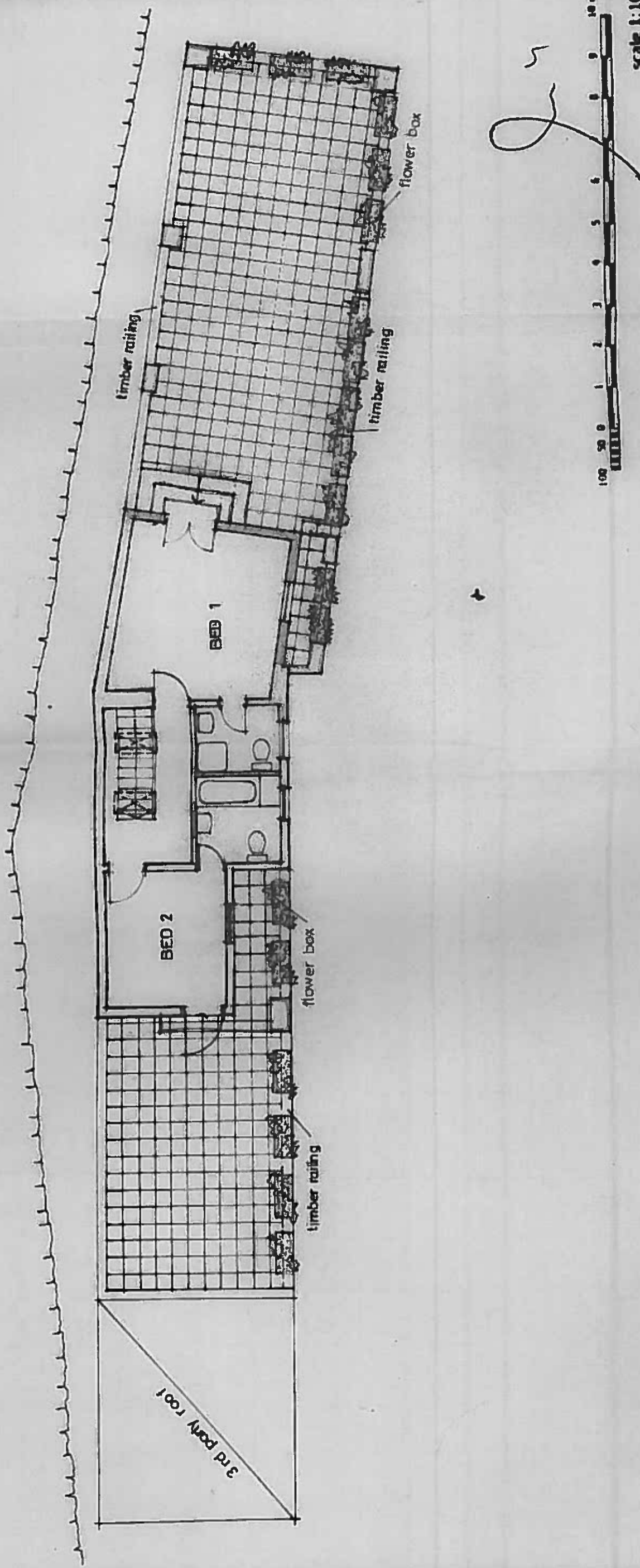
-PAABRepUpdEndorsed-



PROPOSED GROUND FLOOR

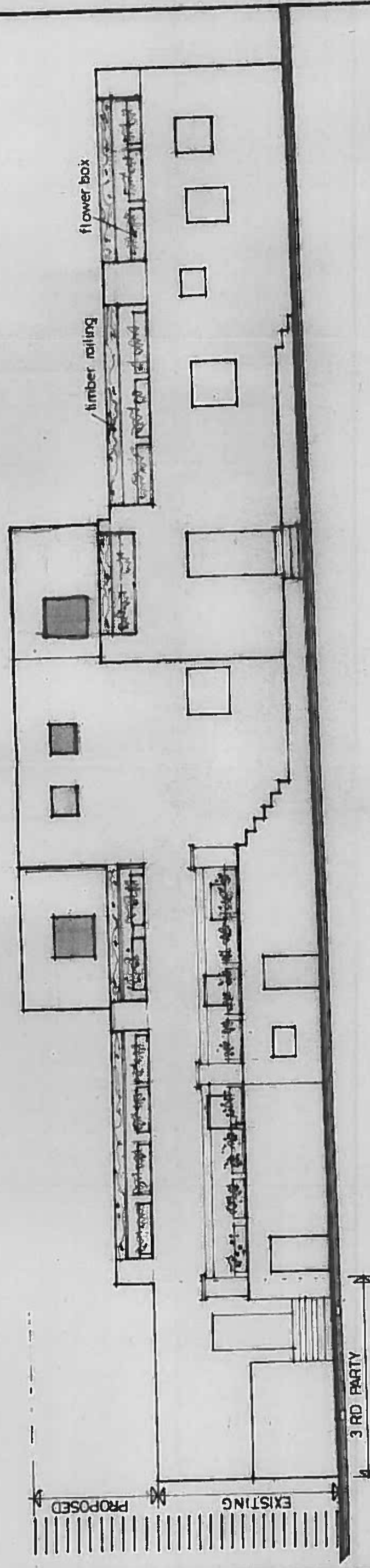
CHRISTIAN SPITERI		scale	1:100	client	J. BORG	location	TA BALDU DINGLI	drawing title	PROPOSED GROUND FLOOR PLAN	project title	CONSTRUCTION OF FIRST FLOOR AND ALTERATIONS TO GROUND FLOOR
ARCHITECT & CIVIL ENGINEER		drawn by	JLM								
		checked by	CS								
		drawing no.									
		date	MAR 06								
		file no.									
27, St. Georges Str, Gzira. GZR 04											
Telephone: 21 32 00 05, 21 32 00 33 Fax: 21 34 71 26											

1d 741389

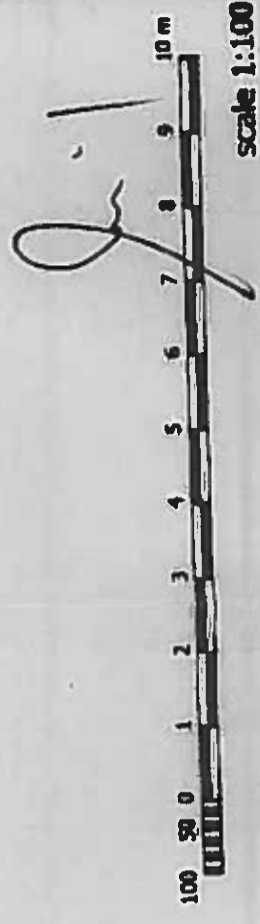


CHRISTIAN SPITERI		client		location		drawing title		project title	
ARCHITECT & CIVIL ENGINEER		J. BORG		TA BALDU DINGLI		PROPOSED FIRST FLOOR		CONSTRUCTION OF FIRST FLOOR AND ALTERATIONS TO GROUND FLOOR	
scale	1:100								
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checked by	CS								
drawing no									
date	MAY 07								
file no									
27, St Georges Str, Gzira. GZR 04									
Telephone: 21 32 00 05, 21 32 00 33 Fax: 21 34 71 26									

NOTE
1E 741390
 1 FACADE TO BE PAINTED IN POMPEIAN RED TO MATCH EXISTING
 2 APERTURES TO BE IN TIMBER



ELEVATION



scale 1:100

CHRISTIAN SPITERI ARCHITECT & CIVIL ENGINEER 27, St. Georges St, Gzira. GZR 04 Telephone: 21 32 00 05, 21 32 00 33 Fax: 21 34 71 26		scale	1:100	client	J. BORG	location	TA BALDU DINGLI	drawing title	PROPOSED ELEVATION	project title	CONSTRUCTION OF FIRST FLOOR AND ALTERATIONS TO GROUND FLOOR
		drawn by	JLM								
	checked by	CS									
	drawing no.										
	date	MAR 06									
	file no.										

EC 00313/10

Zvilupp mhux skond il-pjanti approvati tal-permess PA 2600/06 datata 19 ta' Frar 2008, u dan peress li l-ewwel sular inbena akbar minn dak approvat fl-istess permess

Sospiz

Current Enforcement Status

Case Status: Enforcement action suspended in terms of Article 86(9), awaiting final determination of application.

Enforcement Details

Case Number:	EC/00313/10
Location of infringement:	Site at Ta` Baldu, Triq San Gakbu, Rabat (Malta)
Summary Of Infringement (In English):	Construction of first floor larger than approved in permit
Infringement (In Maltese):	Ghandek zvilupp mhux skond il-pjanti approvati tal-permess PA 2600/06 datat 19 ta' Frar 2008, u dan peress li l-ewwel sular inbena akbar minn dak approvat fl'istess permess
Enforcement Officer:	Manuel Borg

Overview

Enforcement Type:	Not According to Approved Plans
Case Category:	Accommodation - Totally New Dwelling

Interested Parties

Name	Interest	Prime Contact
Mr Jean Borg	Contravenor	Yes
Mr. Christian Spiteri	Architect	No
CRAB - Rabat Local Council (Malta)	Local Council	No

About Us

EC 00102/10

Żvilupp minghajr permess li jikkonsisti minn kisi ta' passagġ eżistenti biċ-ċangatura, installazzjoni ta' dawl dekorattiv ma' l-istess passagġ kif ukoll bini ta' kamra ta' l-injam u dan kollhu f'sit skedat

Sospiz

Current Enforcement Status		
Case Status:	Enforcement action suspended in terms of Article 86(9), awaiting final determination of application.	
Enforcement Details		
Case Number:	EC/00102/10	
Location of infringement:	Site at, Ta' Baldu, I/o Rabat	
Summary Of Infringement (In English):	Hardpaving of existing passageway, installation of low pathway lighting and erection of wooden tool room within scheduled property	
Infringement (In Maltese):	Ghandek zvilupp minghajr permess li jikkonsisti minn kisi ta' passagg ezistenti bic-cangutura, installazzjoni ta' dawl dekorattiv ma l-istess passagg kif ukoll bini ta' kamra ta' l-injam u dan kollu f'sit skedat	
Enforcement Officer:	Manuel Borg	
Overview		
Enforcement Type:	Not According to Approved Plans	
Case Category:	Agricultural	
Interested Parties		
Name	Interest	Prime Contact
Mr Jean Borg	Contravenor	Yes
Mr. Christian Spiteri	Architect	No
CRAB - Rabat Local Council (Malta)	Local Council	No

About Us

PA 03395/08

To sanction installation of demountable pool not requiring any earth intervention

Rifjutat

Mr. Jean Borg
1A,
Triq Wied Ghomor
St. Julians

Date: 30 June 2017
Our Ref: PA/03395/08

Application Number: PA/03395/08
Application Type: Full development permission
Date Received: 8 July 2008
Location: Site at Ta' Baldu L/o Dingli off, Triq San Gakbu, Rabat (Malta)
Proposal: To sanction installation of demountable pool not requiring any earth intervention.

Development Planning Act, 2016 Refusal of Development Permission

The Planning Authority hereby refuses permission for the development described above, for the following reasons:

- 1 The proposal cannot be considered further unless the following illegal development is first sanctioned or removed and this in terms of regulation 17 of Legal Notice 162 of 2016. The illegal development consists of the swimming pool and surrounding deck area which is much larger than that proposed for sanctioning in this application. Furthermore the site is subject to the modifications and interventions subject to enforcement notices ECF 102/10, ECF 78/08 & ECF 313/10 which are not yet sanctioned for.
- 2 The swimming pool runs counter to policy 6.4 of the Rural Policy and Design Guidance (2014) in that the combined area of the pool and deck exceeds the maximum allowable footprint of 75sqm. Furthermore, the swimming pool is not located within the curtilage of the dwelling; is located within a Level 2 Area of Ecological Importance and a Class B Area of Archeological Importance; and the site was previously occupied by indigenous trees which obviously had to be removed to make way for the pool.
- 3 The proposed development runs counter to Policy 1.2H of the RPDG and to Thematic Objective 8 (2, 7), Rural Objective 3 and Rural Objective 4 of the SPED which seek to safeguard protected areas and landscapes of cultural and environmental importance from unjustified development and activities that might have a deleterious impact.

Your rights to appeal to the Environment and Planning Review Tribunal, is described in the attached notes.

This decision is being published on 12 July 2017.

Marthese Debono
Secretary Planning Commission (Development Permissions)

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

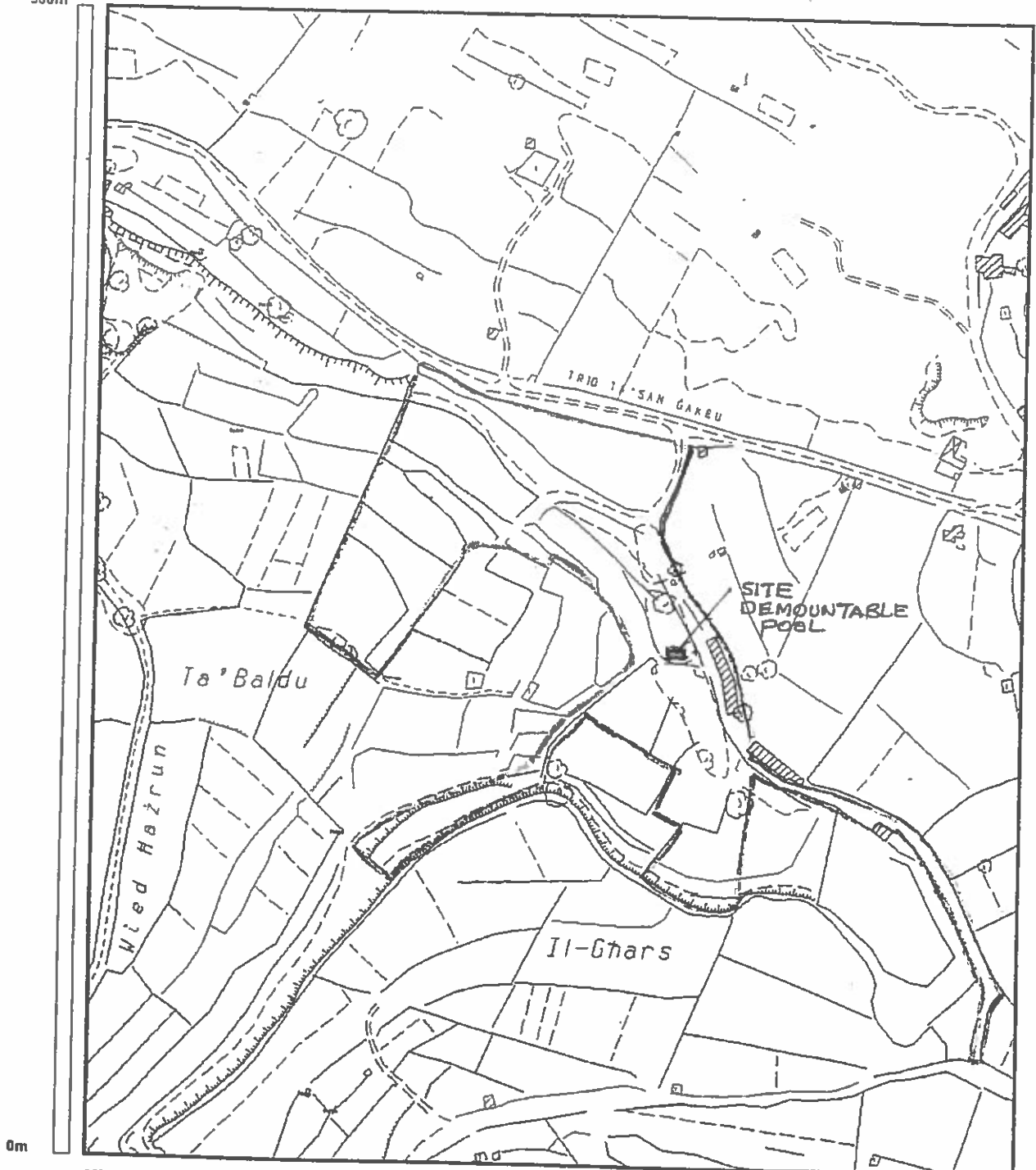
With regards to requests for reconsideration, Form PA 4/16 must be used for submission. All fields of the Form must be filled in as appropriate. Requests for reconsideration can only be submitted electronically.

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-

JEAN BOKRY
TA BALDU OFF TRIS SAN GABRU
KARAI

500m



0m

Min Easting = 42981.79, Min Northing = 69774.45, Max Easting = 43381.79, Max Northing = 70274.33



0m

400m

MEPA

St. Francis Ravelin
Floriana
PO Box 200, Valletta, Malta
Tel: +356 240976 Fax: +356 224846

www.mepa.org.mt

PA 03395/08
TO SANCTION INSTALLATION OF
DEMOUNTABLE POOL

Site Plan, Scale 1:2500 Printed on: Thursday, November 17, 2005

Not to be used for interpretation or scaling of scheme alignments

Copyright © Malta. Not for resale.

PA 03395/08

NOTIFICATION OF DEVELOPMENT APPLICATION

(In Terms of Section 32 of the Development Planning Act 1992)

Notice is hereby given that the Malta Environment & Planning Authority has received an application for a development permission.

For : To sanction installation of demountable pool not requiring any earth intervention.

At : Site at Ta' Baldu L/o Dingli off, Triq San Gakbu, Rabat (Malta)

From : Mr. Christian Spiteri

On behalf of : Mr. Jean Borg

Detailed plans may be inspected by the general public at the Malta Environment & Planning Authority, Floriana, or in the case of applications for development in Gozo, at the Malta Environment & Planning Authority's Gozo Office, Sir Luigi Camilleri Street, Victoria. Anyone wishing to make representations on the application should do so in writing to the Director of Planning at P.O. Box 200, Valletta CMR 01, not later than 10/08/2008 quoting the appropriate reference PA 03395/08 as above.

for Director of Planning

Date 18 July, 2008

DocStn

Section: Refused - Scheduled for EPCA
Board No.:

APPLICATION No. PA/03395/08

Application Details:

Applicable DC Guidance: DC15
Press Date: 26 November 2011
Application Type: Full development permission

Applicant: Mr Jean Borg
Architect: Mr. Christian Spiteri

Drawing Numbers: PA 3395/08/17a/41a

Proposal: To sanction installation of demountable pool not requiring any earth intervention.

Location: Site at Ta' Baldu L/o Dingli off, Triq San Gakbu, Rabat (Malta)

Additional Notes:

1 It is recommended that four applications; PA 4629/10, PA 4807/10, PA 3395/08 and PA 3495/07 are decided together since all concern the same site and same applicant.

2 This site is currently subject to Enforcement Action.

3 This application proposes the sanctioning of development and a fine is payable before a permit can be issued. The application has been validated before the coming into force of LN 277 of 12 (24/11/12); therefore Planning Commission should indicate whether the fine is to be minor, major or maximum.

4 The proposal has already been assessed as per DPA report in document 61. Following the refusal decision (document 67) an appeal was lodged. The EPRT referred the case for re-assessment in terms of the transitory provision clause 0.26 of the Rural Policy & Design Guidance (RPDG) 2014 (which came into force after the EPC decision to refuse) as per document 90.

During the re-processing of this application, the Strategic Plan for Environment & Development (SPED) has been approved replacing the Structure Plan. Therefore the proposal is also being re-assessed in terms the rural objectives of the SPED 2015.

Further Consultations

No further consultations were required.

Policy Context

Strategic Plan for Environment & Development (SPED) - July 2015

Thematic Objective 8

To safeguard and enhance biodiversity, cultural heritage, geology and geomorphology by:

2. Safeguarding protected areas including SACs, SPAs, and MPAs whilst enabling activities aimed at enhancing their management objectives.
7. Controlling activities which might have an impact on areas, buildings, structures, sites, spaces and species with a general presumption against the demolition of scheduled and vernacular buildings.

Rural Objective 3

To guide development which is either justified to be located in the Rural Area in approved Government policies, plans or programmes, or is incompatible with urban uses and where alternatives are not possible, to the Rural Area away from protected areas and areas of high landscape sensitivity, preferably on Areas of Containment, previously developed land or existing buildings while ensuring the improvement of the quality of the rural environment.

3. controlling the cumulative effect of such development.

Rural Objective 4

To protect and enhance the positive qualities of the landscape and the traditional components of the rural landscape.

- 3a. protect the most sensitive landscapes of cultural importance and natural beauty.

Rural Policy & Design Guidance (RPDG) - 2014

Policy 1.2H: Protection of Landscape Features

The Authority will seek to conserve, maintain and enhance important landscape features that contribute to:

- the connectivity, appearance and/or integrity of protected areas, sites and/or features,
- the character, scenic or ecological value of the rural area. Proposals which would have an adverse impact on important landscape features, including their integrity or character, will not be permitted, unless the adverse impact is avoided or mitigated to the satisfaction of the Authority.

The Authority will seek to establish a legal management agreement with the applicant to ensure adequate protection and continuous management of important landscape features.

Policy 6.4: Swimming Pools ODZ

Permission may be granted for the construction of a swimming pool outside development zone, provided that all of the following criteria are satisfied:

- (1) the proposed pool and any ancillary facilities are located within the curtilage of a legally-established accommodation;
- (2) the proposed pool and any ancillary facilities are of a compatible design and must respect the rural context. Scheduled locations (Class A or Class B Area/Site of Archaeological Importance, and/or Level 1 or 2 Area of Ecological Importance/Site of Scientific Importance) are in principle considered inappropriate locations, unless it can be duly demonstrated through the necessary assessment, that the development does not compromise the site scheduling characteristics;
- (3) within the curtilage of a legally-established accommodation the pool and the deck area shall not exceed a footprint of 75m². In the case of multiple accommodations the said maximum size of 75m² may be increased up to a maximum of 5m² per additional accommodation;
- (4) any existing trees and shrubs within the curtilage of the site shall be retained and incorporated as part of a proposed soft landscaping scheme, which shall contain a number of trees and shrubs of at least three different indigenous species, planted in clusters around the pool area; and
- (5) any ancillary facilities shall consist solely of toilets, showers and/or changing rooms, adequately screened and shall not exceed a height of 2.5m and a combined floor space of not more than 6m². The design shall be appropriate to their setting and the use of timber may be considered. Structures such as pump rooms should be located completely underground.

LN 162/16 (Regulation 17)

- (5) Where parts of a site or building are illegal, permission for new development elsewhere on the site or on the building shall not be refused solely because there are illegalities on the site or on the building, subject, however, to all of the following conditions:
- (a) the illegal parts do not form part of the application; and
 - (b) granting permission for the new development will not physically prevent, hinder or make difficult enforcement action, either for the removal or for the rectification, of the illegal parts; and
 - (c) the applicant has no control, whether directly or indirectly, over the illegal parts and the applicant was not involved directly or indirectly in the illegal development, even if the development formed part of a larger development which includes the illegal parts.

Discussion

Introduction

This is a full development permission application seeking to sanction a demountable swimming pool (see photos at document 9A).

The site is located within the area known as Ta Baldu, situated at the

limits of Dingli. Due to its landscape and environmental characteristics, Ta Baldu falls within a **Special Area of Conservation** (92/43/EEC and EU Birds Directive (79/409/EEC) via GN 223/05 and LN 112/07; a Level 2 Area of Ecological Importance and Site of Scientific Importance (GN 400/96); and scheduled **Area of High Landscape Value** (GN 400/96) (see EPD doc. 42). The site is also subject to a number of archaeological-related constraints; Degree of Protection B - Site of Archaeological Importance featuring a series of rock-cut reservoirs hewn cut of the rock having a rock-cut square pillar supporting the natural roof; Class B Archaeological Area (GN 492/06) and a designated Archaeological Area under GN 114/04.

Illegal development on site

The drawings indicate that the pool has an approximate area of 18sq.m and the surrounding teak wood decking amounts to circa 35sq.m - see drawing at document 17a. However, according to the 2016 aerial photograph the pool has, in reality, an area of 31sq.m and the entire pool and deck area amounting to over 90sq.m - see document 106.

This means that the proposal is not attempting to sanction the illegal development which really took place on site. The submitted drawings are incorrect in terms of the real areas under development. Thus the proposal is also running counter to the submission standards set in PA Circular 4/16.

Furthermore, the site is subject to other active enforcement notices ECF 102/10, ECF 78/08 & ECF 313/10. PA 4807/10, PA 3395/08 and PA 4629/10 were submitted to partially (i.e. not all) address these infringements; however these applications are still pending. In line with **Regulation 17 (5) of LN 162/16**, when existing development on site is wholly or partly illegal, the Authority shall refuse a development application relating to new development on that site, unless the illegal development is included for sanctioning and the illegal development complies with the current policies.

Swimming Pool

Policy 6.4 of the RPDG (2014) states that permission may be granted for the construction of a swimming pool outside development zone, provided that all of the following criteria are satisfied (the statements in bold is the assessment of the proposal in relation to the stated criteria):

(1) the proposed pool and any ancillary facilities are located within the curtilage of a legally-established accommodation;

The swimming pool is **not** located within the curtilage of the dwelling. It is located about 16m away from the dwelling separated by a country path and a terrace; i.e. the swimming pool is located two terraces down from the scheduled farmhouse.

(2) the proposed pool and any ancillary facilities are of a compatible design and must respect the rural context. Scheduled locations (Class A or Class B Area/Site of Archaeological Importance, and/or Level 1 or 2 Area of Ecological Importance/Site of Scientific Importance) are in principle considered inappropriate locations, unless it can be duly demonstrated through the necessary assessment, that the

development does not compromise the site scheduling characteristics;
The swimming pool is located within a Level 2 Area of Ecological Importance, a Special Area of Conservation (Natura 2000) and a Class B Area of Archaeological Importance. The proposal maintains that the swimming pool is demountable. Nevertheless the section drawing is clear that the pool has occupied the terrain of a low lying terrace raising the site levels by at least 3m which naturally have a visual impact on the topographical setting of the landscape. Furthermore, the raised platform has completely covered the terrain which obviously has an impact on the underlying ecology and habitat - which is in itself forming part of the scheduled area of ecological importance. The Environmental Protection Directorate (EPD; ERA's predecessor) has maintained that the site which was previously occupied by indigenous trees is being formalised with these works. Moreover, given its location within a valley and an ecological sensitive area, the pool cannot be adequately screened.

(3) within the curtilage of a legally-established accommodation the pool and the deck area shall not exceed a footprint of 75m². In the case of multiple accommodations the said maximum size of 75m² may be increased up to a maximum of 5m² per additional accommodation;
The swimming pool and deck have a comprehensive area of circa 90sq.m - exceeding the limit permitted by this policy.

(4) any existing trees and shrubs within the curtilage of the site shall be retained and incorporated as part of a proposed soft landscaping scheme, which shall contain a number of trees and shrubs of at least three different indigenous species, planted in clusters around the pool area; and

The EPD have stated that the site which was previously occupied by indigenous trees which obviously had to be removed to make way for the pool. This can easily be confirmed by comparing the 2016 aerial photograph with that dating to 2004 - see document 107.

(5) any ancillary facilities shall consist solely of toilets, showers and/or changing rooms, adequately screened and shall not exceed a height of 2.5m and a combined floor space of not more than 6m². The design shall be appropriate to their setting and the use of timber may be considered. Structures such as pump rooms should be located completely underground.

No ancillary facilities are being proposed.

In view of the assessment above, the proposed sanctioning of the swimming pool and deck area is not acceptable in that it runs counter to criteria 1 to 4 of Policy 6.4 of the RPDG (2014). Consequently it runs counter to Policy 1.2H of the RPDG and to Thematic Objective 8 (2, 7), Rural Objective 3 and Rural Objective 4 of the SPED which seek to safeguard protected areas and landscapes of cultural and environmental importance from unjustified development and activities that might have a deleterious impact.

Conclusion

The proposal runs counter to various of the established policies and thus it is being recommended to be refused.

Revised Conditions/Reasons:

- 1 The proposal cannot be considered further unless the following illegal development is first sanctioned or removed and this in terms of regulation 17 of Legal Notice 162 of 2016. The illegal development consists of the swimming pool and surrounding deck area which is much larger than that proposed for sanctioning in this application. Furthermore the site is subject to the modifications and interventions subject to enforcement notices ECF 102/10, ECF 78/08 & ECF 313/10 which are not yet sanctioned for.

- 2 The swimming pool runs counter to policy 6.4 of the Rural Policy and Design Guidance (2014) in that the combined area of the pool and deck exceeds the maximum allowable footprint of 75sqm. Furthermore, the swimming pool is not located within the curtilage of the dwelling; is located within a Level 2 Area of Ecological Importance and a Class B Area of Archeological Importance; and the site was περιουσιω οχχυπιεδ βψ ινδιγενουσ τρεεσ ωηιχη οβπιουσιψ ηαδ το βε ρεμοσιεδ το μακε ωαψ φορ τηε ποολ.

- 3 The proposed development runs counter to Policy 1.2H of the RPDG and to Thematic Objective 8 (2, 7), Rural Objective 3 and Rural Objective 4 of the SPED which seek to safeguard protected areas and landscapes of cultural and environmental importance from unjustified development and activities that might have a deleterious impact.

The DPA report for the case is also being appended for ease of reference.

Endorsed by: Anthony Borg

Appendix: Development Permission Application Report

1. Information Note:

Please note that the report below could have been prepared in relation to a set of drawings other than the ones listed in the previous sections of this updated statement.

2. Representations:

Objection letter from the Ramblers Association of Malta (RAM) dated 12/11/2009 (doc. 53). RAM are contending that;

- The placement of a demountable pool in the Natura 2000 site constitutes a grave risk to biodiversity of the site not only because of the impact of its physical presence but even more because of the chemicals that have to be used for its cleansing and the absence of drainage system to backwash the filtering system.
- First the works are illegally carried out within this Natura 2000 site and afterward sanctioning is sought.

Objection letter from the Ta Baldu farmers dated 15/12/2011 (doc. 54). The objectors are contending that;

- Development within a Natura 2000 should be of national interest only.
- The placement of a demountable pool in the Natura 2000 site is severely threatening the biodiversity of the site.
- This area is also characterised by agricultural fields and hence when one makes use of this pool will be intruding on the farmers while carrying out their duties.

Objection letter from Din I-Art Helwa dated 14/12/2011 (doc. 55) in view that this application is ODZ and does not require any necessary infrastructural works.

Letter from the Dingli Local Council dated 16/12/2011 (doc. 56 & 57) where the Local Council is requesting to be registered as an official objector. The Local Council is stating that the application does not propose any improvement in managing the site and further technical submissions may be carried out by the Council as it deems fit in order to assist MEPA.

3. Notes To Committee:

- 3.1 This site is currently subject to Enforcement Action.
- 3.2 EPC may wish to note that this application is one of the four pending applications relating to the site in question. The other applications are PA3495/07, PA4629/10 and PA4807/10.
- 3.3 This application was pending at the Environment & Planning Review Tribunal (appeal No. 149/12) and is being processed in parallel with three other appeals cases (namely No. 177/12, 178/12 & 113/13). In EPRT Sitting dated 2nd October, 2014 the Tribunal ordered that the case be remit to the EPC Board for re-assessment in view of the recent approved Rural Policy and Design Guidance (2014) - (Minute 115).

Directorate's comments

The proposal seeks development permission for the sanctioning of installation of a demountable pool not requiring earth intervention. The site is located Outside Development Zone and falls within an area scheduled as a Special Area of Conservation of International Importance (LN 257/03 & GN 223/05), a Level 2 Area of Ecological Importance and High Landscape Value (GN 400/96), a Class B Archaeological Area (GN 492/06) and an Archaeological Buffer Zone (GN 114/04).

As a Preliminary Plea the Planning Directorate asserts that the EPC Board cannot hear and decide on the merits of this appeal as this application seeks to sanction illegal development in a scheduled area. Article 70 (1) and Schedule 6 (2) of Act X of 2010 (Environment and Development Planning Act) unequivocally state that no development may be regularized in scheduled property.

Further to this, this application does not seek to sanction other illegal developments on site in the form of hard paving, installation of low pathway lighting and erection of wooden tool room (subject to ECF 102/10), the fixing of a metal gate (subject to ECF 317/04) and construction of a first floor larger than approved in PA 2600/06 (subject to ECF 313/10). Article 14(1) of LN 514/10 clearly states that where illegal development is present on a site, new development on that same site cannot be considered unless it is regularized.

The new approved Rural Policy 2014 is in favour for the construction of a swimming pool under Part 6 of the new policy. Although in accordance with photos at Doc 9A and plans at Doc 17A) the proposed area of pool has an area of 18m² with an additional 35m² teak wood decking. Although such areas are within the acceptable areas (as per criterion (3) of the same policy), criterion (2) stipulates that "the proposed pool and any ancillary facilities are of a compatible design and must respect the rural context".

The site is scheduled as a Level 2 Area of Ecological Importance and a Class B Archaeology Area, and criterion (2) of policy 6.4 stipulates that both locations in their own merits would be considered inappropriate locations; therefore the fact that the site is covered by a high level of protection for ecological and archaeological reasons combined places any arguments that the development may be considered acceptable to rest. This recommendation is further confirmed by consultations carried out during the processing stages of the application, where the EPD (Doc 22), the NHAC (Doc 24), the HPUN (Doc 28) and the HPUC (Doc 29) all objected to the proposal. The development has compromised the site scheduling characteristics and runs counter to criterion (2) of policy 6.4.

The original reasons for refusal are being amended accordingly, however the recommendation for refusal is being retained.

4.1 SUMMARY OF ISSUES

The proposed sanctioning of swimming pool does not conform to Circular PA 1/00 (Development Control Policy - Swimming Pools Outside Development Zone), in particular to criterion (1) as the pool involves the loss of agricultural land and is adversely impacting on this site of ecological importance; criterion (2) as the siting of pool cannot accommodate landscaping to screen the development; and criterion (3) in view that the ancillary decking (35m²) exceeds 50% of the swimming pool area.

With respect to the above, the proposal also conflicts with the general objectives of Structure Plan policy RCO 4 which prohibits any development which adversely affects the scenic value of rural areas and policies RCO 10 & RCO 12 which aim at the protection of Areas of Ecological Importance.

4.2 PROPOSAL

This is a full development permission application seeking to sanction a demountable swimming pool (see photos at doc. 9A). The pool has an approximate area of 18m² and includes also a 35m² teak wood decking (see photos at doc. 9A & drwg. 17A).

4.3 SITE DESCRIPTION

The site is outside development zone within an area known as Ta Baldu, limits of Dingli, off Triq Ta San Gakbu, Rabat (Malta). The area is mainly characterized by agricultural land forming part of a valley (see photos at doc. 1B and site-plan 41A).

4.4 SITE CONSTRAINTS

North West Local Plan

- Agriculture Area (North West Local Plan Map: 2)
- Area of High Landscape Value (North West Local Plan Map: 2)
- Garigue

Map Server

- Special Area of Conservation of International Importance - Rdimijiet ta Malta: Ir-Ramla ta-Cirkewwa sa il-Ponta ta Benghajsa (LN 257/03 & GN 223/05)
- Level 2 Area of Ecological Importance (GN400/96)
- Level 3 Area of Ecological Importance - Buffer zone to protect coastal cliffs
- Area of High Landscape Value (GN400/96)
- Class B Archaeology Area (GN492/06)
- Degree of Protection B Archaeological Area
- Archaeological Buffer Zone (GN114/04).

4.5 DEVELOPMENT PLANNING HISTORY ON SITE

ECF 86/04 – enforcement notification issued in view of illegal modifications and additions to an old structure in archaeological area. PA 800/04 was issued and sanctioned the infringements in ECF 86/04.

ECF 317/04 – enforcement notification issued in view of the construction of a water reservoir, room and fixing of a metal gate without permit. PA 3459/05 was submitted to sanction reservoir but indicated a different location. PA 7509/07 was submitted later to correct position of site and was approved. Since PA 3459/05 only sanctioned the construction of a reservoir, ECF 317/04 was

referred for direct action for the removal of the pump room, steel gate and pilasters which have not been sanctioned. On 04/10/2011, enforcement officer confirmed that the plotting of ECF 317/04 is incorrect as the gate and the stone pillars are located outside the area subject to enforcement action.

PA 800/04 – full development permission application proposing the sanctioning of alterations and maintenance works. The application was approved by DCC Board in view that architect satisfied DCC requests through the submission of a method statement to address works to be carried out. The permit was issued on 02/02/2006.

PA 3459/05 - planning application proposing the sanctioning of reservoir. Application was granted by DCC Board at reconsideration in view of agricultural requirement and that reservoir is to be left open. Permit was issued on 09/01/2006.

PA 5089/05 - application proposing the maintenance of existing rubble wall, consolidation of existing road and tracks, planting of trees and soft landscaping and general cleaning of the area. The application was approved by DCC Board following a site inspection where it was noted that the development is not objectionable. Permit was issued on 07/01/2008.

ECF 503/06 – enforcement notice in view of landscaping works, reconstruction of boundary walls, formation of passage ways, ramps and stairs to valley and other engineering works without permit. The infringements have been sanctioned through permit PA 5089/05.

PA 2600/06 – application for the construction of first floor and alterations to ground floor of an existing building. The application was approved by DCC Board at reconsideration in view that extension does not exceed 50sqm and is not in conflict with grade 2 listed buildings as per policy UCO7. The permit was issued on 25/02/2008.

PA 3495/07 - application seeking to sanction an existing gate and construct two more gates. This application is still being processed.

PA 1209/07 – development application for maintenance of the existing rubble walls, consolidation of existing road & tracks, planting of trees & soft landscaping and general cleaning of the area. The application has been withdrawn.

PA 7509/07 – full development application seeking correction of site plan from that approved in PA 3459/05. Permit was issued on 21/11/2008.

ECF 78/08 - enforcement notification in view of construction of swimming pool without permit. The current planning application (PA 3395/08) has been submitted accordingly.

ECF 102/10 - enforcement notification in view of hard paving of existing passageway, installation of low pathway lighting and erection of wooden tool room within scheduled property. Applicant is to submit an application in order to sanction it. A stop and enforcement notice was issued. PA 4807/10 was submitted in order to sanction these illegalities.

ECF 313/10 - enforcement notification for the construction of a first floor larger than approved. PA 4629/10 was submitted to sanction these modifications.

PA 4629/10 - application for modifications to approved permit PA2600/06. This application is still being processed.

PA 4807/10 - application for modifications to approved permit PA 5089/05 to include already installed paving in walkways and timber shed to store agricultural tools and machinery. This application is still being processed.

- **North West local Plan, July 2006**

The site falls under the North West Local Plan and is subject to the following policies:

NWAG 1: Protection of Agricultural Land - Within designated AAVs only buildings, structures and uses essential to the needs of arable agriculture will be permitted on condition that it can be demonstrated to the satisfaction of MEPA that they will not adversely affect the quality of water resources, soil and landscape, and that they will not conflict with scenic, ecological, scientific, archaeological and mineral interests. In addition, applications for agricultural related development that will result in the subdivision of land holdings will not be permitted within AAVs.

NWCO 10 : Woodland Conservation Areas and Afforestation Projects - No development that is detrimental to the ecosystem of the area will be permitted.

NWCO 13: Garigue - MEPA will protect areas of garigue from activities that create adverse impact. The illegal deposit of soil, or the use of off-roading on such areas will not be permitted.

- **Structure Plan for the Maltese Islands (December 1990)**

BEN 5 - Applications for permits outside the development zone to be judged against the Local Plans for Rural Conservation Areas, Structure Plan Policies and the Explanatory Memorandum.

RCO 2 - prohibits development within Rural Conservation Areas, with the exception to developments which are of agricultural, ecological and scenic interest.

RCO 4 - prohibits developments in rural areas which will adversely affect the scenic value of an area

RCO 12 - In Local Plans, the Planning Authority will give protection ratings to Areas of Ecological Importance and Sites of Scientific Importance as follows:

LEVEL 2 zones will include important habitat types present in relatively large areas and/or sites with rare species or features

SET 11 – No form of urban development permitted outside the existing and committed built up areas. Permitted forms of urban development outside such areas are restricted to the categories referred to in Paragraph 7.6.

SET 12 – Applicant to present evidence as to why policy SET 11 should be infringed, if proposed development runs counter to SET 11 and, consequently, to Paragraph 7.6. Reasons must be given from a planning point of view as to why the proposal cannot be located in areas designated for development.

Paragraph 7.6 – Permitted development ODZ: farmhouses, genuine agricultural buildings, reservoirs, picnic area toilets and car parks and control buildings and walls/fences at archaeological and ecological sites.

ARC 1 - In Local Plans for Rural Conservation areas, the Planning Authority will identify and designate Areas and Sites of Archaeological Importance. In Local Plans for urban areas, whether Urban Conservation Areas or not, the Planning authority will identify and designate Sites of Archaeological Importance.

ARC 2 – In making the designations referred to in Policy ARC 1, the Planning Authority will give protection ratings as appropriate to local circumstances.

Class B: Very important to be preserved at all costs. Adequate measures to be taken to preclude any damage from immediate development.

ARC 3 - Applications for planning permission for development affecting ancient monuments and important archaeological areas and sites, including areas and sites having such potential, will normally be refused if there is an overriding case for preservation. Where there is no overriding case for preservation developments of such sites will not normally be permitted until adequate

opportunities have been provided for the recording and, where desirable, the excavation of such sites.

- **Structure Plan for the Maltese Islands, Explanatory Memorandum (December, 1990)**

For Level 2 AEIs and SSIs, which include important habitat types present in relatively large areas and/or sites with rare species or features, the following are applicable;

1. Human intervention strictly controlled.
2. Physical development limited to the maintenance of already existing structures, and construction of minor amenities designed to enhance the educational and recreational use of the area) eg. narrow footpaths, nature trails, small scale visitor centres). Any such developments to be carried out with the least possible damage to the environment.
3. Traditional activities (eg. agriculture) can continue, unless in conflict with other policies, but no new land diverted to these uses except for the suitable re-establishment of abandoned fields for agriculture.

- **Circular PA 1/00 - Development Control Policy - Swimming Pools Outside Development Zone**

Para. 5.1 - The construction of new swimming pools, or enlargement of existing pools, and the construction of ancillary facilities, within the curtilage of existing buildings or as an extension to the curtilage of existing buildings, in areas ODZ may be permitted subject to a number of criteria.

4.7 CONSULTATIONS

Environment Protection Directorate (EPD) - Proposal is objectionable and a refusal is recommended in view of the following reasons;

- Given the location within an AEI Level 2 and AHLV, Paragraph 15.38 of the Structure Plan Explanatory Memorandum applies, in which case, the construction of new structures is prohibited.
- In view of the location within a valley, and site scheduled for its ecological and cultural value, proposal cannot be screened given the topography and that the site was previously occupied by indigenous trees
- The proposal forms part of a larger area of interventions aiming to formalize a site ODZ and designated as per above, in order to accommodate urban residential type uses without justification.
- EPD is particularly concerned as regards to the various proposals in the area which have cumulatively transformed the site into a built-up area regardless of its sensitive location, its formal scheduling, and (subsequently) its Natura 2000 designation (doc. 22).

The piecemeal modifications proposed by this application are per se minor such that they are not expected to give rise to a significant impact on the integrity of the SAC and would not require further assessment as per Regulation 19 of LN 311/06 (doc. 59).

Natural Heritage Advisory Committee (NHAC)

The site lies within a Natura 2000 site (SAC), Level 2 AEI and AHLV and therefore the installation of the demountable pool is unacceptable and cannot be recommended. Pool should be demounted (min. 24).

Heritage Protection Unit (Natural) (HPUN)

The pool is located within a scheduled Level 2 Area of Ecological Importance and Area of High Landscape Value (coastal area) as published via G.N. No. 400/96, dated 25/6/1996. HPUN objects to this proposal since within scheduled Level 2 sites/areas only the maintenance of existing structures may be considered. The proposal runs counter the overarching provisions of Paragraph

15.38 of the SP Explanatory Memorandum (and related policies RCO 10 and RCO 12 for scheduled AEs). Without prejudice to the above criterion, the pool also leads to additional formalisation of a scheduled Area of High Landscape Value, counter to SP Policies RCO 1 and RCO 4 (min. 28).

Heritage Protection Unit (Cultural) (HPUC)

- It was noted that Section 13 of the application form is missing scheduling information.
- Although the pool is demountable and thus reversible, the pool detracts from the traditional vernacular nature of the area. Furthermore, the pool further urbanizes the area together with other works currently applied for and/or being sanctioned as evidenced by the attached photos taken in February 2008. Thus the proposal cannot be recommended from a cultural heritage point of view (min. 29)

4.8 COMMENTS

--Foreword

The site is located within the area known as Ta Baldu, situated at the limits of Dingli. Due to its landscape and environmental characteristics, Ta Baldu falls within a **Special Area of Conservation under the EU Habitats Directive (92/43/EEC and EU Birds Directive (79/409/EEC) via GN 223/05 and LN 112/07**; a **Level 2 Area of Ecological Importance and Site of Scientific Importance (GN 400/96)**; and **scheduled Area of High Landscape Value (GN 400/96) (see EPD doc. 42)**. The site is also subject to a number archaeological-related constraints; **Degree of Protection A Area of Archaeological Importance featuring a series of rock-cut reservoirs hewn cut of the rock having a rock-cut square pillar supporting the natural roof**; **Class B Archaeological Area (GN 492/06)** and a **designated Archaeological Area under GN 114/04**.

Circular PA 1/00 (Development Control Policy - Swimming Pools Outside Development Zone) allows the construction of swimming pools within the curtilage or as an extension to existing buildings. To this extent, **Circular PA 1/00 (Development Control Policy - Swimming Pools Outside Development Zone)** requires that the proposed development **does not visually impact on the rural area; does not lead to the loss of agricultural land; and does not adversely affect areas of ecological and archaeological importance**.

--Sanctioning of swimming pool

The permitted maximum area for swimming pools is 50 sq metres as specified in criteria (4) of Section 5 of Circular PA 1/00 (Development Control Policy - Swimming Pools Outside Development Zone). Criteria (3) of this same policy requires that hard surfacing around the swimming pool is limited to 50% of the swimming pool area. The area of the pool (18m²) is limited to the specified area permitted in Circular PA 1/00, however the 35m² hard paving **exceeds the maximum area for hard surfacing permitted in Circular PA 1/00 (Development Control Policy - Swimming Pools Outside Development Zone)**. Moreover, as indicated in drwg. 17A the pool is located at an approximate distance of 10m from the applicant's residence. It is therefore evident that the construction of this pool did not take into account the preservation of the countryside from unnecessary land take-up through the sprawl of development. To this end, the swimming pool runs counter to **criteria (1) of Circular PA 1/00 which requires that the development does adversely affect valleys and sites of ecological importance and Structure Plan polices RCO 10 and RCO 12 which aim at the protection of AEs**. The impacts of the swimming pool on this site / area are also of concern to the Environment Protection Directorate (min. 22), Natural Heritage Advisory Committee (min. 24) and the Heritage Protection Unit (min. 28), who are strongly objecting to the proposed sanctioning of pool. Hence, the proposal also conflicts with **criterion (2) of Circular PA 1/00 which requires that the development is adequately screened and does not have any adverse impact on the landscape and policy RCO 4 of the Structure Plan which aims at safeguarding the scenic value of rural areas**.

4.9 COMMUNICATION WITH ARCHITECT

The architect was requested to submit revised drawings showing details of the demountable pool and surrounding area. *These were submitted by architect at docs. 17 and 17A.*

The architect was also requested to submit a revised site plan indicating the full extent of the application site (including all land necessary to carry out the proposed development) outlined in red and all the other land in the area owned by the applicant outlined in blue & to update Section 13 of the application form (missing scheduling information). *A revised site plan was submitted at doc. 41A.*

4.10 CONCLUSION

The swimming pool proposed for sanctioning fails to meet the objectives set out in Circular PA 1/00 (Development Control Policy - Swimming Pools Outside Development Zone) in that it has contributed to uncontrolled development in rural areas at the expense of agricultural land and the ecology characterising the site, and is visually impacting on the surrounding landscape (valley). The proposal is therefore objectionable on policy grounds.

5. Recommendation: REFUSE - for the following reasons:

- 0 ~~The proposed sanctioning of swimming pool and surrounding timber decking is not in accordance with the provisions of the Development Control Policy - Swimming Pools Outside Development Zone (January 2000), in particular criterion (1) which requires that the development does not lead to the loss of agricultural land or adversely affect valleys and sites of ecological importance. The proposal therefore also runs counter to the objectives of the Structure Plan policies RCO 10 and RCO 12 for the safeguarding and conservation of Areas of Ecological Value and to Policy NWAG 01 of the North West Local Plan for the protection of agricultural areas.~~
- 0 ~~The pool proposed for sanctioning runs counter to criterion (2) of the Circular PA 1/00: Development Control Policy - Swimming Pools Outside Development Zone in that, due to the topography, the impact of the development cannot be visually mitigated through adequate screening. The proposed sanctioning therefore conflicts with Structure Plan policy RCO 4 which does not permit the development of any structures which would adversely affect the natural scenic value of rural areas. Also, the extent of hard surfacing around the pool exceeds the maximum allowable 50% of the swimming pool area which can be allowed in terms of criterion (3) of the policy.~~
- 1 The site is subject to active enforcement notices ECF 317/04, ECF 102/10 & ECF 313/10. Therefore, the proposal cannot be considered further unless the illegal development is first sanctioned or removed, as required by Regulation 14 of Legal Notice 514 of 2010.
- 2 The gates, in conjunction with all the other unauthorised works would further consolidate the site into a highly formalised area. The proposal would therefore adversely affect the area, hinder its protection, and run counter to the rural conservation and ecological objectives of Structure

Plan policies RCO 2, RCO 4 & RCO 12.

- 3 This application seeks to sanction illegal development in a scheduled area. Article 70 (1) and Schedule 6 (2) of Act X of 2010 (Environment and Development Planning Act) unequivocally state that no development may be regularized in scheduled property.
- 4 The proposed swimming pool runs counter to criterion (2) of policy 6.4 of the Rural Policy and Design Guidance 2014 in that the pool is not of a compatible design and does not respect the rural context. The site is scheduled as a Class B Archaeology Area and Level 2 Area of Ecological Importance, therefore the development is inappropriate in principle.

This report to the Planning Commission (Development Permissions) has been prepared and endorsed by:

Case Officer: Jonathan Borg

Endorsed By: Carmel Caruana

Signature:

Signature:

Date:

Date:

Planning Commission (Development Permissions) Decision:

-PAABRepUpdEndorsed-

Tribunal ta' Revizjoni tal-Ambjent u l-Ippjanar

**Ref: PA3395/08
PAB149/12**

Re PA3395/08, PA3495/07, PA4629/10, PA4807/10

Jean Borg

v.

Planning Authority

Submission by the Planning Authority

Reference is made to appellant's letter of the 14th April 2018 regarding the above quoted appeal cases. In reply, the Authority notes that appellant is primarily requesting that these four appealed cases be assessed together, however the Authority cannot agree with this request since applicant had originally submitted four independent applications and consequently the Planning Directorate conducted four ad hoc assessments which led to four separate reasons for refusal. Consequently the Authority is limiting its counter argument in this reply to PA3395/08.

In this respect, the Authority has correctly imposed Reason for Refusal 1 on all the four proposals since applicant's site is subject to four enforcement notices on the indicated site boundaries (as mentioned in the refusal) and consequently "*the proposal cannot be considered further unless the other illegalities on site are first sanctioned or removed, as required by Regulation 14 of Legal Notice 514 of 2010.*"

The other arguments brought forward by appellant will be dealt with accordingly on the related appeal case.

PA3395/08: *To sanction installation of demountable pool not requiring any earth intervention*

The Authority notes that appellant is trying to justify the proposed pool by arguing that it is of a demountable nature, it has been purposely sited on sloping rock closest to the existing building and that it does not exceed 75sqm in area.

In reply, the Authority primarily points out that the site in question is located within a Natura 2000 site designated under the EU Habitat Directive (92/43/EEC) and within an Area of High Landscape Value and a Special Area of Conservation of International Importance. In regard to the argument that the pool is demountable and easily removed, it is noted that this pool has been installed since 2008 (see corresponding aerial photography) and consequently it is of a more permanent nature. Moreover, as pointed by the Environment Resource Authority, the site was formerly occupied by indigenous trees and consequently these were illegally removed to make way for the installation of this pool and deck (see also 2004 aerial photos). The Authority also notes that, whilst the pool and deck are not located within the curtilage of the dwelling (more than 16m away), their combined area is 120sqm and therefore exceeds

the maximum allowable area of 75sqm as regulated on Policy 6.4 of the RPDG'14 (vide Doc 106a and proposed Plan 17a). In the light of the above considerations, the Authority also makes reference to Policy 1.2H of the RPDG'14 which is specifically intended to conserve, maintain, and enhance important landscape features including their connectivity, appearance and integrity. Notably the proposal goes diametrically against these important considerations given the negative impact this would create on the ecological and landscape value of the area.

Consequently the Authority cannot agree with appellant's argument on this proposal and respectfully requests this Honourable Tribunal to confirm the imposed reasons for refusal.

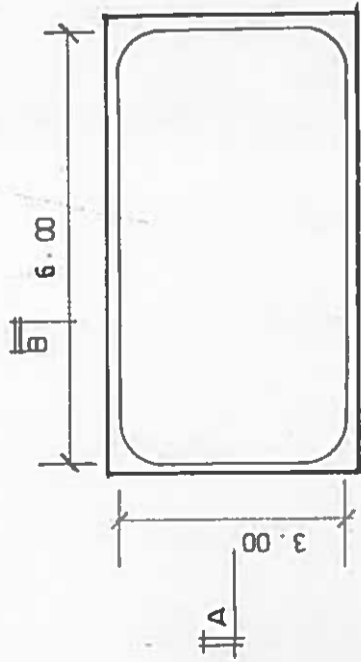
Vincent Grech M.Sc. Sust. Inf.
(Melit.)
Post Recommendation/
Tribunal Technical Team

Peter Cefai A & CE
Team Manager
Post Recommendation/
Tribunal Technical Team

15 ta' Gunju 2018

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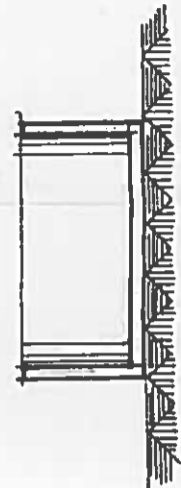
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PLAN



SECTION A A



SECTION B B

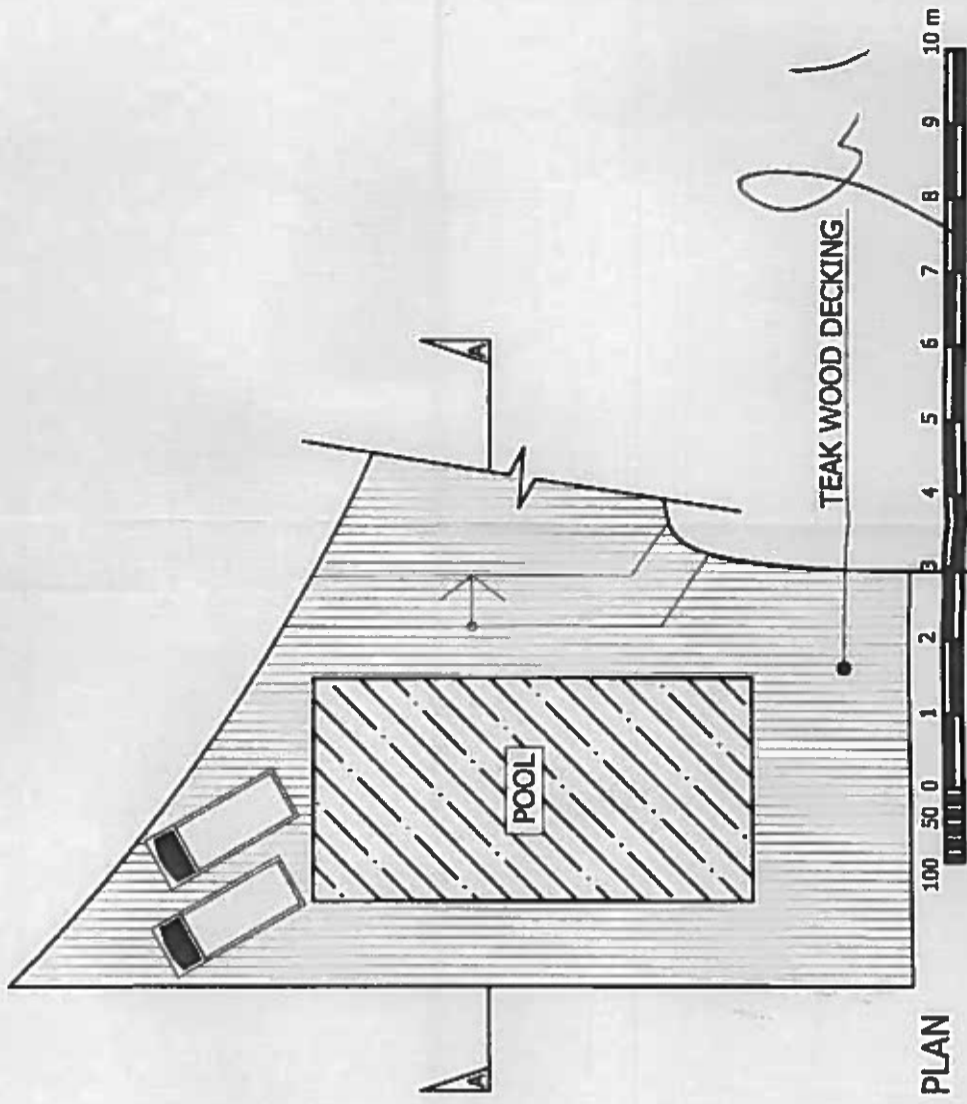
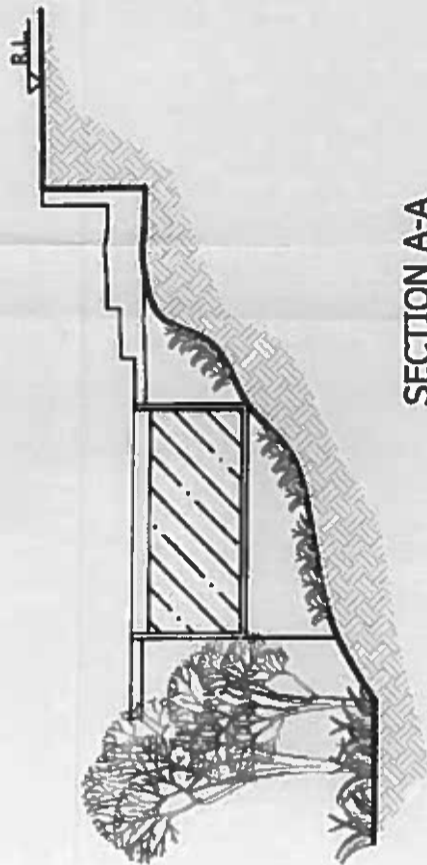
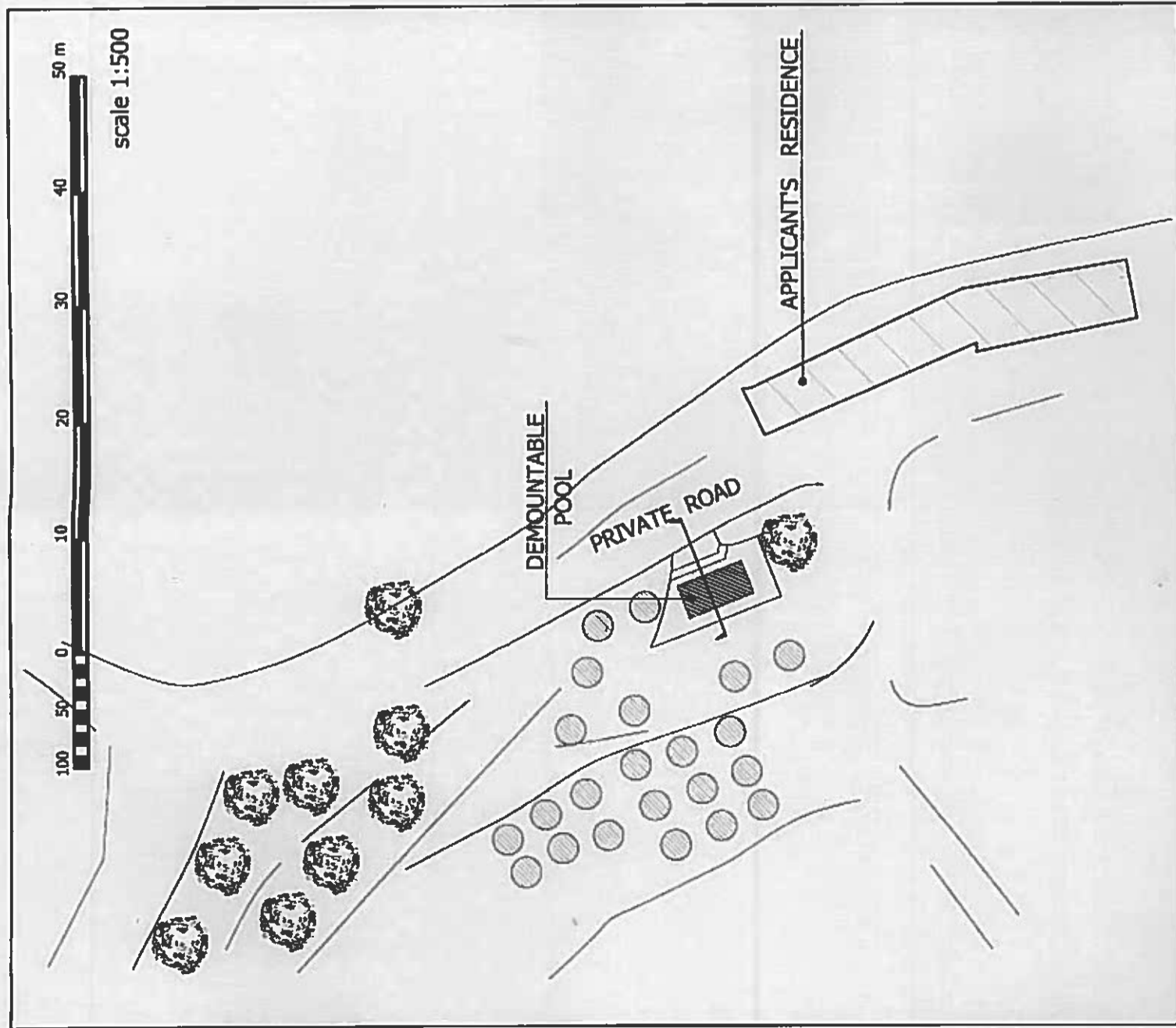


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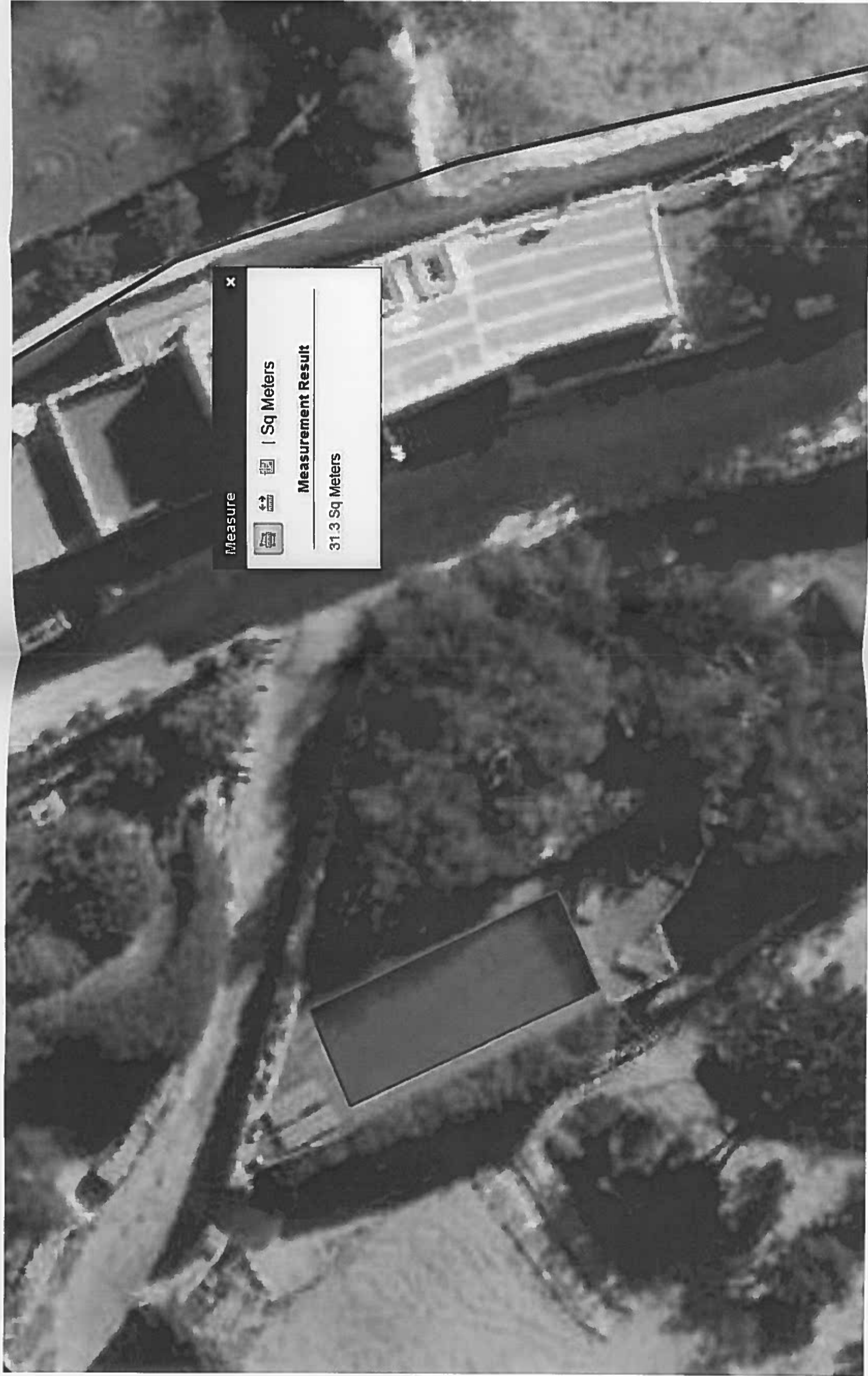
CHRISTIAN SPITERI		scale	1:100	client	J. BORG	location	SITE AT TA BALDU L/O RABAT	drawing title	PLAN & SECTIONS OF DEMOUNTABLE POOL	project title
ARCHITECT & CIVIL ENGINEER		drawn by	J L M							
27, St. Georges Str, Gzira. GZR 04		checked by								
Telephone: 21 32 00 05, 21 32 00 33 Fax: 21 34 71 26		drawing no.								
		date								
		file no.								

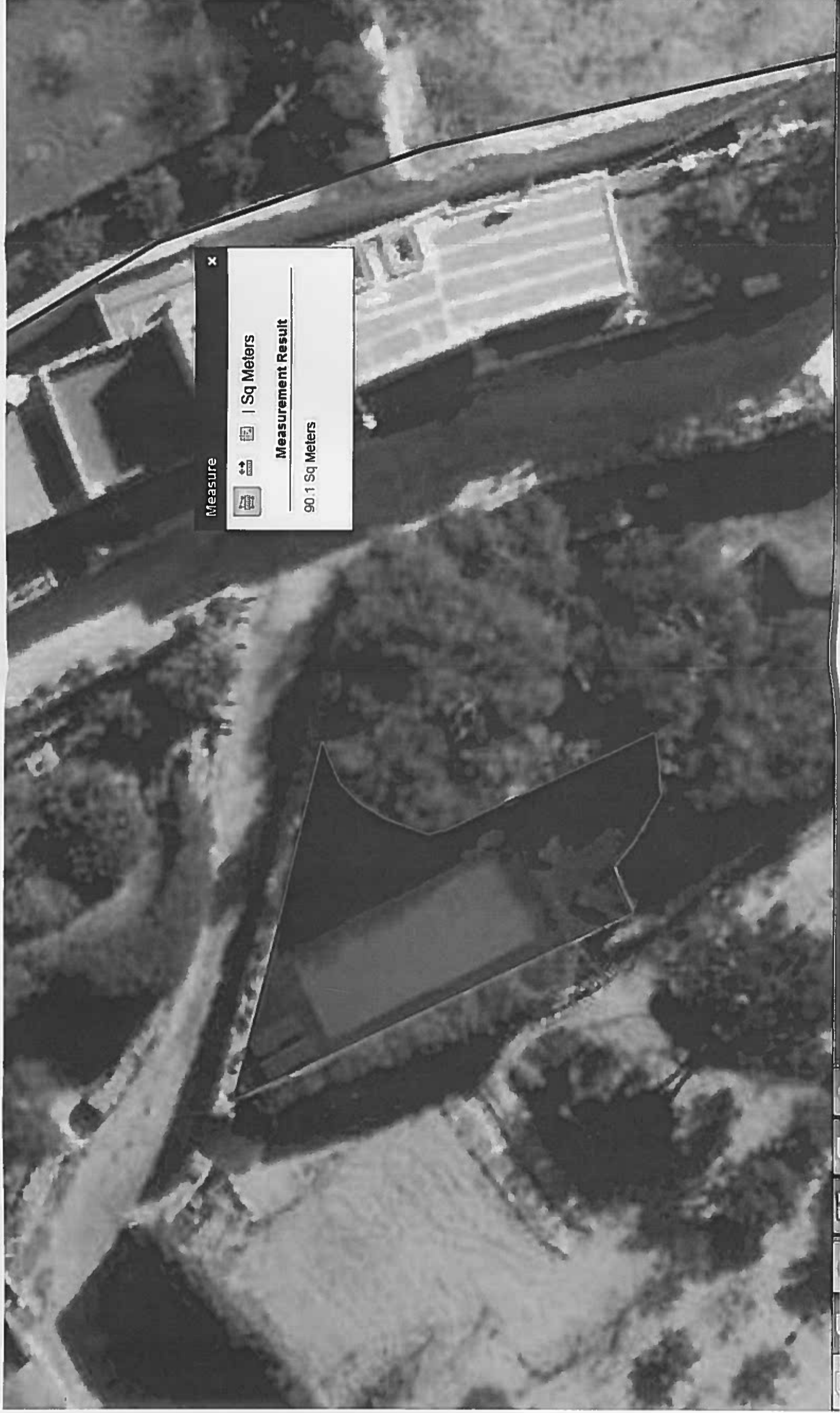
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<p>CHRISTIAN SPITERI ARCHITECT & CIVIL ENGINEER 27, St. Georges Str, Gzira. GZR 04 Telephone: 21 32 00 05, 21 32 00 33 Fax: 21 34 71 26</p>		scale	1:100, 1:500	client	Ta Baidu limit of Dingli		location	project title	
		drawn by	jz	Jean Borg	Pool Detail		scale 1:100		
		checked by	CS						
		drawing no.	01						
		date	DEC 09						
		file no.							





EC 00078/08

*Żvilupp mingħajr permess li jikkonsisti minn bini ta' swimming pool f'żona
skedata skond il-liġi*

Sospiz

Current Enforcement Status		
Case Status:	Enforcement action suspended in terms of Article 86(9), awaiting final determination of application.	
Enforcement Details		
Case Number:	EC/00078/08	
Location of infringement:	Site at, Ta' Baldu, l/o Rabat	
Summary Of Infringement (In English):	Construction of swimming pool without permit	
Infringement (In Maltese):	Ghandek zvilupp minghajr permess li jikkonsisti minn bini ta' swimming pool f'zona skedata skond il-ligi	
Enforcement Officer:	Ritianne Stellini	
Overview		
Enforcement Type:	No Permission Sought	
Case Category:	Swimming Pool	
Interested Parties		
Name	Interest	Prime Contact
Mr Jean Borg	Contravenor	Yes
Rabat Local Council (Malta)	Local Council	No

About Us

PA 07509/07

Correction of site plan from that approved in PA 3459/05

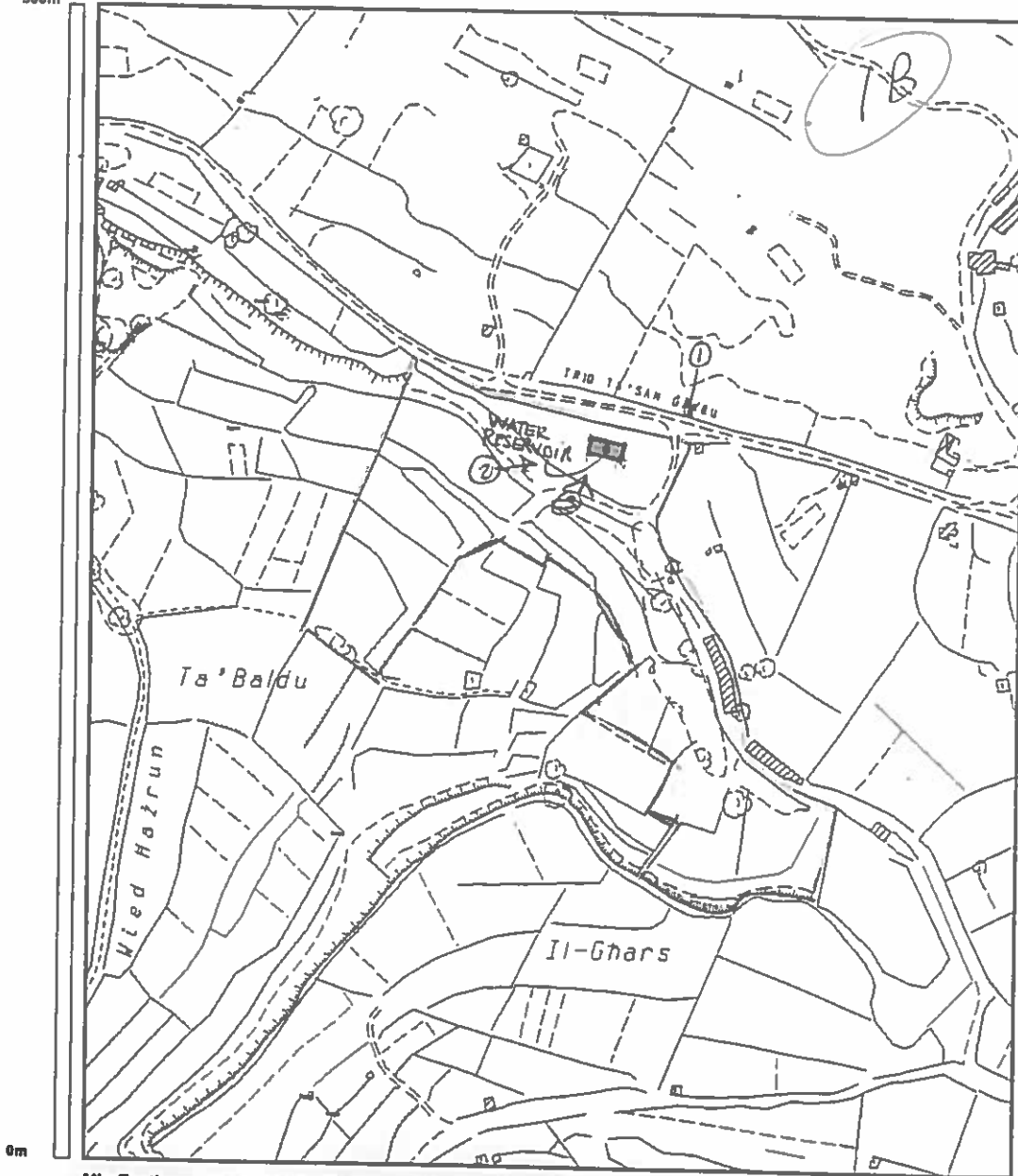
Approvat

DINCU - 12/5/07

1b

150218

500m



0m

Min Easting = 42981.79, Min Northing = 69774.45, Max Easting = 43381.79, Max Northing = 70274.33

0m

400m

MEPA

St. Francis Ravelin
Floriana
PO Box 200, Valletta, Malta
Tel: +356 240976 Fax: +356 224846

www.mepa.org.mt

Site Plan, Scale 1:2500 Printed on: Thursday, November 17, 2005
Not to be used for interpretation or scaling of scheme alignments

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Christian Solari BSc (Hons) AC
Architect
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Valletta (GZM 05, Malta)
Tel: 320005, 320013
Fax: 347126

PA 03495/07

To sanction an existing gate and to install two more gates

Rifjutat

Section:
Board No.:

APPLICATION No. PA/03495/07

1. Application Details:

Applicable Policy: DC2007
Press Date: 26 November 2011
Application Type: Full development permission

Applicant: Mr Jean Borg
Architect: Mr. Christian Spiteri

Drawing Numbers: PA 3495/07/1C/24A/31A/61A

Proposal: To sanction an existing gate and to install two more gates.
Location: Site at Ta' Baldu L/o Dingli off, Triq San Gakbu, Rabat (Malta)

2. Representations:

Objection letter from the a third party objector (farmer) dated 01/06/2009 (doc. 39). Objection made as according to the Estate Management Department the lane in question is government property. In this regard, the installation of gates would create a problem in accessing the fields tilled by the objector and the other farmers.

Note: architect submitted copies of deeds & site plans relating to the acquisition of this property iand stating that the lane is privately owned (docs. 42 - 42F).

Objection letter from a third party objector dated 05/11/2009 (doc. 44) in view of:

- The existing gate has been fixed without permit and subject to ECF317/04 & ECF503/06 and prohibiting two way access.
- RCO 2 prohibits development within rural conservation areas which are not of agriculture, ecological or scenic interest.
- The intention of the applicant is to transform the site into a villa type garden.
- The site is being used for mass social receptions such as weddings, which inflict untold damage on the ecology of this SAC as well on the archaeology of the site.
- Gate 2 will cut access to the garage and storerooms of objector.
- Gate 3 will deprive access from another public road that is nearer to some of the fields owned by objector.

Objection letter from the Ramblers Association of Malta (RAM) dated 05/11/2009 (doc. 45). RAM are contending that;

- Its rights and freedom of movement and those of civil society in general will be adversely affected if the paths are closed by means of these gates.
- The new owners of the farmhouse and parts of the fields at Ta Baldu are making new installations totally alien to the uniqueness of the site and organise mass social activities such as weddings.
- Reference to a number of previous applications relating to this site are being listed to showing that first the works are illegally carried out and afterward sanctioning is sought.

Objection letter submitted on 12/09/2011 (doc. 73). Contents and sender of this representation letter are however unclear.

Objection letter from Din I-Art Helwa dated 14/12/2011 (doc. 74)

Din I-Art Helwa notes that in this application two of the gates do not even lie on the applicant's property. Furthermore the site lies odz and is not required for any unnecessary infrastructural works.

Objection letter from the Malta Organic Agriculture Movement dated 14/12/2011 (doc. 75) & from the Ta Baldu farmers (doc. 76). The objectors are contending that;

- According to law, interventions on sites like Ta Baldu are only permitted if these are deemed vital or very necessary for the protection of the site.
- The purpose of the gates is for personal gain and leisurely benefit of one of the owners of the site.
- Closure by gates will reduce the possibility to view and notice future damaging interventions to the biodiversity of site.
- The installation of gates will hinder the works of the genuine farmers who have a lawful contracted right to use the lane that will be closed by the proposed gates.
- The rights and freedom of movement of civil society in general will be adversely affected if the applicant is allowed to go ahead with the closure of paths that have always been open to the public.
- The high landscape and scenic value of the site will be lost to the civil society if the application is permitted . With the wall to the right of the illegal gate heightened to a level above that permitted by law the panoramic views of the valley would not be enjoyed by anybody but the applicant.

Letter from the Dingli Local Council dated 16/12/2011 (doc. 77/78) where the Local Council is requesting to be registered as an official objector. The Local Council is stating that the application does not propose any improvement in managing the site and further technical submissions may be carried out by the Council as it deems fit in order to assist MEPA.

3. Notes To Committee:

- 3.1 This site is currently subject to Enforcement Action - ECF317/04.
- 3.2 File attached: PA 800/04
- 3.3 EPC may wish to note that this application is one of the four pending applications relating to the site in question. The other applications are PA3395/08, PA4629/10 and PA4807/10.

4. Case Officer's Report:

4.1 SUMMARY OF ISSUES

This site, which is considered as environmentally sensitive (SAC, scheduled AEI & AHLV and Archaeological Area) includes several illegalities which are subject to pending enforcement notices ECF317/04, ECF 78/08, ECF 102/10 & ECF313/10 (para. 4.5). To this end, the provisions of Regulation 14 of L.N. 514 of 2010 shall apply.

Notwithstanding that there are no particular concerns with respect to the gates (drwgs. 24A & 31A) on policy grounds, considering the overall site context, the **proposal will further intensify the formalisation of this site** whilst consolidating the unauthorised interventions present on site, consequently **diminishing its conservation value** as noted by the Environment Protection Directorate (docs. 19, 50 & 83).

4.2 PROPOSAL

This is a full development permission application seeking to sanction an existing gate and proposing the installation of another two gates. The location of the gates is indicated on site plan doc. 61A and block plan 1C (see also photos at doc. 1A).

The existing gate is made of wrought iron and is being proposed to be replaced with timber (drwg. 24A). The proposed gates will also be constructed in timber (drwg. 31A).

4.3 SITE DESCRIPTION

The site is outside the development zone within an area known as Ta Baldu, limits of Dingli, off Triq Ta San Gakbu, Rabat (Malta). The area is mainly characterized by agricultural land and is surrounded by a number of valleys (see photos at doc. 1B in file PA3395/08).

4.4 SITE CONSTRAINTS

North West Local Plan

- Agriculture Area (North West Local Plan Map: 2)
- Area of High Landscape Value (North West Local Plan Map: 2)
- Woodland Remnants (North West Local Plan Map: RB3)

Map Server

- Special Area of Conservation of International Importance - Rđumijiet ta Malta: Ir-Ramla ta-Cirkezza sa il-Ponta ta Benghajsa (LN 257/03 & GN 223/05)
- Level 2 Area of Ecological Importance (GN400/96)
- Level 3 Area of Ecological Importance - Buffer zone to protect coastal cliffs
- Area of High Landscape Value (GN400/96)
- Class B Archaeology Area (GN492/06)
- Degree of Protection B Archaeological Area
- Archaeological Buffer Zone (GN114/04).

4.5 DEVELOPMENT PLANNING HISTORY ON SITE

ECF 86/04 – enforcement notification issued in view of illegal modifications and additions to an old structure in archaeological area. PA 800/04 was issued and sanctioned the infringements in ECF 86/04.

ECF 317/04 – enforcement notification issued in view of the construction of a water reservoir, room and **fixing of a metal gate** without permit. PA 3459/05 was submitted to sanction reservoir but indicated a different location. PA 7509/07 was submitted later to correct position of site and was approved. Since PA 3459/05 only sanctioned the construction of a reservoir, ECF 317/04 was referred for direct action for the removal of the pump room, steel gate and pilasters which have not been sanctioned. On 04/10/2011, enforcement officer confirmed that the plotting of ECF 317/04 is incorrect as the gate and the stone pillars are located outside the area subject to enforcement action.

maintenance works. The application was approved by DCC Board in view that architect satisfied DCC requests through the submission of a method statement to address works to be carried out. The permit was issued on 02/02/2006.

PA 3459/05 - planning application proposing the sanctioning of reservoir. Application was granted by DCC Board at reconsideration in view of agricultural requirement and that reservoir is to be left open. Permit was issued on 09/01/2006.

PA 5089/05 - application proposing the maintenance of existing rubble wall, consolidation of existing road and tracks, planting of trees and soft landscaping and general cleaning of the area. The application was approved by DCC Board following a site inspection. Permit was issued on 07/01/2008.

ECF 503/06 – enforcement notice in view of landscaping works, reconstruction of boundary walls, formation of passage ways, ramps and stairs to valley and other engineering works without permit. The infringements have been sanctioned through permit PA 5089/05.

PA 2600/06 – application for the construction of first floor and alterations to ground floor of an existing building. The application was approved by DCC Board at reconsideration in view that extension does not exceed 50sqm and is not in conflict with grade 2 listed buildings as per policy UCO7. The permit was issued on 25/02/2008.

PA 1209/07 – development permission application for maintenance of the existing rubble walls, consolidation of existing road & tracks, planting of trees & soft landscaping and general cleaning of the area. The application has been withdrawn.

PA 7509/07 – full development permission application seeking correction of site plan from that approved in PA 3459/05. Permit was issued on 21/11/2008.

ECF 78/08 - enforcement notification in view of construction of swimming pool without permit.

PA 3395/08 - planning application to "sanction installation of demountable pool not requiring any earth intervention". This application is being recommended for refusal as the pool does not comply with all of the criteria set out in Circular PA1/100 (Swimming Pools Outside Development Zone).

ECF 102/10 - enforcement notification in view of hard paving of existing passageway, installation of low pathway lighting and erection of wooden tool room within scheduled property. A stop and enforcement notice was issued. PA 4807/10 was submitted in order to sanction these illegalities.

ECF 313/10 - enforcement notification for the construction of a first floor larger than approved. PA 4629/10 was submitted to sanction these modifications.

PA 4629/10 - planning application for modifications to approved permit PA2600/06. This application is being recommended for refusal in view that the provisions of Regulation 14 of L.N. 514 of 2010 apply and it runs counter to PLP20.

PA 4807/10 - planning application for modifications to approved permit PA 5089/05 to include already installed paving in walkways and timber shed to store agricultural tools and machinery. This application is still being processed.

4.6 POLICY CONTEXT

- **North West local Plan, July 2006**

The site falls under the North West Local Plan and is subject to the following policies:

NWAG 1: Protection of Agricultural Land - Within designated AAVs only buildings, structures and uses essential to the needs of arable agriculture will be permitted on condition that it can be

demonstrated to the satisfaction of MEPA that they will not adversely affect the quality of water resources, soil and landscape, and that they will not conflict with scenic, ecological, scientific, archaeological and mineral interests. In addition, applications for agricultural related development that will result in the subdivision of land holdings will not be permitted within AAVs.

NWCO 10 : Woodland Conservation Areas and Afforestation Projects - No development that is detrimental to the ecosystem of the area will be permitted.

NWCO 13: Garigue - MEPA will protect areas of garigue from activities that create adverse impact. The illegal deposit of soil, or the use of off-roading on such areas will not be permitted.

- **Structure Plan for the Maltese Islands (December 1990)**

BEN 5 - Applications for permits outside the development zone to be judged against the Local Plans for Rural Conservation Areas, Structure Plan Policies and the Explanatory Memorandum.

RCO 2 - prohibits development within Rural Conservation Areas, with the exception to developments which are of agricultural, ecological and scenic interest.

RCO 4 - prohibits developments in rural areas which will adversely affect the scenic value of an area

RCO 12 - In Local Plans, the Planning Authority will give protection ratings to Areas of Ecological Importance and Sites of Scientific Importance as follows:

LEVEL 2 zones will include important habitat types present in relatively large areas and/or sites with rare species or features

SET 11 – No form of urban development permitted outside the existing and committed built up areas. Permitted forms of urban development outside such areas are restricted to the categories referred to in Paragraph 7.6.

SET 12 – Applicant to present evidence as to why policy SET 11 should be infringed, if proposed development runs counter to SET 11 and, consequently, to Paragraph 7.6. Reasons must be given from a planning point of view as to why the proposal cannot be located in areas designated for development.

Paragraph 7.6 – Permitted development ODZ: farmhouses, genuine agricultural buildings, reservoirs, picnic area toilets and car parks and control buildings and walls/fences at archaeological and ecological sites.

ARC 1 - In Local Plans for Rural Conservation areas, the Planning Authority will identify and designate Areas and Sites of Archaeological Importance. In Local Plans for urban areas, whether Urban Conservation Areas or not, the Planning authority will identify and designate Sites of Archaeological Importance.

ARC 2 – In making the designations referred to in Policy ARC 1, the Planning Authority will give protection ratings as appropriate to local circumstances.

Class B: Very important to be preserved at all costs. Adequate measures to be taken to preclude any damage from immediate development.

ARC 3 - Applications for planning permission for development affecting ancient monuments and important archaeological areas and sites, including areas and sites having such potential, will normally be refused if there is an overriding case for preservation. Where there is no overriding case for preservation developments of such sites will not normally be permitted until adequate opportunities have been provided for the recording and, where desirable, the excavation of such sites.

For Level 2 AEIs and SSIs, which include important habitat types present in relatively large areas and/or sites with rare species or features, the following are applicable;

1. Human intervention strictly controlled.
2. Physical development limited to the maintenance of already existing structures, and construction of minor amenities designed to enhance the educational and recreational use of the area) eg. narrow footpaths, nature trails, small scale visitor centres). Any such developments to be carried out with the least possible damage to the environment.
3. Traditional activities (eg. agriculture) can continue, unless in conflict with other policies, but no new land diverted to these uses except for the suitable re-establishment of abandoned fields for agriculture.

- **Regulation 14 of LN 514/10**

Without prejudice to article 70 and the Sixth Schedule of the Act, when existing development on site is wholly or partly illegal, the Authority shall refuse a development application relating to new development on that site, unless the illegal development is included for sanctioning and the illegal development complies with the current policies.

4.7 CONSULTATIONS

Enforcement Directorate

The Enforcement Directorate was requested to indicate whether the present application sanctions all illegal development on site, as requested by DCC in minute 52 in file PA5089/05 (also referring to the site in question) (min. 12).

The Enforcement Directorate explained that **PA 3495/07 does not sanction all illegalities on site.** Only PA 1209/07 sanctions the illegalities mentioned in ECF 503/06 which is now being withdrawn (min. 14). **The only pending illegality being sanctioned through PA3495/07 is the gate (min. 18 dated 17/09/2007).**

PA4807/10 has been submitted to sanction modifications to PA5089/05.

Environment Protection Directorate (EPD)

- EPD objects to the proposal in view that site is scheduled (SAC, AEI, Natura 2000) and development results in further formalisation of the site (doc. 19)
- This application is one of a series of piecemeal submissions forming part of a more extensive intervention that is totally unacceptable in principle. Such proposals in the area are cumulatively transforming the site into a developed area regardless of its sensitive location, its formal scheduling, and its Natura 2000 designation. **There are also pending follow-ups at MEPA Board level for possible revocation of previously-issued permits on this site. EPD strongly objects to further development commitments on this site (doc. 50).**
- The piecemeal modifications proposed by this application are per se minor such that they are not expected to give rise to a significant impact on the integrity of the SAC and would not require further assessment as per Regulation 19 of LN 311/06. However, the intervention should be read as one with the wider development, and therefore the proposal is objectionable as it would further consolidate an unacceptable land use within a particularly sensitive location and further alter the characteristics of the site (min. 83).

Natural Heritage Advisory Committee (NHAC)

There is no objection in principle to the proposed Gate 1, however, this should be constructed in wood and decreased in width which is excessive. The proposed two other gates are not acceptable since they are not within applicant's site (min. 20).

Heritage Protection Unit (Natural) (HPUN)

There are no objections strictly from a scheduled natural heritage point of view to the installation of gates 1 and 2 since these are located within a scheduled Level 3 buffer zone (GN No 400/96, dated 25/6/1996) where small scale physical development may be considered [see Para. 15.39(3) of the SP Explanatory Memorandum], subject to other planning/environmental considerations. However, **HPUN objects to the installation of gate 3 since this is located within the scheduled Level 2 component (part of the coastal area as published via GN No. 400/96, dated 25/6/1996) (min. 52).**

Heritage Protection Unit (Cultural) (HPUC)

The location of the gates is not affected by any archaeology or cultural heritage constraint and accordingly there is no objection to proposal (min. 81).

4.8 COMMENTS

--Foreword

The site is located within the area known as Ta Baldu, situated at the limits of Dingli. Due to its landscape and environmental characteristics, Ta Baldu falls within a **Special Area of Conservation under the EU Habitats Directive (92/43/EEC and EU Birds Directive (79/409/EEC) via GN 223/05 and LN 112/07; a Level 2 Area of Ecological Importance and Site of Scientific Importance (GN 400/96); and scheduled Area of High Landscape Value (GN 400/96) (see EPD doc. 50).** The site is also subject to a number archaeological-related constraints; Degree of Protection A Area of Archaeological Importance featuring a series of rock-cut reservoirs hewn cut of the rock having a rock-cut square pillar supporting the natural roof; Class B Archaeological Area (GN 492/06) and a designated Archaeological Area under GN 114/04.

This site is **subject to a number of enforcement notices ECF 317/04 (gate), ECF 78/08 (swimming pool), ECF 102/10 (landscaping works and construction of a timber shed) and ECF313/10 (first floor of farmhouse constructed larger than approved), which are still active.** A number of applications have been submitted to regularize these illegalities. PA 3395/08 and PA4629/10 have been recommended for refusal and are currently pending decision whilst PA 4807/10 is still being processed in view of additional studies that are required (refer to paragraph 4.5). The current application (PA3495/07) seeks to sanction the gate (Gate 1) subject to ECF317/04 (mins. 14 & 18) and the proposed construction of another two gates (Gates 2 & 3) as per drwgs. 1C, 24A & 31A. Notwithstanding, in view of the other pending enforcement notices, the provisions of **Regulation 14 of LN 514/10** apply and the application cannot be considered any further unless all the illegalities are first removed or sanctioned.

--Sanctioning / proposed gates

The proposed gates (Gates 2 & 3) are to be made of timber and will be 6m wide x 3m high (drwgs. 1C & 31A). The existing gate being proposed for sanctioning (Gate 1) is 3.5m high x 5m wide and is made of wrought iron (see photo at doc. 1A & drwgs. 1C & 24A). The proposal seeks to place timber slats over the existing gate in order to make it more compatible with its rural context (drwg. 24A).

Considering the development history of the site in question (refer to para. 4.5), the gates subject to this application (PA3495/07) together with the other landscaping works approved in permit PA5089/05 and the unauthorised works mentioned in ECF102/10 (further landscaping works & construction of a timber shed) and ECF78/08 (swimming pool) are **resulting in a cumulative impact on both the physical and visual characteristics of this environmentally sensitive, scheduled and Natura 2000 site.** This is also of concern to the Environment Protection Directorate (EPD) who describe the proposed development as one of a series of piecemeal developments forming part of an extension intervention which are transforming the site into a highly developed one (docs. 19, 50 & 83). To this end, the EPD considers the proposal as objectionable from an environmental point

of view as it would further alter the integrity and character of this area through formalisation (docs. 19, 50 & 83). The proposal, in particular the installation of Gate 3 (drwgs. 1C & 31A) is also being objected by the Heritage Protection Unit in view that this will be located within part of the coastal area that is scheduled (Level 2) by GN400/96 (min. 52). In the light of the above, the **proposal will contravene with the overall objectives of policies RCO 2 & RCO 4** of the Structure Plan which seek to promote the protection of the countryside and its landscape value. Proposal also runs counter to Structure Plan policy RCO 12 for the protection of Level 2 & 3 Areas of Ecological Importance.

–Appropriate Assessment

The Environment Protection Directorate confirmed that proposed development **does not require further assessment as per Regulation 19 of L.N. 311/06** in that the piecemeal modifications (gates) proposed by this application are minor and are not expected to give rise to a significant impact on the integrity of the Special Area of Conservation (min. 83).

–Ownership issues

From the documents submitted it is evident that there is a dispute in terms of land ownership, with the Local Council quoting the Lands Dept. statement that the lane is Govt. property (docs 39) and the architect submitting copy of deeds of acquisition of this property, including site plans indicating the extent of this property, dating back to 1953 and 1961 as proof of ownership (see docs. 42a - 42f).

The issue of land ownership does not fall within Mepa's remit and any such disputes are to be decided by the Courts of Law.

4.9 COMMUNICATION WITH ARCHITECT

Throughout the processing of this application, the following were requested;

Details of gates - *revised drwgs. 24A & 31C were submitted.*

Clarification regards ownership of site - *deeds of acquisition were submitted at docs. 42A - 42F.*

Site plan to reflect the entire applicant's property - *revised site plan was submitted at doc. 61A.*

4.10 CONCLUSION

This application only seeks to sanction the metal gate (mentioned in ECF317/04). Since other enforcement notices are active on site, the proposal cannot be considered further in terms of Regulation 14 of the Legal Notice 514/10. Also, as stated by the Environment Protection Directorate, the gates subject to this application (PA3495/07) form part of a number of unauthorised interventions which have progressively taken place within this Natura 2000 site, resulting in its obliteration (docs. 19, 50 & 83).

5. Recommendation: REFUSE - for the following reasons:

- 1 The site is subject to active enforcement notices ECF 78/08, ECF 102/10 & ECF313/10. Therefore, the proposal cannot be considered further unless the illegal development is first sanctioned or removed, as required by Regulation 14 of Legal Notice 514 of 2010.

- 2 The gates, in conjunction with all the other unauthorised works would further consolidate the site into a highly formalised area. The proposal would therefore adversely affect the area, hinder its protection, and run counter to the rural conservation and ecological objectives of Structure Plan policies RCO 2, RCO 4 & RCO 12.

This report to the Environment & Planning Commission has been prepared and endorsed by:

Case Officer: Mary Grace Spina B.A.
(Hons.) Geography

Endorsed By: Carmel Caruana

Signature:

Signature:

Date:

Date:

Environment & Planning Commission Decision:

[PAREPendorsed]

Jonathan Borg

From: Borg Herman at GPD [herman.borg@gov.mt]
Sent: It-Tlieta, 25 ta' April 2017 10:24
To: Jonathan Borg
Subject: FW: PA 3495/07 - consultation
Attachments: rabat_baldu.pdf

Mr. J. Borg

Attached is a site plan which according to EMD records is Government Property.

Regards

Herman Borg
Operations Manager
Government Property Department
Estate Management

t +356 22953108 e herman.borg@gov.mt | www.opm.gov.mt
Maltese Presidency of the Council of the EU www.eu2017.mt

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OFFICE OF THE PRIME MINISTER
AUBERGE DE BAVIERE, TRIQ SAN BASTJAN,
VALLETTA, MALTA

From: Jonathan Borg [mailto:Jonathan.Borg@pa.org.mt]
Sent: Monday, 24 April 2017 15:01
To: Borg Herman at GPD
Subject: RE: PA 3495/07 - consultation

Gentle Reminder.

Jonathan Borg

Jonathan Borg
Executive II

St Francis Ravelin, Floriana, FRN 1230, Malta
t 2290 1542 e jonathan.borg@pa.org.mt

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From: Borg Herman at GPD [<mailto:herman.borg@gov.mt>]
Sent: L-Erbgha, 5 ta' April 2017 08:49
To: Jonathan Borg
Subject: FW: PA 3495/07 - consultation

Mr. J. Borg

Can I have a site plan with the site marked to check with our records.

Regards

Herman Borg
Operations Manager
Government Property Department
Estate Management

t +356 22953108 e herman.borg@gov.mt | www.opm.gov.mt
Maltese Presidency of the Council of the EU www.eu2017.mt



OFFICE OF THE PRIME MINISTER
AUBERGE DE BAVIERE, TRIQ SAN BASTJAN,
VALLETTA, MALTA

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From: Jonathan Borg [<mailto:Jonathan.Borg@pa.org.mt>]
Sent: Tuesday, 04 April 2017 10:26
To: Borg Herman at GPD
Cc: Scotto Stefan F at GPD
Subject: RE: PA 3495/07 - consultation

Dear Mr Borg,

Can I have your comments on this consultation. Thank you

Jonathan Borg

Jonathan Borg
Executive II

St Francis Ravelin, Floriana, FRN 1230, Malta
t 2290 1542 e jonathan.borg@pa.org.mt

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From: Scotto Stefan F at GPD [<mailto:stefan.f.scotto@gov.mt>]
Sent: Il-Hamis, 9 ta' Marzu 2017 17:38
To: Borg Herman at GPD
Cc: Jonathan Borg
Subject: FW: PA 3495/07 - consultation

Mr Herman Borg,

The email below refers. You may wish to liaise with Mr Jonathan Borg.

Stefan

Stefan Scotto
Senior Architect & Civil Engineer
Government Property Department
t: +356 22953105 e: stefan.f.scotto@gov.mt | www.opm.gov.mt



OFFICE OF THE PRIME MINISTER

Kindly consider your environmental responsibility before printing this e-mail

Auberge de Baviere, Triq San Bastjan, Valletta, VLT 2000

From: Jonathan Borg [<mailto:Jonathan.Borg@pa.org.mt>]
Sent: 09 March 2017 15:24
To: Scotto Stefan F at GPD
Subject: PA 3495/07 - consultation

Dear Perit Scotto,

I do not know whether this email should be directed to you. If not kindly direct me to the correct official. Today, I have sent a consultation request regarding PA 3495/07. This regards an application to close off a passageway at 'Ta Baldu' (Dingli) by a gate. The passageway links to an official road (Triq San Gakbu).

We would like to know whether the passageway is Government owned or not. The Government Property Division did at one point in time state that part of this passageway is Government owned but did not specify which part (or at least our records do not show). This letter is dated 14/9/06 and your reference no. is 239/2009. If possible please indicate the extent of any government landholdings in the immediate vicinity for us to get any idea of any impacts the proposed gates may have.

This is a sensitive application in the sense that it may impact public property and thus a reply is greatly solicited since it would help us assess the application better.

Thank you

Jonathan Borg

PA 01209/07

Maintenance of the existing rubble walls, consolidation of existing road & tracks, planting of trees & soft landscaping and general cleaning of the area

Approvat

Ministry for Rural Affairs and the Environment
Land and Water Section
Attn: Mr Tony Borg
14, Mikiel Anton Vassalli Street, Valletta

Date: 19 June, 2007
Our Ref: PA 01209/07
Your Ref:

Dear Sir/Madam,

Application Number: PA 01209/07
Location: Site at Ta' Baldu L/o Dingli off, Triq San Gakbu, Rabat (Malta)
Proposal: Maintenance of the existing rubble walls, consolidation of existing road & tracks, planting of trees & soft landscaping and general cleaning of the area.

Development Planning Act, 1992, Section 36 Consultation on Application for Development Permission

We would be grateful for your comments on the above mentioned application for development permission.

Please forward your comments on this application in view of the proposed pathway, and other proposed works.

Relevant documents are enclosed. PLEASE RETURN THE DOCUMENTS SENT TO YOU WITH YOUR REPLY.

In accordance with the Development Planning Act 1992, Section 36, if you have not replied within 30 days of the date of receipt of this letter, the Malta Environment & Planning Authority will consider that you have no objection to the development proposed.

Yours faithfully,

Noelle Cardona B.A. (Hons.) Geography
for Director of Planning

DocFc1

The Director, Joint Office
Sa Maison Road, Floriana

Date: 19 June, 2007
Our Ref: PA 01209/07
Your Ref:

Dear Sir/Madam,

Application Number: PA 01209/07
Location: Site at Ta' Baldu L/o Dingli off, Triq San Gakbu, Rabat (Malta)
Proposal: Maintenance of the existing rubble walls, consolidation of existing road & tracks, planting of trees & soft landscaping and general cleaning of the area.

**Development Planning Act, 1992, Section 36
Consultation on Application for Development Permission**

We would be grateful for your comments on the above mentioned application for development permission. Relevant documents are enclosed. PLEASE RETURN THE DOCUMENTS SENT TO YOU WITH YOUR REPLY.

In accordance with the Development Planning Act 1992, Section 36, if you have not replied within 30 days of the date of receipt of this letter, the Malta Environment & Planning Authority will consider that you have no objection to the development proposed.

Yours faithfully,

Noelle Cardona B.A. (Hons.) Geography
for Director of Planning

DocFc1

PA 01209/07

NOTIFICATION OF DEVELOPMENT APPLICATION

(In Terms of Section 32 of the Development Planning Act 1992)

Notice is hereby given that the Malta Environment & Planning Authority has received an application for a development permission.

For : Maintenance of the existing rubble walls, consolidation of existing road & tracks, planting of trees & soft landscaping and general cleaning of the area.

At : Site at Ta' Baldu L/o Dingli off, Triq San Gakbu, Rabat (Malta)

From : Mr. Christian Spiteri

On behalf of : Mr Jean Borg

Detailed plans may be inspected by the general public at the Malta Environment & Planning Authority, Floriana, or in the case of applications for development in Gozo, at the Malta Environment & Planning Authority's Gozo Office, Sir Luigi Camilleri Street, Victoria. Anyone wishing to make representations on the application should do so in writing to the Director of Planning at P.O. Box 200, Valletta CMR 01, not later than 15/04/2007 quoting the appropriate reference PA 01209/07 as above.

for Director of Planning

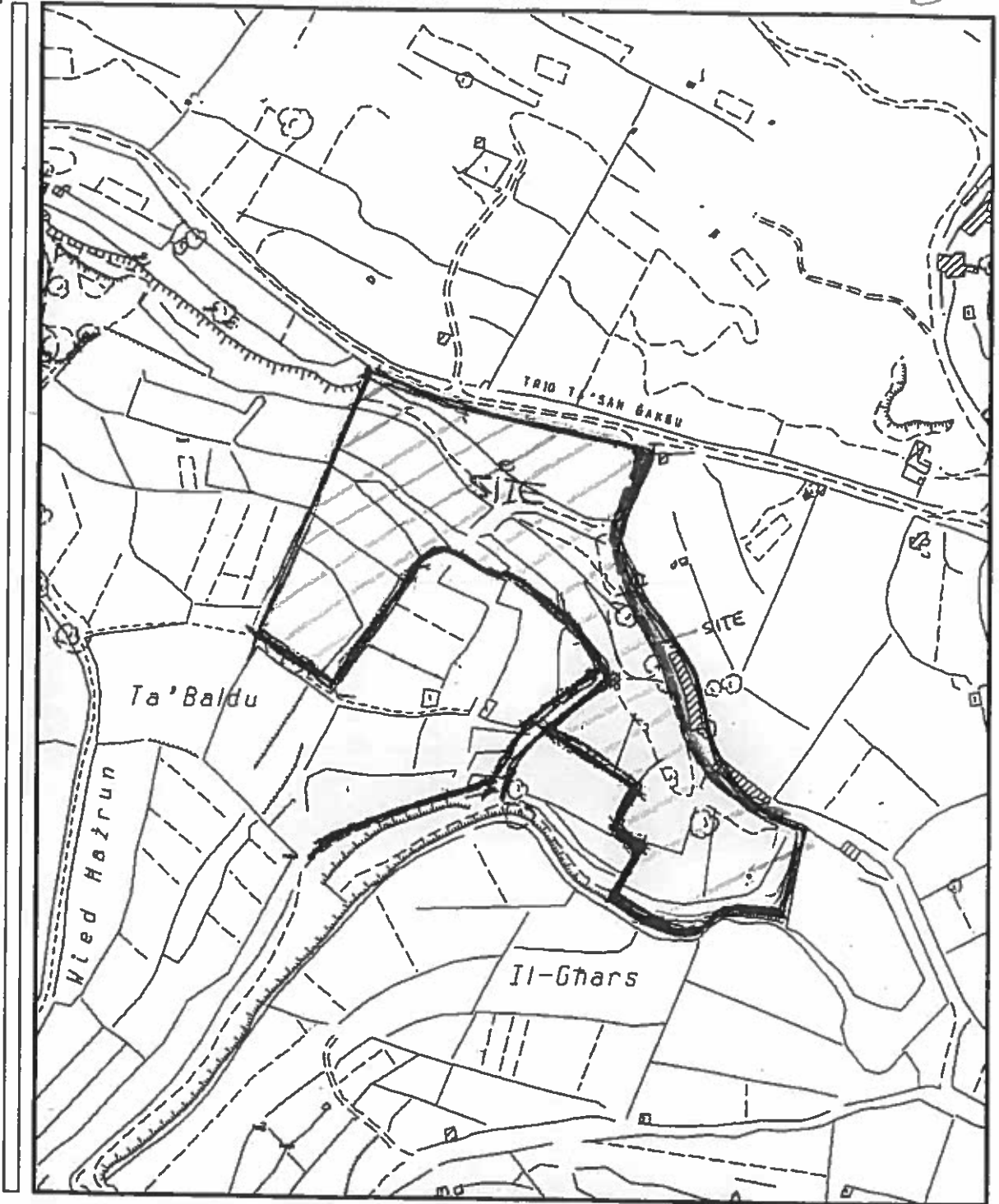
Date 24 March, 2007

DocStn

227244

(B)

500m



0m

Min Easting = 42981.79, Min Northing = 69774.45, Max Easting = 43381.79, Max Northing = 70274.33

0m

400m

MEPA

St. Francis Ravelin
 Floriana
 PO Box 200, Valletta, Malta
 Tel: +356 240976 Fax: +356 224846

www.mepa.org.mt

Christine Gatt
 Architect & Planner
 No. 27, St. George's Street,
 Gzira GZR 04, Malta.
 Tel: 320065 320063
 Fax: 547126

Site Plan, Scale 1:2500 Printed on: Thursday, November 17, 2005
 Not to be used for interpretation or scaling of scheme alignments

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(PA1209/07 – chac mtg 229 bid-data 7/08/07)

Il-Kumitat flimkien ma l-IHM huma tal-fehma li din it-talba ma ghandiex tigi milqugha ghaliex ix-xoghol propost ser isir f'zona ta' importanza kbira arkeologika fejn ma ghandu isir l-ebda zvilup li ma ikunx ta' natura purament konservattiva.



- LEGEND**
- M. domestica / C. shrensi / C. limon
 - Vitis vinifera
 - Olea europaea
 - P. persica
 - Limestone for building
 - Phragmites australis
 - Limestone as pathway
- NOTE**
ALL PRIVATE ROAD AND PATHWAYS ARE RURAL AND NO PAVING EXISTS



client Mr. J. Borg	location Site at Ta' Baldu, Limits of Dingli	drawing title Block Plan	project title To carry out maintenance works to existing rubble walls	chkd / app'd	alteration	rev	date	by	scale 1:1500	km	1500
									drawn by	km	
									checked by	cs	
									drawing no.	01	
									date	June 05	
									file no.		

CHRISTIAN SPERER
ARCHITECT & CIVIL ENGINEER
27, St. Georges St, Gzira, GZR, 04
Telephone: 21 32 00 05, 21 32 00 33 Fax: 21 34 71 26

PA 02600/06

To construct first floor and alterations to ground floor

Approvat



To: Mr Jean Borg
1A, Triq Wied Ghomor
St Julians

Date: 19 February, 2008
Our Ref: PA 02600/06

Application Number: PA 02600/06
Application Type: Full development permission
Date Received: 21 April, 2006
Approved Documents : PA 2600/06/7A/1E/1H/39A/40A

Location: Site at Ta' Baldu (L/o Dingli) off Triq, Ta' San Gakbu, Rabat (Malta)
Proposal: To construct first floor and alterations to ground floor.

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. All external apertures and closed balconies shall be constructed in timber and shall be painted, and not left in a natural finish or stained. Open balcony railings and all other metalwork shall be in wrought iron.
2. All services located on the roof of the building shall be screened by a wall 1.4 metres (5 courses) high constructed in franka stone and set back by at least 2 metres from all edges of the roof. The services shall not exceed the height of this wall. No services shall be located on the roof of the roof structures.
3. 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.
4. Air conditioning units shall not be located on the facades of the building which are visible from a public space.
5. 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.
- 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) Where applicable hoarding should be erected in accordance with Schedule 2 of the Environmental Management Construction Site Regulations, LN 295 of 2007
- 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.
- 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 height of the building shall not exceed the permitted number of 2 floors as indicated on the approved drawings.
- o) The facade of the building shall be constructed in local stone, except where other materials, finishes and colours are indicated on the approved plans and drawings.
- p) A water cistern with a volume in cubic metres of 30% of the total roof area (in square metres) of the building(s) shall be constructed to store rainwater run-off from the built-up area of the development. This cistern shall be completed and available for use prior to the development hereby permitted being first brought into use.
- q) 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.
- r) The permit is issued on condition that, where applicable, any excavation shall be subject to the requirements of the Civil Code regarding neighbouring tenements.
- s) Where applicable, the development, hereby permitted, shall be carried out in accordance with the provisions of the Environmental Management Construction Site Regulations, LN 295 of 2007.

Should the site fall within areas designated as HOS and property originating from the Housing Authority, this permit does not exonerate the applicant from obtaining the necessary clearances from the same Authority.

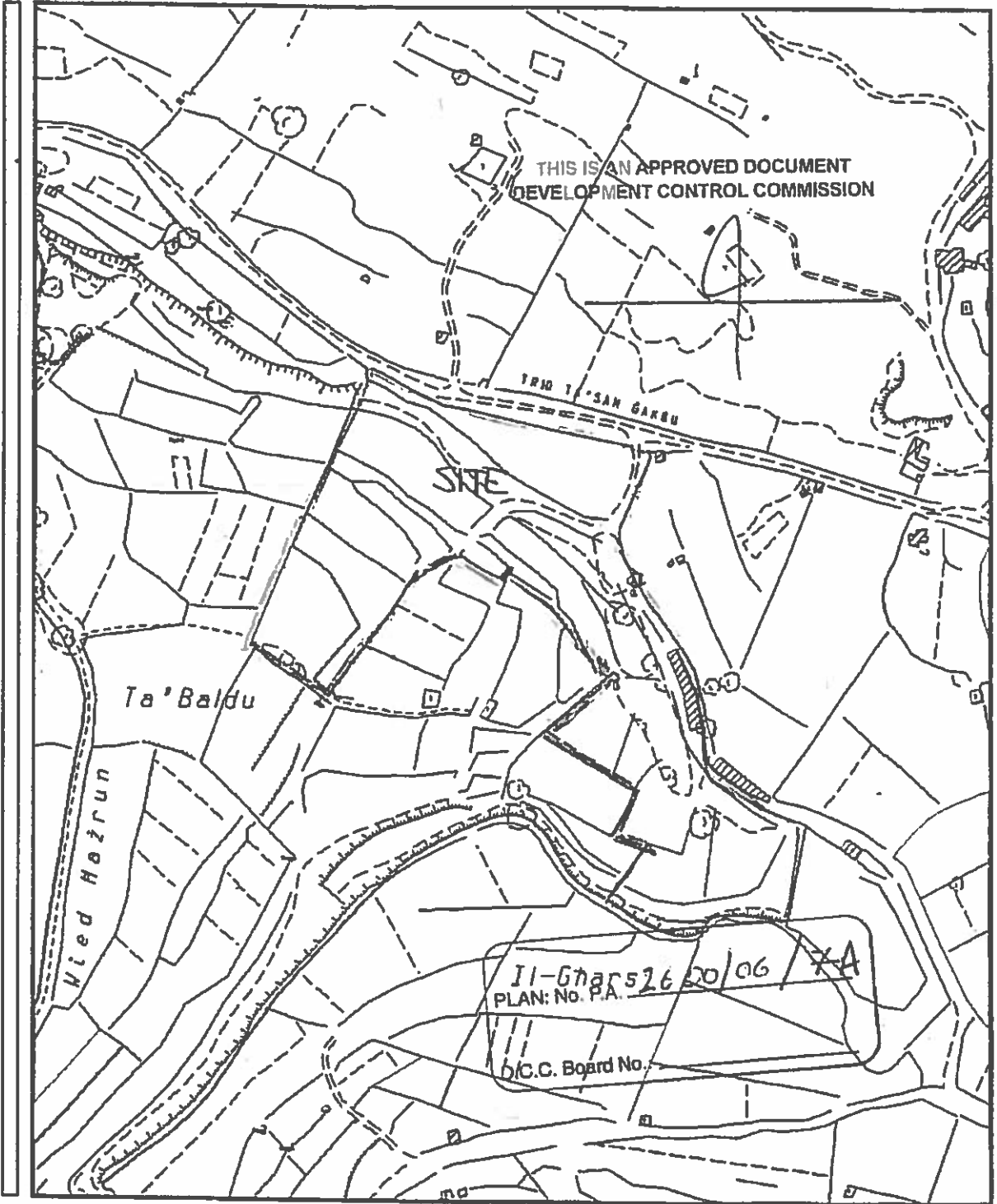
This permit is granted saving third party rights. the applicant is not excused from obtaining any other permission required by law. The applicant should contact the following regarding the location and provision of services prior to commencing development :- Enemalta, Water Services Corporation, Maltacom,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


Marlene Attard
Head DCC Secretariat
Development Control Commission

511221

HA

500m



Min Easting = 42981.79, Min Northing = 69774.45, Max Easting = 43381.79, Max Northing = 70274.33



MEPA

St. Francis Ravelin
Floriana
PO Box 200, Valletta, Malta
Tel: +356 240976 Fax: +356 224846

www.mepa.org.mt

Site Plan, Scale 1:2500 Printed on: Thursday, November 17, 2005
Not to be used for interpretation or scaling of scheme alignments

Christopher Spiteri BE & AM(Hons.) A & CE
Architect & Chartered Engineer
No. 27, St. George's Street,
Għara (52A) 04, Malta.
Tel: 329005, 320033
Fax: 347126

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EC 00503/06

Żvilupp mingħajr permess li jikkonsisti minn landscaping works skond applikazzjoni għal l-iżvilupp PA 5089/05, twaqqiegħ u bini mill-gdid ta' hitan tas-sejjeġh, iffurmar ta' turgien, rampi u passagġi fil-wied, iffurmar ta' pitch bit-turf, pavimentar u nstallazzjoni ta' bankijiet, dawl dekorattiv u mwejjed tal-ġebel, kif ukoll engineering works ohra u sit skedat

Magħluq

Current Enforcement Status		
Case Status:	Enforcement Action Closed - Permission was granted to sanction the illegal development	
Enforcement Details		
Case Number:	EC/00503/06	
Location of Infringement:	Site at, Ta' Baldu, l/o Rabat	
Summary Of Infringement (In English):	Landscaping works, reconstruction of boundary walls, formation of passage ways, ramps and stairs to valley and other engineering works without permit	
Infringement (In Maltese):	Ghandek zvilupp minghajr permess li jikkonsisti minn landscaping works skond applikazzjoni ghall zvilupp tieghek stess PA 5089/05 , twaqqiegħ u bini mill-gdid ta' hitan tas-sejjeħ, iffurmar ta' turgien, rampi u passaggi fil wied, iffurmar ta' pitch bit-turf, pavimentar u nstallazzjoni ta' bankijiet, dawl dekorattiv u mwejjed tal-gebel, kif ukoll engineering works ohra go sit skedad.	
Enforcement Officer:	Raymond Scicluna	
Overview		
Enforcement Type:	Development Permit Pending	
Case Category:	Others-not classified under any category	
Interested Parties		
Name	Interest	Prime Contact
Mr Jean Borg	Contravenor	Yes
Mr. Christian Spiteri	Architect	No
Rabat Local Council (Malta)	Local Council	No

About Us

PA 05089/05

Sanctioning of maintenance works to existing rubble walls, consolidation of existing road and tracks, and sanctioning of planting of trees and soft landscaping and general cleaning of the area

Approvat



69

To: Mr Jean Borg
29, G. Ellul Mercer Street
Sliema SLM 08

Date: 23 November, 2007

Our Ref: PA 05089/05

Application Number: PA 05089/05
Application Type: Full Development Permission / 01
Date Received: 11 August, 2005
Approved
Documents : PA 5089/05/1B/1D/1E

Location: Site at, Ta' Baldu, I/o Rabat
Proposal: Sanctioning of maintenance works to existing rubble walls, consolidation of existing road and tracks, and sanctioning of planting of trees and soft landscaping and general cleaning of the area.

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 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.

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) 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.

f) 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.

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

h) 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.

i) Waste materials resulting from this development 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.

j) 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.

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

l) Where applicable, 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.

m) Where applicable, the development hereby permitted, shall be carried out in accordance with the provisions of the Environmental Management Construction Site Regulations, LN295 of 2007.

2 This permission relates only to the development specifically indicated on the approved drawings. This permission does not sanction any dwellings or other illegalities that may exist on the site.

3 The rubble walls are to be constructed in whole rubble stone and shall at no point exceed a height more than that indicated on approved drawings.

- 4 The rubble walls are to be constructed / maintained in a traditional manner utilizing only drystone random rubble as stipulated in Legal Notice 160 of 1997 - Rubble Walls and Rural Structures (Conservation and Maintenance) Regulations, and in Legal Notice 169 of 2004 - Rubble Walls and Rural Structures, Conservation and Maintenance Regulations (Amendment).
- 5 Landscaping of the site shall be implemented in its entirety within the first planting 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.

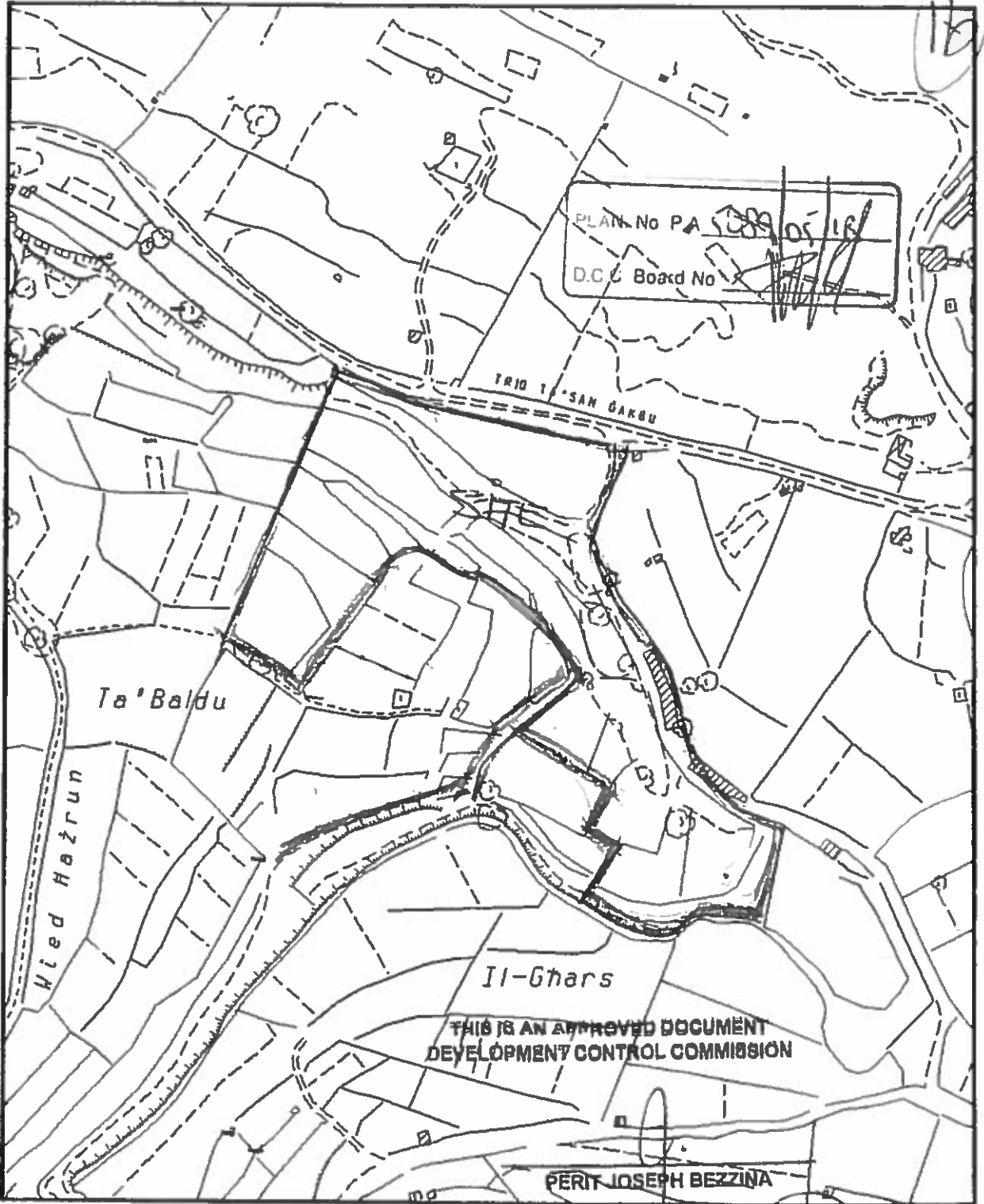
Should the site fall within areas designated as HOS and property originating from the Housing Authority, this permit does not exonerate the applicant from obtaining the necessary clearances from the same Authority.

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 Cable Network Operators.



Marlene Attard
Head DCC Secretariat
Development Control Commission

500m



0m

Min Easting = 42981.79, Min Northing = 69774.45, Max Easting = 43381.79, Max Northing = 70274.33

0m

400m

MEPA

www.mepa.org.mt

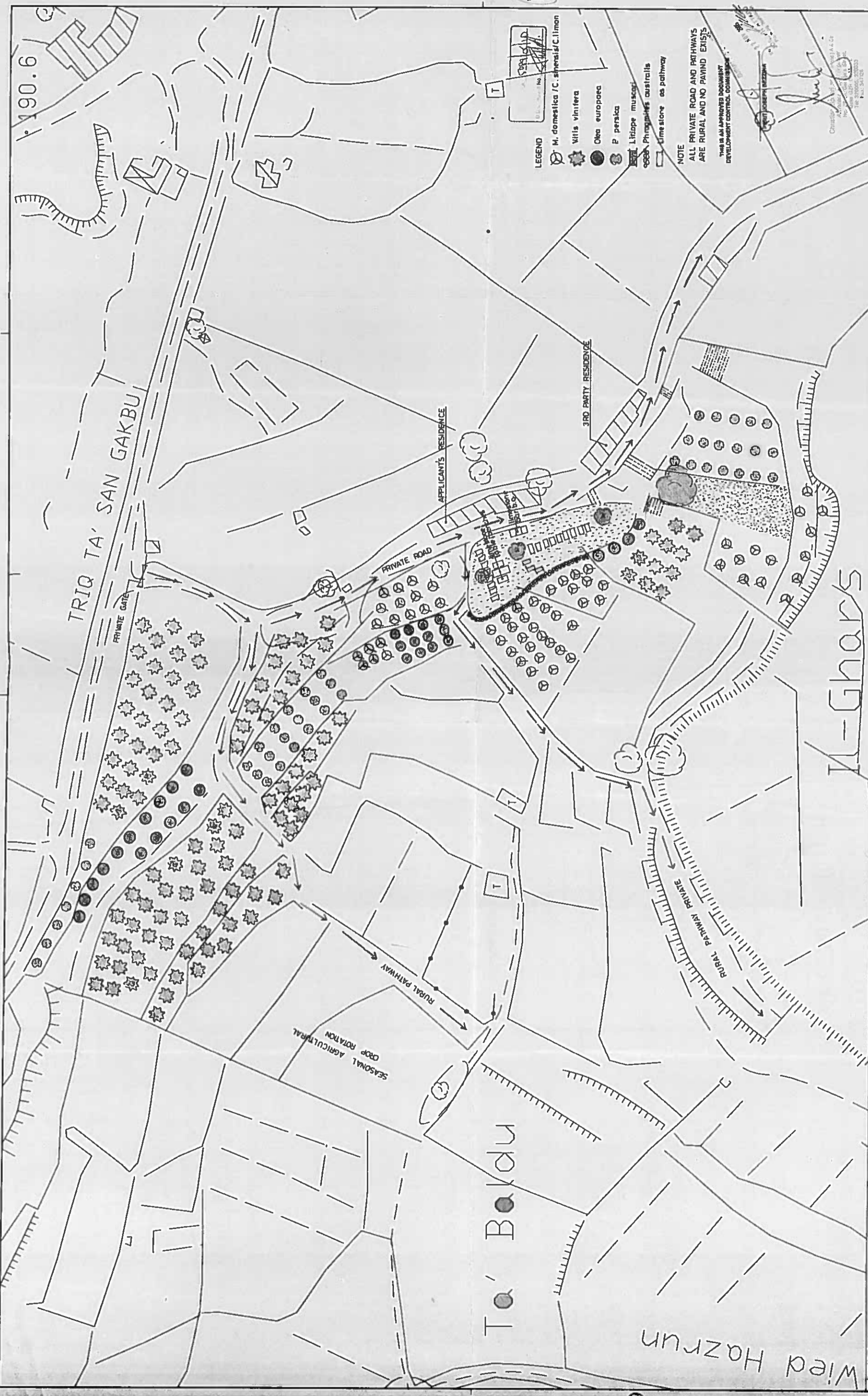
St. Francis Ravelin
Floriana
PO Box 290, Valletta, Malta
Tel: +358 240976 Fax: +356 224848

Christina Cutler
Christina Cutler (P.A. & CE)
Architect & Planning Team
No. 27, St. George's Street,
Gzira GZR 04, Malta.
Tel: 320005, 328033
Fax: 347126

Site Plan, Scale 1:2500 Printed on: Thursday, November 17, 2005

Not to be used for interpretation or scaling of scheme alignments

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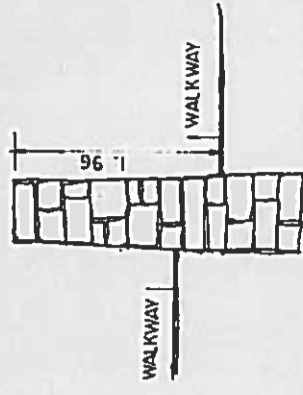
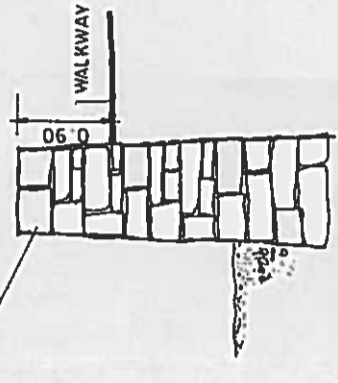
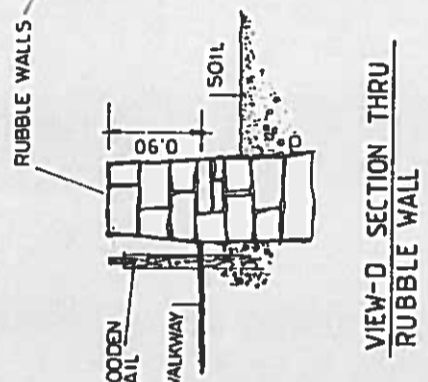
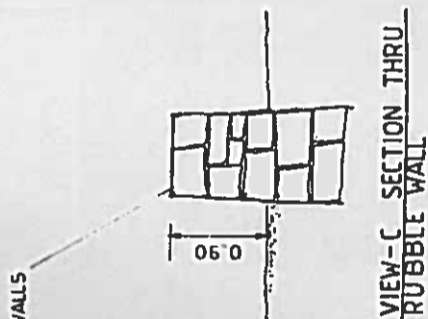
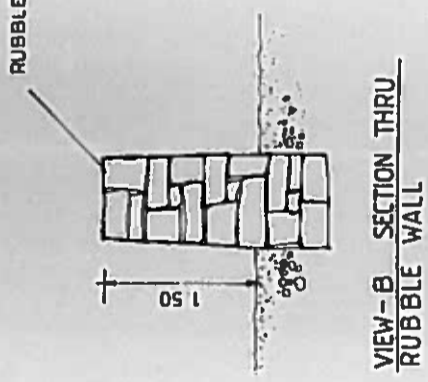
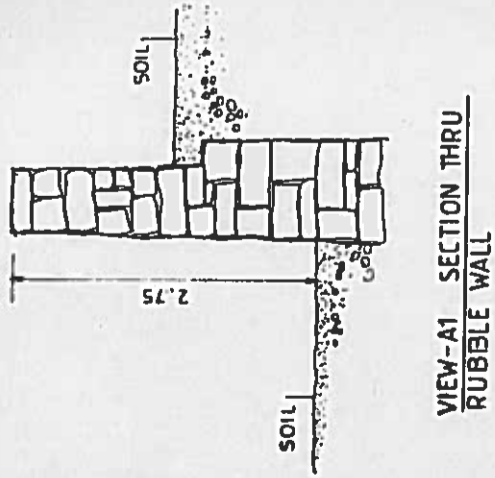
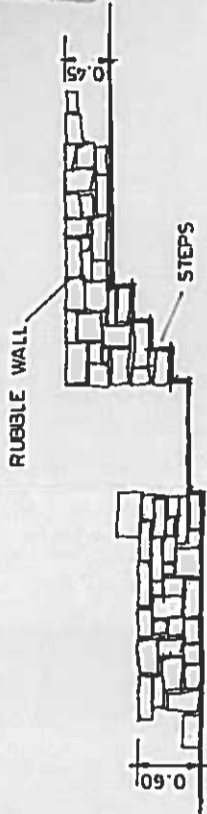
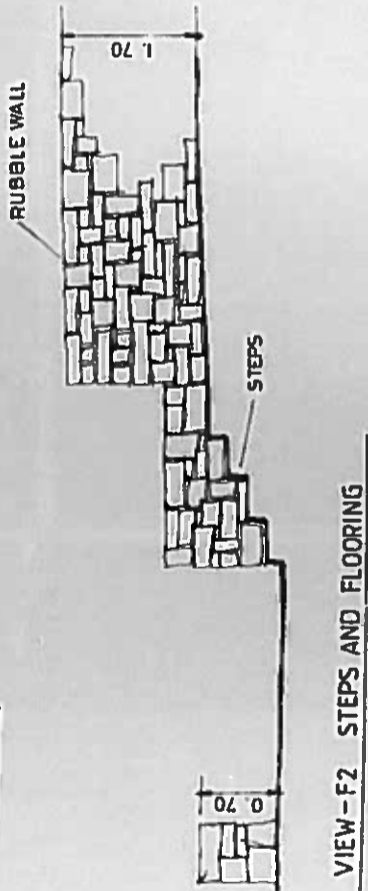
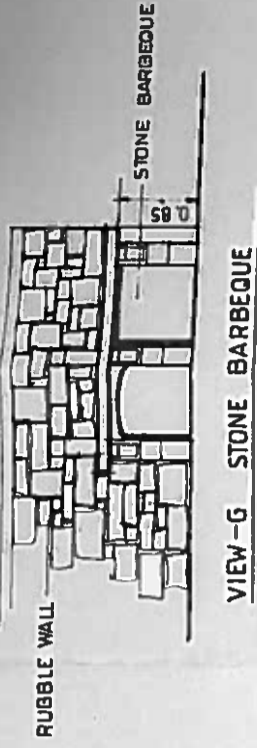
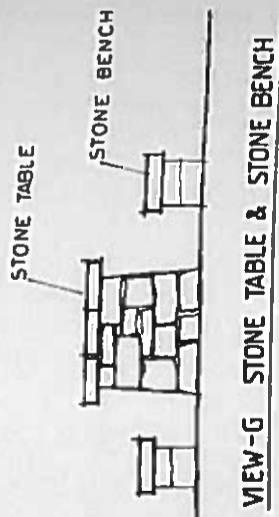
LEGEND

- M. domestica / C. sinensis / C. limon
- Wills vitifera
- Olea europaea
- P. persica
- Litsea muscari
- Phragmites australis
- Time stone as pathway

NOTE
 ALL PRIVATE ROAD AND PATHWAYS ARE RURAL AND NO PAVING EXISTS
 THIS IS AN APPROVED DOCUMENT DEVELOPMENT CONTROL COMMISSION

Christian Spiteri
 Architect & Civil Engineer
 27, St. Georges Str, Gzira, GZR 04
 Telephone: 21 32 00 05, 21 32 00 33 Fax: 21 34 71 26

client	Mr. J. Borg	location	Site at Ta' Baldu, Limits of Dingli	drawing title	Block Plan	project title	To carry out maintenance works to existing rubble walls							
scale	1:500	drawn by	km	checked by	CS	drawing no.	01	date	June 05	file no.				
rev		date		alteration		chkd	app'd							
<p>CHRISTIAN SPITERI ARCHITECT & CIVIL ENGINEER</p>														



CHRISTIAN SPITERI
 ARCHITECT & CIVIL ENGINEER
 No. 27, St. Georges Str, Gzira. GZR 04
 Tel: 21 32 00 05, 21 32 00 33 Fax: 21 34 71 26



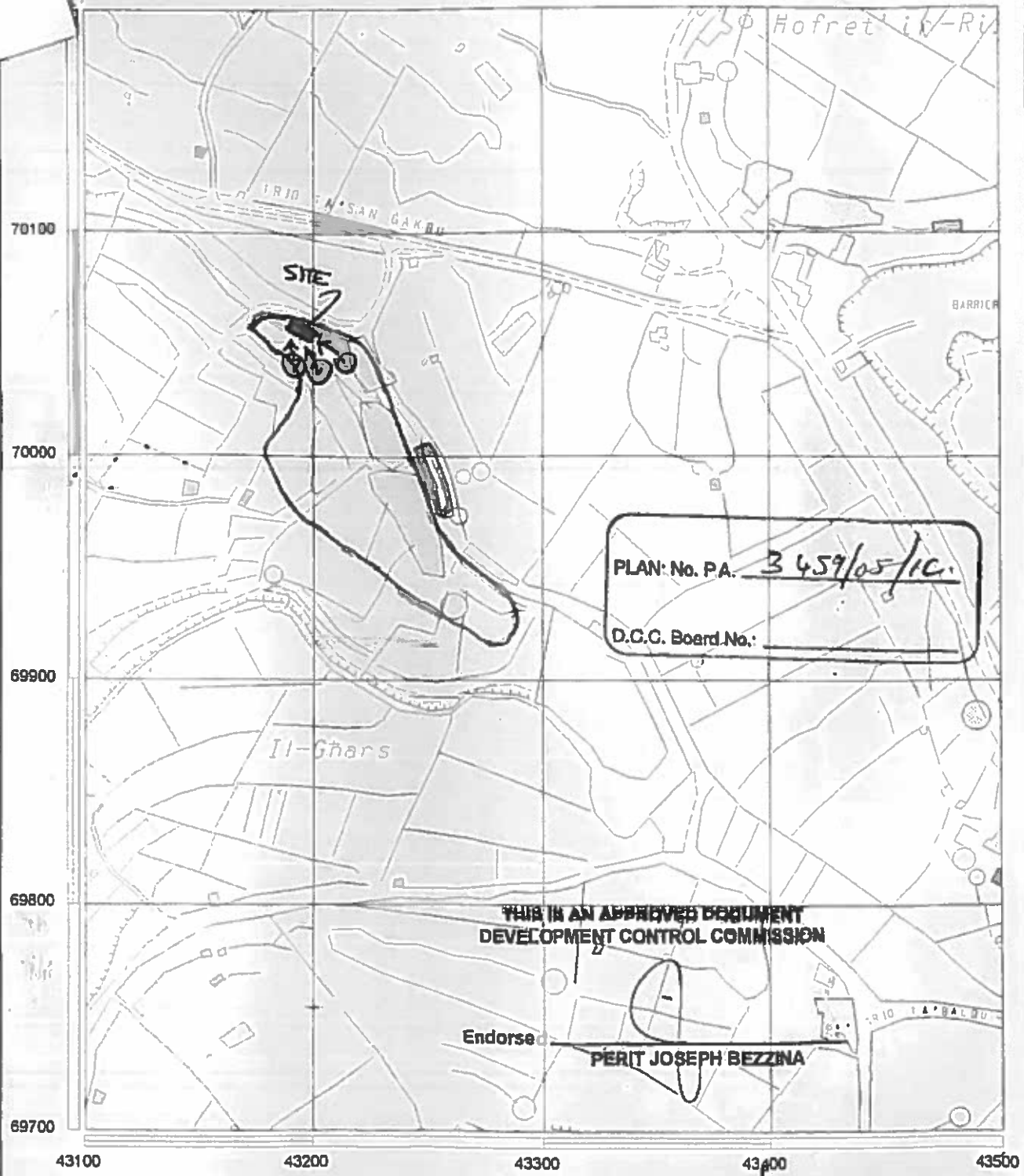
location	drawing title	project title	chkd	app'd	alteration	rev	date	by	scale	drawn by	checked by	drawing no.	date	file no.
MR J. BORG	SITE AT TA BALDU LIMITS OF DINGLI	MAINTENANCE OF EXISTING RUBBLE WALLS AND CONSOLIDATION OF EXISTING ROAD AND TRACKS							1:50	JLM	C.S		JULY 05	
	SECTIONS A													

CHRISTIAN SPITERI
 ARCHITECT & CIVIL ENGINEER
 27, St. Georges Str, Gzira. GZR 04
 Telephone: 21 32 00 05, 21 32 00 33 Fax: 21 34 71 26

PA 03459/05

To sanction construction of reservoir

Approvat



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): 4269 4270

Date Issued:- 4/2/04

- The numbered lines indicate 100m intervals on a U.T.M. grid

Christian Spiteri BE & (Hons.) A & CE
 Architect & Civil Engineer
 No. 27, St. George's Road,
 Għalqa, Valletta, Malta
 Tel: 220033
 Fax: 247126

- This site plan is not to be used for interpretation or scaling of scheme alignments

- Users noting additions or corrections to this map are kindly requested to inform the Mapping Unit



To: Mr Timothy Clark
67, St. Margherita Street
Mosta

Date: 10 October, 2007
Our Ref: PA 03459/05

Application Number: PA 03459/05
Application Type: Full development permission
Date Received: 6 June, 2005
Approved Documents : PA 3459/05/1C/55A

Location: Ta' Baldu, Ta' San Gakbu, l/o Dingli
Proposal: To sanction construction of reservoir.

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. Reservoir is to remain unroofed.
2.
 - a) 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.
 - b) 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.
 - c) 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.
 - d) Copies of all approved plans and elevations must be available for inspection on site by Malta Environment & Planning Authority staff at all reasonable times.
 - 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) Where the street bordering the site is unopened or unformed, it shall be opened up and brought up to its proper and approved formation levels prior to the commencement of the building operations hereby permitted.

g) 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.

h) 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.

i) 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.

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

Should the site fall within areas designated as HOS and property originating from the Housing Authority, this permit does not exonerate the applicant from obtaining the necessary clearances from the same Authority.

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.



Marlene Attard
Head DCC Secretariat
Development Control Commission

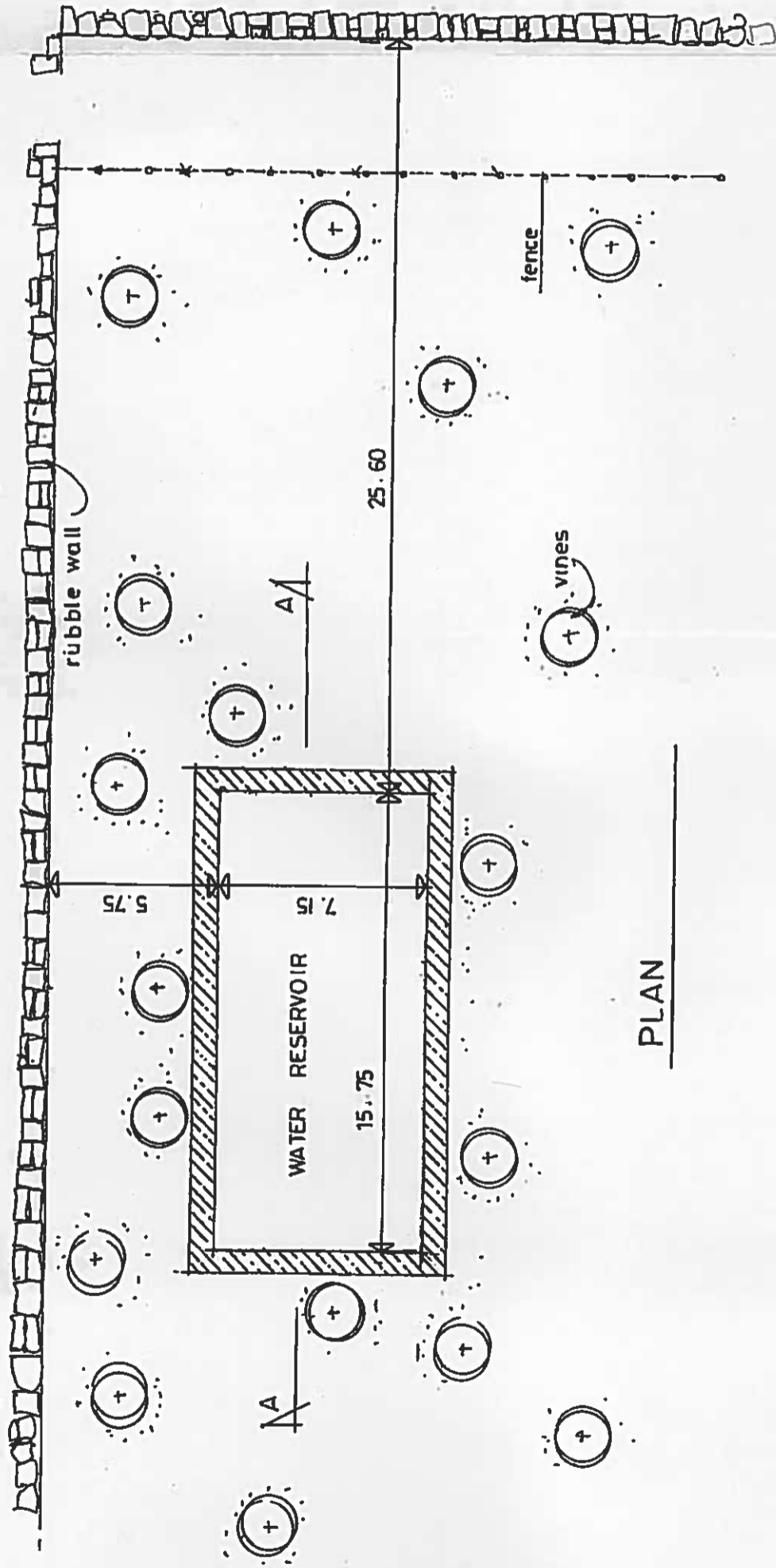
193774

SSA

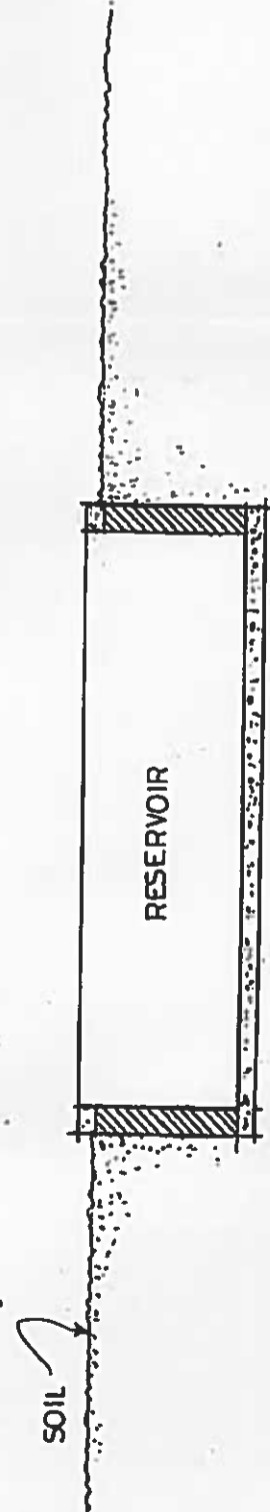
THIS IS AN APPROVED DOCUMENT
DEVELOPMENT CONTROL COMMISSION

Endorsed 
PERIT JOSEPH BEZZINA

PLAN: No. P.A. 3457/05/SSA
D.C.C. Board No. _____



PLAN



SECTION A A

CHRISTIAN SPITERI		scale	1:200	client	J. BORG	location	SITE AT TA BALDU L/O DINGLI	drawing title	PLAN AND SECTION OF RESERVOIR	project title	TO SANCTION CONSTRUCTION OF RESERVOIR
ARCHITECT & CIVIL ENGINEER		drawn by	JLM								
27, St. Georges St, Gdtn. GZR 04		checked by	CS								
Telephone: 21 32 00 05, 21 32 00 33 Fax: 21 34 71 26		drawing no.									
		date	MAY 05								
		file no.									

PA 00800/04

To sanction alterations and maintenance works

Approvat

Copy of Original Decision Notice



To: Mr Jean Borg
29, G. Ellul Mercer Street
Sliema SLM 08

Date: 2 February, 2006
Our Ref: PA 00800/04

Application Number: PA 00800/04
Application Type: Full Development Permission / 01
Date Received: 16 February, 2004
Approved
Documents : PA 0800/2004/1B,1C,52C,52D

Location: Site at Ta' Baldu (L/o Dingli) off Triq, Ta' San Gakbu, Rabat (Malta)
Proposal: To sanction alterations and maintenance works.

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. This Development Permission covers solely the sanctioning of alterations to the farmhouse, as indicated on the approved drawings. Any other form of intervention to the building and its environs is prohibited, and shall be subject to separate planning consent.
2. Existing rubble walls shall be strictly maintained in a traditional construction method in line with Legal Notice 160 of 1997 (as amended), that is, in loose unhewn rubble stones without the use of mortar and, shall not exceed 1.2 metres from *existing* site levels. The use of pilasters, poles, fencing, or any other projection is strictly prohibited. The rubble walls shall not be reinforced and/or topped with concrete, mortar or any other material.
3. Domestic plants or trees/shrubs not listed in Appendix 3 of the "Guidelines on Trees, Shrubs and Plants for Planting and Landscaping in the Maltese Islands (January 2002)" shall not be planted within the site boundary.
4. A Public Sewer Discharge Permit in accordance with LN 139 of 2002 may be required for this development.
5. The dwelling shall be connected to the public sewer or, in its absence, to a leak-proof cesspit.

Copy of Original Decision Notice

6. This Development Permission does not exonerate applicant from applying with the Superintendent of Public Health for the construction of the cesspit(s) or from the requirements of LN 337/01. In addition, the following conditions also apply:
- a) The cesspit shall be constructed in such a manner so as to ensure that any leakages and spillages onto surrounding land are prevented.
 - b) It should be appropriately ventilated so as to avoid the accumulation of explosive, toxic or corrosive gases.
 - c) Human and animal waste should not be connected to the same cesspit.
 - d) The cesspit should not be connected to the public sewerage system but emptied by tanker.
 - e) Area in the immediate vicinity of the cesspit should be impervious

At any particular instance, the applicant may be requested by MEPA to submit assurance from a competent professional that the cesspit conforms to all the above conditions.

7. 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.
8. 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.
9. 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.
- 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) 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.

Copy of Original Decision Notice

f) 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.

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

h) 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.

i) Waste materials resulting from this development 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.

j) 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.

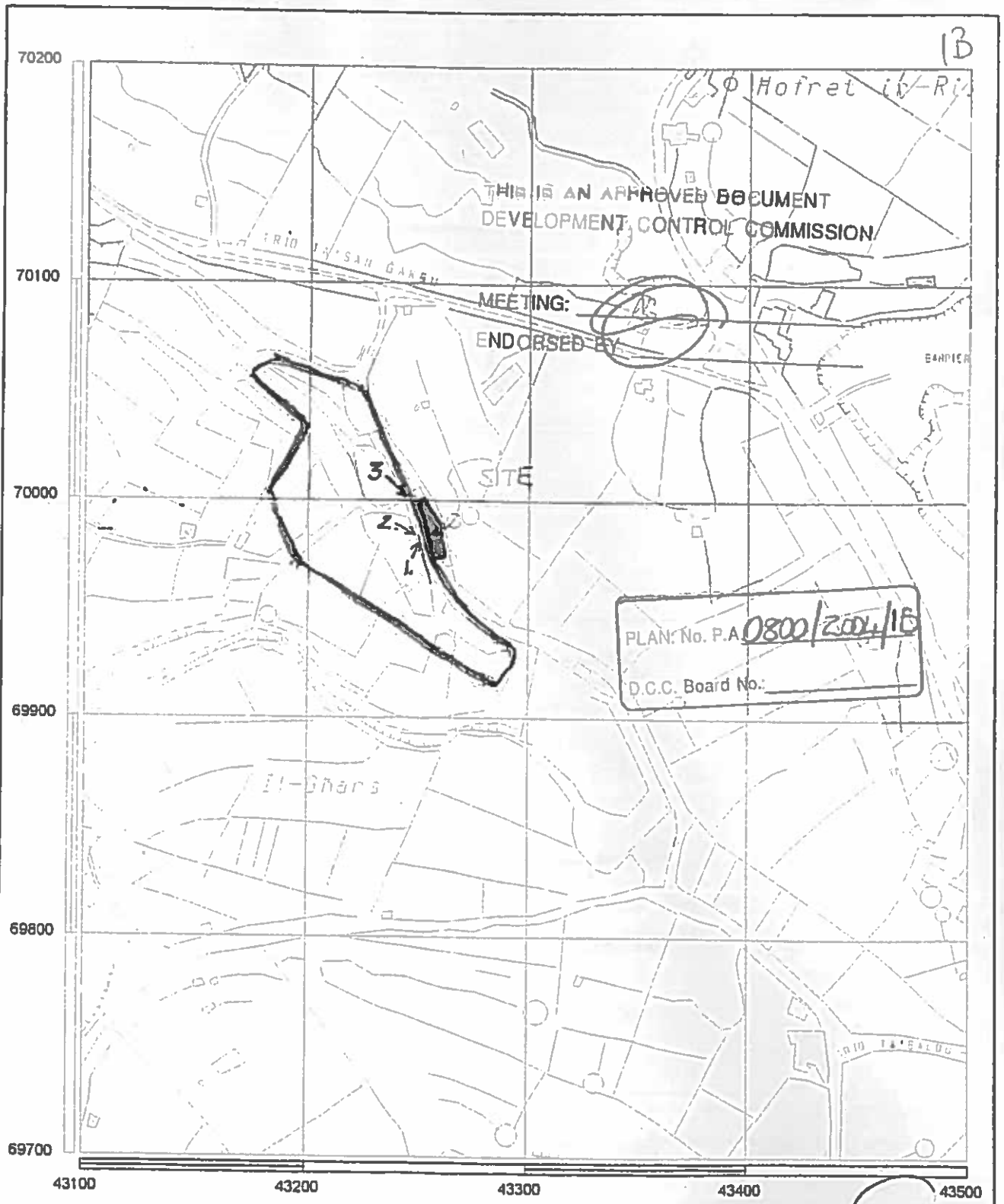
k) The permit is issued on condition that, where applicable, any excavation shall be subject to the requirements of the Civil Code regarding neighbouring tenements.

l) Where applicable, 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.

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 Cable Network Operators.



Frances Pisani
Secretary
Development Control Commission



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

A. Francis Ravelin
 Floriana
 P.O. Box 204, Valletta
 Tel: 21240976 Fax: 21224846
 www.mepa.org.mt



Part of Survey Sheet(s): 4269 4270

Date issued: 4/2/04

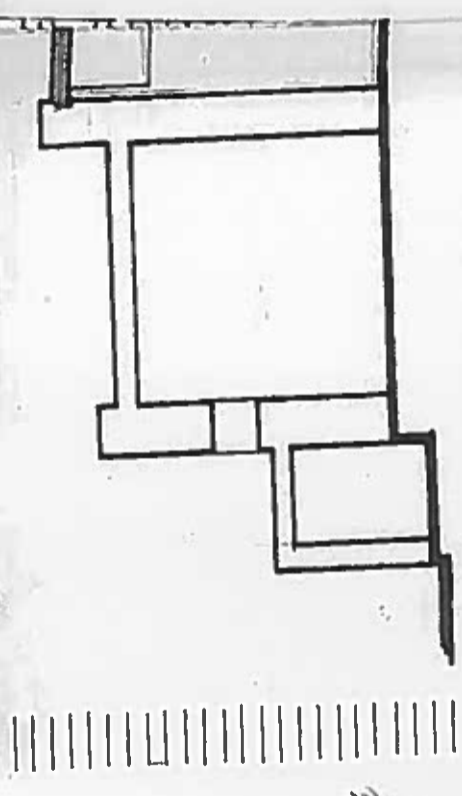
- The numbered lines indicate 100m intervals on a U.T.M. grid
- This site plan is not to be used for interpretation or scaling of scheme alignments
- Users noting additions or corrections to this map are kindly requested to inform the Mapping Unit

Christian Spiteri
 Architect & Civil Engineer
 No. 27, St. George's Street
 Gzira GZR 04, Malta.
 Tel: 320005, 32003J
 Fax: 347186

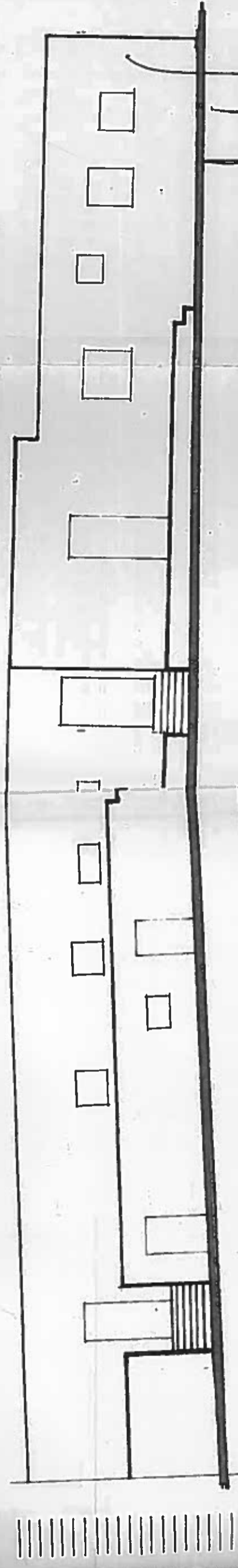
THIS IS AN APPROVED DOCUMENT
DEVELOPMENT CONTROL COMMISSION

MEETING: _____
ENDORSED BY: _____

PLAN: No. P.A. 0880/2004/IC
D.C.C. Board No.:



SECTION A-A
Scale 1:100



ELEVATION
Scale 1:

Note :- FACADE TO BE PAINTED IN POMPEIAN RED.
APERTURES IN TIMBER.

Christian Spiteri BE & A
Architect & Civil Engineer
No. 27, St. George's Street,
Gzira GZR 04, Malta
Tel: 320005, 320033
Fax: 347126



scale 1:100

<p>CHRISTIAN SPITERI ARCHITECT & CIVIL ENGINEER 27, St. Georges Str, Gzira: GZR 04 Telephone: 21 32 00 05, 21 32 00 33 Fax: 21 34 71 26</p>		<p>scale 1:100</p>	<p>client J. BORG</p>	<p>station e at ta' Baldu l/o gli.</p>	<p>drawing title Elevation & Section</p>	<p>project title To sanction alterations and maintenance works.</p>
<p>drawn by</p>	<p>checked by</p>	<p>drawing no. NOV 03</p>	<p>date</p>	<p>file no.</p>		

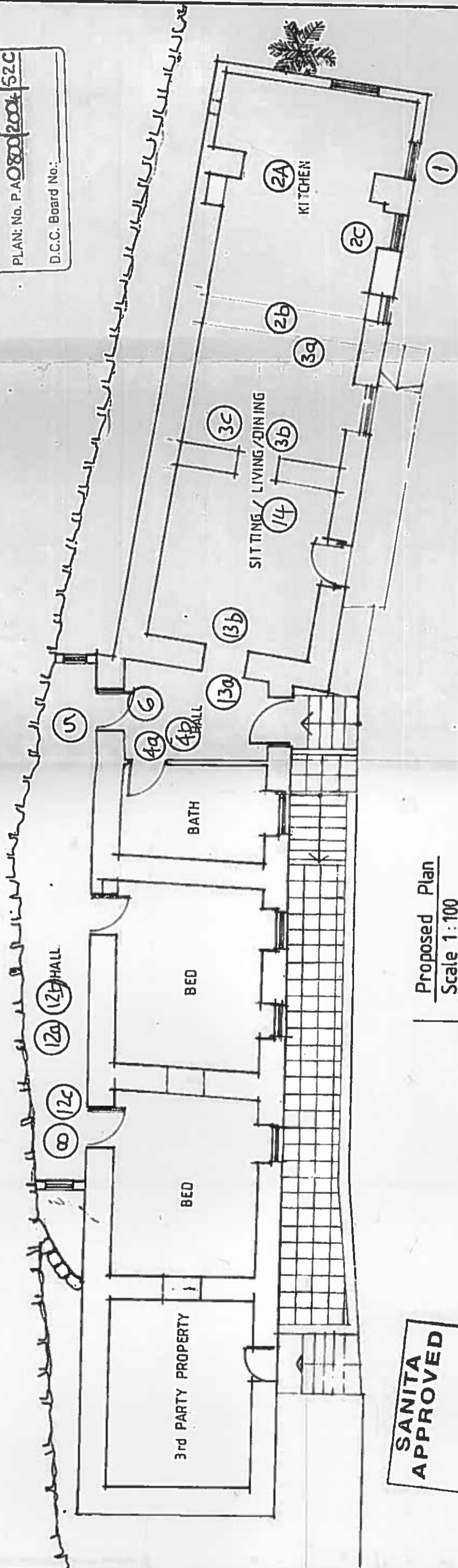
520

PLAN: No. P.A.08002004/52C
D.C.C. Board No.:

ENDORSED BY:

MEETING:

THIS IS AN APPROVED DOCUMENT
DEVELOPMENT CONTROL COMMISSION

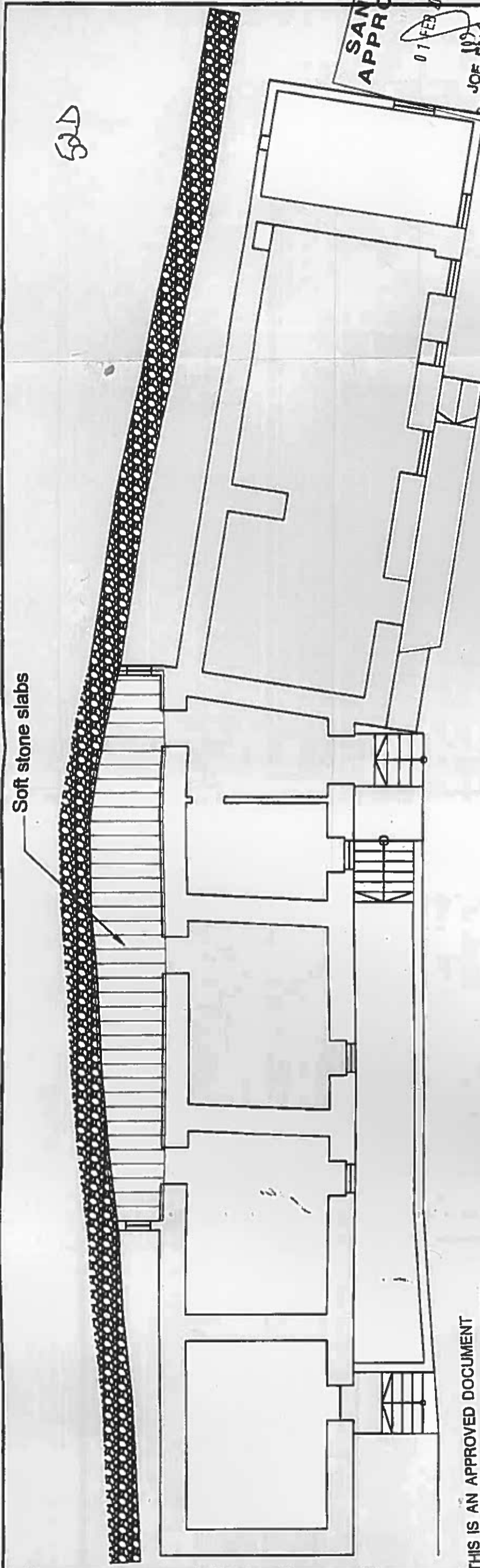


SANITA APPROVED
01/11/2006
JOE PARRUGIA
Sanitary Engineering Officer

Proposed Plan
Scale 1:100



CHRISTIAN SPITERI ARCHITECT & CIVIL ENGINEER 27, St. Georges Str, Gzira. GZR 04 Telephone: 21 32 00 05, 21 32 00 33 Fax: 21 34 71 26	scale	1:100	client	J. BORG	location	DINGLI	drawing title	GROUND FLOOR PLAN (Proposed)	project title	To sanction alterations and maintenance works.
	drawn by	JLM	checked by	CS	drawing no.	1	date	NOV 03	file no.	



SANITA APPROVED
 01 FEB 2006
 JOE FARRURIA
 Chartered Engineering Officer

Proposed plan

PLAN: No. P.A08002004/52 D
 D.C.C. Board No.:

100 50 0 1 2 3 4 5 6 7 8 9 10 m
 scale 1:100

THIS IS AN APPROVED DOCUMENT
 DEVELOPMENT CONTROL COMMISSION

MEETING: _____
 ENDORSED BY: _____

Typical Section

CHRISTIAN SPITERI		scale	1:100	client	Mr. Jean Borg	location	Site at ta Baldu l/o Dingli	drawing title	plan and section	project title	To sanction alterations and maintenance works.
ARCHITECT & CIVIL ENGINEER		drawn by	PB								
		checked by	CS								
		drawing no.	01								
		date	June 05								
		file no.									
27, St. Georges Str, Gzira. GZR 04											
Telephone: 21 32 00 05, 21 32 00 33 Fax: 21 34 71 26											

EC 00086/04

Żvilupp minajr permess li jikkonsisti minn alterazzjoni u addizzjoni strutturali fuq bini li jinsab il-barra mill-konfini ta' żvilupp, u meta l-istess sit jaqa' f'area protetta ta' importanza arkeologika

Maghluq

Current Enforcement Status		
Case Status:	Enforcement Action Closed - Permission was granted to sanction the illegal development	
Enforcement Details		
Case Number:	EC/00086/04	
Location of infringement:	Ir-Razzett ta' Baldu off, Ta' San Gakbu, Rabat (Malta)	
Summary Of Infringement (In English):	Modifications and additions to an old structure in archeological area without permit	
Infringement (In Maltese):	Ghandek zvilupp minghajr permiss li jikkonsisti minn alterazzjoni u addizzjoni strutturali fuq bini li jinsab il-barra mill-konfini ta' zvilupp, u meta l-istess sit jaqa f'area protetta ta' importanza arkeologika	
Enforcement Officer:	Raymond Scicluna	
Overview		
Enforcement Type:	No Permission Sought	
Case Category:	Rural room or structures-not agriculture	
Interested Parties		
Name	Interest	Prime Contact
Mr Jean Borg	Contravenor	Yes
Rabat Local Council (Malta)	Local Council	No

About Us

DN 04046/01

Proposed reservoirs and pump room

Rifjutat



3

A W T O R I T À T A ' L - I P P J A N A R
P L A N N I N G A U T H O R I T Y

To : Bondin, Mr. Joseph
3, Triq in-Naqqax
Mosta

Date : 9 November, 2001
Your Ref :

Dear Sir/Madam,

Notification Number : DN 04046/01
Location : site at, Ta' San Gakbu, Rabat (Malta)
Proposal : Proposed reservoirs and pumproom.

Development not permitted by the Development Notification Order, 2001

We refer to your notification of intent to undertake the above mentioned works, received on 18 October, 2001.

In accordance with the Development Notification Order, 2001, the works described above do not qualify as permitted development for the following reasons :

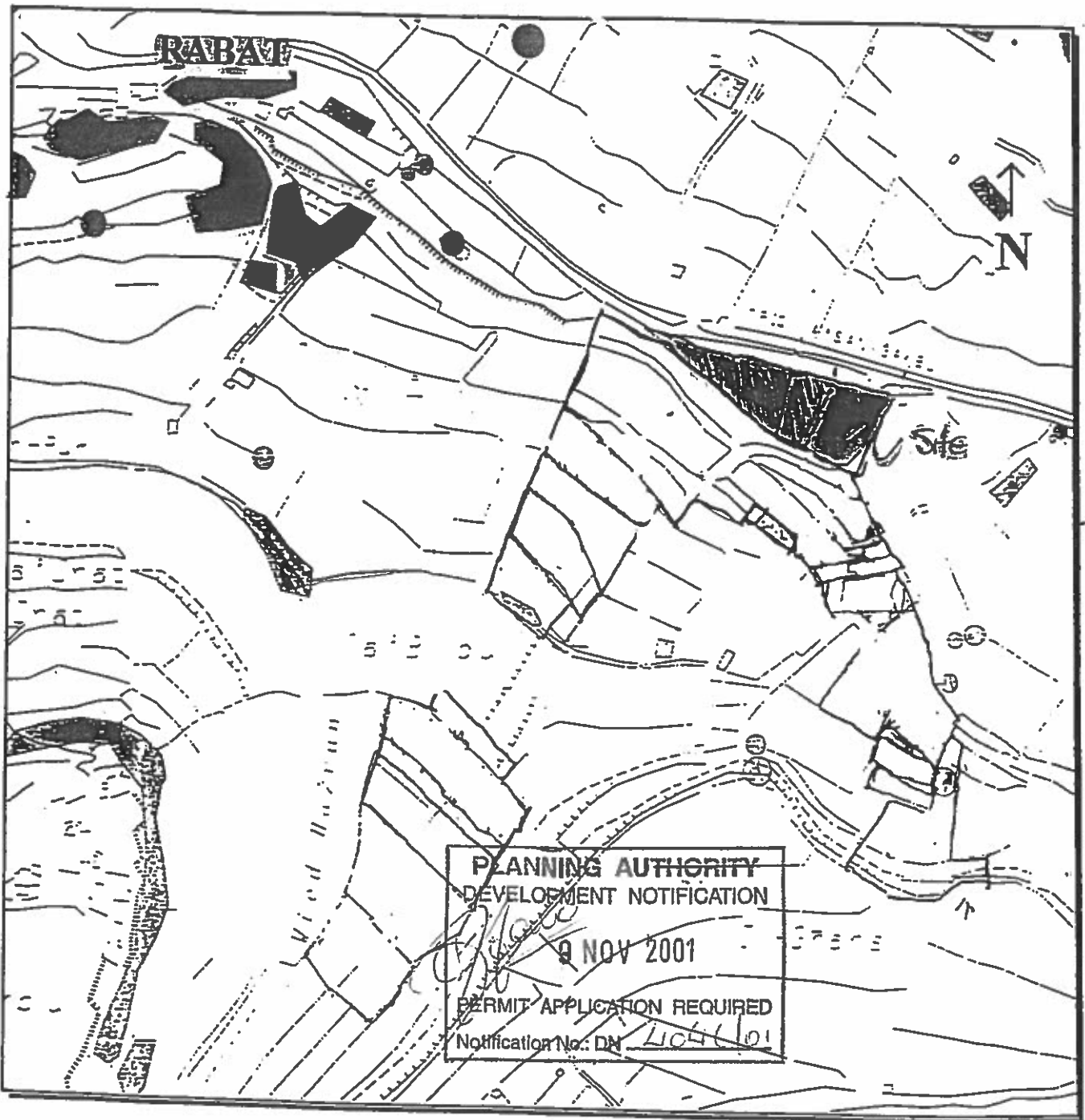
- (1) The proposal is located on Scheduled Property.
- (2) Both the reservoir and the pumproom exceed the maximum permissible requirements of the Development Notification Order.

Therefore a formal application to the Planning Authority for development permission is required.

Yours sincerely,

Darren Fava
Assistant Planning Technician
f/Director of Planning

DocGddDNO



Pjanta tas-sit 1:2500 Site Plan

Nru tal-Mappa:
Map Number: 23359

Posizzjoni Centrali: x = 43093
Centre Coordinates: y = 70018

Parti minn SS:
Extracted from SS: 4270 4269

Data:
Date: 31/07/1998

Perit
Architect:

Timbru tal-Perit
Architect's Stamp

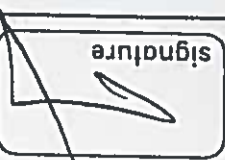
JOSEPH BONDIN
Architect & Civil Eng.
3, Triq in-Naxxar, Meša MST 03.
Tel: 430866 417671 Fax: 430866
Mob: 0949 0777

Qies (metri kwadri)
Area (square metres)

Firma tal-Applikant
Applicant's signature

Dritt Mhallas

signature



drawing title: PLAN, SECTION, ELEVATION

client: Mr. T. Clark

location: rabal/dingli

P.A no: --

date: 11/09/01

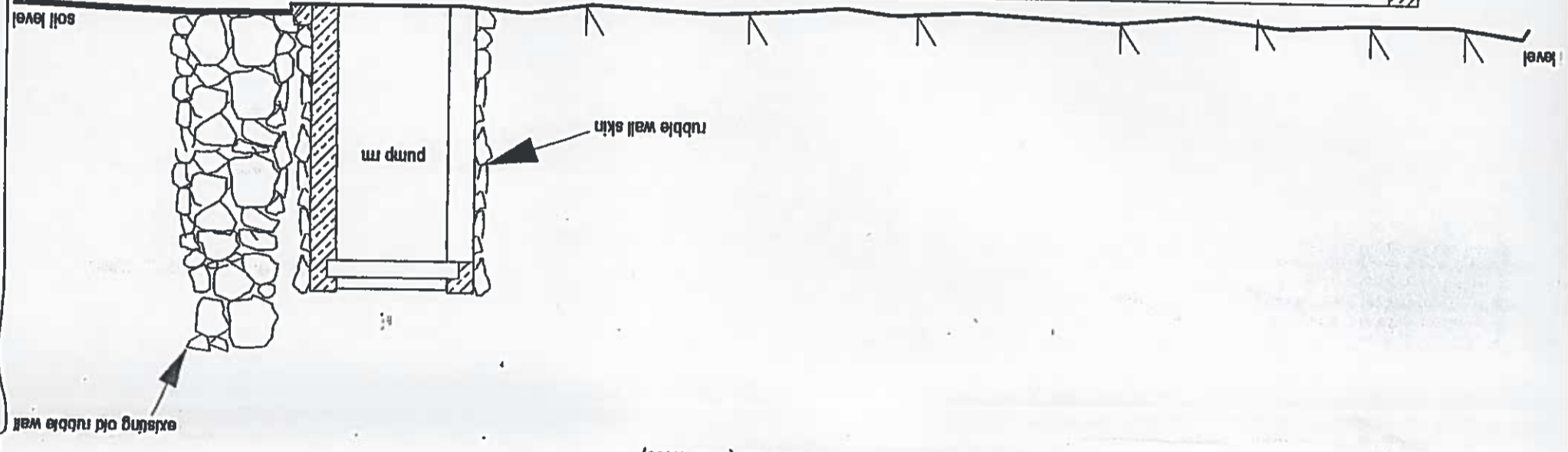
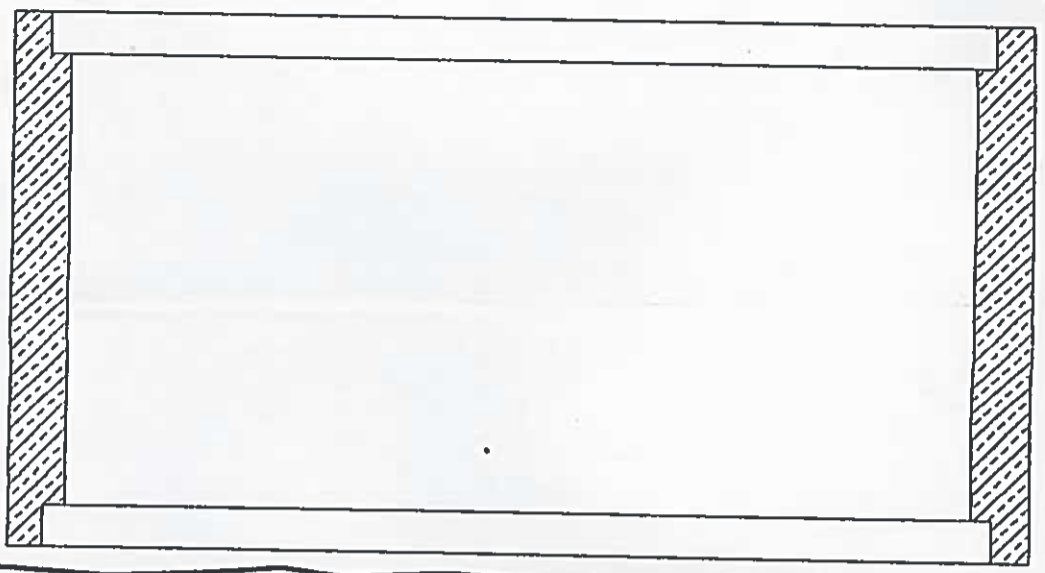
our ref: rescik

scale: as shown

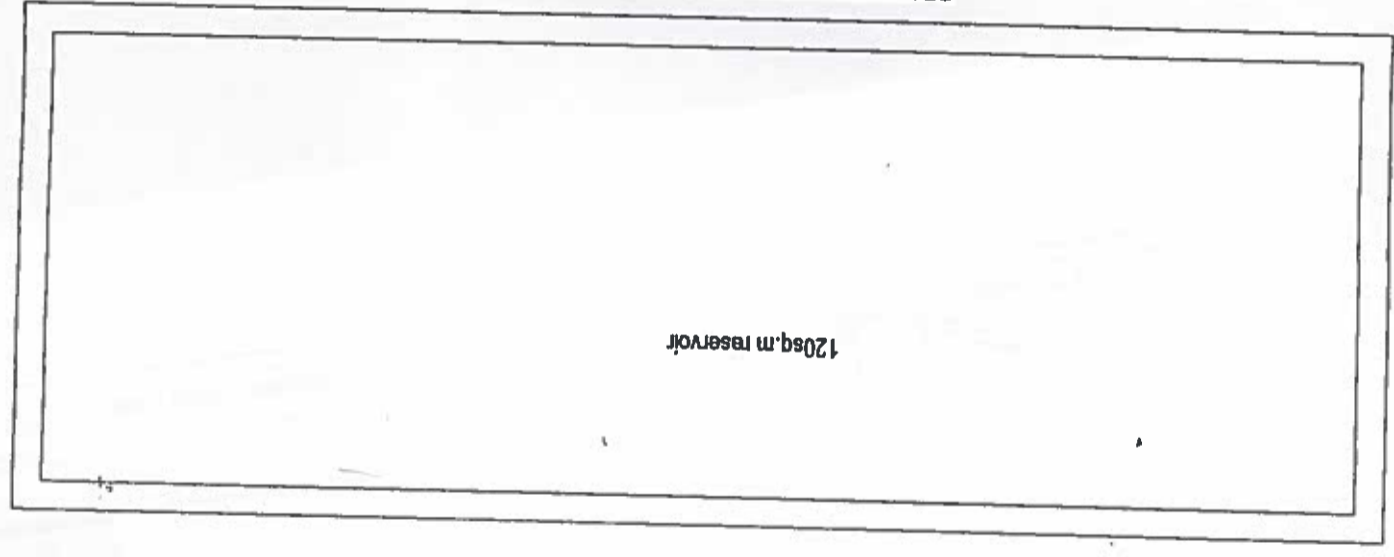
drawn by: J.A.

PLANNING AUTHORITY DEVELOPMENT NOTIFICATION
 9 NOV 2001
 PERMIT APPLICATION REQUIRED
 Notification No. DN 4046/01

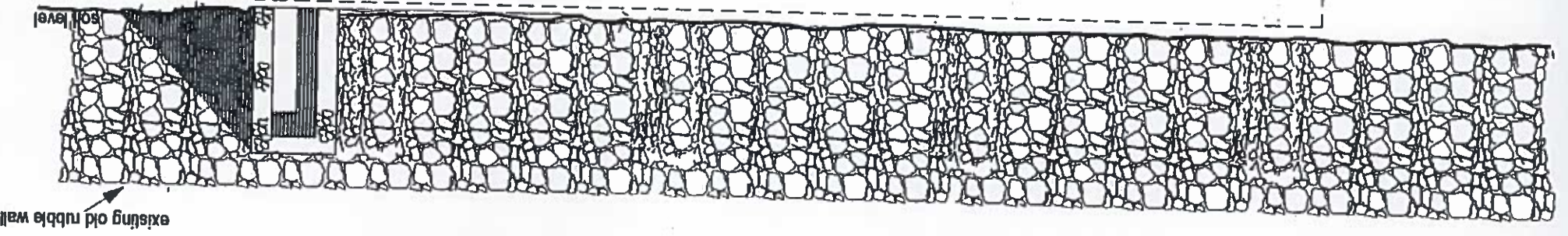
SECTION THROUGH RESERVOIR/PUMP ROOM (scale 1:50)

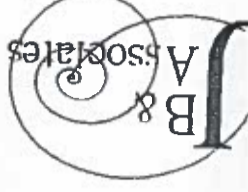


PROPOSED RESERVOIR/PUMP RM (scale 1:100)



PROPOSED FRONT ELEVATION OF PUMP RM (scale 1:100)



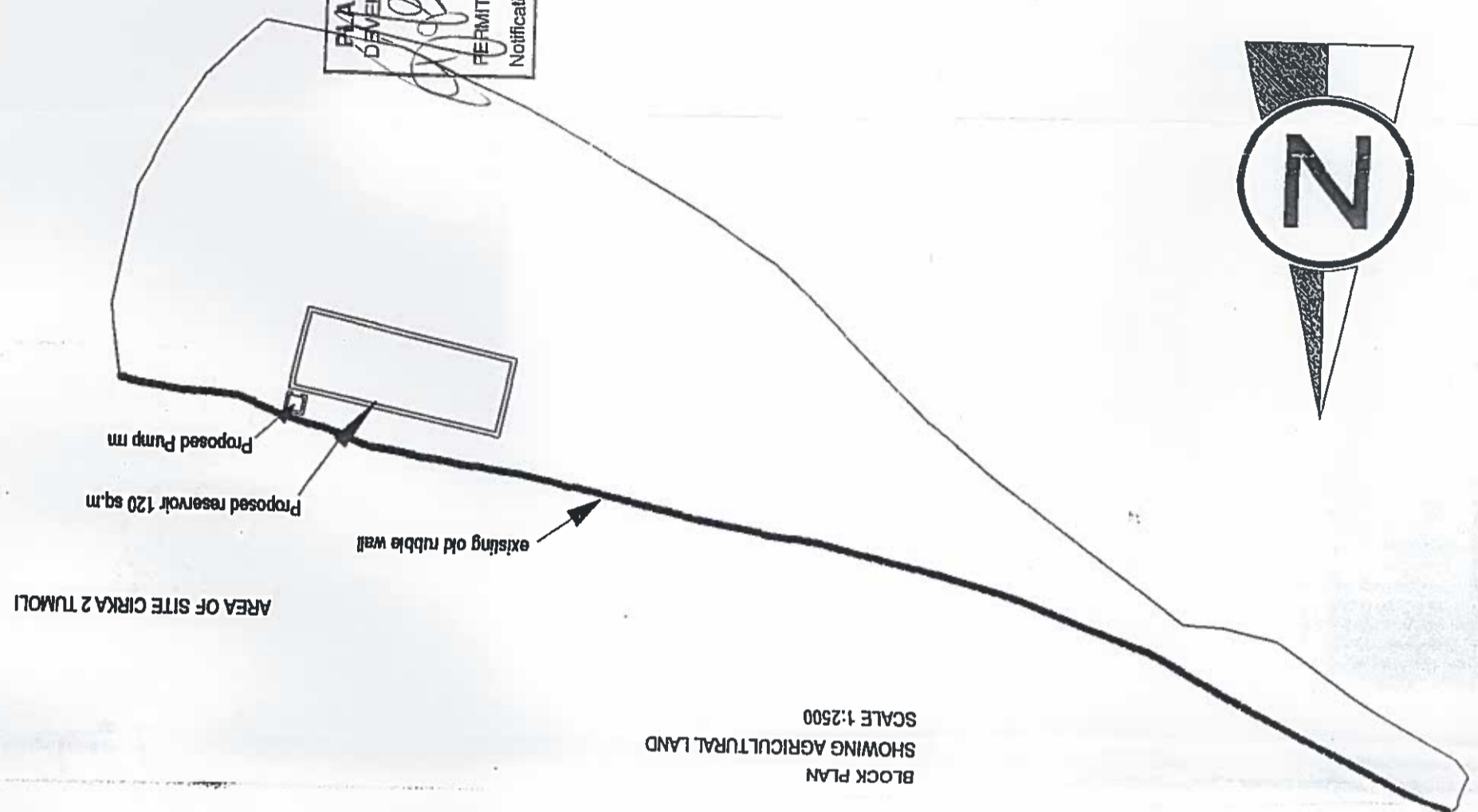


signature
client MR. T. CLARK
location RABAT/DINGLI
P.A no - -
date 11/09/01
our ref RESCLK

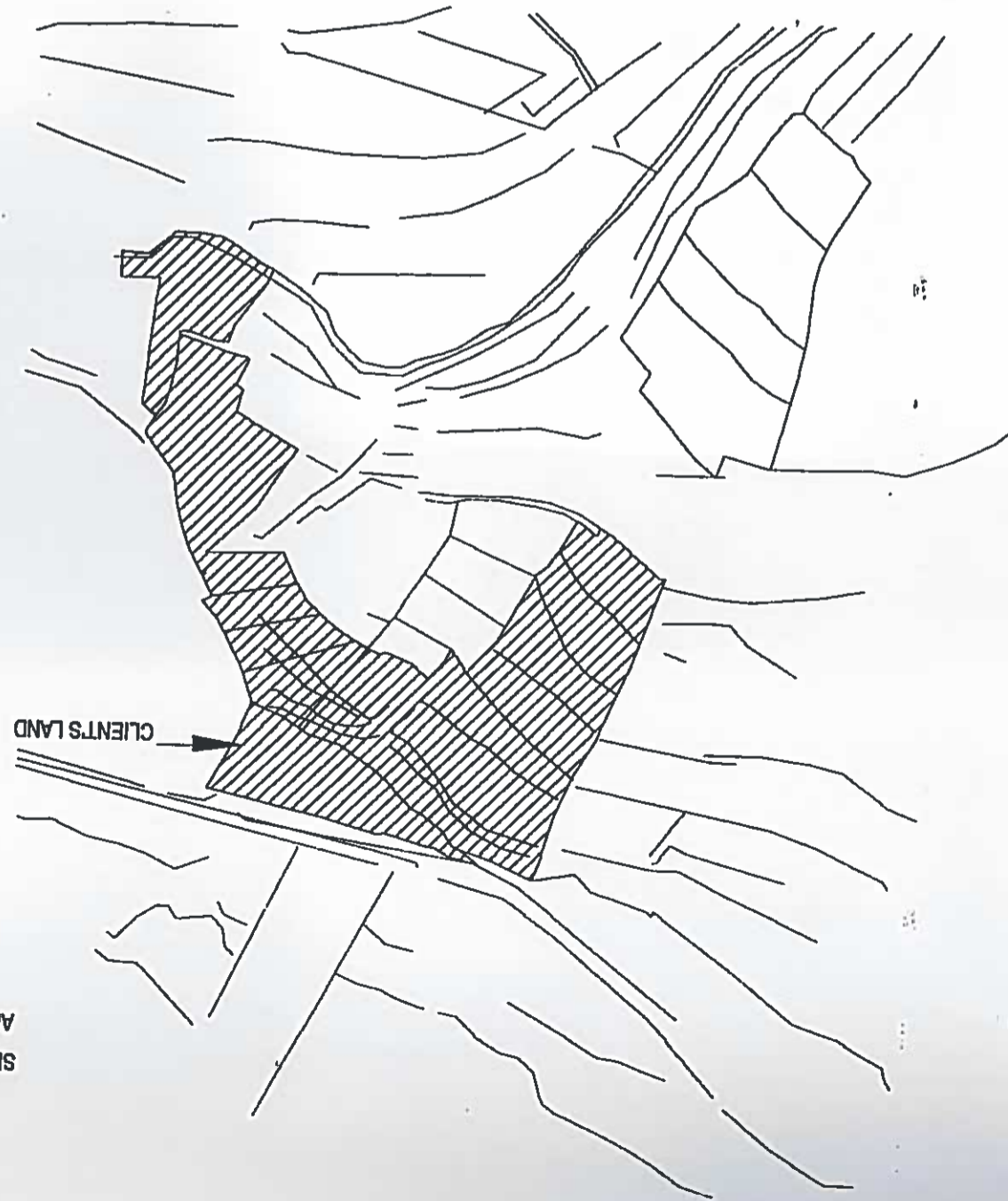
drawing title BLOCK PLAN
scale AS SHOWN
drawn by N.V./J.A.

PLANNING AUTHORITY
DEVELOPMENT NOTIFICATION
9 NOV 2001
PERMIT APPLICATION REQUIRED
Notification No.: DN 4046/01

BLOCK PLAN SHOWING FIELD SCALE: 1:500



BLOCK PLAN
SHOWING AGRICULTURAL LAND
SCALE 1:2500



SITE AT RABAT/DINGLI
AREA OF CLIENTS LAND CIRKA 16400 SQ.M

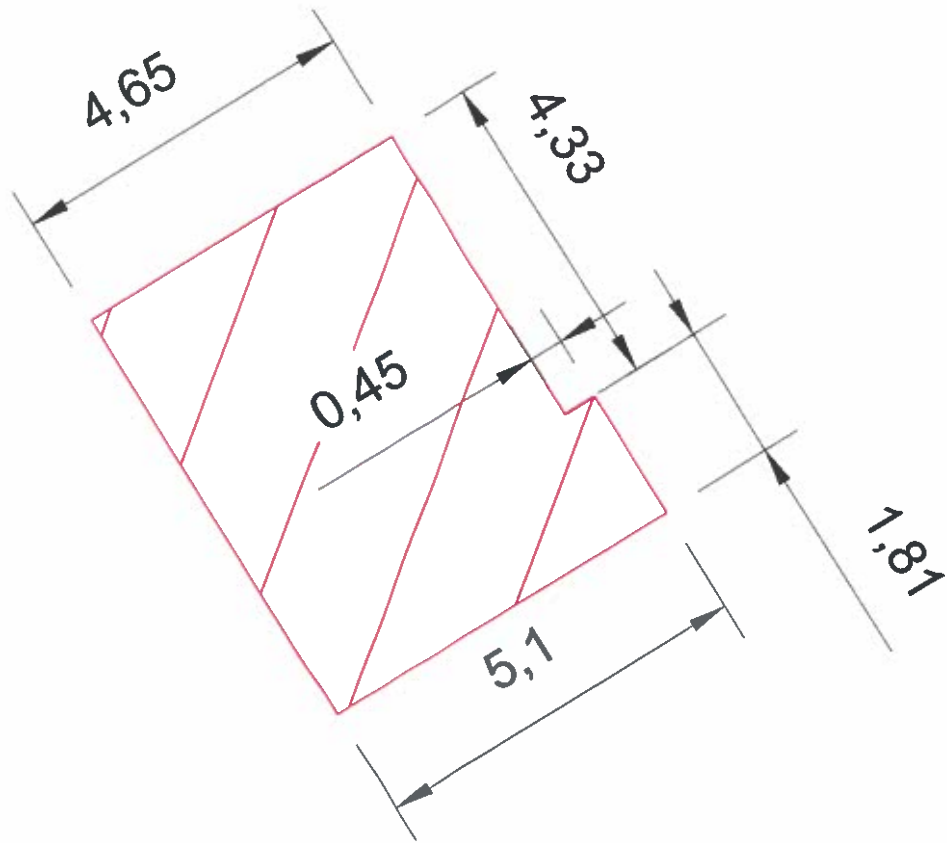
Appendiċi F

Pjanti tar-Registru tal-Artijiet

Pjanta Tar-Registru Tal-Artijiet Għall- Propjeta A

Għar ta' kejl ta' aċċessibbli minn mogħdija komuni li tagħti għal fuq Triq San Ġakbu u li tmiss mill-punent l-Ilbiċ mas-surreferita mogħdija komuni, mill-majjistrat ma' proprjeta hawn deskritta.

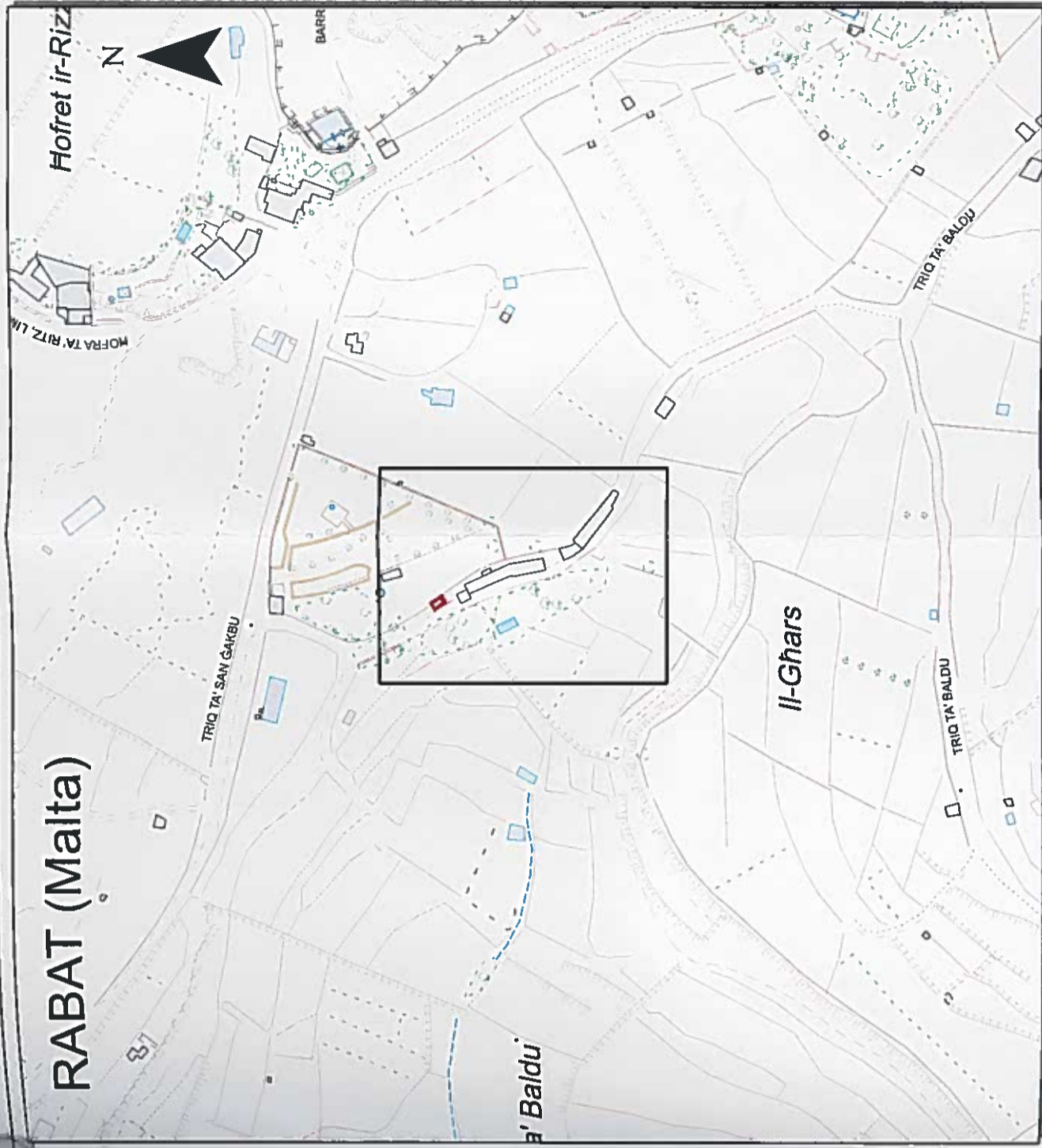
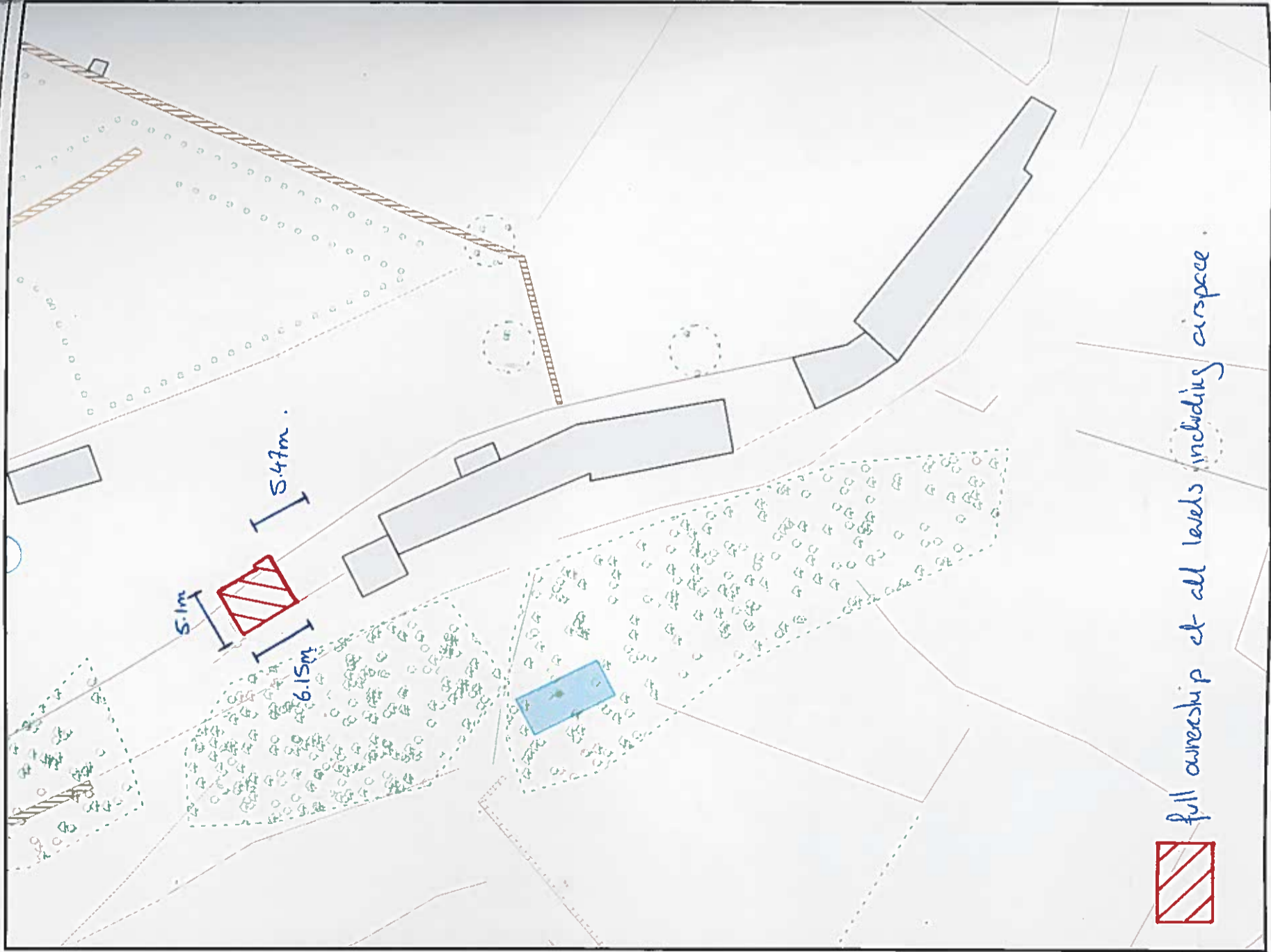
 full ownership at all levels including airspace



Arielle Agius
ARCHITECT ARIELLE AGIUS
 B. E. & A. (Hons.), M.I.D. (POLITECNICO DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER



 <p>Perit Arielle Agius B. E. & A. (Hons.), M.I.D. (POLITECNICO DI MILANO), A & C. E.</p> <p>1909 6110 arielle@arielle.com www.ArielleDesignStudio.com</p>	<p>Commissioner Pjanta ghar-Regestru tal-Artjet</p>	<p>Drawing Title Propjeta' A</p>	<p>Date Nov 2018</p> <p>Drawn S.G.</p> <p>Job No. 160-18</p>	<p>Scale 1:100</p> <p>Checked A.A.</p> <p>Drawing No. 01/01</p>



Gvern ta' Malta

Registru ta' l-Artijiet

Casa Bolino, 116, Triq il-Punent, Valletta

Pjanta tas-Sit 1:2500 Site Plan

Government of Malta

Land Registry

Casa Bolino, 116, Triq il-Punent, Valletta

Nru tal-Mappa: **101283 M**

Map Number:

Pozizzjoni Ċentrali: **x = 43254**

Centre Coordinates: **y = 69982**

Parti min S.S.: **4269**

Extracted from S.S.:

Data: **20/11/2018**

Date:

Perit:

Architect:

Qies (metri kwadri):

Area (square metres):

Circa 29.41m²

Timbru tal-Perit:

ARCHITECT ARIELLE AGIUS

Architect's Stamp
B. E. & A. (Hons.), M.I.D. (POLITECNICO DI MILANO), A & C. E.

ARCHITECT & CIVIL ENGINEER

Firma ta' l-Applikant:

Applicant's Signature:

0 10 20 30 40 50m

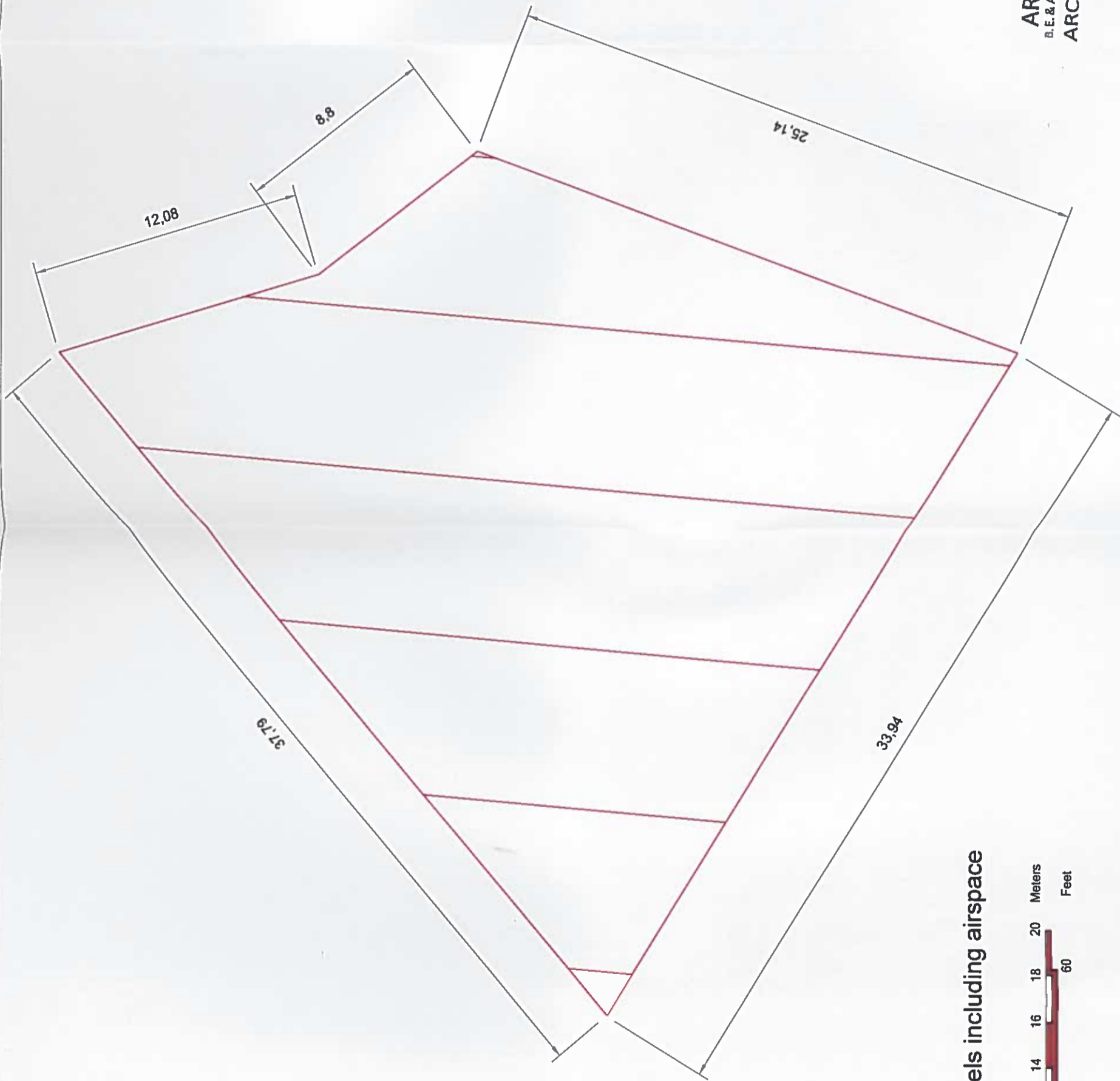
Scale 1:500

LR 89227

Dritt imħallas
Fee Paid

Pjanta Tar-Registru Tal-Artijiet Għall- Propjeta B

Porzjoni ta' art magħrufa bħala "Tal-Laring" li tmiss minn nofsinhar u f'partijiet minnha mill-punent ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu, f'partijiet minnha mill-punent ta' mogħdija, u mill-lvant ma' proprjeta hawn deskritta.



 full ownership at all levels including airspace



ARCHITECT ARIELLE AGIUS
 B. E. & A. (Hons.), M.I.D. (Politecnico di Milano), A & C. E.
ARCHITECT & CIVIL ENGINEER

ARCO
 architecture & interior design

Perit Arielle Agius
 B. E. & A. (Hons.), M.I.D. (Politecnico di Milano), A. & C. E.

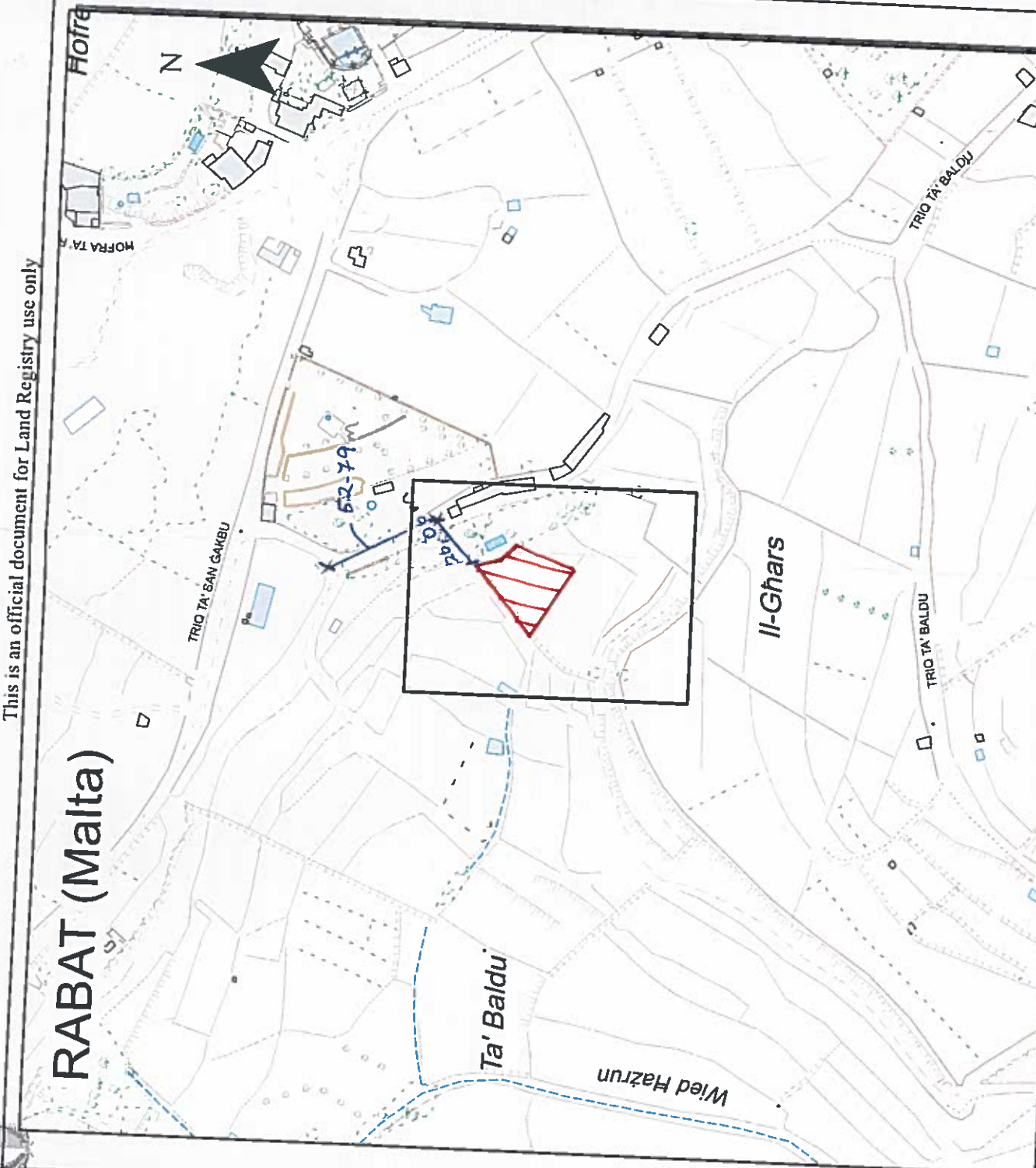
m. 7906 9110
 e. ariellebilla@gmail.com
 w. www.ArcoDesignStudio.com

Commission:
 Pjanta ghar-Registru tal-Artijiet

Drawing Title:
 Proprjeta' B

Date: Nov 2018
 Drawn: S.G.
 Job No: 160-18
 Scale: 1:200
 Checked: A.A.
 Drawing No: 01/01


Dan hu dokument ufficjalni għall-użu biss fir-Registru ta' l-Artijiet



Government of Malta
Land Registry
 Casa Bolino, 116, Triq il-Punent, Valletta

Registru ta' l-Artijiet
 Casa Bolino, 116, Triq il-Punent, Valletta

Gvern ta' Malta
 Pjanta tas-Sit 1:2500 Site Plan

Nru tal-Mappa: 101291 M Map Number:	Pozizzjoni Ċentrali: x = 43213 Centre Coordinates: y = 69964	Parti min S.S.: 4269 Extracted from S.S.:	Data: 20/11/2018 Date:
Perit:		Qies (metri kwadri): Area (square metres):	774.28m² circa
Architect:		Firma ta' l-Applikant: Applicant's Signature:	
Timbru tal-Perit:	ARCHITECT ARIELLE AGIUS B.E. & A. (Hons.), M.I.D. (POLITECNICO DI MILANO), A & C. E ARCHITECT & CIVIL ENGINEER		



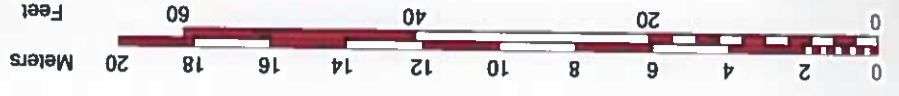
Scale 1:500

Pjanta Tar-Registru Tal-Artijiet Għall-Propjetà C

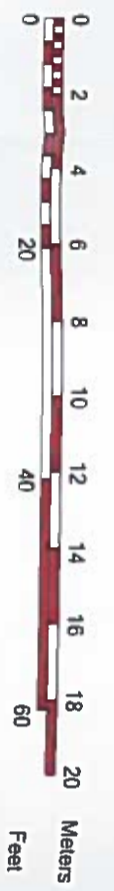
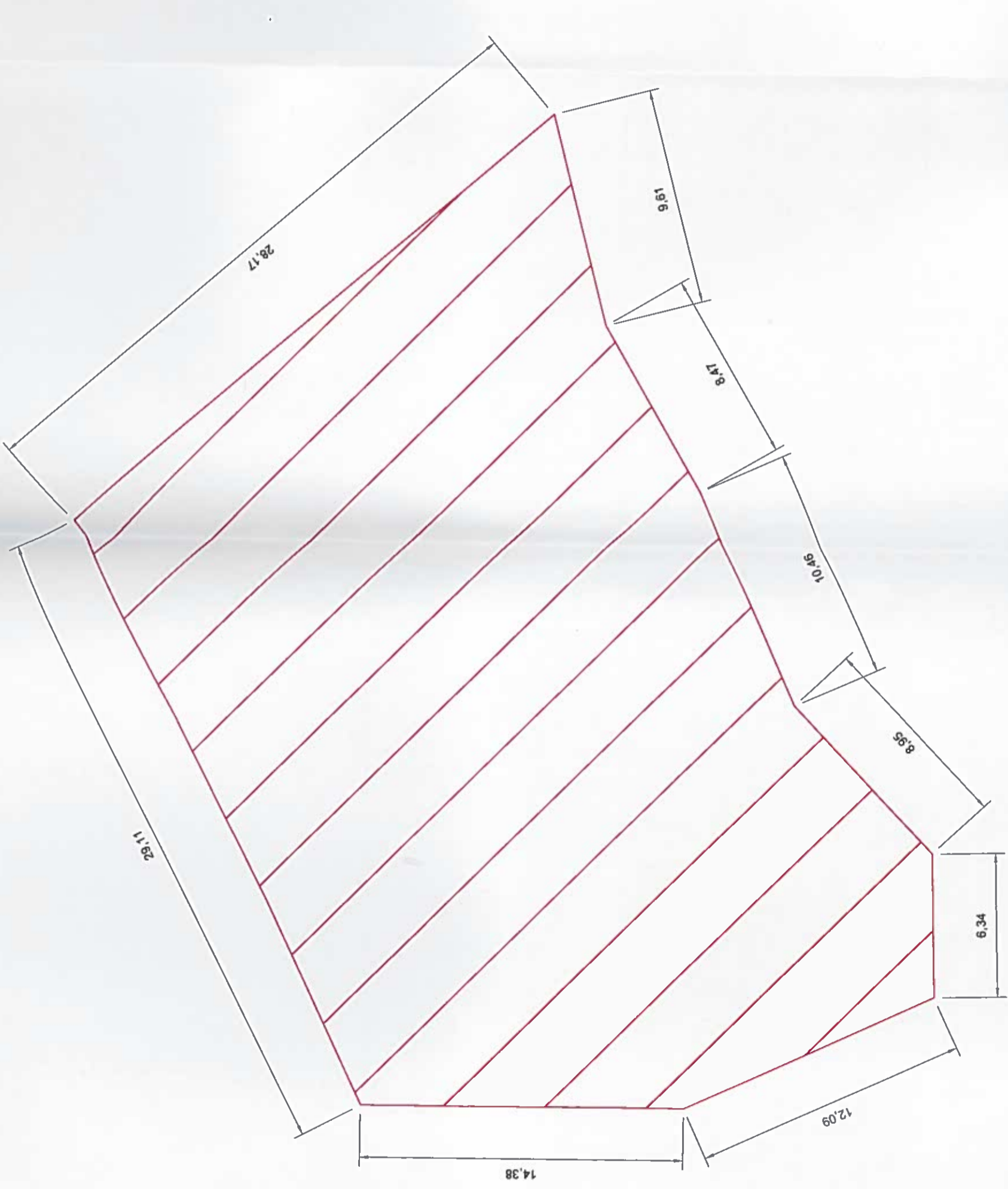
Porzjoni ta' art kif soġġetta għad-dritt ta' mogħdija u ta' akwedotti, li tmiss mill-punent ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu, mill-lvant ma' mogħdija, u mit-tramuntana ma' proprjeta hawn deskritta.

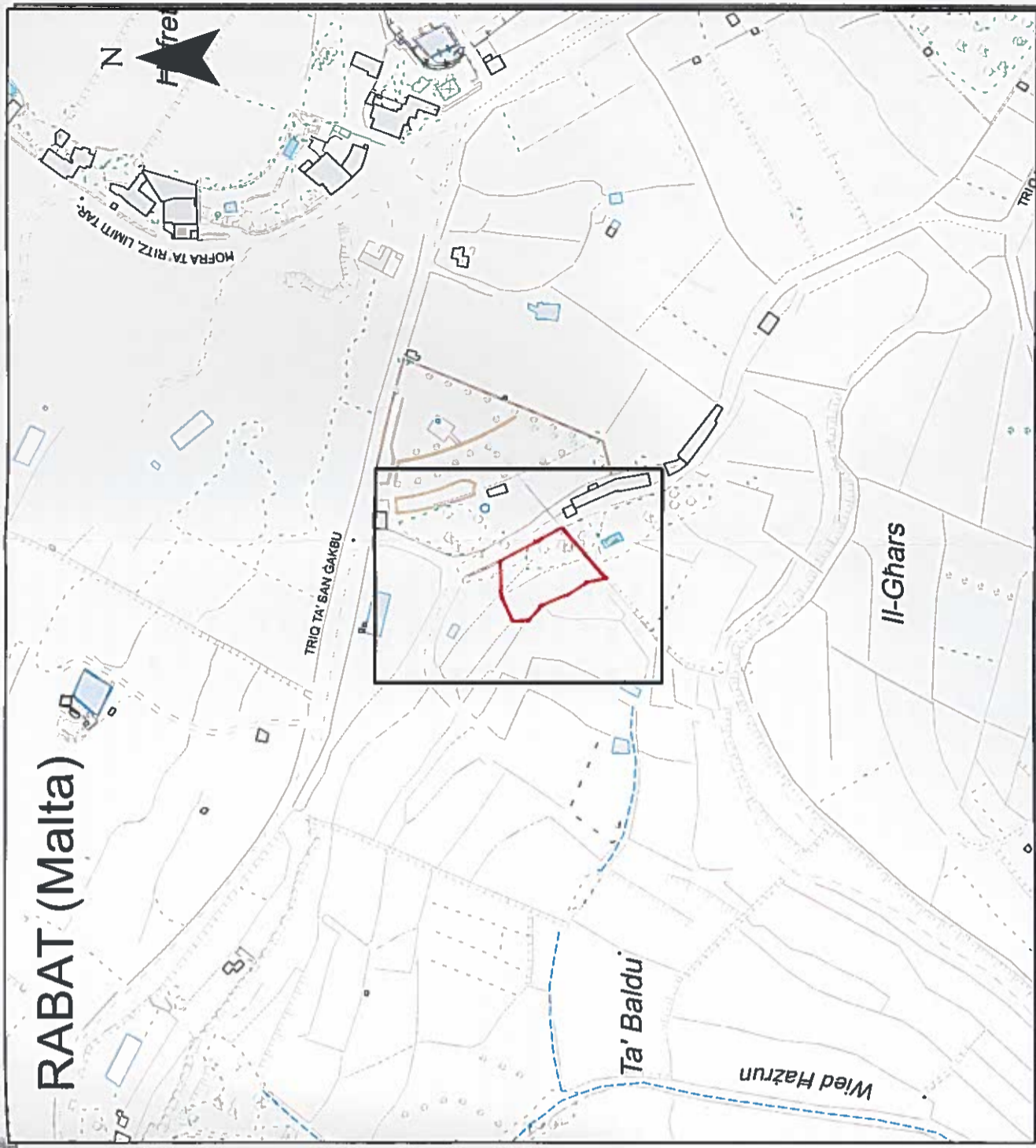
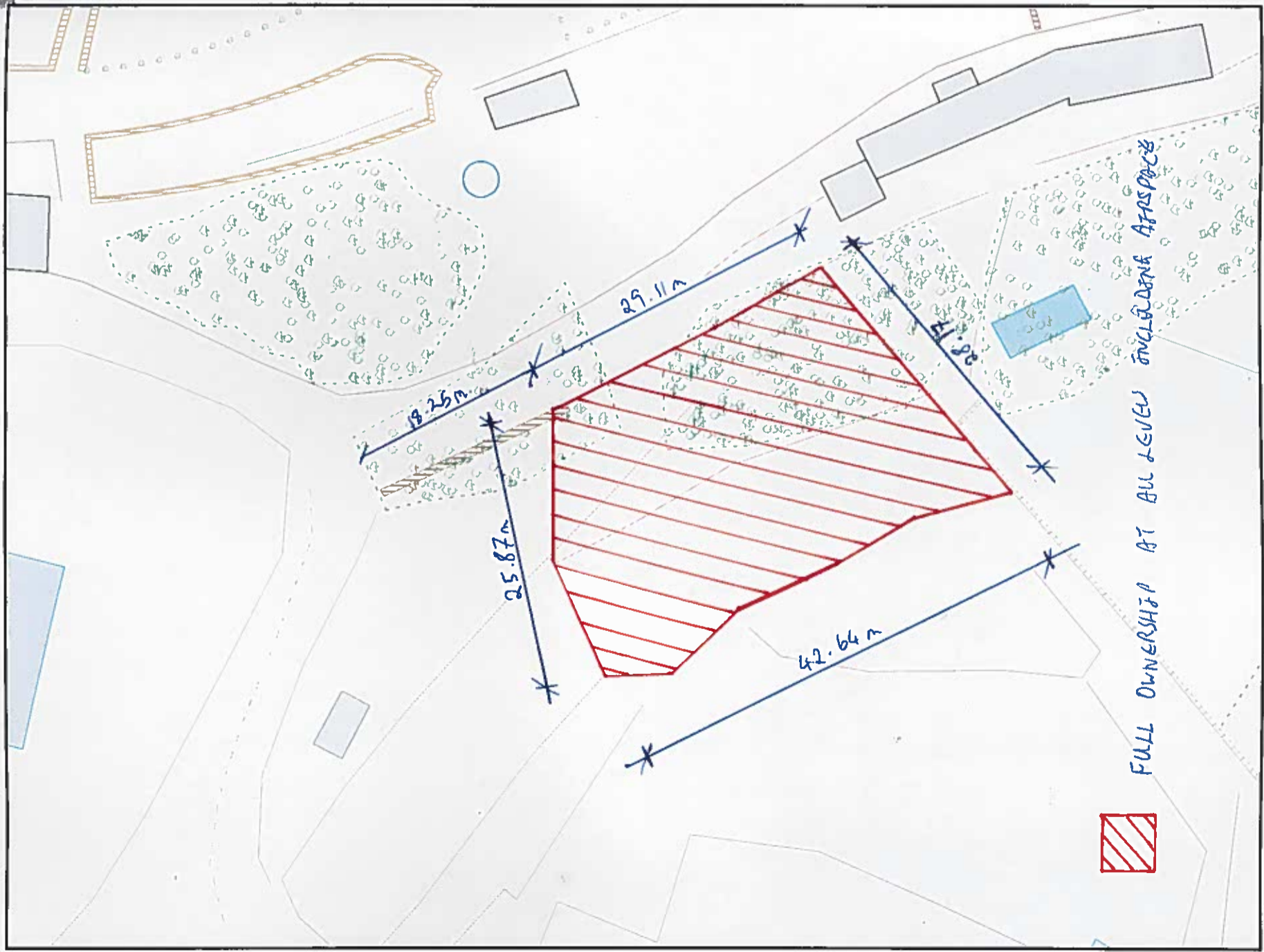
Perit Arielle Agius B. E. & A. (Hons.), M.D. (Professional of Milano), A. & C. E. architect & interior design www.arielleagius.com a.arielle@perit.com		Commission Panta ghar-Registru tal-Artefai	Drawing Title Propjeta' C	Date Nov 2018	Scale 1:200	Checked A.A.	Drawing No. 160-18	Job No. 01/01
--	--	---	------------------------------	------------------	----------------	-----------------	-----------------------	------------------

ARCHITECT & CIVIL ENGINEER
 B. E. & A. (Hons.), M.D. (Professional of Milano), A. & C. E.
 ARCHITECT ARIELLE AGIUS



 full ownership at all levels including airspace





Gvern ta' Malta

Registru ta' l-Artijiet
Casa Bolino, 116, Triq il-Punent, Valletta

Pjanta tas-Sit 1:2500 Site Plan

Government of Malta

Land Registry
Casa Bolino, 116, Triq il-Punent, Valletta

Nru tal-Mappa: **101288 M**
Map Number:

Pozizzjoni Ċentrali: **x = 43218**
Centre Coordinates: **y = 70028**

Parti min S.S.: **4270**
Extracted from S.S.:

Data: **20/11/2018**
Date:

Perit:
Architect:

Timbru tal-Perit:

Architect's Stamp: **ARCHITECT ARIELLE AGIUS**
B. E. & A. (Hons.), M.I.D. (POLITECNICO DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Qies (metri kwadri): **CIRCA: 958.99 m²**
Area (square metres):

Firma ta' l-Applikant:
Applicant's Signature:




Scale 1:500

LR 89235

Dritt imhallas
Fee Paid

Pjanta Tar-Registru Tal-Artijiet Għall-Propjetà D

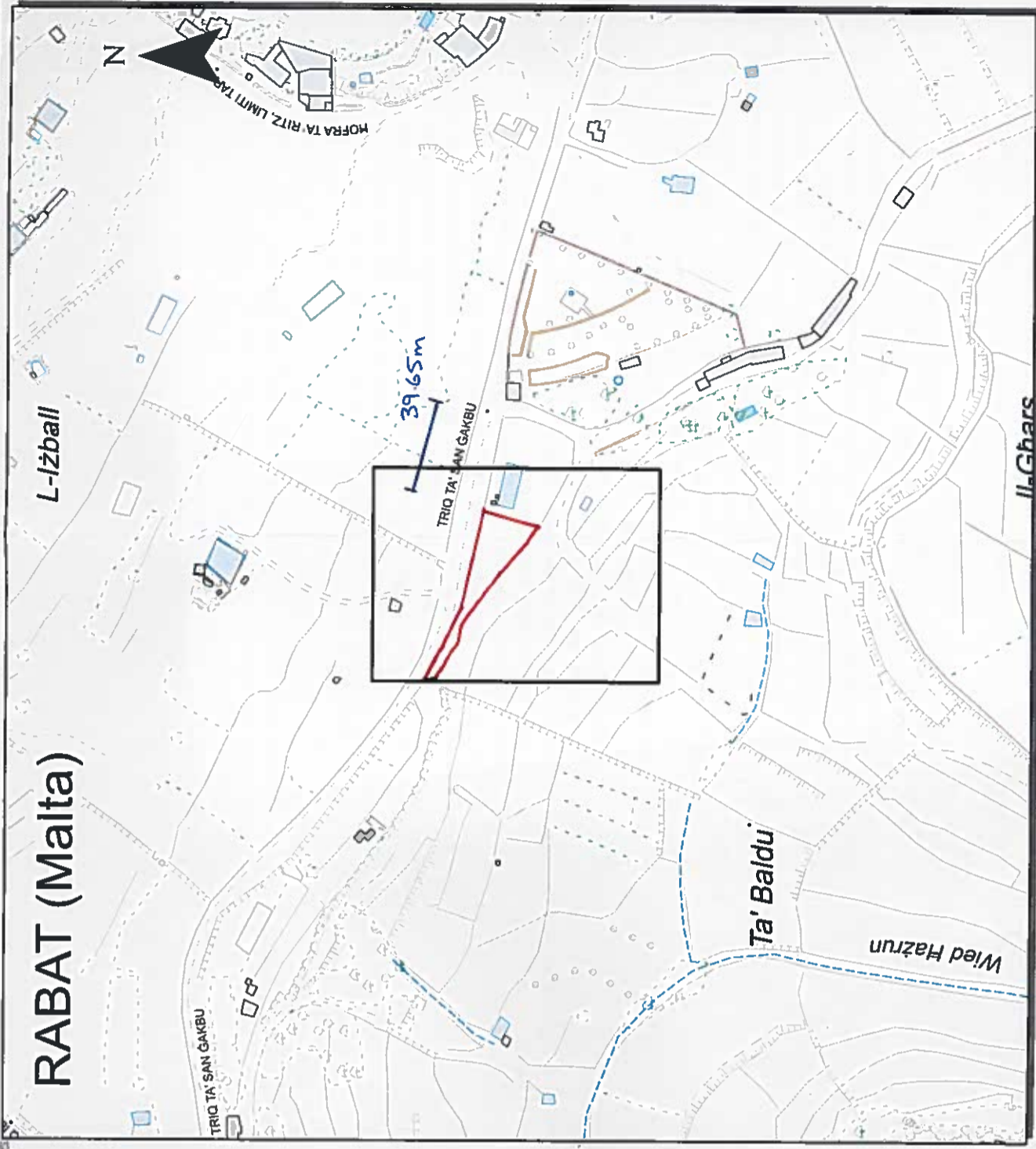
Porzjoni ta' art magħrufa bħala "Iż-Żebbuġ ta' Fuq" li tmiss mill-lvant ma' Triq San Ġakbu, minn nofsinhar ma' proprjeta hawn deskritta u mill-punent ma' beni tal-familja Bugeja, kultant deskritta wkoll bħala li tmiss mill-punent ma' sies.

 full ownership at all levels including airspace



ARCHITECTA ARIELLE AGIUS
 B. E. & A. (Hons.), M.I.D. (Politecnico di Milano), A. & C. E.
 ARCHITECT & CIVIL ENGINEER

 architecture & interior design		Perit Arielle Agius B. E. & A. (Hons.), M.I.D. (Politecnico di Milano), A. & C. E. m. 7906 9110 e. arielleagius@gmail.com w. www.ArcoDesignStudio.com	
Commission Planla ghar-Registru tal-Artifijiet		Drawing Title Proprieta' D	
Date Nov 2018		Scale 1:200	
Drawn S.G.		Checked A.A.	
Job No. 160-18		Drawing No. 01/01	



Gvern ta' Malta

Registru ta' l-Artijiet
Casa Bolino, 116, Triq il-Pument, Valletta

Government of Malta
Land Registry
Casa Bolino, 116, Triq il-Pument, Valletta

Pjanta tas-Sit 1:2500 Site Plan

Nru tal-Mappa: **97608 E**
Map Number:

Pozizzjoni Centrali: **x = 43164**
Centre Coordinates: **y = 70085**

Perit:
Architect:

[Handwritten Signature]

Timbru tal-Perit:

Architect's Stamp: **ARCHITECT ARIELLE AGIUS**
A. E. & A. (Hons.), M.I.D. (POLITECNICO DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Parti min S.S.: **4270**
Extracted from S.S.:
Date: **24/10/2018**
Date:

Qies (metri kwadri): **Lirca 767.33m²**
Area (square metres):


Firma ta' l-Applikant:
Applicant's Signature:

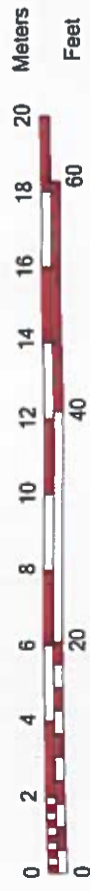
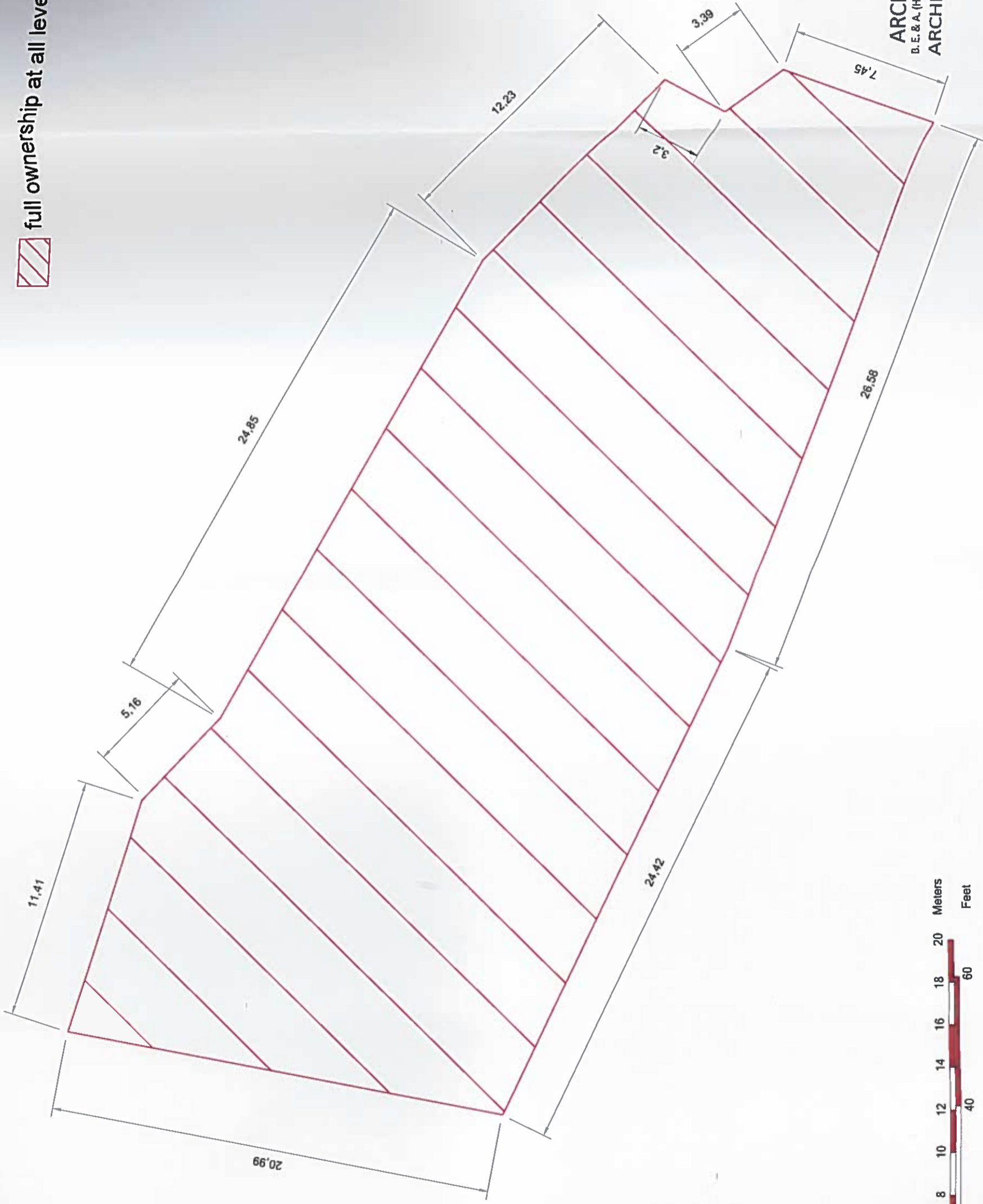
LR 85823

Dritt imhallas
Fee Paid

Pjanta Tar-Registru Tal-Artijiet Għall-Propjetà E

Porzjoni ta' art magħrufa bħala "Ir-Roqa t'Isfel" kif soġġetta għad-dritt tal-mogħdija u s-sieqja tal-ilma, u li tmiss mit-tramuntana ma' beni tal-Baruni Salvatore Testaferrata Moroni Viani jew l-aventi kawża tiegħu, minn nofsinhar ma beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu, u mill-punent ma' proprjeta hawn deskritta.

 full ownership at all levels including airspace



ARCHITECT ARIELLE AGIUS
 B. E. & A. (Hons.), M.I.D. (Politecnico di Milano), A & C. E.
ARCHITECT & CIVIL ENGINEER

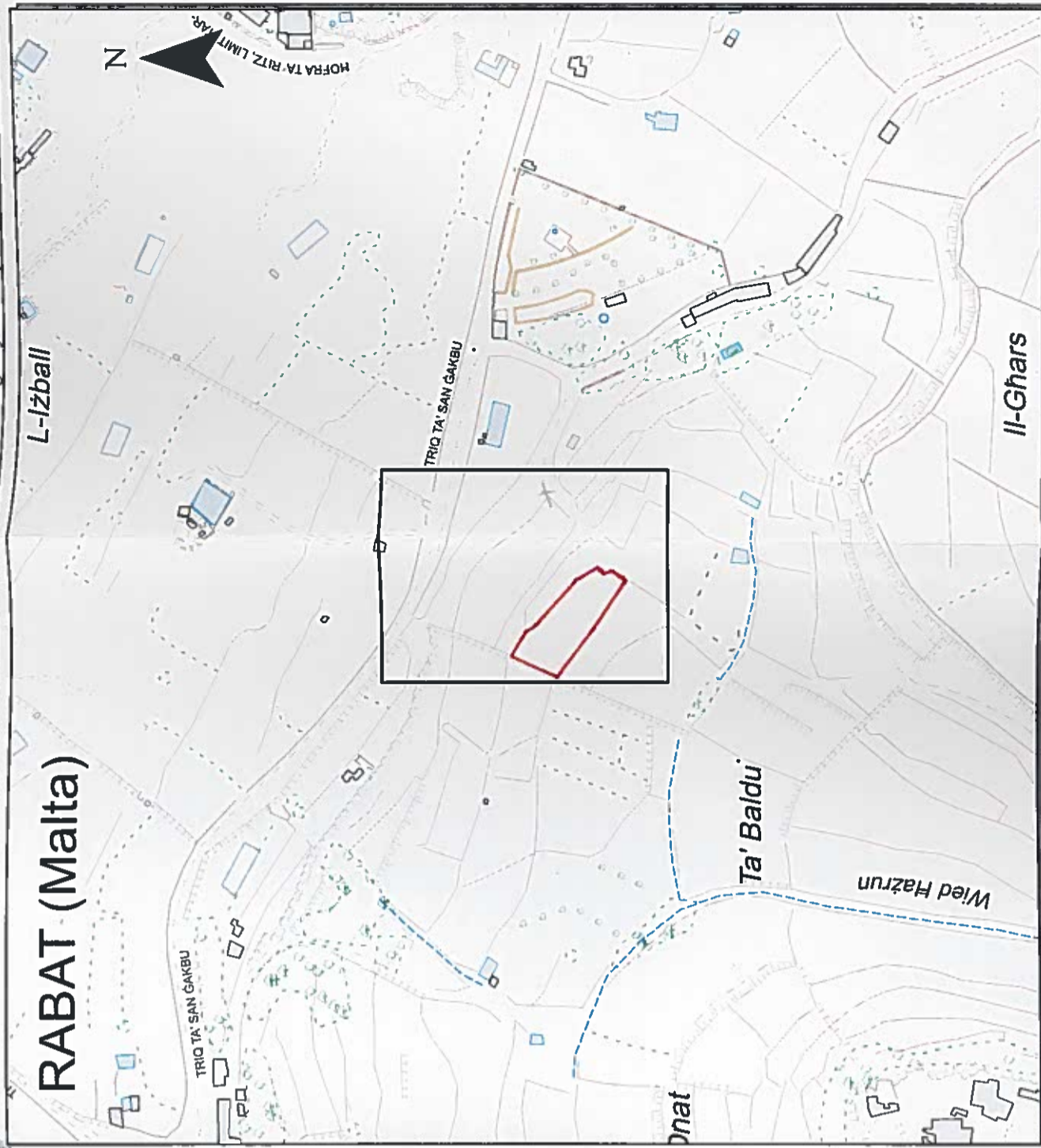
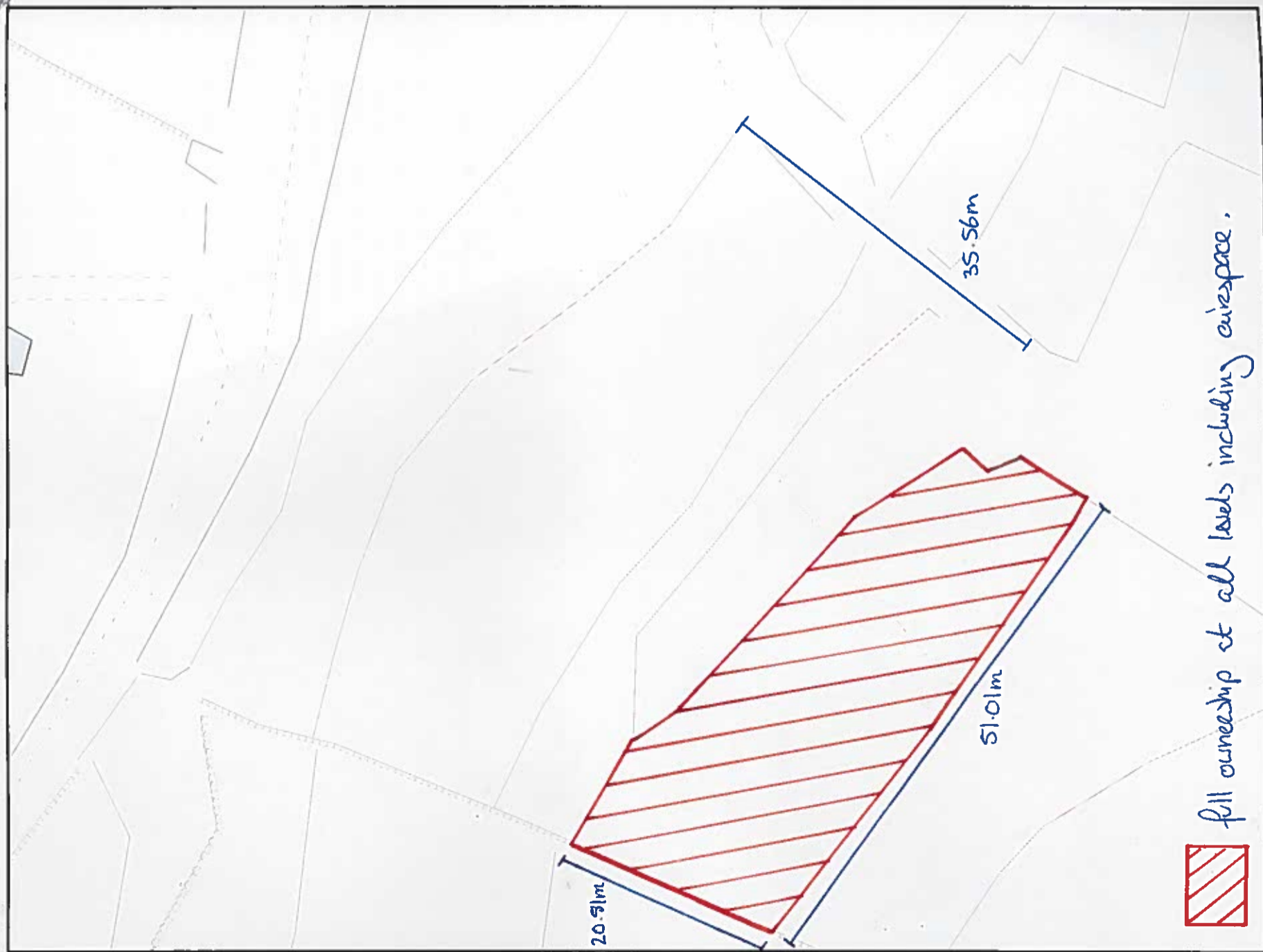
Date:	Nov 2018	Scale:	1:200
Drawn:	S.G.	Checked:	A.A.
Job No:	160-18	Drawing No:	01/01

Drawing Title:
Proprieta E

Commission:
 Pjanta ghar-Registru tal-Artijiet

Perit Arielle Agius
 B. E. & A. (Hons.), M.I.D. (Politecnico di Milano), A. & C. E.
 m. 7906 9110
 e. arielleaballe@gmail.com
 w. www.ArcoDesignStudio.com





Pjanta tas-Sit 1:2500 Site Plan

Gvern ta' Malta

Government of Malta

Registru ta' l-Artijiet

Land Registry

Casa Bolino, 116, Triq il-Punent, Valletta

Casa Bolino, 116, Triq il-Punent, Valletta

Nru tal-Mappa: **100531 E**
Map Number:

Pozizzjoni Ċentrali: **x = 43138**
Centre Coordinates: **y = 70076**

Parti min S.S.: **4270**
Extracted from S.S.:

Data: **14/11/2018**
Date:

Perit:

Architect:

Timbru tal-Perit:

Architect's Stamp:

[Handwritten Signature]

ARCHITECT ARIELLE AGIUS
B. E. & A. (Hons.), M.A.D. (POLITECNICO DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Qies (metri kwadri): **Circa 963.02m²**
Area (square metres):

Firma ta' l-Applikant:
Applicant's Signature:

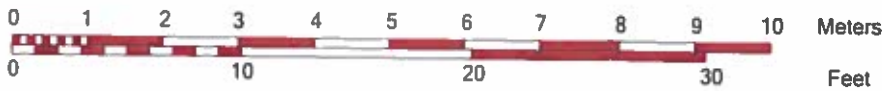
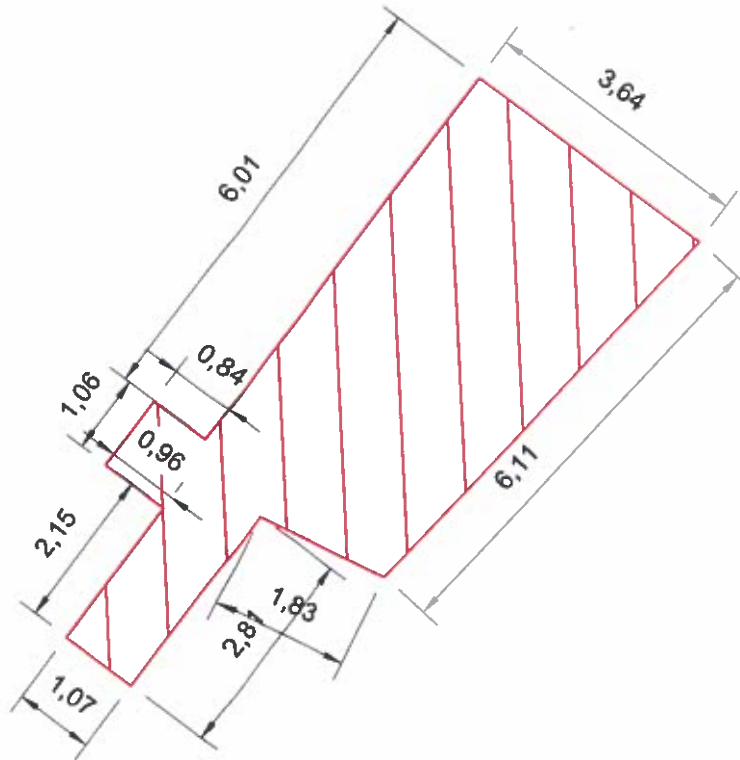
LR 88084

Dritt imhallas
Fee Paid

Pjanta Tar-Registru Tal-Artijiet Għall-Propjetà F

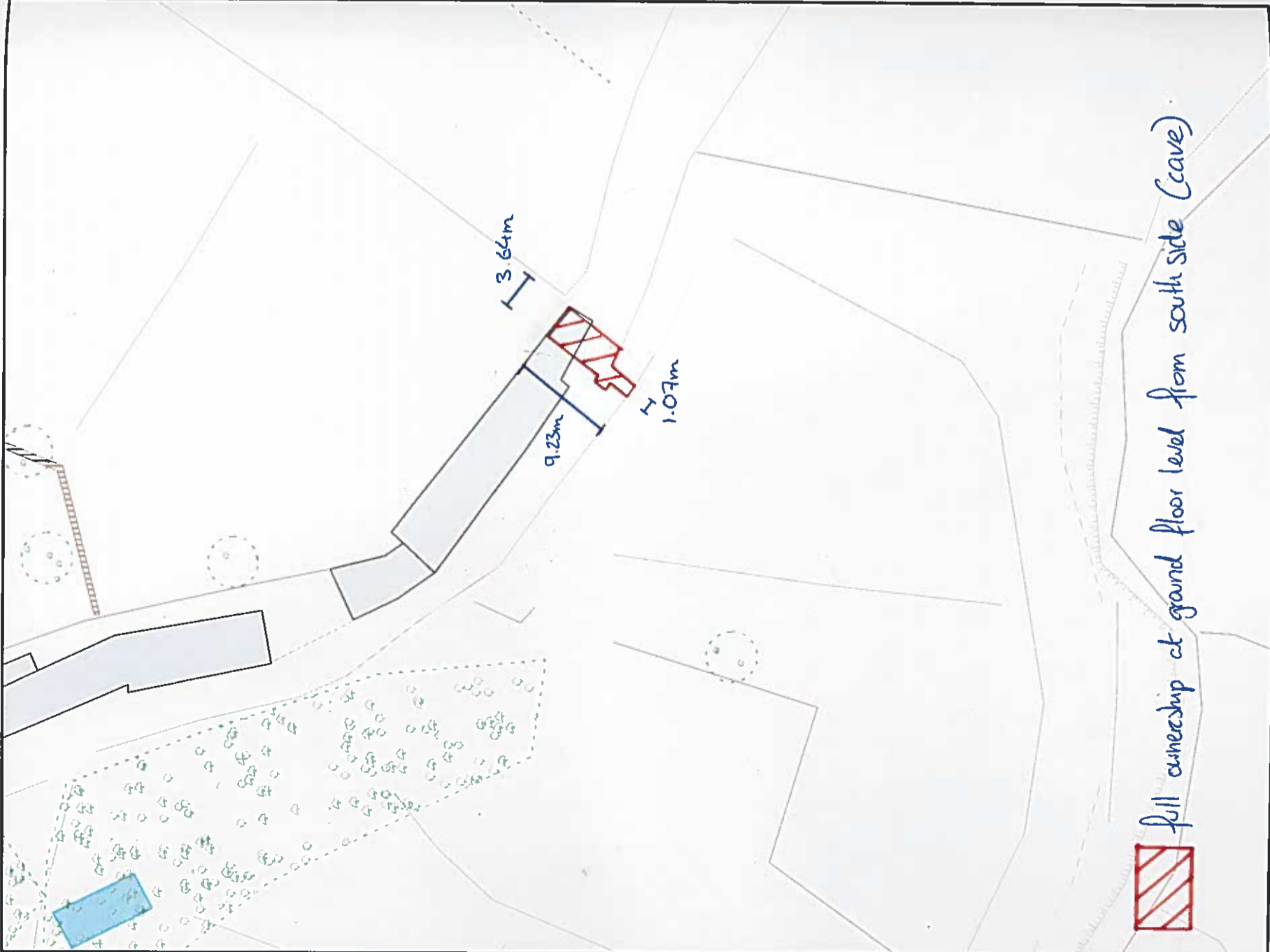
Għar fil-viċinanzi, li parti minnu huma sottostanti beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu, li jmiss mat-tramuntana ma' mogħdija komuni, u mill-irjieħ l-oħra kollha ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu.

 full ownership at ground floor level from south side (cave)



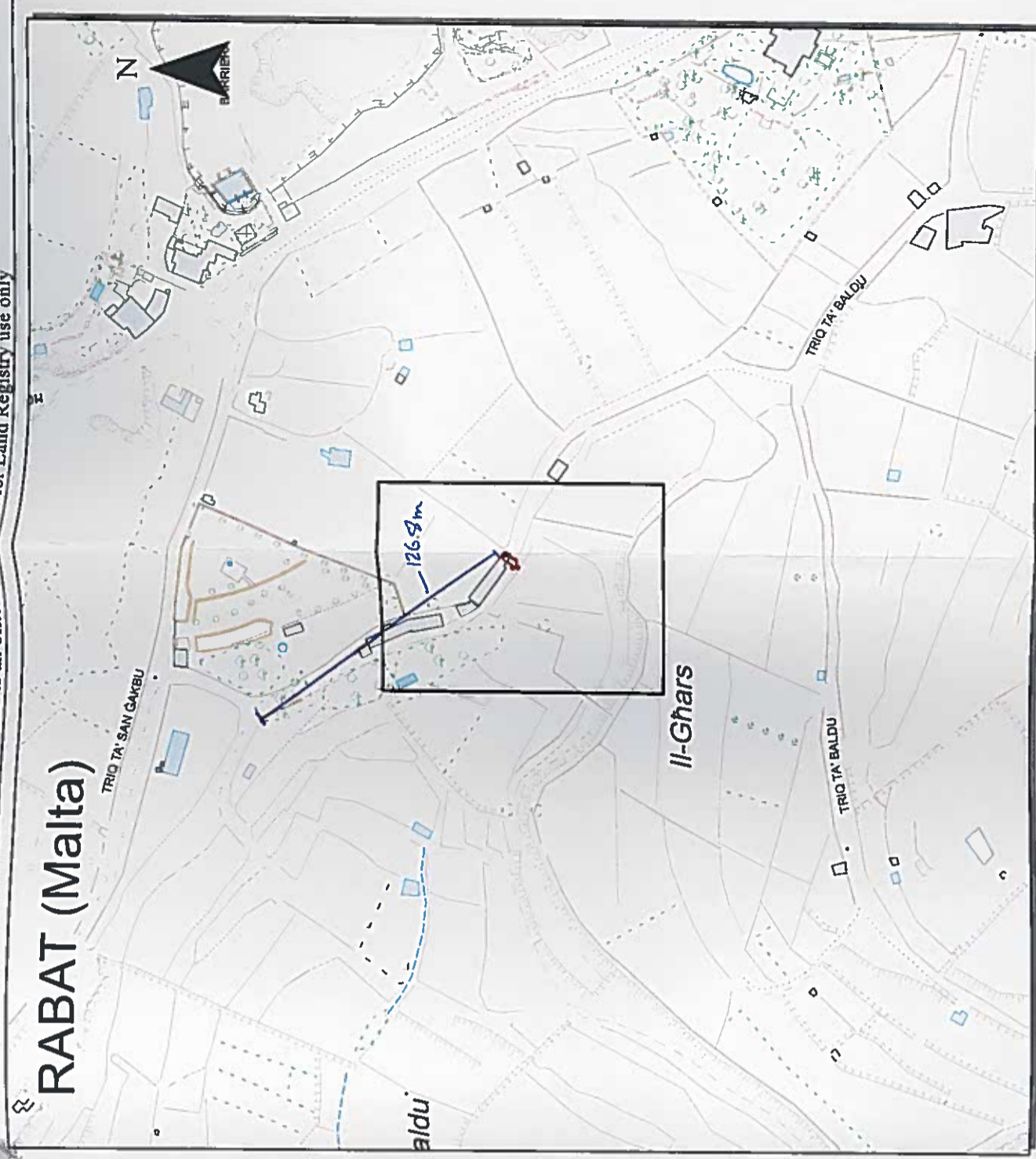

ARCHITECT ARIELLE AGIUS
 B. E. & A. (Hons.), M. J. D. (POLITECNICO DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

 Perit Arielle Agius B. E. & A. (Hons.), M. J. D. (Politecnico di Milano), A & C. E. <small>tel. 7900 9119 e ar@arielleagius.com w. www.ArielleAgius.com</small>	Commission	Drawing Title	Date	Scale	
	Pjanta ghar-Registru tal-Artejt	Propjeta' F	Nov 2018	1:100	
			Drawn	S.G.	Checked
			Job No	160-18	AA.
				Drawing No	
				01/01	



0 10 20 30 40 50m
Scale 1:500

Scale 1:500



Gvern ta' Malta

Pjanta tas-Sit 1:2500 Site Plan

Government of Malta

Registru ta' l-Artijiet

Land Registry

Casa Bolino, 116, Triq il-Pument, Valletta

Casa Bolino, 116, Triq il-Pument, Valletta

Nru tal-Mappa: 101282 M
Map Number:

Pozizzjoni Ċentrali: x = 43274
Centre Coordinates: y = 69938

Parti min S.S.: 4269
Extracted from S.S.:

Data: 20/11/2018
Date:

Perit:
Architect:

Timbru tal-Perit:

Architect's Stamp: **ARCHITECT ARIELLE AGIUS**
B. E. & A. (Hons.), M.I.D. (POLITECNICO DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Qies (metri kwadri):
Area (square metres):

Circa 24.76 m²

Firma ta' l-Applikant:
Applicant's Signature:

LR 89225

Dritt imballas
Fee Paid

Pjanta Tar-Registru Tal-Artijiet Għall-Propjetajiet G, H, O, P, U, Z

G – Porzjoni ta' art magħrufa bħala "Il-Mandra" fl-istess viċinanzi u dintorni, u li tmiss minn nofsinhar ma' mogħdija, mill-punent ma' proprjeta hawn deskritta, u mill-lvant ma' proprjeta tal-aventi kawża ta' Carmelo Scicluna.

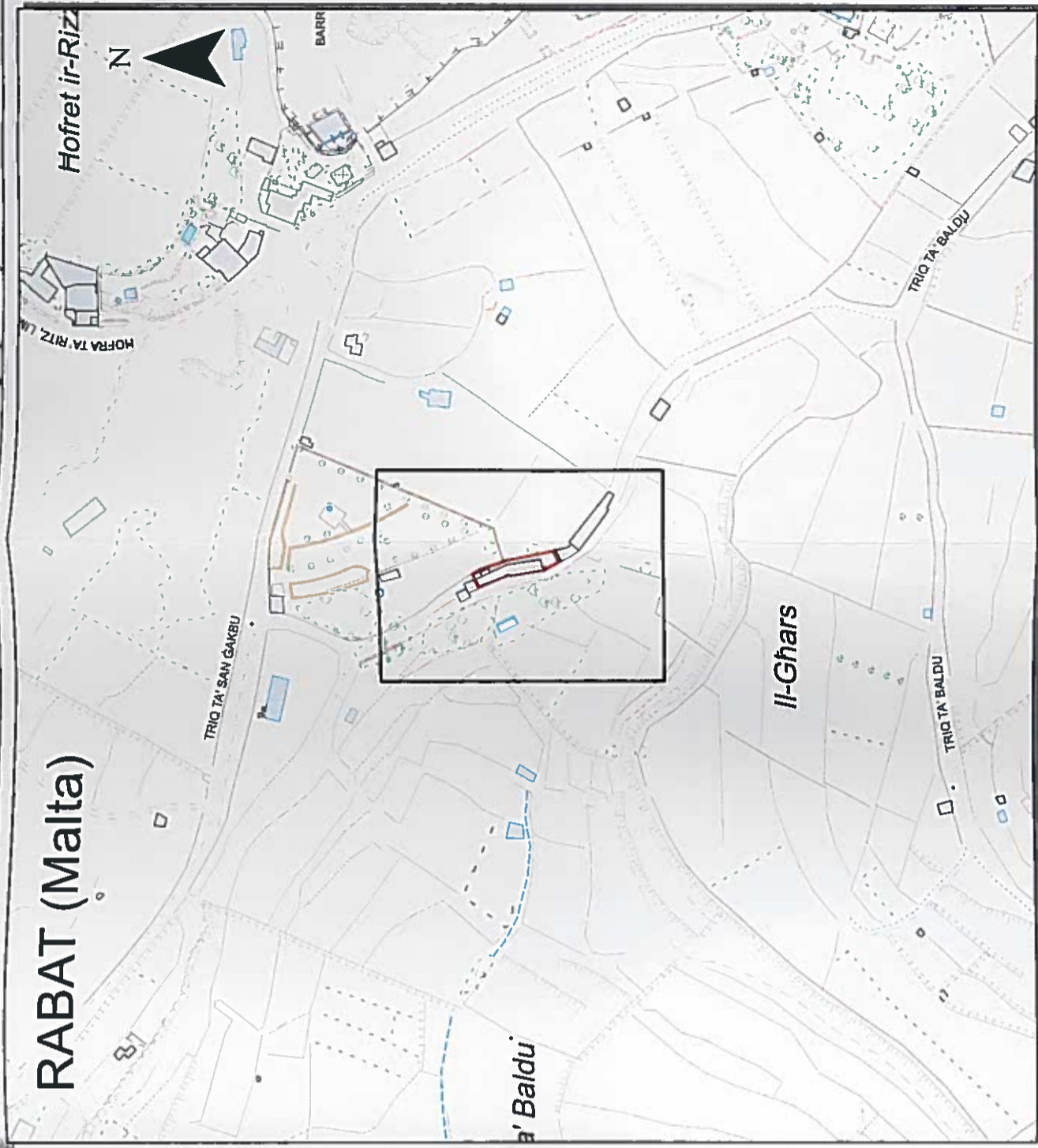
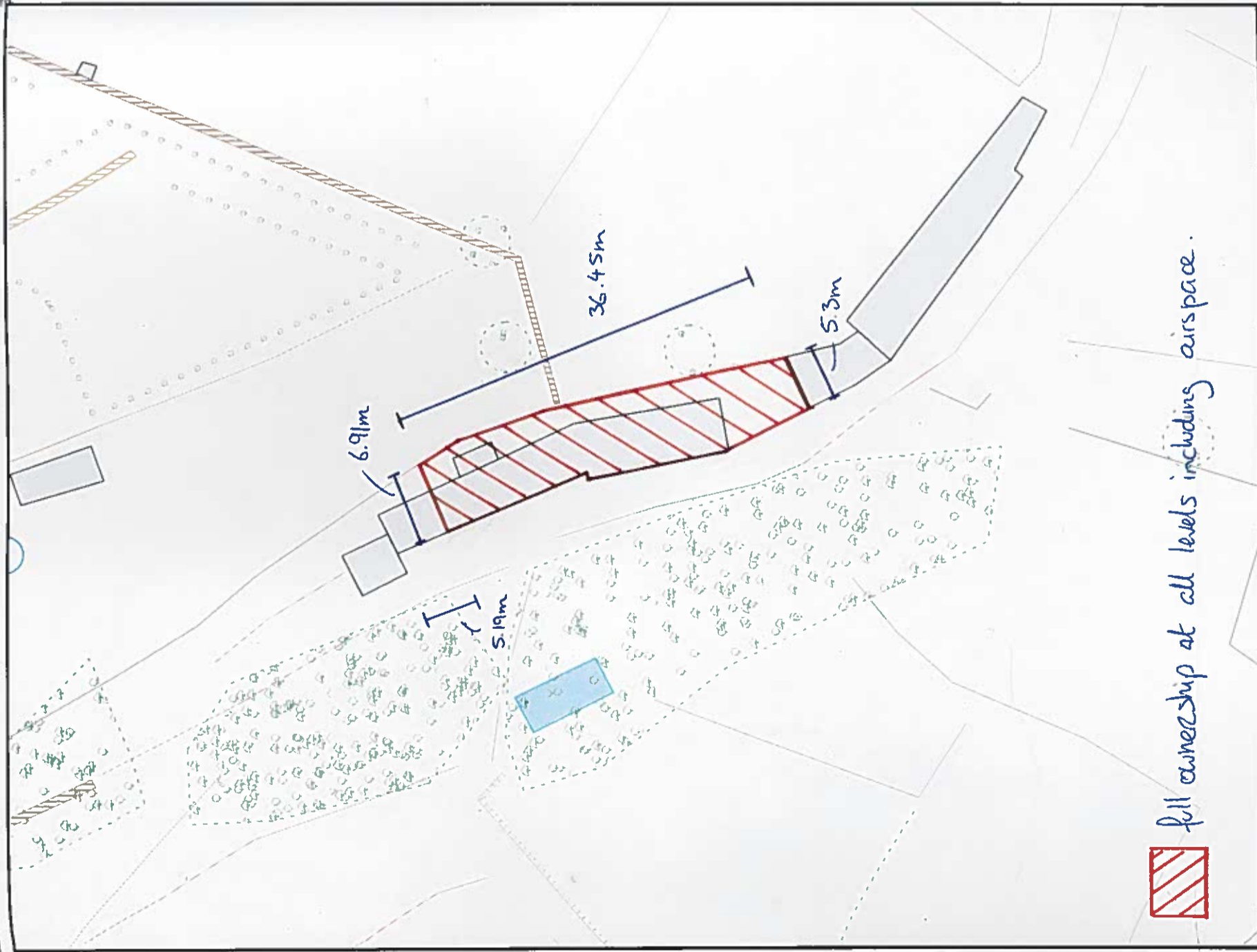
H – Kamra fl-istess viċinanzi u dintorni li tmiss mit-tramuntana ma' beni ta' Giuseppe Muscat jew l-aventi kawża tiegħu, minn nofsinhar ma' mogħdija, u mill-punent ma' proprjeta hawn deskritta.

O – Kamra aċċessibbli minn mogħdija komuni magħrufa bħala it-Triq tal-Karrettun tal-Komun u li tmiss mill-majjistral u mix-xlokk ma' proprjeta' hawn deskritta u mill-lbic mal-mogħdija surreferita.

P – Kamra b'porzjoni ta' art adjaċenti magħha aċċessibbli minn mogħdija private, u li tmiss mill-majjistral u mix-xlokk ma' proprjeta hawn deskritta u mill-lbic mal-imsemmija mogħdija.

U – Kamra rurali aċċessibbli minn mogħdija komuni u li tmiss mill-lbic mas-surreferita mogħdija komuni, mill-majjistral u mix-xlokk ta' proprjeta hawn deskritta.

Z – Kamra li hi aċċessibbli minn mogħdija komuni u li tmiss mill-majjistral ma' beni tal-aventi kawża ta' Carmelo Scicluna, mill-lbic u mix-xlokk ma' proprjeta hawn deskritta.



Gvern ta' Malta

Registru ta' l-Artijiet

Casa Bolino, 116, Triq il-Pument, Valletta

Pjanta tas-Sit 1:2500 Site Plan

Government of Malta

Land Registry

Casa Bolino, 116, Triq il-Pument, Valletta

Nru tal-Mappa: 101283 M

Map Number:

Pozizzjoni Ċentrali: x = 43254

Centre Coordinates: y = 69982

Perit:

Architect:

Timbru tal-Perit:

Architect's Stamp:
ARCHITECT ARIELLE AGIUS
B. E. & A. (Hons.), M.I.D. (POLITECNICO DI MILANO), A. & C. E.
ARCHITECT & CIVIL ENGINEER

Parti min S.S.: 4269

Extracted from S.S.:

Data: 20/11/2018

Date:

Qies (metri kwadri):

Area (square metres):

Circa 25896 m²

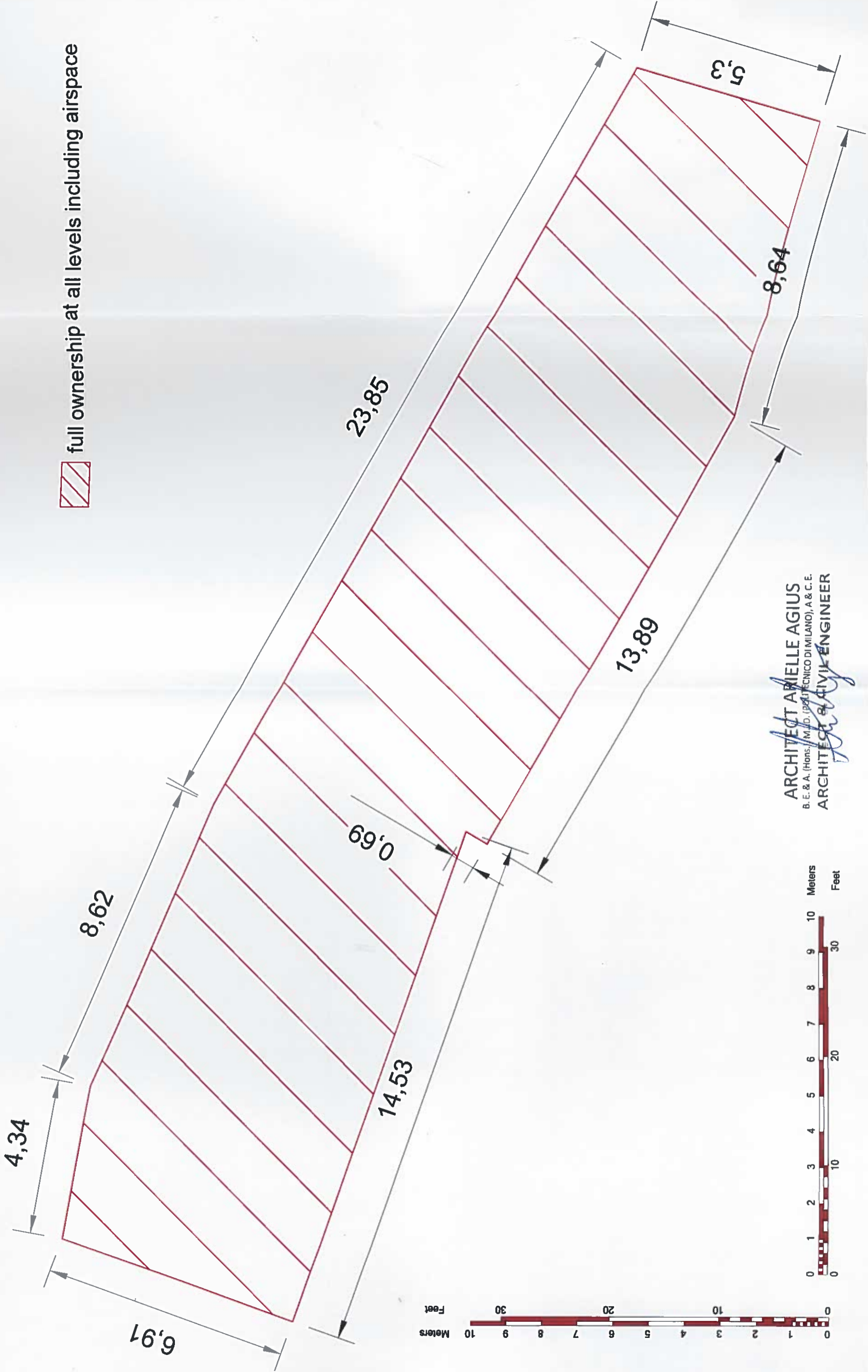
Firma ta' l-Applikant:

Applicant's Signature:

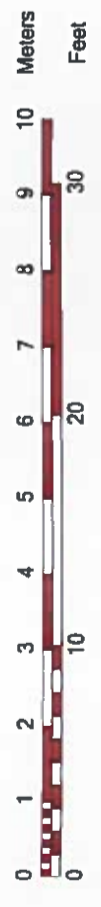
LR 89229

Dritt imħallas
Fee Paid

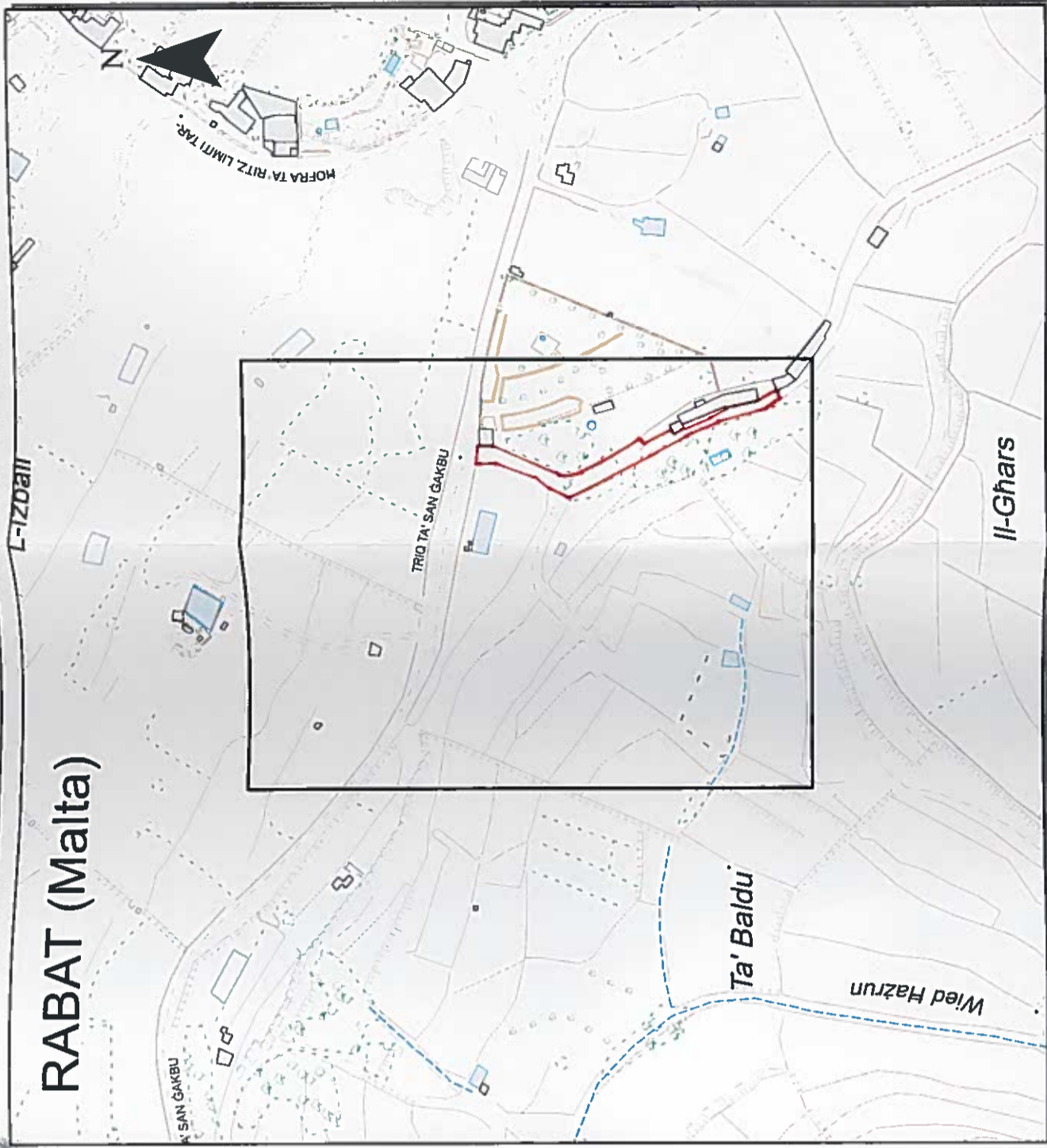
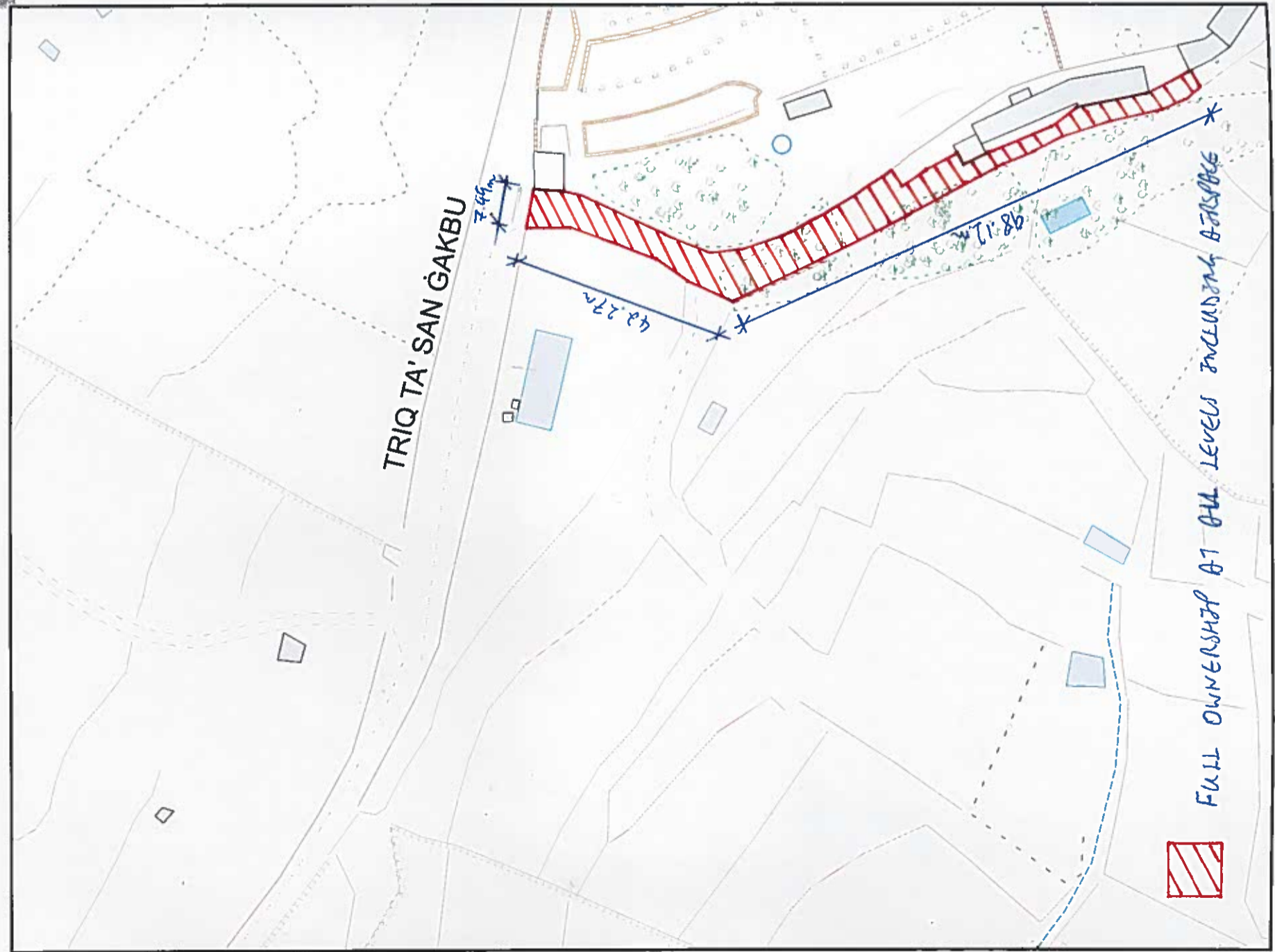
full ownership at all levels including airspace



ARCHITECT ARIELLE AGIUS
 B. E. & A. (Hons.), M.I.D. (Politecnico di Milano), A & C. E.
 ARCHITECT & CIVIL ENGINEER



	Perit Arielle Agius B. E. & A. (Hons.), M.I.D. (Politecnico di Milano), A. & C. E. m. 7908 9110 e. arielleagius@gmail.com w. www.ArcaDesignStudio.com		Commission: Pjanta ghar-Registru tal-Artijiet	Drawing Title: Proprieta' GHOPUZ - Farmhouse	Date: Nov 2018 Drawn: S.G. Job No: 160-18	Scale: 1:100 Checked: A.A. Drawing No: 01/01



Gvern ta' Malta
Registru ta' l-Artijiet
 Casa Bolino, 116, Triq il-Punent, Valletta

Government of Malta
Land Registry
 Casa Bolino, 116, Triq il-Punent, Valletta

Nru tal-Mappa: **101281 M**
 Map Number:
 Pożizzjoni Ċentrali: **x = 43183**
 Centre Coordinates: **y = 70070**

Parti min S.S.: **4270**
 Extracted from S.S.:
 Data: **20/11/2018**
 Date:

Perit: **ARCHITECT ARIELLE AGIUS**
 Architect: **B. E. & A. (Hons.), M.I.D. (POLITECNICO DI MILANO), A & C.E.**
ARCHITECT & CIVIL ENGINEER
 Timbru tal-Perit:
 Architect's Stamp:

Qies (metri kwadri): **805.47 m²**
 Area (square metres):
 Firma ta' l-Applikant:
 Applicant's Signature:



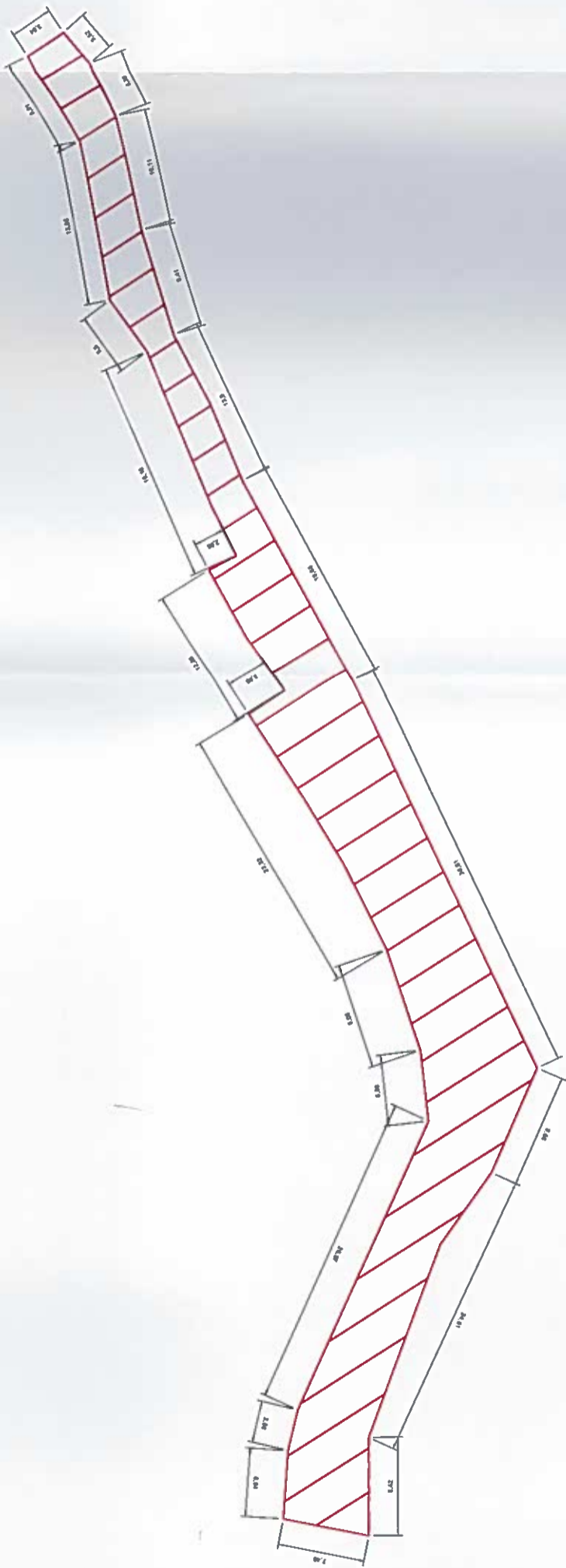
LR 89222

Dritt imhallas
 Fee Paid

Job No: 160-18	Drawn: S.G.	Project: Proprieta GHOPUZ - Trejpa	Commission: Pjanta ghar-Registru tal-Artifel	B. E. A. (Hons.), M.D. (Fellow of the Inst.) A.C.E. Perit Arielle Agius Architecture & Interior design ARCO 2906 9110 a. arielle@perit.com www.perit.com
Drawing No: 01/01	Checked: AA	Date: Nov 2018	Drawing Title: Proprieta GHOPUZ - Trejpa	

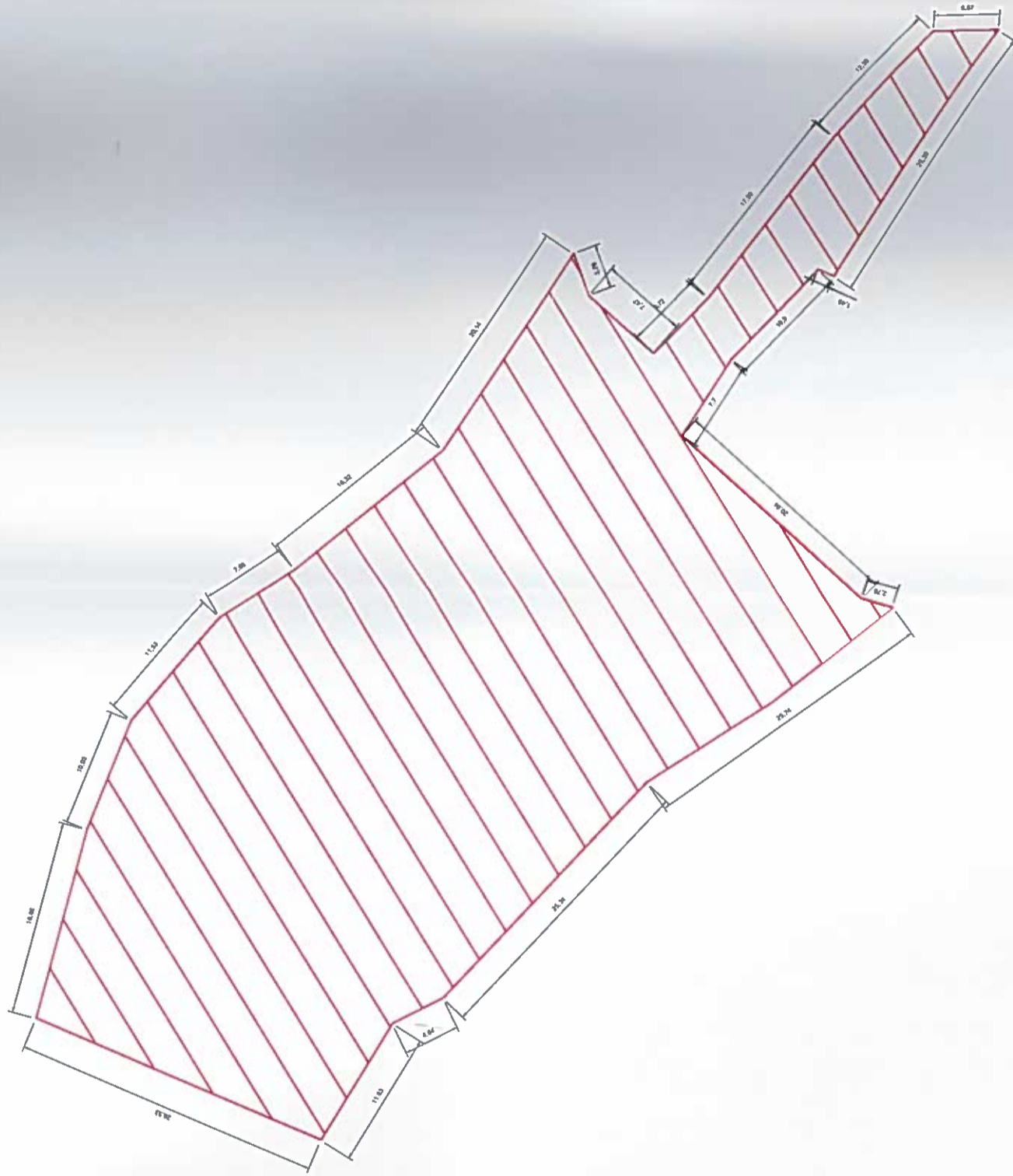
ARCHITECT & CIVIL ENGINEER
 B. E. & A. (Hons.), M.D. (FELLOW OF THE INST.), A.C.E.
ARCHITECT ARIELLE AGIUS

full ownership at all levels including airspace



Pjanta Tar-Registru Tal-Artijiet Għall-Propjetà I

Porzjoni ta' art magħrufa bħala "Ir-Roqa t'Isfel" sive "Il-Maħsel" li tmiss mit-tramuntana ma' proprjeta tal-Baruni Salvatore Testaferrata Moroni Viani jew l-aventi kawża tiegħu, mill-lvant ma' proprjeta tas-surreferita familja Bugeja u li kultant tigi deskritta wkoll bħala li tmiss ma' sies, u mill-punent ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu.



ARCHITECT ARIELLE AGIUS
 B. E. & A. (Hons.), M.I.D. (POLITECNICO DI MILANO), A. & C. E.
ARCHITECT & CIVIL ENGINEER

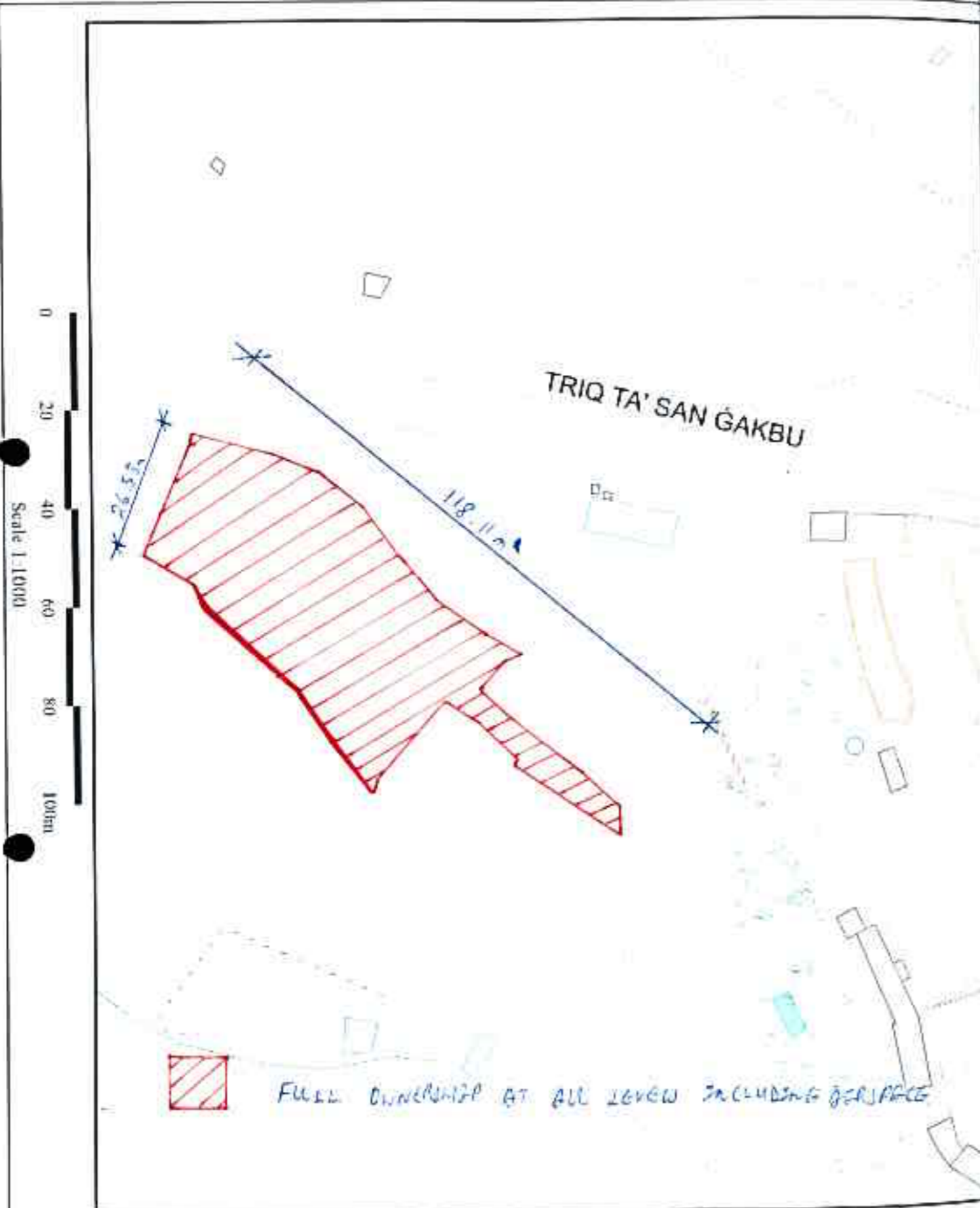
Date:	Nov 2018	Scale:	1:500
Drawn:	S.G.	Checked:	A.A.
Job No:	160-18	Drawing No:	01/01


Drawing Title:
 Propjeta' I

Commission:
 Pjanta ghar-Registru tal-Artijiet

Perit Arielle Agius
 B. E. & A. (Hons.), M.I.D. (Politecnico di Milano), A. & C. E.
 m. 7906 9110
 e. arielleabidilla@gmail.com
 w. www.ArcoDesignStudio.com

ARCO
 architecture & interior design

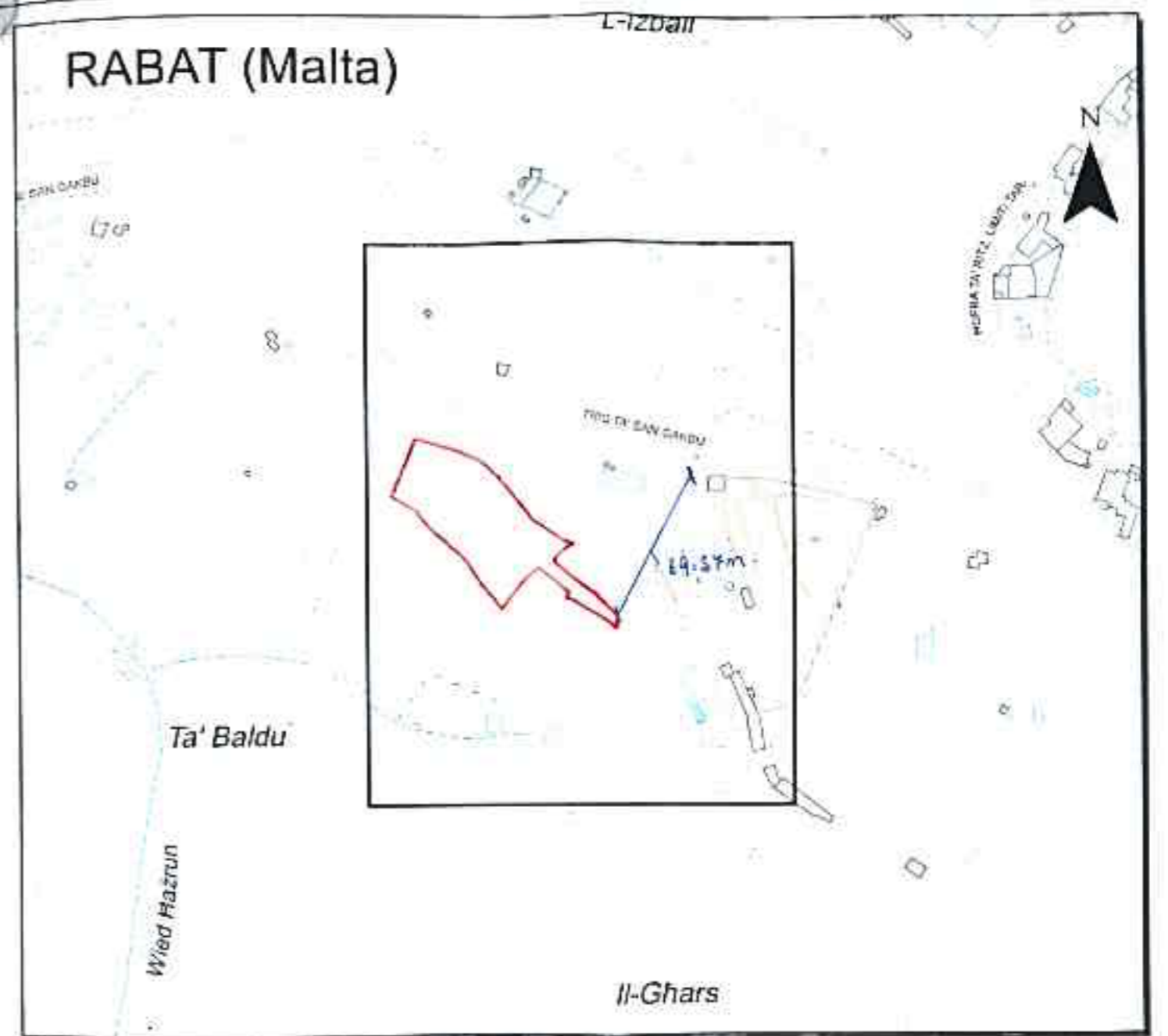


 FULL OWNERSHIP AT ALL LEVELS INCLUDING OVERSPACE

Scale 1:1000



RABAT (Malta)



Pjanta tas-Sit 1:2500 Site Plan

Gvern ta' Malta **Registru ta' l-Artijiet** Casa Bolina, 116, Triq il-Panent, Valletta
 Government of Malta **Land Registry** Casa Bolina, 116, Triq il-Panent, Valletta

Nru tal-Mappa: Map Number:	101281 M	Posizzjoni Centrali: Centre Coordinates:	x = 43183 y = 70070	Parti min S.S.: Extracted from S.S.	4270	Data: Date:	20/11/2018
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Perit:
Architect:

Timbru tal-Perit:
Architect's Stamp:
ARCHITECT ARIELLE AGIUS
R.F. & A. (Hons.), M.I.D. (POLYTECHNIC OF MILANO), A.B.C.E.
ARCHITECT & CIVIL ENGINEER

Qies (metri kwadri):
Area (square metres):
CJALD 2482.18 m²
Firma ta' l-Applikant:
Applicant's Signature:

LR 89223

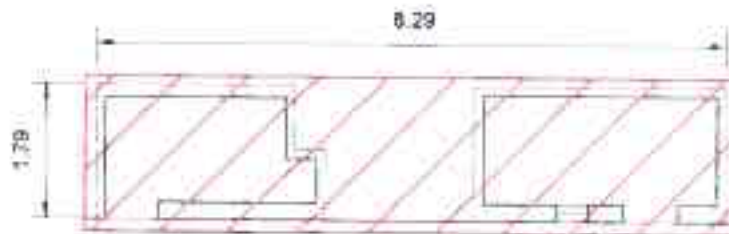
Dritt unħallas
Fee Paid

Pjanta Tar-Registru Tal-Artijiet Għall-Propjeta' J

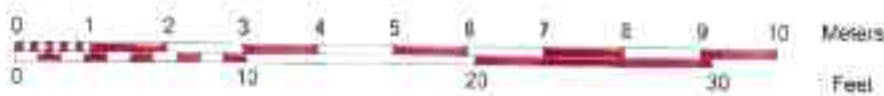
Kmamar kontigwi u adjaċenti wahda mal-oħra, li għandhom l-entraturi tagħhom iharsu lejn in-nofsinar, flimkien mal-art magħom anessa u formanti parti integrali mill-istess, sitwata fuq in-naħa ta' wara ta' dawn l-imsemmija kmamar, li jmissu mill-punent ma' kamra proprjeta' ta' Pawlina Muscat, minn nofsinar ma' mogħdija u mill-lvant mal-proprjeta deskritta hawn fuq.



full ownership at ground floor level

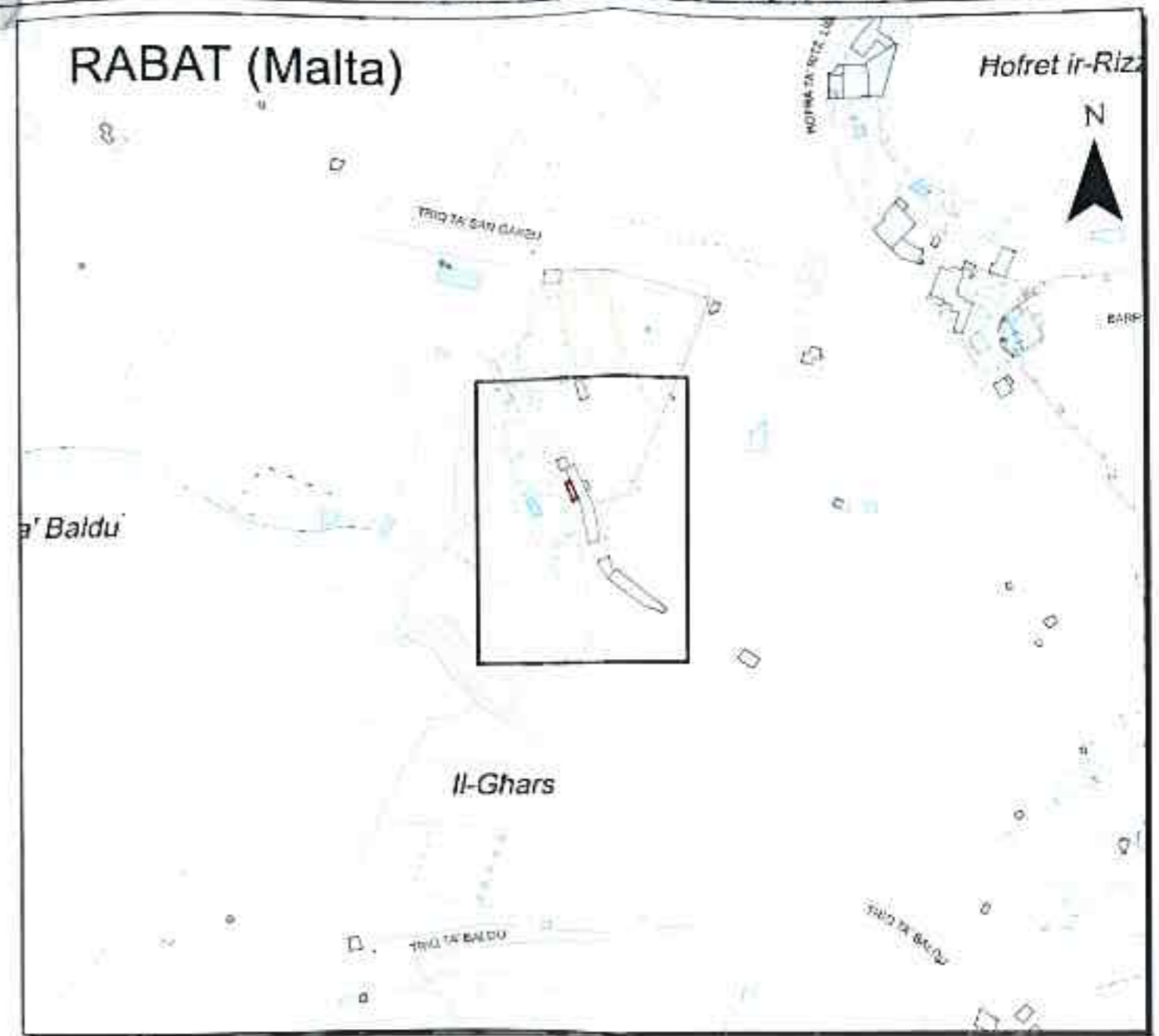


ARCHITECT ARIELLE AGIUS
B.E.S.A. (Licent), M.I.E. (INSTITUTE OF DIM. LAND), A.B.C.E.
ARCHITECT & CIVIL ENGINEER



	Arielle Agius B.E.S.A. (Licent), M.I.E. (INSTITUTE OF DIM. LAND), A.B.C.E.	Project: [Blank]	Date: [Blank]	Date: Nov 2018	Scale: 1:100
	[Blank]			Author: [Blank]	Sheet: AA
	[Blank]			Check: [Blank]	Project: [Blank]
	[Blank]			HOUS: [Blank]	SI/DI

RABAT (Malta)



Pjanta tas-Sit 1:2500 Site Plan

Gvern ta' Malta

Government of Malta

Registru ta' l-Artijiet

Casa Bolino, 116, Triq il-Punent, Valletta



Land Registry

Casa Bolino, 116, Triq il-Punent, Valletta

Nru tal-Mappa: **101283 M**
Map Number

Pożizzjoni Centrali: **x = 43254**
Centre Coordinates: **y = 69982**

Parti min S.S.: **4269**
Extracted from S.S.

Data: **20/11/2018**
Date

Perit:
Architect:

Qies (metri kwadri):
Area (square metres): **Circa 15.37m²**

Timbru tal-Perit:
ARCHITECT ARIELLE AGIUS
Architect & Surveyor (S.A. (I) (1991), M. (D. POLITECNICO DI MIANO), A & C. E.
ARCHITECT & CIVIL ENGINEER


Firma ta' l-Applikant:
Applicant's Signature

LR 89230

Deitt imħallas
Fee Paid

0 10 20 30 40 50m
Scale 1:500

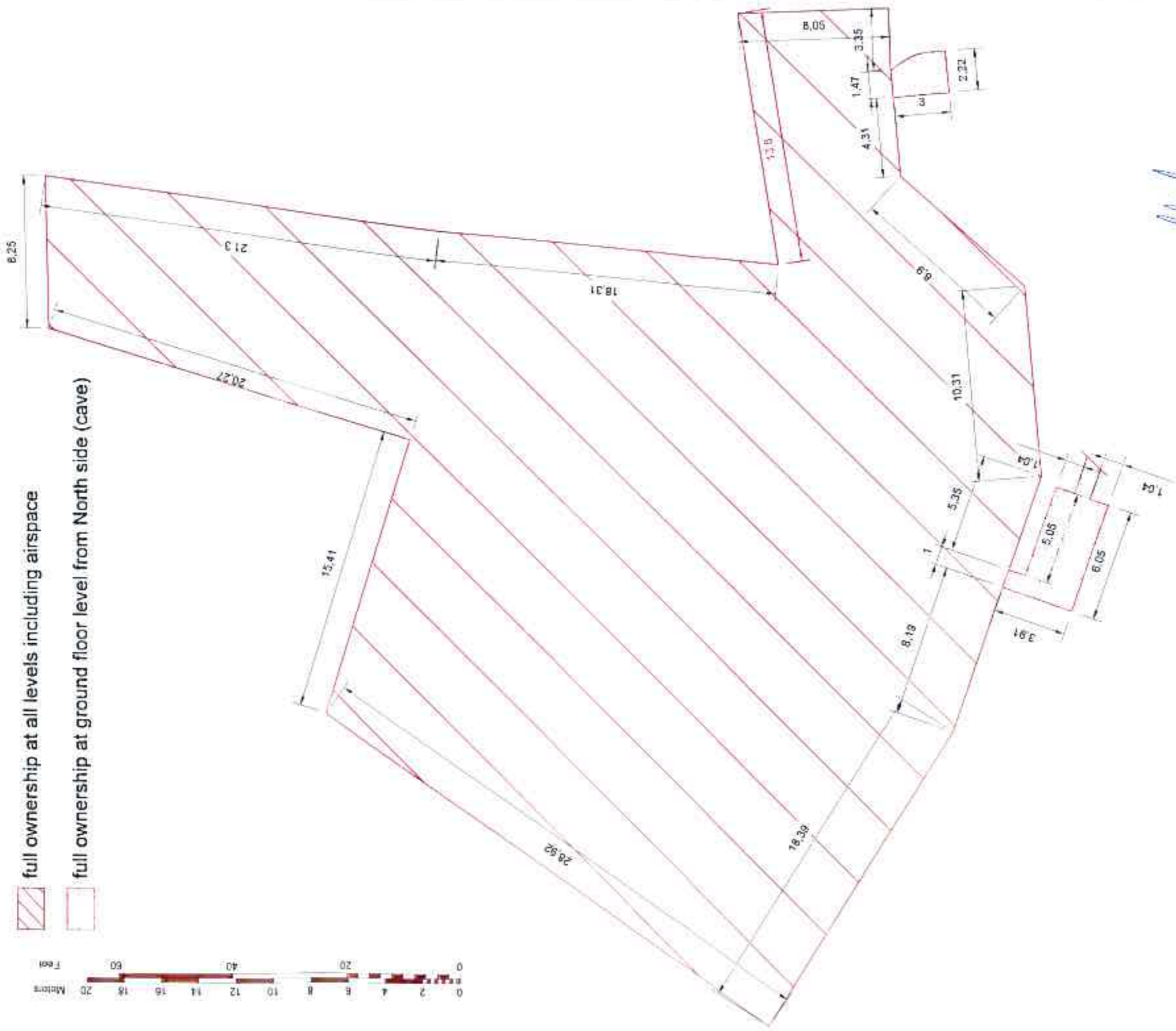
0 10 20 30 40 50m

 full ownership at ground floor level.

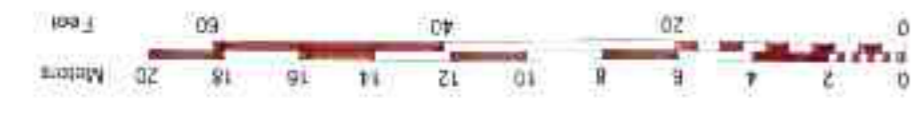
Scale 1:500

Pjanta Tar-Registru Tal-Artijiet Għall-Propjeta' K

Porzjoni ta' art magħrufa bhala "Il-Laring il-Qares" kif ukoll żewġ gherien li jinsabu fuq l-istess art, liema art tmiss mill-majjstral ma' proprjeta' fl-istess territorju, minn nofinshar ma' beni tal-Gvern ta' Malta u mill-lvant ma' beni ta' Carmelo Scicluna jew is-suċċessuri tiegħu.

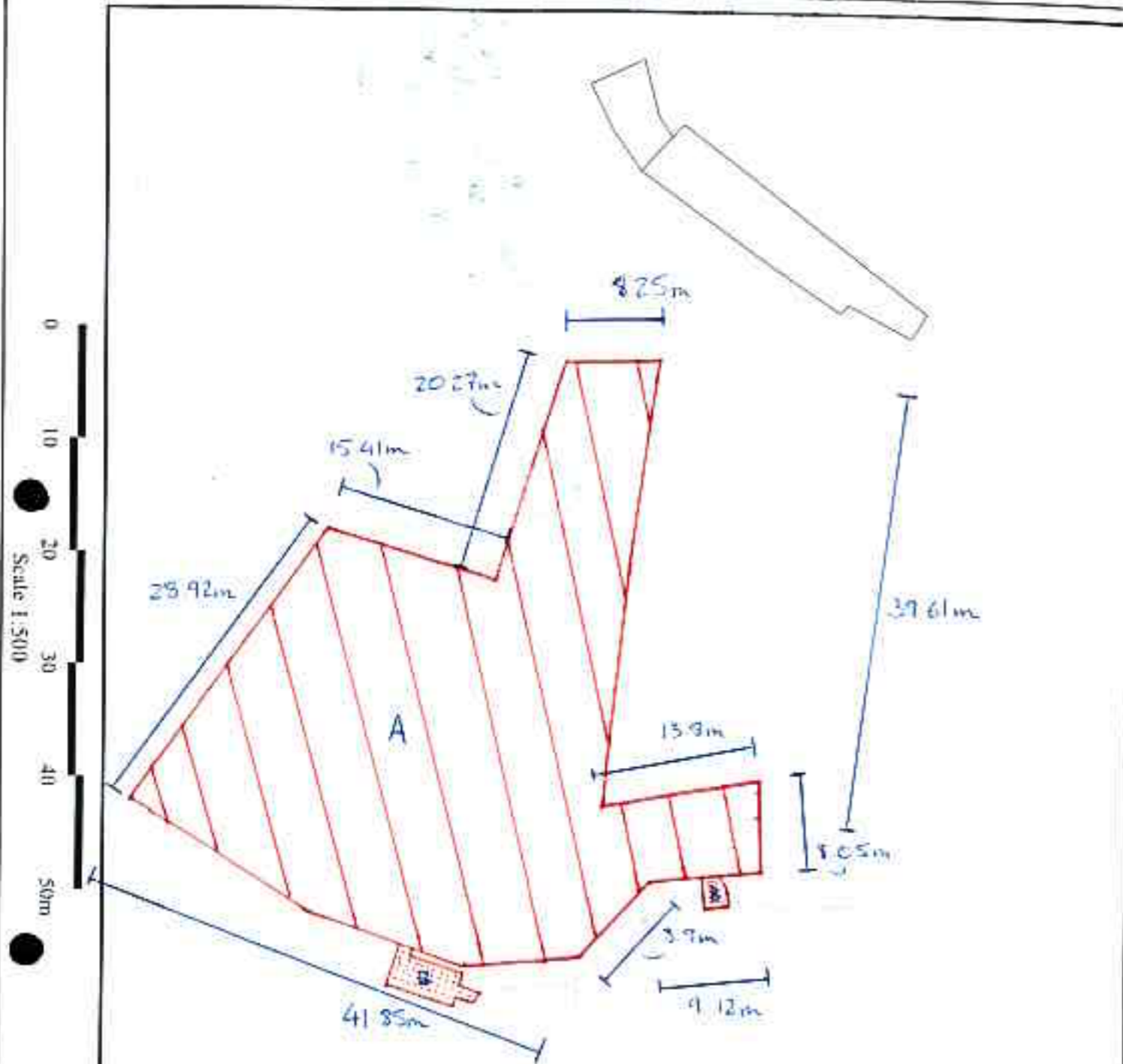


full ownership at all levels including airspace
 full ownership at ground floor level from North side (cave)



ARCHITECT ARIFLE AGIUS
 R. E. & A. (Peral), M. S. (Arquit), CO. DI MILANO, A. B. C. E.
ARCHITECT & CIVIL ENGINEER

<p> Puril Arifelle Agius R. E. & A. (Peral), M. S. (Arquit), CO. DI MILANO, A. B. C. E. <small> Via </small> </p>	<p> Project No. 100-18 </p> <p> Project Name ... </p>	<p> Date Nov 2018 </p> <p> Scale 1:500 </p> <p> Drawing No. AA </p> <p> Revision 1/01 </p>
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Il-Ghars

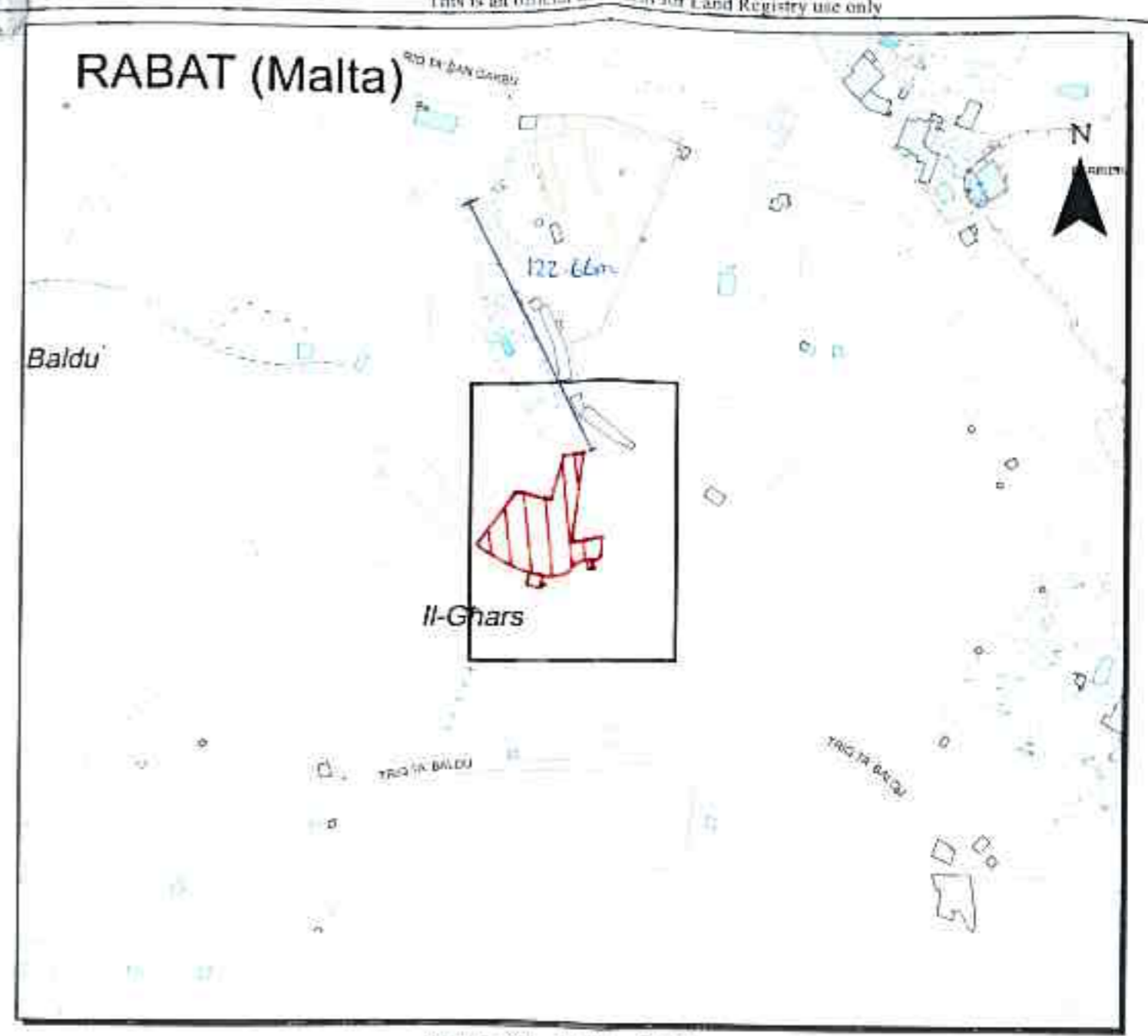


FULL OWNERSHIP AT GROUND FLOOR LEVEL FROM NORTH SIDE (CAVE).



FULL OWNERSHIP AT ALL LEVELS INC. AIRSPACE.

Scale 1:500



RABAT (Malta)

Baldu

Il-Ghars

Gvern ta' Malta Pjanta tas-Sit 1:2500 Site Plan

Registru ta' l-Artijiet
Casa Bolina, 116, Triq il-Panent, Valletta



Government of Malta
Land Registry
Casa Bolina, 116, Triq il-Panent, Valletta

Nru tal-Mappa: Map Number	100533 E	Posizzjoni Centrali: Centre Coordinates	x = 43263 y = 69911	Parti min S.S. Extracted from S.S.	4269	Data: Date	14/11/2018
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Perit:
Architect

Arielle Agius

Timbru tal-Perit:
Architect's Stamp

ARCHITECT ARIELLE AGIUS
E. & J. (1901), M.I.E. (POLITECNICO DI MILANO), A & C. E.
ARCHITECT & CIVIL ENGINEER

Qies (metri kwadri):
Area (square metres)

A = ~~Green~~ 1425.29 m²
B = Circa 2071 m²


Firma ta' l-Applikant:
Applicant's Signature

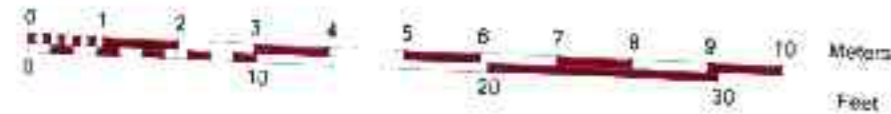
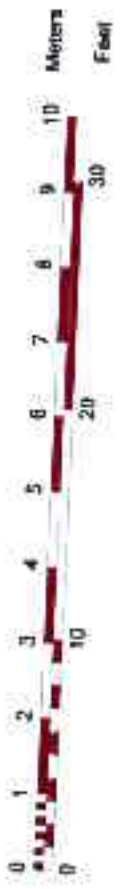
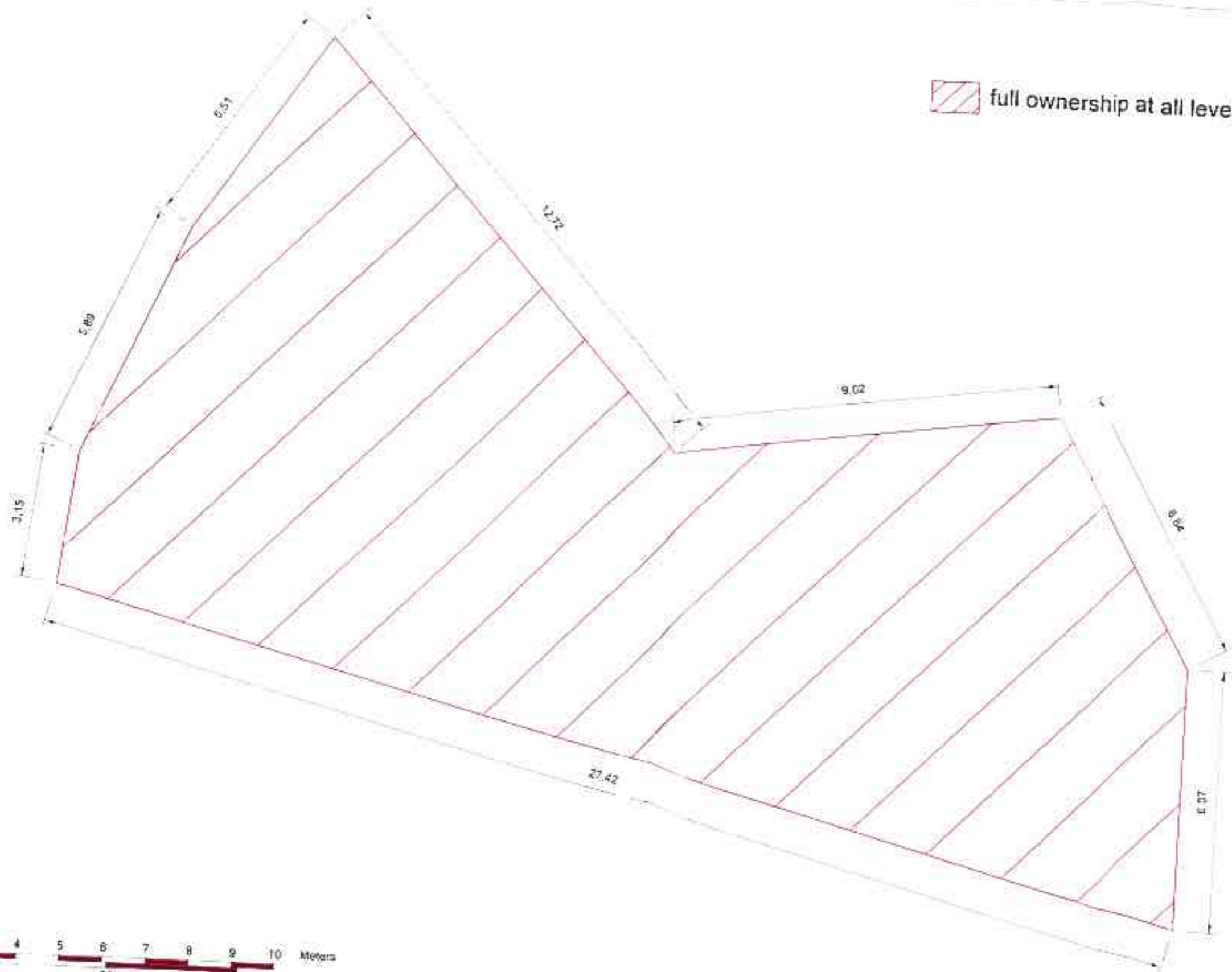
LR 88085

Dritt imballas
Fee Paid

Pjanta Tar-Registru Tal-Artijiet Għall- Propjeta L

Porzjoni ta' art maghrufa bhala "Il-Laring il-
Helu li tmiss mill-irjihat kollha mal-
propjeta hawn deskritta.

 full ownership at all levels including airspace



ARCHITECT ARIELLE AGIUS
 D.E.B.A. / ING. / ARCHITETTO (MILANO), A.A.U.C.
ARCHITECT & CIVIL ENGINEER

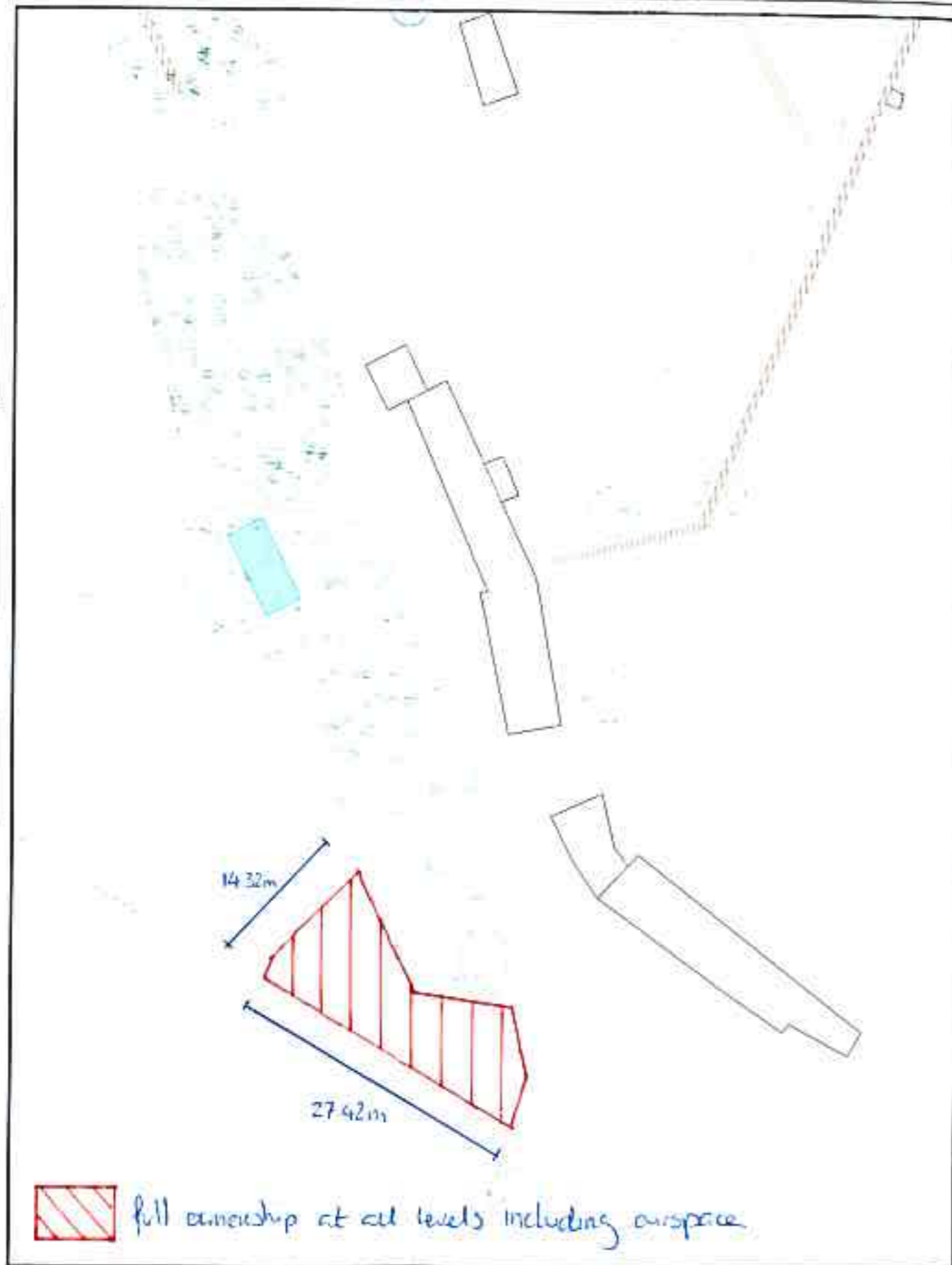
Millers Ltd & Partners Design


Perit Arielle Agius
 B.E. & A. (Hons), M.I.D. (Fellowship of Milan), A & C.E.
 Tel: 7826 0110
 E: perit@millersdesign.com
 W: www.millersdesign.com

Contribution
 Pjanta ghar-Registru tal-Artqjet

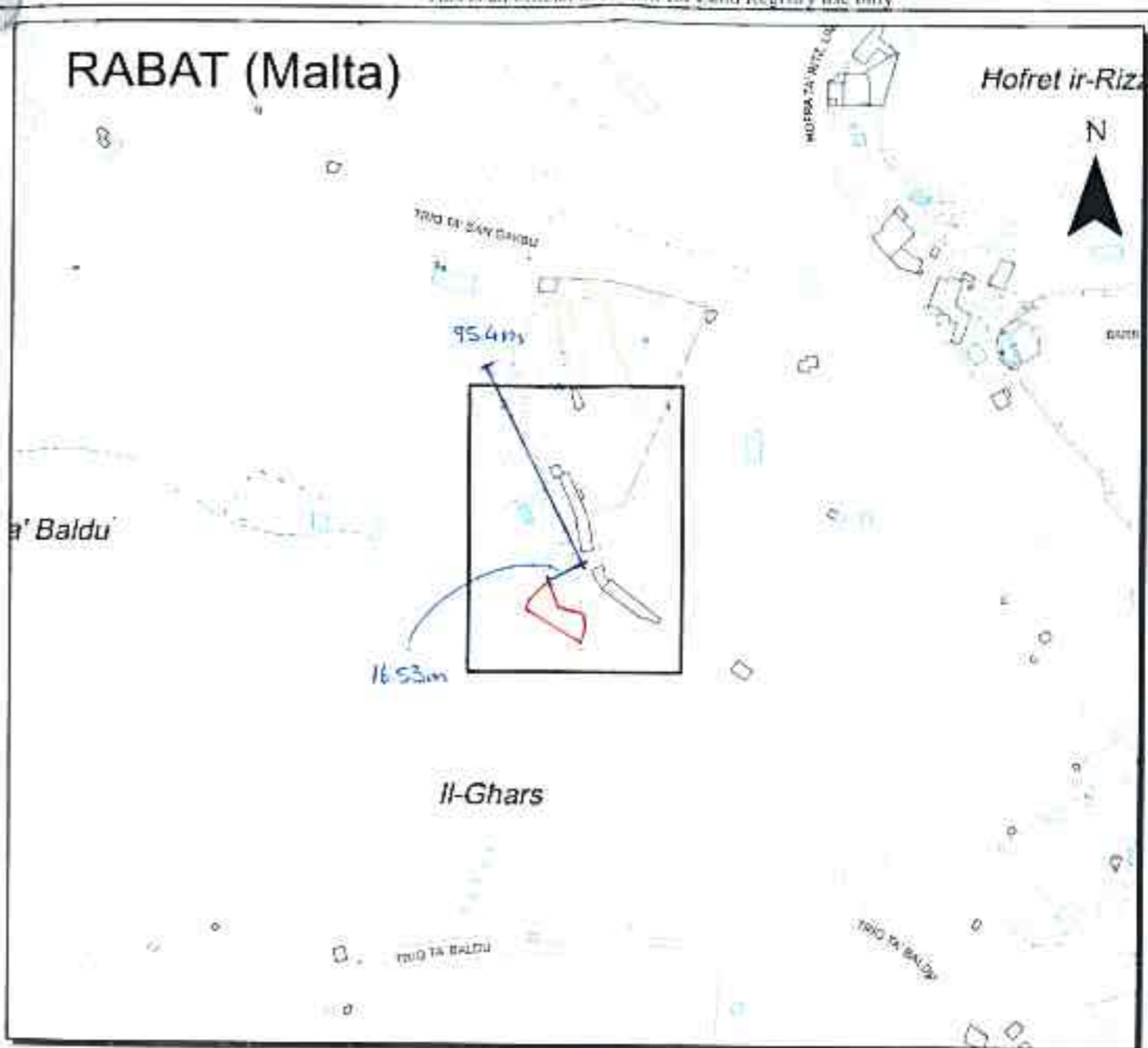
Drawing No
 Propjeta: 2

Date	Nov 2018	Scale	1:100
Drawn	S.G.	Checked	A.A.
Drawn No	160-18	Issue No	01/01



 full ownership at all levels including airspace

Scale 1:500



Gvern ta' Malta

Pjanta tas-Sit 1:2500 Site Plan

Government of Malta

Registru ta' l-Artijiet

Casa Bolina, 116, Triq il-Panent, Valletta



Land Registry

Casa Bolina, 116, Triq il-Panent, Valletta

Nru tal-Mappa: Map Number:	101283 M	Posizzjoni Ċentrali: Centre Coordinates:	x = 43254 y = 69982	Parti min S.S. Extracted from S.S.	4269	Data: Date:	20/11/2018
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Perit:
Architect:

Qies (metri kwadri).
Area (square metres):

Circa 256.29m²

Timbru tal-Perit:

Architect's Stamp **ARCHITECT ARIELLE AGIUS**
B.E.B.A. (1954), M.I.D. (POLITECNICO DI MILANO), A.B.C.L.
ARCHITECT & CIVIL ENGINEER

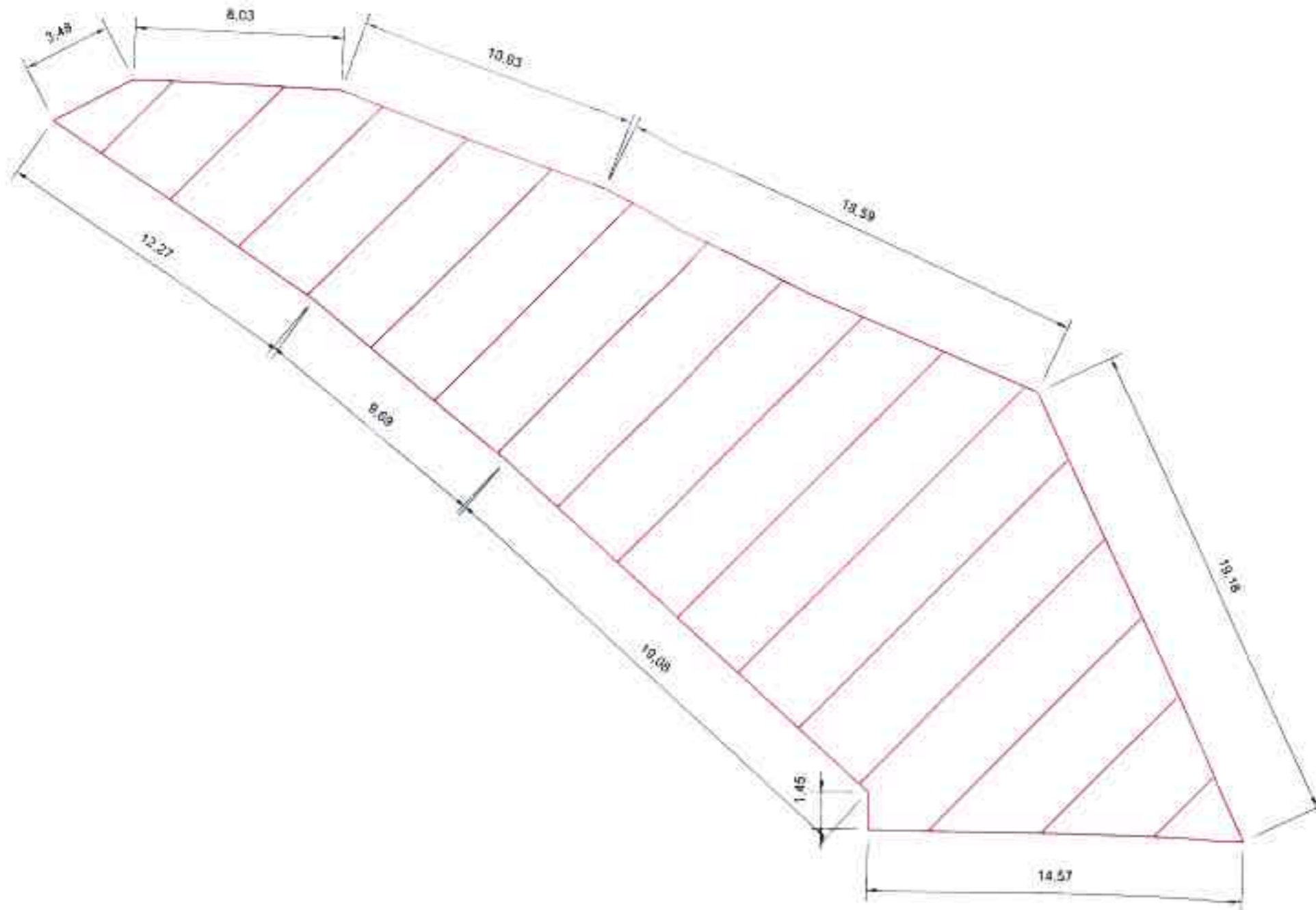
Firma ta' l-Applikant:
Applicant's Signature


LR 89231

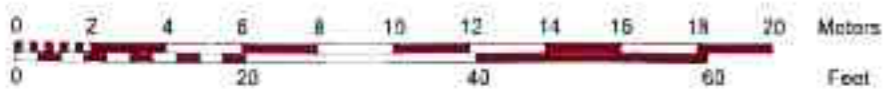
Dritt imħallas
Fee Paid

Pjanta Tar-Registru Tal-Artijiet Għall-Propjetà M


Porzjoni ta' art maghrufa bħala "Il-Mahsel", maghrufa wkoll bħala "Il-Mansab" li tinkludi wkoll hunting lodge jew hunting tower li tinstab fuq din l-imsemmija porzjoni ta' art. Din il-porzjoni ta' art tmiss mill-lbiç u mill-lvant ma' proprjeta hawn deskritta u minn nofsinhar ma' beni ta' Carmelo Scicluna jew l-aventi kawża tieghu.



 full ownership at all levels including airspace



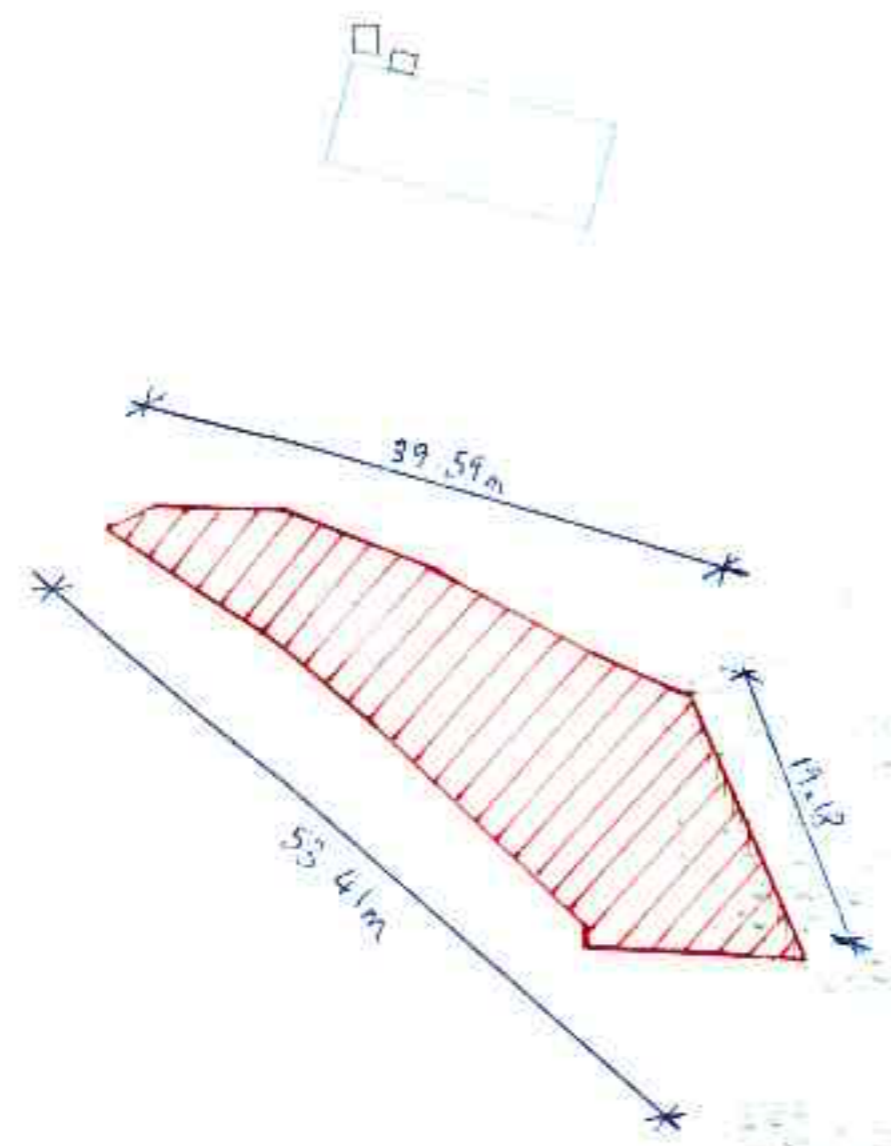
AA
ARCHITECT ARIELLE AGIUS
 B.E. & A. (Hons.), M.B. (PLANNING) (DUMILANG), A.B.C.E.
ARCHITECT & CIVIL ENGINEER

 architecture & interior design m 7936 2110 e arielle@ar:oo.com w www.ar:oo.com	Perit Arielle Agius B.E. & A. (Hons.), M.B. (Politecnico di Milano), A.B.C.E.	Disenyaad Pjanta ghar-Registru tal-Artijiet	Disenja f'ite Propjeta M	Date Nov 2018	Scale 1:200
				Drawn S.G.	Checked A.A.
				Job No. 160-18	Drawing No. 01/01

GAKBU

RABAT (Malta)

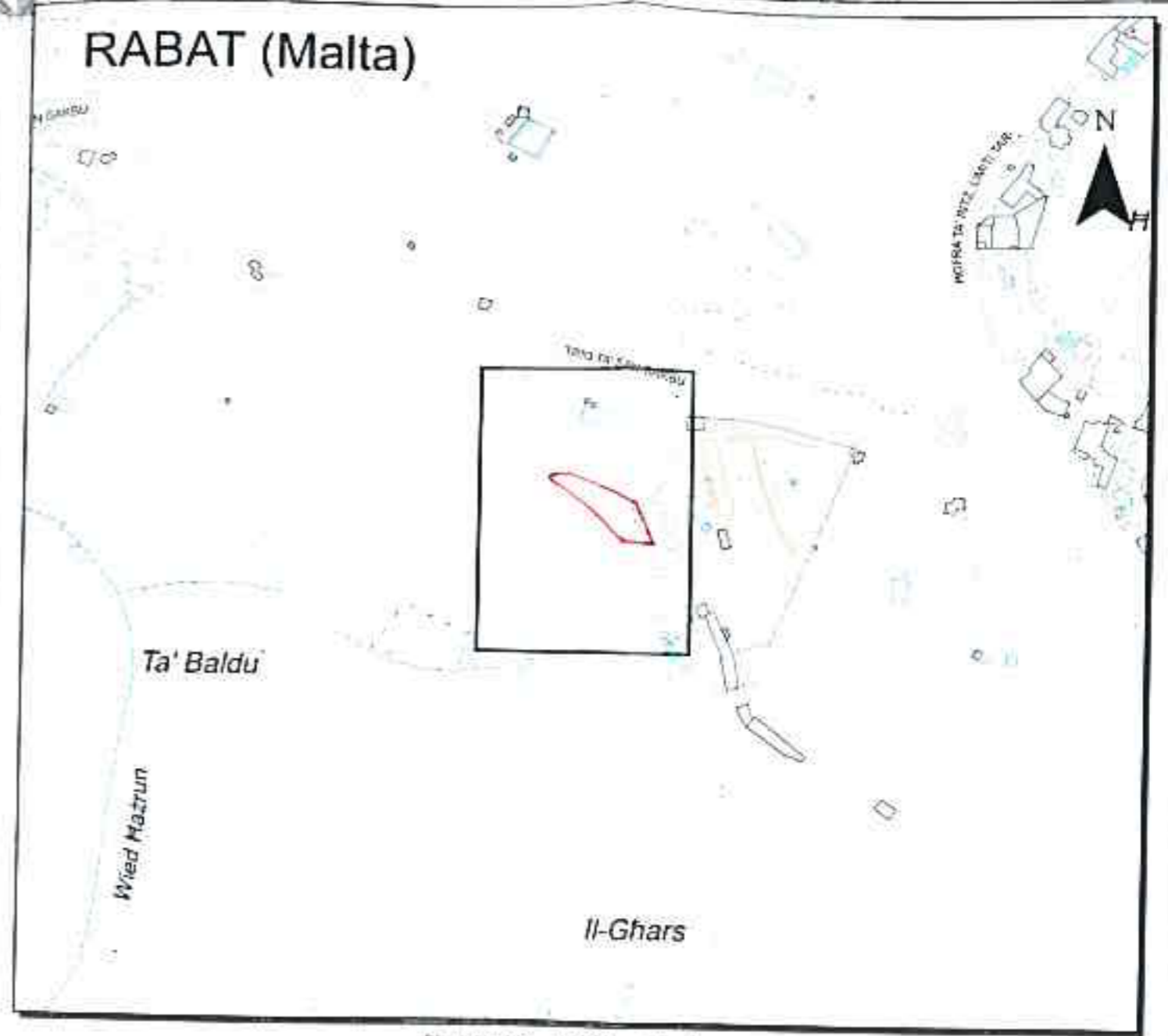
Scale 1:500
0 10 20 30 40 50m



FULL OWNERSHIP AT ALL LEVELS INCLUDING AIRSPACE

Scale 1:500

0 10 20 30 40 50m



Gvern ta' Malta Pjanta tas-Sit 1:2500 Site Plan

Registru ta' l-Artijiet
Casa Bolina, 116, Triq il-Panent, Valletta



Government of Malta
Land Registry
Casa Bolina, 116, Triq il-Panent, Valletta

Nru tal-Mappa: Map Number:	101285 M	Pożizzjoni Centrali: Centre Coordinates:	x = 43195 y = 70048	Parti min S.S. Extracted from S.S.	4270	Data: Date:	20/11/2018
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Perit:
Architect:
Agius
Timbru tal-Perit:
Architect's Stamp:
ARCHITECT ARIELLE AGIUS
M.A. (Arch.), M.D. (P.C.I.T.E.C.C.O.D.I.M. (AND) A & E. E.
ARCHITECT & CIVIL ENGINEER

Qies (metri kwadri):
Area (square metres):
529.49 m²
Firma ta' l-Applikant:
Applicant's Signature:

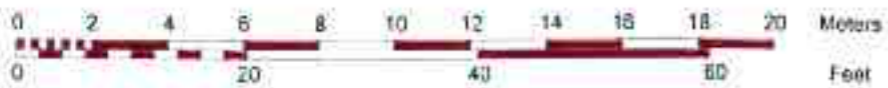
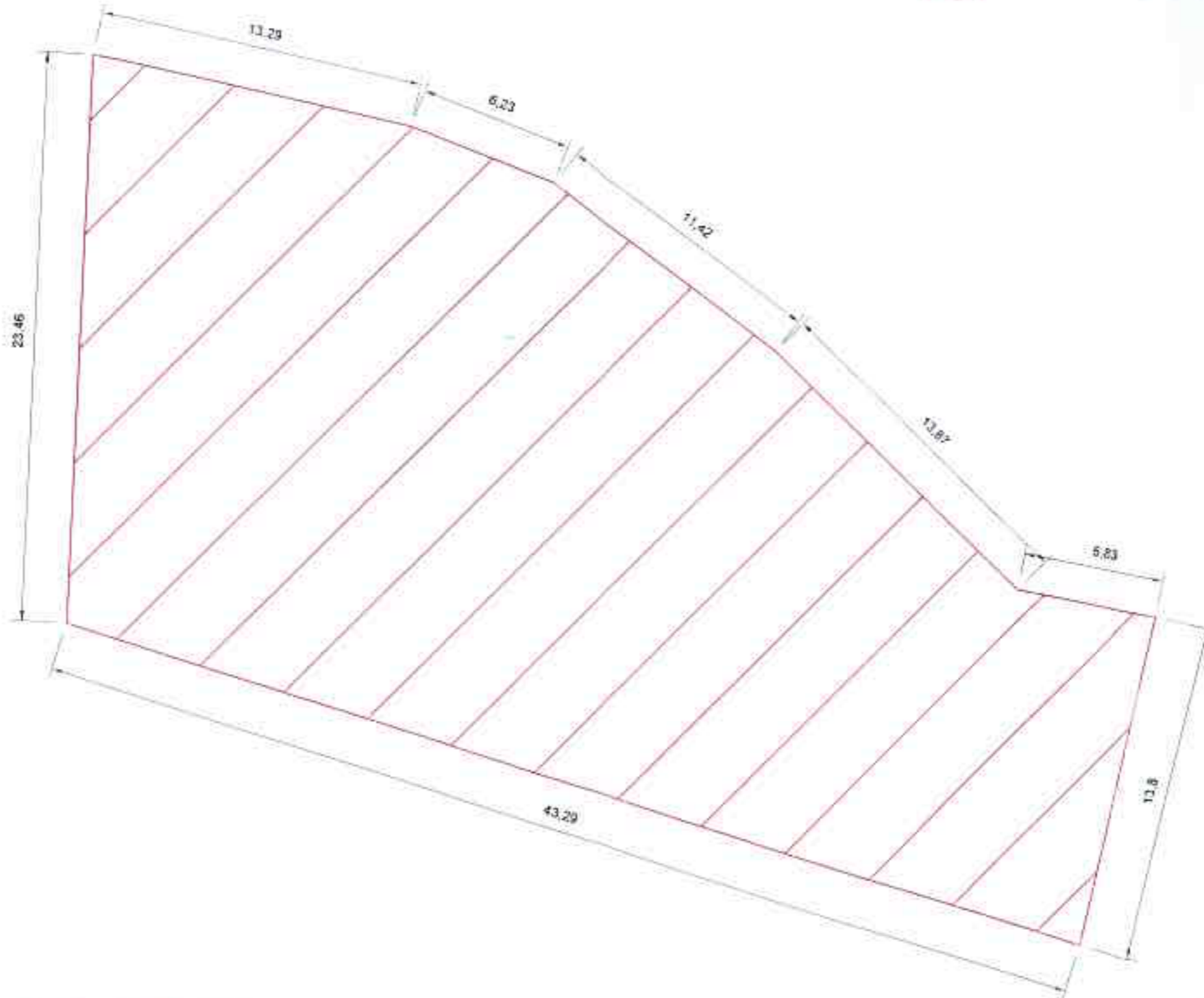
LR 89233

Dritt imballas
Fee Paid

Pjanta Tar-Registru Tal-Artijiet Għall-Propjeta N

Porzjoni ta' art maghrufa bhala "Ir-Roqa t'Isfel" li tmiss mill-majjstral ma' beni tal-Baruni Testaferrata Moroni Viani jew l-aventi kawża tiegħu u mill-lbiċ u mill-grigal ma' proprjeta hawn deskritta.

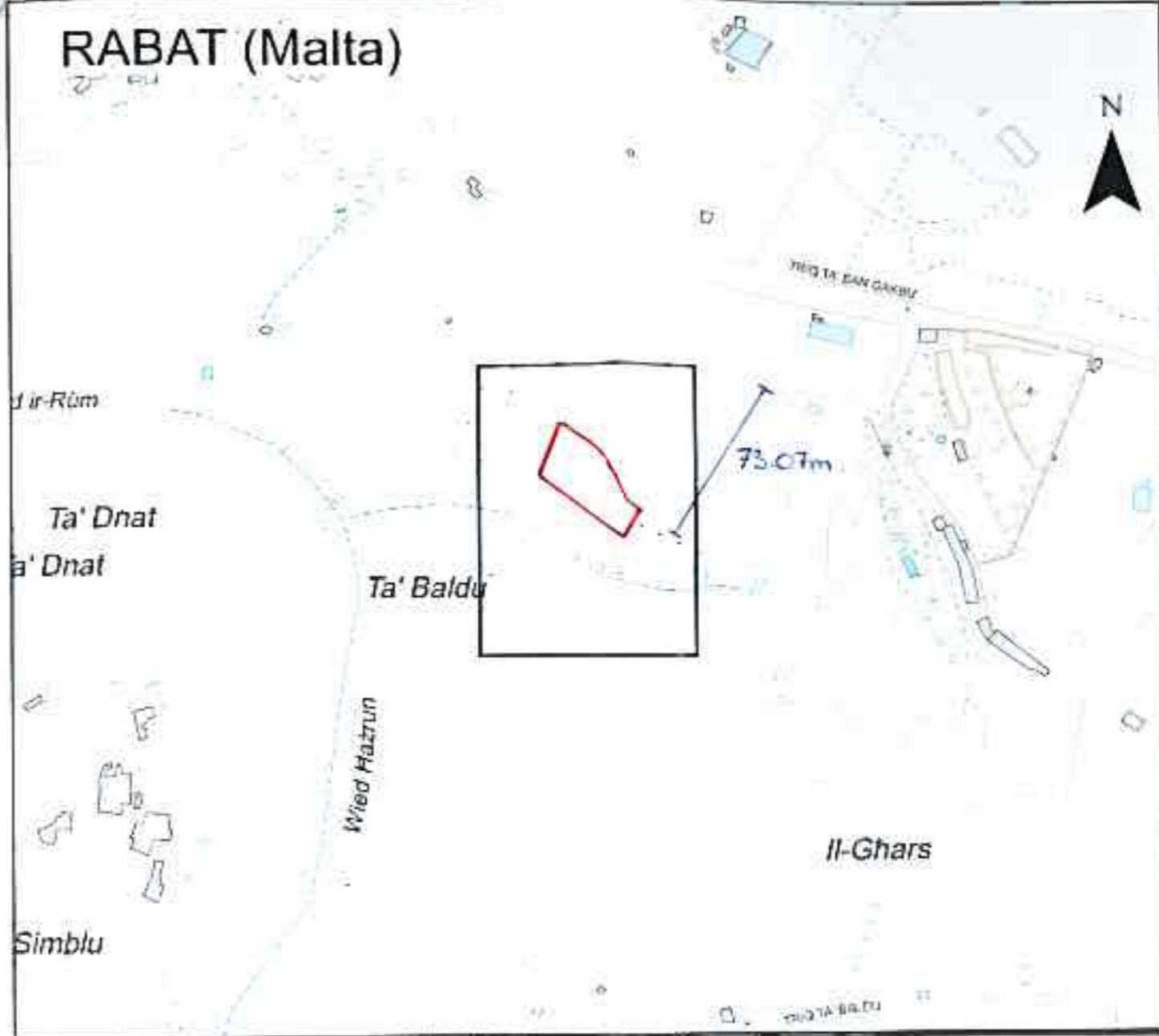
 full ownership at all levels including airspace




ARCHITECT ARIELLE AGIUS
B.E. & A. (Hons.), M.D. (P.O. TECNICO DI MILANO), A & C.E.
ARCHITECT & CIVIL ENGINEER

 Perit Arielle Agius B.E. & A. (Hons.), M.D. (P.O. TECNICO DI MILANO), A & C.E. tel. 7908 8110 e. arielle@arielleagius.com w. www.ArielleAgius.com	Comitatu	Uzeng Tipi	Date	Scale
	Pjanta ghar-Registru tal-Artijet	Propjeta N	Nov 2018	1:200
			S.G.	Checked
			160-18	AA
			Yuzeng No	01/01

RABAT (Malta)



Pjanta tas-Sit 1:2500 Site Plan

Gvern ta' Malta

Government of Malta

Registru ta' l-Artijiet

Casa Balio, 116, Triq il-Panent, Valletta



Land Registry

Casa Balio, 116, Triq il-Panent, Valletta

Num tal-Mappa: Map Number:	100541 E	Pozizzjoni Centrali: Centre Coordinates:	x = 43100 y = 70012	Parti minn S.S. Extracted from S.S.	4270	Data: Date:	14/11/2018
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Perit:
Architect:

[Signature]

Qies (metri kwadri):
Area (square metres):

Likca 599.9m²

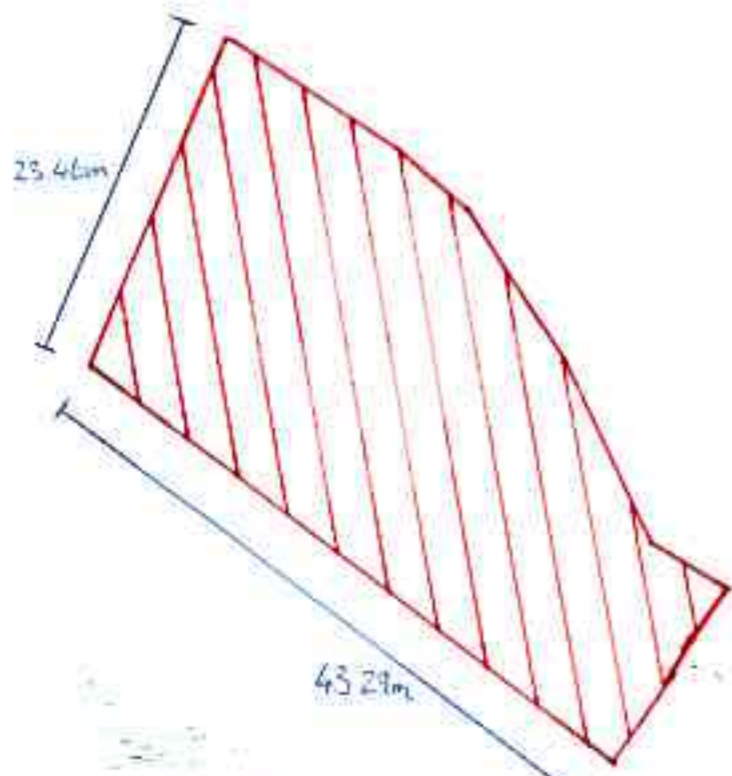
Timbru tal-Perit:
Architect's Stamp:

ARCHITECT ARIELLE AGIUS
B.E. & A. (Pisa), M.D. (POLITECNICO DI MILANO), A & C.E.
ARCHITECT & CIVIL ENGINEER


Firma ta' l-Applikant:
Applicant's Signature:

LR 88091

Dejt imballat
Fee Paid



Scale 1:500

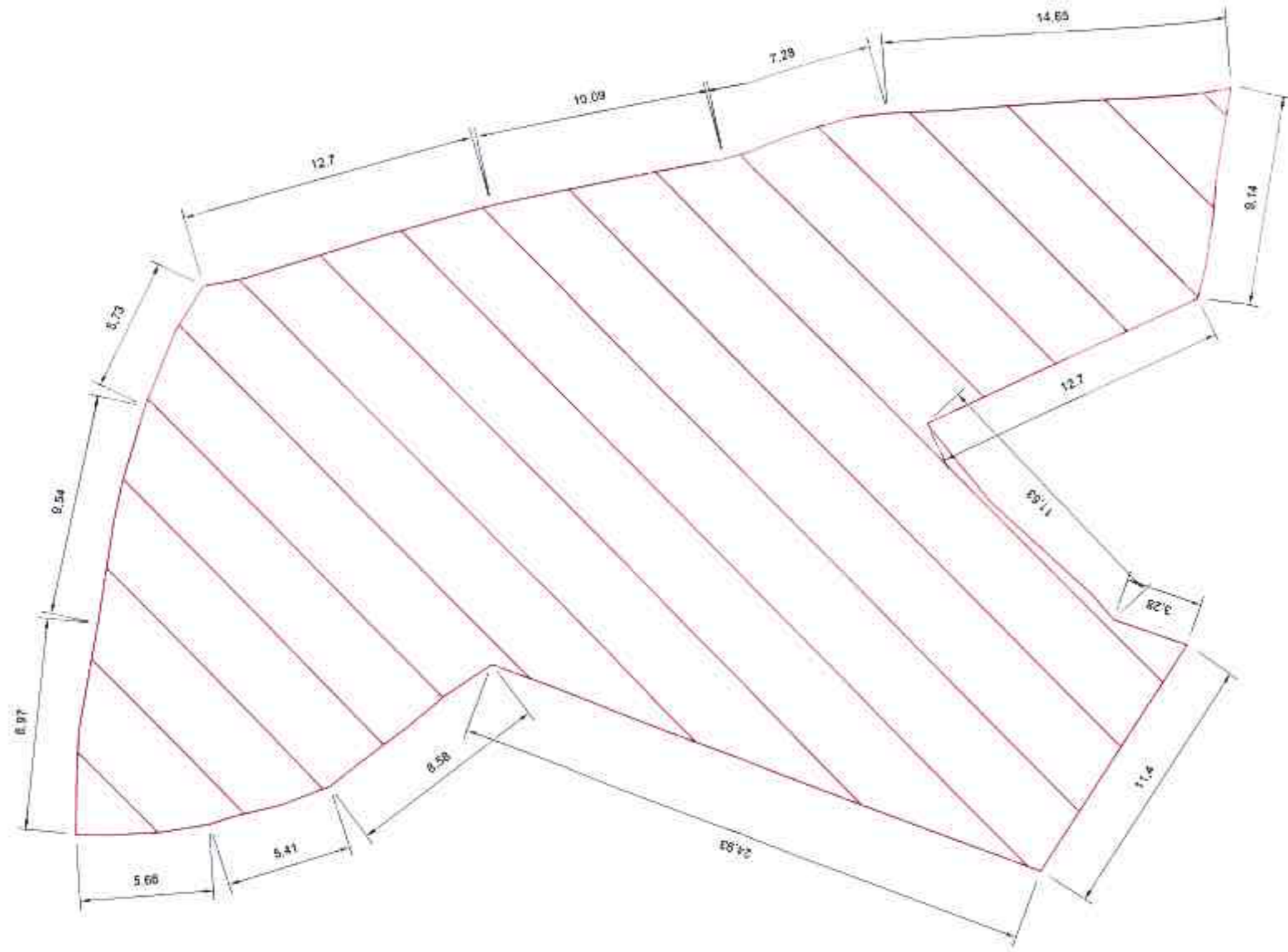
 full ownership at all levels including airspace

Scale 1:500

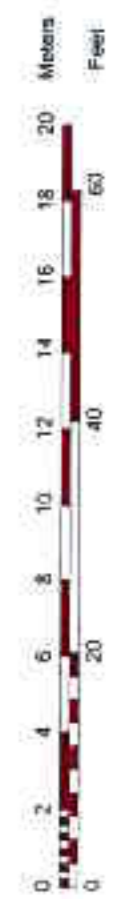


Pjanta Tar-Registru Tal-Artijiet Għall-Propjetà Q


Porzjoni ta' art maghrufa bhala "Ta' Laringa" kif ukoll mogħdija komuni li jmissu t-tnejn li huma (stante li huma kontigwi), mill-majjistrat ma' beni hawn deskritta, mill-lbiç f'partijiet ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu u f'partijiet ma' proprjeta hawn deskritta, u mill-grigal ma' mogħdija.

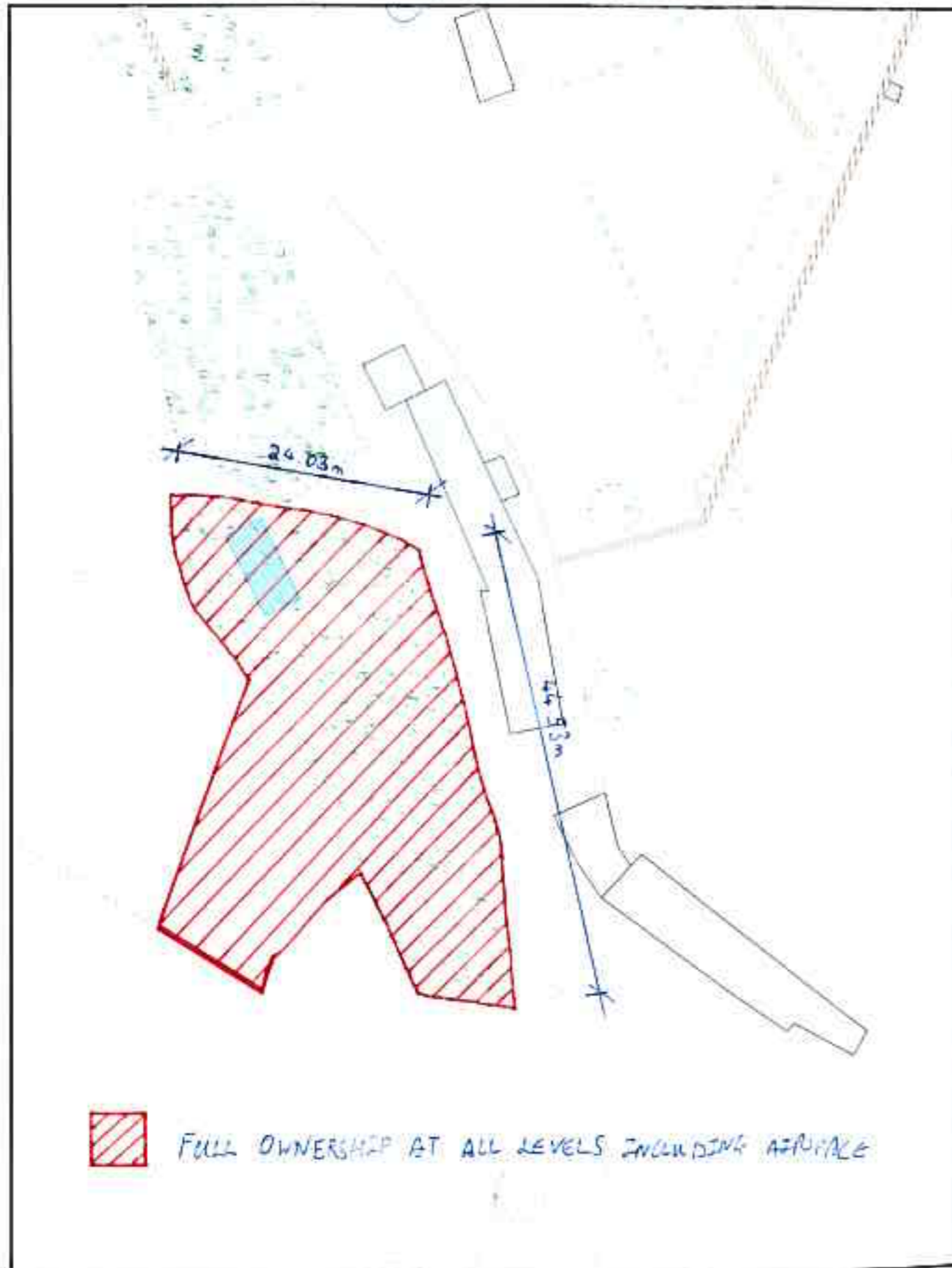


 full ownership at all levels including airspace

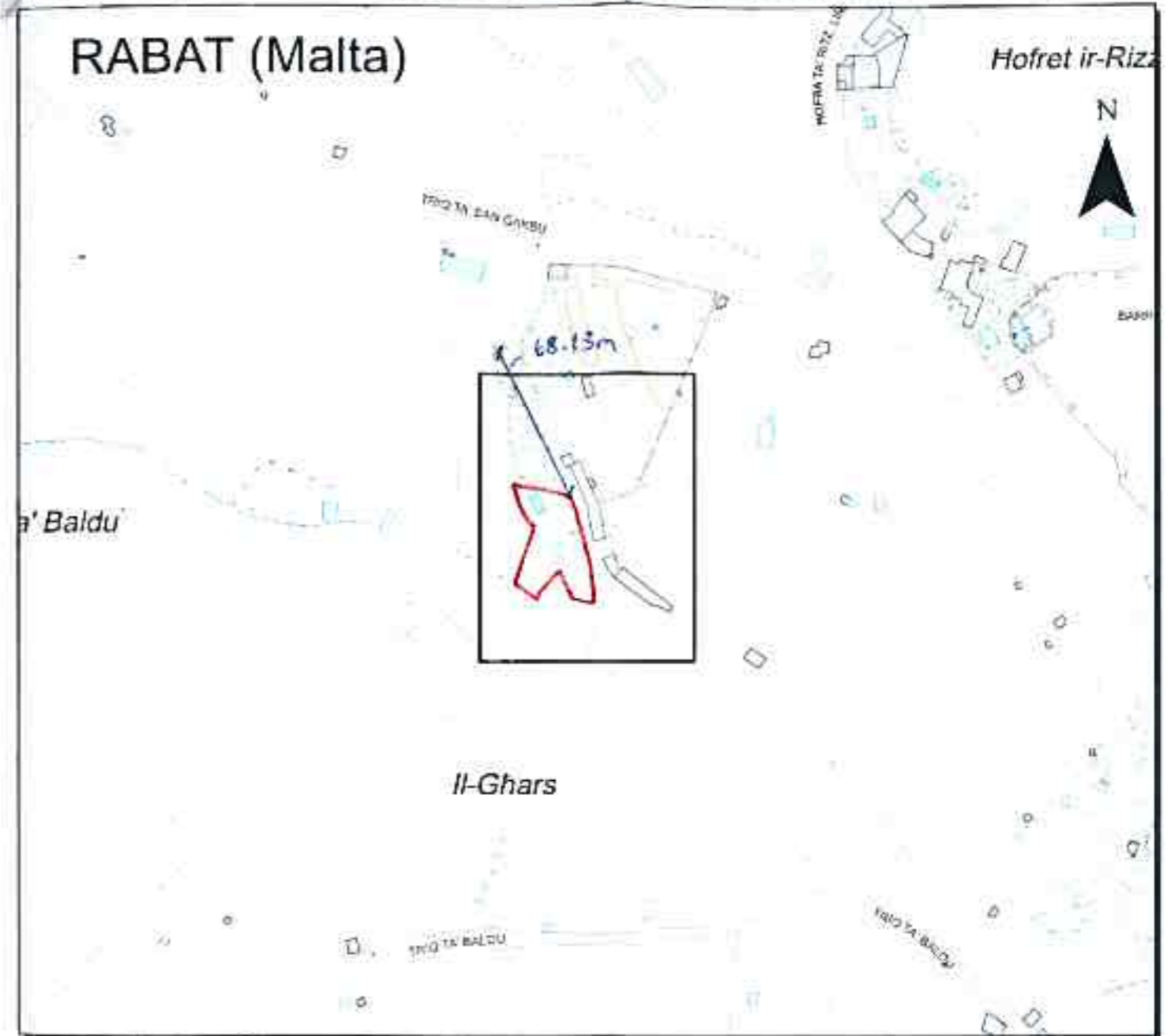


ARCHITECT ARIELLE AGIUS
 S.E. & A. (Italy), M. Sc. (Italy), M. Sc. (Milano), A.S. C.E.
ARCHITECT & CIVIL ENGINEER

 Perit Arielle Agius S. E. & A. (Italy), M. Sc. (Italy), M. Sc. (Milano), A.S. C.E. <small>via S. Maria 21/B 20121 Milano (MI) - Italy Tel. +39 02 76000000 Fax +39 02 76000001 www.peritarielleagius.com</small>	Descrizione: Piano di attuazione urbanistica	Cliente/No: Proprietà D	Data: NOV 2018	Scala: S.G.	Foglio: 160/18
	Data: 1/200	Firma: A.A.	Data: 01/01		



Scale 1:500



Pjanta tas-Sit 1:2500 Site Plan

Gvern ta' Malta

Government of Malta

Registru ta' l-Artijiet

Casa Balino, 116, Triq il-Panent, Valletta



Land Registry

Casa Balino, 116, Triq il-Panent, Valletta

Num tal-Mappa Map Number	101283 M	Pozizzjoni Ċentrali Centre Coordinates	x = 43254 y = 69982	Parti min S.S. Extracted from S.S.	4269	Data Date	20/11/2018
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Perit:
Architect:

Qies (metri kwadri)
Area (square metres)

CIRCA 1072.63 m²

Tambur tal-Perit:
Architect's Stamp

ARCHITECT ARIELLE AGIUS
B.L. & A. (Hons.), M.D. (POLITECNICO DI MILANO), A.B.C.E.
ARCHITECT & CIVIL ENGINEER


Firma ta' l-Applikant:
Applicant's Signature:

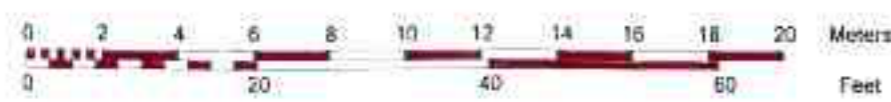
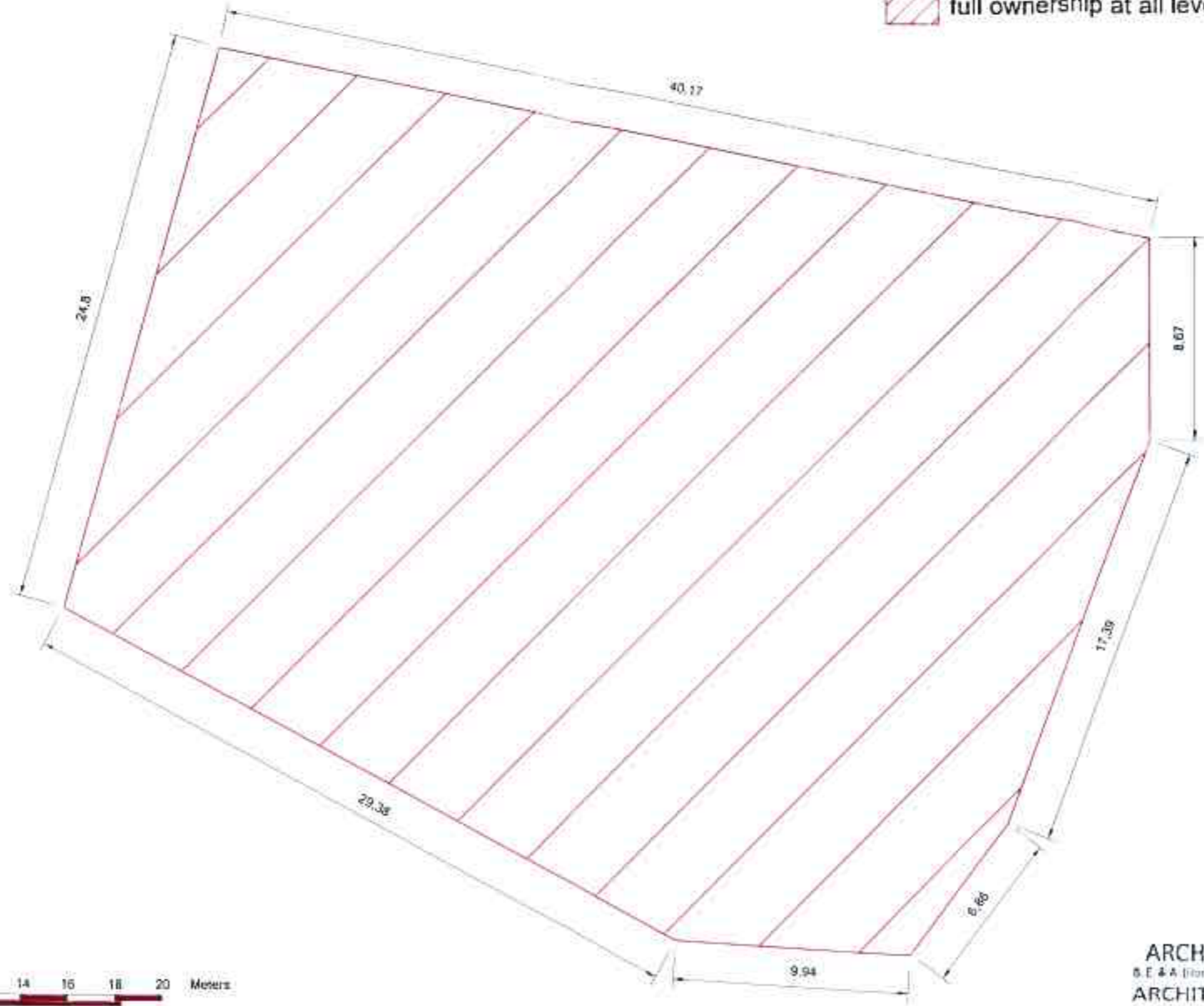
LR 89226

Dritt imballas
Fee Paid

Pjanta Tar-Registru Tal-Artijiet Għall-Propjetà R

Porzjoni ta' art maghrufa bhala "Iż-Żebbug ta' Fuq", li tmiss mit-tramuntana ma Triq San Ġakbu, mill-majjistrat ma' proprjeta hawn deskritta u minn nofsinhar ma' proprjeta oħra hawn deskritta.

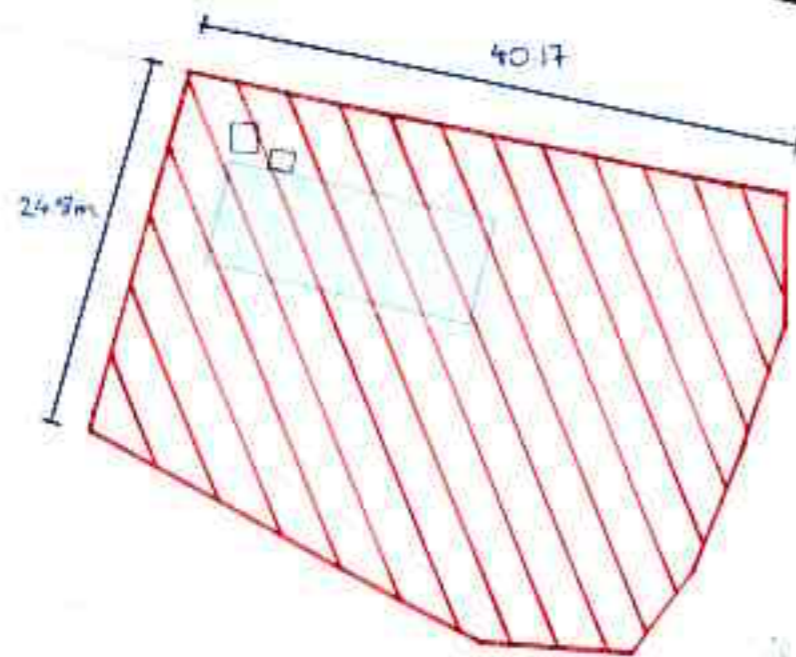
 full ownership at all levels including airspace



Arielle Agius
ARCHITECT ARIELLE AGIUS
 S.E. & A. (Roma), M.I.D. (Politecnico di Milano), A. & C. E.
ARCHITECT & CIVIL ENGINEER

 Perit Arielle Agius S. E. & A. (Roma), M.I.D. (Politecnico di Milano), A. & C. E. tel. 7828 0170 e-mail: arielle@arielleagius.com www.arielleagius.com	Contenzioso Pjanta ghar-Registru tal-Artijet	Drawing File Propjeta R	Date Nov 2018	Scale 1:200
			Drawn S.G.	Checked A.A.
			Project 160-18	Drawing No. 01/01

TRIQ TA' SAN ĠAKBU



0
10
20
30
40
50m
Scale 1:500

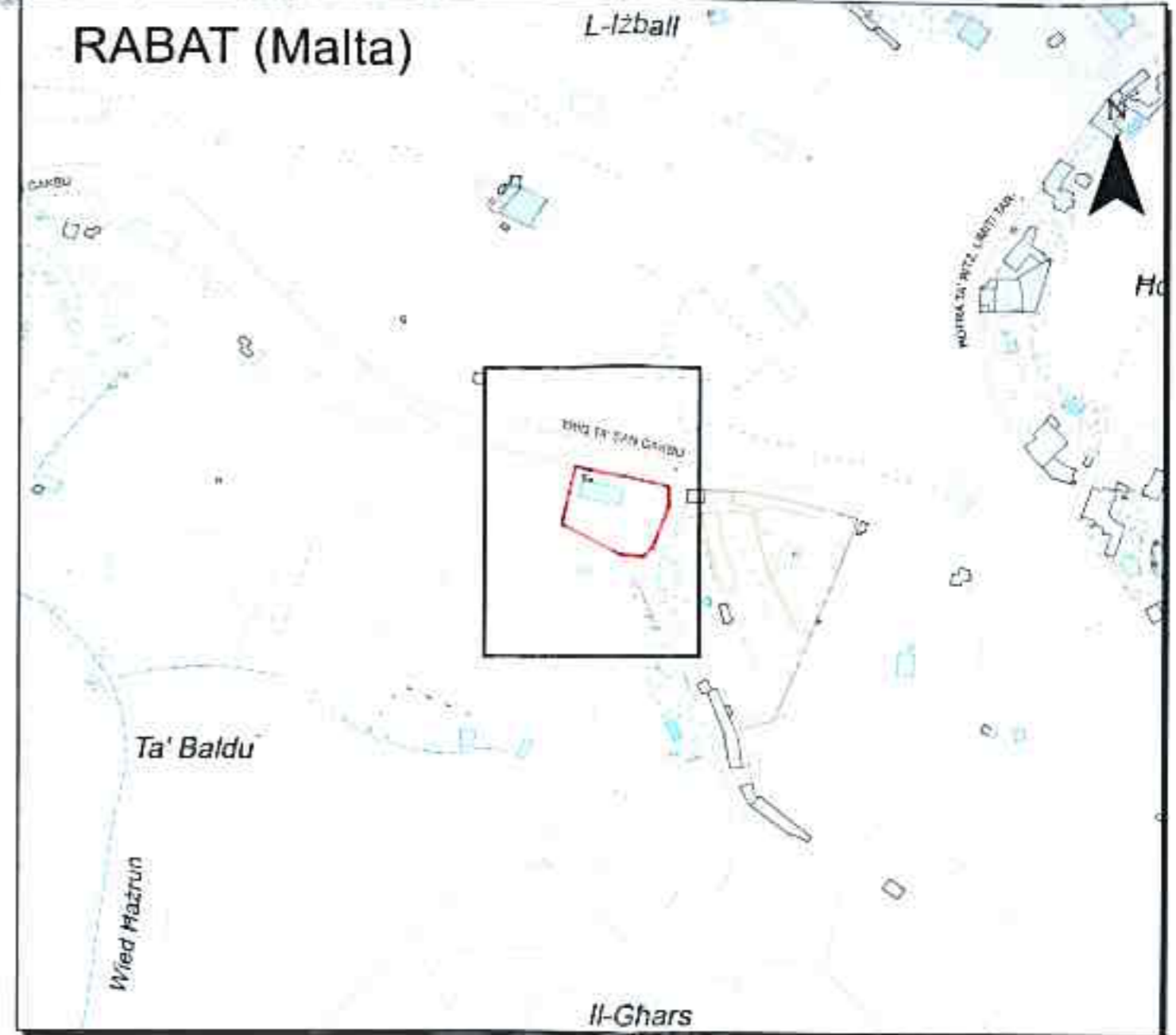


full ownership at all levels including airspace

Scale 1:500

0 10 20 30 40 50m

RABAT (Malta)



Gvern ta' Malta

Pjanta tas-Sit 1:2500 Site Plan

Government of Malta

Registru ta' l-Artijiet

Casa Bolino, 116, Triq il-Panent, Valletta.



Land Registry

Casa Bolino, 116, Triq il-Panent, Valletta.

Nru tal-Mappa: 97602 E
Map Number

Pozizzjoni Centrali: x = 43198
Centre Coordinates: y = 70080

Parti min S.S. 4270
Extracted from S.S.

Data: 24/10/2018
Date:

Perit:

Architect:

Qies (metri kwadri):

Arva (square metres): Circa 1237.59m²

Timbra ta' l-Perit:

Architect's Stamp ARCHITECT ARIELLE AGIUS
B.T. & A. (1988), M.D. (PUBBLICISTICO DI MILANO), A & C.E.
ARCHITECT & CIVIL ENGINEER

Firma ta' l-Applikant:

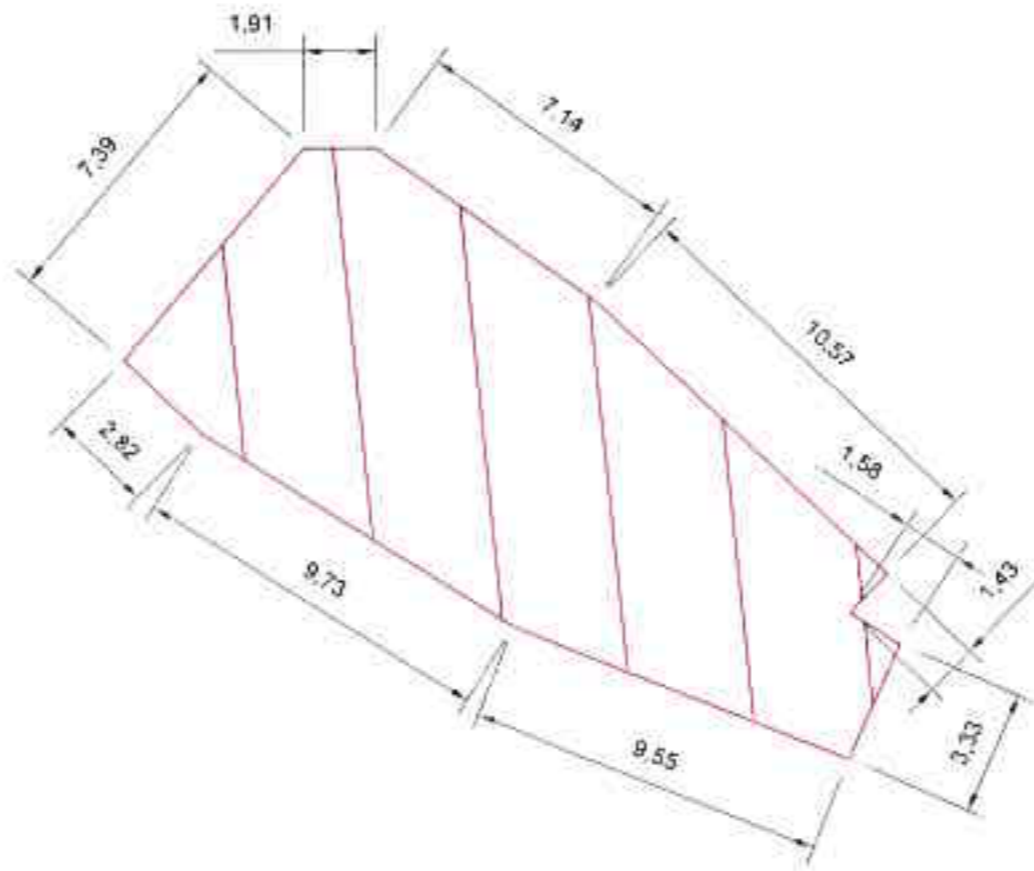
Applicant's Signature:


LR 85819

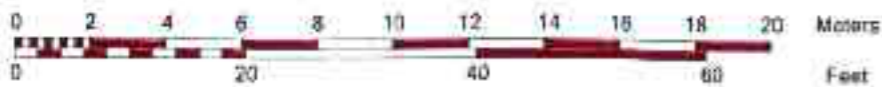
Dritt imħallas
Fee Paid

Pjanta Tar-Registru Tal-Artijiet Ghall-Propjeta S

Porzjoni ta' art maghrufa bhala "Tal-Mansab", li tmiss mill-grigal u mill-majjstral ma' proprjeta' prezenti fl-istess territorju msemmi u minn nofsinhar ma' beni ta' Carmelo Scicluna jew l-aventi kawza tieghu.



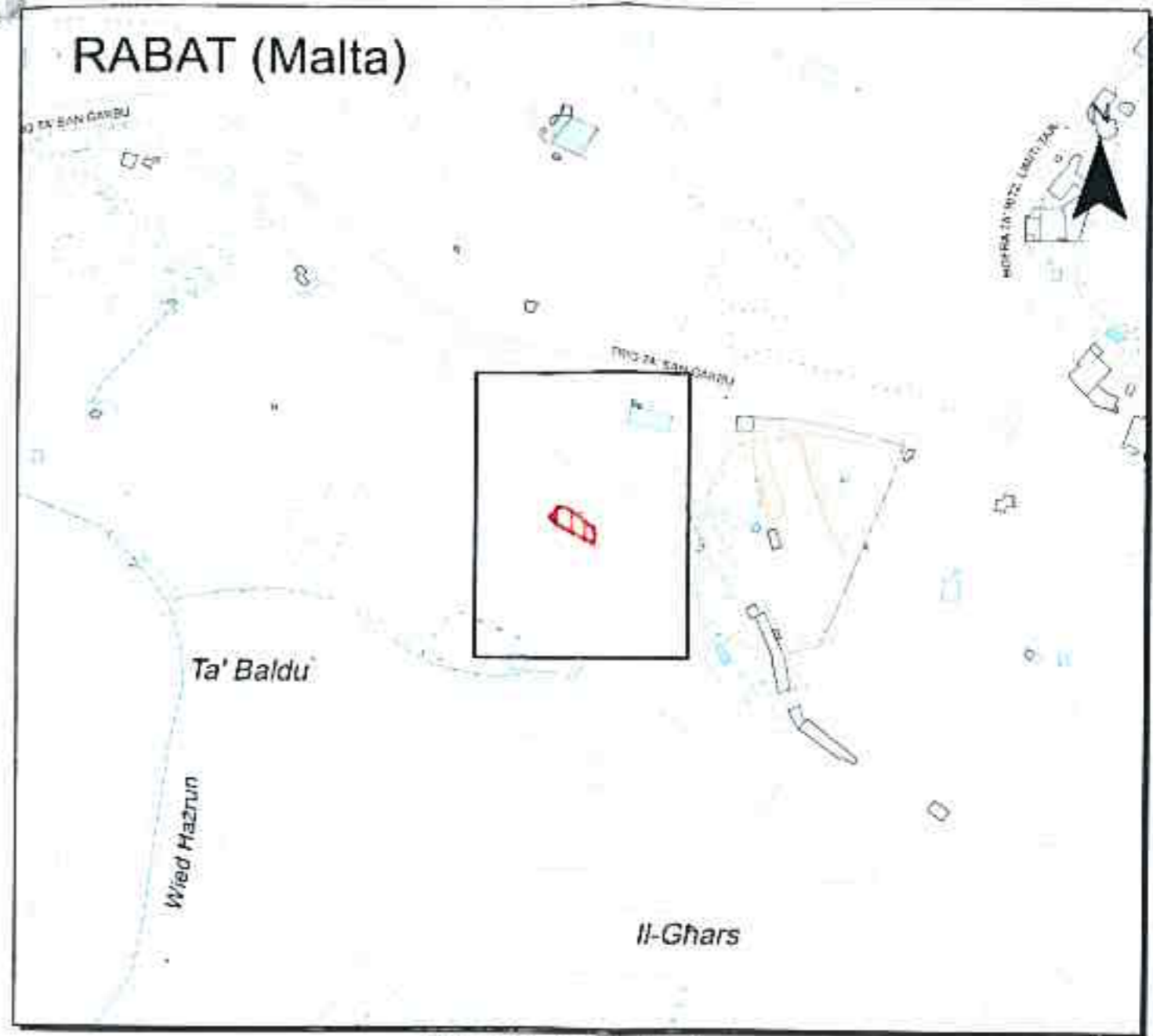
 full ownership at all levels including airspace



A. Agius
ARCHITECT ARIELLE AGIUS
 D.E. & A. (Italy), M.T.D. (Politecnico di Milano), A. & C. E.
ARCHITECT & CIVIL ENGINEER

 architecture & interior design	Perit Arielle Agius B.E. & A. (Italy), M.T.D. (Politecnico di Milano), A. & C. E.	Commissioned Pjanta ghar-Registru tal-Artqet	Drawing Title Propjeta S	Date Nov 2018	Scale 1:200
	Tel: 7828 9710 M: 994666622@ghar.com W: www.ArielleDesignStudio.com			Drawn S.G.	Checked A.A.
				Job No 160-18	Drawing No 01/01

RABAT (Malta)



Pjanta tas-Sit 1:2500 Site Plan

Gvern ta' Malta

Government of Malta

Registru ta' l-Artijiet

Casa Bolina, 116, Triq il-Panent, Valletta



Land Registry

Casa Bolina, 116, Triq il-Panent, Valletta

Nru tal-Mappa: **101284 M**
Map Number:

Posizzjoni Centrali: **x = 43173**
Centre Coordinates: **y = 70047**

Parti min S.S.: **4270**
Extracted from S.S.

Data: **20/11/2018**
Date:

Perit:
Architect:

Qies (metri kwadri):
Area (square metres): **CIRCA 156.54m²**

Timbru tal-Perit:
Architect's Stamp: **ARCHITECT ARIELLE AGIUS**
ARCHITECT & CIVIL ENGINEER

Firma ta' l-Applikant:
Applicant's Signature:

LR 89232

Dritt imhallas
Fee Paid



0 10 20 30 40 50m
Scale 1:500



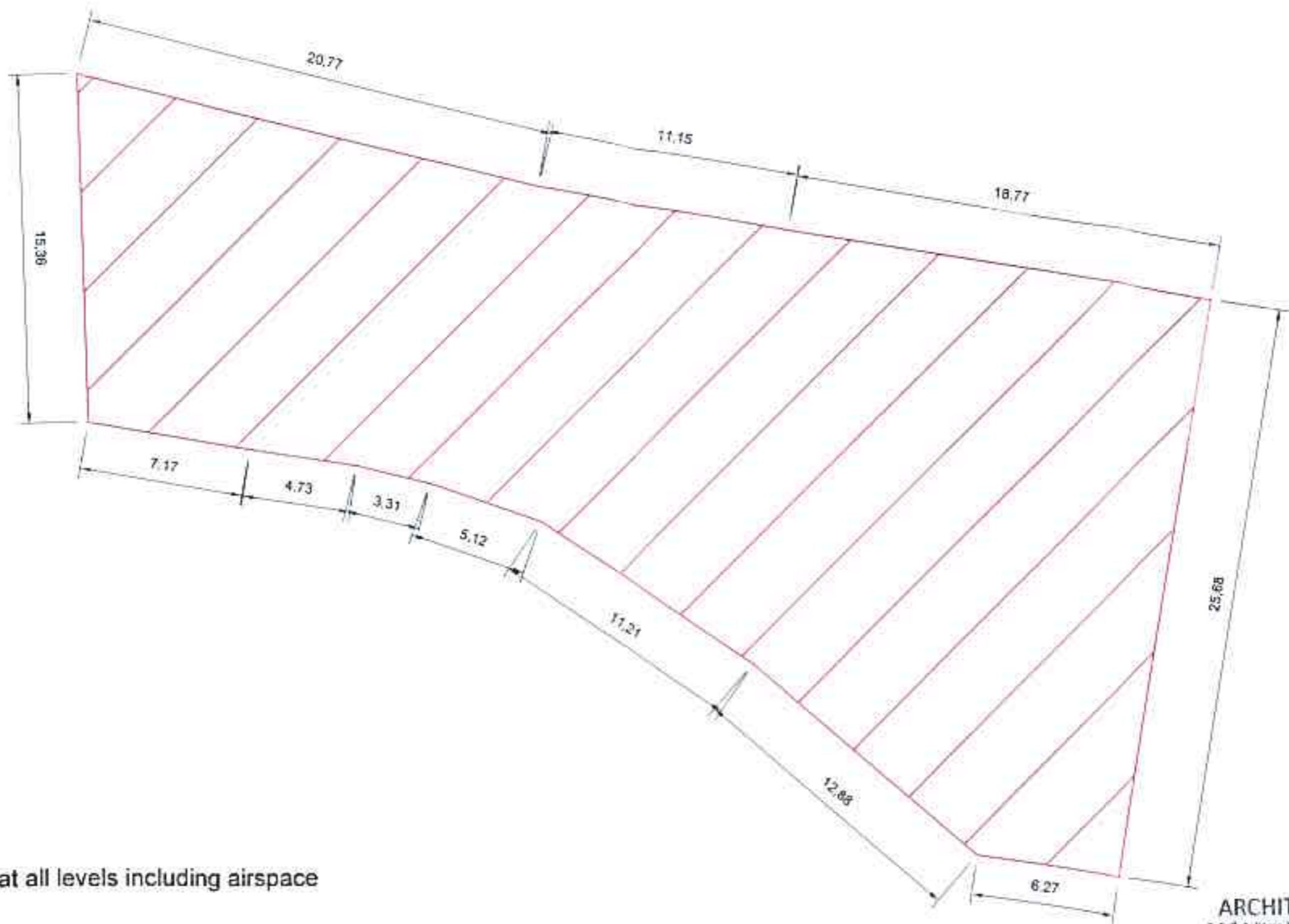
FULL OWNERSHIP AT ALL LEVELS INC. AIRSPACE.


Scale 1:500

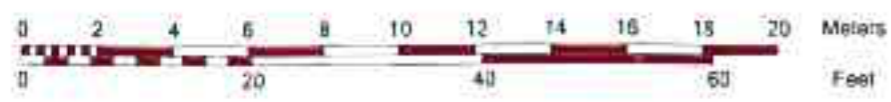
0 10 20 30 40 50m

Pjanta Tar-Registru Tal-Artijiet Ghall-Propjetà T


Porzjoni ta' art maghrufa bhala "Ir-Roqa l-Hażina" maghrufa wkoll bhala "Ir-Roqa t'Isfel" li tmiss mill-grigal ma' proprjeta preżenti fl-istess territorju hawn imsemmi, mill-majjistrat ma' beni ta' Baruni Testaferrata jew is-suċċessuri tiegħu u mill-lbiċ ma' proprjeta' hawn deskritta.



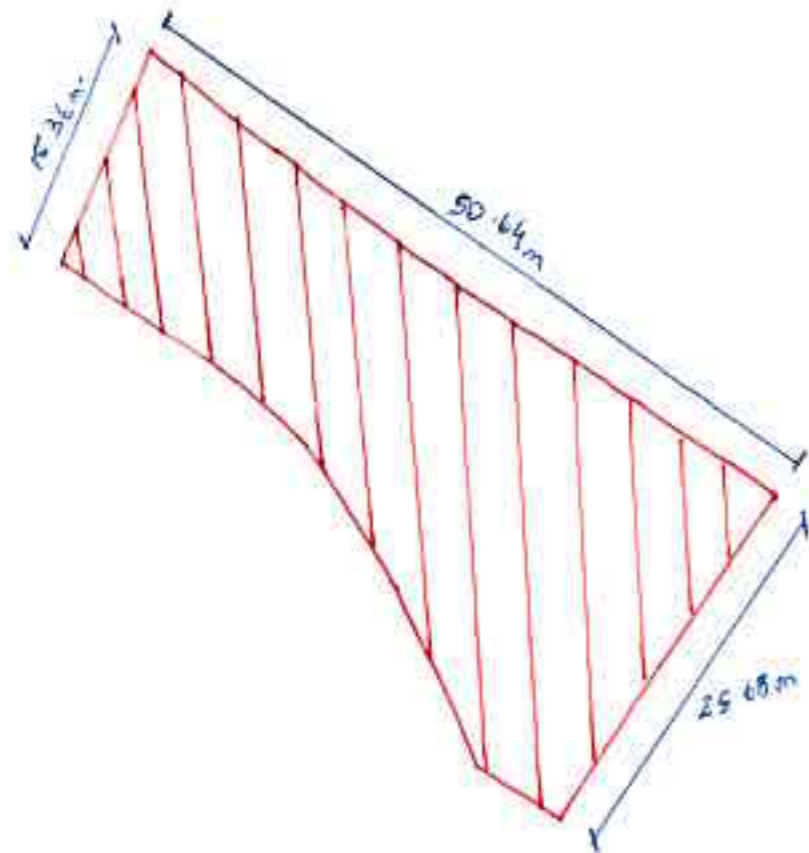
 full ownership at all levels including airspace



ARCHITECT ARIELLE AGIUS
 S.E.S.A. (Istria), A.C.E. (Istria), D. (Istria) DI MILANO, A.B.C.I.
 ARCHITECT & CIVIL ENGINEER

 architecture & interior design	Perit Arielle Agius B.E. & A. (Istria), M.D. (Politecnico di Milano), A. & C.E.	Commission Pjanta ghar-Registru tal-Artijet	Drawing title Proprieta' T	Date Nov 2018	Scale 1:200
	m 7908 3114 e: arielle@ar.design.com w: www.ar.designstudio.com			Drawn S.G.	Checked A.A.
				Drawing No. 160-18	Drawing No. 01/01

0
10
20
30
40
50m
Scale 1:500

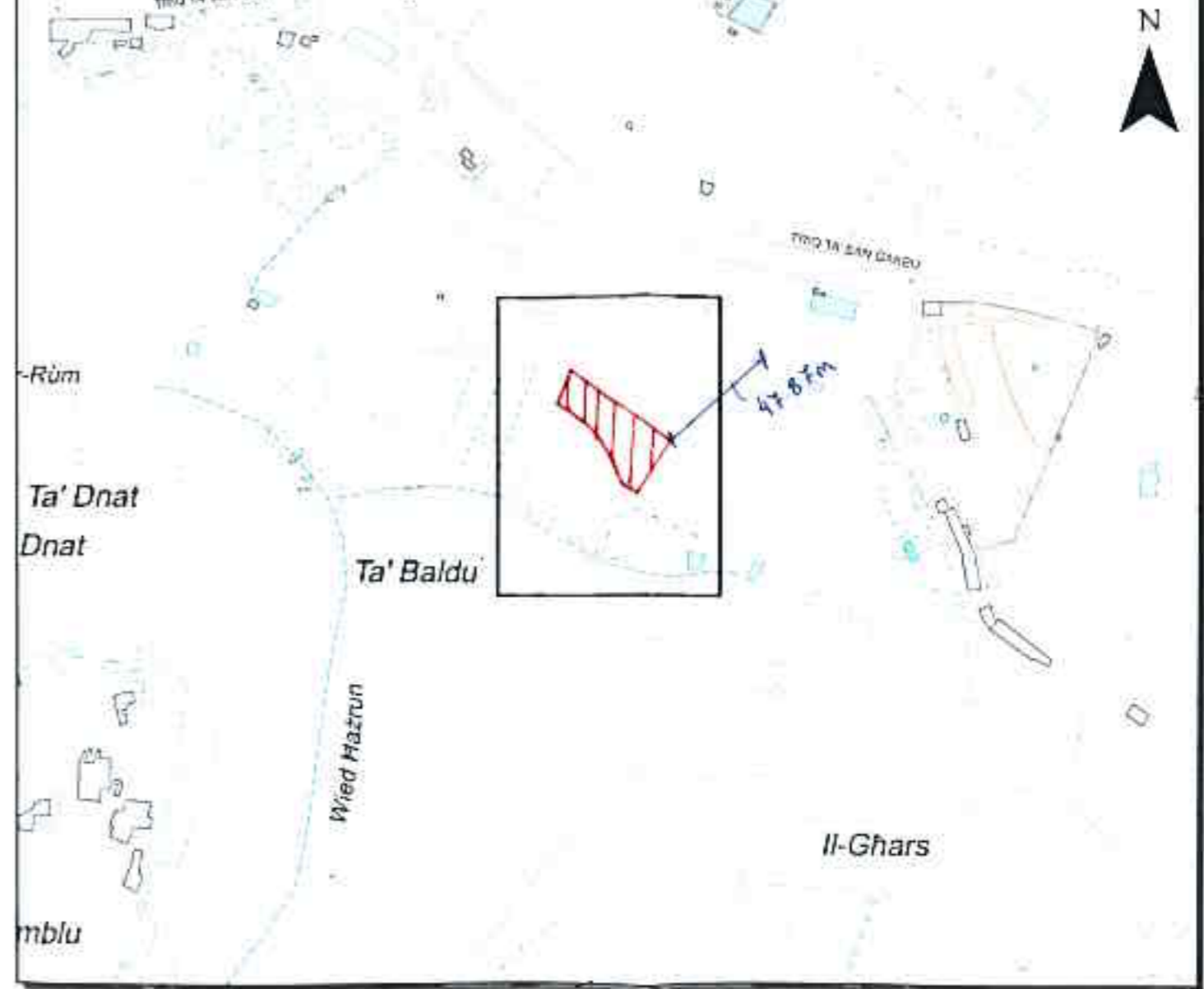


FULL OWNERSHIP AT ALL LEVELS INC. AIRSPACE

Scale 1:500

0 10 20 30 40 50m

RABAT (Malta)



Pjanta tas-Sit 1:2500 Site Plan

Gvern ta' Malta

Government of Malta

Registru ta' l-Artijiet

Casa Bolero, 116, Triq il-Panent, Valletta



Land Registry

Casa Bolero, 116, Triq il-Panent, Valletta

Nru tal-Mappa: Map Number	100540 E	Posizzjoni Centrali: Centre Coordinates	x = 43111 y = 70031	Parti min S.S. Extracted from S.S.	4270	Data: Date	14/11/2018
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Perit:
Architect:

Timbra tal-Perit:
Architect's Stamp

ARCHITECT ARIELLE AGIUS
B.E. & A. (Hons), M.A. (POLITECNICO DI MILANO), A & C.E.
ARCHITECT & CIVIL ENGINEER

Qies (metri kwadri):
Area (square metres):

Firma ta' l-Applikant:
Applicant's Signature:

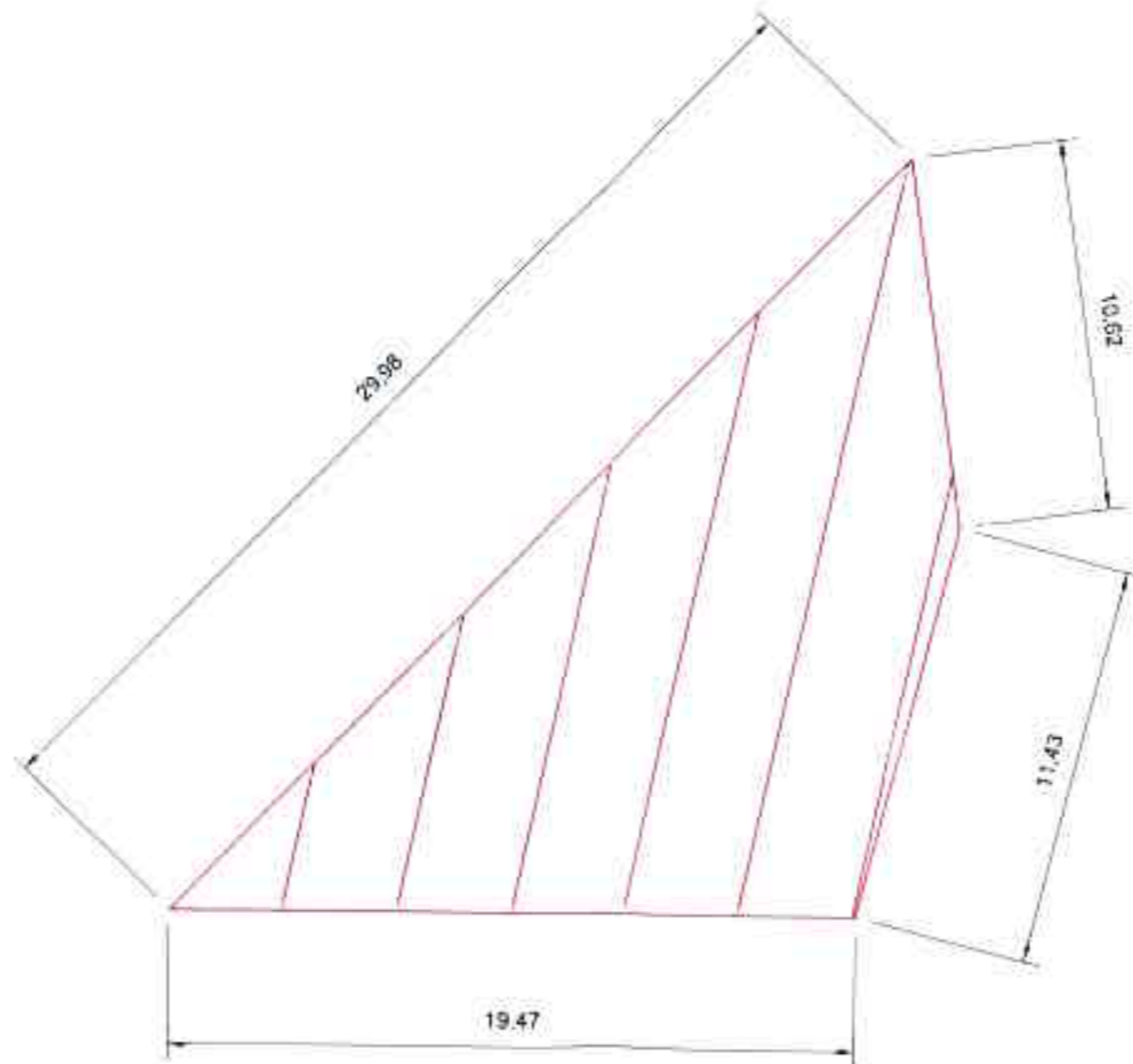
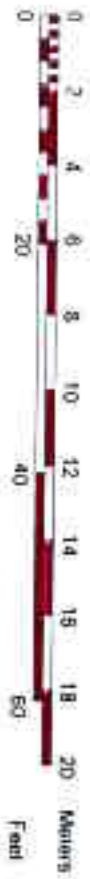
circa 890.53m²


LR 88090

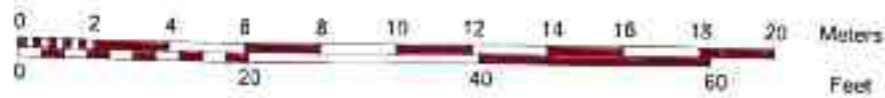
Dritt imhallas
Fee Paid

**Pjanta Tar-Registru Tal-Artijiet Għall-
Propjetà V**

Porzjoni ta' art li tmiss mill-grigal u mix-
xlokk ma' trejqa, u mill-lbiç ma' beni tal-
aventi kawza ta' Carmelo Scicluna.

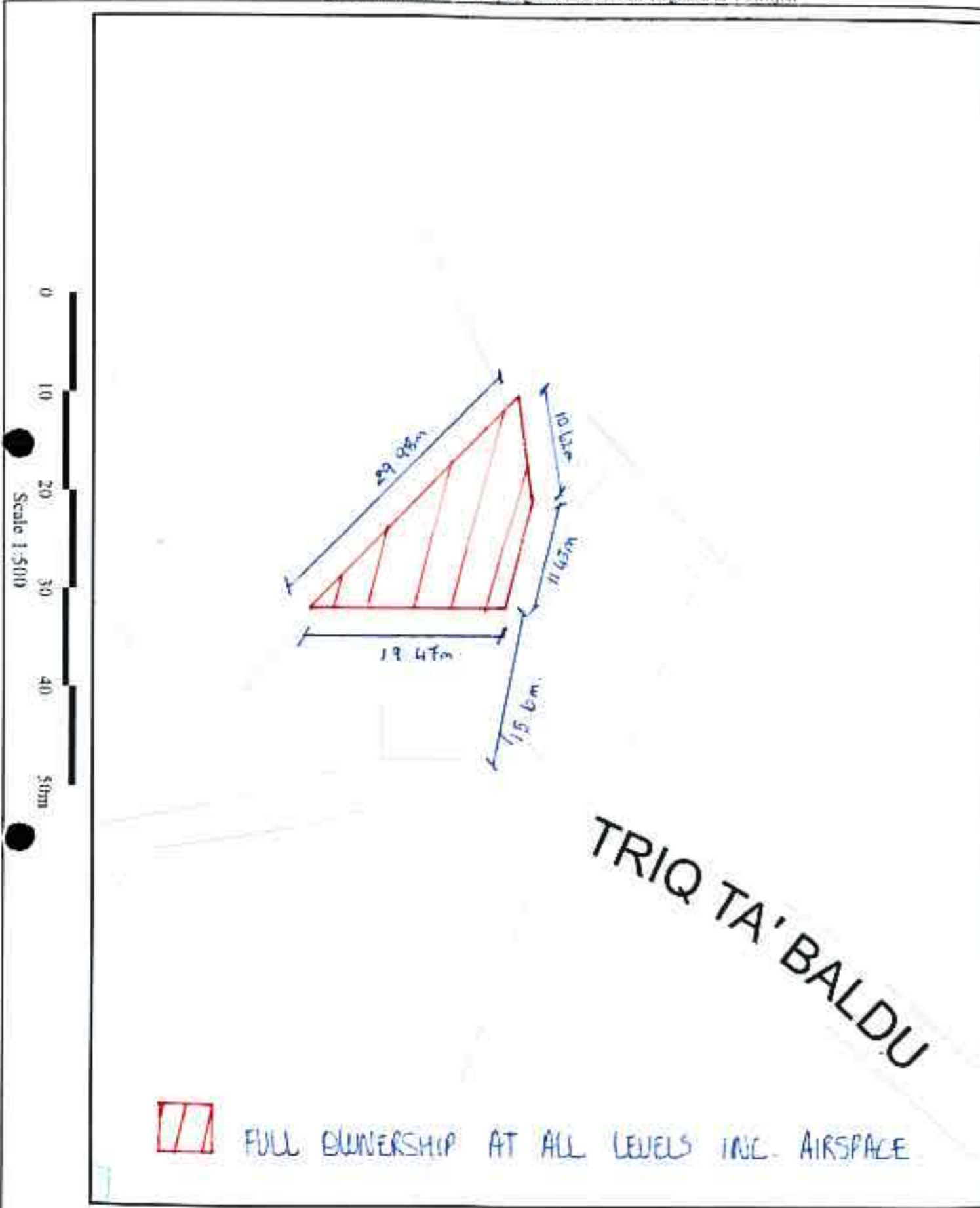


 full ownership at all levels including airspace



A. Agius
ARCHITECT ARIELLE AGIUS
 B. E. & A. (Italy), M. I. D. (Politecnico di Milano), A. & C. E.
ARCHITECT & CIVIL ENGINEER

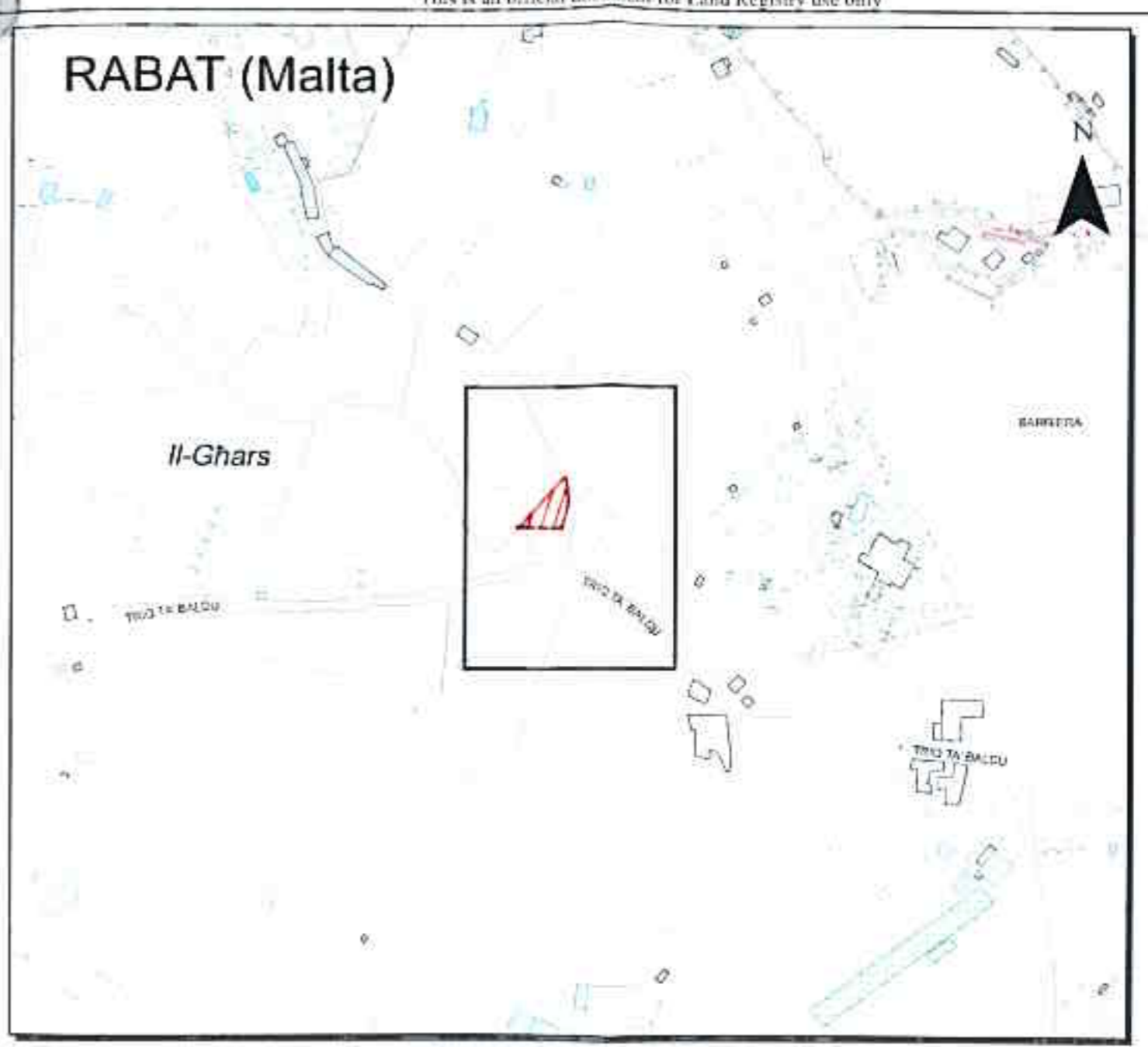
 Architecture & Interior Design	Perit Arielle Agius B. E. & A. (Italy), M. I. D. (Politecnico di Milano), A. & C. E.	Client: Pjanta ghar-Registru tal-Artjet	Drawing Title: Proprieta V	Date: Nov 2018	Scale: 1:200
	m 7989118 a arielle031@gmail.com w www.ArioDesign.com			Designer: S.G.	Drafter: A.A.
				Drawing No: 160-18	Drawing No: 01/01



TRIQ TA' BALDU

 FULL OWNERSHIP AT ALL LEVELS INC. AIRSPACE

Scale 1:500



RABAT (Malta)

Gvern ta' Malta

Pjanta tas-Sit 1:2500 Site Plan

Government of Malta

Registru ta' l-Artijiet

Casa Bolino, 116, Triq il-Panent, Valletta



Land Registry

Casa Bolino, 116, Triq il-Panent, Valletta

Nru tal-Mappa: Map Number:	101294 M	Pożizzjoni Centrali: Centre Coordinates:	x = 43369 y = 69839	Parti min S.S.: Extracted from S.S.	4269	Data: Date:	20/11/2018
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Perit:
Architect:



Timbru tal-Perit:
Architect's Stamp:

ARCHITECT ARIELLE AGIUS
S.E. & E. (Inn.), M.I.C. (POLITECNICO DI MILANO), A.B.C.E.
ARCHITECT & CIVIL ENGINEER

Qies (metri kwadri):
Area (square metres):

Circa 233.26 m²

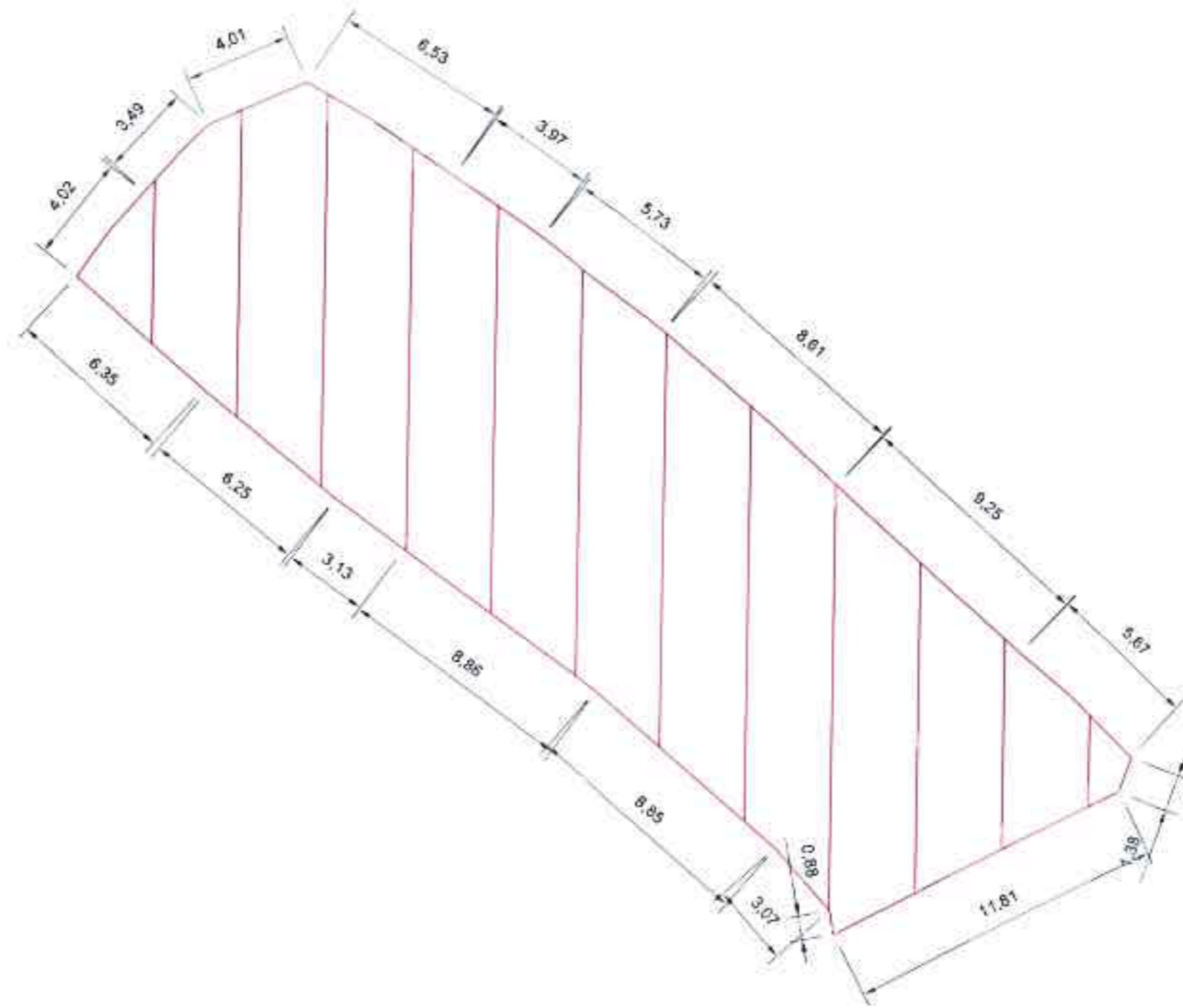
Firma ta' l-Applikant:
Applicant's Signature:


LR 89238

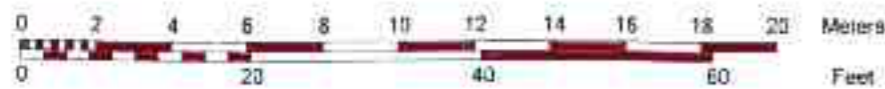
Dritt imballas
Fee Paid

Pjanta Tar-Registru Tal-Artijiet Għall-Propjetà W


Porzjoni ta' art maghrufa bhal "Tal-Mansab" li tmiss mill-punent majjistru, mill-lbiç u mill-grigal ma' proprjeta prezenti fl-istess territorju hawn imsemmi.

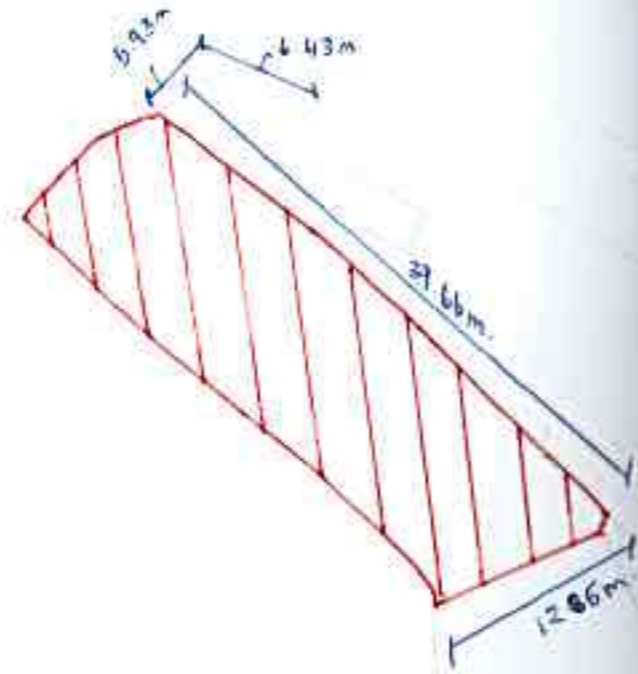


 full ownership at all levels including airspace



AR
ARCHITECT ARIELLE AGIUS
 B.E. & A. (Italy), M.I.D. (Politecnico di Milano), A.A.C.E.
ARCHITECT & CIVIL ENGINEER

	Perit Arielle Agius B. E. & A. (Italy), M.I.D. (Politecnico di Milano), A. & C. E.	Commissioned Pjanta ghar-Registru tal-Artijiet	Drawing Title Proprieta' W	Date Nov 2018	Scale 1:200
	Tel: 7926 0113 E: arielle@ar2010.com W: www.ar2010designstudio.com			Drawn S.G.	Checked AA
				Job No. 160-18	Drawing No. 01/01

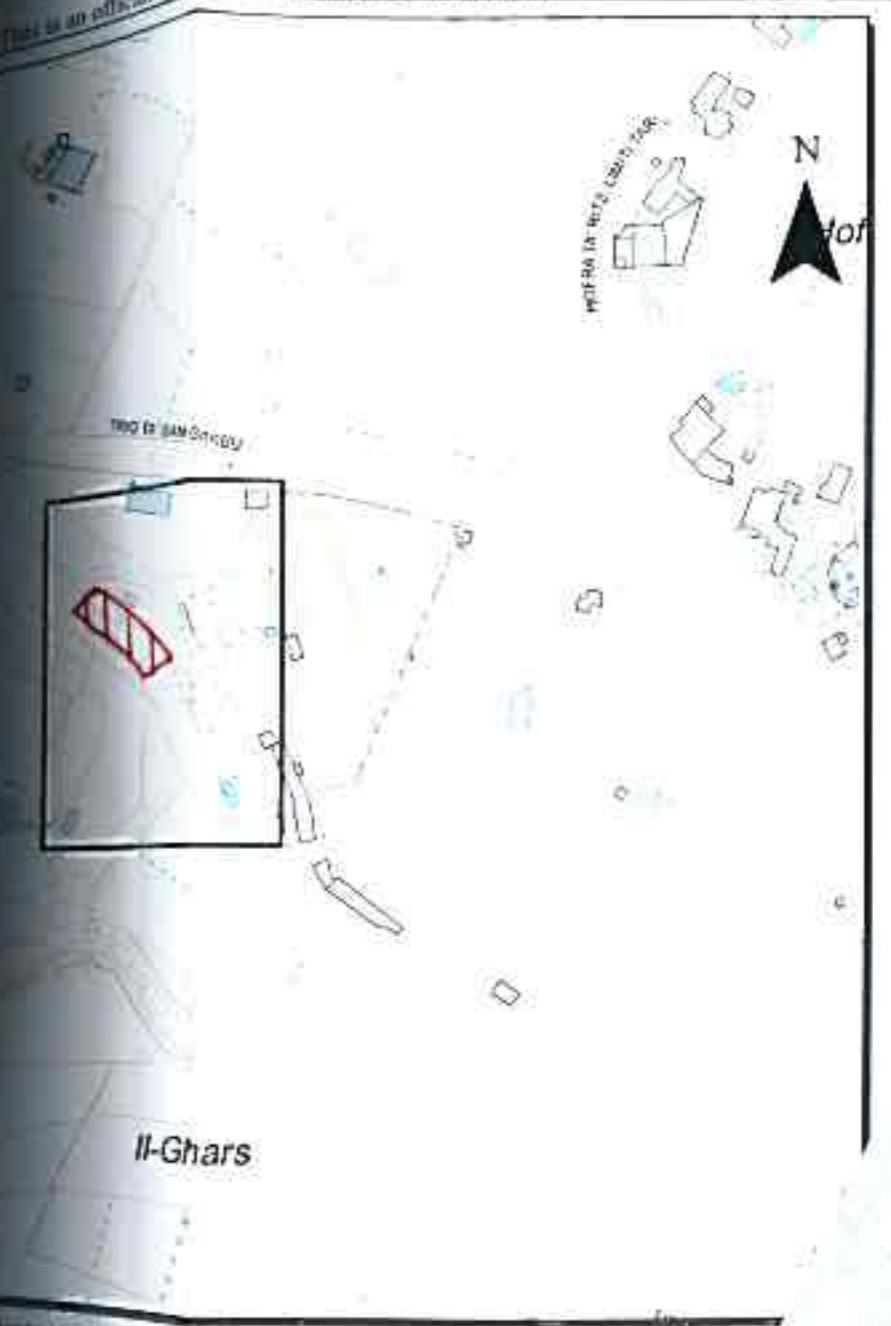


FULL OWNERSHIP AT ALL LEVELS INC AIRWAYS

Scale 1:500



RABAT (Malta)



Il-Ghars

Registru ta' l-Artijiet
Pjanta ta' Sit 1:2500 Site Plan

Government of Malta
Land Registry
Casa Bolona, 116, Triq il-Panor

181288 51
Co-ordinates Central: x = 43205
Co-ordinates: y = 70032

Parti min S.S. 4270
Extracted from S.S.

Da' C

Qies (metri kwadri):
Area (square metres): C10

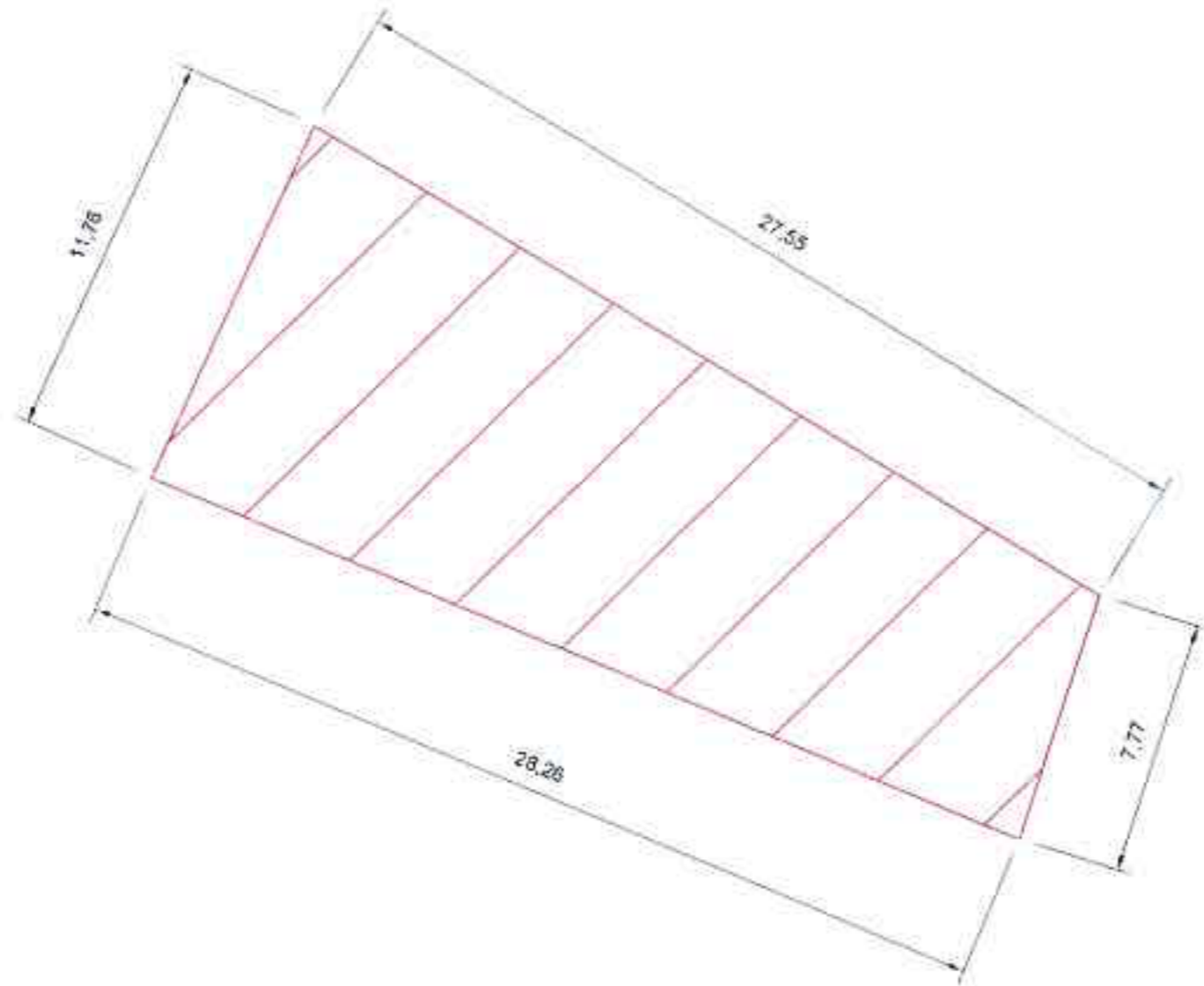
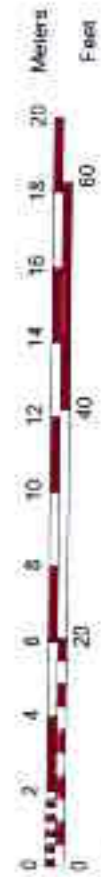
Firma ta' l-Applikant
Applicant's Signature


Agius
M^{rs} MITTET ARIELLE AGIUS
ARCHITECT & CIVIL ENGINEER

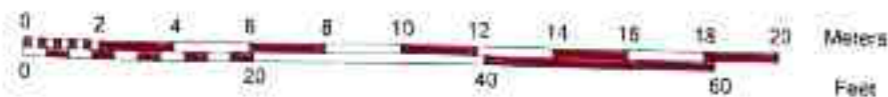
LR 8923

**Pjanta Tar-Registru Tal-Artijiet Għall-
Propjeta X**

Porzjoni ta' art maghrufa bhala "Tal-Laring"
u li tmiss mill-punent ma' beni tas-
suċċessuri ta' Carmelo Scicluna, mill-grieg
il-lvant u mill-punent ma' proprjeta'
preżenti fl-istess territorju hawn msemmi.



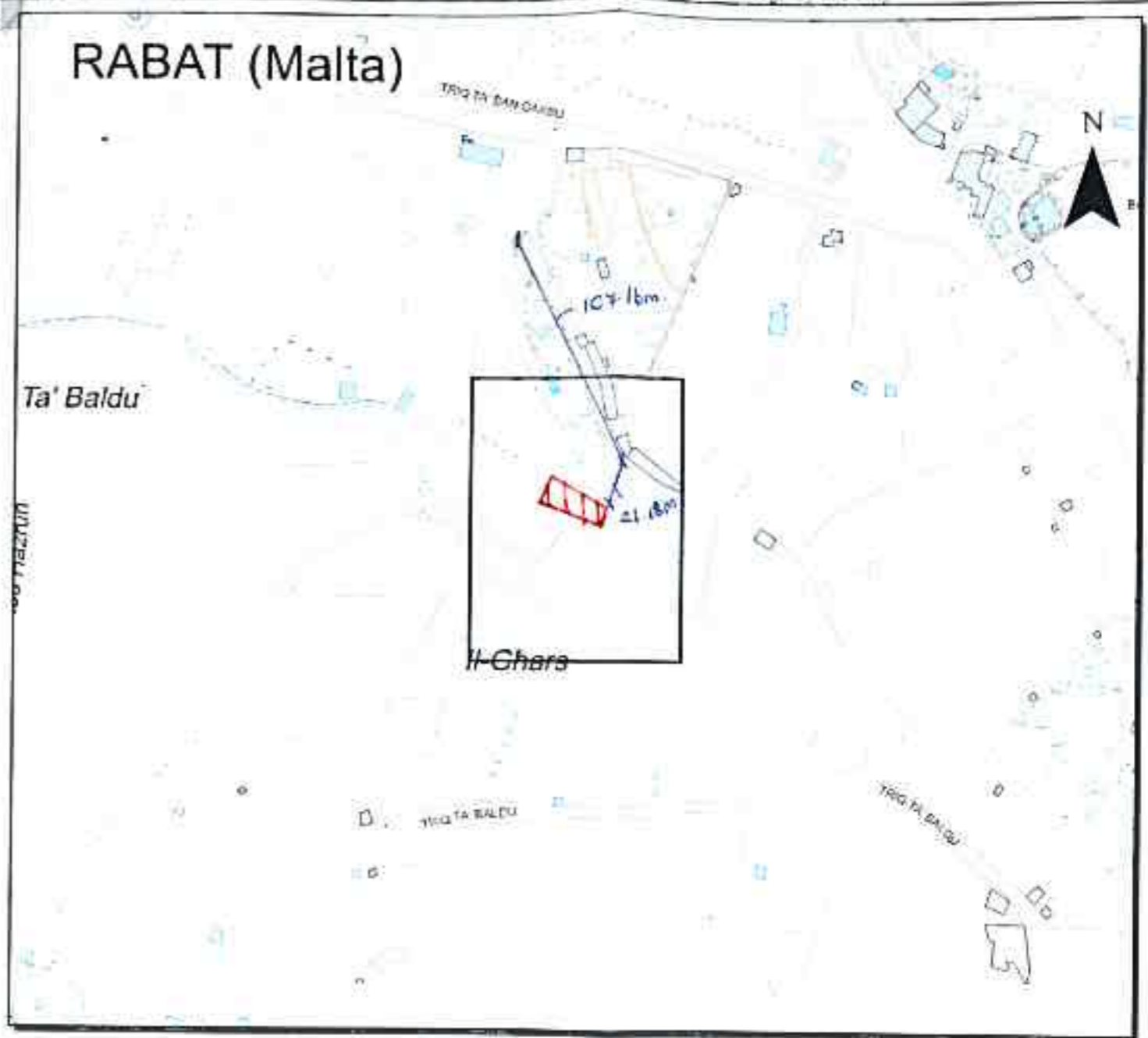
 full ownership at all levels including airspace



Arielle Agius
ARCHITECT ARIELLE AGIUS
 B.E. & A. (Italy), M.Sc. (Italy), I.C.C.O. MILANO, A & C.E.
ARCHITECT & CIVIL ENGINEER

 Architecture & Interior design Tel: 7938 3113 E: arielle@arcoo.com W: www.arcoodesignitalia.com	Perit Arielle Agius B.E. & A. (Italy), M.I.D. (Politecnico di Milano), A. & C.E.	Commission Pjanta ghar-Registru tal-Artijet	Drawing Title Proprjeta X	Date Nov 2018	Scale 1:200
				Drawn S.G.	Checked A.A.
				Job No 160-1B	Drawing No 01/01

RABAT (Malta)



Pjanta tas-Sit 1:2500 Site Plan

Gvern ta' Malta

Government of Malta

Registru ta' l-Artijiet

Casa Bolina, 116, Triq il-Panor, Valletta



Land Registry

Casa Bolina, 116, Triq il-Panor, Valletta

Nru tal-Mappa: 100537 E	Pożizzjoni Centrali: x = 43244	Parti min S.S.: 4269	Data: 14/11/2018
Map Number:	Centre Coordinates: y = 69930	Extracted from S.S.:	Date:

Perit:
 Architect: *Agius*

Qies (metri kwadri):
 Area (square metres): **Circa 270.36 m²**

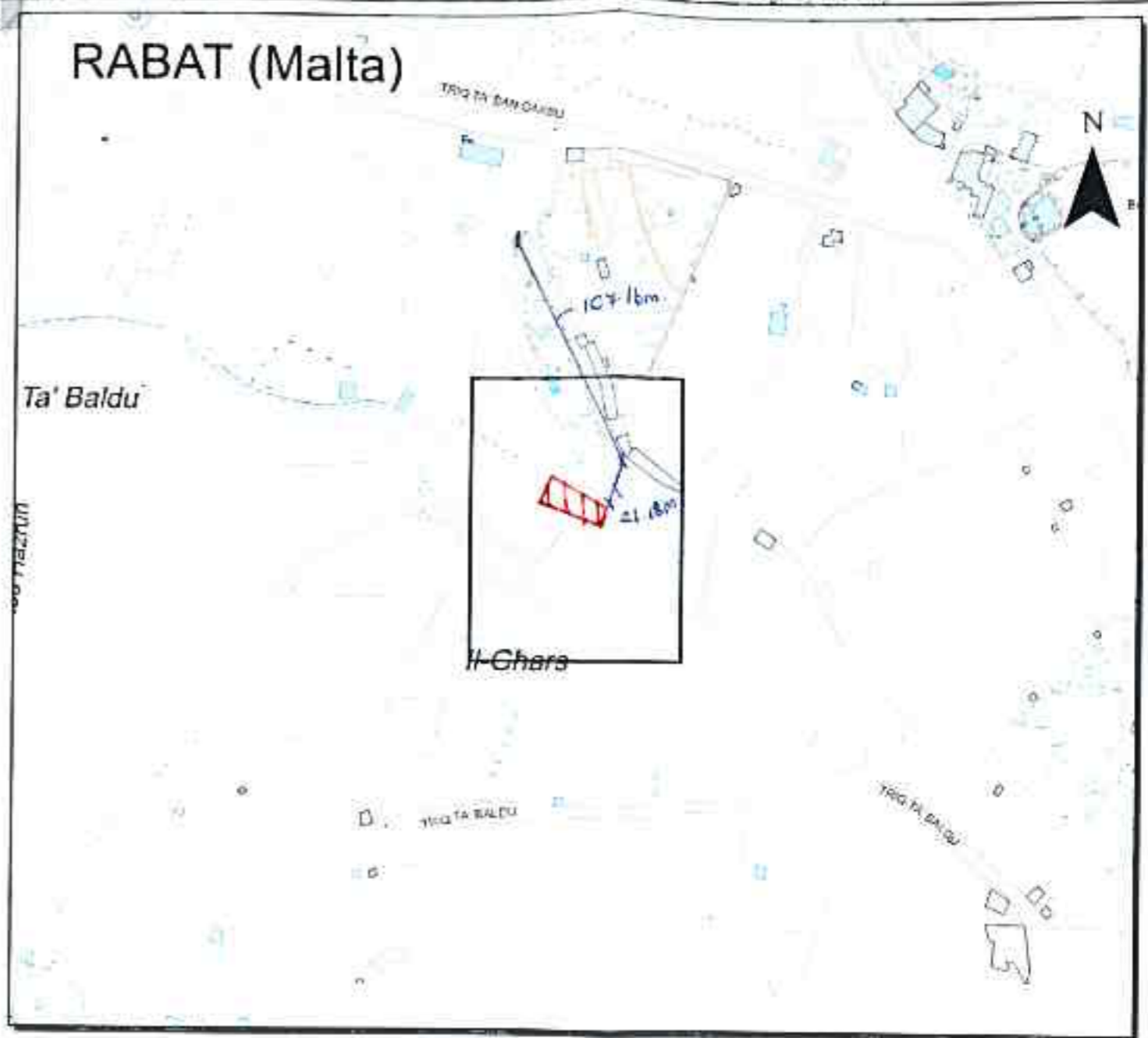
Timbru tal-Perit
 Architect's Stamp: **ARCHITECT ARIELLE AGIUS**
 B.E. & A. (PNS), M.E.D. (POLITEKNIKO D'INGENIERI, A & C. E.)
ARCHITECT & CIVIL ENGINEER

Firma ta' l-Applikant:
 Applicant's Signature:

LR 88087

Dritt imħallas
Fee Paid

RABAT (Malta)



Pjanta tas-Sit 1:2500 Site Plan

Gvern ta' Malta

Government of Malta

Registru ta' l-Artijiet

Casa Bolina, 116, Triq il-Panor, Valletta



Land Registry

Casa Bolina, 116, Triq il-Panor, Valletta

Nru tal-Mappa: 100537 E	Pożizzjoni Centrali: x = 43244	Parti min S.S.: 4269	Data: 14/11/2018
Map Number:	Centre Coordinates: y = 69930	Extracted from S.S.:	Date:

Perit:
 Architect: *Agius*

Qies (metri kwadri):
 Area (square metres): **Circa 270.36 m²**

Timbru tal-Perit
 Architect's Stamp: **ARCHITECT ARIELLE AGIUS**
 B.E. & A. (PNS), M.E.D. (POLITEKNIKO D'INGENIERI, A & C. E.)
ARCHITECT & CIVIL ENGINEER

Firma ta' l-Applikant:
 Applicant's Signature:


LR 88087

Dritt imħallas
Fee Paid

Scale 1:500



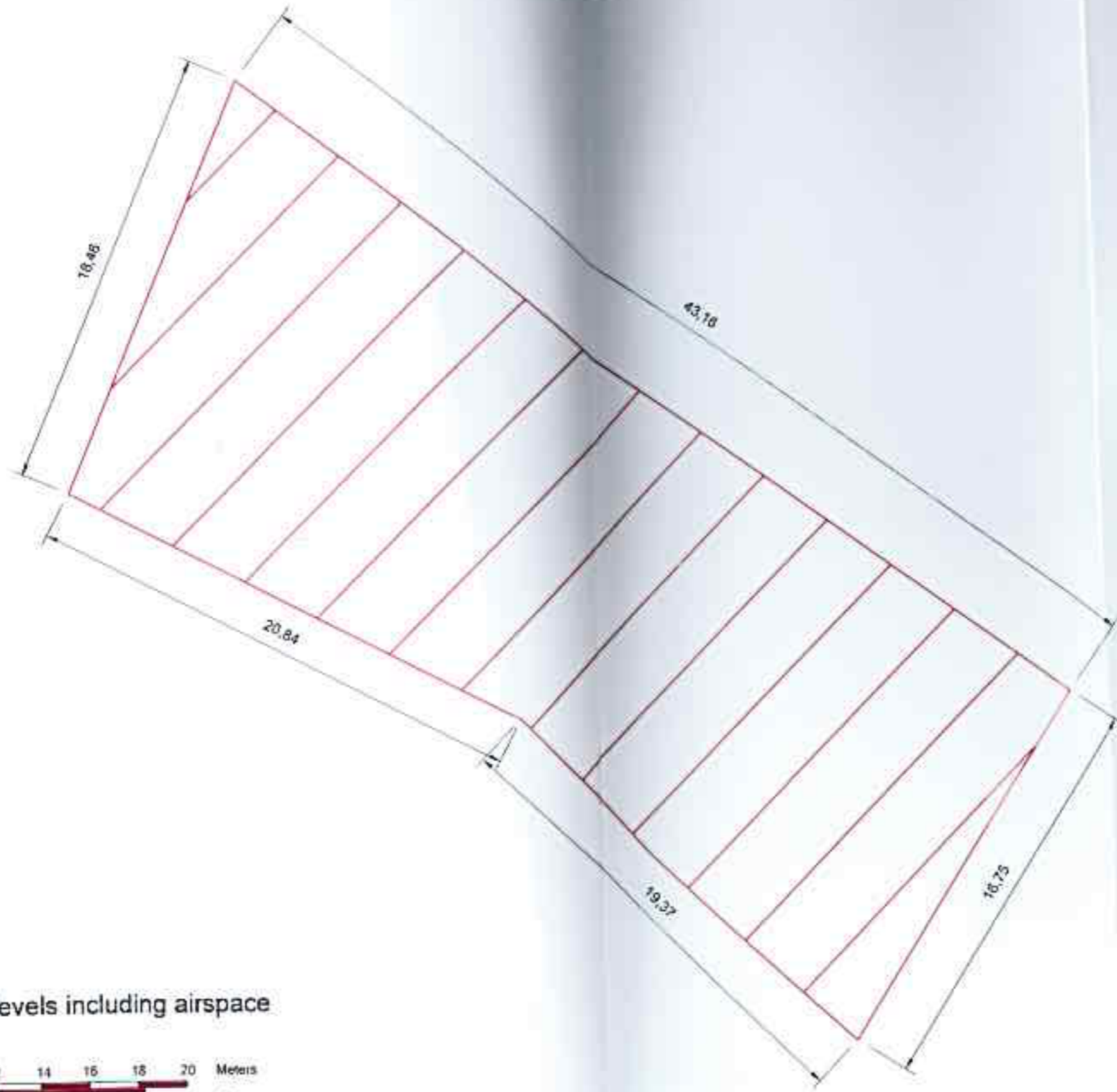
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 FULL OWNERSHIP AT ALL LEVELS INC. AIRSPACE

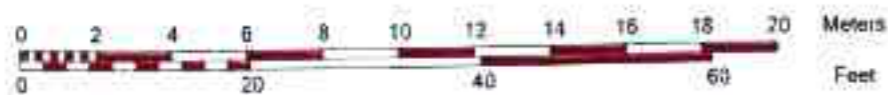
Il-Ghara

Pjanta Tar-Registru Tal-Artijiet Għall-Propjetà Y

Porzjoni ta' art maghrufa bħala "ir-Roqa t'Isfel" li tmiss mill-grigal ma' proprjeta' li tinsab fl-istess territorju, mill-majjistrat ma' beni tal-Baruni Testaferrata Moroni Viani jew is-suċċessuri tiegħu u mill-lbic ma' beni ta' Carmelo Scicluna jew l-aventi kawża tiegħu.



 full ownership at all levels including airspace



Perit Arielle Agius
 ARCHITECT ARIELLE AGIUS
 B. E. & A. (Hons.), M. I. D. (Politeknika di Mirind), A. & C. E.
 ARCHITECT & CIVIL ENGINEER

Date	Nov 2018	Scale	1:200
Drawn	S.G.	Checked	AA
Job No	160-18	Drawings	01/01

ARCO
 architecture & interior design

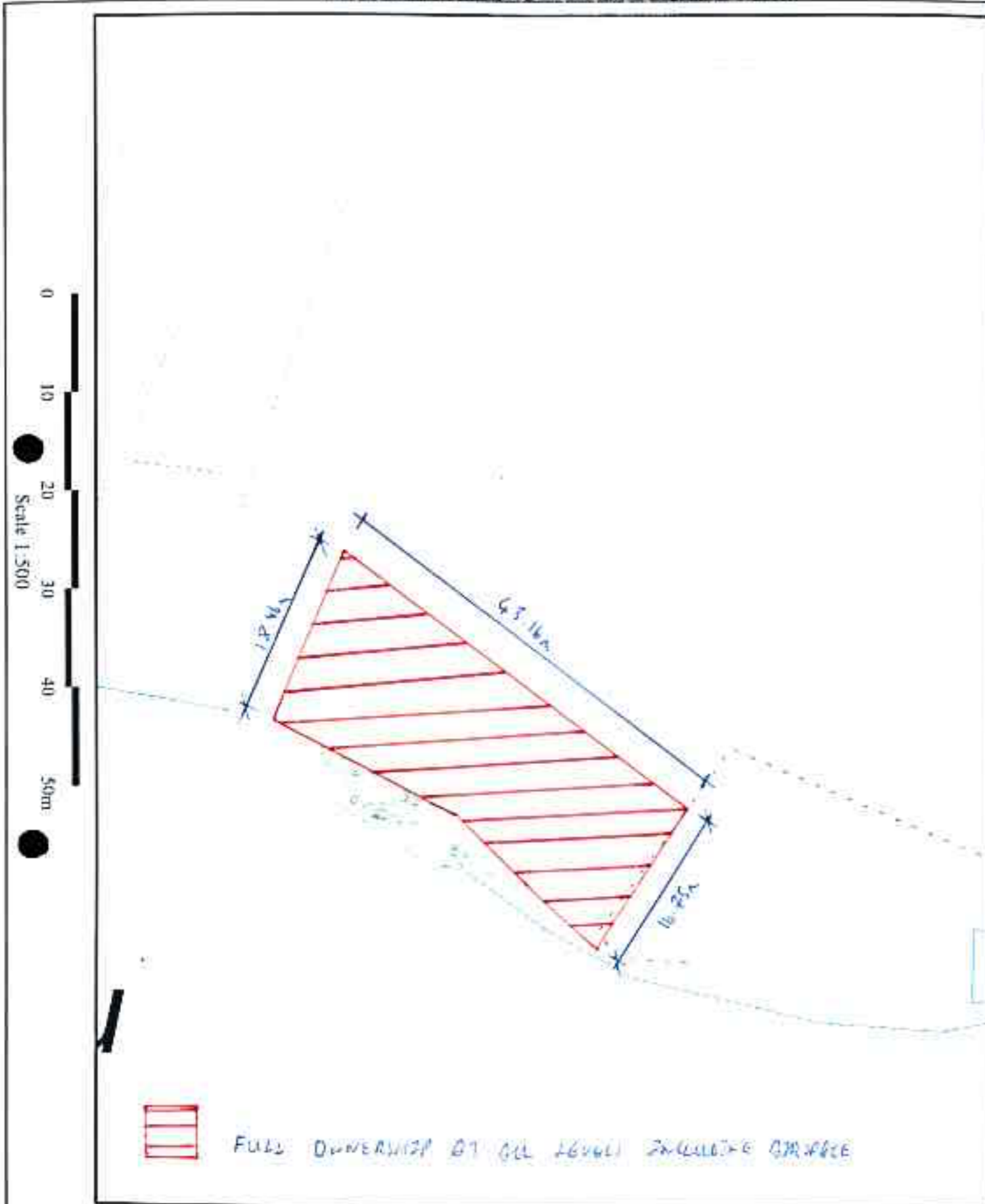
Perit Arielle Agius


B. E. & A. (Hons.), M. I. D. (Politeknika di Mirind), A. & C. E.

t. 7906 9119
 e. ariellead.ari@gmail.com
 w. www.ArielleAgiusStudio.com

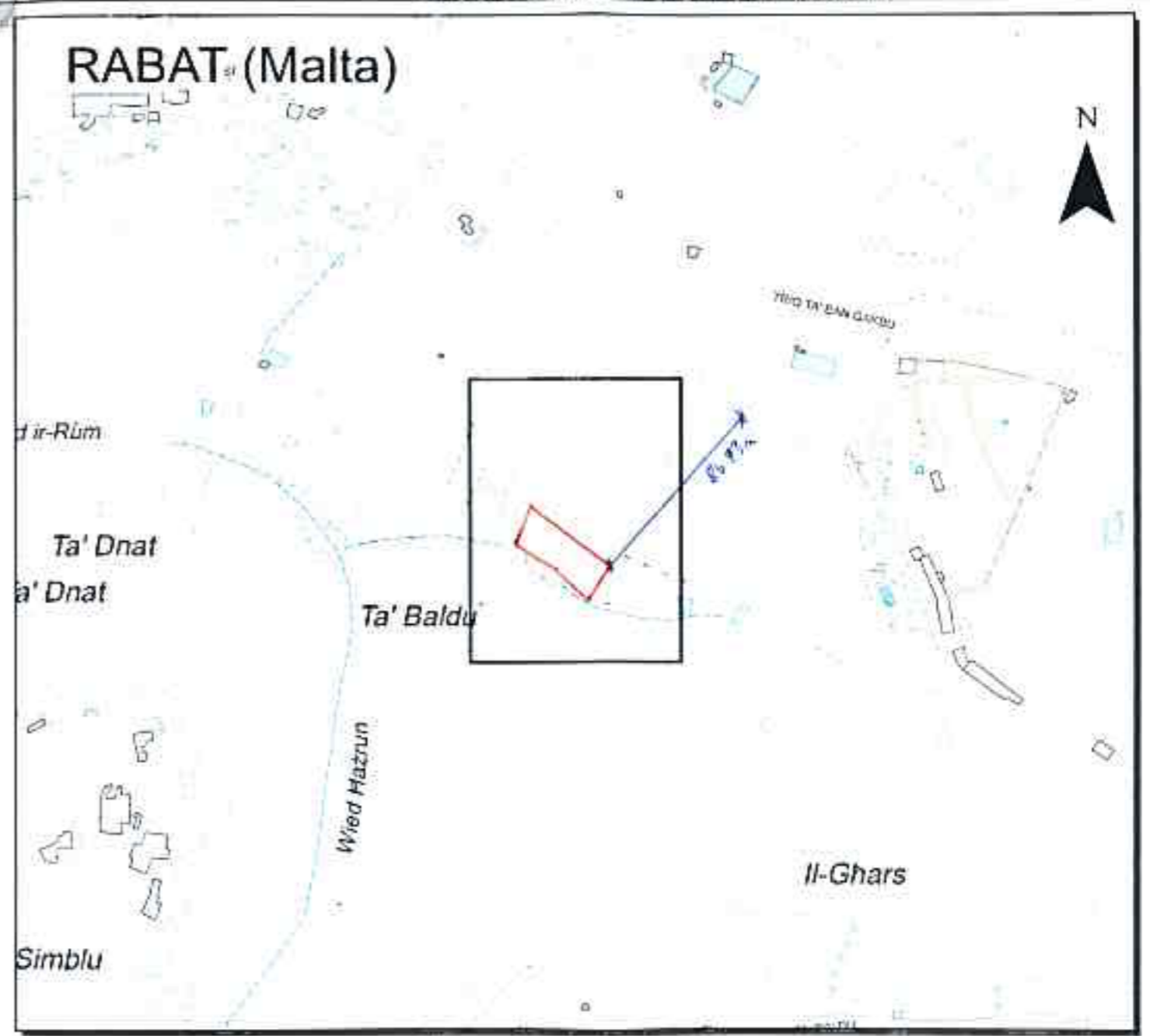
Commission
 Pjanta ghar-Registru tal-Artijiet

Drawing Title
 Proprieta Y



 FULL OWNERSHIP BY ALL LEVELS INCLUDING GARAGE

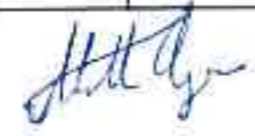
Scale 1:500



Gvern ta' Malta
Registru ta' l-Artijiet
Casa Bulina, 116, Triq il-Punent, Valletta



Government of Malta
Land Registry
Casa Bulina, 116, Triq il-Punent, Valletta

Nru tal-Mappa: Map Number:	100542 E	Pozizzjoni Centrali: Centre Coordinates:	x = 43100 y = 70021	Parti min S.S.: Extracted from S.S.	4270	Data: Date:	23/11/2018
Perit: Architect:				Qies (metri kwadri): Area (square metres):	C.R.C. 664.33m ²		
Timbru tal-Perit: Architect's Stamp:	ARCHITECT ARIELLE AGIUS B.E.A.A. (Hons.), M. Sc. (PROFECTED) OF MALTA, R.C.E. ARCHITECT & CIVIL ENGINEER			Firma ta' l-Applikant: Applicant's Signature:			
				LR 89542	Dritt imballas Fee Paid		