



60/2025

NON SEGNIS QUIES RURIS

# Parroċċa Santa Marija

## Ħad-Dingli

Lill-Eċċellenza Tiegħu Rev.dma  
Mons. Charles J. Scicluna  
Kurja tal-Arċisqof,  
Floriana

06 ta' Frar, 2025

### **Re. Estensjoni tal-Propjeta' magħrufa bħala Domus** **- 1, Triq San Pawl, Ħad Dingli -**

Nesponi bir-rispett:

- Nhar il-Ħamis 24 ta' Marzu 2022, l-Arċipriet predeċessur tiegħi, Dun Mark Mallia Pawley, flimkien mas-Segretarju Amministrattiv rikorrenti, is-Sur Michael Pace Ross, iffirmaw *Memorandum of Understanding / Agreement* mal-Public Works sabiex jgħinnu f'diversi proġetti fil-Knisja Arċipretali u f'xi propjeta' li għandha l-parroċċa, fosthom f'pagna 3, punt Nru. 2: 'Construction of a new storey on the Parish Domus', bl-indirizz tal-propjeta' in kwistjoni huwa:- 1, Triq San Pawl, Dingli. **(Ara Dok. 1:- MOU - PWD & Dingli Parish - 2022-03-24).**
- Fid-dawl ta' dan, tnejn il-pjanti u nbeda l-proċess tal-permessi meħtieġa mill-Awtorità tal-Ippjanar, liema pjanti u permessi ġew approvati nhar it-30 ta' Awwissu 2023. **(Ara Dok. 2:- Domus - Plans - Updated; u Dok. 3:- Domus - Decision Notice - Endorsed - PA/03049/22).**
- Apparti dan, saru diversi laqgħat mas-Segretarji Parlamentari responsabbli mid-Dipartiment tax-Xogħolijiet Pubbliċi, flimkien mad-Direttur Ġenerali l-Perit Stephen Bonello, wkoll firmatarju fl-MOU, biex naraw kif l-aħjar li jsir ix-xogħol u kemm hi l-istima li xogħol ta' kostruzzjoni bħal dan jirrikjedi. Il-Perit David Vassallo, mqabbad mill-Parroċċa, ħadem stima li prattikament tilhaq is-somma ta' €60,000, liema somma ser tkun koperta kollha kemm hi mill-Public Works, u l-Fondi Pubbliċi.

- Bħala finanzjament, il-parroċċa tibqa' fid-dmir li tkopri l-ispejjeż relatati ma' aperturi, madum, dawl u servizzi oħra, eċċ., liema somma tidher li kapaċi tilħaq il-€35,000, u li tkun tista' titħallas minn diversi donazzjonijiet li jagħtu l-parruċċani, u/jew xi skemi li l-parroċċa tista' tibbenefika minnhom.
- Għalhekk fid-dawl ta' dawn l-aħħar żviluppi nitlobok tikkunsidra, u possibilment tagħti l-permessi meħtieġa biex dan il-proġett jiġi approvat minnek, u jkun jista' jibda jitwettaq halli possibilment il-kostruzzjoni sseħħ tul din is-sena rikorrenti, massimu bidu tas-sena li ġejja.

Inselli għalik u nitlob il-Barka Pastoral i tiegħek.

*Fa David Farrugia*

Kan. David Farrugia  
Arċipriet ta' Ħad-Dingli

Prezentat fil-Kurja Arċiveskovi  
lilum \_\_\_\_\_ 20 \_\_\_\_

AGREEMENT

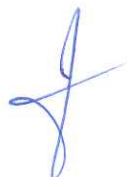
BETWEEN

PUBLIC WORKS DEPARTMENT WITHIN THE MINISTRY FOR  
TRANSPORT, INFRASTRUCTURE AND CAPITAL PROJECTS

AND

ST. MARY PARISH HAD-DINGLI

ON SPECIFIED WORKS AND SERVICES TO THE  
DINGLI CHURCH AND OTHER PROPERTY BELONGING TO THE  
PARISH



## The Parties

On the one part,

1. **The Ministry for Transport, Infrastructure and Capital Projects** with a registered address at Block B, Francesco Buonamici Street, Floriana, represented by Mr. Johan Galea in his capacity of Permanent Secretary, and the **Public Works Department** within the same Ministry, with a registered address at Project House, Francesco Buonamici Street, Floriana represented by Perit Stephen Bonello in his capacity of Director General, hereinafter referred to as "**PWD**".

And on the second part,

2. Rev. Mark Mallia Pawley, in his capacity of 'Archipriest', holder of identity card number **394088M** appearing on this act for and on behalf of **St Mary Parish, Had-Dingli** with a registered address at 30, Triq il-Parrocċa Dingli; as duly authorised by the decree issued by the Archbishop of Malta Charles Jude Scicluna on the first (1) of May 2018, hereinafter referred to as "**the Parish**".

## The Scope

The Scope of this agreement shall be to assist in various projects to the Dingli Church and other property of the Parish.

## General Provisions

**The Project** subject to this agreement shall be entitled 'Works and Services to the Dingli Parish.'

The **PWD** shall appoint an architect to prepare the necessary designs and apply for the relevant PA permit and supervise the works.

The **PWD** shall fork out all necessary expenses to perform these works.



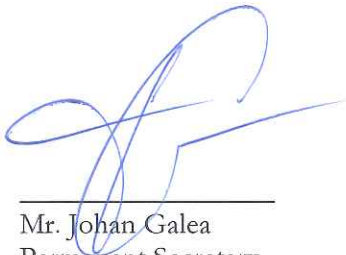
### Nature of Works

The works/services shall consist, but may not be limited to –

1. Renovation of the yard at Dar Dun Gwann Abela, Dingli
2. Construction of a new storey on the Parish Domus
3. The erection of a ramp for the store.
4. The procurement and installation of a lift in the Sacred Family Parish Centre.
5. The restoration of the pulpit of the old church, main door and side doors which include stripping, changing of damaged wood and re-finishing.

For all other issues, the parties remit themselves to the MoU and to Maltese Law.

After the completion of works, the full responsibility as to the management and maintenance of the site shall pertain to the Dingli Parish.



Mr. Johan Galea  
Permanent Secretary  
MTIP

Date 24.03.22




Perit Stephen Bonello  
Director General  
PWD

Date 24.03.22



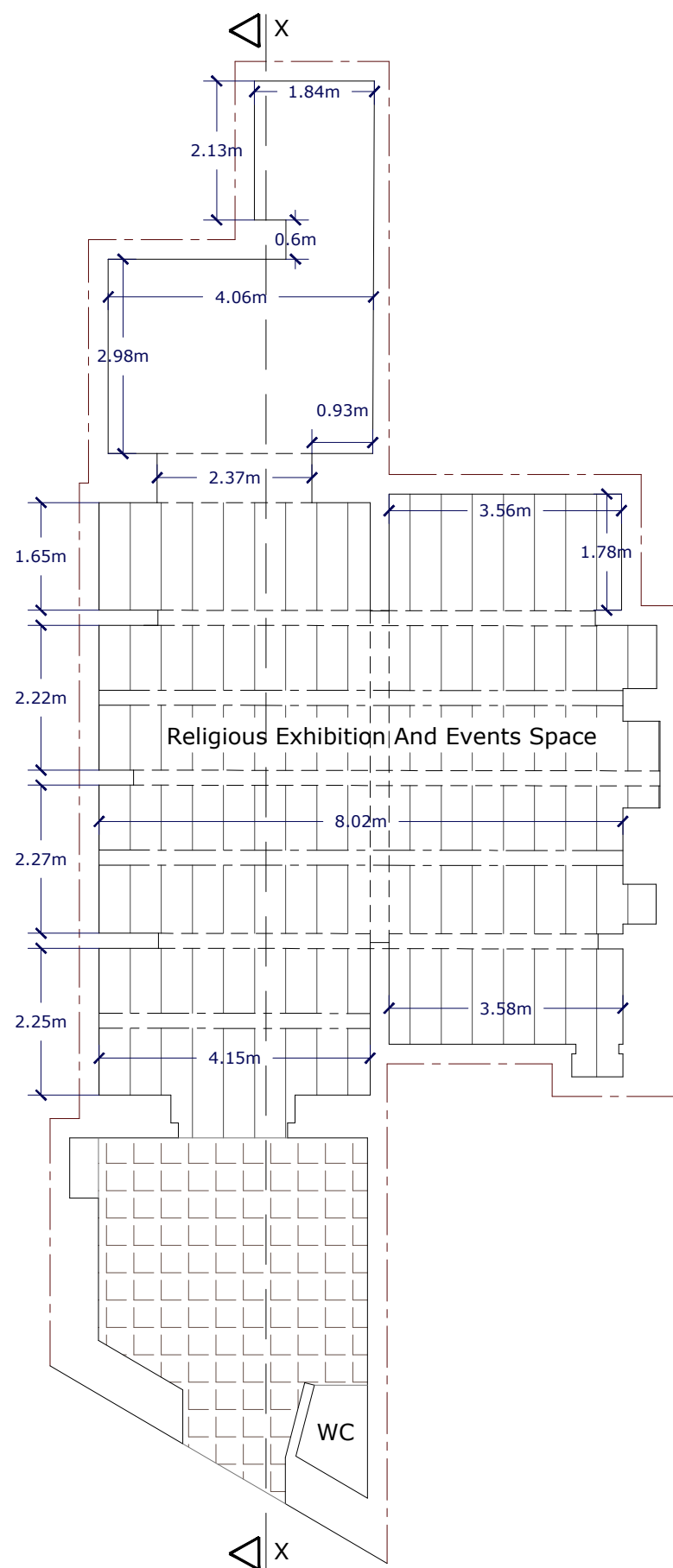
Rev. Mark Mallia Pawley  
Archpriest  
Dingli Parish

Date 24.03.22

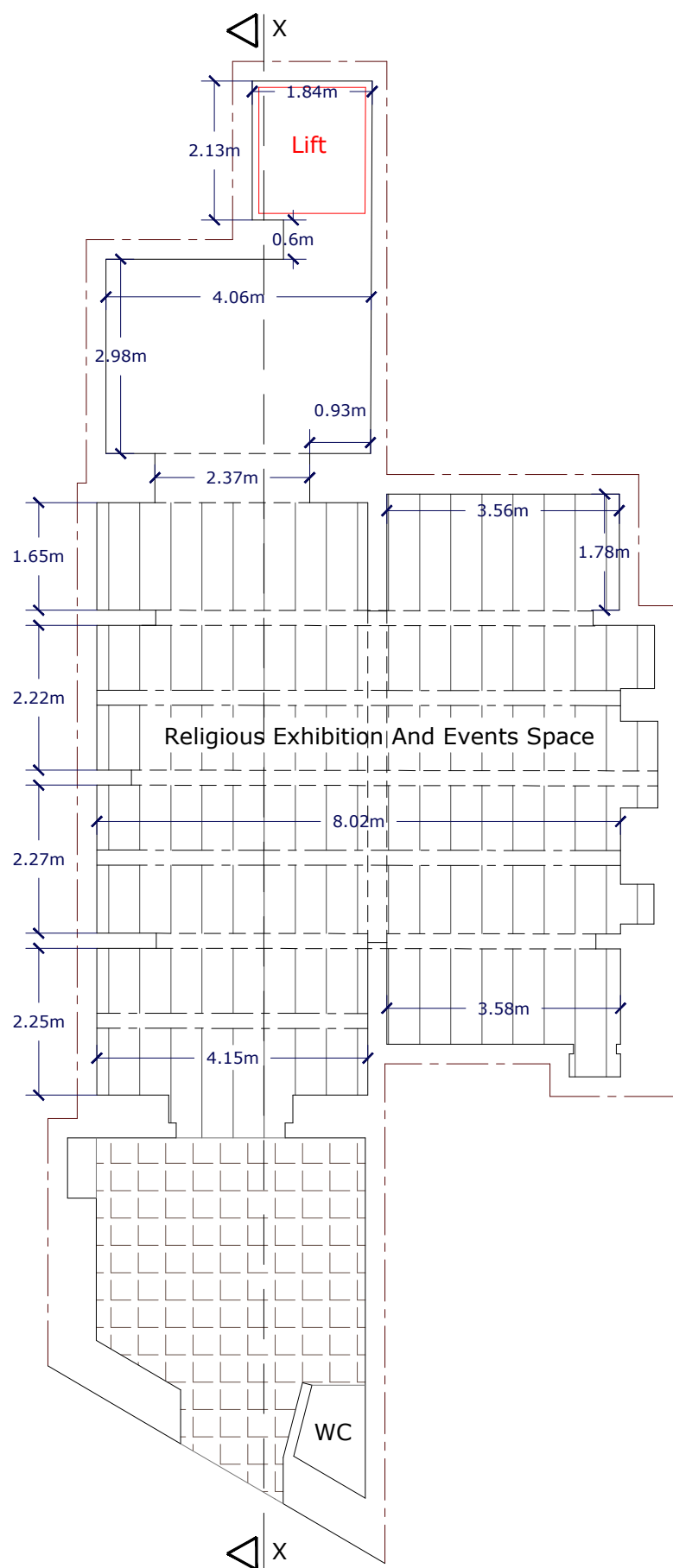


Mr. Michael Pace Ross  
Administrative Secretary  
Archdiocese of Malta

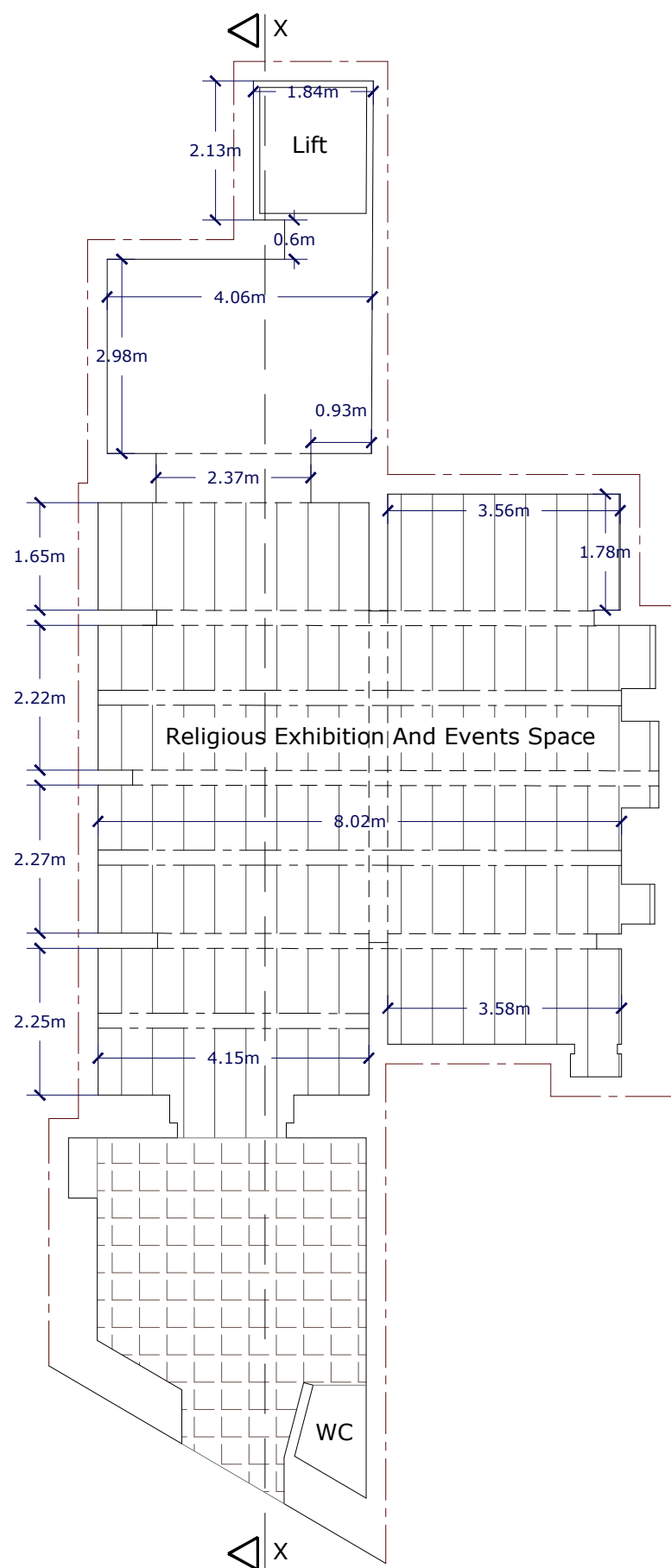
Date 24/3/22



Ground Floor As Existing  
SCALE 1:100



Ground Floor With Changes  
SCALE 1:100



Ground Floor As Proposed  
SCALE 1:100

--- Stone arches (no changes)

--- Timber beams (no changes)

||||| 'Xorok' (no changes)

**DAVID VASSALLO** BE&A (Hons.) MSc A&CE  
Architect and Civil Engineer

Charline, Triq Ghar Bittija, Dingli. DGL1594. Tel: 21456306  
Mob: 99436306

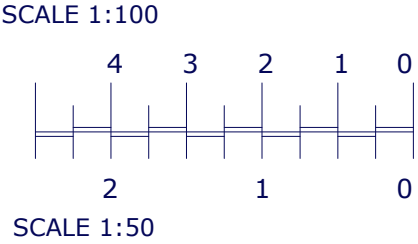
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ALTERATIONS AND ADDITIONS  
TO EXISTING CHURCH PROPERTY AT  
1, TRIQ SAN PAWL, HAD-DINGLI.

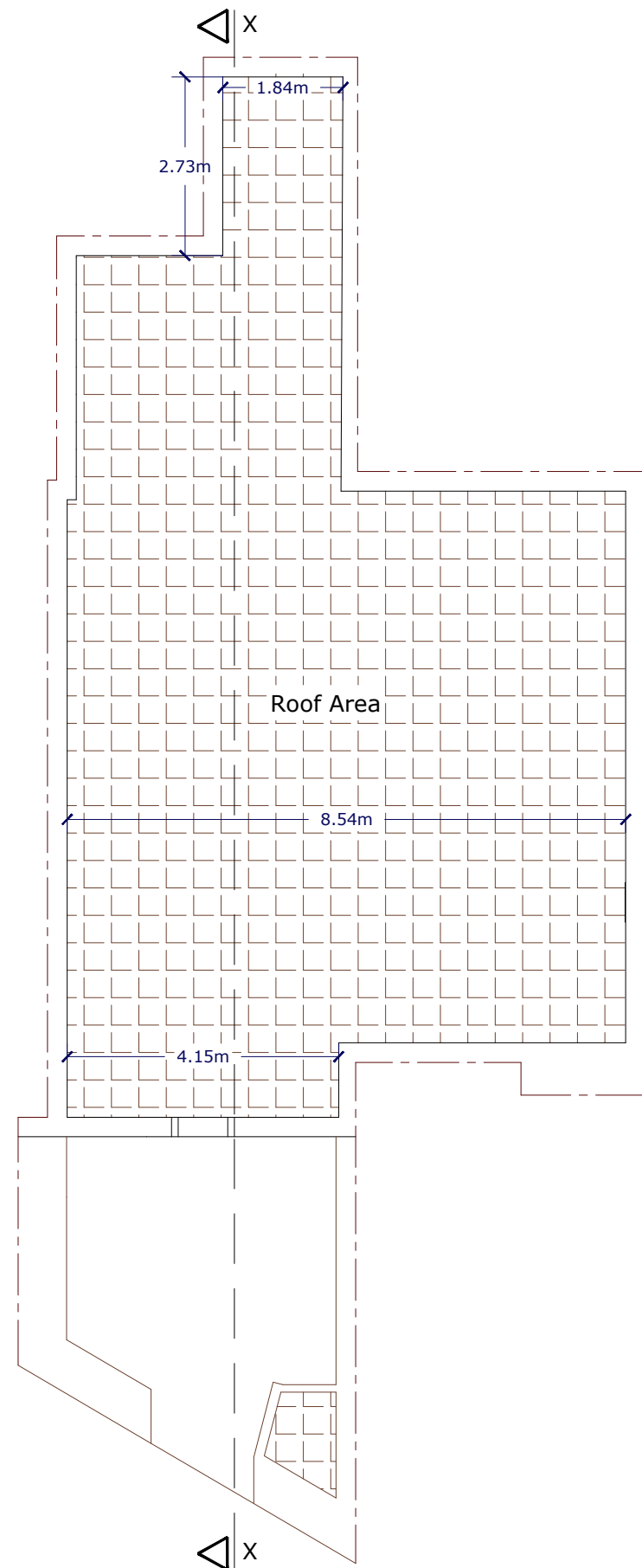
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GROUND FLOOR AS EXISTING & AS PROPOSED

*Drawn by :* DV *Approved by :*

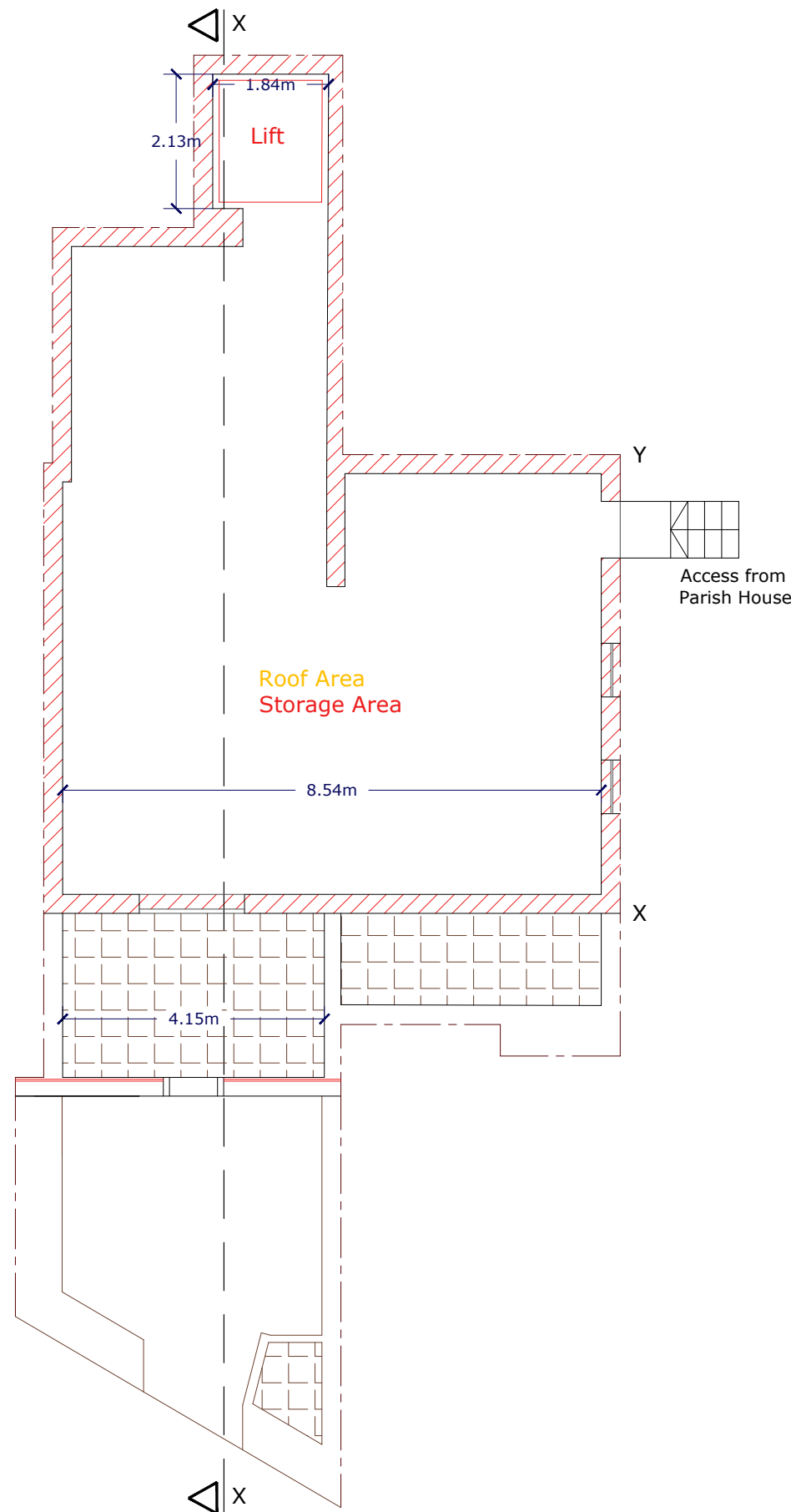
*Applicant :* REV. FR. MARK MALLIA PAWLEY  
HAD-DINGLI

*Date :* APRIL, 2022 *Drg.No :* 01A  
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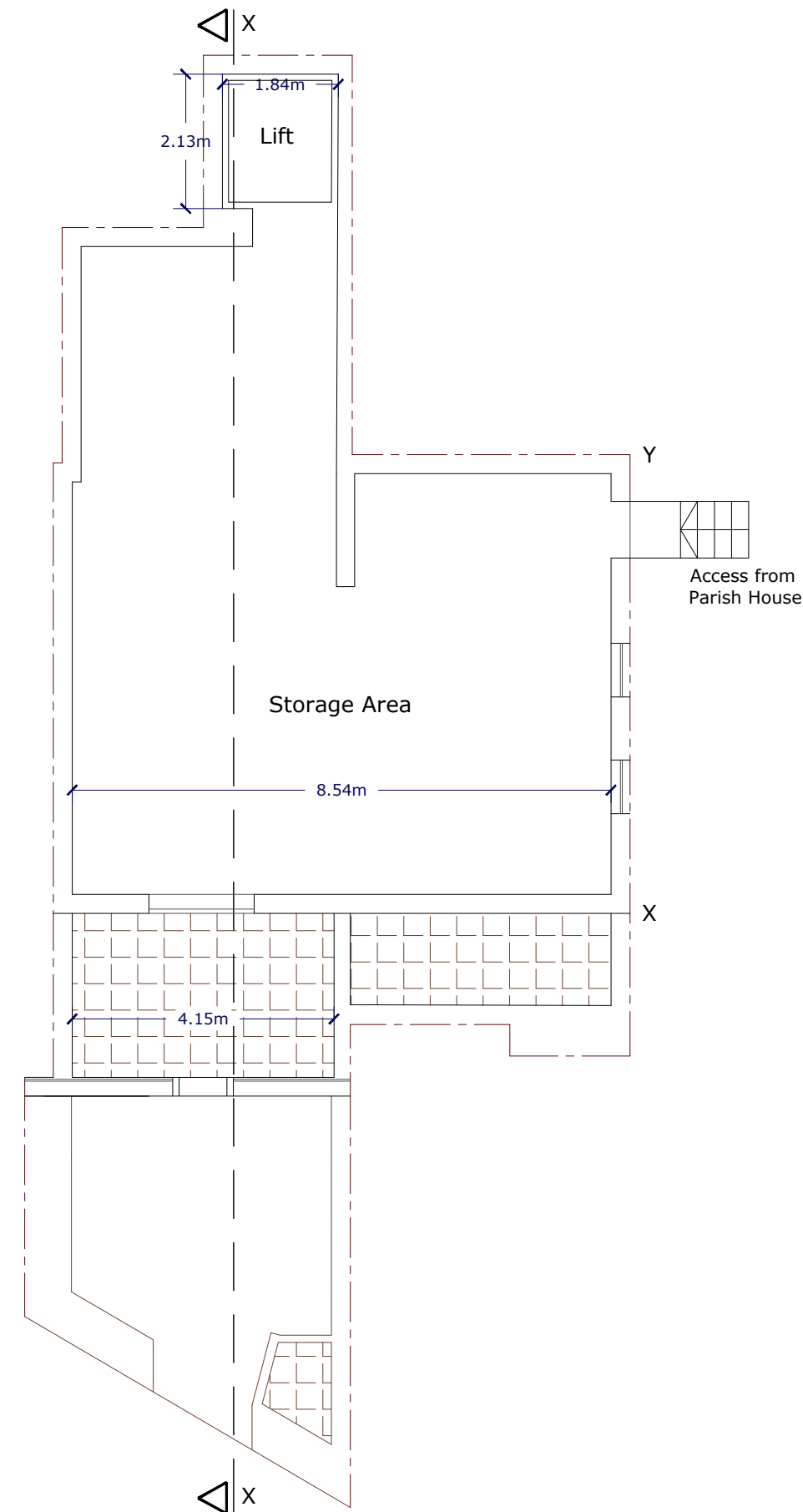




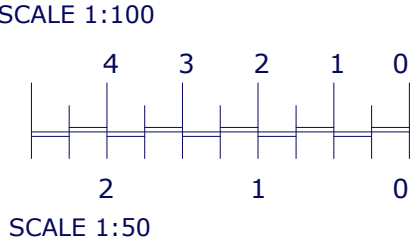
First Floor As Existing  
SCALE 1:100



First Floor With Changes  
SCALE 1:100



First Floor As Proposed  
SCALE 1:100



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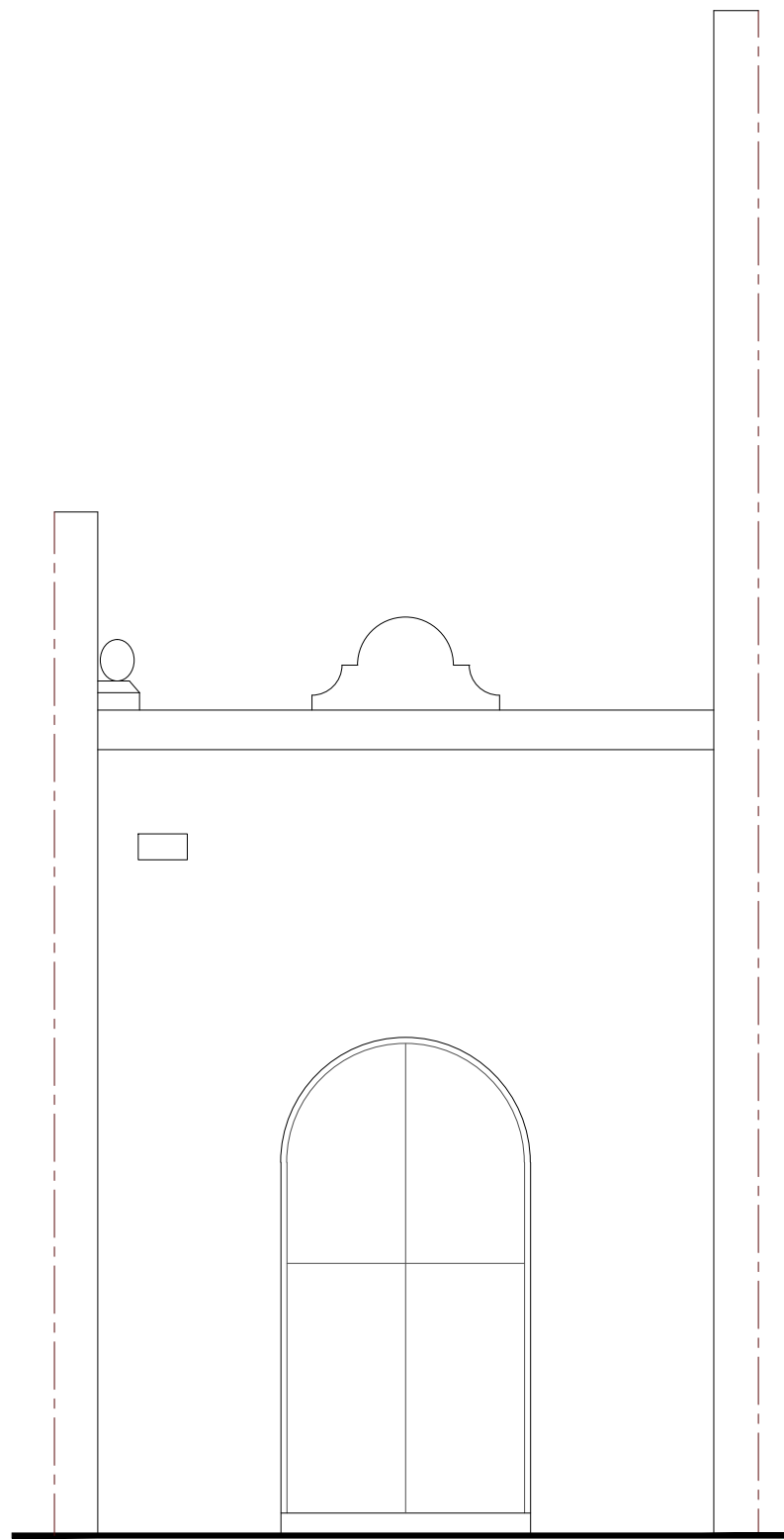
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FIRST FLOOR AS EXISTING & AS PROPOSED

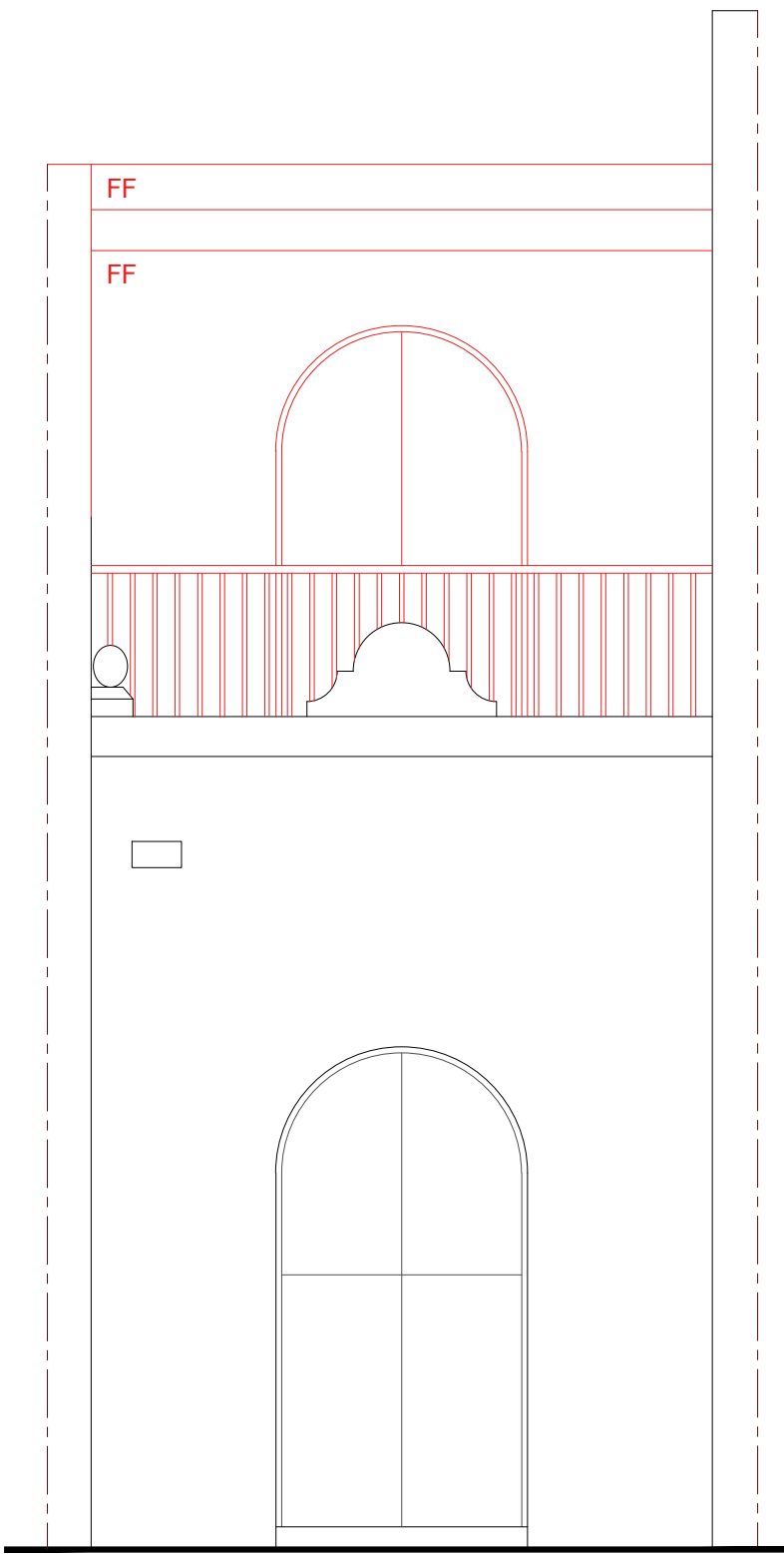
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*Applicant :* REV. CAN. DAVID FARRUGIA (ARCHPRIEST)  
HAD-DINGLI

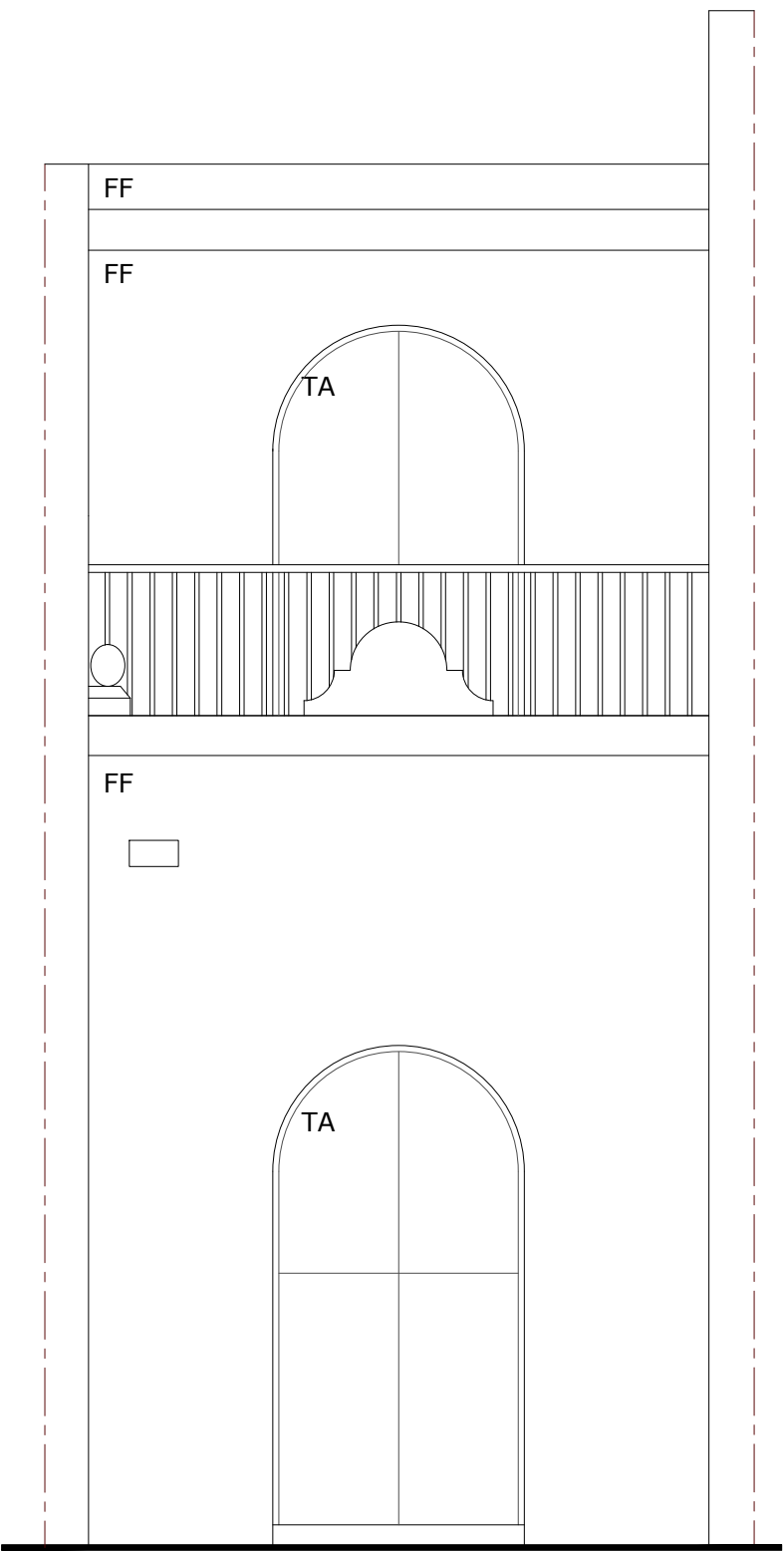
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Front Elevation As Existing  
SCALE 1:50

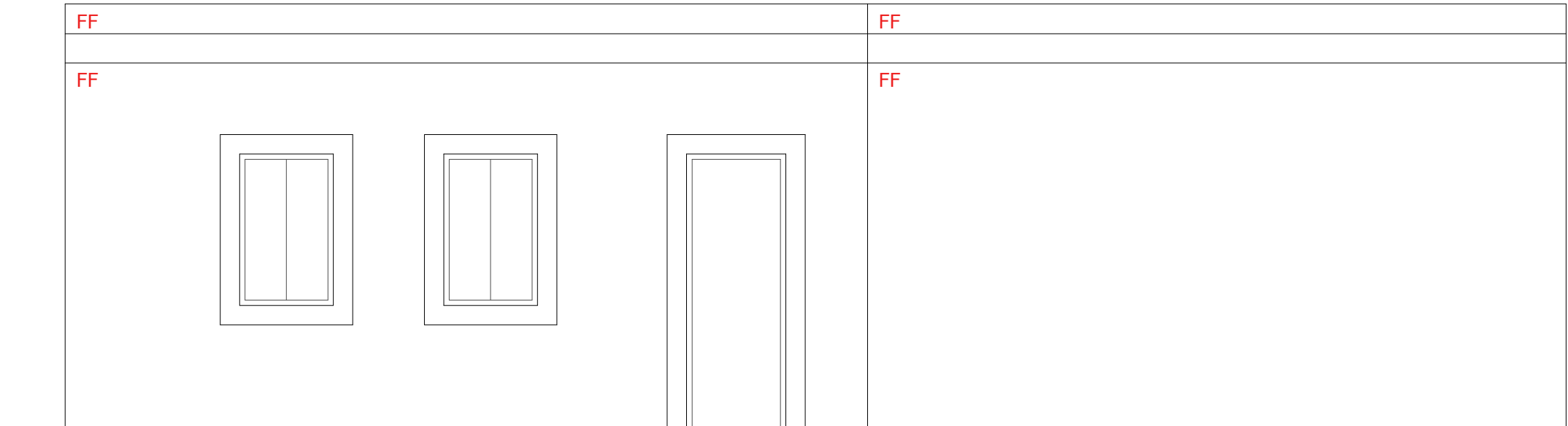
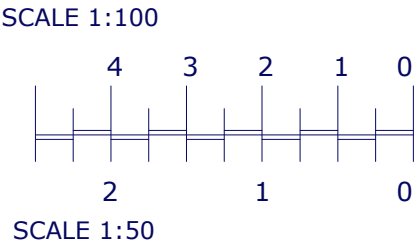


Front Elevation With Changes  
SCALE 1:50



Front Elevation As Proposed  
SCALE 1:50

FF - Masonry Fuq il-Fil Finish  
TA - Timber Aperture - colour as per DC2015  
WR - Wrough Iron Railing - colour black/white



Elevation XY As Proposed  
SCALE 1:50

FF - Masonry Fuq il-Fil Finish  
TA - PVC Apertures - colour as per DC2015

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*Project:*

ALTERATIONS AND ADDITIONS  
TO EXISTING CHURCH PROPERTY AT  
1, TRIQ SAN PAWL, HAD-DINGLI.

*Drawing Title:*

ELEVATIONS AS EXISTING & AS PROPOSED

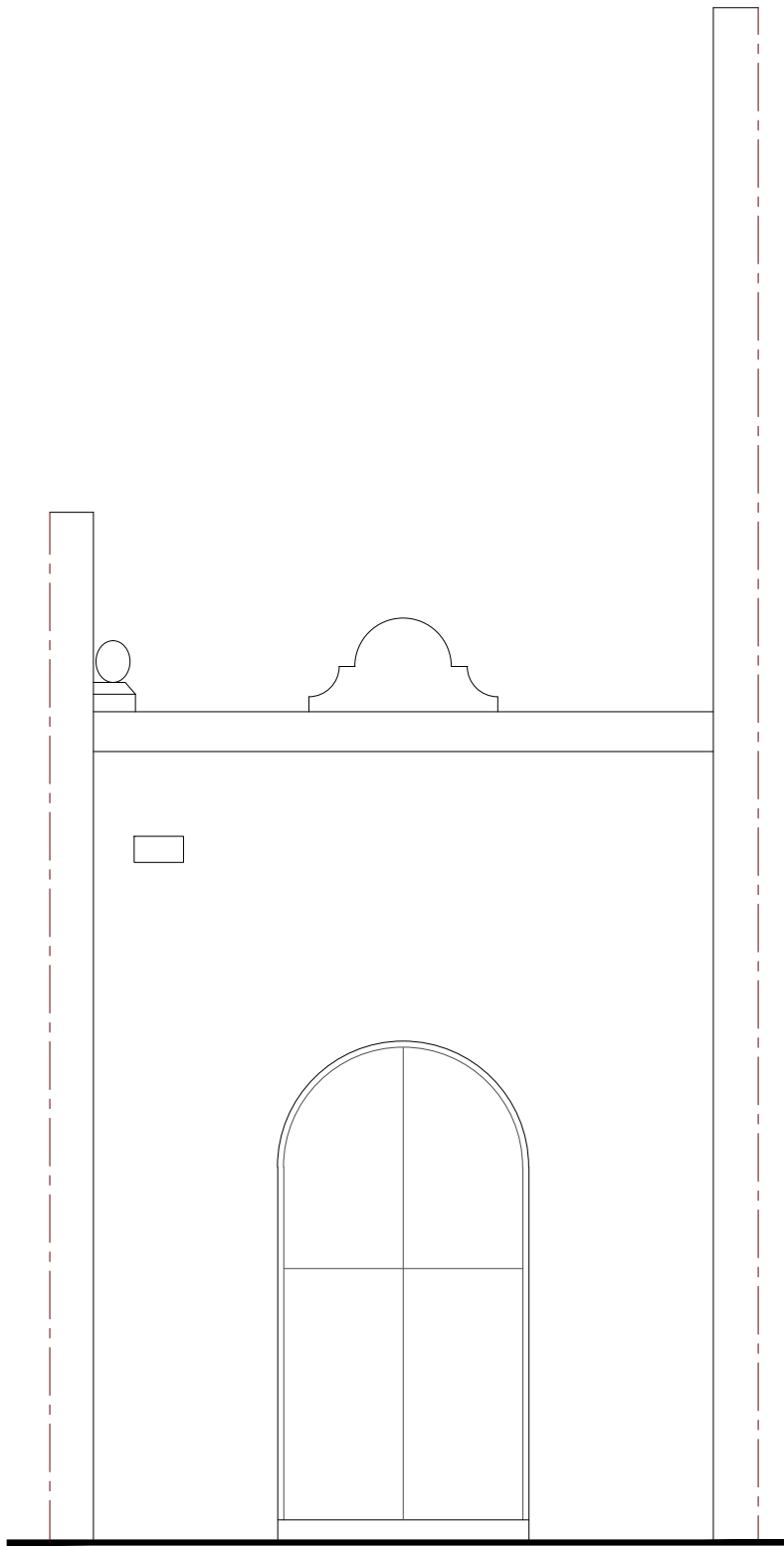
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*Applicant :* REV. CAN. DAVID FARRUGIA (ARCHPRIEST)  
HAD-DINGLI

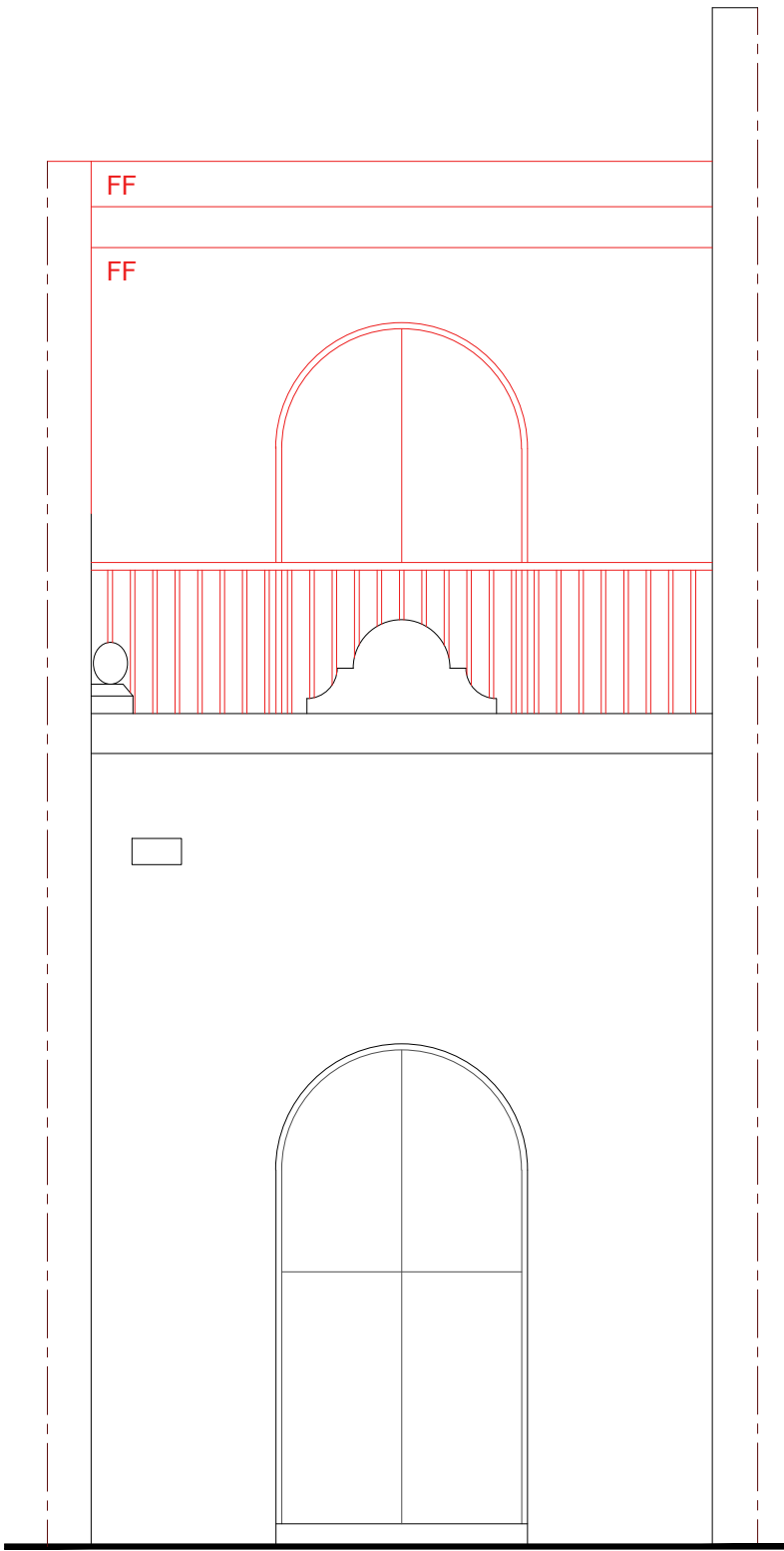
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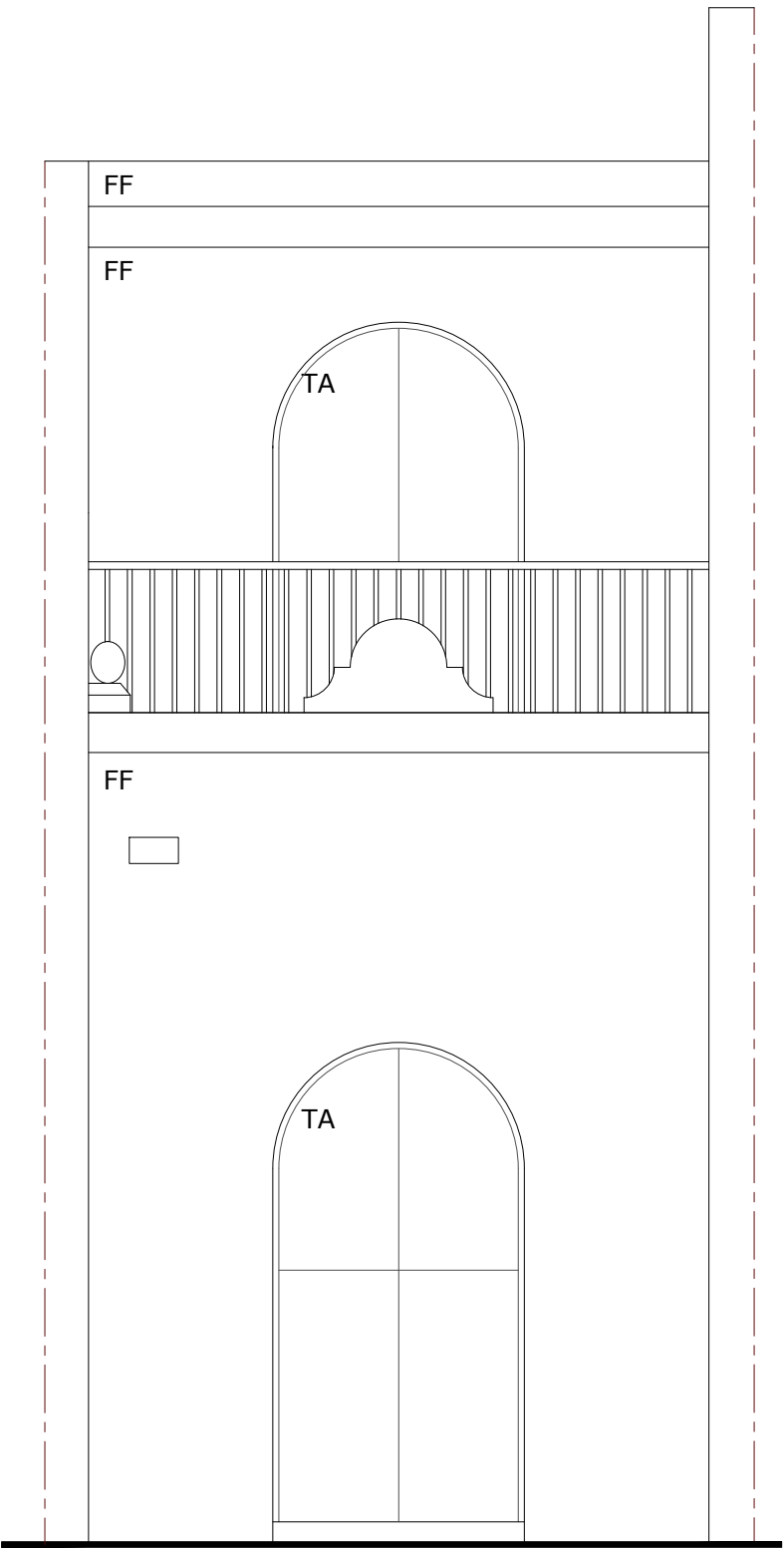




Front Elevation As Existing  
SCALE 1:50

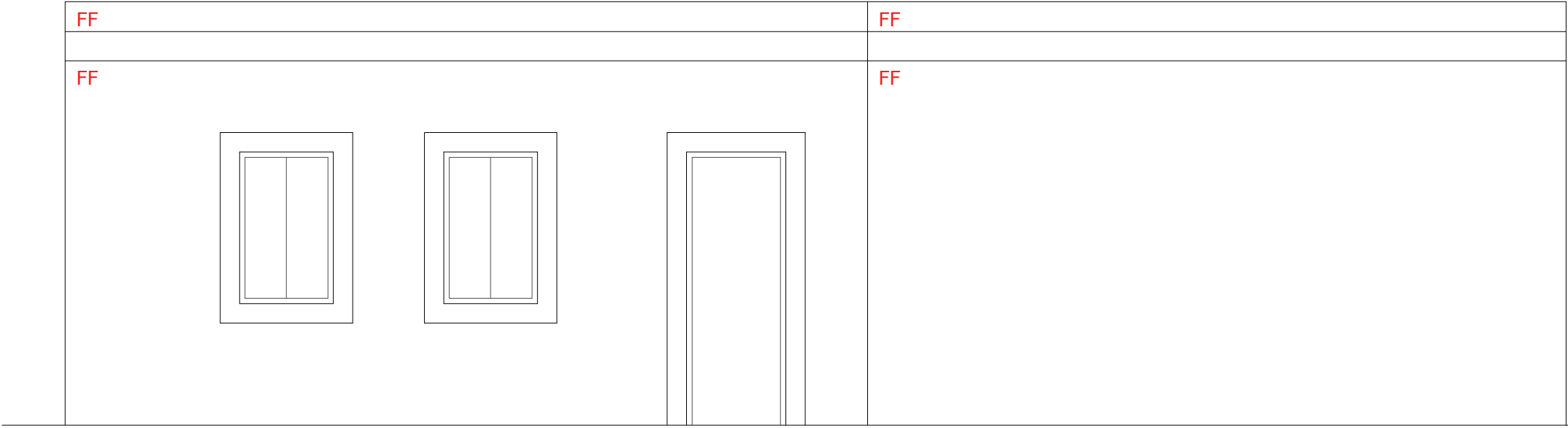
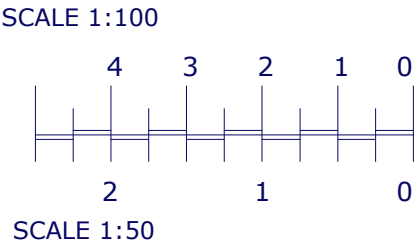


Front Elevation With Changes  
SCALE 1:50



Front Elevation As Proposed  
SCALE 1:50

FF - Masonry Fuq il-Fil Finish  
TA - Timber Aperture - colour as per DC2015  
WR - Wrough Iron Railing - colour black/white



Elevation XY As Proposed  
SCALE 1:50

FF - Masonry Fuq il-Fil Finish  
TA - PVC Apertures - colour as per DC2015

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TO EXISTING CHURCH PROPERTY AT  
1, TRIQ SAN PAWL, HAD-DINGLI.

*Drawing Title:*

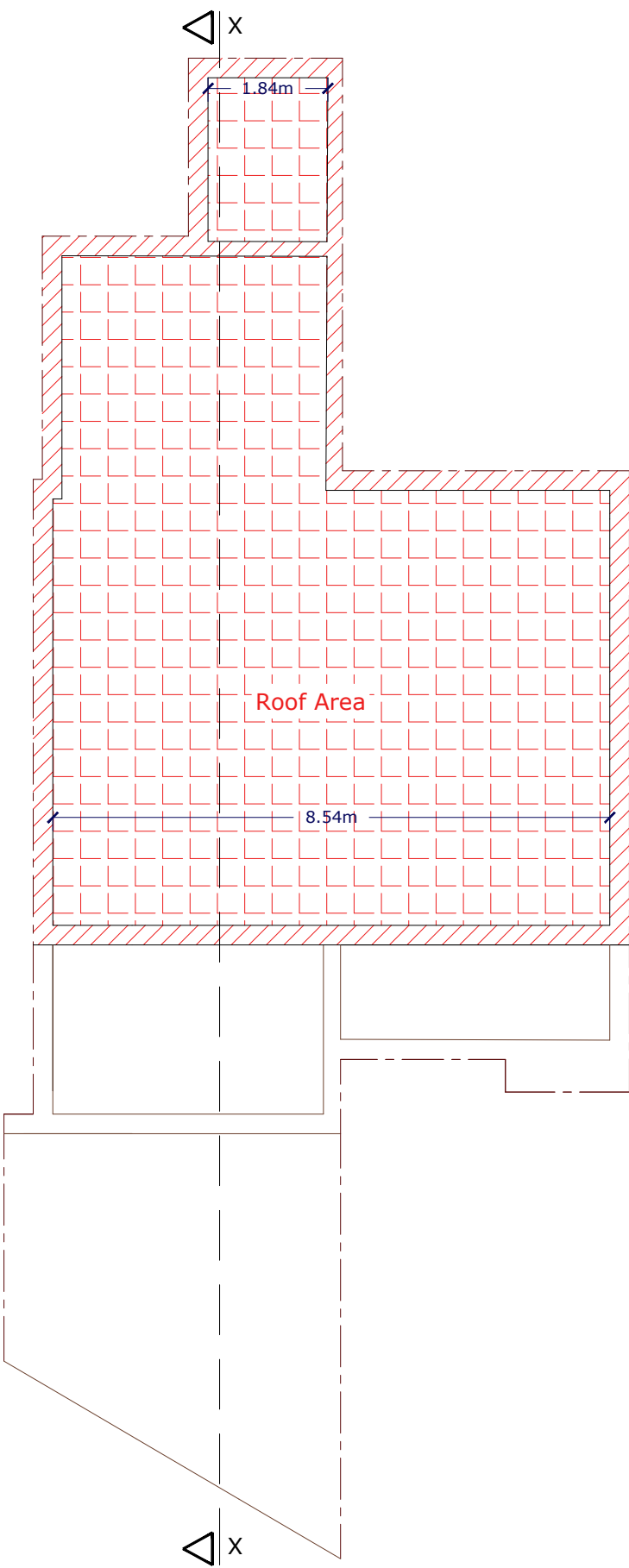
ELEVATIONS AS EXISTING & AS PROPOSED

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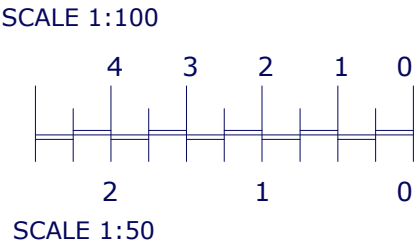
*Applicant :* REV. CAN. DAVID FARRUGIA (ARCHPRIEST)  
HAD-DINGLI

*Date :* DECEMBER, 2022 *Drg.No :* 03B

*Scale :* 1:50 *File.No :*



Roof level as proposed  
SCALE 1:100



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Dingli. DGL1594.

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Mob: 99436306

*Project:*

ALTERATIONS AND ADDITIONS  
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*Drawing Title:*

ROOF LEVEL AS PROPOSED

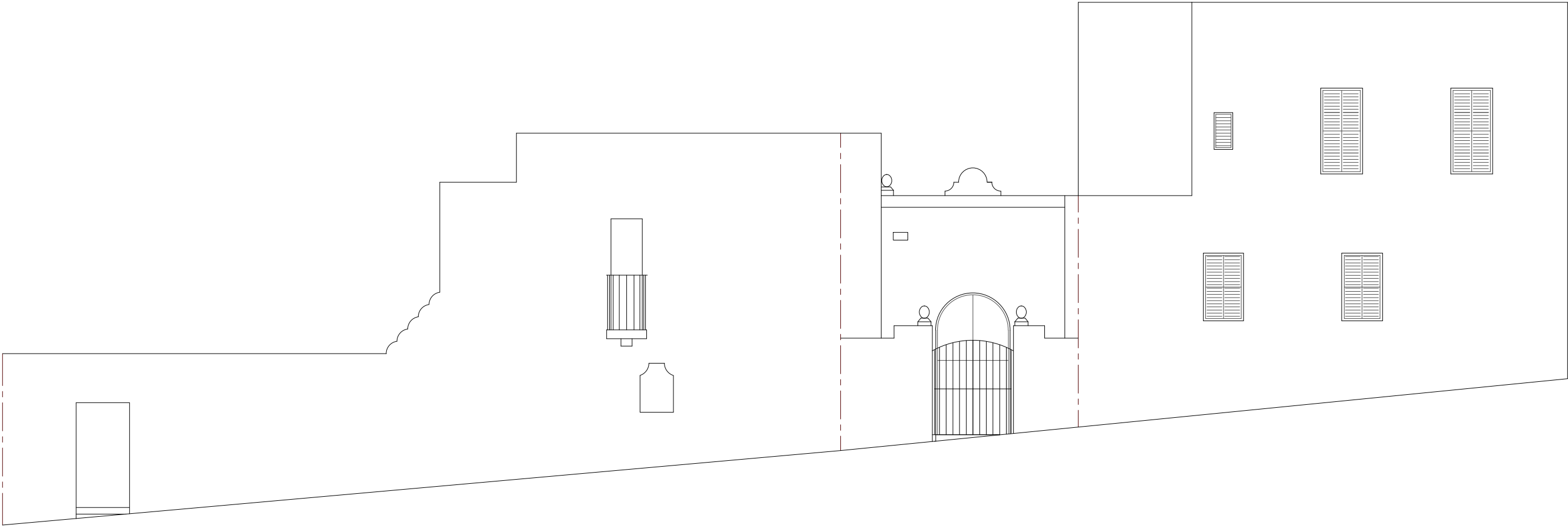
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*Approved by :*

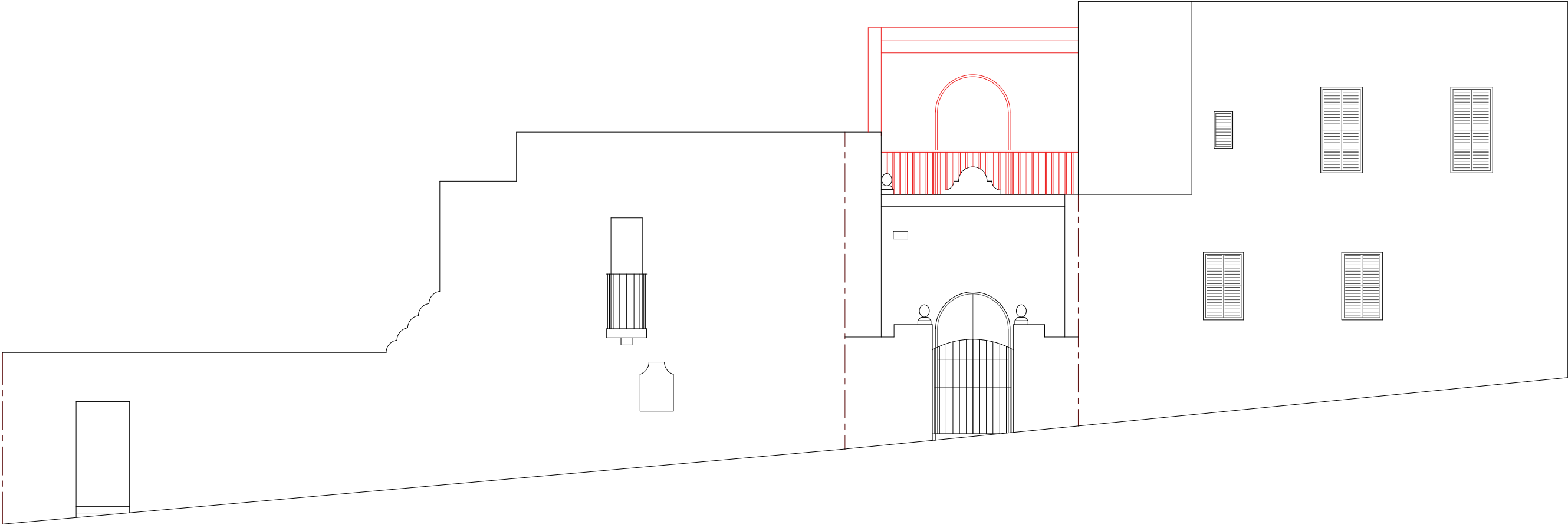
*Applicant :* REV. CAN. DAVID FARRUGIA (ARCHPRIEST)  
HAD-DINGLI

*Date :* OCTOBER, 2022      *Drg.No :* 04A

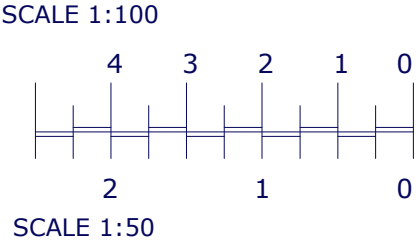
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Front elevation with adjacent as existing  
SCALE 1:100



Front elevation with adjacent as proposed  
SCALE 1:100



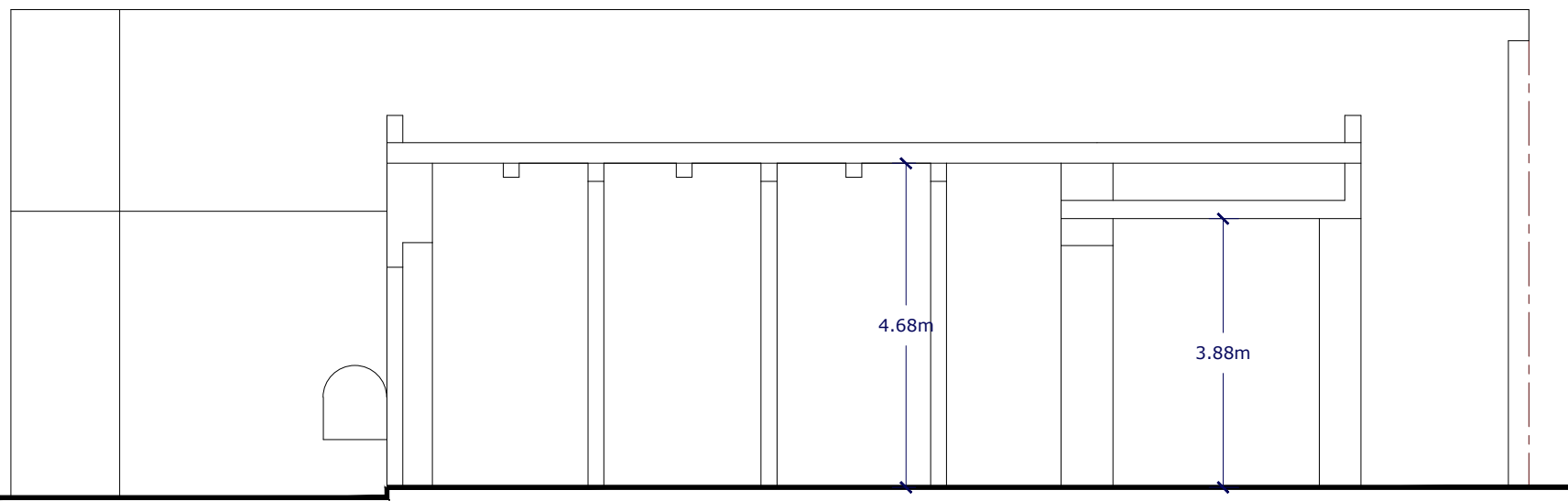
**DAVID VASSALLO** BE&A (Hons.) MSc A&CE  
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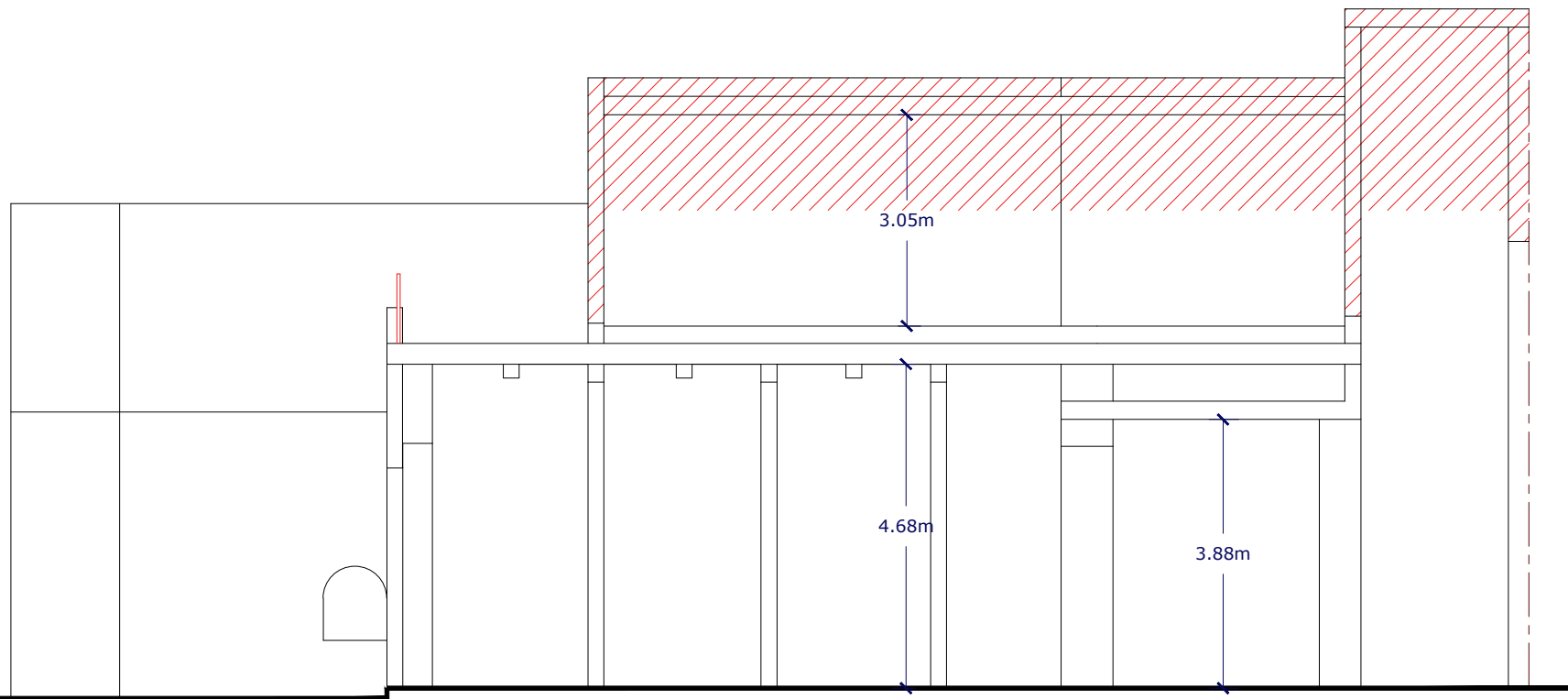
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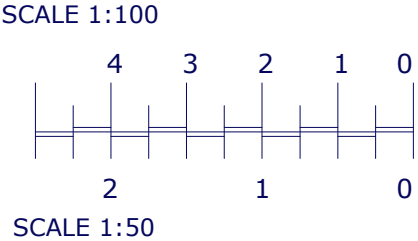
*Applicant :* REV. CAN. DAVID FARRUGIA (ARCHPRIEST)  
HAD-DINGLI  
*Date :* OCTOBER, 2022 *Drg.No :* 05A  
*Scale :* 1:100 *File.No :*



Section X-X as Existing  
SCALE 1:100



Section X-X as Proposed  
SCALE 1:100



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*Project:*

ALTERATIONS AND ADDITIONS  
TO EXISTING CHURCH PROPERTY AT  
1, TRIQ SAN PAWL, HAD-DINGLI.

*Drawing Title:*

SECTION X-X AS EXISTING AND AS PROPOSED

*Drawn by :* DV *Approved by :*

*Applicant :* REV. CAN. DAVID FARRUGIA (ARCHPRIEST)  
HAD-DINGLI

*Date :* OCTOBER, 2022 *Drg.No :* 06A  
*Scale :* 1:100 *File.No :*

Rev. Fr. Mark Mallia Pawley

Date: 30 August 2023  
Our Ref: PA/03049/22

Application Number: PA/03049/22  
Application Type: Full development permission  
Date Received: 23 January 2022  
Approved Documents: PA/03049/22/1A/20A/93B/95A/95B/95C/95D

Location: Domus, 1, Triq San Pawl, Dingli  
Proposal: Construction of first floor and installation of lift.

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

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

- 1 a) This development permission is valid for a period of FIVE YEARS from the date of publication of the decision in the press but will cease to be valid if the development is not completed by the end of this validity period.
- b) This permission relates only to the development as specifically indicated on the approved drawings. This permission does not sanction any other illegal development that may exist on the site.
- c) A Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of S.L. 552.25, or its amendments, or its replacements. In addition, **if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised** - Article 72(4) of the Development Planning Act (Cap. 552).
- d) Copies of all approved drawings and documents shall be available for inspection on site by Planning Authority officers at all reasonable times.
- e) The development shall be carried out in complete accordance with the approved drawings, documents and conditions of this permission. Where a matter is not specified, then the conditions of this permission and of Development Control Design Policy, Guidance and Standards 2015 shall apply.

f) Before any part of the development hereby permitted commences, the enclosed green copy of this development permission shall be displayed on the site. This must be mounted on a notice board, suitably protected from the weather and located not more than 2 metres above ground level at a point on the site boundary where it is clearly visible and can be easily read from the street. The copy of the permission must be maintained in a good condition and it shall remain displayed on the site until the works are completed.

g) All building works shall be erected in accordance with the official alignment and official/existing finished road levels as set out on site by the Planning Authority's Land Surveyor. A Setting Out Request must be submitted to the Land Survey Unit of the Planning Authority, prior to the commencement of works on site, when the setting out of the alignment and levels is required.

h) Where an officially schemed street, within the development zone, bordering the site is unopened or unformed, it shall be opened up and brought up to its proper, approved and official formation levels prior to the commencement of any development hereby being permitted.

i) No steps, ramps or street furniture are to be constructed on or encroached onto the public pavement or road.

j) Any doors and windows, the lower edge of which is less than 2m above road level, and any gates shall not open outwards onto a public pavement or road.

k) Where present, window grilles (including 'pregnant' windows), sills, planters and other similar elements which are part of or fixed to the facade of buildings, the lower edge of which is less than 2 metres above road level, shall not project more than 0.15 metres from the facade over a public pavement or street.

l) Air conditioning units shall not be located on the facades of the building which are visible from the street or a public space.

m) There shall be no service pipes, cables or wires visible on the front elevation or on any other elevations of the building which are visible from the street or public space.

n) Any approved stores shall be used for domestic storage only and shall not be segregated from the rest of the building.

o) Any unit approved on more than one floor (duplex or more) shall remain physically interconnected as a single unit, and shall not be sub-divided into separate units without specific Planning Authority consent.

2

a) Where applicable, prior to any demolition of buildings/boundary walls abutting streets, the Setting Out Request Notice must be submitted to the Land Survey Unit of the Planning Authority. Demolition works shall not be undertaken before setting out is made by Planning Authority officials.

b) Original internal and external walls shall not be hacked (mbaqqna) or grit-blasted. New stone on the façade is to be fair faced without any attrition or marking, unless otherwise specified in approved drawings or supporting documents.

c) Unless otherwise indicated on the approved drawings, the facade of the building, all roof structures, rear garden/yard walls, (but excluding internal shafts), and back elevation



shall be retained/constructed in local stone. The stone shall remain unrendered and unpainted, and it shall be allowed to weather naturally. Such components of a building indicated to be rendered/finished other than in local stone, are to be painted in local stone colour, unless other colours are indicated on the approved drawings.

d) Unless otherwise indicated on the approved drawings, all external apertures and closed balconies, visible from a public space, shall be constructed in timber. Open balcony railings and all other metalwork, visible from a public space, shall be in wrought iron.

e) No services are to be located on the roof of the uppermost roof structure.

3

### **Conditions imposed and enforced solely by other entities**

#### **A. Where construction activity is involved:**

(a) the applicant shall:

(i) **Appoint a Project Supervisor for the Design Stage and a Project Supervisor for the Construction Stage** and any such appointment shall be terminated, changed or renewed as necessary. The same person may be appointed to act as project supervisor for both the design and construction stage, if that person is competent to undertake the duties involved and

(ii) **Keep a health and safety file** prepared by the Project Supervisor for the Design Stage.

(b) When the construction works related to this application are scheduled to last longer than thirty working days and on which more than twenty workers are occupied simultaneously, or on which the volume of work is scheduled to exceed five hundred person-days, the project supervisor **shall communicate a prior notice to the Occupational Health and Safety Authority (OHSA) at least four calendar weeks before commencement of works.**

(c) The Project Supervisor for the Design Stage shall **draw up a health and safety plan** which sets out the occupational health and safety rules applicable to the construction activities concerned, outlining the measures to ensure cooperation between different contractors and shall also include specific measures concerning occupational risks that may be present at this site.

(d) It is the responsibility of the permit holder to ensure that development is carried out in accordance with the provisions of the Environmental Management Construction Site Regulations, S.L. 623.08. Any hoarding shall be erected in accordance with Schedule 2 of the same Regulations.

(e) New development on vacant or redeveloped sites shall be provided with a water cistern to store rainwater run-off as required by the Energy Performance of Buildings Regulations, S.L. 623.01.

#### **B. Where the development concerns a place of work:**

The applicant shall:

(a) obtain a Permit's declaration that the necessary requirements arising out of S.L. 424.15 have been included in the plans and drawings; and

- (b) obtain a Perit's declaration that the building conforms to the requirements of S.L. 424.15.
- C. The development is to strictly adhere to the 'Design Guidelines on fire safety for buildings in Malta' to ensure that all Fire Safety measures and provisions are addressed as indicated in the Design Guidelines on Fire Safety for Buildings in Malta, published by the DCID in 2004, (or other relevant standard, provided it is approved by the Civil Protection Department), Policies, and the Laws and Regulations of Malta.
- D. In the event of an accidental discovery in the course of approved works, any cultural heritage feature discovered should not be damaged or disturbed and the Superintendence is to be immediately informed of such discovery. Any cultural heritage features discovered are to be investigated, evaluated and protected in line with the Cultural Heritage Act 2019 (CAP. 445). The discovery of cultural heritage features may require the amendment of approved plans.
- E. Any fissures (dagħbien), caves, caverns, hollows, geological faults, Quaternary deposits or other features of potential geological, geomorphological and/or palaeontological interest which are discovered must be reported immediately to the Environment and Resources Authority (ERA). No further works or activities must take place until the respective investigations have been completed, and thereafter works shall proceed strictly in line with the terms established by ERA. The approved development may need to be amended so as to accommodate in situ preservation of the discovered features.
- F. This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (CAP. 424) – Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.
- G. For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes Order 2014, or its subsequent amendments.

In terms of Article 72(3) of the Development Planning Act, 2016, the execution and validity of this permission is automatically temporarily **suspended** and no works as approved by the said development permission may commence before the lapse of the time period established in Article 13 of the Environment and Planning Review Tribunal Act. In the event that an application is submitted before the Environment and Planning Review Tribunal requesting the suspension of the execution of the permission, this permission will remain so suspended until the Tribunal otherwise decides in accordance with the Environment and Planning Review Tribunal Act.

Where the approved drawings and/or documents are dimensioned, then the declared dimensions shall prevail over the actual size as depicted on the approved drawings and/or documents.

Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on the plan what needs to be carried out and obtain approval from WSC. Developers are further

PA/03049/22

reminded that connection of storm water into main sewers is not allowed.

If the declaration of ownership, as contained in the application form, is determined as incorrect by a Court of Law, then the said Court of Law can declare this development permission as null and void. This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance shall be obtained from the Lands Authority prior to the execution of this development permission.

This development permission is granted saving third party rights. This permission does not exonerate the applicant from obtaining any other necessary permission, license, clearance, or similar requirement emanating from any other law or regulation, nor from procuring any other certification or insurance that may be required.

This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (Cap. 424) - Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.

For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes) Order 2014, or its subsequent amendments.

**This decision is being published on 13 September 2023.**

Monica Gauci  
Secretary Planning Commission  
Outside Development Zone and Urban Conservation Areas

## **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 S.L 552.13.

### **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 S.L. 552.13.

### **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 €70.00 (S.L. 552.12).

For appeal - 5% of DPF (Development Permit Fee) paid in respect of the original application, subject to a minimum of €150. €50 administrative fee also applies (S.L. 551.01).

### **Submission of request for reconsideration or appeal**

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.

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