



Environmental Permit

Environment Protection Act (CAP. 549)

Permit number:
NP 0064/20

Approved documents
NP 0064/20/1B/7A/13A

The Environment and Resources Authority (hereinafter the Authority; the Competent Authority or ERA) in exercise of its powers under the Environment Protection Act (CAP. 549), hereby authorises:

Mr Paul Galea obo Tisbiñ Malta (hereinafter "the Permit Holder"), Of / Whose Registered Office (or principal place of business) is at

MELP Office
San Anton Gardens
Attard, ATD 1290

to remove dead trees and pruning of trees at

Buskett, Malta

The validity of this permit is **one (1) year** from the granted date below. An application for renewal of this permit is to be submitted at least **one (1) month** prior to expiry of this permit.

Signed	Date
<p style="text-align: center;">Anthony Aquilina Unit Manager (Permitting) F/ Director Environment and Resources</p>	<p style="text-align: center;">Permit Granted: 15 / 04 / 2020</p>

Authorised to sign on behalf of the Competent Authority

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Conditions

Introductory Note

The Permit is granted in accordance with the provisions of the Environment Protection Act and regulation 20 of the Trees and Woodlands Protection Regulations, 2018 (S.L.549.123), hereinafter referred to as the Regulations, for the purpose of the interventions that shall be carried out on the protected tree.

The Permit is also granted in accordance with the provisions of the Environment Protection Act and Regulation 18(2) of the Flora, Fauna and Natural Habitats Protection Regulations, 2006 (S.L. 549.44), for the purpose of the activities that shall be carried out within the Special Area of Conservation (SAC) and Special Protection Area of 'L-Inħawi tal-Buskett u tal-Girgenti' (MT0000018).

The works shall, subject to the conditions of this Permit, be managed, controlled and carried out as described in the NP Application, approved documents, and/or as otherwise previously agreed in writing by the Authority.

Status Log

Detail	Date
<i>Application NP 0064/20</i>	6 th February 2020
<i>Permit Issued</i>	15 th April 2020

Pre-Commencement of activities/ work

1. The permit holder shall advise of the dates of works at least seven (7) days prior to the commencement on ced.nature@era.org.mt. In the case of change of date, the permit holder is to inform ERA of such a change at least two (2) days in advance. In the case of short-term cancellation of the works (especially outside office hours), the Authority should be contacted on 9921 0404.

Permitted Activities

2. The Permit Holder is authorised to carry out the works and the associated works specified in Table 1.

Works	Description of specified works	Limits of specified works
Interventions on a protected tree	Interventions on trees	(i) Removal of sixty-nine (69) dead Aleppo Pines - <i>Pinus halepensis</i> , twenty (20) dead Italian cypresses - <i>Cupressus sempervirens</i> five (5) dead date palms - <i>Phoenix dactylifera</i> , and one (1) dead white poplar - <i>Populus alba</i> .

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- (ii) Heavy pruning of one (1)
Aleppo pine – *P. halepensis*
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Site

3. The works authorised under condition 2 shall be affected on the trees as marked on the approved site plan NP 0064/20/1B.

Conditions of Activity/Work

4. All interventions shall be carried out in line with the Guidelines on Works Involving Trees available on <https://era.org.mt/en/Pages/Guidelines-on-.aspx>. Pruning of live trees shall occur between September and March.
5. Pruning shall be limited to the branches that are marked in approved document NP 0064/20/13A.
6. Any dead trees removed shall be cut at or below ground level without any obtrusions above ground.
7. Pruned branches or trunks shall be treated with due aftercare to naturally close the cut.
8. Compensatory planting shall be carried out in the approved sites as marked on approved site plan NP0064/20/7A. Ten (10) hoary elm - *Ulmus canescens*, ten (10) mock privet- *Phillyrea latifolia* and five (5) holm oak- olive trees- *Quercus ilex* shall be planted in the area marked in red on approved site plan NP0064/20/7A. Fifteen (15) *Olea europaea*, ten (10) Carob trees- *Ceratonia siliqua*, twenty (20) common myrtle- *Myrtus communis* and twenty (20) buckthorn- *Rhamnus alternus* shall be planted in the area marked in blue on approved site plan NP0064/20/7A. Compensatory trees shall be planted between September and April, shall be maintained by the permit holder for a period of three (3) years from planting, including necessary aftercare such as watering, weeding and pruning as may be required. Evidence of compensatory planting shall be submitted within one month of planting on ced.nature@era.org.mt.

The compensatory trees are not to be used as hedges.

Should any of the compensatory trees die within the period specified above, the permit holder shall be bound to replace the said trees within the first planting season with threes of the same species and size and advise ERA of such a replacement.

9. The specimens to be planted shall be all of local stock.
10. The removal of the trees shall be carried out without damage to any other existing trees, plants or structures.
11. Works shall be limited to the tree for which a permit has been issued. Damage to or interventions on other existing protected trees and natural features on site is prohibited.
12. The permit holder shall ensure that disturbance of any specimen of protected species or to protected habitats is kept to a minimum. It is the responsibility of the permit holder to ensure that no harm is caused to the environment either intentionally or accidentally. Attention must also be afforded to the whole environment of the SACs in view of the protection status of the areas, and to other important natural areas.

13. Machinery shall be limited to hand-held tools.
14. No habitat or soil engineering or contouring shall take place.
15. Planted trees and shrubs shall be appropriately spaced in accordance with good arbocultural practice to allow space for the trees to grow.
16. Following planting of the trees, rotavation of the soil on site is only allowed up to the first autumn following the planting. No rotavation of soil shall be carried out thereafter, except for limited removal of any ruderal plants growing directly around the individual planted trees and shrubs. Such removal shall be carried out without the use of machinery and only using hand held tools.
17. The permit holder shall ensure that pruning of the planted trees and shrubs shall be carried out, this for the sole purpose of eliminating deceased branches and any other branches so as to ensure enough aeration in the middle of the canopy, thus reducing risk of diseases. Such pruning shall be carried out as necessary, or as directed by ERA.
18. Planting shall take place in a random fashion in locations marked on approved site plan NP0064/20/7A.
19. At least fifteen (15) percent of trunks and the pruned branches of the Pine trees - *P. halepensis* shall be cut into segments to be dispersed in the surrounding areas of the woodland

General Conditions

20. Any material removed shall be immediately carted away in waste carriers registered in accordance with the requirements of the Waste Management (Activity Registration) Regulations 2007 (S.L. 549.45) for appropriate disposal in facilities permitted in accordance with the Waste Regulations 2011 (S.L. 549.63).
21. The 'Permit Holder', is responsible to ensure that all reasonable precautions are taken so that the activity conforms to the conditions in this Permit and the procedures outlined within the Permit application.
22. The activities covered by this Permit are restricted to the permit holder, employees and/or volunteers and contracted parties commissioned for such activities/works under his supervision and direction, who shall all be made aware of this permit and the contents within.
23. This permit is granted saving third party rights. The Permit holder is not exempt from any other legislation or regulations, codes of practice, conditions or requirements imposed by any other competent authorities, including the obtaining of permits, licenses, or clearances including from site owners.
24. The following activities are strictly prohibited:
 - a. the deliberate picking, collection, taking, cutting, uprooting, harming, destroying or damaging deliberately destroying, keeping, transporting, selling, buying exchanging, offering for sale or for exchange, importing or exporting in any way of any specimen of wild flora, other than those being permitted;
 - b. the deliberate hunting, killing, capturing, taking, harming, disturbance particularly during periods of breeding, rearing, hibernation and migration, destruction and deterioration of breeding sites or resting places, pursuing, taking or attempting to take, deliberately killing or attempting to kill, deliberately destroying, keeping, transporting, selling, buying exchanging,

- offering for sale or for exchange, importing or exporting any specimen of any specimen of wild fauna;
- c. cutting or damaging of reeds, tree branches etc other than those being permitted;
 - d. planting of vegetation, shrubs and/or trees or the introduction of any flora or fauna into the site or its environs;
 - e. introduction, removal, significant movement and re-engineering, and/or collection of sand, shingle, stone, soil and/or sediment;
 - f. excavation works and any physical modification of the vegetation cover, the ground and landform of the site and its surroundings;
 - g. generation of excessive noise, including extremely loud music or the use of noisy generators, or light pollution through the use of floodlights;
 - h. disposal, discharge or spillage of oil, fuel, paint or other pollutants, or of solid waste, ash or combustibles;
 - i. lighting of fires.
25. ERA may request updates and/or further information on the activity in question as deemed necessary.
26. The conditions imposed shall be adhered to throughout all the activities. Failure to do so may result in enforcement action and cessation of any related works or activities.
27. The Authority may add, amend, suspend or revoke this Permit or part of this permit in cases of fraud, where public safety or significant environmental damage or risk is concerned, where there is an error on the face of the record or where there is a breach of one or more permit conditions after a written warning is given by the Authority or in any eventuality that gives the Authority enough reason to suspend or revoke this Permit.
28. The Permit Holder may apply for a variation of the permit and shall seek the Authority's written agreement prior to any operational changes, by sending to the Authority:
- a. Written notice of the details of the proposed change, including an assessment of its possible effects or risks to the environment from the approved activity;
 - b. Any relevant supporting information;
 - c. Any relevant supporting assessments and drawings, and;
 - d. The proposed implementation date.

Any such change shall only be implemented following the issue of a variation of the permit by the Authority.

29. In accordance with Regulation 46(4) of S.L. 549.44, a brief report with photos of the activities held, including any publications as a result of the activity, is to be provided to ERA by the Permit Holder within one month of the expiry of the permit, and is to be submitted to nature.permitting@era.org.mt. Information that should be treated as confidential as outlined in Regulation 48(4) of S.L. 549.44 shall be specified.

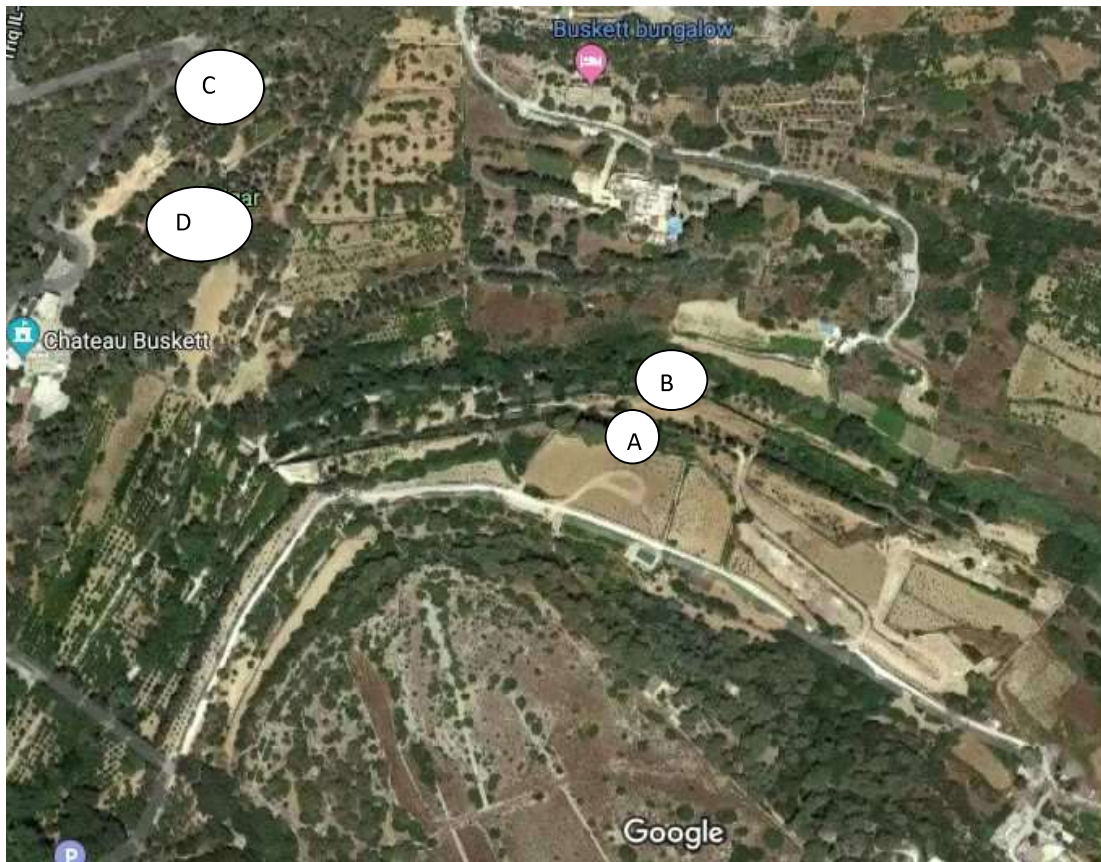
A template for the report is available at <http://era.org.mt/en/Documents/Activity%20Report%20template.doc>.

30. Any accidental handling, capture or collection of specimens or part thereof, whether dead or alive, of species listed within Schedule V and VI, and endemic species not listed in Schedule X of the Flora, Fauna and Natural Habitats Protection Regulations (S.L. 549.44) shall be reported on nature.permitting@era.org.mt within seven (7) days of sampling of the specimen provided that the permit holder may only keep such

specimen or part thereof for scientific research purposes. The Authority may request additional information from the permit holder, including but not limited to, an application for authorisation for the keeping of such specimens or samples.

31. The Authority may add, amend, delete or substitute any of the conditions of this Permit after notifying the Permit Holder of its intention and after describing the changes to the Permit Holder. This is without prejudice to any prevailing circumstances that would preclude the Authority from following such a procedure.
32. The Authority may suspend or revoke this environmental permit in line with the provisions of CAP 549.
33. The Permit Holder shall notify the following matters to the Authority in writing at least 10 working days prior to their occurrence:
 - a. Any change in the Permit Holder's trading name, registered name or registered office address;
 - b. Any change to particulars of the Permit Holder's corporate identity.
34. Upon the joint application of a Permit Holder and a proposed transferee, the Authority may transfer the environmental permit to the proposed transferee. The transfer of the permit will not relieve any of the Permit Holders from their environmental obligations and liabilities.
35. In accordance with Regulation 26 of S.L. 549.123, details of the Permit Holder together with the details of conditions imposed in this Permit shall be maintained by the Authority in a register available for public inspection or maintained in electronic form.
36. ERA may inspect and monitor the activity at the expense of the Permit holder at rate and arrangement communicated by ERA's Compliance and Enforcement Directorate to ensure the safeguarding of the natural assets. ERA may also appoint other on-site monitors at the expense of the Permit Holder to act as an on-site liaison between the Permit Holder and ERA if the case arises.
37. The Authority's representatives may inspect and photograph any part of the site/activity and ask for any closed or locked areas to be opened and may demand to be provided with any proof, documentation, plans, receipts or any other records.
38. This Permit including any Variation Notices or amendments to it shall be made available for any inspection by ERA officials at all times, or any legally recognised compliance and enforcement officials, when requested.
39. Whenever there is a conflict between the conditions of this Permit and approved documents, the conditions of the permit shall prevail.
40. ERA shall not be held liable for any accidents or injuries which may occur during the activities being permitted through this Permit. It is the responsibility of the Permit Holder to ensure that all safety measures are taken.
41. This Permit is without prejudice to any liability of the Permit Holder under the Act and to any punitive measures the Authority may wish to take with respect to works already carried out without Permit.

42. The validity of this Permit is for **one (1) year** from the granted date of this Permit. The Permit Holder may apply for a renewal to this permit expressing his/her intention at least four (4) weeks prior to the expiry of this Permit. Request for renewals shall only be considered upon confirmation of compliance with permit conditions and fulfilment of documentation as requested by this Permit.
43. Any aggrieved person may appeal from this decision before the Environment and Review Tribunal within 30 days in terms of Article 63 of the Environment Protection Act.





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