



## Environmental Permit

Environment Protection Act (CAP. 549)

Permit number:  
**NP 0132/20**

Approved documents  
**NP 0132/20/1C/4A**

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. Kevin Borg obo Pembroke Local Council (hereinafter “the Permit Holder”),  
Whose Registered Office (or principal place of business) is at

**Pembroke Local Council**  
**Alamein Road**  
**Pembroke, PBK 1776**

Renewal of NP 0026/19 to carry out activities of grass cutting, weeding, pruning of Palm Trees and litter picking at

**Pembroke SAC**

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 data-bbox="332 1564 771 1646">Anthony Aquilina Unit Manager (Permitting) F/ Director Environment and Resources</p>	<p data-bbox="889 1564 1226 1591">Permit Granted: 05 / 05 / 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 18(2) of the Flora, Fauna and Natural Habitats Protection Regulations, 2006 (S.L. 549.44), hereinafter referred to as the Regulations, for the purpose of the activities that shall be carried out within the Special Area of Conservation (SAC) of 'L-Inħawi ta' Pembroke' (MT0000002).

The activity 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>NP 0005/16 Permit issued</i>	15 <sup>th</sup> February 2016
<i>NP 0006/16 Partial grant issued</i>	6 <sup>th</sup> April 2016
<i>NP 0003/17 Application for renewal</i>	5 <sup>th</sup> January 2017
<i>NP 0003/17 Renewal issued</i>	7 <sup>th</sup> February 2017
<i>NP 0003/17/B Variation issued</i>	1 <sup>st</sup> August 2017
<i>NP 0272/17 Application for renewal</i>	21 <sup>st</sup> December 2017
<i>NP 0272/17 Renewal issued</i>	16 <sup>th</sup> January 2018
<i>NP 0026/19 Application for renewal</i>	4 <sup>th</sup> February 2019
<i>NP0026/19 Renewal issued</i>	28 <sup>th</sup> February 2019
<i>Application NP</i>	5 <sup>th</sup> March 2020
<i>Permit Issued</i>	8 <sup>th</sup> May 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](mailto: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 activity (especially outside office hours), the Authority should be contacted on 9921 0404.

The Permit Holder shall notify Nature Trust Malta as site managers whenever grass cutting shall be carried out one day in advance of the works that shall be undertaken.

### Permitted Activities

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

Activity	Description of specified activity	Limits of specified activity
Grass cutting, pruning of trees and litter picking	As described in NP 0132/20/4A	(i) Carrying out grass cutting and weeding activities;

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- (ii) Carrying out litter picking activities;
  - (iii) Pruning of 125 – Mexican fan Palms - *Washingtonia robusta* trees along Triq il-Mediterran
- 

### Site

- 3. The activities authorised under condition 3 shall be affected in the location as marked on the approved site plan NP 0132/20/1C.

### Conditions of Activity/Work

- 4. Activities are to be held according to the approved Project Description Statement NP 0132/20/4A.
- 5. Grass trimming shall be restricted to the disturbed road edge along Triq il-Mediterran and directly on the area of the metal grids along the pathways within the SAC. Grass trimming in any other areas within the SAC, including any areas of garigue or natural habitat is strictly forbidden, except the area along the paths marked on the attached site plan NP 0132/20/1C.
- 6. Only the vegetation/ grass which is protruding on, and thus blocking the marked paths shall be trimmed accordingly.
- 7. Only the parts of vegetation which are encroaching on the passages marked on the site plan shall be trimmed and not further into the undergrowth.
- 8. No protected species of flora shall be cut.
- 9. Any material generated by the works shall be carted away for disposal at waste facilities permitted to accept such waste and shall be disposed of accordingly in accordance with the Waste Management (Activity Registration) Regulations 2007 (S.L.549.45) and the Waste Regulations 2011 (S.L.549.63).
- 10. No herbicides shall be used as part of the works.
- 11. No off-road driving is permitted and the ceration of permanent or temporary routes for access, irrispective whether intentional or unintentional, is prohibited.
- 12. All activities shall take place within existing paths and clearings void of vegetation, whether dead or alive.
- 13. Access to motor vehicles shall be restricted to asphalted roads and access to the start and finish through off-roading is prohibited.
- 14. Disturbance to ecological communities within the SAC in question is to be minimal and restricted to grass trimming in the areas indicated by this permit. No physical modication of the site and/or the surroundings shall be allowed.
- 15. The placing of generators and other electrical equipment is not permissible for this activity.

16. Any activities are to be carried out only between sunrise and sunset.
17. Clean ups shall be carried out and restricted to the areas marked in approved site plan NP 0132/20/1C. Any trampling/ disturbance of vegetation is prohibited.
18. The use of machinery is strictly prohibited.
19. Removal of natural vegetation, undergrowth, leaf litter and dead branches is prohibited.
20. The pruning 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 trees shall occur between September and March.
21. Pruned trees shall be regularly inspected following works to monitor progress.
22. Pruned branches and trunks shall be treated with due aftercare to naturally close the cut.
23. Any water shoots which sprout from the stub should be duly monitored and removed as necessary.

### **General Conditions**

24. All waste collected and 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).
25. 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.
26. 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.
27. 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 unless permitted through this permit;
  - 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;

- 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.
29. ERA may request updates and/or further information on the activity in question as deemed necessary.
30. 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.
31. ERA may impose other additional rules or conditions, or may amend one or more of the listed rules or conditions, as it deems necessary for the proper conservation of a protected site or area, biodiversity and the environment in general, and to ensure public safety.
32. 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.

33. 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](mailto: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>

34. 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.
35. 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](mailto: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

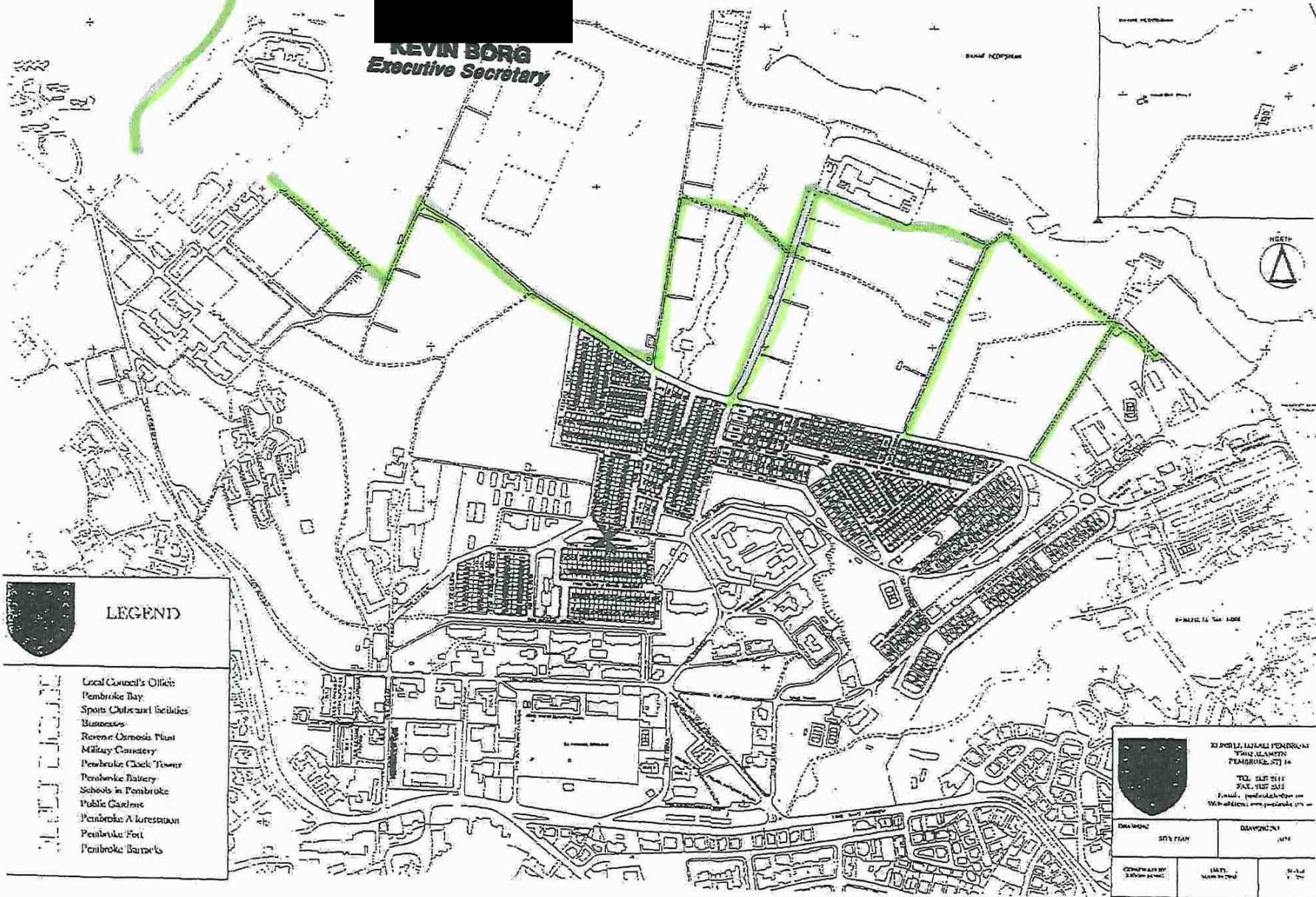
additional information from the permit holder, including but not limited to, an application for authorisation for the keeping of such specimens or samples.

36. The Authority may suspend or revoke this Environmental Permit in line with the provisions of CAP 549.
37. 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.
38. Upon the joint application of a Permit Holder and a proposed transferee, the Permit Holder may request to transfer an environment permit. The permit shall not be transferred from the Permit Holder without prior approval from the Authority. Upon the Authority's decision to transfer the permit to the transferee, all rights, obligations, liabilities shall subsist onto the transferee.
39. In accordance with Regulation 47 of S.L. 549.44, 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.
40. 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.
41. 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.
42. 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.
43. Whenever there is a conflict between the conditions of this Permit and approved documents, the conditions of the Permit shall prevail.
44. 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.
45. 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.
46. 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.

47. Any aggrieved person may appeal from this decision before the Environment and Planning Review Tribunal within 30 days in terms of Article 63 of the Environment Protection Act.



**KEVIN BORG**  
*Executive Secretary*



**LEGEND**

- Local Council's Office
- Pembroke Bay
- Sports/Cultural facilities
- Businesses
- Revenue Offices Plot
- Military Cemetery
- Pembroke Clock Tower
- Pembroke Battery
- Schools in Pembroke
- Public Gardens
- Pembroke Airstation
- Pembroke Fort
- Pembroke Barracks

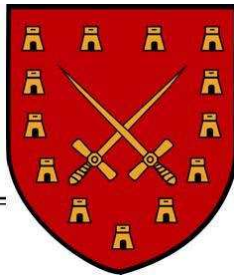
**SEAL OF THE TOWN OF PEMBROKE**  
 TOWN CLERK  
 PEMBROKE ST 14

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 Email: [pembroke@townofpembroke.com](mailto:pembroke@townofpembroke.com)  
 Web: [www.townofpembroke.com](http://www.townofpembroke.com)

DATE: 10/11/2011	SCALE: 1:1000
DESIGNED BY: J. BORG	DRAWN BY: J. BORG
CHECKED BY: J. BORG	DATE: 10/11/2011

**Kunsill Lokali Pembroke**

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3.3 Project Description: The following data is to be provided on additional sheets as Attachment 2.

Each additional sheet has to be signed by the applicant:

**1. Aim of the project**

Clean up, tree pruning and maintenance.

**2. Justification for the project. What is the value of the project in scientific and educational terms?**

Protecting the area from grass fires, especially during the summer months. Maintenance of site and to deter further dumping along the roads. Reduce the risk of introduction of alien species finding their way with litter, reduce the scattering of litter with the wind, increase human safety since the area is popular with walkers and joggers.

**3. Brief project outline**

The Pembroke Local Council will engage a private contractor to clean up all roadsides from litter and remove tall grass (1mtr from each side of the road). Litter will be handpicked while the aid of grass cutting will remove tall grass. The 125 Washintonia robusta trees along Triq il-Merditerranm will be pruned when need be.

**4. Starting date and estimated duration of the project, including date(s) and time(s). When is/are the handling/collection planned? If possible, provide month(s) and date(s).**

Ongoing.

**5. The site/geographic area of the activity. (The area(s) should be clearly indicated on an official site plan). IN the case of access from privately owned land, permission will need to be sought from the owner/s. Please specify whether this has been obtained and attach a copy of permission.**

All site is public land.

**6. How many persons are involved per visit?**

Between 2 and 3 persons each time.

**7. How will be the site accessed? Provide details of the motor vehicles to be used (e.g. dinghy, car, helicopter, etc.) and how will reach other parts of the area (e.g. abseiling, walking, driving, etc.).**

No vehicles will be on protected areas. They will be accessed by walk.

**8. Description of the method to be used for the project.**

The description should also include mode of capture, handling, transport and/or keeping, if applicable.

The number of specimens to be collected, clearly justifying the taking, should also be included, even if estimates. In the case of sampling from dead specimens, please indicate what sampling tissues or organs are needed for such scientific studies and the number of samples. Please note that in the case that samples are sent abroad, full justification, a detailed route and the addressee should be provided. If covered by CITES, another permit might be required.

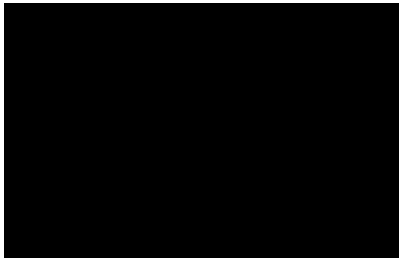
As stated above.

**9. Safety equipment available, in case of emergency.**

Fire extinguisher.

**10. Any additional information deemed necessary**

NIL.



Kevin Borg  
**Executive Secretary**

Tul Triq il-Mediterran hemm 125-il Washingtonia robusta