



Environmental Permit

Environment Protection Act (CAP. 549)

Permit number:
NP 0155/20

Approved documents
NP 0155/20/2A/6A

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:

Ms Doriette Farrugia obo Balzan Local Council (hereinafter "the Permit Holder"), Of / Whose Registered Office (or principal place of business) is at

**7,8,
Triq Dun Spir Sammut,
Balzan**

to carry out pruning of trees at

**Triq il-Kbira,
Balzan.**

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 trees.

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 0155/20</i>	18 th March 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.
2. The permit holder is to nominate for ERA approval, at least seven (7) days prior to commencement of the hard pruning works, a suitably qualified and experienced arboricultural expert for monitoring of compliance with permit conditions and to ensure that works are carried out with the least possible impacts on the tree.

The monitor shall:

- i. be engaged at the expense of the applicant;
- ii. ensure that the works are carried out in line with the permit and without least possible damage to the trees;
- iii. be present on site during the entire duration of the hard pruning works, unless directed otherwise by ERA officers monitoring the works on site;
- iv. ensure proper care of the trees is taken after works take place in accordance with permit conditions;
- v. notify ERA immediately of any breach of conditions.

Hard pruning works are not to be carried out without ERA's approval of the monitor.

Permitted Activities

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

Table 1.		
Works	Description of specified works	Limits of specified works
Interventions on protected trees	Light and heavy pruning	(i) Light pruning of fifteen (15) Indian laurel trees – <i>Ficus microcarpa</i> specimens (ii) Heavy pruning of two (2) Indian laurel trees – <i>F. microcarpa</i> specimens

Site

- The works authorised under condition 2 shall be affected on the tree as marked on the approved site plan NP 0155/20/2A.

Conditions of Activity/Work

- 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> and pruning works are to be carried out between September and March.
- For the fifteen (15) *Ficus sp.* specimens proposed for light pruning, excessive/hard pruning is to be avoided and measures shall be taken to prevent accidental/unnecessary damage. The cutting of primary, secondary branches and/or trunk of the trees thicker than 5cm is strictly prohibited. Pruning shall be restricted to the canopy sides facing the dwellings and the road and pruning of branches between the trees themselves shall not be carried out, to allow the formation of a uniform canopy.
- Hard pruning of the two (2) *Ficus sp.* specimens shall be carried out to the branches as marked on NP 0155/20/6A and shall be limited to the pruning of branches that lie within 1.5 meters away from the buildings and to the branches in danger of collapsing.
- The pruned trees shall be regularly inspected following works to monitor progress.
- Pruned branches and trunks shall be treated with due aftercare to naturally close the cut.
- Any water shoots which sprout from the stub should be duly monitored and removed as necessary.
- Should the permitted interventions of this permit result in the premature death of any of these trees within the validity of the permit, the applicant shall compensate with a ratio of 1:10 with indigenous tree for every tree affected. The said compensation shall be in agreement with ERA prior to implementation.
- Works shall be limited to the trees for which a permit has been issued. Damage to or interventions on other existing protected trees on site is prohibited.

General Conditions

13. 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).
14. 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.
15. 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.
16. 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.
17. ERA may request updates and/or further information on the activity in question as deemed necessary.
18. 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.
19. 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.
20. 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.
21. The Authority may suspend or revoke this environmental permit in line with the provisions of CAP 549.
22. 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.
23. 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.

24. 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.
25. 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.
26. 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.
27. 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.
28. Whenever there is a conflict between the conditions of this Permit and approved documents, the conditions of the permit shall prevail.
29. 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.
30. 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.
31. 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.
32. 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.



