



Environmental Permit

Environment Protection Act (CAP. 549)

Permit number:
NP0198/20

Approved documents
NP0198/20/9A/11B

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 Raymond Desira obo Cleansing and Maintenance Division (hereinafter "the Permit Holder"), Of / Whose Registered Office (or principal place of business) is at

**Qasam Industrijali ta' Kordin
Paola**

Shifting of *Posidonia oceanica* wrack from the beaches at

Il-Ġnejna, It-Torri l-Abjad, Ir-Ramla tal-Mixquqa and l-Ghadira

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="284 1637 756 1724">Anthony Aquilina Unit Manager (Permitting) F/ Director Environment and Resources</p>	<p data-bbox="890 1637 1230 1666">Permit Granted: 15/05/ 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 at Ġnejna and Ir-Ramla tal-Mixquqa located within the Special Area of Conservation (SAC) of Rđumijiet ta' Malta: Ir-Ramla taċ-Ċirkewwa sal-Ponta ta' Bengħisa (MT0000024); It-Torri l-Abjad located within the SAC and Special Protection Area (SPA) of L-Inħawi tar-Ramla tat-Torri u tal-Irdum tal-Madonna (MT0000009); and L-Għadira located within the SAC and SPA of L-Inħawi tal-Għadira (MT0000015).

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>Application NP0198/20</i>	06/04/2020
<i>Permit Issued</i>	15/05/2020

Pre-Commencement of activities/ work

1. The Permit Holder shall advise of the dates of works at least two (2) 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 activity (especially outside office hours), the Authority should be contacted on 9921 0404.

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
Cleaning of beaches from <i>Posidonia oceanica</i> wrack	As described in NP0198/20/11B	(i) Shifting of dead <i>Posidonia oceanica</i> wrack deposited on the beach during the winter to the marked space on the approved site plans NP0198/20/9A; (ii) Once material is fully dried it will be collected, distributed for alternative use and the rest disposed of.

Site

3. The activities authorised under condition 2 shall be affected in the location as marked on the approved site plans NP0198/20/9A.

Conditions of Activity/Work

4. Activities are to be held according to the approved Project Description Statement NP0198/20/11B.
5. Activities are to be held between the date of this permit and the end of September 2020, between the hours of 5.00am and shall cease before sunset. In the event that longer working hours are required for practical reasons, these activities are permitted to commence at 1.00am and in such a case lighting shall be limited to the lighting installed on the vehicle. No additional lighting is allowed.
6. Access to vehicles on the beach for the purpose of the activity permitted through this permit shall be in line with the Operating Procedures on Beach Cleaning Guidelines, ERA, July 2017 available at: <https://era.org.mt/en/Pages/Operating-Procedures-on-Beach-Cleaning.aspx>.
7. Vehicular access beyond the existing roads shall be restricted to the vehicles listed in the approved Project Description Statement NP0198/20/11B, and are only authorised for the duration of the *Posidonia oceanica* beach wrack shifting.

The vehicles shall:

- a. Prior to being used on site, cleaned from all extraneous debris including spalls, stones, soil and dust. Prior to leaving the bay, the vehicle shall be dusted manually from all sand;
- b. Be in a good state of maintenance and in any case do not leak oils or other polluting fluids;
- c. Only make use of existing roads for access;
- d. Be stored overnight in such a manner to avoid any accidents, including due to storms;
- e. Be refuelled in such a manner to avoid spillage into the ground and sea; and
- f. Not be washed on site.

All the equipment, vehicles and materials shall be removed immediately once works are completed.

8. Any anthropogenic material (litter) is to be removed prior to the deposition of the *Posidonia oceanica* beach wrack on the indicated areas in NP0198/20/9A and shall be disposed of accordingly.
9. No sand, pebbles, shingle, etc. shall be deliberately shifted. No sand sifting shall take place.
10. The removed *Posidonia oceanica* beach wrack shall be deposited in heaps on site as indicated on NP0198/20/9A to enable drying. Removal of the dried *Posidonia* wrack shall only take place after the material is fully dried and following the sifting of the debris to remove any sand and pebbles, the latter of which shall be left on site.

11. The *Posidonia oceanica* beach wrack removal is to be limited to the surface of the beach. No sand and/or pebbles shall be removed and no excavation in sand is permitted.
12. Works within a five (5) metre boundary of existing trees and sand dunes shall be carried out manually. No material, including sand and *Posidonia oceanica* wrack, shall be removed from within the verges of trees, their roots and sand dunes.
13. No form of mechanised beach cleaning activity and/or vehicular access or mechanical interventions shall occur within a radius of 15 metres from any known or likely marine turtle nest and within 5 metres from sand dunes, or over any natural vegetation within the site. In the event of a known or likely marine turtle nesting occurrence, only careful manual collection of surface litter, supervised by ERA officials, shall take place within a radius of 15 meters from the confirmed or presumed location of the nest.
14. No form of mechanical means of transport or mechanized equipment and no form of driving, parking or manoeuvring of motor vehicles is permitted on sand dunes or within five (5) metres from same, or over any natural vegetation wherever within the protected site.
15. Dried *Posidonia oceanica* wrack that is not re-used for farming is to 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), including where necessary through the Consignment Permit procedure.

General Conditions

16. 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.
17. 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.
18. 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,;
 - 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.
19. ERA may request updates and/or further information on the activity in question as deemed necessary.
20. 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.
21. 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.
22. 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.

23. 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>

24. 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.
25. Without prejudice to the Trade in Species of Fauna and Flora Regulations, 2004 (S.L. 549.38), the Permit holder cannot sell or exchange by any method, import or export, any specimen of the species found within the SAC, unless in possession of a prior official Permit from ERA.

The Permit Holder is to ensure that any samples held are in line with the requirement of S.L. 549.38 and Council Regulation EC 338/97.

26. 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.

27. The Authority may suspend or revoke this Environmental Permit in line with the provisions of CAP 549.
28. 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.
29. 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.
30. 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.
31. The Authority may carry out regular pre-set or unannounced compliance or monitoring checks that vary in frequency according to the site's compliance with the permit conditions and safeguarding of natural assets. Any checks or audits carried out by the Authority may be made at the Permit Holder's financial expense at rate and arrangement communicated by ERA's Compliance and Enforcement Directorate. 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.
32. 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.
33. 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.
34. Whenever there is a conflict between the conditions of this Permit and approved documents, the conditions of the Permit shall prevail.
35. 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.
36. 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.
37. This permit is subject to a bank guarantee of €10,000. The guarantee is covered in accordance with the *Letter of Undertaking covering Government Projects* ref MF35/05/160.

This guarantee shall be maintained throughout the validity of the permit. Following renewal and/or variations to this permit, the Authority may require amendments to the Bank Guarantee.

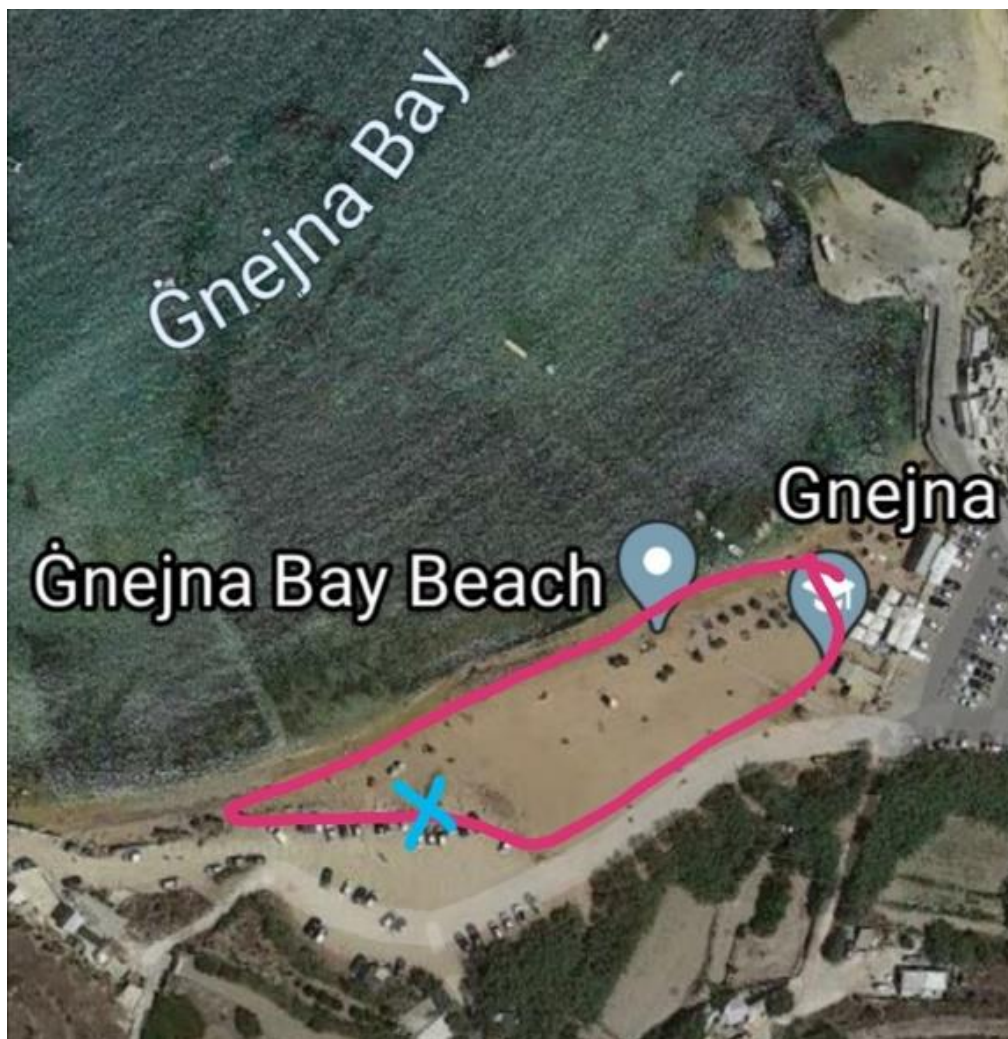
The Authority may take part or all of the bank guarantee if the Permit Holder fails to take the necessary action, or fails to fulfil his legal obligations under the Act of its subsidiary legislation thereof, in cases of non-compliance with these permit conditions. This bank guarantee is without prejudice to any environmental liabilities incurred by the Permit Holder through failure to adhere to permit conditions or any other works/activity carried out on site. Should the Authority forfeit the Bank Guarantee either in part or in full, the permit holder shall ensure that this is replenished without undue delay in any case not exceeding 2 months from the date of forfeiture.

In cases where the bank guarantee does not cover the expenses incurred by the Authority to take remedial actions on the Permit Holder's behalf, the Permit Holder is to financially reimburse the Authority of all the expenses incurred.

38. The validity of this permit is for **one (1) year** from the granting 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.

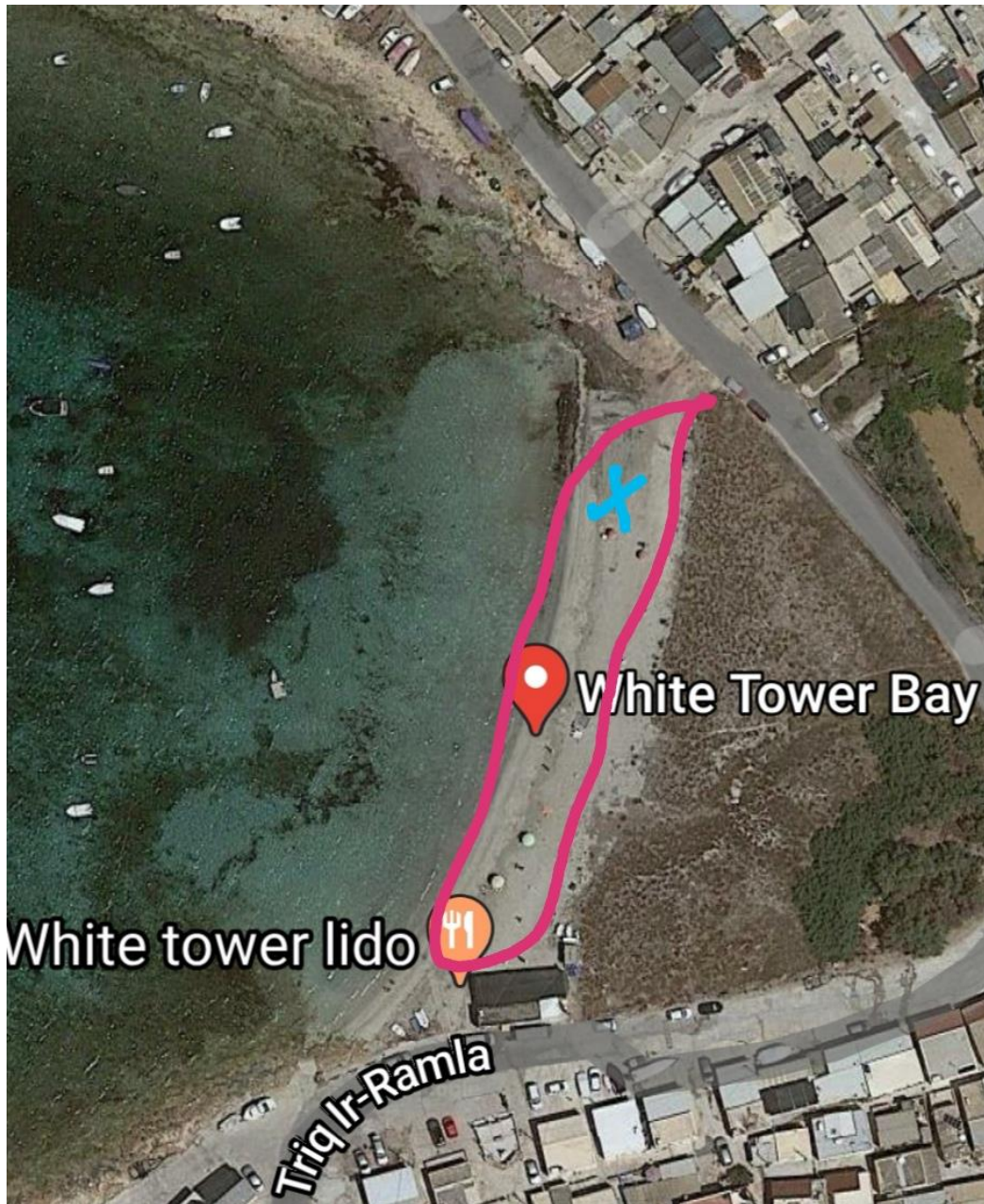
39. Any aggrieved person may appeal from this decision before the Environment and Planning Review Tribunal within 30 days in terms of Article 63 of the Environment Protection Act.

Il-Bajja tal-Ġnejna



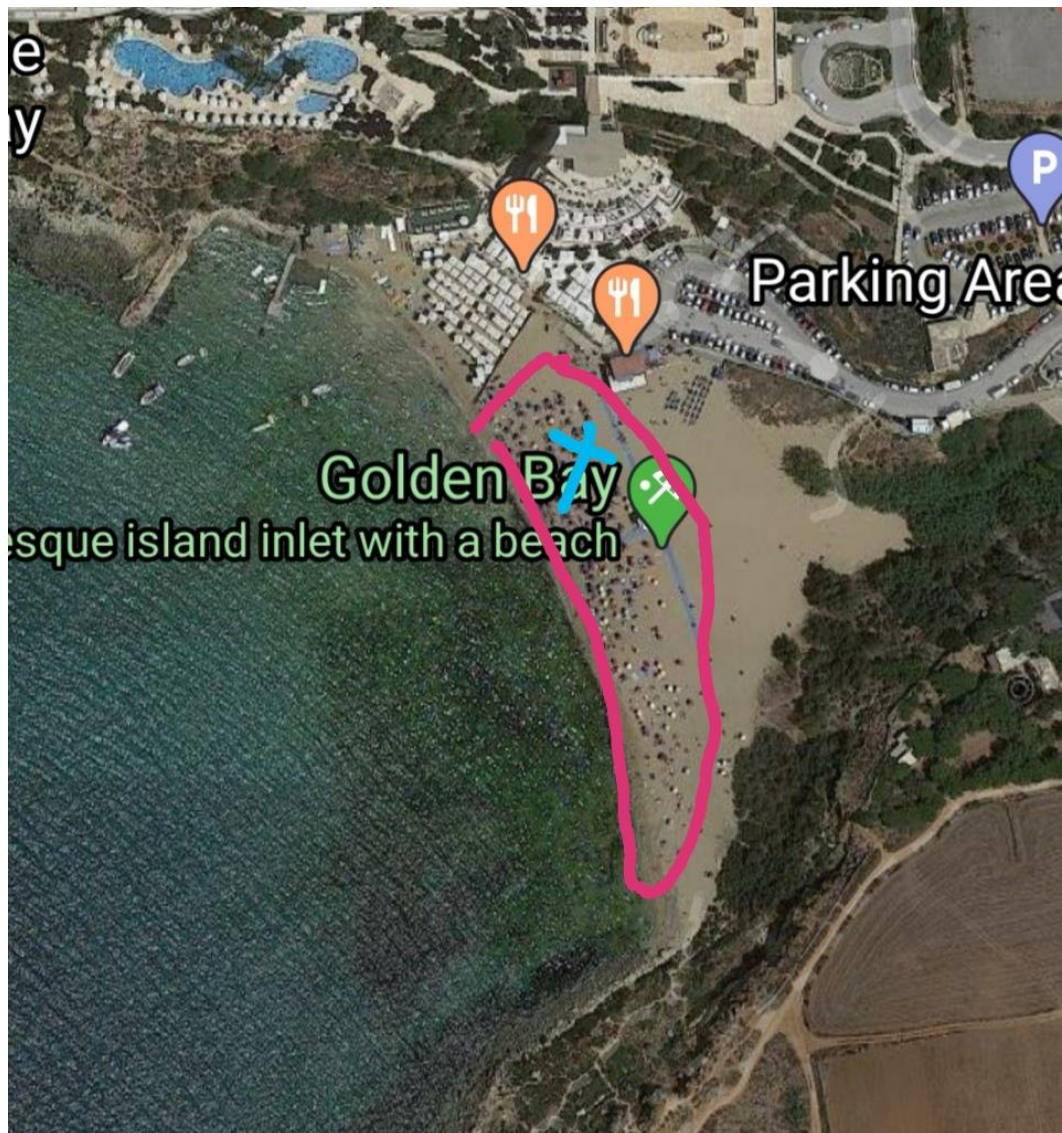
- Area marked in Red is the area of intervention
- Spot marked in Blue Cross (X) is the site of deposition of material once it is collected

Il-Bajja tat-Torri l-Abjad



- Area marked in Red is the area of intervention (*excluding the areas around the sand dunes*)
- Spot marked in Blue Cross (X) is the site of deposition of material once it is collected

Golden Bay (Ir-Ramla tal-Mixquqa)



- Area marked in Red is the area of intervention
- Spot marked in Blue Cross (X) is the site of deposition of material once it is collected

Ghadira Bay



- Area marked in Red is the area of intervention (San Remo, Maxima & Costa)
- Spots marked in Blue Crosses (X) are the sites of deposition of material once it is collected
- Spot marked in Black Cross (X) is the site of deposition of material once it is removed from the foreshore. The below site plan shows exactly the location of this deposit area.



Behind Ghadira Police Station - Mellieha

Environment and Resources Authority,
Environmental Permitting Services
Hexagon House, Spencer Hill,
Marsa. MRS 1441. Malta.

6 ta' April 2020

Talba għal xoghlijiet ta' tindif li jridu jitwettqu f'ċirkostanzi partikolari fuq bajjiet indikati.

Ghaziż Sinjur/Sinjura,

Hemm bżonn li jsiru xi xoghlijiet fuq bajjiet indikati hawn taht (*site plans* mehmuzin), sabiex isir intervent bil-makkinarju u titnehha l-alka.

1. -Bajja tal-Ġnejna
2. Il-Bajja tat-Torri l-Abjad
3. Golden Bay
4. Ghadira Bay – (San Remo, Maxima & Costa)

Dan ix-xogħol hemm bżonn li jsir, minhabba li qed jirrizulta li mat-temp shun, din l-alka qedghda tintenn.

Dwar dan qieghed jiġi sugġerit li ninghataw il-*go ahead* biex nintervjenu kif ġej;

- a.) biex jiġi protett ir-ramel u l-ispeċi li jghix fih, kif ukoll fl-istess alka qed jiġi sugġerit, jew kif ser ikun struzzjonat minghandhom, li titnehha l-alka mix-xifer tal-bajja lura ammont ta' pidi u tithalla l-alka tul ix-xifer ta' l-istess bajja.
- b.) jinfetħ passagg fl-istess alka li tagħti għall-baħar sabiex l-istess baħar jghin jiċċirkola l-kurrent biex titla' max-xifer tal-bajja alka nadifa.

Skond kif mitlub fl-“Operating Procedures on Beach Cleaning”, dan ix-xoghol ta’ tnehhija tal-alka ser jsir għall perjodu ta’ bejn il-15 ta’ April 2020 u t-30 ta’ Settembru 2020 minn hmistax-il persuna u jiġu osservati l-*Health & Safety measures* mid-Divizjoni konċernata kif ukoll proċeduri oħra skont it-talba.

Bhala makkinarju jista’ jintuza minn dan li ġej:

Beach Cleaning - Vehicle List				
Brand - Trade name	Vehicle Reg.No	Gross Vehicle Weight	Year of Manufacture	Chassis Number
Truck Iveco Tipper 75E 17	GVH-115	7500 Kg	2006	ZCFA75C0202475062
Truck Iveco Tipper 75E 17	GVH-168	7500 Kg	2005	ZCFA75C0202462850
Truck Iveco Tipper 75E 17	GVH-169	7500 Kg	2003	ZCFA75C0202418902
Truck Iveco Tipper 75E 17	GVH-173	7500 Kg	2005	ZCFA75C0202469520
Truck Iveco Tipper 75E 17	GVH-174	7500 Kg	2004	ZCFA75C0202422131
Truck Iveco Tipper 75E 17	GVH-176	7500 Kg	2006	ZCFA75C0202472747
Truck Iveco Tipper 75E 17	GVH-179	7500 Kg	2004	MPZCFA75C0202422130 MP
Truck Iveco Tipper 75E 17	GVH-180	7500 Kg	2006	ZCFA75C0202472530
Truck Iveco	GVH-030	15000 Kg	1995	ZFAILD000B020769
Truck Iveco	GVH-032	15000 Kg	1995	ZFAILD000B020767
Daf Truck	GVH-215	40000 kg	2019	XLRADM4100G286733
Truck ERF EC11	GVH-101	25000 Kg	1997	SAF46C3TROS087390
Truck ERF EC11	GVH-627	25000 Kg	1997	MPSAF46C3TROS087647MP
Skid steer loader Foredil FM 150HF	GVH-623	2318 Kg	2005	7552
JCB 2CX 91	GVH-165	6355 Kg	2008	JCB2CXAMC81333610
JCB 2CX	GVH-206	5160 Kg	2006	SLPA1RAA6E0968980
Dumper THWAITES	GVH-258	2295 Kg	2009	SLCM201ZZ910B8337

Dumper THWAITES	GVH-286	2200 Kg	2005	SLCM201ZZ503A7344
Wheel Shovel Case 521F	GVH-638		2011	NBF 211647
Wheel Shovel Case 721F	GVH-639		2014	FNH721FNEHE12075
Catarpillar 320B	N/A	23915Kg	2002	CAT0320BC5M500909
Catarpillar 325B2N	N/A	27487Kg	2012	8FN00704

Kopji tal-*log-books* ta' dawn il-vetturi qeghdin jigu mehmuzin, filwaqt li fir-rigward taż-żewġ *excavators*, hawn mehmuzi ta' ċertifikati minghand l-ingenier.

L-alka thalla tinxf ghal madwar 2/3 ijiem fuq il-kosta fil-post indikat fuq is-*site plan* u mbaghad titqassam lil diversi bdiewa, waqt li l-bqija tintrema fil-Maghtab. Fir-rigward tal-Bajja tal-Ghadira, minhabba l-kwantità kbira ta' alka li jkun hawn f' din il-bajja, l-alka tithalla wkoll tinxf u wara din titnehha mill-kosta u tigi depożitata fis-sit ta' wara l-Ghassa tal-Pulizija tal-Ghadira - Mellieha kif indikat fl-*attachment*, sakemm titnixxf kompletament biex tintuza u tinghata lil bdiewa jew tintrema fil-Maghtab kif mitlub.

Grazzi bil-quddiem,

Raymond Desira
Assistent Direttur
Diviżjoni tat-Tindif u Manutenzjoni.