

Environmental Permit

Environment Protection Act (CAP. 549)

Permit number:
NP 0367/20

Approved documents
NP 0367/20/1B

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. Marianne Sagona obo Kerċem Local Council (hereinafter “the Permit Holder”),
Of / Whose Registered Office (or principal place of business) is at

**Kerċem Local Council,
Pjazza Orvieto,
Kerċem, Gozo**

to carry out light pruning of three (3) Sandarac tree at

**Ġnien il-Familja
Triq il-Ħorg c/w Triq il-Summien,
Kerċem, Gozo.**

The validity of this permit is **up to 31st March 2021**. 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>Dr. Aimee Brincat Deputy Director Environment and Resources Directorate F/ Director Environment and Resources</p> | <p>Permit Granted: 17 /09/ 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 |
|------------------------|-------------|
| Application NP 0367/20 | 28/08/2020 |
| Permit Issued | 17/ 09/2020 |

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 interventions and the associated works specified in Table 1.

| Works | Description of specified works | Limits of specified works |
|----------------------------------|--------------------------------|---|
| Interventions on protected trees | Light pruning | (i) Light pruning of three (3) Sandarac gum- <i>Tetraclinis articulata</i> specimens. |

Site

3. The works authorised under condition 2 shall be affected on the trees as marked on the approved site plan NP 0367/20/1B.

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/topic/guidelines-on-works-involving-trees/>.

5. Pruning shall be limited to light maintenance pruning of the trees indicated in the approved document NP367/20/1B and shall be limited to those branches overhanging the boundary wall and limiting access to the footpath. 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.
6. Works shall be limited to the trees for which a permit has been issued. Damage to or interventions on other existing protected trees and natural features on site is prohibited.

General Conditions

7. Waste derived from the intervention on the tree shall be shredded on site and reused as mulch (with the exception of waste derived from Invasive Alien Species). In case this is not possible, the waste 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 reuse of the material. Disposal in waste facilities shall be as a last resort and in those facilities which are permitted in accordance with the Waste Regulations 2011 (S.L. 549.63).
8. 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.
9. 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 her supervision and direction, who shall all be made aware of this permit and the contents within.
10. 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.
11. The permit holder shall keep in his possession a copy of the Nature Permits at any time during the pruning activities.
12. ERA may request updates and/or further information on the activity in question as deemed necessary.
13. 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.
14. 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.
15. 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.

16. 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.
17. The Authority may suspend or revoke this environmental permit in line with the provisions of CAP 549.
18. 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.
19. 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.
20. 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.
21. 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.
22. 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.
23. 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.
24. Whenever there is a conflict between the conditions of this Permit and approved documents, the conditions of the permit shall prevail.
25. 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.
26. 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.

27. The validity of this Permit is **up to 31st March 2021**. 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.
28. Any aggrieved party may appeal from this decision to the Environment and Planning Review Tribunal in accordance with Article 63 of the Environment Protection Act and with the provisions of the Environment and Planning Review Tribunal Act.