

Environmental Permit

Environment Protection Act (CAP. 549)

Permit number:

NP0401/20

Approved documents

NP0401/20/1B/5A/10A

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 Mark Bonnici obo Xterra Malta (hereinafter "the Permit Holder"),
Of / Whose Registered Office (or principal place of business) is at

**Orchid Apartments/3,
R. Debattista Street,
Hamrun HMR1270**

to carry out a cross-country triathlon challenge and a racing competition

At Ir-Ramla tal-Mixquqa and Il-Majjistral Nature and History Park

The validity of this permit is **up to 13th September 2020**.

Signed	Date
<div data-bbox="375 1444 663 1646" style="background-color: black; width: 181px; height: 90px; margin: 0 auto;"></div> <p data-bbox="279 1702 766 1792" style="text-align: center;">Anthony Aquilina Unit Manager (Environmental Permitting) F/ Director Environment and Resources</p>	<p data-bbox="845 1624 1276 1668" style="text-align: center;">Permit Granted: _ 11 _ / _ 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 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 Ir-Ramla tal-Mixquqa and Il-Majjistral Nature and History Park located within the Special Area of Conservation (SAC) of Rđumijiet ta' Malta: Ir-Ramla taċ-Ċirkewwa sal-ponta ta' Bengħisa (MT0000024).

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 NP</i>	24/08/2020
<i>Permit Issued</i>	11/09/2020

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 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

Table 1.

Activity	Description of specified activity	Limits of specified activity
Activities in Natura 2000 protected sites	As described in NP0401/20/1B	(i) Cross country Triathlon challenge (involving swimming, cycling and running) on 12/09/2020 between 0730 and 1500hrs; (ii) Racing competition on 13/09/2020 between 0900 and 1100hrs; (iii) Activities are for approximately 100 participants.

Site

3. The activities authorised under condition 2 shall be affected in the location as marked on the approved site plan NP0401/20/5A and NP0401/20/10A.

Conditions of Activity/Work

4. Activities are to be held according to the approved Project Description Statement NP0401/20/1B.
5. The direction of the race is to follow the approved route as marked on the approved site plan NP0401/20/5A and NP0401/20/10A and shall follow only the existing paths and clearings void of vegetation, whether dead or alive.
6. The permit holder shall ensure that disturbance of any specimen of any species 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 of the environment of the SAC in view of the protection status of SAC.
7. The proposed activity shall not occur within a radius of 15 metres from any known or likely marine turtle nest.
8. In the event of a known or likely marine turtle nesting occurrence within the site of the activity, or during the period of the expected hatching of turtle eggs, the activity shall be suspended, no lights and no speakers shall be used.
9. A one (1) metre delineation marked with red tape will be placed along garrigue areas. No part of the site is to be sprayed or marked in any way.
10. A five (5) metre buffer zone shall be kept from the sand dunes, in front of the already cordoned area and the access to the sand dunes or over any natural vegetation within the site is strictly prohibited.
11. All installations which form part of the activity shall be installed and removed on the same day as the activity, between sunrise and sunset.
12. Any spectators are not to trample on the existing habitats located to the sides of the paths. Participants and additional personnel in the event, including photographers, marshals, helpers, etc shall keep to the existing paths. Trampling of any natural habitat is prohibited.
13. Any sound employed as part of the event shall:
 - a. not be loud and shall not exceed (70dB) at 100m from site boundary; and
 - b. be emitted from speakers which shall be situated in a manner to only direct sound towards the activity.
14. The use of air horns is not permitted.
15. Access to motor vehicles shall be restricted to asphalted roads and access to the start and finish through off-roading is prohibited.
16. Rubbish disposal facilities shall be provided by the organisers on the day and any waste generated during the activity is to be collected immediately and 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.

17. The activity is to take place between sunrise and sunset.

General Conditions

18. 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.
19. 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.
20. 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.
21. ERA may request updates and/or further information on the activity in question as deemed necessary.
22. 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.
23. 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.
24. 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.

25. 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>

26. 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.
27. 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.
28. The Authority may suspend or revoke this Environmental Permit in line with the provisions of CAP 549.
29. 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.
30. 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.
31. 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.
32. 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.

33. 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.
34. 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.
35. Whenever there is a conflict between the conditions of this Permit and approved documents, the conditions of the Permit shall prevail.
36. 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.
37. 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.
38. The validity of this permit is until **13th September 2020**. The Permit Holder may apply for a renewal to this Permit expressing his/her intention at least two (2) 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 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.

3.3 Project Description:

1. Aim of Project:

Cross-country triathlon challenge

2. Justification for project

Annual nature and sports tourism to highlight the beauty of Maltese countryside and attract local and foreign enthusiasts to do exercise and sport in a clean and smog free environment

3. Brief project outline

The event encourages participants to test their endurance and stamina in a swim, cycle and then run. The Mountain Bike Cycle is the only part being held in Majjistral Park. The event is part of an international tour of similar activities all held in scenic and beauty spots around the world. The event is eco-friendly with high professional standard, health & safety and care of participants and the environment. The slogan 'Live More' exemplifies the concept of living life to the full, outside of your comfort zone. The event is held yearly and is in its 9th year with an untarnished reputation by all stakeholders.

4. Starting date and estimated duration of project including date[s] and time[s]. When is/are the handling/collection planned?

Saturday 12th September 2020, 7.30 a.m. – 3.00 p.m.

Sunday 13th September 2020, 9.00 a.m. – 11.00 a.m.

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 copy of permission.

Approval has been requested from The Majjistral Nature and History Park.

6. How many persons are involved per visit?

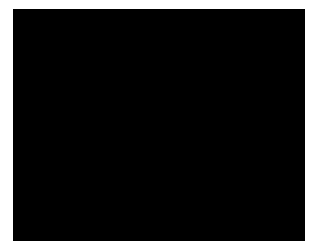
100 participants are expected to register for the race. Most of the participants will cycle the loop **twice** while a shorter version of the race will involve **1** loop.

A kid's race will be organized on Sunday 13th September and will only make use of the x-shooting range in Majjistral Park behind the Radisson SAS Hotel.

7. How will be the site be accessed? Provide details of the motor vehicles to be used [e.g. dinghy, car, helicopter, etc.] and how you will reach other parts of the area [e.g. abseiling, walking, diving, etc.].

The site will be accessed by the participants only on their mountain bikes, whilst race marshals will be on foot. No stalls will be set on the route. Start/Finish and transition will be set in one of the parking lots next to the Radisson SAS Hotel.

Paths will be properly marked with arrows, cones and tape when possible and several marshals. All markings will be removed right after the event.



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

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 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

n/a

9. Safety equipment available, in case of emergency

The start and finish of the race will be set in one of the parking lots next to the Radisson SAS Hotel .and an ambulance will be on-site near the start/finish gantry.

10. Any additional information deemed necessary





Manikata Church

Il-Majjistral Nature
& History Park

Mellieha

Rdum id-Delli



Aquamarine Watersports
Golden Bay, Malta

Transition
Area