

Environmental Permit

Environment Protection Act (CAP. 549)

Permit number:
NP 0405/20

Approved documents
NP 0405/20/6B/11A

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 Charles Camilleri obo Parks Malta (hereinafter “the Permit Holder”), Of / Whose Registered Office (or principal place of business) is at

**Ta’ Qali National Parks,
Ta’ Qali, ATD4000**

to carry out interventions on protected trees and planting of indigenous trees and shrubs

at Triq Panorama, Ħad-Dingli

The validity of this permit is **up to 31st March 2021** 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>Dr Aimee Brincat Deputy Director Environment and Resources Directorate F/ Director Environment and Resources</p>	<p>Permit Granted: 03/11/2020</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 Ħad-Dingli located within the Special Area of Conservation (SAC) of Rđumijiet ta' Malta: Ir-Ramla ta-Ċirkewwa sal-Ponta ta' Bengħisa (MT0000024).

The Permit is also 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 tree.

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 NP0405/20</i>	25/08/2020
<i>Permit Issued</i>	03.11/2020

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

Activity	Description of specified activity	Limits of specified activity
Interventions on protected trees and planting of indigenous trees and shrubs	As described in NP0405/20/11A	(i) Light pruning of eighteen (18) Tamarisk trees – <i>Tamarix africana</i> specimen; (ii) Grass cutting; (iii) Planting of 160 indigenous species and planting of fourteen (14) <i>Tamarix africana</i> trees of local stock.

Site

3. The works authorised under condition 2 shall be affected as marked on the approved site plan NP0405/20/6B.

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/en/Pages/Guidelines-on-.aspx> and works are to be carried out in a period adequate to intervene on the trees and shall occur between September and March.
5. 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.
6. 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.
7. Planting of fourteen (14) *Tamarix africana* trees of local stock in the area marked in red and one hundred and sixty (160) indigenous shrubs of local stock namely *Erica multiflora*, *Teucrium fruticans*, *Teucrium flavum*, *Jacobaea maritima*, *Anthyllis hermanniae subsp. melitensis* and *Senecio bicolor* in the area marked in yellow on the approved site plan NP0405/20/6B, shall take place in accordance with approved method statement NP0405/20/11A. Planted trees and shrubs shall be appropriately spaced in accordance with good arboricultural practice to allow space for the specimens to grow. Planted trees and shrubs shall be maintained by the permit holder for a period of three (3) years from planting, including necessary aftercare such as watering, weeding and pruning as may be required.

The Authority shall be notified immediately should any of the identified species and their numbers identified in the approved method statement in line within this condition, not be planted on site, quoting reasons for deviations from the approved plan.

8. The specimens to be planted shall all be of local stock.
9. No access of any machinery is allowed in the target area and on garrigue/steppe and any other natural habitats.
10. No habitat or soil engineering or contouring shall take place.
11. Grass trimming shall be restricted to the disturbed road edge along Panorama Road. Grass trimming in any other areas within the SAC, including any areas of garigue or natural habitat is strictly forbidden, except the stretch marked on the approved site plan NP0405/20/6B.
12. No protected species of flora shall be cut and no herbicides shall be used as part of the works.
13. All works shall take place between sunrise and sunset.

General Conditions

14. 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).

15. 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.
16. 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.
17. 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, except as permitted;
 - 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, except as permitted;
 - 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.
18. ERA may request updates and/or further information on the activity in question as deemed necessary.
19. 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.
20. 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.
21. 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.

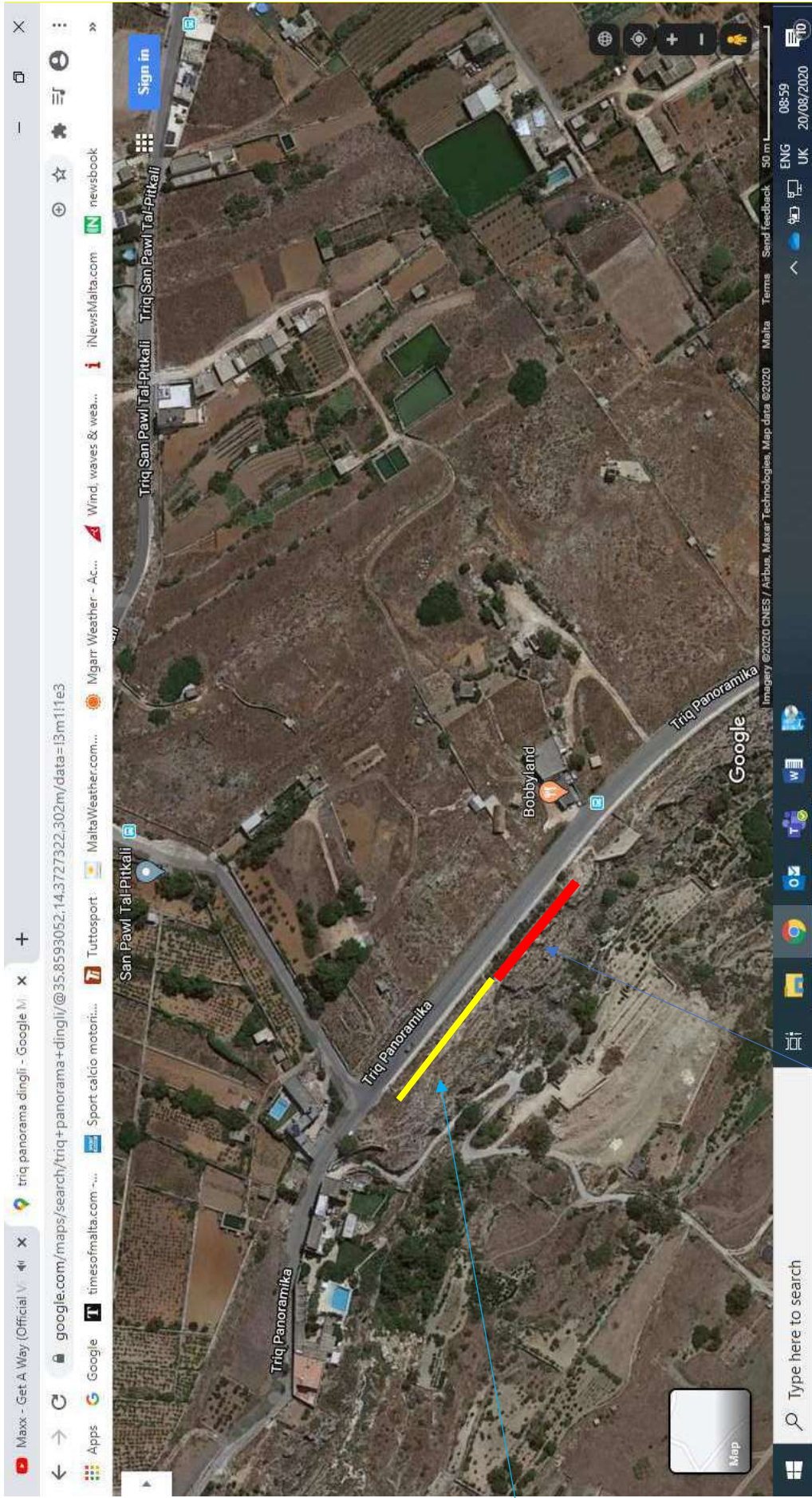
Any such change shall only be implemented following the issue of a variation of the permit by the Authority.

22. 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>

23. 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.
24. 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.
25. The Authority may suspend or revoke this Environmental Permit in line with the provisions of CAP 549.
26. 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.
27. 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.
28. 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.
29. 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.
30. 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.

31. 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.
32. Whenever there is a conflict between the conditions of this Permit and approved documents, the conditions of the Permit shall prevail.
33. 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.
34. 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.
35. The validity of this Permit until **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.
36. 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.



Area for grasscutting

Area where Tamarisk trees needs to be pruned

Project Description

Light pruning of *Tamarix africana* is being proposed for the removal of dead branches and grass cutting of the area. This site is situated along Dingli Cliffs namely Triq Panorama. On the site plan it is marked in red. Once it is pruned and cleared there is the opportunity to plant another 14 Tamarisks.

The area marked in yellow is going to be cleaned and afterwards increased with several species. This stretch of land is around 80m long therefore a total number of 160 shrubs can be planted with garrigue species of *Erica* species, *Teucrium fruticans*, *Teucrium flavum*, *Jacobaea maritima*, *Anthyllis hermanniae subsp. melitensis* and *Senecio bicolor*. These are of local species.

The maintenance then is going to be cared by Dingli Local Council.