

## Environmental Permit

Environment Protection Act (CAP. 549)

Permit number:

**EP 1056/20**

Approved Documents:

EP 1056/20/14A

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)

**Mr Rene Portelli obo RHB Limited** (hereinafter “the Permit Holder”),

Of / Whose Registered Office (or principal place of business) is at

RHB Ltd.  
Chateau Buskett’  
The Buskett Roadhouse’  
Buskett, l/o Siggiewi. SGW 4616

**Renewal of NP 0299/19- To carry out the daily running of Chateau Buskett**

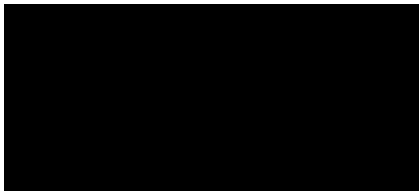
**Buskett**

to the extent authorised by and subject to the conditions of this Permit.

The validity of this permit is one (1) year from the granted date below.

Signed

Date

 <p>Prof. Victor Axiak Chairman</p>	<p>Permit granted: 12 / 02 / 2021</p>
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**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 activities that shall be carried out within MT0000018 – Buskett – Girgenti Area, Special Area of Conservation (SAC) and Tree Protection Area (TPA).

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 EP 1056/20</i>	04/11/2020
<i>Permit determined by ERA Board</i>	22/01/2021
<i>Permit Granted</i>	As per date on front page

### Pre-Commencement of activities/ work

1. ERA shall be informed in the first month of the calendar year, and thereafter every six months, of the days when night time events shall be held. ERA shall be updated accordingly with any changes or additions to the schedule by reporting to [ced.nature@era.org.mt](mailto:ced.nature@era.org.mt).

### Permitted Activities

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

Works	Description of specified works	Limits of specified works
Activities in Protected Natura 2000 sites	Daily running of Chateau Buskett	(i) Daily running of cafeteria/ restaurant and venues; (ii) Carrying out of catering events; (iii) Holding of special events (e.g. wedding receptions) both outdoors and indoors; and (iv) Holding of indoor concerts

### Site

3. The activities authorised under condition 2 shall be affected in the location as marked on the approved site plan 14A and according to the approved Project description at Approved Document 14A.
4. Activities are to be held according to the approved Project description 14A.

Any other activities, such as outdoor concerts, are subject to an individual permit by ERA for the event.

## Conditions of Activity/Work

5. External lighting is to be limited to the ambient lighting and fairy lights. Any additional lighting including rope lights, up-lighters and globe luminaries are prohibited.

Exterior lighting shall:

- a. be of low voltage and full cut-off nature;
  - b. be downward-pointing, full cut-off type having 0% upward light;
  - c. not be directed towards the surrounding SAC or towards the sky. All lighting shall be installed within the boundary of the site and shall not trespass beyond the site boundary; and
  - d. Have illuminance levels kept to a minimum to ensure compliance with condition above.
6. Internal lighting shall be kept to a minimum to ensure that light shall not trespass beyond the site boundary. Should the internal lighting result in trespass of light beyond the boundary, the Authority may require further mitigation measures, including the installation of shades on apertures.
  7. All external lighting on site shall be switched off at midnight, except for emergency lighting which may be required for safe access.
  8. Any external signs installed shall not be illuminated.
  9. Care has to be taken so as to avoid generating excessive sound. Any sound generated from the operation of the facility until midnight shall not exceed 65dBA as measured at 200m from the venue. Sound generated after midnight shall not exceed 55dBA. No sound shall be generated from operations after 4.00am.
  10. Any music during the activities is to cease at midnight for activities held outside, and by 4am for any activities held indoors, provided that the sound is in line with condition 9 above.
  11. A monitoring exercise shall be carried within three months of issue of the permit. Monitoring shall be carried out by a suitably qualified and experienced Monitor to be nominated for approval to ERA's satisfaction. Monitoring is to be carried out in line with a plan to be submitted for ERA's approval prior to the monitoring and shall be carried out during the night when an outdoor event is being carried out on site. Such monitoring shall be carried out at the expense of the permit holder.

In the event of exceedance of the sound level in condition 9, the Monitor shall immediately inform ERA on 99210404 and shall also instruct the permit holder to lower the volume until this reaches the prescribed sound level.

ERA may request additional monitoring exercises as need arises.

12. All wastes shall be stored within a designated and controlled storage area(s) prior to ultimate disposal. Food wastes shall be stored in a sealed container and removed off-site for disposal as often as necessary to prevent odour nuisance and generation of vermin. The storage of waste on natural or semi-natural land is prohibited and no storage of waste, equipment or materials is permitted outside the site premises.

## General Conditions

13. 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.

14. 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.
15. 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;
  - (h) disposal, discharge or spillage of oil, fuel, paint or other pollutants, or of solid waste, ash or combustibles;
16. ERA may request updates and/or further information on the activity in question as deemed necessary.
17. 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.
18. 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.
19. 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.
20. 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, and is to be submitted to [nature.permitting@era.org.mt](mailto: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.

21. 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.
22. 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](mailto: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.
23. The Authority may suspend or revoke this Environmental Permit in line with the provisions of CAP 549.
24. 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.
25. 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.
26. 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.
27. 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.
28. 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.
29. 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.
30. Whenever there is a conflict between the conditions of this Permit and approved documents, the conditions of the Permit shall prevail.
31. 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.
32. 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.

33. The permit is issued against a Bank Guarantee of € 5,000 (**Financial Guarantee Number 013GEVR200011457 dated 02/02/2021**) which shall be renewed annually. This guarantee will have to 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.

34. The validity of this permit is for **one year**. 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.

## Method Statement

At Chateau Buskett we carry out various catering activities and events as part of the daily running activities, such as wedding receptions. These various catering activities and events include:

- a. Daily running of cafeteria/ restaurant and venues;
- b. Carrying out of catering events;
- c. Holding of special events (e.g. wedding receptions) both outdoors and indoors; and
- d. Holding of indoor concerts

All activities are held during the day and can keep on running until 4am (Except for activities held outside as music is to cease at midnight)

## Site Plan

