

**LIST OF CONDITIONS FOR PROPOSED SUBDIVISION OF LAND AT
HELVETIA, COTE D'OR BY ASCENCIA LTD, SOCIETE HELVETIA
INVESTMENT &ANORS & ENL LAND LTD [ENV/DOE/EIA/1699]**

1. Notwithstanding all the other permits and clearances from the relevant authorities, the approval of the Conservator of Forests regarding any re/afforestation programme along the reserves of River Cascade shall be obtained and all the conditions attached therewith shall be scrupulously observed. A copy of all the permits/clearances obtained shall be submitted to the Director of Environment.
2. The development shall be undertaken as per the mitigating measures stated in the EIA report and the additional information submitted unless as otherwise advised herein.
3. The Department of Environment shall be informed in writing of the date of commencement of works on site for monitoring purposes. A detailed programme of work shall be submitted to the Department of Environment, prior to the start of works.
4. In accordance with section 18(2)(l) of the Environment Protection Act 2002, the proponent shall submit to the Director of Environment, an Environmental Monitoring Plan (EMP) for approval prior to start of works on site. No infrastructural works shall start prior to the approval of the EMP. The proponents shall thereafter submit reports on the implementation accordingly.
5. The Department of Environment shall be informed in writing of the date of completion of all works on site, with copy of the final morcellement layout plan for monitoring purposes to ensure compliance with the conditions of the EIA licence as well as the proposals in the EIA report and the additional information.
6. The proponents shall bear the full responsibility in case of any emergency caused by flooding, slope failure, landslide or soil erosion.
7. The development shall comply fully with all the provisions of the Rivers and Canals Act and a setback of 30m from River Cascade shall be respected. All

domestic wastewater disposal system shall be located at least 30 metres from River Cascade.

8. The development shall comply fully with all the provisions as stipulated in the Forests and Reserves Act. No trees shall be felled along the reserves of River Cascade and the vegetation occurring within the reserves shall be preserved and maintained. No development shall be allowed in the 16 metres river reserves of River Cascade.
9. The proposed development over individual lots shall comply with the Planning Policy Guidance (PPG) including PPG 9 - "*Development on Sloping Sites and Landslide Hazard Areas*" of the Ministry of Housing and Lands.
10. The eventual owners shall be notified of the proximity of the Bagatelle Dam to the subject site. Moreover, the proponents shall take into consideration and notify the new owners that in case of emergency situations, the Ministry of Energy and Public Utilities together with the National Disaster Risk Reduction and Management Centre will be implementing an "Emergency Action Plan" for downstream developments.
11. The green spaces shall be centrally located within the proposed morcellement and shall be no less than 2% of the site area. The green spaces shall be properly managed and maintained by the private syndic.
12. The proponents shall ensure that the private industrial borehole (BH1018) found on the site is preserved and maintained.
13. All necessary precautions shall be taken so that the proposed development does not impact negatively on the ground water and surface water quality, given that River Cascade contributes to the domestic water supply of Grand River Nord West and that the proposed site is located in a permeable zone.
14. In order to avoid the potential risk of flooding and accumulation of water within, and, in the vicinity of the proposed development site due to heavy rainfall, flooding in nearby water bodies and contribution from the high water table, the proponents shall take all reasonable measures and shall provide an integrated drainage network for channelling and evacuating surface and storm water.

15. The design of the surface drain network shall be carried out such that no storm water is channelled towards/into the drain network along the road network of the Road Development Authority (RDA). The storm water drainage design pertaining to the classified road network shall be duly signed by a Registered Professional Engineer and shall have the prior approval of the RDA prior to start of works. The RDA reserves the right to request the proponents to carry out any additional works pertaining to storm water drainage evacuation upon submission of detailed engineering design calculations, at the proponents' costs.
16. The proponents shall make provision for an appropriate means of discharging storm water through mud/silt traps and hydrocarbon separators prior to open discharge to the receiving environment.
17. All drainage infrastructures shall be designed and constructed to the satisfaction of the Local Authority and Road Development Authority.
18. The proponents shall upgrade the proposed junction of the access road with the Cote D'Or Road (B48) to make provision for a right turning lane as well as accelerating and decelerating merging and diverging lanes along Cote D'Or Road, after consultation with the Road Development Authority (RDA). All engineering details of the proposed upgrading works to be carried out by the proponent (inclusive of road widths, road reserves, kerb radii, junction details, pavement structure, provision of footpaths, drains and street lighting) shall be submitted to the RDA and Traffic Management and Road Safety Unit for approval, prior to start of works. The proponents shall provide adequate street lighting at the junction with the Cote D'Or Road to ensure proper visibility and safety of road users. Approval shall be sought from the RDA prior to any construction and connection to existing services on main roads. A programme of works with the date of start, duration and completion of the works shall be submitted to the RDA prior to start of works. Any part of the existing RDA road leading to the project site which may be damaged during the works shall be restored to an acceptable level to the satisfaction of the RDA at the proponents' costs.
19. The existing track road between the Cote D'Or (B48) Road and the proposed development shall be enlarged to 7m and properly tarred. Raised footpaths

(1.5m wide) shall be constructed on both sides of the main access road leading to the proposed development. Raised footpaths (1.2m wide) shall be constructed within the morcellement on both sides of the 6m roads for the safety of pedestrians. Adequate visibility splay shall be provided accordingly at the main access leading to the proposed development with the Cote D'Or (B48) Road. Adequate visibility splay shall be provided at each junction with the morcellement. A drawing showing all road marking and traffic signs for the morcellement shall also be submitted to Traffic Management and Road Safety Unit (TMRSU) for approval before implementation. In the event that any traffic/road safety problems arise as a result of the proposed morcellement, the TMRSU will come up with measures that will be considered necessary and same shall be implemented by the proponents at their own cost.

20. Street lighting of solar or LED type shall be provided along the main access at the entrance and exit onto the main roads, as well as along the internal access roads and along the frontage of the development.
21. The road reserves shall be properly landscaped and embellished with ornamental plants and trees so as to upgrade and enhance the aesthetics. The road reserves shall be maintained at all times.
22. All domestic wastewater from the individual lots (excluding plots 2, 37, 38, 40, 43, 55 and 56) shall be disposed through individual septic tank followed by individual leaching field. The individual septic tank shall have a minimum volume of $3m^3$ and shall be accessible at all time for maintenance. The individual leaching field shall have a minimum plan surface area of $20m^2$. The septic tank shall be located at least 2m from any building and site boundary as per the Planning Policy Guidance (PPG) of the Ministry of Housing and Lands dated November 2004 and revised in September 2006. The leaching field shall be located at least 1m from any building and site boundary as per PPG. Every 3 years or if need be to a higher frequency the septic tank shall be de-sludged by a registered wastewater carrier and carted away to the Wastewater Management Authority (WMA) approved disposal site. No vehicular loading shall be allowed on the on-site disposal system. The minimum distance from the formation level of the leaching field to the maximum level of water table shall be 1.2m as per PPG. Clearance of the WMA shall be sought for development other than residential purpose.

23. Regarding lots 2,37,40,43, 55 and 56, all domestic wastewater to be generated from each of the above lots shall be directed to the proposed individual Oxyfix type package wastewater treatment plant. The owners shall ensure that the operation and maintenance of the individual treatment plant are carried out by specialists or specialist firm. The effluent that emanates from the individual treatment plant shall meet the discharge for irrigation norms under the Environment Protection Act 2002. No untreated wastewater shall be discharged to the environment. Detailed design report of the wastewater treatment plant shall be submitted to the Wastewater Management Authority (WMA) for vetting and approval prior to construction. The WMA shall at no time be responsible for any malfunctions or other nuisances associated with the operation and maintenance of the wastewater treatment plant. Result of analysis of the treated effluent from the wastewater treatment plants, effected by an accredited laboratory, shall be carried out and submitted to the WMA for desk monitoring, on a quarterly basis. Based on the performance of the wastewater treatment plants, the frequency may be reviewed. No vehicular loadings shall be allowed on the wastewater treatment plants. The setbacks of the wastewater treatment plant to any watercourse shall be as per the recommendations of the Ministry of Health & Quality of Life.
24. The on-site wastewater disposal system shall be located on slope not greater than 10%. The eventual owners shall ensure that necessary engineering measures are taken during design and engineering stages in order to prevent seepage of wastewater irrespective of any wastewater on site disposal being adopted.
25. No wastewater shall be discharged either on land, in a watercourse or into any water body.
26. Solid wastes and non-compostable wastes shall be collected and disposed of to the satisfaction of the District Council of Moka. All green and biodegradable wastes shall be composted. All recyclable wastes shall be sorted out at source and properly collected for eventual recycling.
27. All electric motors such as air pumps, compressors, generators, transformers and other noise generating equipment shall be provided with

appropriate noise attenuating materials/ structures so that noise generated therefrom be within permissible limits as per Environment Protection Act 2002 (Standards for Noise Regulations) and does not constitute a source of nuisance.

28. Machines and equipment during construction period shall be maintained in good working condition so as to avoid excessive noise emanation.
29. Necessary precautions shall be taken during site preparation and infrastructural works so as not to cause any nuisance by way of noise, dust and vibration nuisances to the public and the surrounding environment. The construction site shall be properly fenced to avoid any nuisances therefrom.
30. The proponents shall keep the individual lots clean and tidy and shall be responsible for the upkeep of the lots up to the sale.
31. The eventual owners of the lots shall thereafter properly maintain the acquired lots until the time of any development thereon.
32. The proponents shall submit to the Local Authority with copy to this Ministry, the name, address and contact details of the owner(s) of the respective lots after the sale thereof, for environmental monitoring purposes.
33. Conditions No. 7,8,9,10,13, 22 to 26 and 31 shall be included in the Deed of Sale and any Deeds in succession.
34. In case of any environmental pollution or nuisances arising from this development, this Ministry will take necessary action in accordance with the provisions of the Environment Protection Act.
35. Any proposed deviation shall be subject to an application to the Director of Environment. No deviation or part thereof shall be executed prior to the determination of the application by the Director.

Note:

According to Section 15 (2)(c) of the Environment Protection Act (2008), no proponent shall commence or cause to be commenced any undertaking more than three years after the issue of an EIA licence unless the Minister in circumstances beyond the control of the proponent, otherwise determines in respect of that undertaking.