

LIST OF CONDITIONS FOR PROPOSED MIXED USE MORCELLEMENT JARDIN D'ANNA PHASE III AT FLIC EN FLAC BY MR. INDURSINGH CHEEKHOOREE AND OTHERS [ENV/DOE/EIA/1801]

1. 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.
2. The Department of Environment shall be informed in writing of the date of commencement of works on site for monitoring purposes.
3. In accordance with Section 18(2)(l) of the Environment Protection Act 2002 (as amended), 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 proponent shall thereafter submit monitoring reports as per the EMP approval.
4. 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, as attached to the Morcellement Permit.
5. All other necessary permits/clearances from the relevant authorities 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.
6. Any development on the lots, listed as an undertaking under the Fifth Schedule of the Environment Protection Act (EPA) 2002 (as amended), shall warrant a separate Environmental Impact Assessment or Preliminary Environmental Report application in the name of the prospective developer in line with the requirements as set out in the EPA.
7. The project shall comply fully with all the provisions as stipulated in Clause 26 of the Rivers and Canals Act.
8. All onsite drainage infrastructures shall be to the satisfaction of the District Council of Black River.
9. All stormwater generated within the site shall be disposed in such a way that it does not affect the neighbouring sites located downslope.

10. All necessary precautions shall be taken to the satisfaction of the Water Resources Unit so that the proposed development does not impact negatively on the groundwater and surface water quality.
11. No trees shall be felled within the reserves of Rivière des Galets without prior approval from the Forestry Service. Any re-afforestation/restoration and landscaping work within the reserves of Rivière des Galets shall be subject to prior approval from the Forestry Service. No development or deposit of material shall be allowed in the river reserves and a setback of 16m shall be observed.
12. Necessary measures shall be taken during all the phases of the project, so as not to allow waste of any type, solid or liquid, to have access to the river present in the vicinity of the project site and the surrounding environment.
13. All wastewater disposal, for any development to be carried out after the subdivision, shall be to the satisfaction of the Wastewater Management Authority. The onsite wastewater disposal system shall be located at not less than 30m from Rivière des Galets.
14. All the roads within the proposed morcellement shall be at least 7.0m wide and shall be equipped with amenities such as covered drains and raised footpath of at least 1.2m wide on both sides of the roads. Proper visibility splays shall be provided at the junction of lot 8 and lot 9. The turning radii at all junctions within the proposed morcellement shall be at least 10m.
15. Prior to the implementation of the project, the proponent shall submit geometric designs/details of all the junctions and proper drawings showing all road markings and traffic signs to the Traffic Management and Road Safety Unit for appraisal.
16. The proponent shall ensure that vehicles getting in and out of the site, during construction phase, do not smear mud on the existing road infrastructure, especially during rainy days to the satisfaction of the District Council of Black River.
17. In case of any traffic and road safety problems arising due to the proposed morcellement, the Traffic Management and Road Safety Unit may impose corrective measures and any infrastructural works to be carried out shall be at the proponent's cost.
18. Construction and demolition wastes shall be re-used as far as possible as backfill materials and non-recyclable wastes shall be disposed at the Mare Chicose Landfill. Green Wastes generated during operational phase shall be composted, while the recyclable fraction of waste shall be sorted out and sent to registered recyclers. Solid wastes shall be properly collected and disposed of to the satisfaction of the District Council of Black River.

19. All electric motors such as pumps, compressors, generators and other noise generating equipment shall be housed in noise attenuating structures so that noise generated therefrom shall be within permissible limits as per Environment Protection (Environmental Standards for Noise) Regulations 1997.
20. Necessary measures shall be taken during site preparation, infrastructural works and demolition of existing building, so as not to cause any nuisance by way of noise, vibration, dust, odour or otherwise to the public and surrounding environment. The construction site shall be properly fenced to avoid any nuisance therefrom.
21. The proponent shall keep the individual lots clean and tidy and shall be responsible for the upkeep of the lots up to the sale.
22. The eventual owners of the lots shall thereafter properly maintain the acquired lots until the time of any development thereon.
23. The proponent shall submit to the District Council of Black River with copy to this Ministry, the name, address and contact details of the owner of the respective lots after the sale thereof, for environmental monitoring purposes.
24. Conditions 6, 13, 21 and 22 shall be included in the Title Deed of each owner and any Deeds in Succession.
25. In case of any environmental pollution or nuisance arising from this development, this Ministry in consultation with other concerned authorities may impose additional conditions, which shall be strictly observed, and will take necessary actions in accordance with the provisions of the Environment Protection Act 2002 (as amended). The additional conditions shall be strictly observed and implemented by the proponent.
26. 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 2002 (as amended), 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.