

SECTORAL GUIDELINE No. 3

**CONTENT OF PRELIMINARY
ENVIRONMENTAL REPORT (PER)**

DISCOTHEQUE or NIGHTCLUB

December 2013

This guideline is not a legal document. It serves as an environmental guidance and provides a template for the preparation of a comprehensive PER. Copies of this guideline are available at the Department of Environment and on the website at <http://environment.gov.mu>.



Preface

Preliminary Environmental Report (PER) is an approach to identify, evaluate and predict the environmental impacts of a proposed development or activity and enables the provision of appropriate mitigating measures to offset these impacts. It is therefore essentially based on the precautionary principle and aims at the protection of the environment at the very inception stage of a project. It should not be perceived as an obstacle for economic development.

The preparation of a PER document in a professional manner can be an intricate process in the absence of proper guidance. This sectoral guideline on the content of a PER concerns the **DISCOTHEQUE or NIGHTCLUB** and is designed to assist proponents and consultants in the preparation of a comprehensive PER document. It is not exhaustive, but provides the essential structure and the detailed requirements of the PER.

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1.0 INTRODUCTION

1.1 Background

Preliminary Environmental Report (PER) is a short form of an Environment Impact Assessment (EIA) and applies mostly for common projects which are of a less polluting nature. The PER document shall be in conformity with **Section 16 of the Environment Protection Act (EPA) 2002 (as amended)**.

Discotheques or nightclubs are typically evening and weekend gathering spots for young adults in particular, for entertainment, meeting people and high energy dancing with deafening music. It usually operates late into the night and is generally distinguished from bars, pubs or taverns by the inclusion of a dance floor and a DJ booth, where the DJ plays recorded or sometimes live music. The nightclub often displays showy decor and elaborated lighting. Depending on the location, there may be unhappy commercial or residential neighbours, complaining about the excessive noise level. The operation of a discotheque or nightclub is also associated with traffic implication and social impacts. Therefore to ensure environmental protection and enhance the sustainability aspects right at the beginning, the setting up and operation of a discotheque or nightclub, has been listed as a scheduled undertaking under Item No.5 of Part A of the Fifth Schedule of the EPA 2002 (as amended) and warrants the approval of a PER.

A proponent applying for a PER approval should deposit 10 copies of the document at the Department of Environment (Environment Assessment Division, 2nd Floor, Ken Lee Tower, Barracks Street, Port Louis) and in such additional copies as the Director of Environment may request. A processing fee of Rs 3000 is currently applicable.

1.2 Objective of the PER Guideline

The objective of this Guideline is to assist proponents and consultants in the preparation of a comprehensive PER document that contains the necessary information, while addressing all the environmental aspects to enable a proper assessment. It also aims to encourage a consistent approach for a timely processing without the necessity to request for additional information.

1.3 Site Selection Criteria

The Guideline for Nightclub of the Ministry of Tourism and Leisure, under section 3.1 has specified the location whereby new discotheque or nightclub can be permitted. The siting should be:

- (i) within predefined stretches, in designated tourist areas,
- (ii) within shopping malls, commercial complexes or business areas; and
- (iii) **outside a radius of 400 m** from any residential area, place of worship, hospital, homes, educational institutions and rehabilitation centres and.

Consequently, PER applications will be considered at these locations only.

Note: This guideline is by no means exhaustive and should be complemented with other relevant documents such as the Planning Policy Guidance (PPG) of the Ministry of Housing and Lands, Outline Planning Schemes of the concerned Local Authority, Guidelines for Nightclub of the Ministry of Tourism and Leisure, Food Act and the relevant acts and regulations.



2.0 STRUCTURE AND CONTENTS OF THE PER

The PER could be prepared according to the following proposed outline:

Outline of a typical PER Document

Cover Page
Table of Contents
Non-technical Summary
Chapter 1- Introduction
Chapter 2- Policy, Legal and Administrative Framework
Chapter 3- Site Description and the Surrounding Environment
Chapter 4- Environmental Baseline Information
Chapter 5- Project Description
Chapter 6- Environmental and Other Impacts - Evaluation and Mitigation
Chapter 7- Identification and Analysis of Alternatives
Chapter 8- Conclusions
Expertise of Consultant/Consultancy Team
Appendices and Supporting Documents
References

Cover Page

The cover page should clearly indicate:

- (i) The title of the proposed project, as stated in Part A of the Fifth Schedule of the EPA 2002 (as amended);
- (ii) Location of the project;
- (iii) Name of the proponent; and
- (iv) Date.

On a second page:

- (i) Contact details and address of the proponent;
- (ii) The person responsible with contact details: address, phone/mobile, email and fax number;
- (iii) The main Directors, the Company Registration Number/Business Registration Number;
- (iv) The team responsible for the PER, name of the consultant/s or consultancy firm, as applicable;
- (v) Qualification of consultant and expertise in the field; and
- (vi) Signature of the proponent or his duly appointed legal representative.

Table of Contents

The Table of Contents should indicate the different chapters and sub-chapters with their respective page numbers. It should also indicate the tables, figures, appendices, acronyms among others.

Non-technical Summary

The Non-technical Summary should provide a concise overview of the report in a simple language. It should be about one or two pages focusing primarily on the location, distance from sensitive land use, the scale, main impacts associated with the project and measures envisaged to mitigate same.



CHAPTER 1- INTRODUCTION

The introduction should highlight the main features of the project, its objectives and justification. It should also encompass the project costs, experience in similar projects (if any), benefits, employment opportunities, the targeted client, as well as the social, economic and environmental features essential to the project. The consultant(s) should be fully conversant with impacts associated with nightclub and should have the necessary knowhow to identify the different sources of nuisances and to accordingly propose appropriate mitigating measures.

CHAPTER 2 - POLICY, LEGAL AND ADMINISTRATIVE FRAMEWORK

This section of the PER should indicate compliance of the project with the relevant plans, policies, national laws, standards, guidelines and regulations, and the protection of sensitive areas and how these are being addressed. These include, inter alia:

- (i) The EPA 2002(as amended), the National Environmental Standards, Guidelines and Regulations;
- (ii) The Tourism Authority Act 2006(as amended), Town and Country Planning Act, Planning and Development Act, Building Control Act 2012, Local Government Act 2011, Public Health Act, Food Act; and
- (iii) Planning Policy Guidance (PPG), Outline Planning Schemes and Guideline for Nightclub of the Ministry of Tourism and Leisure.

CHAPTER 3- SITE DESCRIPTION AND THE SURROUNDING ENVIRONMENT

The site description should provide a detailed investigation of the site, the surrounding environment and the sensitivity of the site. It should include, inter alia, the following:-

- (i) Proof of land ownership: copy of Title Deed if the promoter is the owner of the land where the development is being proposed or where the proponent is not the owner of land, by a Lease Agreement or written registered evidence of the authorisation of the owner, or a certificate issued by a notary expressing his opinion as to the owner's title.
- (i) Exact land extent and project location. The site should be indicated on a legible **Context map or on an aerial photographs of scale 1:10,000 or any appropriate scale;**
- (ii) A comprehensive legible **Site Location Plan drawn to scale of 1:5,000 or as appropriate**, should be provided. It should be **duly certified by a Sworn Land Surveyor** with appropriate landmarks as reference points, indicating the distance of the site boundary from the limits of settlement boundary, the nearest existing residential building or any other sensitive land uses including place of worship, hospital, home, educational institution, any environmentally sensitive area (ESA), mineral resource area, nearby farm, designated site of interest, water body, natural drain, canal, storm water drain, wetland, borehole, other critical habitat and existing development in the surrounding environment within a radius of **500 m**. The prevailing wind direction should be indicated on the plan. The Location Plan should clearly indicate whether the site is affected by any ESA or any mineral resource site;
- (iii) Conformity with the locational criteria as spelt out in the Guideline for Nightclub by the Ministry of Tourism and Leisure;



- (iv) Site characteristics in terms of site location (GPS coordinates of the boundaries delimiting the site), landform, topography (supplemented by 1.0 m interval contour map, in case the site is slopy), geology, soil type and characteristics, presence of any watercourse or water body, any environmentally sensitive area, mineral resource area, sensitive habitats of ecological importance, present and past land use, vegetation cover, flora and fauna, amongst others;
- (v) Accessibility of site, indicating the width of access roads;
- (vi) Archaeological, cultural and heritage value of site, if applicable; and
- (vii) Indication of similar projects and other forthcoming projects in the surroundings.

CHAPTER 4 - ENVIRONMENTAL BASELINE INFORMATION

The purpose of the baseline information is to determine the state of the environment prior to the implementation of the proposed project. It is primarily a benchmark to measure environmental changes due to the proposed development. The baseline information should provide a description of the existing environmental status with emphasis on those aspects likely to be affected by the project proposal. The baseline information should include, inter alia, the following:

- (i) Data source, data collection methodology and results of any site investigation;
- (ii) Any constraint in data collection and proposed remedial measures;
- (iii) The level of existing background noise at the expected time of operation of the discotheque or nightclub; and
- (iv) The existing traffic flow in the area.

CHAPTER 5 - PROJECT DESCRIPTION

The project description should include, inter alia, the following:

- (i) Details on the project and the different associated activities such as bar and restaurant amongst others;
- (ii) The design, size and scale of the project. The capacity of the nightclub and the dancing floor area. The occupancy level should be as proposed by the Guideline for Nightclub by the Ministry of Tourism and Leisure, which is 0.5 m² per person for the dancing floor and 1.4 m² per person for the refreshment area;
- (iii) A legible **Site Layout Plan, drawn to scale 1:200** or as appropriate, should be submitted. The plan should include amongst other, the parking spaces, (the parking spaces should preferably be at a reasonable distance of approximately 100m from the entrance of the nightclub and should be located within the same zone) and loading/unloading bay;
- (iv) Legible detailed **Building Layout Plans drawn to scale of 1:100** or as appropriate, indicating all the different components of the undertaking including, inter, alia the dancing floor, dining area lounge, bar, toilet, kitchen, mess room, administrative area and store area. The layout plan should also include all the entrances and exits, as well as the fire/emergency exit;

All plans should be drawn on a legible scale and preferably on A3 or A4 size.



- (v) Details on the ventilation system and on any proposed air-conditioning facilities. Refrigerants to be used in the air-conditioning system should be ozone-friendly with Ozone Depleting Potential value of zero as well as a low Global Warming Potential;
- (vi) Provisions for sound proofing of the system (including walls and ceiling) as well as dual-doors system to be set up within the building infrastructure;
- (vii) The workforce – both direct and indirect, permanent or contractual basis;
- (viii) Experienced DJ who is conversant with the Environment Protection Act (EPA) 2002 (as amended) and the Environment Protection (Environmental Standard for Noise) Regulations 1997. These regulations can be obtained on website at <http://muelex.gov.mu>.
- (ix) A list of equipment to be used including the sound system;
- (x) The days and time of operation. The time of operation should be in compliance with the Guidelines for Nightclub of the Ministry of Tourism and Leisure, which is 20.00 hrs to 05.00 hrs;
- (xi) The target clients. Whether the nightclub will have a reserved clientele or will be open to public in general;
- (xii) The expected traffic to be generated along with the provision for parking. The parking requirement should be 1 car parking space per 8 m² of public floor area as stipulated in the Planning Policy Guidance;
- (xiii) The security aspect of the project;
- (xiv) Adequate firefighting equipment to be provided;
- (xv) Utilities planning – Details on the expected daily water and electricity requirements and on the wastewater disposal system. Details on the type and capacity of water storage tanks and types of electricity generators in case of power failure and water pumps (as appropriate);
- (xvi) The Sustainable aspects of the project - Any clean technology and best management practice envisaged with regards to utilities (use of renewables) and wastes generated. Details on any proposal for good housekeeping; waste minimisation and waste segregation should be provided; and
- (xvii) Any other relevant feature and the proposed schedule for project implementation.

CHAPTER 6 - ENVIRONMENTAL AND OTHER IMPACTS –

The potential significant adverse environmental impacts should be assessed in terms of its magnitude and significance during the site preparation, construction, operation and decommissioning (if any) phases of the project. For each impact identified, appropriate mitigating measures should be proposed.

A. SITE PREPARATION AND CONSTRUCTION

(Applicable in case the development will be on a new site and will involve the construction of new building)

- (i) Site preparation – excavated soil and debris, felling down of trees, generation of noise and dust.
- (ii) Construction phase – Noise, traffic, generation of construction wastes and wastewater.

Appropriate mitigating measures should be provided for each impact identified.

The report should also include:

- Necessary precautions to be taken to preserve and reinstate any natural drain on site;
- Detailed designs, specifications and layouts of surface drains for evacuation and final disposal of storm water;
- Embellishment/environmental enhancement and any landscaping work; and
- Precautionary measures to prevent any risk of soil erosion and flooding.

B. OPERATIONAL PHASE

(i) Noise

Noise is the one of the major environmental impact that results from the operation of a discotheque or nightclub. This results in frequent complaints from neighbours. The four sources of noise that are associated with the operation of a discotheque or nightclub are:

- a. Loud music;
- b. Traffic and parking of vehicles ;
- c. Electric motors and other equipment; and
- d. Talking and shouting by people gathered outside nightclub premises.

Noise generated from loud music, mainly due to the utilisation of powerful loudspeakers, woofers, and other sound amplifier devices, have been an important concern, since it is a source of nuisance to the surrounding environment. All potential noisy activities such as dancing floors / bar activities / events should be solely carried out within the building. No loudspeaker/amplifier/noise generating equipment should be installed outside the building (within the open area) to avoid any potential noise nuisance.

The assessment will have to be effected at the noise sources and just outside the discotheque/nightclub. Details should be provided on the mitigating measures envisaged in order that **music played inside is not perceived outside the discotheque or nightclub** and does constitute a source of nuisance.

Note: A noise modelling exercise may be required depending upon the proposed activity. The onus of requesting a noise modelling exercise rests with the Ministry of Health and Quality of Life. The equipment to be used to monitor noise level should also be mentioned.

The noise caused as a result of the traffic generated by the nightclubbers can be mitigated by the application of proper traffic management system. This section of the PER should indicate the measures to be undertaken to mitigate noise nuisances occasioned by the traffic.

Noise from electric motors and other equipment may be generated from air conditioners, extractors, generators, and pumps amongst others. Sound proof enclosures should be provided for all noise generating equipment and the details on the sound proofing should be included in the PER. Noise from equipment is also generated as a result of vibration, which is noise generated between the noise source and a secondary surface. This could be avoided by mounting the equipment on rubber pad, spring or other vibration absorbing materials. Proponent should provide details on the measures to be taken to reduce noise generation from equipment.

People gathering outside the discotheque or nightclub premises may also generated noise by way of shouting and talking. The proponent should ensure appropriate management control to mitigate such nuisances. All measures proposed should be detailed in the PER.

(ii) Traffic Impact

Usually the operation of discotheque or nightclub generates huge traffic flow, which without appropriate measures can bring lots of inconvenience to other road users and the public at large. Proper mitigating measures should be provided in the report with regards to the traffic implication of the proposed project. These should include amongst others, the expected amount of traffic likely to be generated by the proposed undertaking, details on the existing road network system, access to the nightclub, the availability of parking spaces and loading/unloading bay. On a case to case basis, the proponent may be requested to submit a full Traffic Impact Assessment (TIA)¹.

(iii) Solid Waste Management

- Details on the source, types and expected volume of solid wastes to be generated on a weekly basis and their disposal;
- The proposed mode of collection, on-site storage facilities, preferably a covered bin which would be able to cater for 1.5 times the volume of waste generated on a weekly basis and same should be of vandal proof material and easily accessible to service providers; and
- Any proposal for waste segregation and reducing, reusing and recycling of solid wastes.

(iv) Wastewater Management

- Source, type and expected volume of wastewater generated on a daily basis kitchen, toilet, restaurant and other;
- Method of collection, treatment and final disposal of wastewater including the design calculations, drawings and dimensions of wastewater disposal system;
- Wastewater disposal system from kitchen and restaurant should be equipped with hydrocarbon separator; and
- Any proposal for reducing, reusing and recycling of wastewater.

(v) Pest Control

- Measures to abate the proliferation of rodents, cockroaches and other pest;
- Details on any barrier, trap, and insect repellent;

¹ The purpose of a TIA study is to determine the transportation impacts a particular development will have on the existing roadway network system. A TIA study identifies the need for any improvement and mitigating measure to the adjacent and nearby roadway system to maintain a satisfactory level of service (LOS) and safety of the roadway network in the vicinity of the proposed development.

- Other pest control measures to be considered, such as:
 - Good housekeeping;
 - Proper management of solid wastes;
 - Abatement measures in terms of bait, traps or the utilisation of chemicals such as pesticide and insecticides; and
 - Provision for soliciting the service of a pest control company.

(vi) Other anticipated nuisances

Measures to be taken to ensure that the operation of the discotheque or nightclub will not materially affect the amenity of the neighbourhood by reason of vibration, smell, fumes, vapour, steam, soot ash, dust, grit, oil or otherwise.

(vii) Reduction of Carbon Footprint

Environmental stewardship and implementation of ecofriendly measures/technologies including renewable energy sources, water saving devices, low energy bulbs amongst others.

C. THE OTHER IMPACTS AND MITIGATING MEASURES REQUIRED, INTER ALIA:

- (i) Identification of the cultural and heritage sites (if any) that may be affected by the proposed development and proposed measures to mitigate any adverse impact. On a case to case basis, a proponent may be requested to submit a full Heritage Impact Assessment (HIA).
- (ii) Socio-economic impact should consider how the project would influence the social and economic conditions of people and communities. For instance, the number of employment created directly and indirectly by the development and the advantages and weaknesses of the project on neighbourhood. The PER should indicate the ways and means to reduce any adverse impact. Any initiative for Corporate Social and Environmental Responsibility (CSER) from the proponent may be included in this section.

Chapter 7 - Identification and Analysis of Alternatives

Alternatives taken into account in developing the project should be documented such as alternative site, alternative process and zero development option.

Chapter 8 - Conclusions

The final chapter of the report should provide the main findings and conclusions, which justify the acceptability of the proposed project in relation to the proposed mitigating measures. Appropriate conclusions should be drawn and summarized in a series of brief statements with focus on significant impacts and mitigating measures proposed.

Expertise of Consultant/Consultancy Team

The preparation of a PER demands a multidisciplinary approach and expertise in different fields. The responsible team should demonstrate wide experience in relevant fields and should be well versed with impacts generated by the operation of a nightclub.

Appendices and Supporting Documents

These should include information, which would cluster to the main body of the text, such as site photographs and maps, press releases, written responses to the project.

Any additional technical information, a list of reference materials, copy of Certificate of Incorporation for Company, copy of Business Registration Card, names, addresses and qualifications/expertise of the PER consultants, copies of clearances/ permits obtained or applied (if any) from authorities and proof of land ownership, may be included.

References

The bibliographies that have been used for the preparation of the PER document.

Note: Section 16 (8) of the EPA 2002 (as amended) makes provision for the Minister of Environment to revoke a PER Approval, where a PER contains any false or misleading information or any material omission.

Appendix I

Checklist for accepting PER Application for Discotheque or Nightclub.

SN	Particulars	Tick
1.	Name and Address of proponent	
2.	Person Responsible: Name, Address, Contact Details	
3.	Name and Address of consultant/consultants/consulting firm	
4.	Qualification of consultant and level of expertise in the field	
5.	PER duly signed by the proponent or duly appointed legal representative	
6.	Letter of appointment of legal representative	
7.	Proper Binding	
8.	Number of printed copies	
9.	Document is in conformity with outline in the Sectoral Guideline No. 3 - Content of PER for Discotheque or Nightclub	
10.	Proof of Ownership - Copy of Title Deed /Notary Certificate/Lease Agreement /Registered Letter of Authorization	
11.	Non-Technical Summary	
12.	Objective of Project	
13.	Project Justification	
14.	Zoning and compatibility of site - Compliance with the Site Selection criteria	
15.	Description of site and surrounding environment	
16.	Present land use	
17.	Flora and fauna	
18.	Distance of the site boundaries from the limits of settlement boundary, the nearest existing residential building or any other sensitive land uses including place of worship, hospital, home, educational institution, etc.	
19.	A legible context map of scale 1:10,000, or as appropriate	
20.	A legible location plan drawn to scale 1:5,000, or as appropriate and duly certified by a Sworn Land Surveyor	
21.	Legible site layout plan of scale 1:200, or as appropriate indicating the different components of the project	
22.	Architectural building layout plan of scale 1:100, or as appropriate	
23.	Environmental baseline information	
24.	Project Description	
25.	Capacity of the nightclub	
26.	Number of workers	
27.	Availability of statutory services and requirements	
28.	Environmental Impacts during site preparation phase	
	Mitigating Measures	
	Noise	

	Traffic	
	Disposal of solid waste	
29.	Environmental Impacts during construction phase	
	Mitigating Measures	
	Noise	
	Dust	
	Disposal of solid wastes including construction debris	
	Wastewater generation and mode of disposal	
30.	Environmental impacts during operation phase	
	Mitigating Measures	
	Noise from (i) Loud music (ii) Traffic (iii) Other equipment such as compressors, generators etc; (iv) People gathered out the nightclub talking loudly	
	Traffic implications and Parking facilities	
	Solid wastes from processes and domestic sources	
	Wastewater from processes and domestic sources	
	Odour	
31.	Sustainability Aspects of the project	
	Technologies	
	Eco-friendly measures	
	Water saving and conservation	
	Waste minimization	
	Reduce, Reuse and Recycle	
	Waste segregation	
	Energy saving devices (LED bulbs, solar lamps)	
	Renewable Energy/photovoltaic	
32.	Alternatives to the project	
33.	Implementation Schedule	
34.	Permits and clearances already obtain	
35.	Land Conversion Permit if applicable	