



MINISTRY OF ARTS AND CULTURE

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26 February 2016

Ms Mechtild Rössler
Director
World Heritage Centre
Culture Sector
Division for Heritage
UNESCO
7 Place de Fontency
F-75352 Paris 07 SP
France

Dear Madam,

Please find enclosed the updated State of Conservation Report of Le Morne Cultural Landscape World Property. You may wish to note that UNESCO can publish the said report on its website.

Mauritius, as a State Party to the World Heritage Convention, has always respected its obligations and will continue to do so as it represents the pride of Mauritius and the dignity of the population both at national and international levels.

We seize this opportunity to thank you personally once again for your kind comprehension and collaboration.

Yours faithfully,

Dr N. Luckheenarain
Ag. Permanent Secretary

2016



The Ministry of Arts and Culture
The Le Morne Heritage Trust Fund

Republic of Mauritius

Le Morne Cultural Landscape World Heritage Property (Mauritius)

(Ref: 1259bis)



United Nations
Educational, Scientific and
Cultural Organization



Le Morne Cultural Landscape
inscribed on the World
Heritage List in 2008

[STATE OF CONSERVATION REPORT]

FEBRUARY 2016

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LIST OF ACRONYMS

LMCL	Le Morne Cultural Landscape
UNESCO	United Nations Educational, Scientific and Cultural Organization
OUV	Outstanding Universal Value
LMHTF	Le Morne Heritage Trust Fund
NHF	National Heritage Fund
PPG2	Planning Policy Guidance 2

Executive Summary

Since the inscription of Le Morne Cultural Landscape (LMCL) in the UNESCO World Heritage List, in 2008, the State Party of Mauritius has made substantial investment in terms of conservation of the cultural landscape including the enhancement of the Outstanding Universal Value (OUV) of the property. As recommended by ICOMOS at inscription, the State Party has strove to preserve the integrity of the property considering both the Core and the Buffer Zone as one Management Unit. This is in line with the note from ICOMOS mentioning that the value of the property extends beyond the main bulk of the mountain to the foothills and the coast including the lagoon. In the same period, Le Morne Heritage Trust Fund (LMHTF), the Government body responsible for the management of the property, has continued to receive numerous proposals for development projects mostly within the Buffer Zone. As proposals gradually increase, the State Party has put in place relevant legal frameworks for the enforcement, control and monitoring of projects and activities within the property, its Buffer Zone and also in the adjacent areas outside the Buffer Zone. Any inappropriate development that may damage the qualities of this landscape is not allowed and prompt actions are taken including demolition and fine, in case of unauthorized construction. Thus, a house in Morcellement Cambier, which did not receive clearance and which was not in line with the PPG2, was demolished. Details of the development projects under consideration by the State Party are described in the report. As the State Party has the responsibility of maintaining and enhancing the OUV, it has revised the management plans for the property. This has been done with a view to determining the roles and responsibilities of the multiple parties involved and to create a platform of integrated governance which ensures sustainable protection, management and conservation of LMCL to avoid possible conflicts between users and consumers of the heritage. This also applies to the terrestrial component, including the marine environment that covers 66% of the Buffer Zone. An effective mechanism has been put in place to assess and monitor development projects on the landscape as was elaborated in the 2015 State of Conservation Report and included in the revised Management Plan. It is imperative to appreciate that LMCL as a landscape of humans, their history and their interrelationships through time, is inextricably linked to nature. Hence, the layers of history, sense of place, a “holy” place also relies on the intactness of the natural landscape and its biological richness that make the whole and which the State party has strove to equally protect. This report also highlights the challenges faced by the State Party in the management and conservation of the biological values of the Property and some factors that may hamper conservation.

It is to be noted that, with regards to access, there has been some progress as the State party has developed heritage trails along the Mountain which are accessible to visitors and researchers.

1. Introduction

This 2nd State of Conservation Report is a follow up of the 1st report submitted by the State Party in April 2015. It is based on the Decision 39 COM 7B.42 of the World Heritage Committee at its 39th Session in Bonn, Germany, which, inter-alia, requested the State Party to submit an updated report on the state of conservation of the LMCL World Heritage Property on the implementation of its recommendations for consideration at its 40th session in 2016. The previous report highlighted amongst others, the legal challenges that have been filed for the proposed Trochetia development (which could have a negative impact on the OUV of the Property), the matters of law in relation to these challenges, the efforts made by the State Party to revise the Management Plan of the LMCL World Heritage Property, the sub plans, the current conservation issues identified as well as measures taken by the State Party to address development proposals on the World Heritage Property and its Buffer Zone. This report provides an update on various activities undertaken including research, capacity building, community engagement, update on the Management Plan, the sub plans, the case related to Trochetia development, biodiversity challenges and the efforts made by the state to address these issues. It elaborates on the conservation issues identified by the State Party and the current developments within the property and its Buffer Zone.

1.1 Reactive Monitoring Mission 2016

As decided by the World Heritage Committee in Bonn, Germany and at the request of Mauritius, UNESCO arranged for the visit of the joint World Heritage Centre/ICMOS Reactive Monitoring Mission in Mauritius from 27th January to 01st February 2016. A copy of the State of Conservation (SOC) Report 2016 was made available to the two experts of the Reactive Monitoring Mission. Following meetings that the State Party had with the experts regarding the SOC 2016, it was understood that the experts were agreeable to the contents of this SOC. Furthermore, all arrangements were made for the Reactive Monitoring Mission to meet all relevant stakeholders and all plans and sub plans, amongst others, were discussed with the experts.

2. Response to the Decision of the World Heritage Committee

Since the listing of the property, the State party has followed up on its various commitments including the adoption and the development of relevant and appropriate legal frameworks and policies, research activities, capacity building and conservation amongst others to ensure the smooth and appropriate management of the property. However, as with all such properties, there have been foreseen and unforeseen challenges which have been dealt with accordingly. In the last two years, the State Party through LMHTF and the University of Mauritius (UOM) has carried out research on maroon archaeology and history within and beyond the Le Morne area with a view to building important research data. A Master's thesis by the Site Manager of the property has come out of this project adding value to the understanding, appreciation and enhancement of the OUV of the property. Furthermore, the different staffs (5) of the LMHTF have undergone training in September and December 2015 as part of capacity building on Basic Conservation and Identifying, Recording and Understanding of Artefacts. All these have contributed to further enrich capacity building and research as per the State Party's set commitment to improve the management of the property.

As for the access to the mountain and the court case concerning the proposed Trochetia development that was scheduled for July 2015, the State Party has followed the laid down due process. The court case is still ongoing and will be called for mention on 24 March 2016 for disposal. All progress in this respect will be reported to UNESCO. However, despite limited access to the mountain, the State Party is making the existing heritage trail along the mountain accessible to visitors. The visitor circuit along the Le Morne Brabant Mountain is an important asset of the LMCL that fosters first hand visitor experience during guided visits and is an important tool in raising awareness and building education to the community at various levels, including intergenerational cultural transmission to the younger generations. Visitor flyers in three languages (English, French and Creole) pertaining to the various existing trails have also been designed and made freely accessible to visitors at the LMHTF office and can be downloaded from its official website.

The State Party has in place comprehensive layers of legal framework to ensure effective management and protection of the property and acceptable developments within the Buffer Zone. The legal frameworks in place include the National Heritage Fund Act 2003, (that was already in place before the listing), the Le Morne Heritage Trust Fund Act 2004, (put in place as part of the process of listing and subsequent management of the property), the Planning Policy Guidance 2 (LMCL), the Planning Policy

Guidance 1 (Revised September 2006 that sets guidelines for Coastal and Resort Hotel Development in Mauritius), the Black River District Outline Planning Scheme and other supportive national legislations, such as the Forest and Reserves Act 1983, the Environment Protection Act 2002, amongst others, support and guide development within acceptable and agreed norms as set out in the Operational Guidelines. In addition to the above and as recommended by the Committee, the State Party has reviewed the first Management Plan and put in place a revised Management Plan that incorporates a Land Management Plan and an Integrated Management Plan. Other sub plans as requested by the Committee have been finalized, for further protection and good management of the Property and its Buffer Zone including the Lagoon Management Plan and Local Economic Development Plan, soon to be approved by Government after necessary clearances which are being sought. As recommended by the World Heritage Committee, all these plans and sub-plans will be submitted to the World Heritage Centre, once approved by the Government. These have been worked out in close consultation with relevant stakeholders including the Community and with NGOs like the Mauritius Marine Conservation Society for the development of the Lagoon Management Plan. In the meantime, the recommendations and actions in these documents are being mostly implemented as good practice and part of the timed action plan based on existing legislations mentioned above.

Community engagement and participation is considered paramount in the management process as exemplified by community representation and consultations within the set management structures. Thus, two fishermen representatives are in the Lagoon Management Committee and one in the Buffer Zone Management Committee. One representative from the Le Morne Village Council who is in the LMHTF Board is also a member of other sub -committees and Chairs the Community Development Committee. A Consultative Forum meets as and when required, serving both as the voice of the community and assists in the enforcement strategy for LMCL. It comprises landowners, Socio Cultural organizations, NGOs, representatives of Social workers, Youth organizations and representatives of local fishermen, amongst others. They act as Co-managers, guardians and custodians of a shared heritage.

3. Current Conservation issues

As recognized by ICOMOS and the State Party, the biological diversity of the landscape is an important component of the property. The terrestrial biodiversity of LMCL constitutes a significant floral

component including the rich faunal diversity with some 75 of the 700 species of indigenous flowering plants of Mauritius, endemic to the mountain. The remaining native forests are located in the Core Zone of around 349 Hectares. This Mountain ecosystem consists mainly of two types of forests, lowland dry forest (0-200m), intermediate semi-dry forests (200m-500m) and sub-humid forests. This forest ecosystem also supports a population of both native and exotic birds, insects, reptiles and mammals.

A Memorandum of Understanding is being prepared between the Ministry of Agro Industry and Le Morne Heritage Trust Fund for joint biodiversity conservation works at the flanks of Le Morne Brabant Mountain and will be implemented as soon as access to the plateau is finalized.

The State Party is concerned about the **alien invasive plant** species, one of the agents that contribute to the decline of native plant population on the mountain. We are committed to address challenges through proper research and conservation initiatives. Thus, to safeguard the remnant forest from degradation, a yearly conservation and rehabilitation programme is being undertaken. The State Party's objective is to identify the floral diversity rich areas via vegetation surveys, to remove invasive plants through a weeding program and by fencing the area to allow successful regeneration of native forests especially where there has been degradation. More activities will be put in place to address these challenges.

One of the challenges as well as opportunities around the property is **deer ranching** which is a seasonal economic activity in Mauritius and practiced in private forest land or lease state land around the island since the 18th Century. Being an herbivore, the deer does have some impact on the native forest. If not controlled, it can be harmful to trees and young seedlings. The State Party has put in place strict enforcement to ensure the balance between deer ranching and forest regeneration. The State Party will continue to monitor and evaluate this aspect.

Despite the **scarce resources**, the Government continues to allocate funds for conservation programmes on the Capital Budget of the LMHTF. The State is aware of the inadequacy of the funds so far budgeted for conservation and is committed to putting in more resources as this become available in the biodiversity conservation programmes in order to reach the desired conservation status. It is however important to appreciate that the State Party has within its staff establishment, a Conservation Officer, (with BSC in Micro Biology) who is responsible for the conservation of the natural component of LMCL.

To be able to promote some of these conservation programmes, the State Party strongly feels the need for a **plant nursery** within the property for the production of native plants and ex-situ conservation programmes of endangered plant species. The State Party is addressing the same through the identification of an appropriate plot of land near the mountain for the erection of a plant nursery.

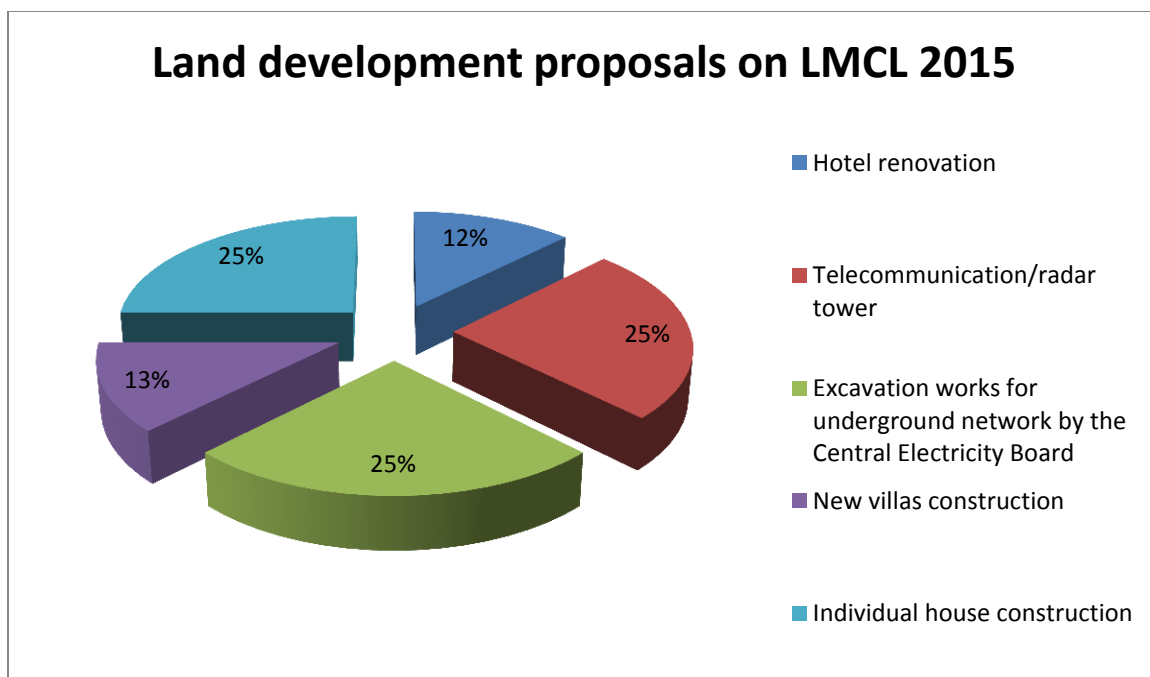
Climate change is a global challenge that has direct effect on heritage leading to degradation of native forests as annual rainfall is not stable with longer periods of droughts. This affects the regeneration rate of native plants and prolonged drought period favour the proliferation of invasive plant species that are more resistant. However, the State Party is doing every possible action including weeding off the plants to meet these challenges.

Among other actions in place, it is envisaged to include more **research** work to better understand the mountain ecosystem so as to develop new and effective conservation methods. The State Party will further invest on research to realize these goals.

However, it is noted that with regards to the cultural elements based on criteria (iii) and (vi) namely the landscape and its associated features such as caves and memories for which the property is listed have all remained intact and are of high integrity.

4. Current major proposed developments that may affect the OUV of LMCL

As a living and active landscape and a World Heritage Site, LMCL represents a position with prestige and offers opportunities with different interests. Thus, the State Party receives numerous proposals for development. However the State Party of Mauritius is committed to ensure the appropriate management of the property including the preservation of its Integrity and Authenticity against any development that may impact negatively on it. The nature and scope of development proposals on the landscape varies. Below is a statistic of types of proposed development within the Buffer Zone component in 2015 till date.



As already stated in the 2015 and 2016 State of Conservation reports, there are many layers of legislation to protect the property and ensure proper management. Consequently, all development projects are scrutinized and judged accordingly and many development projects have not been approved or promoters have been requested to review their proposals. LMHTF is not against development, but the projects have to meet the required standards or are deemed not to have the potential and negatively impact on Outstanding Universal Value, including Authenticity and Integrity of the World Heritage Property. Any new development project that might impact on the OUV of the property together with HIAs would be submitted to the World Heritage Centre for review as set out in paragraph 172 of the Operational Guidelines. They should all be in line with the required norms and legislative frameworks in place. Details of these proposed developments projects are below:

4.1 Coastal Surveillance Radar System

Project background/description:

In 2009, the National Coast Guard of the Republic of Mauritius proposed the implementation of the Coastal Surveillance Radar System (CSRS) Project, which was to be supplied and installed by Bharat

Electronics Ltd, India and operated by the Police Department. A number of sites (5 strategic spots) were identified for the implementation of this project and Le Morne was one among these sites.

The radar was initially proposed to be fixed on the public beach, opposite the International Slave Route Monument. LMHTF as custodian of the World Heritage Property on behalf of the State Party and the community in Le Morne has consistently reiterated that this part of the public beach is already congested, comprising amongst others a nautical centre, a restaurant, public toilets and parking spaces. This was also based on the understanding that the level of protection of the west public beach is extremely high due to its history being associated with the history of the Le Morne Mountain as a place of human sacrifice for freedom and dignity.

While the LMHTF showed full support for project on the understanding that the National Security of the country cannot be compromised, it did point out that even the Slave Route Monument initially conceived to be on the same beach, had to be moved to other side of the road due to above mentioned factors. At that time, the LMHTF Board had indicated support for an alternative solution by accepting to contribute up to Rs 1 million for an additional antenna from its Capital Budget of 2010.

Based on all these and the fact that the State Party is a signatory to the UNESCO 1972 Convention, that requires States Parties to adhere to the same without of course compromising their national sovereignty, the National Coast Guard was requested to explore other alternative sites where the project could be implemented (outside the Buffer Zone) to avoid any impact on the World Heritage Property. It was agreed that, if the public beach was the only suitable site, in view of the commitment of the State Party to UNESCO World Heritage Convention to list and to protect the OUV of the World Heritage Property, all supporting justifications including mitigation measures to the LMHTF had to be provided. LMHTF would then approach UNESCO before any final decision would be taken.

However, the present site on Pas Geometrique (PG) between the then Les Pavillons Hotel (now Lux Le Morne) and Ex- Berjaya Hotel (now St Regis Mauritius) was identified as an alternate location to erect the radar system in 2011 following several site visits and meetings in 2010, in the presence of representatives of LMHTF and the National Coast Guard. This decision was reached after all the options were exhausted. It was agreed that this site should have minimal impact on the Critical Viewpoint of the Le Morne Cultural Landscape and the height of the tower was then limited to 20 meters. This involved the cutting down of twelve Filao trees for which a “no objection” was issued by the LMHTF provided

that all works conformed to the Planning Policy Guidance 2- Le Morne Cultural Landscape and that the structure be easily blended into the landscape using an appropriate colour.



Coastal Surveillance Radar System in Le Morne

Issues pertaining to the radar:

The CSRS was subsequently erected at the identified spot in 2011. However since the installation, the National Coast Guard have reported suboptimal performance of the radar primarily due to the inadequate height, and surrounding landscape structures as well as the presence of tall trees around and adjacent to the transmitting zone of the radar. As a result of this, it was proposed to increase the height of the radar and the cutting down of trees surrounding the transmitting zone. This again resulted in several site visits and meetings between LMHTF and the National Coast Guard and other concerned authorities including consultants from Bharat Electronics Limited in order to explore the feasibility of implementing the proposed measures. Cutting down of approximately 50 Filao trees on this small public beach was not considered feasible, in view of the abovementioned reasons and also due to the potential public disapproval and protest that was expected. In the same vein, raising the height of the

structure to 45 meters as proposed by the coast guard and the consultants was considered to represent strong negative visual impact on the landscape as it was not considered to be in line with the Management Plan (Critical Viewpoint Analysis) and was therefore not recommended.

The problem has however persisted and according to the security agencies of the State Party, this part of the coast is vulnerable due to non-monitoring of any sea bound activities and poses a threat to national security. In February 2015, the National Coast Guard requested a “no objection” from the LMHTF to allow for an increase in the height of the CSRS from 20m to 45m to ensure optimal performance. This request was based on national security that was being compromised, due to the non-effectual facility. This called for further discussion and a final and lasting solution had to be explored taking into consideration the national security and our commitments for this World Heritage Site.

Recommendations/mitigation measures:

In view of the above, it was necessary to critically evaluate the impact of the radar on the property in view of further development and with a view to minimizing any damage and avoiding exposure of the property to challenges that may compromise the OUV. The proposal to increase the height of the structure from 20m to 45m meant that the height would have to be increased by more than twice the actual height. Although the present height is currently scarcely noticeable from Critical Viewpoint 8 (Valley of the Bones), raising the height of the radar to 45m would definitely alter the skyline and be clearly visible from Critical Viewpoint 8 of the Critical viewpoint analysis in the Management Plan (April 2008).

It was subsequently decided by the Board of the LMHTF that in pursuance of the above project, the professional advice of Prof. George Abungu who has extensive experience in the field of cultural heritage and UNESCO conventions be sought. A number of consultations with the National Coast Guard officers and their consultants were held and the challenges faced with the radar due to its inadequate height were noted. It was a question of balancing and comparing the need of our national security and the guidelines for the protection of our World Heritage Property. It was concluded that the issue should not be either or, but how does heritage property adapt to the need of the national security of a State Party creating a win-win situation. All measures were discussed, including the cutting of the surrounding trees that would be in itself not a lasting situation. After several consultations and considering all the views including the security needs of the nation as well as the needs of the world heritage property and based on the report of Prof. Abungu, the following two options were tabled:

- a) increase in the height by seven (7) meters to make it twenty seven (27) and trim the top of the tree to allow the performance of the radar; or
- b) to allow for ten more meters (10) increase to make the total height to 30m, the same as the telecommunication antenna just behind the radar. This was based on the fact that three more meters would make not much difference at the site of critical view by the mountain owing to the distance but would make a big difference in reception for the radar. In both cases, the trees behind will have to be left intact to cover the Mountain side view and that the radar will be painted green to blend it with the environment. UNESCO would be informed.

It was considered that the second option was the best one with most limited effect on the critical viewpoint.

The Board of the LMHTF agreed to the second option of increasing the height by 10m more to the existing radar of 20m from base to make a total height of 30m, the same height as the telecommunication tower behind the radar and that it should be painted green. The option of increasing the height of the tower up to 30m from base was also accepted by the Office of the Commissioner of Police, who noted that anything below the height of 30m will not be viable as the required line of sight and angle of elevation for picking up vessel. UNESCO would be informed shortly.

It is to be noted that the Commissioner of Police have not given his acceptance to this proposal till now.

Below are comparative scaled simulation pictures of how the antenna would look like in green compared to red and white.



Simulation pictures - Normal view

The State Party of Mauritius having ratified the UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage 1972, recognizes and confirms that it will ensure effective and active measures for the protection, conservation and presentation of the cultural and natural heritage situated on its territory as per the Article 5 of the 1972 Convention.

4.2 Construction on 4 plots of land in Morcellement Cambier

Project background/description:

Following preliminary consultations with the Le Morne Heritage Trust Fund since 2013 on the feasibility study for the construction of individual houses on four separate plots of land in the existing residential Morcellement Cambier (Plots 63, 64, 92 and 93), Le Morne, a promoter submitted a set of detailed plan

for the proposed construction in 2014 to be approved by the LMHTF. Some key design elements have been proposed in each of the four houses such as:

- (i) Maximum integration into the slope and the landscape of Le Morne. The houses are half buried into the slope with the land sliding on green roofs;
- (ii) Single storey to keep the visual impact to a minimum;
- (iii) Enter through a deep textured stone-wall to discover hidden patios open to the sky allowing both cross ventilation and a low angle perspective on Le Morne Mountain;
- (iv) Focus on the amazing view with a living space generously open to the lagoon with floor to ceiling openings disappearing in the walls;
- (v) A large infinity swimming pool flows into the Indian Ocean; and
- (vi) Natural contextual materials such as wood, stone, textured concrete and green roofs for total integration.

The design approach has been arranged following the site, in a way that all the houses comprise ground floors in relation to the natural ground level. See below 3D conceptual design.



Conceptual design

Existing legislative framework

Given that Morcellement Cambier is found within the Buffer Zone of the World Heritage Site, all development is governed by the Planning Policy Guidance 2 (Le Morne Cultural Landscape) and extract for Area H (Existing residential Morcellement Cambier) stipulates the following:

Maximum height is to be ground floor only. No new double storey will be allowed on vacant plots and only one residential dwelling will be allowed per plot.

New development, alterations or additions must not detract or diminish the Universal Value of the Cultural Landscape and shall be carried out in consultation with relevant stakeholders and subject to scrutiny by the National Heritage Fund and the Le Morne Heritage Trust Fund.

The morcellement should remain strictly residential and no sub-division of plots will be allowed.

Recommendations/mitigation measures:

Based on the above guidelines, the project plans were examined by consultants of the LMHTF to ensure that it is in line with the PPG2 and visual surrounding of the landscape. The following comments were sent to the promoter:

The design has been developed along the lines of Approach C as recommended in our previous comments and this is commendable.

Comments regarding the design of plot 63 and 64:

- (i) the PPG2 was followed in terms of the height of the single storey units;
- (ii) the earlier comments regarding colour and material use are followed rather than the large white linear facades and the overall contextual design response is commendable;
- (iii) because there is a restriction on plot consolidation and sub-division in the Morcellement, the spirit of self-contained houses on each plot must be honoured;
- (iv) setbacks from the adjoining plot boundary must therefore also be according to regulations;
- (v) the houses on these plots each have 1 master bedroom upstairs plus 2 master bedrooms plus 2 normal bedrooms on the lower pool level, each bedroom having en-suite ablutions. The upper level has a second small pool, a hammam and double massage rooms with two additional male and female ablutions. It is recommended that there must be absolute clarity

- and assurances that these facilities are all for single family dwelling use and that these properties will never be run as guest-houses and commercial spas;
- (vi) in future the lower floor level of the house on plot 63 and on plot 64 should not be convertible to a self-contained flatlet; and
 - (vii) the optional guest cottage on plot 64 must not be allowed.

Comments regarding the design of plot 92 and 93:

- (i) the PPG2 is followed in terms of the height of the single storey units;
- (ii) the earlier comments regarding colour and material use are followed rather than the large white linear facades and the overall contextual design response is commendable;
- (iii) because there is a restriction on plot consolidation and sub-division in the Morcellement, the spirit of self-contained houses on each plot must be honoured;
- (iv) setbacks from the adjoining plot boundary must therefore also be according to regulations. For this reason, the tennis court should be wholly on Plot 92 and not cross the plot boundary;
- (v) there cannot be a 'country club' or any commercial use, or pre-planned use of the tennis court on Plot 92 for the other 3 plots in the development. A tennis court shelter that is used by the owners and guests is permitted. The tennis court must be sunken as shown in these designs, the upper netting be of a darker colour that blends with the surrounding hillside and no floodlights that can impact on the views from the mountain and mainland, as well as neighbours in the Morcellement;
- (vi) each house on Plot 92 and 93 has 3 roofed upper parking spaces with additional space for guests. The provision of 4 roofed garages for cars and boats under the tennis court on Plot 92 seem excessive and it will appear as if this arrangement is there for the use of Lots 92, 93, 63 and 64. It also lifts the tennis court quite high;
- (vii) in future, the lower floor level of the house on Plot 92 and on 93 should not be convertible to a self-contained flatlet; and
- (viii) the optional guest cottage on plot 93 must not be allowed.

The promoter was requested to review his plan accordingly and to give a written undertaking that the properties will be used as individual properties, in line with its zoning, and if any of the houses are to be

let, that the 4 properties are not marked as a group, and that there is a written assurance that the ruling by the Ministry of Housing and Lands be adhered to, namely:

- (i) the whole building being rented as a single unit strictly for residential accommodation; and
- (ii) only one family can occupy the building at a time, preferably on longer periods.

Subsequently, in 2015, the promoter submitted a set of reviewed plan with written undertakings that he will strictly abide to guidelines of the Planning Policy Guidance 2. He provided proper justifications based on comments given to them that are acceptable by the Trust Fund. This project is also viewed by LMHTF, and so by the State Party as a good example of environmentally integrated development where a proper balance between conservation and development has been achieved through dialogue to preserve the Authenticity and Integrity of Le Morne Cultural Landscape. However, the promoter is also strictly required to abide to the rules and regulations imposed on him by other parties through the Buffer Zone Management Committee including the comments of the Ministry of Housing and Lands which reads is as follows:-

“Having regard to sites sensitivity, commitments on an approved Morcellement with existing development on a majority of the lots with similar site characteristics, this Ministry is of view that allowing plot coverage of 15% for lots in lite would be reasonable”. The promoter was also requested to abide to the following conditions with regard to the architectural drawings submitted for the proposed development.

- (i) Setbacks of the proposed buildings being at least 3m from boundaries fronting access roads and at least 2m from other boundaries;
- (ii) The proposed buildings should follow the existing slopes of the sites and must not detract or diminish the universal value of the cultural landscape;
- (iii) The maximum height of any part of the buildings should not exceed 7.5m with combined elevation not exceeding 10.5m; and
- (iv) The Country Club will not be allowed.

Consultation between the promoter and the Ministry of Housing and Lands is still under process at time of writing this report and the plan will be resubmitted to the LMHTF for further consideration.

4.3 Villas project by Le Morne Brabant IRS Company

Project description:

In 2015, the Le Morne Brabant IRS Company submitted to the LMHTF a brief concept design of the former so called Trochetia Project in a reviewed format for a “no objection”. As per the concept, the project is to be implemented within the Buffer Zone of the landscape on the private property of the Société du Morne Brabant and the extent has been considerably reduced.

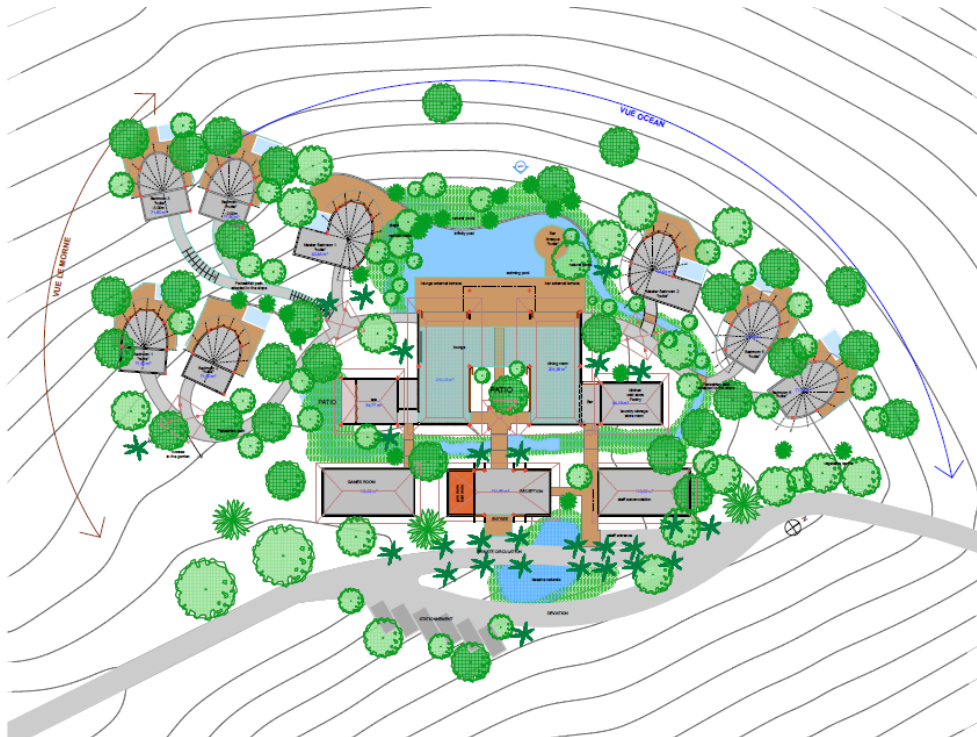
Although there is very little information provided on the project proposal, the following observations were made on the conceptual design of 6 pages. The Project comprises amongst others:-

1. 1 reception
2. 1 gun room + boot room
3. 1 games room
4. 1 staff accommodation
5. 8 huts (comprising 2 Master bedrooms, 6 bedrooms)
6. 1 lounge
7. 1 spa
8. 1 dining room
9. 1 bar
10. 1 swimming pool
11. 1 bar kiosk
12. 1 kitchen cold store + pantry
13. 1 laundry storage / store room
14. Parking stations

The proposed location is near the entrance of the former Domino Restaurant as indicated on a site map, but there is lack of information on the extent of land needed and on the exact demarcation of the proposed development site.



Proposed development site



Project layout



Approx. location of proposed development on the landscape

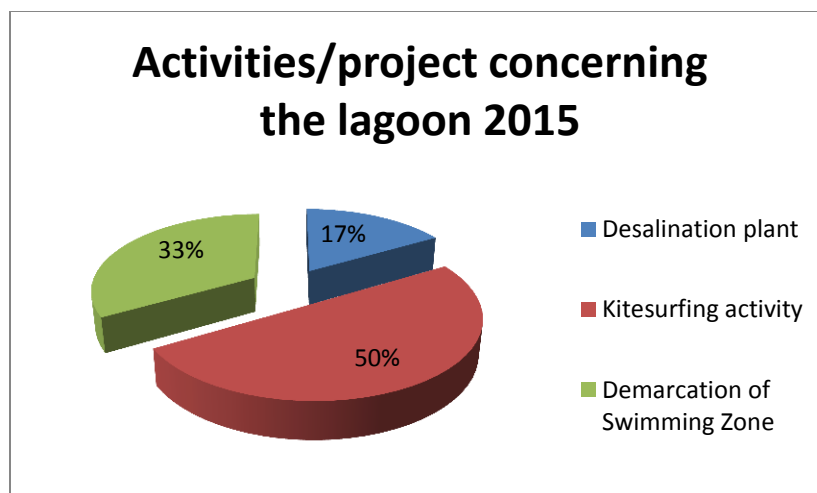
Given that the information contained in the soft copy of the project proposal does not give an indication of the request to be assessed by the Buffer Zone Management Committee, the promoter was requested to submit additional information and to provide a complete set of plans for assessment by the technical committee of LMHTF in the first instance. Due to the extent and nature of the project proposal on such a sensitive landscape which has environmental, historical, archaeological and cultural values, the promoter will be required to undertake a Cultural Heritage Impact Assessment which also includes extensive consultations with the stakeholders and communities concerned. Given the status of the Le Morne Cultural Landscape, the promoter is further required to strike a balance between site conservation and development that would reduce conflict and disagreements between “traditional custodians” (the communities concerned) and “legal custodians” (the landowner) on this project.

4.4 Lagoon activities

The State Party is putting considerable effort in developing the local tourism sector which has experienced consistent growth in recent years. As one of the pillars of the economy, tourism is contributing significantly to economic growth and has been a key factor in the overall development of

Mauritius. The State Party is diversifying the sector with a wealth of activities which include watersports like kitesurfing, scuba diving and pleasure crafts. The lagoon of Le Morne is recognised as being one of the world's best locations for kite surfing and attracts a large number of practitioners. Although kitesurfing is known to be environmentally benign, using wind as opposed to fossil fuels and does not pollute in the way that other motorized vessels do, still there is need to control the steady increase of users to avoid greater pressures on the health and productivity of the lagoon and to diminish conflicts among users, especially between local fishermen and kitesurfers. The State Party considers that activities carried out in the Lagoon should, amongst others, take into account the values of place and the landscape. It has therefore put in place a mechanism and a plan to ensure this with the close collaboration of Enforcement Authorities such as the Beach Authority and Tourism Authority with LMHTF to finalise regulations required.

The Lagoon Management Plan which addresses many of these issues is presently being examined. The Ministry of Arts and Culture and Le Morne Heritage Trust Fund are conducting regular meetings with stakeholders concerned including Government Officials and users of the lagoon with a view to following up on issues pertaining to the lagoon especially with regards to kitesurfing. Management of the Lagoon is a multi-stakeholder process and to ensure an equitable and sustainable use of the lagoon, dialogue among users is ongoing. Furthermore, it is agreed by all stakeholders that further measures and appropriate actions be taken such as zoning of kitesurfing activity through physical demarcation, frequent monitoring, strict enforcement on unregulated activities and carrying capacity exercise of the lagoon will be conducted by the State Party and authorities concerned. In the meantime, the Kitesurfing Regulations of the Tourism Authority will soon be approved by the Government. This regulation will bring additional layer of protection to the landscape in addition to the Lagoon Management Plan of LMCL. The chart below is an indication of activities/project proposals received by the State Party through LMHTF for consideration. This concerns the lagoon of Le Morne Cultural Landscape. Due diligence will apply to all the cases.



In view of consolidating the existing legislations, the LMHTF is currently reviewing the Le Morne Heritage Trust Fund Act 2004. The National Heritage Trust Act is also being reviewed to include, amongst others, provisions for World Heritage Sites in Mauritius. The LMHTF was amongst the Stakeholders to contribute in the drafting of the National Heritage Draft Bill which is presently at UNESCO for its views and recommendations. It will be an adaptive framework in line with the World Heritage Convention, the Management Plan and other planning documents that also aim to protect the LMCL.

5. Conclusion

It is important to acknowledge and appreciate the necessary measures being undertaken by the State Party to preserve the OUV of the LMCL against threats including development pressures, and in line with its Vision and Mission. Through various structures such as LMHTF, the State Party has continued to pursue its objectives by organizing several activities and major event in order for the World Heritage Property to achieve its full potential while maintaining and even enhancing its OUV. There are of course challenges but these are and have been tackled with a view to ensuring the values of the heritage are intact. Some of the activities organised by the State Party through LMHTF since January 2015 till now include the following:

- a) an International Conference on Slavery focused on Comparative Perspectives on Resistance and Resilience in Slave and Post emancipation Societies in the context of the 180th Anniversary of the Abolition of Slavery in Mauritius;
- b) a travelling exhibition of panels pertaining to slavery on the theme “Lest We Forget” and resilience strategies of communities of descendants from slavery and other forms of unfree labour;
- c) the launching of a booklet on the history of maroonage;
- d) Initiated and funded a collaborative project entitled Collection, Preservation and Dissemination of Elements of Intangible Cultural Heritage. The twofold objectives of the project have been reached through the production of a CD/DVD with a brand of Le Morne, highlighting the intangible heritage of Le Morne village with music and songs, plays, tales and focusing on the skills of the young generation of the village. The sponsorship from UNESCO gave special touch to this artwork that is a pedagogical and entertaining tool;
- e) Community based sensitization campaign in the context of the World Environment Day;
- f) Awareness creation and education activities through outreach programs to younger generations in Mauritius, and recently extended to Rodrigues island;
- g) Economic empowerment programme through frequent artisanal fairs for entrepreneurs of Le Morne village;
- h) Information sharing campaign for the local inhabitants;
- i) In line with the Strategic Objectives of the Operational Guidelines and UNESCO World Heritage Convention, the State Party through the LMHTF is developing and reinforcing effective capacity for staff members and heritage professionals of different institutions and ensuring continuity of research works. Two examples of training courses included a two-week Basic Conservation and Heritage Inventory Course by a professional Conservator from the National Museums of Kenya and a one-week course on Identifying, Recording and Understanding of Artefacts by a local archaeologist that have greatly benefitted the participants for the sake of heritage conservation; and
- j) Organisation of traditional Segha nites along with traditional food sales with the participation of the community in Le Morne.

In addition to controlling development pressures and mitigating their impacts, the State Party is in the process of working with and sensitise developers to appreciate the heritage and its significance and

become partners. The State Party is aware of the important role that a well-managed Le Morne Cultural Landscape can play locally and globally and is doing all its best to ensure the proper management of the property.

For ease of reference, a map of the Core and Buffer Zone of Le Morne Cultural Landscape with boundary coordinates is at Appendix.

Boundary Coordinates

Description	Grid Coordinates		Geodetic Coordinates (WGS84)	
Boundary Points	mE	mN	Latitude (S)	Longitude (E)
Core Zone Boundary				
Towards the North by private properties along two lines starting Point H to Point I to Point J				
Point H	978430.01	972870.94	20° 26' 35.02"	57° 19' 19.79"
Point I	978375.72	972643.88	20° 26' 42.41"	57° 19' 17.91"
Point J	978092.19	972311.41	20° 26' 53.21"	57° 19' 08.11"
And by the sinuosity of a public road from Point J to Point K				
Point K	979146.98	972565.01	20° 26' 45.00"	57° 19' 44.51"
And by surplus of private properties along four lines starting at Point K to Points L to M to N to O				
Point L	979269.56	972576.28	20° 26' 44.64"	57° 19' 48.74"
Point M	979721.51	972331.88	20° 26' 52.60"	57° 20' 04.32"
Point N	980272.75	972348.81	20° 26' 52.07"	57° 20' 23.34"
Point O	980604.35	972166.51	20° 26' 58.01"	57° 20' 34.77"
Towards the East by surplus of private properties along three broken lines starting at Point O to Points P to Q to R				
Point P	980416.67	971887.72	20° 27' 07.07"	57° 20' 28.29"
Point Q	980088.92	971801.14	20° 27' 09.87"	57° 20' 16.98"
Point R	979774.14	971326.14	20° 27' 25.31"	57° 20' 06.10"
And by private property from Point R to Point S situated on High Water Mark of the sea				
Point S	989090.87	971094.14	20° 27' 33.11"	57° 25' 27.54"
Towards the South by High Water Mark of the sea from Point S to Point A situated on High Water Mark of the sea				
Point A	977939.77	970323.59	20° 27' 57.84"	57° 19' 02.77"
By surplus of <i>Pas Géométriques</i> starting from Point A to Point B				
Point B	977833.59	970387.61	20° 27' 55.75"	57° 18' 59.11"
By private property from Point B to Point C to C1 to C2				
Point C	978284.11	971118.73	20° 27' 31.99"	57° 19' 14.68"
Point C1	977867.63	971393.96	20° 27' 23.03"	57° 19' 00.33"
Point C2	977833.33	971348.53	20° 27' 24.51"	57° 18' 59.14"
And by surplus of private property starting from Point C to Point D				
Point D	977647.37	971521.20	20° 27' 18.88"	57° 18' 52.73"
Towards the West by surplus of private property by two broken lines starting at Point D to Points E to F				
Point E	977592.43	971751.43	20° 27' 11.39"	57° 18' 50.85"
Point F	977832.92	971967.25	20° 27' 04.39"	57° 18' 59.15"
And by private property from Point F to Point G				
Point G	977780.02	972060.70	20° 27' 01.35"	57° 18' 57.33"
And by a Public Road starting from Point G to Point H				
Point H	978430.01	972870.94	20° 26' 35.02"	57° 19' 19.79"

Description	Grid Coordinates		Geodetic Coordinates (WGS84)	
Buffer Zone Boundary				
Towards the North East partly by surplus of the sea, partly by surplus of <i>Pas Géométriques</i> and partly by surplus of private properties starting from Point X to Point W				
Point X	977880.46	975110.12	20° 25' 22.19"	57° 19' 00.93"
Point W	982156.75	972503.64	20° 26' 47.10"	57° 21' 28.34"
Towards the South East by surplus of private property along a developed line having an elevation of 300 metres above mean sea level starting from Point W to Point V				
Point V	981333.08	970535.96	20° 27' 51.06"	57° 20' 59.86"
And partly by surplus of private property and partly by surplus of state land from Point V to Point U1 to U				
Point U1	980573.57	970449.03	20° 27 '53.86"	57° 20' 33.65"
Point U	980488.65	970401.00	20° 27' 55.42"	57° 20' 30.72"
And partly by surplus of state land and the Black River Coastal Road from Point U to Point Y				
Point Y	981953.70	968056.42	20° 29' 11.70"	57° 21' 21.19"
Towards the South and West by surplus of the sea, along the coastal reef from Point Y to Point T and Z at <i>Passe St Jacques</i> along the coastal reef to Point ZA at <i>Passe de la Prairie</i> to the starting Point X				
Point T	980497.32	968094.97	20° 29' 10.40"	57° 20' 30.93"
Point Z	980164.99	967458.45	20° 29' 31.09"	57° 20' 19.44"
Point ZA	976026.23	969470.28	20° 28' 25.50"	57° 17' 56.70"
Point X	977880.46	975110.12	20° 25' 22.19"	57° 19' 00.93"

