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MAC/55/44/70V2T

3 April 2015

**The Director
World Heritage Centre
Culture Sector
Division for Heritage
UNESCO
7 Place de Fontency
75352 Paris 07SP
FRANCE**

Dear Sir,

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

Mauritius, as a State Party to the World Heritage Convention has always respected its obligations and will continue to do so. With regards to the two disputes, namely from Hogan Lovells and Société du Morne Brabant and Others as mentioned in the report, UNESCO will be briefed of any progress thereon.

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

Yours faithfully,

**C. Bhugun
Permanent Secretary**

2015



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]

CONTENTS

1. Introduction	3
2. Description of Property	4
2.1. The Core Zone	8
2.2. The Buffer Zone.....	9
2.3. Existing framework for the world heritage property	11
Legislative framework.....	11
Managerial Framework.....	12
3. Response from the State Party to the World Heritage Committees Decision.....	14
3.1. Disputes.....	15
Project description.....	15
The potential impact of the project on the World Heritage Property.....	17
3.2. Implications of the court case (Trochetia project) on the property.....	17
4. Development and protection framework at world heritage property	19
4.1. Plans and planning documents	19
4.2. Mechanisms for development applications	21
4.3. The nature of Development at world heritage property	25
5. Other current conservation issues identified by the State Party	28
6. Potential major restorations, alterations and/or new construction(s) within the protected area and its buffer zone and/or corridors that might be envisaged	30
Current situation.....	30
Commitment to protect the World Heritage Property.....	30
7. Conclusion	31

LIST OF ACRONYMS

LMCL	Le Morne Cultural Landscape
WHC	World Heritage Committee
UNESCO	United Nations Educational, Scientific and Cultural Organization
OUV	Outstanding Universal Value
LMHTF	Le Morne Heritage Trust Fund
ISRM	International Slave Route Monument
NHF	National Heritage Fund
PPG2	Planning Policy Guidance 2
BRDC	Black River District Council
LMCLMP	Le Morne Cultural Landscape Management Plan
SDF	Spatial Development Framework
LED	Local Economic Development
OPS	Outline Planning Scheme
LMP	Lagoon Management plan
WHL	World Heritage List
CLM	Cultural Landscape Mapping
BZTC	Buffer Zone Technical Committee





1. INTRODUCTION

Le Morne Cultural Landscape was listed as a World Heritage Site in July 2008 during the 32th session of the World Heritage Committee held in Quebec City, Canada from 2 to 10 July 2008.

Le Morne Cultural Landscape is a rugged mountain located in the southwest of the island of Mauritius in the Indian Ocean. Le Morne mountain was used as a shelter by the local runaway slaves referred to as “maroons” in the 18th and 19th centuries. The mountain is almost inaccessible because its cliffs that stand as a natural barrier against incursion on the mountain. This natural attribute served the runaway slaves who established small settlements in the caves and on the summit of the mountain, to protect themselves against the militias commissioned to locate and catch fugitive slaves. As such, the oral traditions and collective memory in Mauritius identify Le Morne mountain as the symbol of the slaves’ fight for freedom, their suffering and their sacrifice. As such, this symbol has relevance to the countries from where the slaves came including the African mainland, Madagascar, India, and South-east Asia.

The Le Morne is recognised as an international symbol with Outstanding Universal Value in the *resistance against slavery – and the fight for freedom by those who are oppressed, in history up until today*. It stands as a symbol of the sacrifice that humans would make in their quest for freedom by choosing death over captivity. Le Morne is held sacred not only by Mauritians but also by the world at large. Its significance is embodied in both *the tangible and intangible heritage*. This symbol is a pride for descendants because it is also the place where maroon leaders such as Sans Souci and Barbe Blanche took refuge. As such, Le Morne is the place where the abolition of slavery is commemorated in Mauritius. It is a complex and rich cultural landscape where humans and nature are inextricably linked (see various UNESCO declarations); Hence the decision to consider the Core Zone and Buffer Zone as one management unit (UNESCO WHC-08/32.COM/24- decision 32 COM 8B.18).

2. DESCRIPTION OF PROPERTY

The Core Zone of the LMCL covers a total of 3.48 km² (349 hectares). The Buffer Zone of the Le Morne Cultural landscape covers a total of 29.65 km² (2609 hectares) and comprises both land and Lagoon areas. The marine component represent an area that is 19.56 km² or approximately 66% of the entire Buffer Zone of the LMCL.

The specific location of the Core Zone and Buffer Zone on the land is presented in Figure 1.

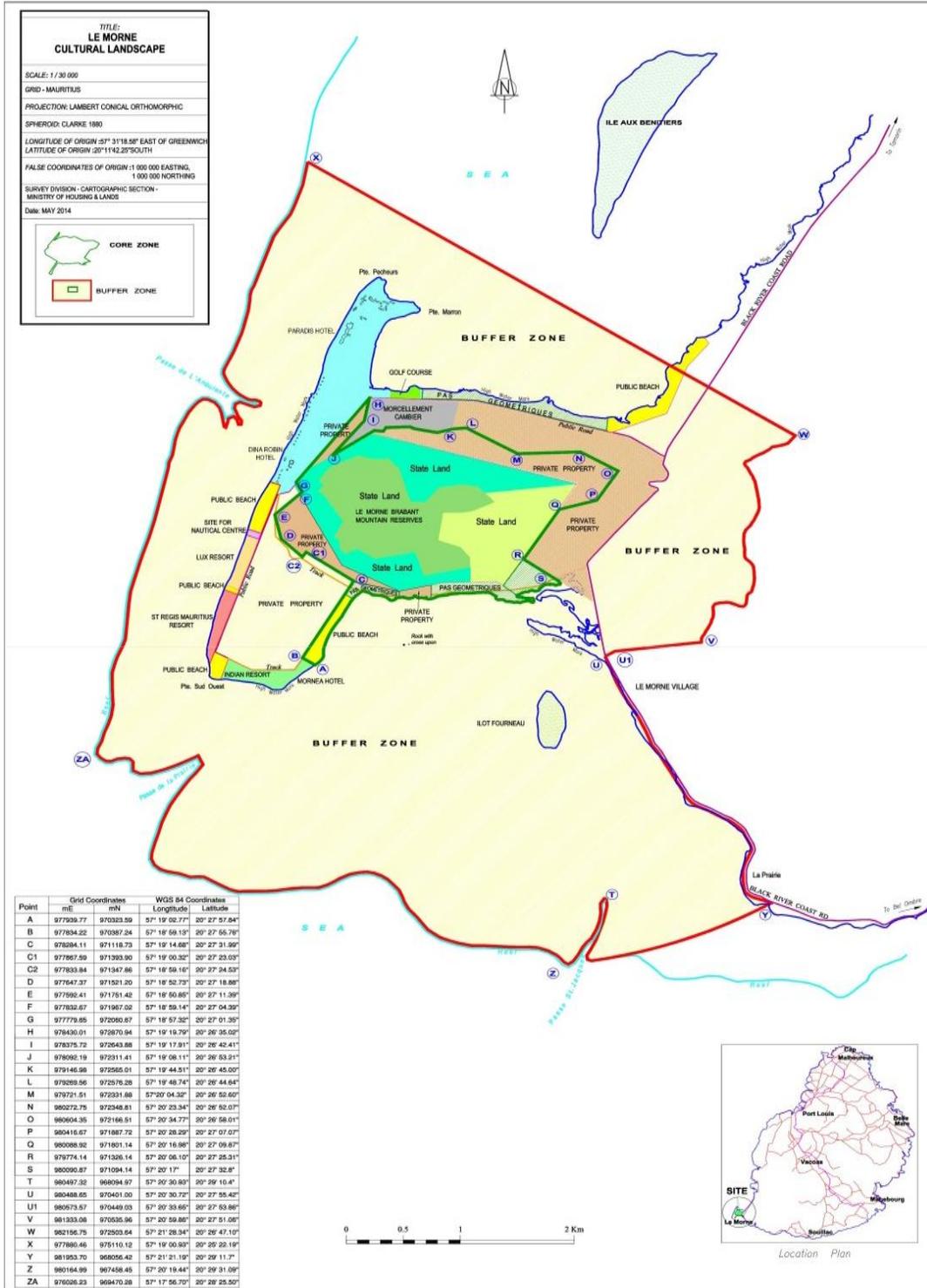


Figure 1: Map of Core and Buffer Zones of the Le Morne Cultural Landscape

Description	Grid Coordinates		Geodetic Coordinates (WGS84)	
	Boundary Points	mE	mN	Latitude (S)
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"

Description	Grid Coordinates		Geodetic Coordinates (WGS84)	
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"

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				

Description	Grid Coordinates		Geodetic Coordinates (WGS84)	
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"

Table 1: Core Zone and Buffer Zone Boundaries Description and Coordinate Points

2.1. THE CORE ZONE

The Mountain of Le Morne composes the Core Zone of the World Heritage Site. Originally, it was part of an estate that became the property of the Société Renaud Frères in 1865. Later on, most of the Core Zone became a National Reserve on state land.

Because of its topography, the Mountain itself has remained unscathed. There are no manmade structures on the Mountain's plateau except for a small metallic removable helipad at the top, a network of footpaths and mountain tracks including an unpaved circular trail going round the base of the Mountain affording visitors a few strategic and amazing lookout points. The trail intrudes to the top of the Mountain in a minimal way, and it is not clear whether the trails may have started off as maroon trails or if they were created by the Forestry Service as access trails for its workers. Either way, great care needs to be taken when any type of activity is conducted on or within the proximity of the Mountain.

The larger portion of the Le Morne Cultural Landscape, especially the Le Morne Mountain is in variable ecological condition with marked alien vegetation intrusions and visible erosion, yet with minimal human structural intervention, due to the topography of the Le Morne Mountain.

The only built structures in the Core Zone are a few houses on the southern slopes of the Le Morne Mountain (others were removed from the Core Zone through modification in Boundary line between Core Zone and Buffer Zone, (see part C-C1-C2 of Boundary line). A built structure of a former restaurant, Domino, is still existent and visible on the eastern side of the Le Morne Mountain. The building is scheduled to be demolished. Apart from the above mentioned the only other structure in the Core Zone is the telecommunication tower erected well before the

inscription of the Le Morne Cultural Landscape on the World Heritage List and enforcement of the PPG2. It is to be noted that Cabinet agreed at a meeting held in July 2008, (CAB No. 873 refers) that no development will be approved in the property.

2.2.THE BUFFER ZONE

The major land uses in the Le Morne Cultural Landscape are situated in the Buffer Zone, and include the following:

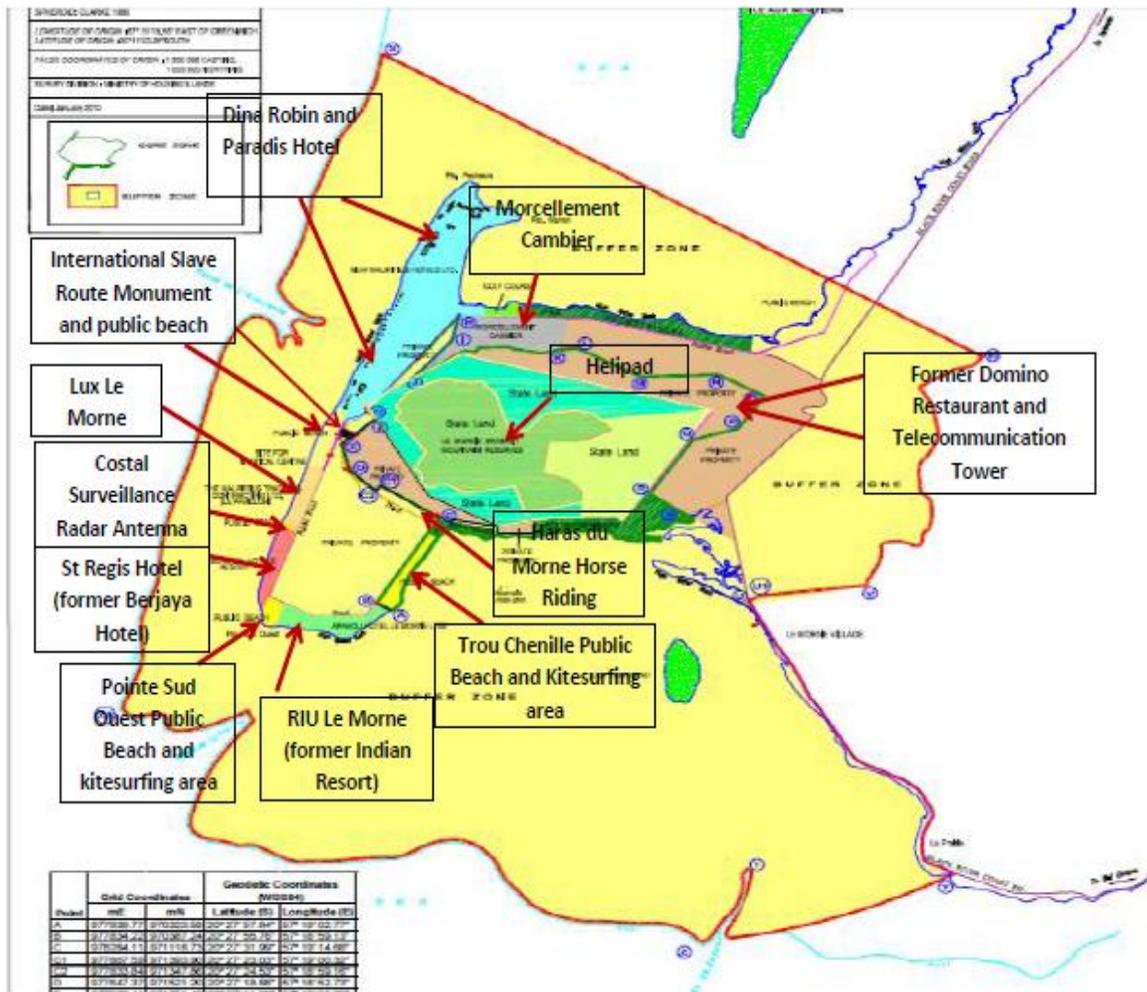
1. Four hotels are situated on the western side of the Le Morne Brabant Peninsula, namely the Paradis Hotel and Golf Club, the Dinarobin Hotel Golf and Spa, the Lux Le Morne Hotel, the St Regis Mauritius Resort, and the former Indian Resort Hotel presently being under renovation and bought by RIU Mauritius.
2. The Anba Filao Restaurant is situated at the Le Morne Public Beach adjacent to the Lux Le Morne Hotel;
3. Le Morne is recognized as one of the best kite surfing areas in the world and is thus a popular kite surfing destination. Kite surfing also has an influence on land management, both directly in terms of current impacts, as well as through the provision of adequate facilities and services required by the kite surfers, including accommodation in the hotels for tourist practicing such activities.
4. A horse stud farm, "Le Haras du Morne", is situated on the flat plain on the southern side of the Le Morne Brabant Peninsula, offering horse riding training, horse trail rides, as well as horse rides on the beaches on the western side of the Le Morne Brabant Peninsula;
5. Public beaches namely Pointe Sud Ouest public beach are situated on the southern side of the Le Morne Mountain, north of the former Indian Resort Hotel, between the former Indian Resort Hotel and the St Regis Mauritius Resort, between the St Regis Mauritius Resort and the Lux Le Morne Hotel, and between the Lux Le Morne Hotel and the Dinarobin Hotel Golf and Spa, and La Prairie public beach;
6. A residential settlement, Morcellement Cambier, situated on the northern slope of the Le Morne Mountain;

7. Individual houses on the southern foot of the Mountain;
8. The International Slave Route Monument;
9. The Coastal Surveillance antenna on the public beach adjacent to Hotel;
10. Facilities (toilet blocks, parking space, etc.) on the public beaches.

The major land activities in the Le Morne Cultural Landscape thus include the following:

- Hotel operations;
- Residential housing;
- General beach activities;
- Farming;
- Cycling;
- Hiking, walking, jogging, and mountain climbing;
- Bird watching;
- Horse riding;
- Golf;
- Parking; and
- Infrastructural development and maintenance.

The map below gives an indication on some of the major land uses within the Core and Buffer Zone.



2.3. EXISTING FRAMEWORK FOR THE WORLD HERITAGE PROPERTY

LEGISLATIVE FRAMEWORK

In 2004, Government established the Le Morne Heritage Trust Fund through the Le Morne Heritage Trust Fund Act 2004. The Le Morne Heritage Trust Fund (LMHTF) - a parastatal institution falling under the aegis of the Ministry of Arts and Culture - is mandated to maintain the Outstanding Universal Value (OUV) of the Le Morne Cultural Landscape (LMCL) World Heritage Site while ensuring that effective legal systems are in place for its long term protection and preservation.

The objective of the LMHTF is among others to preserve the physical environmental and ecological aspects of Le Morne and to promote its historical and cultural heritage. To this end, a

series of supportive legislation and policies are already in place to protect this heritage landscape and to regularize activities related to it.

The Le Morne Brabant Mountain was proclaimed as National Heritage in 2006, and enjoys a high degree of statutory protection under the National Heritage Fund Act 2003 and Le Morne Heritage Trust Fund Act 2004.

The following legislation and planning tools directly apply to the World Heritage Property:

1. Le Morne Heritage Trust Fund Act (2004);
2. The National Heritage Fund Act 2003;
3. The Planning and Development Act 2004 (amended 2011);
4. The Environment Protection Act 2002;
5. Forests and Reserves Act 1983;
6. Wildlife and National Parks Act 2004;
7. The Beach Authority Act 2002;
8. Fisheries and Marine Resources Act 1998;
9. The Outline Planning Scheme for the Black River District Council Area (2006);
10. The Planning Policy Guidance 2: Le Morne Cultural Landscape (2007);
11. Town and Country Planning Board: Planning Guidelines for the Coastal Zone (2004) which include Hotels and Integrated Resorts and Residential Coastal Development.

MANAGERIAL FRAMEWORK

The Le Morne Cultural Landscape's Core and Buffer Zone are managed by the Le Morne Heritage Trust Fund.

The Le Morne Heritage Trust Fund is assisted by the Black River District with regards to the Management of the Buffer Zone. The District Council's main activity is to manage and monitor development in the buffer zone. In view of promoting sustainable and equitable development in and around the listed Cultural Landscape while protecting and enhancing the Authenticity and Integrity of Le Morne Cultural landscape, the Black River District Council and the Ministry of Housing and Lands also ensure that the Planning Policy Guidance 2 (Le Morne Cultural Landscape) is being rigorously enforced.

The LMHTF relies on a key managerial document - the Le Morne Cultural Landscape Management Plan – to manage the Le Morne Cultural Landscape.

The Le Morne Cultural Landscape Management Plan was adopted in 2008. To better respond to new challenges and address current issues at World Heritage Site, the Management Plan was reviewed in 2013 and 2014. The outcome of the review process was the production of a revised Management Plan for the next five years. The revised Management Plan was finalized and is currently considered by the Government of Mauritius for adoption.

THE LE MORNE CULTURAL LANDSCAPE MANAGEMENT PLAN 2014 - 2019 (LMCLMP) is one of a set of important planning instruments that address orientation and actions to guide institutions, public and private agencies and the local community in the implementation of the Vision for the Le Morne Cultural Landscape.

The Integrated Management Plan 2014 – 2019 presents the essence and heritage values of the World Heritage Sites, UNESCO and other international requirements, the national legal framework, Visions and Missions, Strategic Objectives, and Actions Categories and contains a Plan of Actions towards the end. The Management Plan dwells on the use and development of the site. It therefore also proposes a Monitoring, Evaluation, Learning and Intervention (MELI) system that will track implementation of the Management Plan.

In addition to this overarching document, the LMHTF has commissioned the review and development of the further management tools since 2012 in order to provide additional layers of protection and preserve and enhance the OUV. These managerial tools address the issues of development, lagoon management and land use in order to ensure effective management of the World Heritage Site.

These tools form an integral part of the Management Plan as sub-plans and planning instruments. They include:

1. Land Management Plan (LaMP);
2. Lagoon Management Plan (LMP);
3. Local Economic Development (LED) Plan – Version 2
4. Other planning instruments including:

- a. Spatial Development Framework (SDF)
- b. Planning Policy Guidance 2 (PPG-2)
- c. Black River District Council Area Outline Planning Scheme (OPS)
- d. Planning Guidelines for the Coastal Zone (2004)

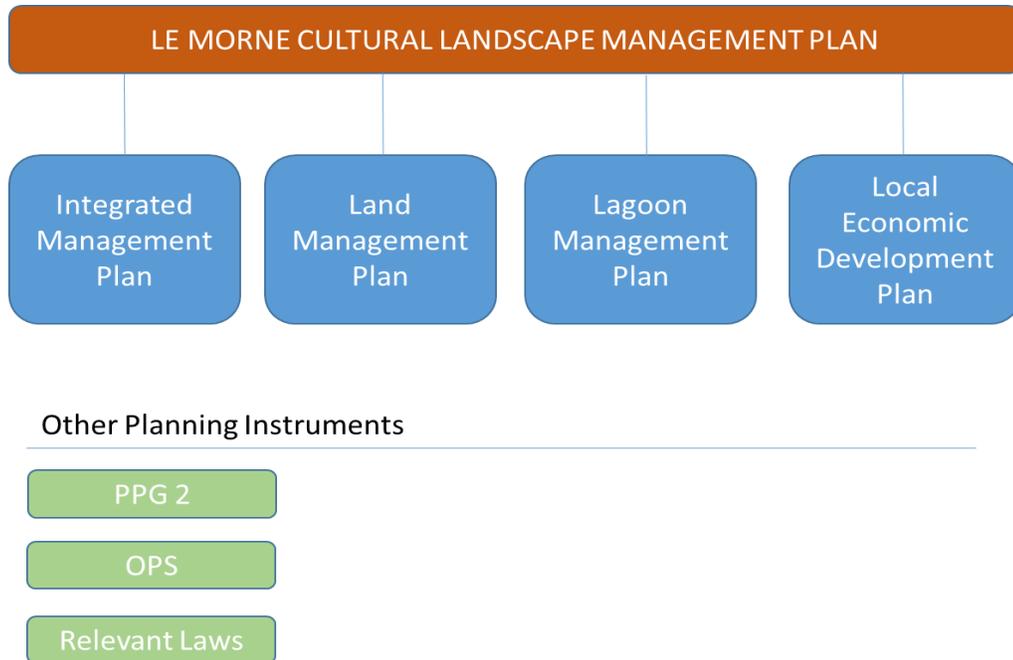


Figure 2: The Management Framework for the Le Morne Cultural Landscape

This managerial framework aims at rigorously ensuring the retention and enhancement of the Outstanding Universal Value of the Le Morne Cultural Landscape.

3. RESPONSE FROM THE STATE PARTY TO THE WORLD HERITAGE COMMITTEES DECISION

On 30 January 2015, the World Heritage Centre requested a State of Conservation Report regarding Le Morne Cultural Landscape World Heritage Property (Ref. CLT/HER/WHC/MAR/15/12/LF) with specific focus on development occurring at World Heritage Property that may affect the Outstanding Universal Value.

3.1 DISPUTES

A PROPOSED PROJECT DESCRIPTION WHICH HAS NOT BEEN AUTHORISED IN VIEW OF THE INSCRIPTION OF LE MORNE CULTURAL LANDSCAPE

The proposed Trochetia Project proposed by Société du Morne Brabant is located in an area forming part of the immediate buffer zone. Considering the localization of the project and the impact it would have had on the core zone, the Government committed to hold on the project in 2007, one year before the inscription of Le Morne on the World Heritage List. This decision was motivated by the need to preserve the authenticity and the integrity of the mountain. To date, the Government has maintained its stand to halt the said project.

DISPUTES

As at today:-

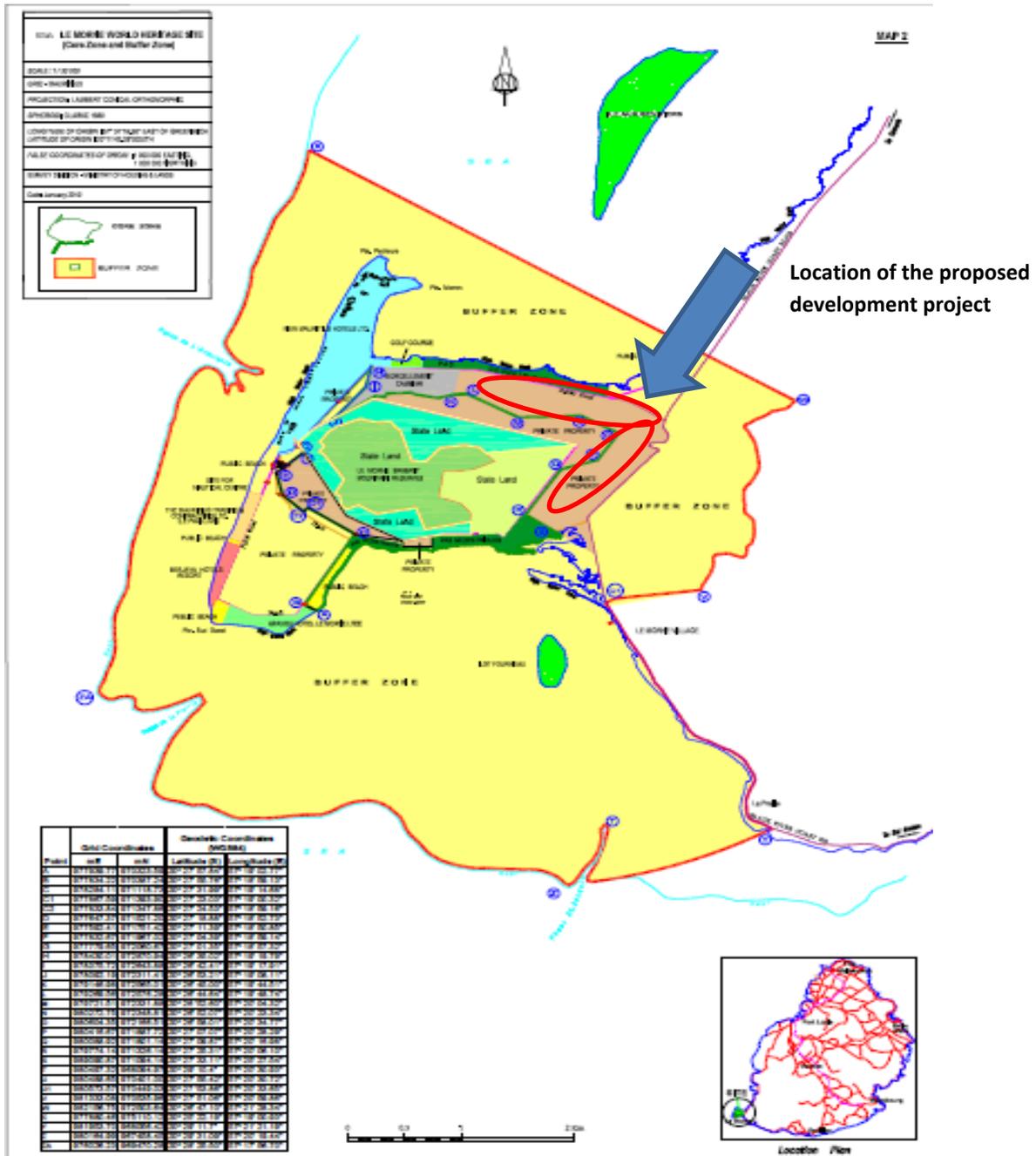
- (i) There is a case pending before the Supreme Court, Societe du Morne Brabant & Anor, Plaintiffs v The State & Ors, Defendants, SCR No. N/486/09, which is a claim made by Plaintiffs against Defendants in the amount of Rs.1.8 billion Mauritian rupees as damages. A copy of the amended plaint with summons is herewith annexed.

The case is now scheduled for arguments before the Supreme Court on 16 July 2015 on matters of law raised by the Defendants namely:-

Ex-facie the amended plaint with summons, the prayer sought at paragraph 155 is only for Plaintiff No.2 and Plaintiff No.1 cannot therefore be a Plaintiff in the case bearing SCR No. N/486/09.

- (ii) There is a letter dated 08 August 2014 from Hogan Lovells International LLP from London, addressed to the then Honourable Prime Minister and copied to the then Honourable Minister of Arts and Culture amongst others wherein it has been intimated, that in case the dispute cannot be resolved amicably, the UK investors will commence arbitration under the Agreement as provided in the Investment Promotion Act (hereinafter referred to as the "BIT") as Mauritius is in breach of its obligations under the BIT. According to the UK investors, their investments have been expropriated in respect of the above mentioned projects and Mauritius is therefore under an international obligation to compensate them under the BIT.

As at now, no reply has been made to the said letter and the situation is at status quo.



1. The application for development
2. The impact of the project on the World Heritage Property
3. Current status

THE POTENTIAL IMPACT OF THE PROJECT ON THE WORLD HERITAGE PROPERTY

The impact of the project on the Le Morne World Heritage Property would have been significant in many ways. The development proposal was located at the foot of the mountain within the Core Zone and Buffer Zone (listed as National Heritage in 2006). After examination, the Government of Mauritius decided to halt the project because it would alter the landscape and impact negatively on the spiritual, cultural and historical values of the landscape which has remained relatively intact for a long period of time. At the same time, if implemented, this project would have jeopardized the integrity and authenticity of the mountain, both substantiating its recognition as a National Heritage and a World Heritage Property.

Furthermore, the area where the development was proposed is located at the former village of Makak. Preliminary archaeological research works undertaken in 2007 revealed the major archaeological potential of this area and the opportunity to document further the significance of Le Morne as a key site for the Mauritian nation and also for slavery in the world. Henceforth, development in this area also raised the issue of the relevance of such development at an archaeological site protected by the provisions stated in the National Heritage Act 2003.

Hence, this project proposal was halted because it would have affected the significance of the Le Morne Mountain. Indeed, development on this critical terrain of the landscape would not be appropriate: such development is not coherent with the significance of the mountain nor is it with the need to preserve key sites speaking to the memory of the nation.

3.2. IMPLICATIONS OF THE COURT CASE (TROCHETIA PROJECT) ON THE PROPERTY

Regarding the direct implications, the court case results in restriction of access to the land earmarked for the development project proposed by Société du Morne Brabant up to date. However, access to the private land surrounding the summit – located in the buffer zone – can be granted on request by the Le Morne Heritage Trust Fund or relevant authorities to the private owners.

So far, the LMHTF cannot access the mountain freely through the summit (*core zone*) forming part of the Government property. Access requires the use of a helicopter landing on the helipad

located on the top. This mode of transport restricts the scope of actions and disrupts the project implementation process impeded by logistical and security issues. For example, the conservation works initiated on the summit in 2011 cannot continue in a systematic manner. Considering these difficulties, focus was on the conservation works on the western flank of the mountain where permission is given by the private landowner.

Similarly, the continuation of archaeological research on top of the mountain is affected by the access restriction because it impedes on the capacity to coordinate and implement a thorough archaeological campaign. The access restriction has also impeded on research at Trou Chenille and Makak village. Makak is located on private land located in both the Buffer Zone and Core Zone. A big part of Trou Chenille is located on Pas Geometrique. Makak and parts of Trou Chenille being located on the land earmarked for the proposed "Trochetia project" by Societé du Morne Brabant. However, such research process would be recommended because their results would substantiate further the significance of the World Heritage Property.

Consequently, the LMHTF does not have the capacity to fully implement projects in the core and Buffer zones. Projects indicated in the conceptual development plan in the Management Plan such as the setting up of trails, of a visitor kiosk and of an interpretation centre are affected by the restriction resulting from the court case and by the need to access private land at the foot of the mountain. However, best efforts have been made to address the land issues through the development of an appropriate framework to guide development towards sustainability and the preparation of various plans including recently a Land Management Plan to assist with the management of the Core Zone and the land portion of the Buffer Zone based on the current needs of the site. The Land Management Plan was developed after consultations with the relevant stakeholders to ensure that the land issues on site are also addressed in the Management Plan, in spite of the currently impeded access to the central part of the Mountain. It is useful to provide a better sense of which type of development would be appropriate in the area. This plan is a key tool when assessing development applications in the Buffer Zone of the Le Morne Cultural Landscape. In addition, estate management emerged as being of current importance; after all much needs to happen on the physical land, but always in a manner that does not jeopardise the values of the site.

4. DEVELOPMENT AND PROTECTION FRAMEWORK AT WORLD HERITAGE PROPERTY

4.1 PLANS AND PLANNING DOCUMENTS

The concern of the Government to encourage suitable development at Le Morne while adding value to the attributes of the Mountain led to the setting up of an appropriate framework in 2007 to guide and monitor development. This framework includes planning instruments and several plans that address specific issues:

1. Planning Policy Guidance 2 (PPG2);
2. Black River District Council Area Outline Planning Scheme (OPS);
3. Planning Guidelines for the Coastal Zone (2004);
4. Management Plan;
5. Spatial Development Framework (SDF)
6. Lagoon Management Plan; and
7. Cultural Landscape Mapping.

The guidelines for development at Le Morne Cultural Landscape are set out in the Planning Policy Guidance 2 for Le Morne Cultural Landscape established since 2007. A year before the inscription of the Cultural Landscape on the World Heritage List, the **Planning Policy Guidance 2 (PPG2)** was developed and adopted as a statutory planning document applicable to Le Morne Cultural Landscape area in the Black River District under section 13 of the Planning and Development Act 2004.

The objective of the PPG 2 is to define a set of performance criteria and design standards that are applicable to supportive development for use by individual site owners, developers, Nongovernmental organizations, and for assisting Government and the Local Authority when processing development applications. It aims to promote sustainable and equitable development that will protect and enhance the Authenticity and Integrity of Le Morne Cultural Landscape in line with the Operational Guidelines of UNESCO and the Le Morne Cultural Landscape Management Plan.

Applicants for Building and Land Use Permits should demonstrate, through a Design Statement, how they have taken account of the requirements of the Le Morne Cultural Landscape through

the Le Morne Cultural Landscape Management Plan, the relevant Design Guidance and Design Sheets in their development proposals so as to preserve the Authenticity and Integrity of the Cultural Landscape.

The PPG 2 constitutes the main planning document which works in line with the general planning guidance for the district set out in the **Black River District Council Area Outline Planning Scheme (OPS)**. The OPS is a complementary document that provides the design guidance for hotels and integrated resorts development, the design sheets for residential coastal development, for sloping sites and technical sheets for provision on infrastructure.

Concurrently with these two planning documents (PPG 2 and OPS), the **Planning Guidelines for the Coastal Zone (2004)** are used when development is located on the shoreline and has a direct impact on the sea border. This document provides a set of guidelines for hotel constructions and other development in order to ensure the respect of the natural setting on the beach.

These planning instruments are used concurrently with the Development management plan, the **Cultural Landscape Mapping** and the **Spatial Development Framework (SDF)**. The Spatial Development is a spatial planning reference document that aims to provide a framework for development in the various zones forming the Le Morne Cultural Landscape. As such, the SDF presents a spatial layout of the type of development that can happen in each of the zones that make up the Le Morne Cultural Landscape, i.e., the Buffer Zone and the Core Zone.

The SDF also makes provision for a Transitional Zone for development projects that set out a number of guidelines for development outside the Core and Buffer Zone to ensure that such projects do not affect the Outstanding Universal Value of the Le Morne Cultural Landscape.

The Cultural Landscape Mapping brings an additional layer of information when considering development applications. It identifies the tangible and intangible heritage of the Le Morne Cultural Landscape on a map and helps the preservation, enhancement and interpretation of the heritage attributes of the Le Morne Cultural Landscape. The database cultural landscape map assist all parties, including developers and decision-makers to understand the Le Morne Cultural Landscape better and appreciate it more fully in terms of what it represents, what needs to be conserved, and what parts can be used for what type of developments. The cultural landscape

map is an essential tool for physical planning and implementation on the site, and is considered available before implementation ensues.

All heritage related information are made available to planners and decision makers with the view to support informed decisions on the use, management and monitoring of the Le Morne Cultural Landscape.

All these plans are related to one another in an integrated manner in order to ensure coherence in the approach to management and development in the Le Morne Cultural Landscape Core and Buffer zones.

4.2 MECHANISMS FOR DEVELOPMENT APPLICATIONS

The Le Morne Heritage Trust Fund is very careful and stringent on development proposals that are likely to impede on the conservation of the site's heritage attributes, or the protection of the visual landscape. Ideally, development should enhance, or at least respect the heritage and visual landscape, and ideally ought to place the local community centrally. This will support the Le Morne Cultural Landscape to reach its full potential.

When assessing development applications, the LMHTF takes into consideration the legislation, the planning documents and the plans developed to specifically address issues at World Heritage Property.

The application is firstly submitted to the LMHTF whose Buffer Zone Technical Committee (BZTC)'s responsibility is to monitor activities in the Buffer Zone and assess development proposals on their impact on heritage. The committee was set up through inclusion in the Management Plan of the World Heritage Property in 2008.

The Buffer Zone Technical Committee therefore assesses proposed development and activities that may have major impacts in the LMCL, and advises the LMHTF Board and the Black River District Council (BRDC) accordingly, as well as other relevant authorities as may be necessary.

The BZTC comprises of technical experts that are necessary to advise the LMHTF Board on the implementation of the Planning Policy Guidance 2 and other guidelines for development proposals within the LMCL. The Buffer Zone Technical Committee is composed of representatives with technical knowledge and decision-making powers from the following authorities:

- a representative of the Ministry responsible for the subject of Arts and Culture, as chairperson;
- a representative of the Le Morne Heritage Trust Fund;
- a representative of the Ministry responsible for the subject of public infrastructure;
- a representative of the Ministry responsible for the subject of land use planning;
- a representative of the Ministry responsible for the subject of agro - industry and food security;
- a representative of the Ministry responsible for the subject of environment;
- a representative of the Ministry responsible for the subject of fisheries;
- a representative of the Ministry responsible for the subject of tourism;
- a representative of the National Heritage Fund;
- the Officer in Charge of the Planning Department of the Black River District Council or his representative;
- a representative of the Village Council of Le Morne; and
- a representative that is either permanent or co-opted of any entity that maybe considered to improve the function of the BZTC in terms of it being an Advisory body.

The process and the steps in it are clearly shown below:

Step 1: Promoter

A promoter shall submit his proposal in respect of any activity, project, or land use in the land component of the Core Zone and Buffer Zone to the Le Morne Heritage Trust Fund, for clearance by the LMHTF. The LMHTF Site Office shall send a letter to the Buffer Zone Technical Committee copied to the BRDC to inform them of the proposal and that it's being examined for heritage and visual impacts.

Step 2: Le Morne Heritage Trust Fund (LMHTF)

The Le Morne Heritage Trust Fund shall examine the proposal for completeness. If the submission is incomplete, the LMHTF shall request for missing information/documents. If in the positive and when submissions are complete, the LMHTF assesses the related cultural, heritage and visual impacts of the proposal, requesting further information from the promoter if necessary, and requesting presentation of the proposal, if required. The Le Morne Heritage Trust Fund may solicit specialist expertise if and when required.

Step 3: Buffer Zone Technical Committee (BZTC)

After examining the proposal, the Le Morne Heritage Trust Fund shall send its assessments to the BZTC for other technical advice. The Le Morne Heritage Trust Fund shall also forward the proposal to the Lagoon Management Committee, if necessary, and in particular if a proposal on the land will have an impact on the sea. The Le Morne Buffer Zone Technical Committee shall assess the proposal and submit its recommendations to the Le Morne Heritage Trust Fund.

Step 4: Le Morne Heritage Trust Fund (LMHTF)

Upon consideration of the recommendations made by the Buffer Zone Technical Committee, the Le Morne Heritage Trust Fund Board shall instruct the LMHTF Site Office to issue its clearance, objection or no objection, or otherwise as may be appropriate, to the promoter, and copy its decision to the Black River District Council, the BZTC and any other relevant authorities. The LMHTF shall send all the plans submitted by the promoter, stamped, together with their decision – objection or otherwise after having consulted its Board.

Step 5: Promoter

After obtaining the clearance of the Le Morne Heritage Trust Fund, the promoter can decide whether or not to proceed with a formal application, to the Black River District Council and/or any other relevant authorities for consideration. If the promoter is not satisfied with the final decision, he may appeal to the Black River District Council, and/or to the relevant authorities.

Step 6: Black River District Council (BRDC)

The Black River District Council considers the Application for changes in land use and development in terms of the Building and Land Use Permit (BLUP) and issues a decision to the promoter, copying such to the LMHTF.

The process is described in Figure 3 below:

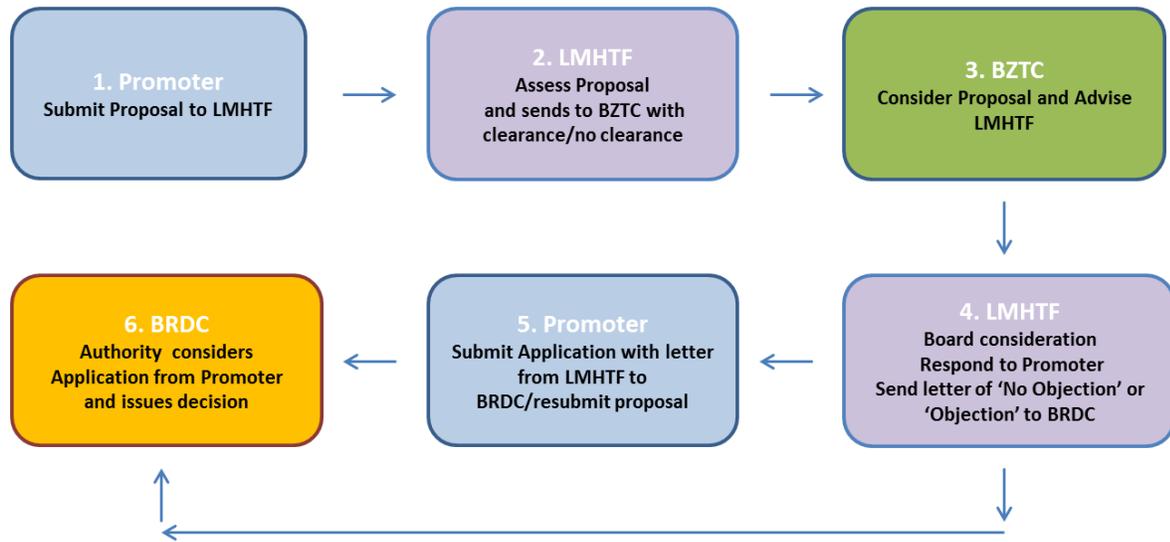


Figure 3: Flow diagram for applying for clearance for projects and activities in the LMCL

In its assessment work, the Buffer Zone Technical Committee shall refer to the provisions of all appropriate legislations, such as the Le Morne Heritage Trust Fund Act, the Building Act, the Planning and Development Act, the Town and Country Planning Act, Planning Policy Guidance 2 - LMCL, as well as the Le Morne Cultural Landscape Management Plan that plays an over-arching role, linking directly to a set of specific management plans for the site, including the Land Management Plan (LaMP), the Lagoon Management Plan (LMP) and the Local Economic Development (LED) Plan and any other subsequent specific plans developed that may have a bearing on the use and/or management of the site.

The Lagoon Management Committee supports the assessment of development applications when the proposal is located in the lagoon of Le Morne. This committee gathers all major stakeholder groups with the aim of reducing impacts on the Lagoon and ensuring a healthy Lagoon for the benefit of all Mauritians. This committee includes representatives from the following institutions:

1. Le Morne Heritage Trust Fund;
2. Ministry of Arts and Culture;
3. Ministry of Local Government and Outer Islands;
4. Ministry of Environment and Sustainable Development;

5. Ministry of Tourism and Leisure;
6. Ministry of Fisheries and Rodrigues;
7. Mauritius Oceanography Institute;
8. Beach Authority;
9. National Heritage Fund;
10. Representative of NGOs of Le Morne;
11. Fisherman of Le Morne;
12. Land Use & Planning Department;
13. Black River District Council;
14. Mauritius Marine Conservation Society;
15. Ministry of Youth & Sports; and
16. Le Morne Village Council.

4.3 THE NATURE OF DEVELOPMENT AT WORLD HERITAGE PROPERTY

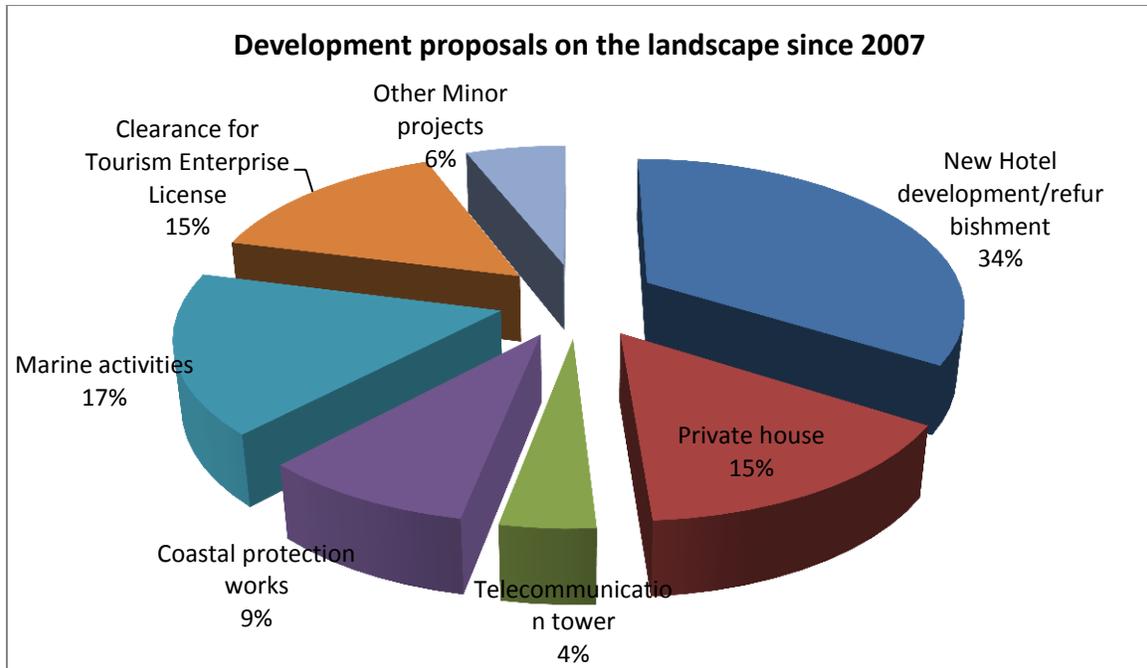
The framework and development processes in place ensure optimal management of the development pressure while providing opportunities for development at the World Heritage Property. Indeed, the stunning natural beauty of Le Morne Brabant has attracted developers who see in this beautiful setting the opportunity to add value to their projects and intended activities. The natural attributes of Le Morne were identified in many instances as a great business potential particularly for the tourism industry, one of the main pillars of the Mauritian economy. So far, five high standard hotels and a restaurant were set up at Le Morne Cultural Landscape.

When examining the development applications received since 2007 (a year before the inscription on the World Heritage List), this trend is confirmed with 34% of the applications submitted for the demolition and construction of new hotels within the same and for the refurbishment of existing ones who wish to maintain a high standard to attract some of the one million tourists visiting Mauritius per year.

The second motive for development representing 17% of the applications deals with maritime activities. To address this type of development, a Lagoon Management Plan (LMP) was recently developed to preserve and enhance the marine component of the LMCL consisting of various important ecosystems and natural features. They include the lagoon, beaches, mangrove stands, small estuaries, an island known as Ilot Fourneau, coral reefs and three major reef breaks. It is

recognized that the marine and terrestrial components of the LMCL are inextricably linked – historically, ecologically, economically and culturally. Furthermore, the Lagoon has the reputation of being one of the world’s best locations for kite surfing and attracts a large number of practitioners. It has been noted that the steady increase of Lagoon users, the lack of a common vision for the management of the area, growing development pressures and inadequate waste management facilities, all lead to greater pressures on the health and productivity of the Lagoon as well as increasing conflicts among the users. The LMP aims to guide the sustainable use of the Lagoon by all of those who use it, whether for leisure or as a source of sustenance.

A third motive for development represent applications mainly concerned with the private landowners who wished to construct or refurbish their main homes and request by individual house owners for clearance from the LMHTF to obtain a Tourism Enterprise License from the Ministry of Tourism to rent their house to tourist. Most of the request comes from Morcellement Cambier – being equally 15%. As the PPG2 states that "*the Morcellement should remain strictly residential*", the Le Morne Heritage Trust Fund is applying some rules and conditions with regards to renting of house in Morcellement Cambier. After consultation with the Ministry of Housing and Lands and Black River District Council, it was agreed that normally the whole building should be rented as a single unit strictly for residential accommodation and only one family occupies the building at a time, preferably on longer periods to ensure that there is no excess in tourism activities that would affect the spiritual value of the site.



In total, the Le Morne Heritage Trust Fund has received 47 development applications¹ and entertained 27 applications over the last 8 years. Twenty of these development requests were rejected or are currently being reviewed by the developers to meet the requirements established by the legislative and planning framework in place.

Project type	Received	Approved	No. rejected or still pending
New Hotel development/refurbishment	16	6	10
Private house	7	2	5
Telecommunication tower	2	1	1
Coastal protection works	4	4	-
Marine activities	8	6	2
Clearance for Tourism Enterprise License	7	6	1
Other minor projects	3	2	1
TOTAL	47	27	20

Table 2: No. of Projects approved and rejected by Le Morne Heritage Trust Fund since the coming into force of the PPG2 and Management Plan.

¹ The detailed list of development applications and their outcome is available in the annex 1.

5 OTHER CURRENT CONSERVATION ISSUES IDENTIFIED BY THE STATE PARTY

The major current conservation issues at Le Morne rest on the access to the Le Morne Brabant Mountain. Considering that the state land (core zone) is surrounded by private land, the ownership issue represents a major obstacle in the implementation of parts of the Management Plan.

The access issue raises three main concerns:

1. The difficulty to implement the heritage interpretation projects;
2. The difficulty to undertake and monitor conservation works; and
3. The difficulty to undertake further research works on top and flank of the Mountain.

Regarding heritage interpretation, the LMHTF has long planned and discussed to create a Museum/interpretation centre at an appropriate area adjacent to the International Slave Route Monument after an impact assessment and critical view point analysis has been done. However, the project is not progressing because of the issue and prevalent court case.

To complement the interpretation centre project, the LMHTF developed a number of walking trails yet these trails cannot be implemented because there is no authorized access to the private land leading to central part of the Mountain. However, the Le Morne Heritage Trust Fund Site Office has started heritage trails around the Le Morne Cultural Landscape where access is possible and undertakes regular cleaning and maintenance of these trails including, places of historical and cultural significance and archaeological sites for visitors.

Regarding the conservation at the World Heritage Property, the biodiversity conservation and rehabilitation works on the summit of Le Morne Mountain has been put at a halt due to another court case issue related to cable car project by Innovative Leisure Ltd. The Le Morne Heritage Trust Fund was advised to temporarily not to use the current helipad on the mountain erected by the promoter for the proposed project due to the prevalent court case. This therefore renders conservation works impossible on the mountain as the helipad is the only structure to enable helicopter landing on the mountain summit.

The Le Morne Heritage Trust Fund in collaboration with the Forestry Services has nonetheless continued to get involved in conservation and preservation of biodiversity rich areas on the lower level of the mountain. After preliminary surveys in the state land forests of the mountain,

it was found necessary to intervene in several areas rich in terms of endemism because exotic invasive species is causing degradation and loss. In this context, five expeditions to rehabilitate and conserve have been carried out in the year 2013 and 2014 with the main aim to identify floral biodiversity in rich areas and to survey these areas using permanent quadrats while searching and surveying rare plants.

Restriction of access to the mountain also leads to uncontrolled activity occurring on the mountain like hiking and mountaineering. One main example is the activity led by a tour operator specialized in hiking who has obtained permission to pass through private property, thus providing him access to operate up in various areas of the Mountain. This leads to raised conservation issues because the LHMF has no means to monitor this activity and assess its impact on the mountain.

Besides natural heritage, the conservation of cultural heritage is an issue because two sites namely Makak and Trou Chenille are both located at the foot of the mountain on private land. These two sites are protected by the National Heritage Trust Fund Act considering that the Core and Buffer zones are listed as National Heritage. However, the LMHTF has no permission from the landowner to operate research works, survey or monitoring works on the vestiges or remaining artefacts appearing on the surface. Halting access to the helipad also impacts on further archaeological research works on the top of Le Morne Mountain that would contribute to enhance the OUV of the World Heritage Site.

Tremendous effort is being applied by the Government to solve the matter of land issue that is seen as an impediment to the development of the LMCL and access to the Mountain would unlock the full potential of the Le Morne Cultural Landscape. The framework established for the management and monitoring of the Cultural Landscape provide a response to such issues because it addresses the problems and foster solution-finding with the community as a whole when implementing the plans in place.

6 POTENTIAL MAJOR RESTORATIONS, ALTERATIONS AND/OR NEW CONSTRUCTION(S) WITHIN THE PROTECTED AREA AND ITS BUFFER ZONE AND/OR CORRIDORS THAT MIGHT BE ENVISAGED

CURRENT SITUATION

As the body mandated to manage and maintain the LMCL, the LMHTF receives frequent requests to provide clearance for activities and proposed development within the LMCL. There are proper mechanisms in place for assessment of projects. The Buffer Zone Management Committee is assessing development proposals on the landscape and is monitoring activities within the Buffer Zone and its vicinity. Monitoring of the impacts caused by any activities or projects is measured against a baseline and is an integral part of management of the landscape.

Project proposals that are likely to negatively impact the OUV of the World Heritage Site are not approved and appropriate recommendations and mitigation measures are notified to the promoter. Only projects that support the spirit of the Le Morne Cultural Landscape Management Plan and which are in line with the legislative tools are supported and approved by the Board of the Le Morne Heritage Trust Fund. In case of non-compliance with the recommendations and other undertakings of the LMHTF, the promoters are exposed to the revocation of their license or remedial legal action.

Hence, there is currently no potential major restoration, alterations and new construction envisaged within the protected area that may impact negatively on the OUV of LMCL.

COMMITMENT TO PROTECT THE WORLD HERITAGE PROPERTY

It is worth noting that the Core Zone and the Buffer Zone are managed as a single entity following the UNESCO Inscription Decision 32COM8.B18. It is the aim of the LMHTF to maintain a high standard of management, with all stakeholders playing their part.

Government is also tremendously committed to protect the Le Morne Cultural Landscape to ensure that this unique coastal asset is managed in such a way that the economic and social opportunities it presents are optimized while its environmental integrity is maintained. For example, in 2010 a significant and costly measure was taken by the Government of Mauritius to protect the Visual Integrity of the Le Morne Cultural Landscape. Instead of overhead, Government funded about one hundred million rupees for the project of laying underground

high tension electricity cables running from the South to the central plateau of the island while crossing the Buffer Zone of the LMCL to avoid the strong negative visual impact that concrete electricity poles would have on the landscape. Since then, all new projects with regards to electricity and telecommunication connections are buried underground on the landscape under consultation with the LMHTF.

A second example is the project proposal of a Coastal Surveillance Radar system that the National Coast Guard was planning to erect on the public beach, opposite the International Slave Route Monument. After several consultations, decision was taken not to proceed with the project because the identified location was not appropriate and would negatively impact on the visual quality of the landscape. Government finally agreed to relocate the said structure in a more appropriate area where it will not be visible from any critical viewpoint.

All other prominent services such as cell phone towers and radar towers are well considered through extensive participation amongst stakeholders in order to ensure that collective decisions are taken to retain the unique and residual existential value of the LMCL. Developers (Government and private) are well aware and sensitized about the significance of Le Morne and the need to preserve its Authenticity and Integrity. No development and activities are undertaken on Le Morne Cultural Landscape before official clearance obtained through the established process and framework.

7 CONCLUSION

The major part of the land at Le Morne currently lies in the hands of a few private landowners; vast tracts of land are being underutilised, or lie fallow. The area available for development that requires land of any size is limited. Land ownership and access to the central part of the Mountain remains the largest cross cutting challenge to local economic development. Land use planning, zoning, and management within the LMCL and immediate surrounding areas are critical for the protection of the Le Morne Cultural Landscape and should be directed towards sustainability.

This is the reason why since the Inscription of the Le Morne on the World Heritage List in 2008, the Government of Mauritius has developed an appropriate framework to allow appropriate and participative management of the World Heritage Site while developing legislative and planning

tools aiming at implementing a suitable vision for development at Le Morne Cultural Landscape. In this report, the Government of Mauritius would like to reiterate its commitment to preserve and enhance the LMCL for the benefit of the nation and the world.

ANNEX 1

The PPG2 and Management Plans are vigorously being enforced without exception to all development proposals. The tables below give an overview of the the overall development projects received and assessed since the coming into force of the PPG 2 in 2007 and inscription in 2008 together with comments, actions and the information whether it was rejected or approved. Furthermore, all projects are properly monitored to ensure that all guidelines, conditions and mitigation measures are applied.

1. Past Construction/renovation projects

SN	Year	Project proposals/Scope	Area	Comments/Actions	Status
1	2007	Redevelopment and upgrading of Les Pavillons Resort Ltd. Involved soft refurbishment of the 149 rooms, upgrading of miniclub, existing pool and spa as well as the construction of two new pools.	Buffer Zone (Area G as per PPG2)	After project assessment of project and site visit it was noted that development will not impact on the OUV. No objection issued to promoter	Completed
2	2007	La Prairie Projects - Le Paradis Residence which is a Bungalow Project with Hotel facilities and leisure activities	Outside Buffer Zone	LMHTF consultants provided its views and comments in terms of protection of Scenic Area and quality, Potential Threats and recommendations about Critical viewpoints 2 and3 that the project will have even outside the Buffer Zone. No feedback from promoter	Pending
3	2008	Hotel project on Ile Aux Benitiers	Outside Buffer Zone	After consultations with its consultants, LMHTF provided recommendations/mitigation measures to the proponent, especially in view of preserving the visual dimension from the mountain.	Pending

				No feedback from promoter	
4	2008	Corniche Bay Project by Tatorio Holdings	Outside Buffer Zone and part of the development falls in the Buffer Zone	<p>Archaeological Survey Report carried out by Mr. E. Matenga which amongst others recommended the preservation of Dan Zak trail which may have been walked by slaves, maroons and freed slaves and continues to be used by their descendants.</p> <p>LMHTF not in favour of the proposed development as the extension of the Corniche Bay IRS is not in line with the PPG2 of the LMCL and the recommendations made by the World Heritage Committee.</p>	Tatorio Holdings has gone into receivership
5	2008	Project Ecotourism & Director villa at Le Morne - Ecotourism project that will consist of 12 ecotourism lodges and a restaurant in Area F as per the PPG2. Conceptual plans were also submitted included plans for Eco-Tourism Lodges, Manager's House, house, Campement de chasse & a restaurant	Buffer Zone	<p>Application was not complete in terms of Visual Impact Assessment & requirements of PPG2. LMHTF consultants raised the issue that the Directors villa is being part of the commercial development of the lodge which is not permissible according to PPG2. Furthermore, the ecotourism project will have a high visual impact on the land bridge which should be kept intact and does not 'fit' with the development guidelines of the PPG2.</p>	<p>"No objection" issued only with regards to construction of the Manager's house, under conditions guided by the PPG2 and Management Plan. Construction completed.</p> <p>No feedback from promoter with regards to Statement requested by LMHTF.</p>
6	2008	Extension of the former Indian Resorts Hotel at Pointe Sud Ouest Le Morne by Apavou Immobilier Ltee. Area of construction 32,300m ² which will contain 7 building blocks of 70 additional rooms and the renovation of an	Buffer Zone (Zone G as per the PPG2)	<p>LMHTF did not recommend the extension of the Indian Resort Hotel for a 2nd time.</p> <p>LMHTF consultants requested a carrying capacity study before allowing more development and that the PPG2 and Management plan have to be applied.</p> <p>LMHTF also requested plot coverage of Indian Resort Hotel.</p> <p>Appavou Immobilier brought some modifications to the original plans</p>	Project completed

		existing building to include a restaurant and a swimming pool.		<p>as per PPG for a plot coverage of 20%.</p> <p>Resubmission of Carrying capacity report for Indian Resorts hotel extension by promoter.</p> <p>LMHTF provided a list of guidelines and conditions for the 2nd extension and mitigation measures.</p> <p>No objection with conditions issued to promoter.</p> <p>Regarding the proposed colour for the Hotel, the consultant is explicit about using green filao colour such that the structure is least visible.</p>	
7	2009	Coastal Surveillance Radar System on Le Morne public beach, West public Beach located between Dinarobin and Lux Hotels by the Government of Mauritius (National Coast Guard - NCG)	Buffer Zone	<p>The radar will definitely affect Critical Viewpoint 7.</p> <p>LMHTF commented on the already congested beach.</p> <p>The NCG was recommended to explore other alternatives.</p> <p>Objection of LMHTF to the felling of 50 filao trees for the project.</p> <p>An alternative location was proposed by NCG. Plot of land identified at public Beach between St Regis (Ex-Berjaya) and Lux Hotel.</p> <p>No objection issued to NCG as the project will not affect the OUV and will not be visible from any Critical Viewpoint on the LMCL on the proposed site.</p>	Project completed.
8	2008	Development project at La Prairie by Brightsphere Ltd	Outside Buffer Zone	<p>Assessment done by consultants of LMHTF with site visits.</p> <p>The project will be against the recommendations of the World Heritage Committee and will affect the Authenticity and Integrity of the site as well as various critical viewpoints</p>	Project not recommended by LMHTF.
9	2008	Refurbishment of Ex Berjaya Hotel (Now St Regis Mauritius)	Buffer Zone (Area G)	<p>Project assessment by consultants.</p> <p>Site visit and monitoring exercises conducted.</p>	Completed

				<p>Project has to strictly comply to PPG2, Management plan and all other statutory documents</p> <p>No objection issued by LMHTF with conditions Project</p>	
10	2009	<p>Proposed construction of Beach House at la Prairie Baie Du Cap Estates- The company was allocated 4A 89 plot of state land in a land exchange program in the view of the construction of a Bridge at Maconde. The company has planned to construct a Beach House for its IRS development program.</p>	Outside Buffer Zone	<p>Due to lack of information and an EIA the LMHTF could not proceed with the evaluation.</p> <p>No feedback from the promoter</p>	Pending
11	2009	<p>Provision for parking spaces and rehabilitation of Le Morne Public Beach in view of preventing coastal erosion by vehicular trampling and ensure rehabilitation of the public beach by the Beach Authority.</p>	Buffer Zone	<p>The project will contribute in the protection and preservation of the physical integrity Le Morne Cultural Landscape with regards to natural disaster risk.</p> <p>No objection with conditions issued to the Beach Authority.</p>	Project completed
12	2010	<p>The construction of a Beauty Care Center (Spa for Seven Center of Energy Ltd) East of Le Morne Village. It will consist of various cabins for massage</p>	Outside the Buffer Zone boundary but in the vicinity of the World Heritage Site	<p>After technical assessment, construction is seen to impair the visual qualities of Critical Viewpoint 3 (La Prairie) & conservation/rehabilitation zones as per Spatial Development Framework.</p> <p>LMHTF proposed the promoter to resubmit a new proposal which will</p>	Till now project has not yet started.

		purposes, aesthetics and hairdressing and a Jacuzzi		<p>not affect the sensitive zone and scenic areas.</p> <p>Promoter resubmitted amended proposals that are in line with recommendations of the Le Morne Heritage Trust Fund (LMHTF)</p> <p>No objection issued to promoter.</p>	
13	2010	Proposed development on the L-Shaped Zone at Le Morne by Le Morne Development Corporation (Rogers Group)	Buffer Zone (Area D of PPG2)	<p>Project assessed by consultants of LMHTF.</p> <p>Several meetings/site visits and a powerpoint presentation were carried out with regards to the project.</p> <p>Ethical and Normative Position document issued by promoter.</p> <p>Promoter requested to refine the concept design that has been subject to evaluation by the LMHTF.</p> <p>The final design should confirm to all requirements contained in the LMCL Management Plan, PPG2 as well as all other statutory legislations.</p> <p>Full EIA also requested</p> <p>In principle approval from LMHTF related to the concept submitted by LMDC for the development, on condition that final design should conform to all statutory requirements and that further refining of the concept design.</p> <p>No further feedback from promoter</p>	Project pending
14	2010	Hotel project at La Prairie by Southern Comfort Resorts Ltd.	Outside Buffer Zone	<p>Project assessed by consultants of LMHTF.</p> <p>Consultants did not recommend the going ahead of this project as such as drastic change in the scenic environment may endanger the inscription of the World Heritage Site.</p>	Project not recommended by LMHTF.
15	2010	Proposal for a small Touristic Development in	Buffer Zone (Area C as	Detailed plans requested to promoter.	Pending

		the triangular area as per the PPG2	per PPG2)	No feedback from proponent	
16	2010	Construction of 7 residential villas on a private property of 28,326.13m ² beside the Morcellement Cambier	Buffer Zone (Area E)	The plot of land owned by the promoter is found in the vicinity of the former historical village of 'Macaque' which forms part of the cultural attributes of the Le Morne Cultural Landscape and constitutes its Outstanding Universal Value. It is an archaeologically potential site where further research should be carried out to gain a broader understanding of the village. Prior to any development on this property, LMHTF highly recommended undertaking an archaeological survey by professionals on site. The results of the archaeological study must be integrated in the Heritage Impact Assessment (HIA) report, which should look at all criteria of significance which include tangible and intangible heritage.	Ministry of Housing and Lands is looking into the issue with Cabinet
17	2012	Project of Mangrove plantation in the estuary of LMCL	Buffer Zone	The project contributes in the protection and protection of the natural biodiversity of the landscape and seascape and acts as a natural barrier against natural disaster like high tides	Project completed
18	2012	Helipad project at L'embrasure for the transfer of guests of St Regis resort	Buffer Zone (Area F as per PPG2)	Consultants did not recommend the project as it would have adverse impact on the authenticity/ spiritual values of the WHS.	LMHTF did not recommend the going ahead of the project.
19	2012	Football playground project at La Prairie by the Ministry of Housing and Lands	Outside Buffer Zone	The project will not impact on any critical viewpoint and will benefit the local community. No objection issued to the Ministry	Project still pending
20	2013	Embellishment and upgrading of road at Le Morne by the National Development Unit (NDU) of the Ministry of Public Infrastructure. Project consists of upgrading of	Buffer Zone and Core Zone	LMHTF and Ministry of Environment did not recommend a rock revetment in this environmentally sensitive zone (along Trou Chenille trail) and proposed soft prevention measures. Furthermore, paving of the access road with stones has been recommended instead of asphaltting, to maintain the natural	Project completed

		<p>existing tarred road 500m long</p> <ul style="list-style-type: none"> -Upgrading of access road from Trou Chenille Public Beach to B7 Road (L'Embrazure) 3km long -Erection of rock bund wall at certain locations along Trou Chenille Dirt Track to prevent erosion. -Landscaping and embellishment of Point Sud Ouest and Trou Chenille Public beaches. - Leveling of access road on beaches. 		<p>environment of Le Morne and to avoid vehicular speed excess on this area.</p> <p>No objection with conditions issued to the NDU</p>	
21	2013	Coastal Protection Works by the Ministry of Environment	Buffer Zone	<p>The project will contribute in the upgrading and rehabilitation of the public beach and protects the shore against beach erosion.</p> <p>However, LMHTF opposed to the important number of trees identified to be felled down for the project by the Ministry of Environment. A reduction in the number of trees will affect various critical viewpoints and lines of sight on the landscape.</p> <p>The Ministry has reduced the number of trees and made a realignment on their project plan.</p>	Project not yet started
22	2014	Enhancement of Orange Mobile Network at Le Morne - The Mauritius Telecom is planning to enhance the coverage and provide excellent data service at Le Morne Village. A new mobile	Outside Buffer Zone	<p>The stand- alone structure will be visible from Critical Viewpoint 3 (Pointe Corail de la Prairie) in case it is fixed at the beginning of Le Morne village from La Prairie on the higher level of the settlement area of Le Morne. Even though it will benefit the local community it is a real visual impact (even though it is the palm tree, they remain very synthetic)</p> <p>It was proposed that an alternate</p>	Project being implemented

		<p>station shall be deployed to improve the network coverage. The following is required from the village:</p> <ul style="list-style-type: none"> -Space to install mobile equipment and Plam Tree Tower. A equipment room of size 4m by 4m shall be constructed and a sound proof generation shall be installed. -A single-phase 63A secured AC power supply adjacent to mobile quipment or permission to supply for CEB connection. <p>The minimum plot size to be 17m by 17m, site accessibility, elevation from sea and duration of agreement</p>		<p>appropriate area be identified.</p> <p>The Mauritius Telecom has proposed the fixing of a chimney-like integrated structure on a ground +1 building in the middle of the village which is not going to affect any Critical viewpoints</p>	
23	2014	<p>Supportive Tourist Project at Coteau Raffin - A total acreage of 490 Arpents which is partly in the Buffer Zone of the WHS is being proposed for a project in line with the statutory guidelines to ensure the objective of the Buffer Zone and the Integrity of the WHS.</p>	<p>Buffer Zone (Area C and F as per PPG2)</p>	<p>The project has been assessed by the consultants of the LMHTF and its technical committee and it was noted that some components of the project do not fully comply with provisions of the PPG2 and LMCL management Plan.</p> <p>Furthermore in the absence of proof of ownership and Title Deeds of the property, especially referring to the development history of this land since inscription of the Le Morne Cultural Landscape, as well as contestation of ownership that has surfaced in recent past, the Le Morne Heritage Trust Fund cannot give its views and recommendations on the proposed development.</p>	<p>Pending</p>

				<p>Proponent was requested to provide further information and proof on landownership.</p> <p>No feedback from promoter</p>	
24	2014	<p>Extension at former Mornea Hotel on State Land at Le Morne Brabant in the context of EIA application for RIU Le Morne Ltd</p> <p>Construction of additional 37 bedrooms on former Moreva Hotel for adults only (182 + 37 new guestrooms: 219 guestrooms. The proposed position of new bedroom block will be built on land vacated by the demolition of the existing Spa buildings.</p>	Buffer Zone (Area G)	<p>After assessment by the consultants and technical committee of the LMHTF, it was found that the plot coverage is being respected with regards to the Carrying Capacity exercise. However, the building height is not appropriate.</p> <p>Recommendations and mitigation measures were issued to the promoter: Building height to be reduced from G+2 to G+1.</p> <p>Protection of visual character of the landscape.</p> <p>Biodiversity conservation works Protection of the marine environment</p> <p>Colour of the building to blend into existing environment and use of environment friendly materials</p> <p>Local community empowerment</p> <p>Creation of cultural tourism network with LMHTF</p> <p>Promoter officially stated that all guidelines will be followed and submitted an amended set of plans as recommended.</p> <p>No objection issued by LMHTF followed by EIA issued by Ministry of Environment.</p>	Project is underway and will be completed very soon.
25	2014	Application for lease land at PG Labonté for setting up of a small eco tourism project – non motorised water sports & cultural adventure	Buffer Zone (Area B)	<p>After assessment, it has been noted that the project is meant to promote cultural and eco-tourism and will build capacity and raise awareness on the significance of LMCL.</p> <p>The promoter was informed that the project proposal is commendable and can be</p>	Promoter is in process of applying for a lease agreement with the Ministry of Housing and Lands.

				recommended on the Le Morne Cultural Landscape World Heritage Site.	
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2. Proposal for construction of residence in Morcellement Cambier (buffer zone) – Area H of PPG2

SN	Year	Project proposal /scope	Comments/actions	Status
1	2009	Addition of one storey building on an existing ground floor residence and request to operate a Table d'hôte	PPG2 does not allow double storey building and the maximum height is to be ground floor only. The Morcellement should remain strictly residential as per the PPG2.	LMHTF objected to the going ahead of the project.
2	2009	Housing project on Plot 82	As per views of consultants, the project proposal is not in line with the PPG2 and the promoter has been requested to amend the architectural plans accordingly.	Promoter did not go ahead with the project and sold the land.
3	2011	Proposal for construction of 4 residential buildings on plot 72 with ground floor +1.	PPG 2 for Area H states that maximum height is to be ground floor only. No double storey will be allowed on vacant plots and only one dwelling per plot. Plans submitted did not conform to PPG2. Promoter was requested to amend the house plans in accordance to PPG2 and to submit the new plans. No feedback from proponent	Pending
4	2011	Proposal for the construction of 1 wooden residential house of 100m ² on Plot 5 for personal use. It should be noted that there exists another house on the same plot of land.	According to PPG2 no-subdivision of plots is allowed and only one residential dwelling will be allowed per plot. Consultants made it explicit that there cannot be more than 2	As construction of the house already started without approval form authorities concerned

			houses on a plot and plot subdivision is not allowed in the Morc.	including LMHTF and about 50% of work completed, the LMHTF requested the Black River District Council to issue a Stop Order to the proponent. As per court judgment, the promoter was ordered to pull down the illegal building within a delay of three months.
5	2012	Construction of house on Plot 91	Assessment of project and site visit. No objection issued to promoter with conditions.	Project completed
6	2013	Construction of house on Plot 82	Initial plan was not in conformity with PPG2 and had a very strong visual impact on the LMCL Promoter was requested to amend the plan accordingly in terms of height restriction. No objection issued to promoter on the basis that the plan has been reviewed and is in line with the PPG2.	Project not yet started
7	2014	Presentation: Feasibility for 4 plots of land in Morc. Cambier for residential construction on Plot 63,64, 92 and 93.	After technical assessment of the project, recommendations were sent to the architect with regards to the colour of the facades, the issue of	The architect was requested to amend the plans and to respect guidelines of the PPG2.

			sub-division, commercial use and height of the building,	
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3. Request for clearance from LMHTF to obtain Tourism Enterprise License (TEL) to operate tourism activities

SN	Year	Project proposal/scope	Area	Comments/actions	Status
1	2010	To operate a guest house for Tourist residence at Le Morne village	Outside Buffer Zone but in its vicinity	No objection from LMHTF as the house complies to PPG2 and is outside the buffer zone.	Activity in operation
2	2011	Request for renewal of a TEL to operate a Tourist Residence (03 rooms). The license existed since 2004 before PPG2.	Buffer Zone (Morcellement Cambier)	The LMHTF issued no objection given that the TEL was issued to the applicant since 2004 before the enforcement of PPG2.	Activity in operation
3	2011	Conversion of an existing residence into a tourism residence	Buffer Zone (Morcellement Cambier)	The Morc. Cambier should remain strictly residential with no commercial accommodation activities allowed.	LMHTF objected on the going ahead of the project.
4	2013	Request clearance to obtain a Tourism Enterprise License to operate tourism residence	Buffer Zone (Morcellement Cambier)	The proponent was officially informed of the clause of the PPG2 which stipulates that the Morcellement should remain strictly residential. Views of Ministry of Housing and Lands sought on the proposal .	As per Board's decision, "no objection" issued provided that: 1. the whole building being rented as a single unit strictly for residential accommodation; 2. only one family occupying the building at a time for a minimum period of two years; 3. no further physical development such as extension and alteration be made to the existing building without any clearance from authorities concerned;
5	2014	Application for office	Buffer Zone	Views of Ministry of	Activity in

		management for the following activities: - Bicycle Rental Services -Kitesurfing and non-motorised water sports services	(Morcellement Cambier)	Housing and Lands sought on the issue The proponent also takes into consideration socio-economic aspects of the village by recruiting local inhabitants to work for him and build capacity. No objection under the following conditions issued to the proponent: The exclusive use of only those equipment required for the running of the office; No storage of boating/surfing or cycling equipment being allowed on his premises	operation
6	2014	Renewal of contract car rental services trade license	Buffer Zone (Morcellement Cambier)	Board agreed to issue "no objection" to the applicant for the renewal of the contract car rental services on the basis that the activity already bears a license from the National Transport Authority	Activity in operation
7	2014	Authorisation for the Conversion of part of an existing building into a tourist residence at Le Morne village	Outside the Buffer Zone	No objection issued to the promoter being given that the activity is outside the Buffer Zone and is benefitting the local community	Activity in operation

4. Proposals on seascape

SN	Year	Project proposal/Scope	Comments/Actions	Status
1	2011	Proposal of setting up a ski lane project by Naide Resorts in the lagoon of the LMCL.	Proposal taken on the Lagoon Management Committee	After technical assessment, it was agreed by the technical committee and Board of the LMHTF that the project would affect the OUV of the World Heritage Site and was no recommended.
2	2012	Proposed demarcation of a Swimming zone by St Regis	Proposal taken on the Lagoon Management	In heritage a Heritage point of view, it was agreed that

		Hotel	Committee	there is no damage to neither tangible nor intangible heritage of Le Morne Cultural Landscape and the Board approved that a 'No objection' be forwarded to St Regis Hotel subject to the compliance of the hotel to the guidelines of the Mins. of Fisheries
3	2014	Growfish International Aquaculture Project by the Board of Investment ((Outside Buffer Zone)	Proposal taken on Lagoon Management Committee. No objections with conditions sent to the proponent	Not yet implemented
4	2014	Candock Wellness on a boat (received by email) – Craft of 9m by 5m with an engine of 15HP (Within Buffer Zone)	Proposal taken on Lagoon Management Committee	Project not recommended by the technical committee and Board as it is not with the preservation and conservation vision of the Le Morne Heritage Trust Fund for the Le Morne Cultural Landscape
5	2014	Application to operate kitesurfing on Trou Chenilles public beach and lagoon by an individual operator (Buffer Zone)	Proposal taken on Lagoon Management Committee. The area is already dedicated to kitesurfing. No objection issued to applicant for a Tourism Enterprise license as the project supports local economic development	Activity in operation
6	2014	Application to operate non-motorised water sports	Proposal taken on Lagoon Management Committee. No objection issued to applicant for a Tourism Enterprise license as the project supports local economic development and it will not cause any damage to heritage	Activity in operation
7	2014	Application to operate kitesurfing on Trou Chenilles public beach and lagoon by an individual operator (Buffer Zone)	Proposal taken on Lagoon Management Committee. No objection issued to applicant for a Tourism	Activity in operation

			Enterprise license as the project supports local economic development and it will not cause any damage to heritage	
8	2014	Application to operate kitesurfing on Trou Chenilles public beach and lagoon by an individual operator (Buffer Zone)	<p>Proposal taken on Lagoon Management Committee.</p> <p>No objection issued to applicant for a Tourism Enterprise license as the project supports local economic development and it will not cause any damage to heritage</p>	Activity in operation