

2. POLICY, LEGAL & ADMINISTRATIVE FRAMEWORK

2.1 Project Promoter

The promoter of this project, Best Luck (Mtius) Ltd has been registered according to local requirements as a private company limited by shares on the 1st of December 1998. A copy of the Certificate of Incorporation, issued under Section 24 of the Companies Act 2001, is presented in appendix at Annex 3. The director of Best Luck (Mtius) Ltd already has substantial amount of experience in the construction industry, accounting to more that 20 years experience in this business. Best Luck (Mtius) Ltd is extensively involved in the paving of road, construction of road drainage systems and also in the setting up of residential morcellement. In short, the promoter is well versed with all the aspects of the construction industry and can thus contribute significantly in providing quality asphalt products which will surely be very beneficial to the country. The promoter believes that the setting up of asphalt mixing plant will consolidate the business through vertical integration. Furthermore, the site is strategically located in a zone dedicated to activities related to the construction sector. The proponent of this project gives assurance that no compromise will be made on the environment and that the company will be dedicated towards ensuring smooth running of the plant both on the economic stand-point and also on issues related to the environment. The promoter intends to fully comply with other international standards such as ISO: 9001 once the plant has completely been setup and operational.

2.2 Land Ownership

The proposed plot of land formerly belonged to F.U.E.L Sugar Estates and has been acquired by the proponent for the setting up of the asphalt mixing plant. A copy of the title deed is presented in Annex 4 of the report.

2.3 Site Description

As mentioned, the site earmarked for the manufacturing of asphalt already contains the required asphalt mixing equipment.. It is surrounded on the four sides as follows:

- ❖ Along the northern boundary by shrub vegetation.
- ❖ Along the Eastern boundary by Sugarcane fields.
- ❖ Along the southern boundary by Fast Block Manufacturing Facility.
- ❖ Along the western boundary by a common road.

2.4 Legal Requirements

The Environmental Protection Act (EPA) 2002 was promulgated in view of limiting environmental impact of particular development on the environment. Subsequently, by virtue of proclamation of Part IV, Section 15, it has become mandatory for any person or organisation, acting as proponent, to commence, proceeds with, carries out, executes or conducts, or causes to commence, proceed with, carry out, execute or conduct, to apply for and obtain an EIA license. The first schedule (Part B) of the EPA 2002 lists out the various undertakings requiring an Environmental Impact Assessment. As per the list of Part B, ‘Asphalt Plant’ is mentioned as being one of the undertakings requiring an Environmental Impact Assessment (EIA). Thus, the promoter is submitting the EIA report, thereby, complying with the pertaining legislations in Mauritius.

2.5 Licence Application

In conformity with the provisions of the Environmental Protection Act 2002, as stipulated, Best Luck (Mtius) Ltd is applying for an Environmental Impact Assessment (EIA) license from the Ministry of Environment & National Development Unit, through the Department of Environment, for the setting up of the Asphalt Mixing Plant at La Laura, in the District of Flacq.

2.6 Development & Building Permits

Under the provisions of the Town and Country Planning Act, the promoter will apply for a Building and Land Use permit (BLP) prior to the operation of the plant on the proposed site. The Moka / Flacq district council is the statutory authority empowered to grant the BLP for the setting up of the asphalt plant unit on the projected site. The BLP will be applied after the environmental clearance in the form of an EIA License has been granted. Accordingly, as soon as the EIA License is obtained from the Department of Environment, the application for the BLP will be effected.

2.7 Zoning

The proposed asphalt manufacturing plant is zoned in an area where similar activities are being carried out. A stone crushing and block manufacturing facility is situated within close distances from the proposed site. Furthermore, a concrete premix batching plant is also situated within the vicinity of the proposed site. The proposed activity is fully compatible with the provisions of the “Outline Planning Scheme for Moka / Flacq of the Town & Country Planning Board.