

Chapter 2.0: Legal Framework, Planning Guidelines, Project Alternatives

2.0 Legal Framework

2 i The Environment Protection Act (EPA)

Section 15 (2) of the Environment Protection Act deals with the prohibition to carry out an undertaking as stated below:-

“No proponent shall commence, proceed with, carry out, execute or conduct or cause to be commenced, proceeded with, carried out, executed or conducted an undertaking specified in Part A of the First Schedule, without an approval of a preliminary environmental report and in accordance with section 16; an undertaking specified in Part B or Part C of the First Schedule, without an EIA licence;

2 ii The project proposed by Barachois Villas Company Ltd will be implemented in the Black River District at Tamarin and will comprise 51 villas of the IRS type. As per provisions of this act, the proposed undertaking requires an Environmental Impact Assessment.

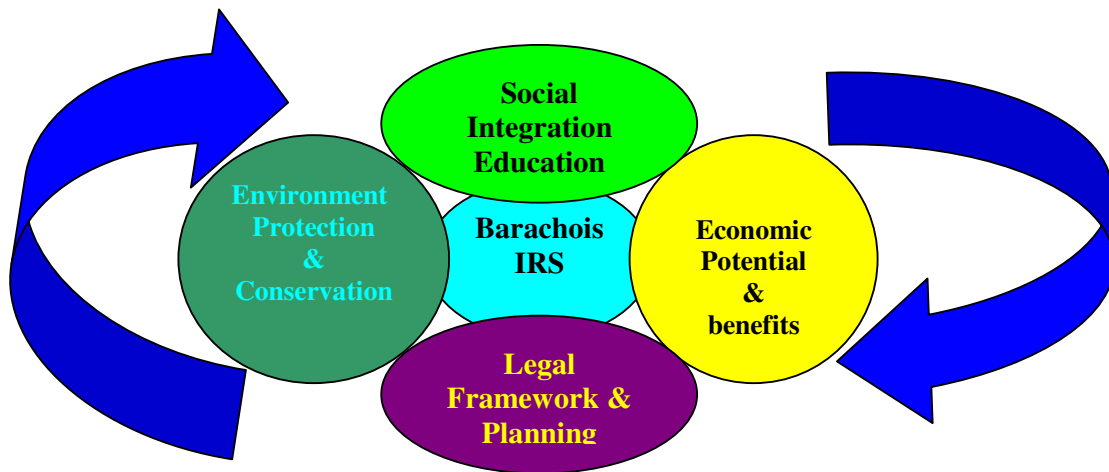
2.1 Planning Guidelines

The propose project respects planning guidelines as stated under different provisions of the Outline Planning Scheme for Black River District council as well as the National Development Strategy.

2.2 Project Alternatives

The site does not come under the definitions of Areas of Agricultural suitability and Forests as referred to from the National Development Strategy Map 3 and is further confirmed through the letter referenced MAC/17489/5322 from the Ministry of Agro Industry & Fisheries Land Conversion Unit presented at annex 7. Until recently this site was used as a hunting ground for deer. With the coming up of Tamarina IRS, its high profile villas and Golf course, continued utilization of this site for the purpose of hunting would have presented a certain amount of risk and would have had conflicting use. Hunting activities and an IRS project does not show compatibility, whether contextually or from the economic perspective.

The proposed project represents the best alternative for development based on the overall development pattern. The Integrated Resort Scheme as proposed in fact follows the principle of an Integrated Development and demonstrates corporate responsibility whether, social, environment and economic.



Accordingly, an Environment Impact Assessment Report is submitted to the Department of Environment for consideration in view of the issue of an EIA licence in respect of the present project.