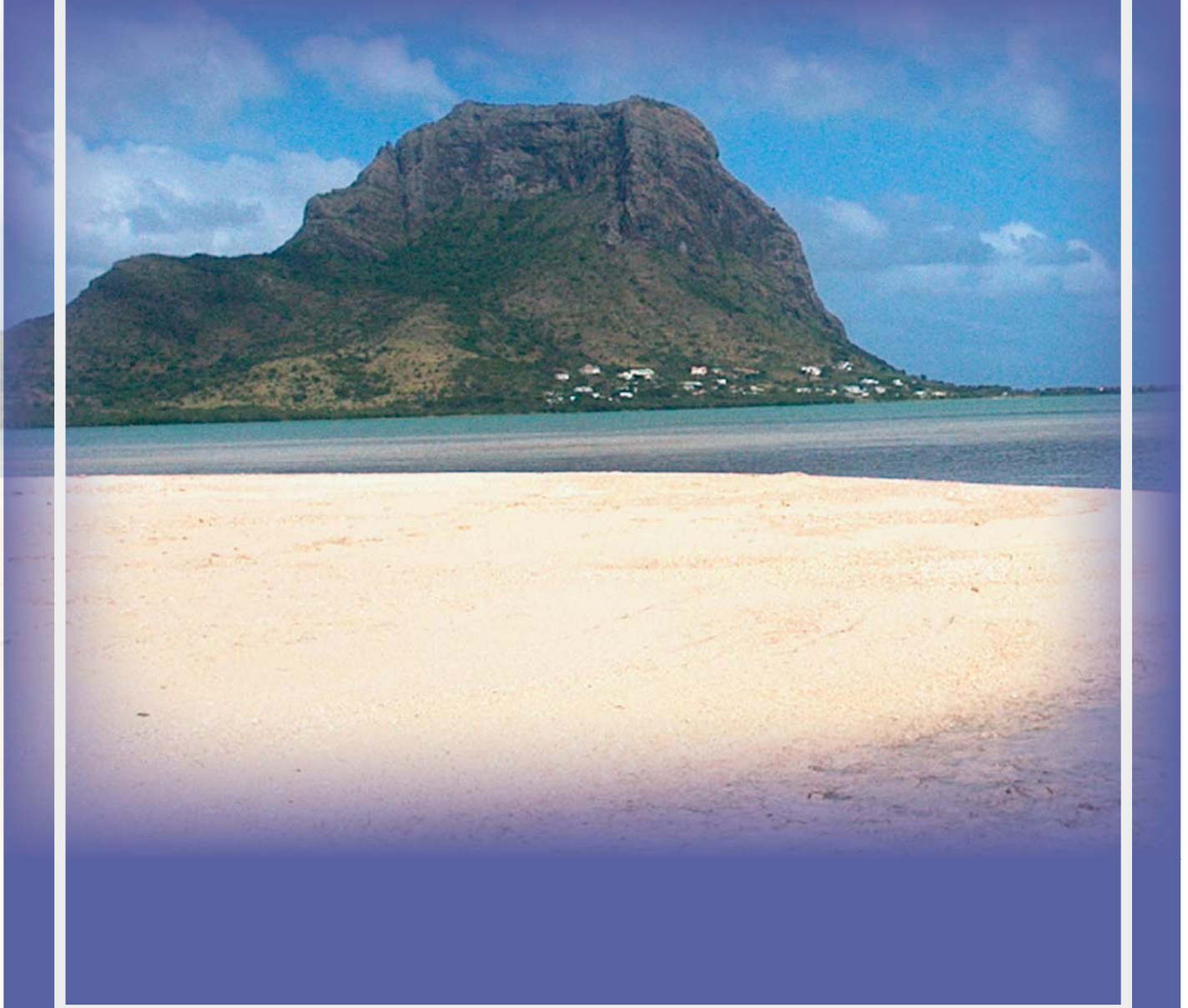




PLANNING POLICY GUIDANCE 2

Le Morne Cultural Landscape



Revised September 2007





This document is the second in a series of Planning Policy Guidance. It is being issued under the title:

'PPG 2 – Le Morne Cultural Landscape'

Revised September 2007

It has to be used together with PPG 1 Design Guidance – November 2004, Revised in September 2006, regarding the following :

- o **Design Sheets for Design for Sloping Sites**
- o **Design Sheets for Residential Coastal Development**
- o **Design Guidance Hotels and Integrated Resorts Development**
- o **Technical Sheets for Provision of Infrastructure**

A planning policy guidance on Le Morne Cultural Landscape was issued in June 2007. Following consultation, it has been revised.

Application:

This Planning Policy Guidance is applicable to Le Morne Cultural Landscape area in the Black River District.

Effective Date:

With effect from September 2007.

Please do not hesitate to call on the Ministry of Housing and Lands on Tel No. 2134868 and the Ministry of Arts and Culture on 212 8377 if you have any queries. For your information, the Planning Policy Guidance 2 – Le Morne Cultural Landscape is available on the website of the Ministry of Housing and Lands at <http://housing.gov.mu>



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Introduction

The purpose of this document together with other statutory documents related to the management of the Le Morne Cultural Landscape is to direct and control development in the Core Zone and Buffer Zone of the declared Le Morne Cultural Landscape in order to protect and sustain its Universal Value inherent to the Le Morne Cultural Landscape. The Core Zone and Buffer Zone of the Le Morne Cultural Landscape are protected as a National Heritage site under the National Heritage Fund Act 2003. The site is currently being evaluated as a possible World Heritage Site subject to the rules of the World Heritage Convention.

1. STATEMENT OF UNIVERSAL VALUE

The Le Morne Cultural Landscape is a symbol of resistance to slavery. The history of maroonage that is linked to the Cultural Landscape of the Le Morne Brabant Peninsula, with its prominent mountain of impressive natural monument qualities and the significant role of Mauritius in the slave trade, slavery and maroonage, makes Le Morne an ideal focal point not only for celebrating resistance to slavery in the south western Indian Ocean but also in the world. Furthermore, Le Morne is a statement of the achievement of marginalized, dominated and oppressed people, who by their human spirit and sheer determination achieved freedom, independence, dignity and respect for their values and cultures. It symbolizes the birth of a people, the Creoles of Mauritius, a parallel process common to all Creole societies where slavery has played a major role in nation building and shaping. Le Morne is symbolic of its birth and still guards the memory not only of shared suffering through the slave trade, but it also reminds of suffering of all those who have experienced or are still experiencing oppression of humankind by humankind the world over.





2. Design Guidance

The objective is to define a set of performance criteria and design standards that are applicable to supportive development for use by individual site owners, developers, Non-governmental 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.

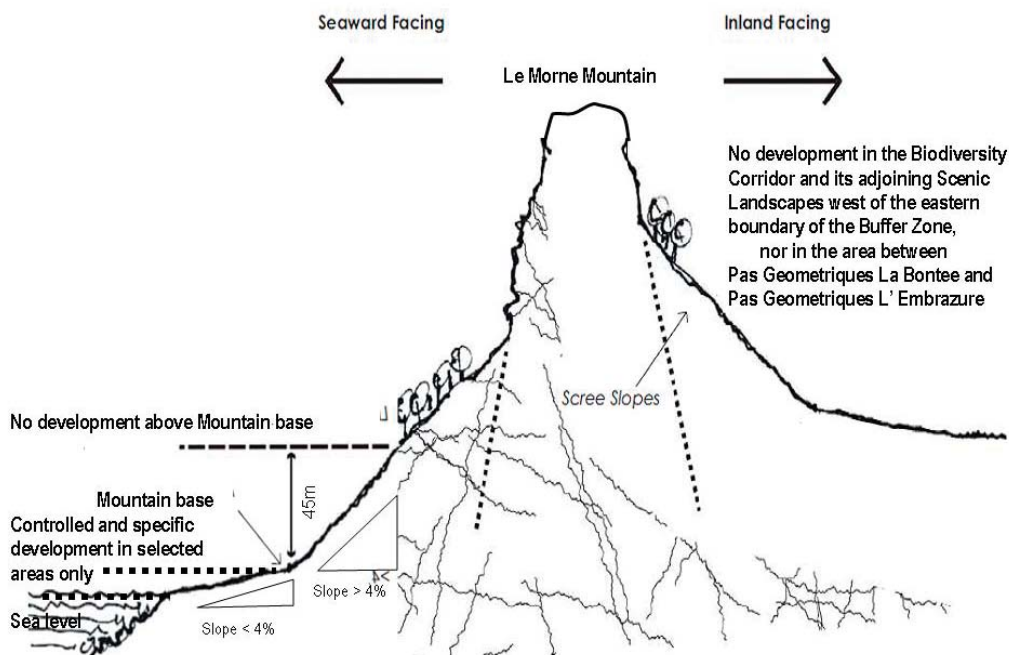
It may also bring sustainable economic and social benefits to the Le Morne Cultural Landscape and surrounding areas and to Mauritius as a whole, open new opportunities for supportive development and promote responsible tourism and local economic development

Design Sheets for Le Morne consider special design circumstances and supplement key land use design guidance. Design Sheets for Le Morne are provided in Section 4 and are supplemented by already available Design Sheets in the Planning Policy Guidance (PPG 1 first issued in November 2004 and revised in September 2006) for the following uses:

- **Design Sheets for Design for Sloping Sites.**
- **Design Sheets for Residential Coastal Development.**
- **Technical Sheets for Provision of Infrastructure.**

And the underlying principles in the Design Guidance for Hotels and Integrated resorts (PPG 1) revised September 2006.

The nature, function, extent, form, type, visibility, and scale of any scheduled development shall be subject to comprehensive assessment via an EIA process and a Heritage Impact Assessment (HIA) process, if so required by the National Heritage Fund. The granting of a development permit does not override obligations under any other legislation relating to the proposal or its site.





2.4 How to use the Planning Policy Guidance

The site is heterogeneous and each part of the site has its own specificity. The Planning Policy Guidance recognizes it and has proposed design standards accordingly.

- The Design Guidance for Le Morne prescribes rules which should be adhered to as per the Design Sheets. Furthermore, all development responses will have to be assessed by the relevant agencies, and also by the National Heritage Fund and the Le Morne Heritage Trust Fund. Proposed development will need a positive recommendation from these two bodies prior to a Building and Land Use permit being issued.

- At an early stage, consultation with the relevant agencies including the National Heritage Fund and the Le Morne Heritage Trust Fund on all development proposals is most desirable to ensure that positive recommendation for a Building and Land Use Permit is obtained.

- The design guidance should be seen as a basis for practical design solutions to ensure retention of the area's Universal Value whilst stimulating innovation and local interpretation but always seen within the overarching vision, policies, principles, plans and guidelines contained in the most current version of the Le Morne Cultural Landscape Management Plan.



The Le Morne Cultural Landscape consists of exceptional elements which attract various types of supportive tourism and development. A highly precautionary approach will be taken in terms of any type of development in the Buffer Zone. The emphasis will be on development types which recognize, support and sustain the site specific requirements for inscription on the World Heritage List and which support cultural development objectives and policies for the site.

Recognizing the sensitive natural, cultural, historical and environmental assets will provide the opportunity for the creation of a unique and acceptable project which is central to the success of any project in that area.

Le Morne Cultural Landscape

Consultative Forum

Consultation with key stakeholders
to conserve Universal Value
according to Management Plan and
to investigate opportunities for
involvement and benefits from
the Cultural Landscape



3.2 Consultation

Community consultation is also required and the participative process involves stakeholders including NGOs, Forces Vives, local communities, affected and interested parties and the public at large.

It is mandatory that there is consultation with Government and other relevant agencies during the planning and design process. This consultation will allow developers to assess if a proposed development is compatible with heritage and planning policies for the area.

The Consultative Forum, as described in the Management Plan of Le Morne Cultural Landscape, shall be fully informed and allowed to comment on future projects. Comments made by the Consultative Forum must be considered in the granting of Building and Land Use Permits.

For both EIA and HIA, a meaningful, transparent and genuine participative process shall be followed. The full, open and balanced disclosure of the nature, scale and extent of a development, of relevant issues and the results of any assessment shall be made available. The participation process shall be assisted by relevant Government stakeholders.

3.3 Carrying Capacity

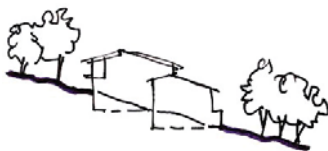
Every site has a carrying-capacity for development expressed as the ability to receive change without losing the qualities in terms of landscape character, setting, tangible and intangible heritage resources, visual, natural and social resources.

A detailed site analysis should determine these carrying capacities based on the sensitivity of the site to a range of impacts, as would be identified through the EIA or by a Heritage Impact Assessment process and the requirements for inscription on the World Heritage List.

3.4 Landscape Resource and Ecological Value

The Design Statement should comprise an assessment of the site in terms of the:

- Natural vegetation retained to secure original biodiversity as part of the Authenticity and Integrity of the site.
- Man-made landscape retained to secure a significant historic, cultural landscape as part of the Authenticity and Integrity of the site.





- Unbuildable rock outcrops, groups of mature trees incorporated as open spaces.
- Views critical to reinforce a visitor's experience of the essential aspects of the cultural landscape and scenic values.
- Site utilization to maximize views of natural features.
- Analysis of the sensitivity of the site to a range of impacts.

3.5 Heritage, Historical and Archaeological Value

All proposed development sites need to be surveyed for tangible and intangible heritage, historical and archaeological features and moveable and immovable artifacts according to the prescriptions of the National Heritage Fund and the Le Morne Heritage Trust Fund, prior to any development, as part of the permitting process.

In case tangible heritage or archaeological remains are found on site, works should not be started or continued until the site has been properly evaluated. A statement of cultural significance should be drawn up according to the prescriptions of the National Heritage Fund and the Le Morne Heritage Trust Fund for use in the assessment of possible negative impact or loss of heritage. The remaining and the retrievable heritage value of a site and its components must be used in appropriate development responses and/or mitigation alternatives.

Optimise opportunities to enhance the visitor en-route experience



3.6 Access

Access to the site will be in accordance with the Le Morne Cultural Landscape Management Plan.

Land owners in and around the Buffer Zone shall provide access to any area of the Le Morne Cultural Landscape for public access, site interpretation use and for management purposes.

Land owners in the Buffer Zone shall give access to the Core Zone for the purpose of public access and for management as defined in the Le Morne Cultural Landscape Management Plan. This access will be clearly defined.

Access refers not only to the means of physically entering the area but also the "en route" experience. Several trails and viewpoints have been identified. These will take visitors to designated sites and also provide anticipation and drama by framing views or directing attention to landscape features along the access route - these routes should also be incorporated in the design of projects.



3.7 Activity Centres, Facilities and Services

The scope and nature and location of activity centres, facilities and services shall be subject to the policies, strategies and guidelines of the Le Morne Cultural Landscape Management Plan.

It is important to locate certain facilities, paths and roads away from sensitive areas that are sensitive to certain impacts. However, certain facilities will not be allowed unless it can be clearly shown that negative impacts can be mitigated sufficiently. Conflicts between users should be avoided.

Where required, parking locations should be assessed for any impact on the Universal Value and layout should be designed to minimize visual impact on the site. Services should have little or no visual or audible impact on the area.

4 Design Sheets

The vision and policies of the Le Morne Cultural Landscape Management Plan remain the basis for the elements of the Design Sheets.

4.1 Core Zone

The area will be developed as a heritage site in accordance with provisions contained in the Le Morne Cultural Landscape Management Plan.

Only supporting services as approved by the National Heritage Fund and the Le Morne Heritage Trust Fund will be allowed. Development will focus on site conservation and preservation of specific areas namely :

- Pas Geometriques around Trou Chenilles and the area of the historic village.
- The public beach on the east side of the southern spur of the peninsula.
- The site of Macaque.
- And any other archaeological heritage site or structures that may be identified in the future.

The development of these sites will follow guidelines contained in the Le Morne Cultural Landscape Management Plan.

There shall be a presumption against any private commercial development in the Core Zone.



4.2 Buffer Zone

Development in the Buffer Zone will follow the Design Guidance provided in this document.

It is important that project promoters apply the principles for development on sloping sites (**Design Sheet for Sloping Sites**) to their projects.

The Design Sheet for Resort Hotel development in the Planning Policy Guidance will, however, not be applicable to the Le Morne Cultural Landscape. Development should, however, have regard to the underlying principles in the Design Guidance for Hotels and Integrated Resorts.

Only development that sustains and supports the development vision of the Cultural Landscape will be allowed.

Any proposal should include quality in roofs, walls and openings design and a colour scheme acceptable to the Authorities.

Quality/luxury retreats and eco-tourism lodges can be considered provided there are no adverse impacts to the Cultural Landscape.

Any structures or buildings, materials used, function and topology must be designed to be compatible with the qualities of the natural and cultural landscape.

The following additional Guidance is pertinent to the specific sections of the Buffer Zone:

4.2.1 The Biodiversity Corridor

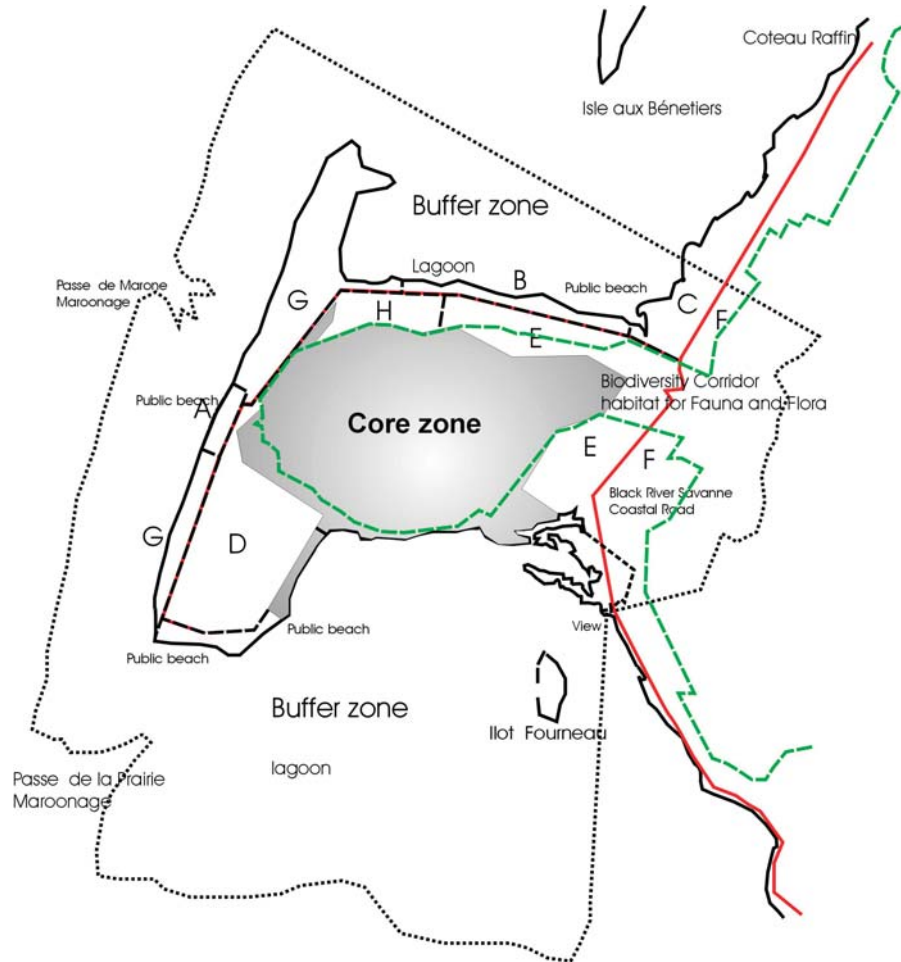
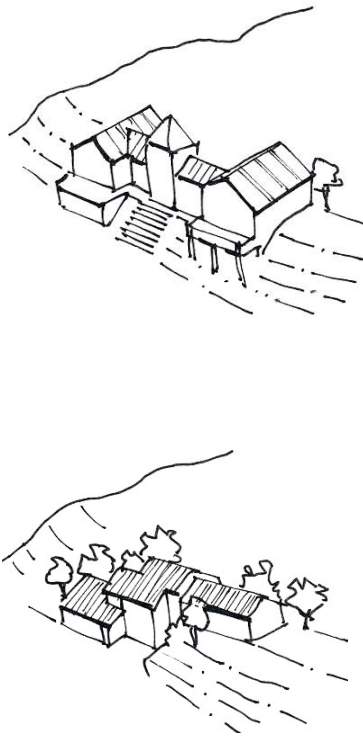
The Biodiversity Corridor from the eastern Buffer Zone boundary to the Black River Savanne Coastal Road, shown as habitat for flora and fauna in the District Council Outline Planning Scheme for Black River 2006, links the peninsula to the mainland. It is an important part of the Cultural Landscape.

- Linkage of this zone to the Black River Gorges National Park must be strengthened and maintained.
- The scenic areas north and south of the biodiversity corridor must be retained.
- The biodiversity corridor should be managed without large infrastructure or commercial development.
- Commercial signage should not be allowed in the area.
- Light infrastructure can be constructed. Caution must be taken in respect of works likely to adversely affect the Universal Value of the Cultural Landscape. Major infrastructure or large commercial development may be detrimental to the character of the area. However, any regional infrastructure (overhead lines, road widening) will be visually integrated in the Cultural Landscape.



4.2.2 Mountain Slopes

In order to preserve the integrity of the mountain slopes, development will not be permitted beyond the point where the mountain slopes change to over 4%. In areas where the slope is below 4%, controlled and specific development will only be allowed in selected areas as per the Design Sheet.

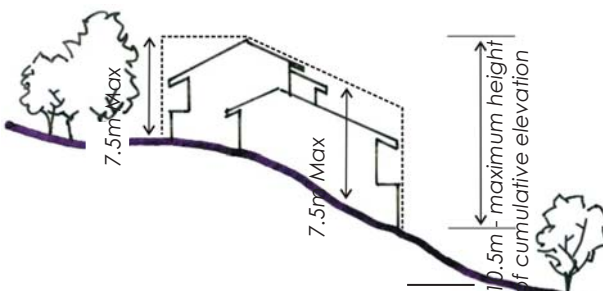


4.2.3 Area A - Public Beach - west of the Le Morne Mountain

The beach will be used for cultural activities related to the Universal Value of the heritage site and linkage with a future Visitor interpretation centre across the road will be promoted. Existing beach facilities including the nautical centre may only be modified in consultation with the heritage authorities.

4.2.4 Area B - Public Beach - Pas Géométriques Labonté

On Pas Geométriques, simple visitor facilities for public use will be allowed. These must be ground level only and integrated with the natural landscape features. Natural vegetation must be rehabilitated and fences and trees on fence line around circularpeninsularroadremovedandlandscapererehabilitated.



The maximum height of buildings on sloping sites



4.2.5 Area C - sea-facing area at north-east of Le Morne Peninsula, from the northern Buffer zone boundary to the peninsula access road at L'Embrasure

The current landscape character and visual quality of the area should be retained in the design of projects. The beach and mangrove will be retained and the westernmost edge of the development will be determined through environmental studies.

There shall be landscape rehabilitation between the road and any development to prevent visual obtrusiveness. Any development must be subservient to the existing and desired visual qualities and sense of place of the area, increasing so to the south end especially, from all viewpoints, from the scenic drive to the pass to the north and the various critical points in the Core Zone.

The seafront and mangrove area fringing this area should not be physically altered and must remain pristine.

The heritage status and significance of non-endemic plants in the area should be surveyed and require careful consideration prior to eradication.

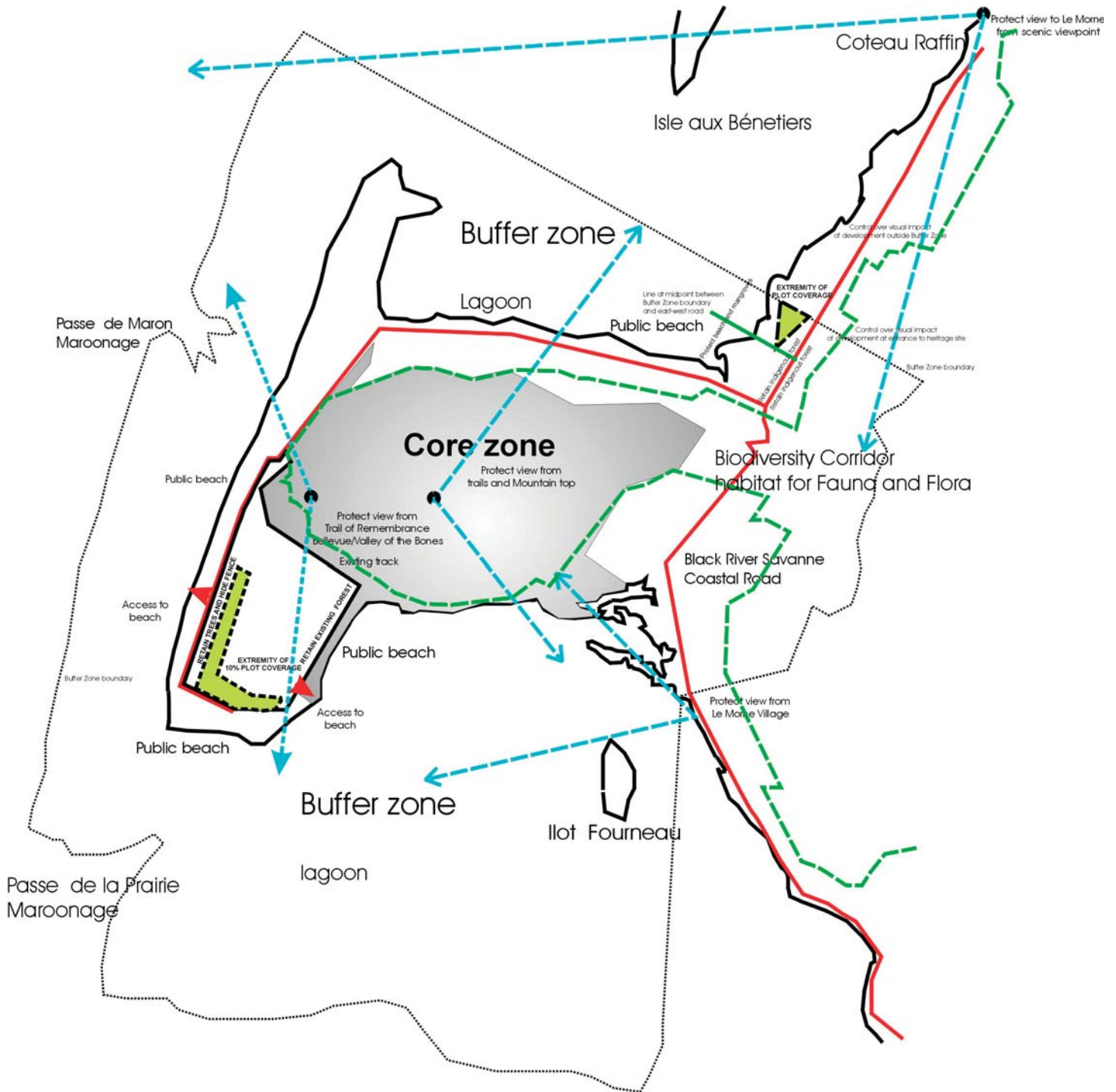
Design Criteria Area C - Behind Pas Géométriques La Marque

Maximum plot coverage	10%
Maximum building height in metres	7.5 m
Maximum building height	Ground + 1
Cumulative height	No cumulative height allowed due to shallow slope
Setbacks front/road	n/a
Setbacks side	n/a

Development should not proceed beyond the point that is mid-way between the buffer zone boundary and the access road and should taper down towards that midway point.



DESIGN GUIDANCE LE MORNE CULTURAL LANDSCAPE





4.2.6 Area D - South-west of Le Morne Mountain (Rogers Land)

Ideally, the land should retain its current character and state. However, if development is allowed, it should:

- Support and sustain the values of the cultural landscape and fit into the development vision of the cultural landscape.
- Retain the current landscape character and visual quality as well as that forthcoming from detailed research on the historical character, resources and quality.
- The introduction of non-endemic plants will aim at retaining the existing vegetation character of the area.
- The area can be viewed from various critical viewpoints in the Core Zone - the development must therefore be subservient to the existing and desired visual qualities and sense of place of the area. When viewing the site from the road at the "Valley of the Bones", the majority of the site must remain treed, with the roofscape of any development hidden behind the remaining existing, or reestablished plantation. The site is also a visual receptor from the Le Morne village; if allowed, any development must retain an adequate area of trees on the east edge as visual screen.
- Linkage between the future Visitor interpretation centre and the public beach will be promoted and access to the public beach on the eastern side of site should be designed so as not to detract from the Core Zone. The existing dirt track between the main road at the public beach on the west and Trou Chenilles should be used to provide access to the Trou Chenilles archaeological works and heritage site.

Design Criteria Area D - Rogers Land

Maximum plot coverage	10%
Maximum building height in metres	7.5 m
Maximum building height	Ground + 1
Cumulative height	No cumulative height allowed due to shallow slope
Setbacks front/road	6 m
Setbacks side	5m with trees between buildings

The other design considerations with respect to this particular site are:

- Development should follow the existing roads on the western and southern edges of site.
- Buildings on boundaries facing the plantation of existing trees should present a transition, i.e. a "knitted" horizontal and vertical transition between development and plantation.
- Roofs of buildings on the south edge of site must not be visible from the "Valley of the Bones" but be hidden behind trees.
- Key objectives with respect to materials, architectural forms and image and functions should reflect the development image, visual context, the site's setting and the vision of the Cultural Landscape.
- Development will carefully consider its relationship with the east-west dirt track, the eastern public beach and the Core Zone to support and conserve the Universal Value of the site.



4.2.7 Area E - North-east, east and south-east of Le Morne Mountain and West of Black River Coastal road

The area will be developed as a heritage site in accordance with provisions contained in the Le Morne Cultural Landscape Management Plan.

Only supporting services as approved by the National Heritage Fund and the Le Morne Heritage Trust Fund will be allowed. Development will focus on site conservation.

Part of the site is also known to contain remains of settlements and remains of Colonial era land-uses that may be declared as National Heritage.

Development on site is to be limited to infrastructure and elements required to support cultural activities and site interpretation as part of the Le Morne Cultural Landscape.

In case tangible heritage or archaeological remains are found on site, works should not be started or continued until the site has been properly evaluated. A statement of cultural significance should be drawn up in accordance with the provisions of the National Heritage Fund and the Le Morne Heritage Trust Fund for use in the assessment of possible negative impact or loss of heritage. The remaining and the retrievable heritage value of a site and its components must be used in appropriate development responses and/or mitigation alternatives.

The archaeological remains and graves in the area will require protection in line with practice to be monitored by heritage authorities.

The area can be seen from several critical viewpoints in the Core Zone as well as from the three important roads, namely

- Black River Savanne Coastal road.
- Trou Chenilles access.
- Circular peninsular access.

Any development must be subservient to the existing and desired visual qualities and sense of place of the area. All remaining views of coastal plains and undulating hills should be protected from development and visual qualities enhanced through detailed studies.

The mangrove areas in the corner of the lagoon south-west of the Black River Savanne Coastal Road is a sensitive habitat for birds and wild life and should be protected.

The heritage status and significance of non-endemic plants in the area should be surveyed and require careful consideration prior to eradication.

The Biodiversity Corridor on this property, west of the Black River Savanne Coastal Road must remain free of any buildings or infrastructure development. If approved, any supportive infrastructure, interpretative elements or simple visitor facilities should be designed to preserve the defined qualities of the natural and cultural landscape.



4.2.8 Area F - East of Black River Savanne Coastal Road and north and south of Biodiversity corridor

This part of the Buffer Zone comprises land east of the Black River Savanne Coastal road outside the biodiversity corridor between the road and the eastern border of the Buffer Zone which runs along the crest of the Le Petit Morne mountain range and the agricultural land located east of the Black River Savanne Coastal road.

The currently undeveloped land east of the Black River Savanne Coastal Road and lying north of the Biodiversity corridor should not be commercially developed.

There shall be a presumption in favour of minor development in line with the historic origin of site (1795 Chevaliers estate) and the historical elements of the farm identified and conserved. Cultural activities and support activities for the Le Morne Cultural Landscape such as a restaurant, eco-tourism lodges and living heritage activities will be encouraged. If agricultural land use is abandoned in future, the existing farm complex should be rehabilitated and re-used in line with guidelines from the heritage authorities.

Design Criteria Area F - East of Black River coastal road

Maximum plot coverage	n/a
Maximum building height in metres	7.5 m
Maximum building height	Ground + 1
Cumulative height	10.5 m
Setbacks front/road	n/a
Setbacks side	n/a

4.3 Area G - Renovation, redevelopment of existing tourism facilities

Existing establishments will be allowed to redevelop their sites in line with the provisions of existing development rights but subject to the following:

- There shall be an enhanced commitment to the sustainability of the Le Morne Cultural Landscape values.
- There shall be an enhanced commitment to conserve and restore the marine environment of the lagoon.
- Additions and alterations shall not exceed the existing development density and should be subject to all relevant clearances being obtained.
- Roofscapes will be a key element to be allowed in consultation with relevant heritage and planning agencies.



4.4 Area H - Existing residential Morcellement Cambier

Infill development will be allowed on vacant plots as per any "Cahier des Charges" available for the morcellement or as per Design Sheet for Residential Coastal Development, except for maximum height of buildings. 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.

In case tangible heritage or archaeological remains are found on site, works should not be started or continued until the site has been properly evaluated. A statement of cultural significance should be drawn up in accordance with the provisions of the National Heritage Fund and the Le Morne Heritage Trust Fund for use in the assessment of possible negative impact or loss of heritage. The remaining and the retrievable heritage value of a site and its components must be used in appropriate development responses and/or mitigation alternatives.

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

4.5 Uncommitted State Land

There shall be a presumption against private commercial development on these sites. Visitors' facilities and supporting services by Government or Statutory Bodies shall be considered favorably. The approval of the Ministry of Housing and Lands will be required on State Land.

4.6 Planning conditions and obligations

Developers should respond positively to planning agreements designed for the benefit of the local community. The requirements of the local community will be determined in consultation with the local stakeholders and managed by relevant agencies. Public participation and consultation are compulsory. A Local Economic Development Policy will be put in place for implementation. The planning agreements should be fair and reasonable to all parties concerned.

5.0 Development outside the Buffer Zone

Development outside the Buffer Zone will be governed by provisions laid down in the District Council Outline Planning Scheme for Black River 2006 and Planning Policy Guidance. Being given the sensitivity of the Le Morne Cultural Landscape, recommendations from the Le Morne Heritage Trust Fund and the National Heritage Fund for sites immediately adjacent to the Buffer Zone are required especially for the following:

- Le Morne Village.
- Isle aux Bénitiers.
- Sea-facing area north of Le Morne Peninsula, from Coteau Raffin to the northern Buffer Zone boundary.
- The lagoon inside the coral reef located immediately adjacent to the Buffer Zone boundary.

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