

AAPRAVASI GHAT TRUST FUND

INFORMATION FOR DEVELOPMENT APPLICATIONS IN THE BUFFER ZONE

AAPRAVASI GHAT WORLD HERITAGE PROPERTY



Information for development applications in the Buffer Zone of Aapravasi Ghat World Heritage Property

As defined by the World Heritage Convention of UNESCO, the World Heritage Property is surrounded by two Buffer Zones¹ managed by the City Council of Port-Louis under the Local Government Act 2011.

UNESCO explains that the Buffer Zone is important as it represents the context in which the World Heritage Property has evolved through time. As such, it supports the outstanding cultural significance of the World Heritage Property. This is the reason why appropriate measures are enforced in the Buffer Zone to preserve, enhance and promote heritage. These measures encourage the reuse and interpretation of the typical designs of Port Louis with a view to restore architectural harmony and enhance the authentic character of the capital city. The ultimate objective is to create a suitable environment supporting sustainable development.

1. Legal framework

The Buffer Zone was proclaimed a legal entity in June 2011 with the legal protection provided by:

1. The Aapravasi Ghat Trust Fund Act (amended 2006 and 2011) defining the boundaries of the Buffer Zones;
2. The Local Government Act 2003 (amended 2011) making provision for the creation of a system to monitor development in the Buffer Zones; and
3. The Planning Policy Guidance 6 - *Urban heritage area: Buffer Zone of Aapravasi Ghat World Heritage Property* (PPG 6) provides with a set of planning guidance in the Buffer Zone to orientate development towards the valorisation and revitalization of the area which holds attributes associated to the outstanding universal value of the property.

2. The delimitation of the Buffer Zone

The Buffer Zone (BZ) of the Aapravasi Ghat including port, customs, harbour front, transport and commercial activities, is situated around the Aapravasi Ghat, to its East and alongside Trou Fanfaron, the whole being in the heart of the historical centre of the Colonial Era port city of Port Louis.

¹ To ease general understanding, we refer to the “Buffer Zone” as a singular entity. However, the term “Buffer Zone” refers to the two Buffer Zones of the Aapravasi Ghat WHP.

The BZ has two components:

- **Buffer Zone 1:** the area which surrounds the Core Zone (the compound of the Aapravasi Ghat) to the West
- **Buffer Zone 2:** the area East of Port Louis Pamplemousses dual Carriage way (Motorway).

The Buffer Zone 1 and the western part of Buffer Zone 2 are located within the port area as defined in the Ports Act 1998.

The boundaries of the Buffer Zone are:

- to the West and North west of the AGWHP, the Trou Fanfaron harbour area and dry docks;
- to the North, the façades on the northern side of Dr. Sun Yat Sen Street;
- to the East, the façades on the eastern side of Royal Street; and
- to the South, the northern side of Duke of Edinburgh Street.

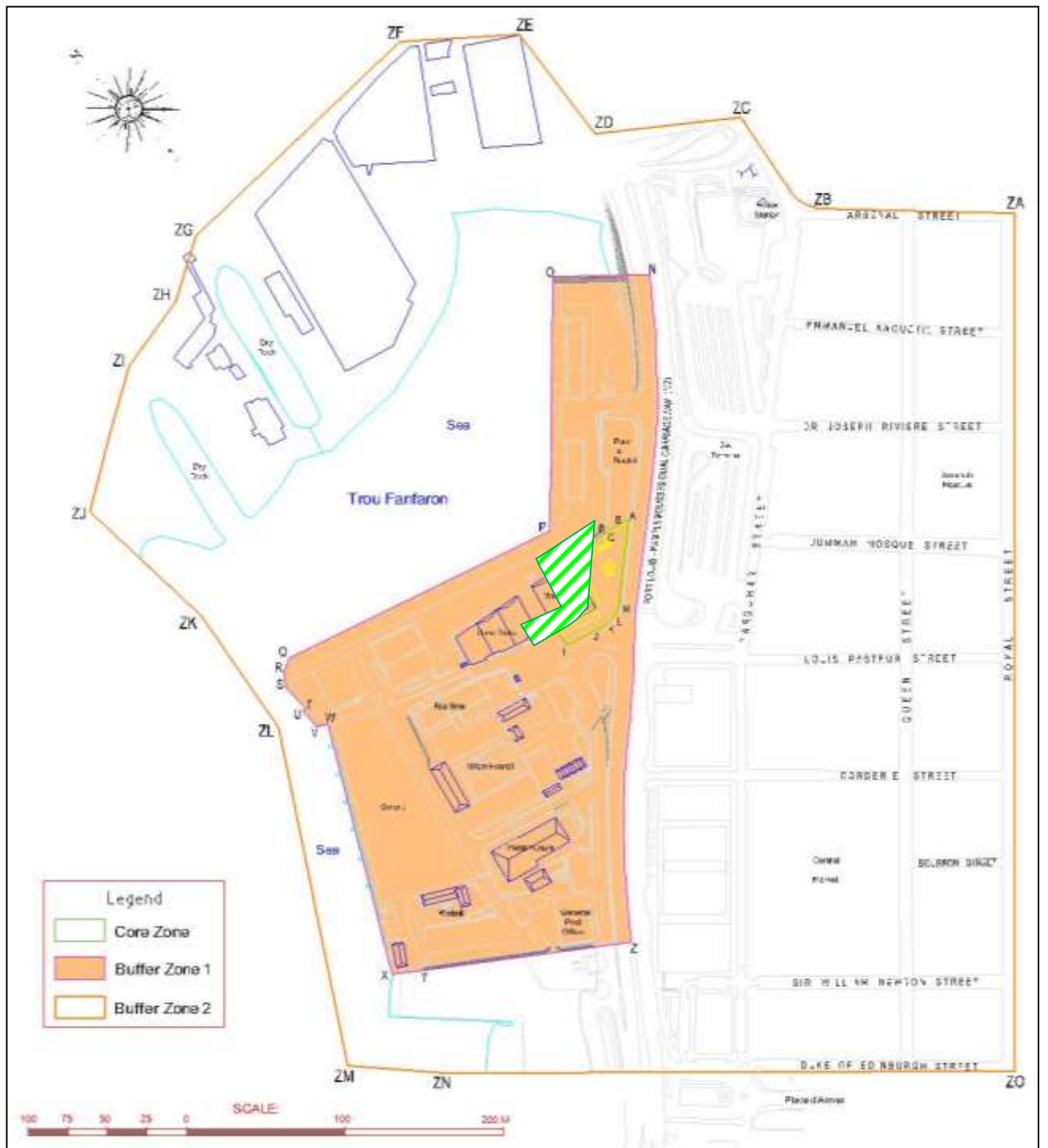


Figure 1: Map indicating the location and coordinates of the Core and Buffer Zones of the Aapravasi Ghat World Heritage Property

3. Managerial framework

Since 2011, four institutions are directly involved in the management, the protection and the promotion of the Buffer Zones namely²:

1. the Mauritius Ports Authority;
2. The City Council of Port Louis;
3. The Apravasi Ghat Trust Fund;
4. The National Heritage Fund.

Managing the Port

Most of the Buffer Zones lying west of the Motorway, that is, Buffer Zone 1, the sea and the dry docks fall under the purview of the **Mauritius Ports Authority**, the body responsible for managing the Port and its surrounding area. This zone is also classified as a high security area.

Managing the City

The Buffer Zone 2 composed mainly of private owners and operators is managed by the **City Council of Port Louis**, the local authority responsible for monitoring development, maintenance and upkeep of the city of Port Louis, within which are found the Buffer Zones 1 and 2 of the Apravasi Ghat World Heritage Property.

The City Council of Port Louis is in charge of implementing the Planning Policy Guidance for the Apravasi Ghat World Heritage Property Buffer Zone. In addition, the Local Government Act 2011 was amended to set up a **Technical Committee** under the City Council of Port Louis. The Technical Committee is chaired by the City Council of Port Louis and also comprises representatives from:

- Ministry of Arts and Culture;
- Ministry of Public Infrastructure;
- Ministry of Tourism and Leisure;
- Ministry of Housing and Lands;
- Ministry of Environment;
- Mauritius Ports Authority;
- National Heritage Fund; and
- Apravasi Ghat Trust Fund.

The role of the Technical Committee is to ensure the implementation of the Planning Policy Guidance for the Apravasi Ghat World Heritage Property Buffer Zone. This task is achieved through the assessment of all applications for Building and Lands Use Permits in the Buffer Zone.

² Contact details are available on page 7.

The Building and Lands Use Permit was also made mandatory not only for the erection of new buildings but also for any demolition and change to any building or structure in the Buffer Zone when amending the Local Government Act 2011, as was the submission of a Cultural Heritage Impact Statement (CHIS)³ when applying for a Building and Lands Use Permit.

A Heritage Impact Assessment (HIA) and Visual Impact Assessment (VIA)⁴ may also be requested by the Technical Committee in case the project goes beyond the guidelines of PPG6. The Technical Committee has the mandate to examine the Cultural Heritage Impact Statement, Heritage Impact Assessment and Visual Impact Assessment.

The applications for development in the buffer zone are processed at the City Council of Port Louis as described hereunder:

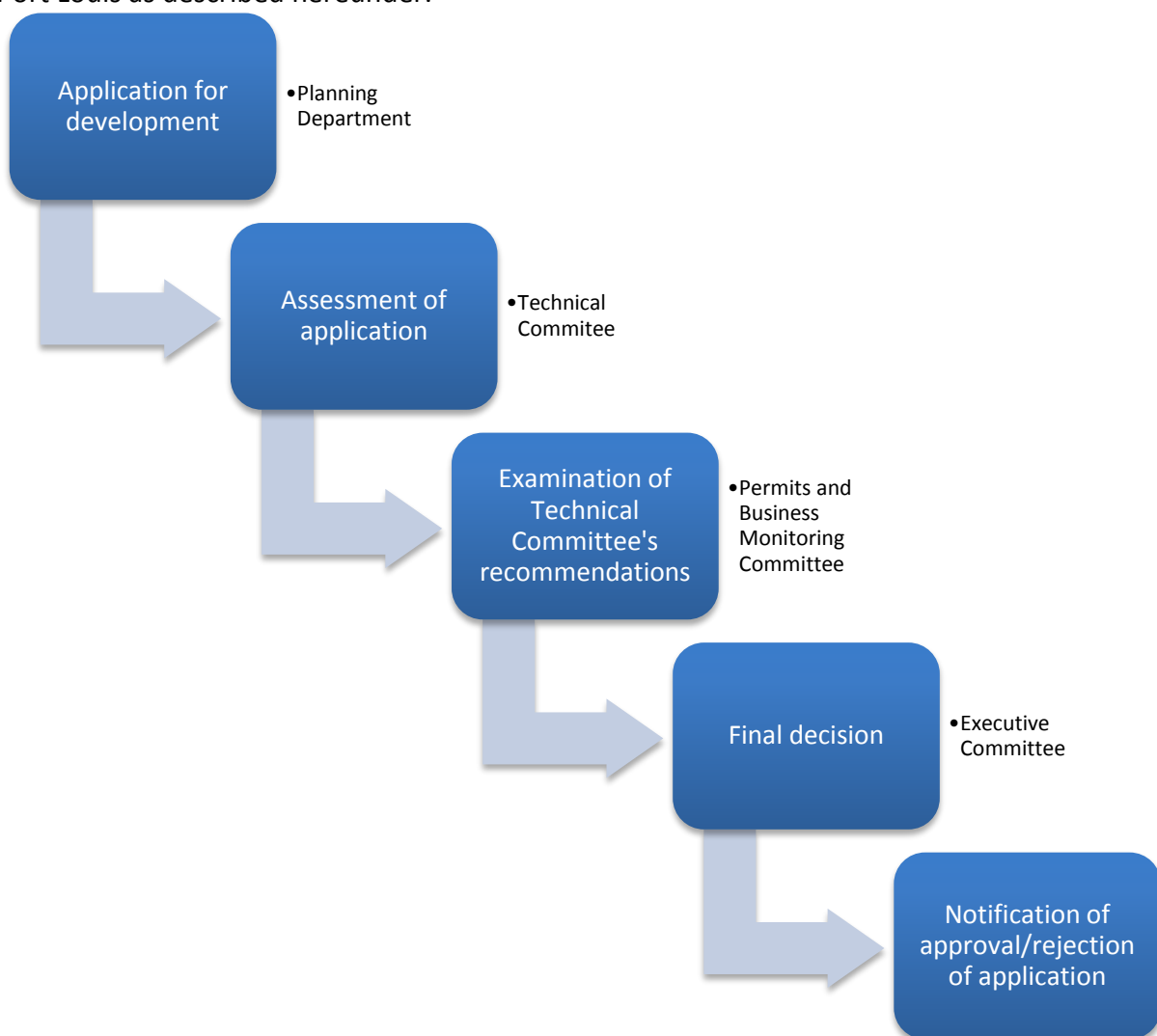


Figure 2: Diagram showing the process for applications for development in the Buffer Zone at the City Council of Port Louis

³ The CHIS Form to submit together with the application for a BLP is available in the annex 1 of this document.

⁴ The guidelines for the preparation of a HIA and VIA are available in the annex 2 of this document.

Managing heritage

The buildings and monuments listed as *National Heritage* are protected under the National Heritage Fund Act 2003. In addition to national heritage, several graded buildings must be added to the comprehensive inventory of heritage in the Buffer Zones. In total, the Buffer Zones count:

- 7 National Heritage buildings;
- 255 graded buildings catalogued⁵, among which:
 - o 63 were listed as Grade 1 buildings,
 - o 38 as Grade 2 buildings; and
 - o 34 as Grade 3 buildings.

A list of the graded buildings is available on www.aapravasighat.org in the section “Resources/Downloads”.

The Aapravasi Ghat Trust Fund and the National Heritage Fund are the two bodies responsible for the documentation and the monitoring of the heritage component in the Buffer Zones.

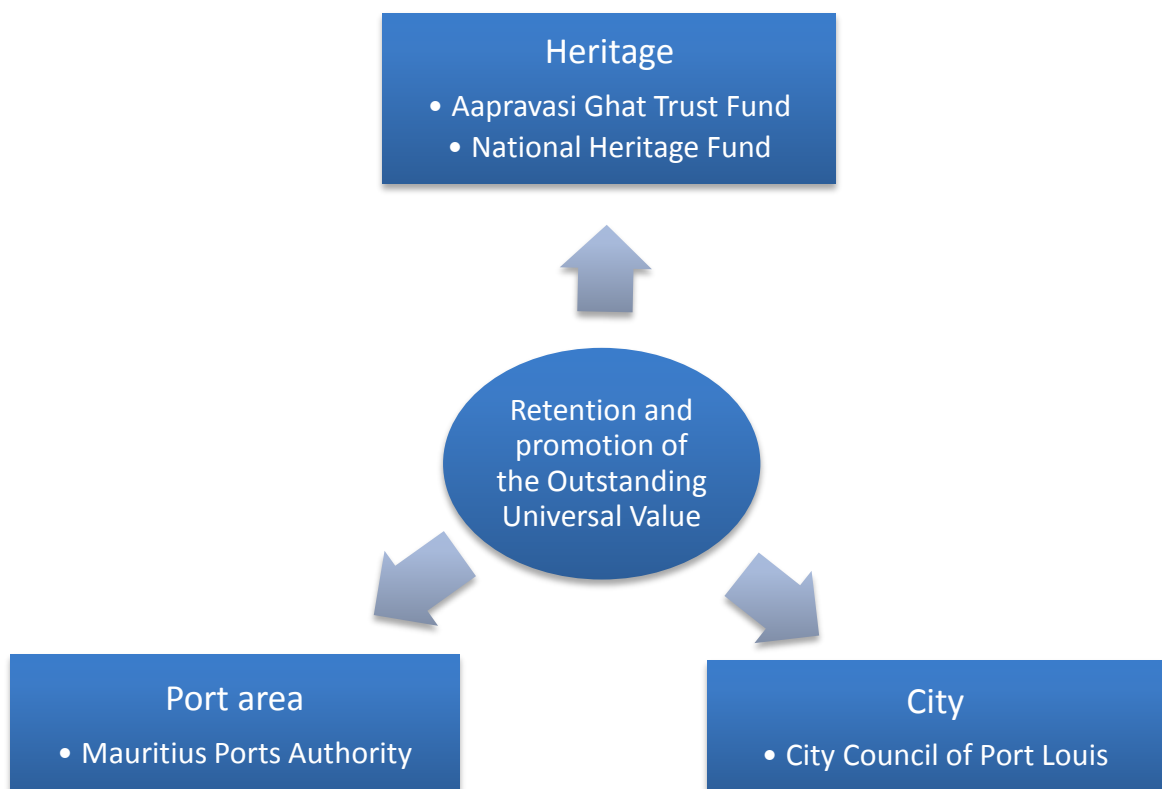


Figure 3: Diagram showing the area of responsibility of each institution in the maintenance and protection of the OUV of the World Heritage Property

⁵ The detailed list is available online on AGTF website: www.aapravasighat.org, and in the Heritage Management Plan. The list is also available at the City Council of Port Louis and the National Heritage Fund.

Further information can be obtained on request to:

CITY COUNCIL OF PORT LOUIS

The Chief Executive
City Council of Port Louis
Jules Koenig Street,
Port Louis
Chief Executive's Department

Tel: (+230) 212 08 31
Fax: (+230) 212 4258
Email: mpl.ce@intnet.mu
Website: mpl.intnet.mu

AAPRAVASI GHAT TRUST FUND

Officer In Charge
1 Quay Street,
Port Louis

Tel: (+230) 217 31 57/ 241 03 86
Fax: (+230) 217 24 81
Email: aapravasi@intnet.mu
Website: www.aapravasighat.org

NATIONAL HERITAGE FUND

The Officer in Charge
4th Floor, Fon Sing Building,
Edith Cavell Street,
Port Louis

Tel: (+230) 210 77 58
Fax: (+230) 208 67 28
Email: heritage@intnet.mu
Website: www.nhf.mu

MAURITIUS PORTS AUTHORITY

The Director General
Mauritius Ports Authority,
H. Ramnarain Building,
Mer Rouge,
Port Louis,

Tel: (+230) 206 5400
Fax: (+230) 240 0856
Email: info@mauport.com
Website: <http://www.mauport.com>

MINISTRY OF ARTS AND CULTURE

The Permanent Secretary
7th floor,
Renganaden Seeneevassen Building,
Port Louis

Tel. No.: (+230) 212 2112

Fax No. : (+230) 211 0681

Email: moac@mail.gov.mu

Website: <http://culture.gov.mu>

ANNEX

ANNEX 1: CULTURAL HERITAGE IMPACT STATEMENT

CHIS form

This proposed form will allow the Technical Committee (TC) to determine whether a proposed project meets the requirements of PPG6. After its scrutiny, the TC will be able to advise the Permits and Business Monitoring Committee on whether a BLP can be delivered with/without condition or whether further information will be required through an HIA and VIA. This will be done after consideration of the scale and impact of proposed changes and alterations and the significance of the building/structure/landscape that will be affected by the proposed intervention.

Checklist

	Document / clearance	Annex number
1.	Sketch showing location of plot in question	
2.	Copy of title deed	
3.	Drawings of proposed intervention by recognised architect / draughtsman	
4.	Drawings of proposed intervention by recognised engineer (if applicable)	
5.	Drawings of proposed interior design	
6.	Details of restoration and / or other works including scaled drawings of areas at the time of application and showing proposed interventions and proposed materials	
7.	Project proposal indicating target audience, marketing strategies and funding sources	
8.	Maintenance plan	
9.	Clearance from Government Fire Services	
10.	Clearance from Traffic Management and Road Safety Unit	
11.	Clearance from Ministry of Health	
12.	Clearance from Ministry of Tourism	
13.	Clearance from Wastewater Management	
14.	List of international standards for the specific use / intervention	
15.	Justification for change in grading	
16.	List of bodies and other stakeholders consulted	

1. Administrative information

1.1. Information on the applicant

Is the application being submitted by the registered owner?	
If yes, please proceed to 1.2	If no, is the letter of authorisation signed by all registered owners attached? Yes <input type="checkbox"/> No <input type="checkbox"/>
Full Legal Name	Corporate Owner (if applicable)
Mailing address	Residential Address
Primary Phone Number:	Fax Number:
Secondary Phone Number:	Email Address:

1.2. Information on the registered owner

Full Legal Name	Corporate Owner (if applicable)
Mailing address	Residential Address
Primary Phone Number:	Fax Number:
Secondary Phone Number:	Email Address:
Is a copy of the title deed attached? Yes <input type="checkbox"/> No <input type="checkbox"/>	If the plot has more than one registered owner, is the letter of authorisation signed by all registered owners of the plot attached? Yes <input type="checkbox"/> No <input type="checkbox"/>
Are there title deed restrictions linked to the property?	

1.3. Information on the Consultant who prepared this document

If same as applicant please fill last row only

Full Legal Name	Corporate Owner (if applicable)
Mailing address	Residential Address
Primary Phone Number:	Fax Number:
Secondary Phone Number:	Email Address:
Relevant Qualification including examining body (the Council may request for documentary proof)	Relevant Experience (the Council may request for documentary proof)

2. Building/Plot location and background information

Official Building/Plot Name	Other Building/Plot Name (if applicable)
Building/Plot address	Main entrance
Present use	Predominant use of surrounding properties <i>Please check all that apply</i>
Previous owner of the property	Previous uses of the property
Has permission for similar development on this site been refused by any authority in the past?	
Is a sketch showing the Building/Plot location attached? Yes <input type="checkbox"/> No <input type="checkbox"/>	

3. Information on the existing building/Plot

<p>No. of floors at the time of application. <i>Please check as appropriate</i></p> <p><input type="checkbox"/> No building</p> <p><input type="checkbox"/> Ground level only</p> <p><input type="checkbox"/> Ground level + pitched roof</p> <p><input type="checkbox"/> Ground level + mezzanine</p> <p><input type="checkbox"/> Ground level + mezzanine + 1 level</p> <p><input type="checkbox"/> Ground level + mezzanine + _____ levels</p> <p><input type="checkbox"/> Ground level + _____ levels</p>	<p>Building materials at the time of application <i>Please check all that apply</i></p> <p><input type="checkbox"/> Mostly wooden</p> <p><input type="checkbox"/> Mostly concrete</p> <p><input type="checkbox"/> Mostly tin sheets</p> <p><input type="checkbox"/> Wooden and tin sheets</p> <p><input type="checkbox"/> Wooden and concrete</p> <p><input type="checkbox"/> Concrete and tin sheets</p>
<p>What is the grade of the building concerned? (<i>the list is available on www.aapravasighat.org/downloads; or in the Planning Section of the Municipal Council of Port Louis; you may also want to contact Aapravasi Ghat Trust Fund on 217 31 57</i>)</p> <p><input type="checkbox"/> Grade 1</p> <p><input type="checkbox"/> Grade 2</p> <p><input type="checkbox"/> Grade 3</p> <p><input type="checkbox"/> Non-graded</p>	
<p>Do you wish to challenge the grading for the Building/Plot?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>	
<p>If you wish to challenge the grading, is the justification attached?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>	
<p>What was the former use of the building?</p> <p><input type="checkbox"/> Office</p> <p><input type="checkbox"/> Commercial / Retail</p> <p><input type="checkbox"/> Restaurant</p> <p><input type="checkbox"/> Industrial</p> <p><input type="checkbox"/> Leisure</p> <p><input type="checkbox"/> Workshop</p> <p><input type="checkbox"/> Residential</p> <p>Other (please specify)</p>	

3.1. Property history and heritage value

<p>When was the building constructed?</p> <p><input type="checkbox"/> 18th century</p> <p><input type="checkbox"/> 19th century</p> <p><input type="checkbox"/> 20th century- before 1950</p> <p><input type="checkbox"/> 20th century- after 1950</p> <p><input type="checkbox"/> 21th century</p>	<p>Is the building/property a place: <i>(please tick one or several answers if relevant)</i></p> <p><input type="checkbox"/> For specific craftsmanship (ferblantier etc.)</p> <p><input type="checkbox"/> For the practice of specific know-how / traditional skills</p> <p><input type="checkbox"/> For specific social practice (regular meetings/gatherings of the community for a specific purpose for example)</p> <p><input type="checkbox"/> For the practice of music, dance, songs</p> <p><input type="checkbox"/> that represent a cultural / heritage symbol in the area</p> <p><input type="checkbox"/> Other traditional element, please specify</p> <p>.....</p>
<p>Is the property associated with: <i>(please tick one or several answers if relevant)</i></p> <p><input type="checkbox"/> any important persons or groups</p> <p><input type="checkbox"/> any important events</p> <p><input type="checkbox"/> any important activities</p> <p><input type="checkbox"/> the public memory</p> <p><input type="checkbox"/> with a particular community or cultural group for social, cultural or spiritual reasons</p> <p><input type="checkbox"/> None</p> <p>If yes, please specify which one?</p> <p>.....</p>	
<p>Is the property:</p> <p><input type="checkbox"/> Built as per traditional techniques (wood, stone and lime)</p> <p><input type="checkbox"/> Has a specific architectural style that belongs to the traditional architecture</p> <p><input type="checkbox"/> demonstrate technical and creative achievement</p>	
<p>Is the property in line with the traditional architectural style characteristic of Port Louis?</p> <p><i>You may consult the Conservation Manual available at www.aapravasighat.org/downloads</i></p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Partly</p> <p><input type="checkbox"/> No</p>	
<p>Does your property hold any of the following?</p> <p><input type="checkbox"/> Any building or structure of more than 60 years</p> <p><input type="checkbox"/> Any monument or memorial place</p> <p><input type="checkbox"/> Any burial place</p> <p><input type="checkbox"/> Any other archaeological element</p>	

4. Information on the development

4.1. The type of development

<i>Please tick all that applies</i>	√		
Demolition of a building		Demolition of part of a building	
Demolition of boundary wall or other exterior structure		Demolition of internal wall or other interior structure	
Repairs to all or part of façade		Repairs to interior of building	
Repairs to boundary wall or other exterior structure		Other changes to interior of building	
Painting of façade		Painting of boundary wall	
Addition to height of building		Addition to width of building	
Erection of new building		Erection of new boundary wall or other exterior infrastructure	
Erection of new internal wall or other interior structure		Involves earth moving or excavation	
Change in use of part of Building/Plot <i>Please specify</i> From		What is the proposed new use? <input type="checkbox"/> Office <input type="checkbox"/> Commercial / Retail <input type="checkbox"/> Restaurant <input type="checkbox"/> Industrial <input type="checkbox"/> Leisure <input type="checkbox"/> Workshop <input type="checkbox"/> Residential Other (please specify)	
Do the details of restoration and / or other works attached include a scaled drawing of areas of intervention and proposed materials both before and after intervention? Yes <input type="checkbox"/> No <input type="checkbox"/>			
Anticipated starting date		Anticipated duration of works	
Have interested and affected bodies have been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please attach a list and any responses			

4.2. Reason for intervention

<i>Please tick all that applies</i>	√		
Building was declared as being unsafe for occupiers/passers-by by MPL		Boundary wall or other exterior structure was declared as being unsafe for occupiers/ passers-by by MPL	
Specified part of building was declared as being unsafe for occupiers/passers-by by MPL		Internal wall or other interior structure was declared as being unsafe for occupiers/ passers-by by MPL	
Building is in need of repairs		Boundary wall or other exterior structure is in need of repairs	
Specified part of building is in need of repairs		Internal wall or other interior structure is in need of repairs	
Adapting Building/Plot for new use		To meet Government Fire Services or other regulatory body's requirements such as CEB, CWA, etc	
Building façade is unattractive		Building/Plot boundary or other interior structure is unattractive	
To increase floor area		To decrease floor area	
Other Please specify			

4.3. The impact of the development

Do you think that the development will have an impact on its immediate surroundings?

Physical impact	
<input type="checkbox"/> Yes	<input type="checkbox"/> on the access to the building <input type="checkbox"/> on the parking space <input type="checkbox"/> on the pedestrian circulation <input type="checkbox"/> On road traffic <input type="checkbox"/> on the neighbouring building <input type="checkbox"/> on the plot <input type="checkbox"/> other, please specify
<input type="checkbox"/> No	
Social impact	
<input type="checkbox"/> Yes	<input type="checkbox"/> On the neighbouring activities <input type="checkbox"/> on the use of the building by the community <input type="checkbox"/> On the use of the surroundings by the community <input type="checkbox"/> Other, please specify
<input type="checkbox"/> No	

Please state below any other remark regarding the impact of the development if any.

4.4. Impact of the development on the heritage value of the Building/Plot and streetscape

Do you think that the development will have an impact on the heritage value of the building, of the plot and of the streetscape?

Physical impact	
<input type="checkbox"/> Yes	<input type="checkbox"/> on the original architectural character of the building <input type="checkbox"/> on the original architectural character of the plot <input type="checkbox"/> on the original architectural style of the street <input type="checkbox"/> on the architectural harmony of the area <input type="checkbox"/> Other, please specify
<input type="checkbox"/> No	
Social impact	
<input type="checkbox"/> Yes	<input type="checkbox"/> On the activities that originally took place in the building <input type="checkbox"/> On the meaning and value of the building for the local community <input type="checkbox"/> On the meaning and value of the area for the local community <input type="checkbox"/> Other, please specify
<input type="checkbox"/> No	

Please state below any other remark regarding the impact of the development on the heritage value of the building and /or plot and/or streetscape if any.

4.5. Impact of the development on the significance of the Buffer Zone

Do you think that the development will have an impact on the significance of the buffer zone?

Physical impact													
<input type="checkbox"/> Yes	<input type="checkbox"/> on the original character of: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><input type="checkbox"/> the harbour area</td> <td style="width: 50%;"><input type="checkbox"/> the gate of China Town</td> </tr> <tr> <td><input type="checkbox"/> the Granary</td> <td><input type="checkbox"/> the warehouses on Farquhar street north</td> </tr> <tr> <td><input type="checkbox"/> the windmill museum</td> <td><input type="checkbox"/> the Trou Fanfaron Police Station</td> </tr> <tr> <td><input type="checkbox"/> the market area</td> <td><input type="checkbox"/> the Immigration Square</td> </tr> <tr> <td><input type="checkbox"/> Jummah Mosque</td> <td><input type="checkbox"/> Place Sookdeo Bissoondoyal (Place d'Armes)</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> the Central Post Office with adjacent harbour gates</td> </tr> </table> <input type="checkbox"/> on the view corridors and viewscapes from Aapravasi Ghat World Heritage Property to: <ul style="list-style-type: none"> <input type="checkbox"/> La Citadelle <input type="checkbox"/> Place Sookdeo Bissoondoyal <input type="checkbox"/> Farquhar street <input type="checkbox"/> Corderie Street <input type="checkbox"/> Bus terminal <input type="checkbox"/> On the circulation links between the harbour area and the eastern area of the buffer zone (buffer 1 and 2) <input type="checkbox"/> on the architectural harmony of the area <input type="checkbox"/> Other, please specify	<input type="checkbox"/> the harbour area	<input type="checkbox"/> the gate of China Town	<input type="checkbox"/> the Granary	<input type="checkbox"/> the warehouses on Farquhar street north	<input type="checkbox"/> the windmill museum	<input type="checkbox"/> the Trou Fanfaron Police Station	<input type="checkbox"/> the market area	<input type="checkbox"/> the Immigration Square	<input type="checkbox"/> Jummah Mosque	<input type="checkbox"/> Place Sookdeo Bissoondoyal (Place d'Armes)	<input type="checkbox"/> the Central Post Office with adjacent harbour gates	
<input type="checkbox"/> the harbour area	<input type="checkbox"/> the gate of China Town												
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<input type="checkbox"/> the windmill museum	<input type="checkbox"/> the Trou Fanfaron Police Station												
<input type="checkbox"/> the market area	<input type="checkbox"/> the Immigration Square												
<input type="checkbox"/> Jummah Mosque	<input type="checkbox"/> Place Sookdeo Bissoondoyal (Place d'Armes)												
<input type="checkbox"/> the Central Post Office with adjacent harbour gates													
<input type="checkbox"/> No													
Social impact*													
<i>*please refer to the statement of significance of the buffer zone in the annex to this document</i>													
<input type="checkbox"/> Yes	<input type="checkbox"/> On the perpetuation of the craft activities that originally took place in the buffer zone <input type="checkbox"/> On the perpetuation of the commercial activities that originally took place in the buffer zone <input type="checkbox"/> On the perpetuation of the religious and social activities that originally took place in the buffer zone <input type="checkbox"/> On the perpetuation of the social and cultural interactions in the buffer zone <input type="checkbox"/> Other, please specify												
<input type="checkbox"/> No													

Please state below any other remark regarding the impact of the development on the significance of the buffer zone if any.

5. Information on the manner in which the works will be carried out

The proposed works will be carried out by: (Please tick as appropriate)

The applicant himself		A private contractor under the supervision of an architect/engineer.	
A private contractor. <i>Contact details</i>		<i>Contact details</i>	
<p>Does the person in charge of the works agree to adhere to the standard of works as described in the Conservation Manual for the Buffer Zone of the Aapravasi Ghat World Heritage Property? (The conservation manual is available at the Municipal Council of Port Louis and downloadable on www.aapravasighat.org)</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/> Signature: _____</p>			

5.1. Information on impact of works on the neighbourhood

Will the works have an impact on	if yes what measures will be taken to mitigate
Safety of occupiers/passers-by Yes <input type="checkbox"/> No <input type="checkbox"/>	
Integrity of neighbouring buildings Yes <input type="checkbox"/> No <input type="checkbox"/>	
Pedestrian access to and in front of Building/Plot Yes <input type="checkbox"/> No <input type="checkbox"/>	
Vehicular access to and in front of Building/Plot Yes <input type="checkbox"/> No <input type="checkbox"/>	

6. Declaration by applicant

As applicant or approved agent, I confirm that I have read all relevant Bylaws and policies and that this application is in conformance.

I have attached to this application the required plans and specifications of the proposed development in accordance with the application checklist. **I accept responsibility for processing delays caused by incorrect or insufficient submission materials.**

I understand that this application form is a public document and that any and all information contained in it, including personal information, is open for inspection by the public and may be reproduced and distributed to the public as part of a report(s) to the Council or for purposes of a public hearing.

I understand that I am responsible for obtaining development authorizations and permissions from all other statutory bodies and for providing copies of responses from these bodies.

I declare that the particulars in this application are true and accurate and that I have not willfully suppressed any material fact and that I have read and understood the guide to filling this form.

Applicant Signature: _____

Dated: _____

ANNEX 2: GUIDELINES TO PREPARE A HERITAGE IMPACT ASSESSMENT (HIA) AND VISUAL IMPACT ASSESSMENT (VIA) IN THE BZ OF THE AG WHP

A. BACKGROUND

Through the amendment to the AGTF Act 2001, subsequent consequential amendment to the Local Government Act 2004 and the adoption of the Planning Policy Guidance 6 (PPG6) for the Buffer Zone of the Aapravasi Ghat World Heritage Property on 10 June 2011, new provisions were made for development in the Buffer Zone of the Aapravasi Ghat World Heritage Property (AG WHP BZ).

Henceforth, a Building and Land Use Permit (BLP) should be obtained for any type of development, including:-

- Demolition of a building or any other structure
- Erection of a new building or any other structure
- Additions to an existing building or any other structure
- Changes to the façade of a building or any other structure
- Change in use of a building/plot

Furthermore, any application for a BLP should be accompanied by a Cultural Heritage Impact Statement (CHIS)⁶. The objective of the CHIS is to encourage development in line with architectural harmony and cohesion; this to enhance the significance of the BZ or the Outstanding Universal Value of the AG WHP.

In case any proposed development departs from the provisions of the PPG 6, a Heritage Impact Assessment and Visual Impact Assessment will be required.

B. OBJECTIVE

The objective of this guide is to:

- supplement and elaborate on the contents of an HIA & VIA report; and
- explain the process for the determination of a BLP for the Buffer Zone of the Aapravasi Ghat World Heritage Property.

The objective of the impact assessment process is to:

- provide background information on the property in question, including boundaries, history and present significance
- identify stakeholders
- identify impacts of the development and magnitude of the same, namely:
 - the positive and negative impacts
 - on the heritage value of the property
 - on the streetscape
 - on the significance of the Buffer Zone
 - on the OUV of the Core Zone
 - whether the impact

⁶ The CHIS has been simplified into a form below

- is direct or indirect
- has cumulative effects
- propose practical and feasible mitigation and enhancement measures which can be summarised as either
- avoidance – avoiding the impact altogether
- mitigation – reducing the negative impact through adjustments
- enhancement of the positive impacts

The objective of the CHIS is to:

- to assist the developer to provide the preliminary information to the Technical Committee to assess whether the development is in line with PPG6 and other legal requirements
- to determine whether a Heritage Impact Assessment will be required

The objective of the HIA is to:

- define the heritage value of a property and the building/structure found on it
- enable an in-depth study of all the possible impacts of the development on the significance of the building/structure in question and on the that of the Buffer Zone
- analyse all alternatives and mitigation measures for negative impacts and propose feasible and practical ones
- analyse all possibilities of enhancing the positive impacts and propose feasible ones
- propose a management plan that will enhance the heritage value for the building or structure in question while ensuring sustainable use

The objective of the VIA is to:

- identify the visual character of the plot at the current stage
- enable an in-depth study of all the possible impacts of the development on the streetscape value and the overall landscape of the urban heritage area
- analyse all alternatives and mitigation measures for negative impacts and propose feasible and practical ones
- analyse all possibilities of enhancing the positive impacts and propose feasible ones

C. THE HIA & VIA PROCESS

The process involves the following steps:

- **Screening:** it is an important process that assists in deciding whether the project requires an HIA & VIA or not. The screening is done based on the information submitted in the CHIS form and the following considerations:
 - How does the development fit in with its surroundings
 - Design & appearance
 - Scale
 - Materials
 - Access
 - Traffic generation
 - Use/Activity to be carried out

- Nuisance, for example, noise
- Contribution to any significant local, national or international objective
- Previous appeal decisions
- Compliance with PPG6

In case of non-compliance with PPG6 guidelines, an HIA & VIA will be required.

- **Scoping:** the aim of scoping is to ensure that the study addresses all the issues important for decision making. It involves setting terms of reference for the HIA & VIA, selecting consultant and review of existing legislation.
- **The HIA & VIA study including the following:**
 - Demonstration of how the proposed development will not have a negative impact on the Outstanding Universal Value of the Aapravasi Ghat World Heritage Property or on the significance of the Buffer Zone as an Urban Heritage Area.
 - Collection of baseline data and information
 - Public involvement/participation
 - Identification of impacts in terms of magnitude and significance
 - Socio- economic analysis of project effects/impact
 - Mitigating measures for each impact identified
 - Analysis of alternatives of the project
 - Development of a monitoring program and management plan for the plot in question

The above study should be documented in the form of an HIA & VIA report and submitted at the time of application.

D. GENERAL GUIDELINE ON THE PREPARATION OF AN HIA & VIA REPORT

Who should be involved in the preparation of an HIA & VIA

The proponent

Competent authorities

Other responsible agencies

HIA / VIA practitioners

Experts in relevant fields such as history, archaeology, landscape architecture, urban design, etc.

Those affected directly by the development such as tenants, users, neighbours, etc.

Wider community

Guiding principles for the HIA &VIA

The process should be:

- Purposive – meeting its aims and objectives
- Focused – concentrating on the effects that matter
- Adaptive – responding to issues and realities
- Participative – fully involving the public
- Transparent – clear and easily understood
- Rigorous – employing ‘best practicable’ methodology
- Practical – establishing mitigation measures that work
- Credible – carried out with objectivity and professionalism
- Efficient – imposing least cost burden on proponents

The proponent/consultant preparing an HIA & VIA report shall ensure that the cultural significance as well as social and environmental parameters, are addressed and their impacts are identified and taken into account in the project design. The report shall provide substantive and indicative information on the proposed measures to mitigate all adverse effects as well as the opportunities for enhancement to enable a proper assessment.

An HIA & VIA report shall be submitted in 15 hard copies and a soft copy, all signed and dated by the proponent and all principal consultants who prepared or assisted in the preparation of the HIA & VIA.

It should enclose particulars of the schedule of works undertaken by the proponent and his consultants in the preparation of the HIA & VIA, including particulars of any consultation held with the public in the area where the development is to be located.

Notwithstanding the Copyrights Act, the content of an HIA & VIA will be accessible to the members of the public from the moment it is submitted to the MCPL.

Prior to embarking on a project, a proponent shall ensure that relevant clearances have been obtained.

E. GUIDELINE ON THE CONTENT OF THE HIA & VIA REPORT

An HIA & VIA report shall be prepared in the format as proposed below:

Title page

This should contain details of:

- the full title under which the HIA & VIA has been prepared
- the team responsible for the HIA & VIA or name of the consultancy if applicable
- the proponent
- date of submission

Non-technical summary

- This should be concise.
- The language should be simple and non-technical.
- It should give an outline of both the project and location.

- It should focus primarily upon key impacts identified in the HIA and measures proposed to avoid and reduce them.

Introduction

This should provide background information on the project, the promoters, any experience in similar projects, project costs, benefits for the immediate neighbourhood, employment opportunities, associated problems etc.

Site and project description

This should describe the project and indicate the justification and rationale underlying the project, including:

Site Description

A description should be given in general terms to indicate the nature and broad character of the local environment.

- Ownership of land and proof thereof, or lease agreement clearly indicating the owner's consent is agreeable to the project.
- Plans and policies with which the project conforms.
- Site characteristics in terms of:
 - o site location
 - o landform
 - o grading of the plot/building
 - o architectural documentation of present building, boundary walls and any other structure on the plot drawn to scale and duly certified by a Certified Architect
 - o present and past land use (if known)
 - o accessibility to site
 - o flora and fauna, etc.
- Certified and comprehensive site and location plans drawn to scale and duly certified by a Sworn Land Surveyor with known landmarks as reference points.
- Surrounding environment indicating adjacent residential buildings, designated sites of interest, listed national Heritage and grades I, II III buildings/plots adjacent to and opposite the building/plot.
- Indication of other similar projects in the surroundings.
- Existing infrastructure and availability of public utilities.

Project Description

- Project initiator.
- Type of project and associated activities to be carried out.
- Need and justification of project.
- The design, size and scale of the project.
- Detailed site/layout plan drawn to scale of 1:500 indicating site boundaries (as per title deeds) and showing all structures proposed to be put up on site with setbacks from boundaries.
- Detailed plans including elevations, plot coverage and gross Floor Area.
- Description of project in terms of raw materials, processes, equipment, work force, products, type and amount of wastes/effluent produced and its disposal etc.

- Complete list of project components that depart from the guidelines of PPG6 with the following details for each component:
 - o detailed justifications;
 - o in-depth analysis of the way in which the proposed development will aid in achieving the vision for the Buffer Zone of the Aapravasi Ghat World Heritage Property as described in PPG6 and the Heritage Management Plan;
 - o in-depth analysis of how the departure from the guidelines of PPG6 does not negatively affect the significance of the Buffer Zone and the Outstanding Universal Value of the Aapravasi Ghat World Heritage Property;
 - o diagrams, sketches or scale drawings by the architect to demonstrate the above; and
 - o *Note: Only components listed in the HIA will be evaluated by the TC. Any other component not listed in the HIA will be deemed as a contravention to the conditions of the PBMC when delivering the BLP.*
- Training requirements of the project.
- The technical, economic and environmental features essential to the project.
- Diagrams, sketches or landscape architect's impression of the project in the receiving environment.
- Proposed schedule for implementation.
- Proposed steps to be taken in case archaeological remains are to be found during excavation.

Social impacts

This should indicate impacts on:

- the lifestyle of users including the local community in addition to the wider community through the change in behaviour and relationships;
- the cultural value linked to the property and any building and structure on it, including customs, values, religious beliefs;
- community life through amenity, quality of life, infrastructure and services; and
- health both physical and mental of users and the local community.

Monitoring and management

This should indicate:

- provisions made for on-site monitoring during site preparation, construction and operation phase; and
- management plan for the building/plot including components such as maintenance, risk preparedness, visitor management and enhancement of the cultural value of the building/plot.

Method of assessment

This should contain details of the HIA & VIA procedure:

Baseline Data

- Data collection methodology (E.g. survey, matrix or checklist).
- Source of information.
- What information was the HIA & VIA based upon? (NDS, PPGs, White Papers, Government Policies, etc.).
- Are there any uncertainties or omissions in this data? e.g. if it was collected out of season or is out of date.
- Are any further surveys to be carried out to remedy this?

Consultations

This section should indicate who has been contacted about the project including the construction phase. It should include:

- Statutory bodies and amenity groups likely to be affected by the proposals;
- The local population including immediate neighbours, operators and residents in the neighbourhood likely to be affected by the proposed development and the public in general;
- Means used for contacting them and for providing publicity about the project (leaflets, public display, questionnaires, letters, etc.); and
- A brief summary of their responses detailing the areas of concern highlighted and their contribution to the HIA.

Predicted heritage impacts

There is sometimes a tendency to see impacts as primarily physical and visual. While visual impacts are often very sensitive, a broad approach is needed as outlined in the ICOMOS Xi'an Declaration. Impacts take many forms – they may be **direct and indirect; cumulative, temporary and permanent, reversible or irreversible, visual, physical, social and cultural, even economic**. Impacts may arise as a consequence of construction or operation of the proposed development. Each needs to be considered for its relevance to the HIA & VIA.

In addition, the anticipated impacts of both the construction and operation stages of the proposed development should also be assessed, since there are often different types of impacts. For example, the installation of an underground pipeline may have definite impacts in terms of site preparation, trenching, pipe-laying, filling, levelling and rehabilitation, but once the pipeline is operational, the impacts will be almost non-existent. There may even be cases where the termination of an activity or development calls for a HIA & VIA, for example when decisions are taken to demolish a building after cessation of its present use.

The criteria for HIA & VIA are described in detail in Sections **Error! Reference source not found.** and **Error! Reference source not found.**

Mitigation and enhancement measures

For each impact the HIA should state:

- 1) For negative impacts:
 - steps proposed to be taken to avoid / reduce and / or eliminate the negative impacts
 - the likely effectiveness and adequacy of mitigation
 - technologies and other means proposed to achieve the mitigation
- 2) For positive impacts
 - steps proposed to be taken to enhance positive impacts
 - the likely effectiveness of the enhancement
 - means proposed to enhance the positive impacts

The following impacts and mitigative measures should be included:

- in terms of physical damage to the heritage value of the building/plot in question;
- in terms of physical damage to listed National Heritage and neighbouring Grade I, II and III buildings;
- in terms of noise, odour, emissions, smoke, flies, rodents, traffic implications including a brief traffic impact analysis, etc; and
- major accident policies for the duration of the construction phase and during the use of the building (on site emergency plans, safety measures and information to the public).

Alternatives

This section should give an outline of:

- the alternatives to the project;
- the “Do Nothing” option – what will be the outcome of not undertaking the project, for instance on future land use?
- the alternative considered to be the most beneficial for the significance of the Buffer Zone even if this is not the project;
- the criteria for rejecting the alternatives; and
- the stage in the planning process when they were rejected.

Supporting documentation and references

Appendices

These should include information which would cluster the main body of the text, such as:

- plans and maps
- proof of public consultation and a summary of responses to the development including list of respondents
- press releases
- monitoring, implementation and management plans

Processing of HIA & VIA

Proponents submitting an HIA & VIA are required to submit 15 copies of the report to the MCPL. Figure 1 depicts an outline of the HIA procedure.

After a preliminary scoping, to ensure that the document is as accurate and exhaustive as possible, the HIA is open for public inspection and comments by publication in the MCPL website. A copy of the HIA report is circulated to the authorities concerned with a request to submit their views in writing within a prescribed time limit.

Concurrently, the MCPL or any member of the TC delegated by the MCPL carries out a site visit for a non-site assessment of the listed implications of the proposed development, together with the proponent and / or contact person and his consultant(s). The proponent may be requested to carry out further studies or to submit additional information by the TC. The TC may also seek the advice of professionals on any aspects of the proposed development.

The TC evaluates the application taking into consideration the views of the authorities concerned and any public comments received and makes its recommendations to the PBMC which is the final body to determine whether a BLP can be delivered with or without conditions or rejected.

Appeal

Any person who is not satisfied with the decision of the PBMC on an application for BLP may appeal within days of the decision to the Town and Country Planning Board.