

**FW: Letter to SEZ Parliament with attachments**

1 message

Karl Ammann <karl@karlammann.ch>  


18 September 2023 at 07:48

**From:** Karl Ammann [mailto:karl@karlammann.ch]**Sent:** Monday, September 18, 2023 7:47 AM**To:** 'rmancienne@nationalassembly.sc'; 'ghenrie@nationalassembly.sc'; 'spilly@nationalassembly.sc'; 'bgeorges@nationalassembly.sc'; 'alabonte@nationalassembly.sc'; 'avidot@nationalassembly.sc'; 'cgill@nationalassembly.sc'; 'candre@nationalassembly.sc'; 'cgabriel@nationalassembly.sc'; 'dbastienne@nationalassembly.sc'; 'eaglae@nationalassembly.sc'; 'fadelaide@nationalassembly.sc'; 'gromain@nationalassembly.sc'; 'jhoareau@nationalassembly.sc'; 'ksamynadin@nationalassembly.sc'; 'mroucou@nationalassembly.sc'; 'nloizeau@nationalassembly.sc'; 'pmonthly@nationalassembly.sc'; 'parissol@nationalassembly.sc'; 'resparon@nationalassembly.sc'; 'rlabrosse@nationalassembly.sc'; 'ruranie@nationalassembly.sc'; 'sarissol@nationalassembly.sc'; 'snaidu@nationalassembly.sc'; 'tmondon@nationalassembly.sc'; 'tmondon@nationalassembly.sc'; 'slemiel@nationalassembly.sc'; 'wwoodcock@nationalassembly.sc'; 'wwilliam@nationalassembly.sc'; 'dporice@nationalassembly.sc'; 'flarue@nationalassembly.sc'; 'jloze@nationalassembly.sc'; 'nzialor@nationalassembly.sc'; 'rbistoquet@nationalassembly.sc'; 'wcosgrow@nationalassembly.sc'; 'wherminie@nationalassembly.sc'**Subject:** Letter to SEZ Parliament with attachments

Dear Hon Speaker,

As indicated earlier we had commissioned an independent third party expert opinion on recent and present developments at Intendance. We are now in a position to attach the corresponding final report dealing with none compliance issues in the context of the original sanctions and the EIA. I understand the author would be happy to elaborate on it if there are additional questions. I would also be available during my upcoming visit next week.

<https://app.box.com/s/k77k449hkqnhl8yk8k89ua42r3wxrprk>

Yours sincerely

Karl Ammann

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**Karl Ammann**

**Anse Intendance,**

**Mahe, Seychelles.**

1. **Speaker of the National Assembly**
2. **Members of the National Assembly**
3. **Clerk of the National Assembly**

15<sup>th</sup> September 2023

Dear Hon Speaker,

Without Prejudice

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**Re: Destruction of the Environment at Intendance - within the Ex-Banyan Tree Property**

Reference is made to my earlier letter on the aforesaid matter, dated 3<sup>rd</sup> July 2023. Kindly note that, to date, there appears to have been no resolution to the extensive destruction to the environment within the ex-Banyan Tree Property, nor have I received any status updates on my request made to you concerning the same. I am writing to request clarification on the steps taken to inquire into the matter further, or any steps taken towards facilitating resolutions to the unauthorized destruction of the environment at Intendance.

Furthermore, I shall be in Seychelles from the 22<sup>nd</sup> to the 29<sup>th</sup> of September, and humbly request a formal meeting with esteemed interested members of the National Assembly to present an Expert Review of the lack of adherence to the Environment Impact Assessment conditions of the above Development at Anse Intendance. This review, by a qualified third party expert, has now been completed and will hopefully be the basis for further discussions/evaluation.

Please do not hesitate to contact me on [karl@karlammann.ch](mailto:karl@karlammann.ch) or [+44 7801 730284](tel:+447801730284) should you require more information or clarification.

Yours sincerely,

Mr. Karl Ammann

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**Karl Ammann**  
**Anse Intendance,**  
**Mahe, Seychelles.**

- 1. Speaker of the National Assembly**
- 2. Members of the National Assembly**
- 3. Clerk of the National Assembly**

3<sup>rd</sup> July 2023

Dear Hon Speaker,

**Re: Destruction of the Environment at Intendance - within the Ex-Banyan Tree Property**

-

I am the owner of Intendance Retreat Limited (IRL), duly registered in Seychelles with its registered office situated at Intendance, Mahé, Seychelles, which owns "Residence on the Rocks" (the 'Villa') situated on a parcel of land within the Resort that is being currently redeveloped.

Following the transfer of ownership from Banyan Tree Resort/ Hill View Resorts to Murban Energy Ltd in or around 2018, the new owner of the Resort has irreparably damaged the once pristine wetlands on the property through dredging activities and suspected unauthorized discharges of pollutants into the environment. The negative effects on the natural flora and fauna are painfully apparent, with a noticeable lack of, or possible eradication of, the two endemic terrapins of Seychelles in this region. The wetlands have become overtaken by toxins, prompting the surge of green algae in the water, which has the effect of suffocating life within the wetlands. Photographs are annexed herewith for your kind attention. **See [photographic](#)** evidence.

We have written to the Ministry for Environment, through Director Mr. Karl St. Ange, on previous occasions about my concerns, but have received no response to the issues raised therein, other than their Information

Officer forwarding me a copy of the new owner's Environment Impact Assessment dated November 2020 (**attached herewith**). We have forwarded my letters to the Information Commission, in a bid for them to pressure the Ministry for Environment for necessary action.

It is of note that many of the requirements of the EIA have not been complied with, and in most instances even breach Seychelles Law, including (but not limited to) the following:

1. There has been significant impact and destruction to the wetland, including dredging, eutrophication etc. **See photographic evidence and attached lab report of water samples** taken. These lab results are quite alarming. We discovered coliforms of 200 000 cfu/100ml. These counts of bacteria are abnormally high, and they completely confirm our suspicions about sewage in the water. The lab results also indicate Faecal Coliforms. They are not allowed to be in the water at all. The count of 60 000 cfu/100ml found, is indicative of sewage output. TMA is indicative of "normal" microbial activity and is usually found in waters that are not treated with chlorine or some sanitizer. However, at 30 000 it is three times the allowable limit.

2. There is significant development along the Coastline, breaching the National Coastal Setback Policy (currently in preparation), but stipulated within the Seychelles Coastal Management Plan 2019–2024, and the Coastal Setback Policy stipulated within Guidelines for Hazard Sensitive Land Use Plan (**both documents attached**).

Both documents stipulate;

*'A general 25 m coastal setback was first included in the EIA guidelines and is enforced on an informal basis ever since. The need for a general coastal setback for development control, beach protection, etc. was acknowledged in the CMP and the discussion is coordinated by MACCE/CAMS in collaboration with other GoS agencies and departments. The recent draft determines a horizontal 25 m coastal setback from the high water and a 10 m setback if there is a sufficient protection structure or natural rock cliff. The vertical setback is defined by 3 m above the mean sea level'.*

I have walked this beach on a regular basis for the last 40 years, and with the present setup it is a totally new and a different experience. The issue of access through the 25–30-meter corridor is no longer given but being part of the original sanctions for the original resort which supposedly remained a legal obligation

3. Additionally, it must be noted that nesting Hawksbills generally emerge with the high tide, regardless of time of day, while nesting Green turtles emerge only at night. The hotel development along the coastline, which we are advised has been altered from the existing footprint of the previous resort, will undoubtedly put a greater strain on these endangered animals, whether from the light pollution from construction, or from the finished buildings.

4. Within the EIA Report (Executive Summary, Page 3), it stipulates *'the need for sedimentation barriers to limit damage to the wetland'*.

It is unclear as to whether sedimentation barriers were created, but there has been significant eutrophication that has occurred. This is apparent from the overwhelming amount of duckweed that has covered the surface.

It is to be noted that the wetland at Anse Intendance is home to several species of high conservation value (Table 6-1 on pg. 99-100, within the EIA Report). Some of these species, such as the Seychelles Yellow bellied mud terrapin (*Pelusios castanoides ssp. Intergularis*) and the Seychelles Black Mud turtle (*Pelusios subniger ssp. parietalis*) are endemic to Seychelles. Anse Intendance is one of the last remaining sanctuaries for these reptiles.

Both species are currently listed as **Critically Endangered** on the IUCN Red list.

5. Within the EIA Report (Page 82), it stipulates, '*Should there be a need to fell/lop any protected trees, permission will be sought from the National Parks and Forestry Section of the Department of Environment.*'

However, at the end of February 2023, there was a mass removal of trees from this area (**photos attached**). Section 6.1.6.1 of the EIA refers specifically to environmental impact of the Resort and states that "*some exotic trees will be removed for the construction site of new villas, but these are expected to be minimal.*" As the photographs demonstrate, this commitment has not been complied with

6. Within the EIA Report (Executive Summary, Page 6), it stipulates '*comprehensive environmental monitoring shall be conducted periodically to ascertain compliance to set mitigation measures...*'

We highly doubt that this has been adhered to, given the current status of the environment in that area.

7. Within the EIA Report (Page 64). There is to '*be a limit on new buildings.*' According to the EIA, the proposal is meant to reduce this to 53 ultra high-end private villas (from page 68 (Table 4-1) – increase the size of the villas by 30-40%, build on existing foundations).

We have evidence that this is not the case (some relevant **photos attached**). In fact, the existing foundations have been expanded and the area of all villas has been doubled, and of the public area, has doubled in size, a second floor has been added to some double room beach villas, an additional floor has been added to the main lodge, an additional floor has been added to the new five-bedroom Owner's Villa, in terms of visual impact, the rooftops of the hill villas are in fact more conspicuous, in part because of the change to flat roofs from steep/pitched roofs; and the construction of a new structure next to the swimming pool attached to the former Presidential Villa, which can be seen at the end of the beach and which will go beyond the original Resort beach front structures, all of it resulting in more of a visual impact if viewed from the sea and the beach.

These are just some of the breaches that we have listed. We have recruited a local expert to produce a detailed review of additional breaches of the EIA Report, and the laws of Seychelles, that will be finalized within the next few weeks.

We trust that you would be able to entertain our concerns on your platform, which would hopefully cause action to be taken immediately by the relevant authorities before more irreversible damage is occasioned on the wetlands and in the surrounding environment.

Please do not hesitate to contact me on [karl@karlammann.ch](mailto:karl@karlammann.ch) or [+44 7801 730284](tel:+447801730284) should you require more information or clarification.

<https://www.dropbox.com/scl/fo/whfyui8tcbt437kk80351/h?rlkey=jq6lt971zpsbqv5yngwhuuqh5&dl=0>

Yours sincerely,

Mr. Karl Ammann

Director, IRL

Mr. Karl St. Ange

Director, IRL

Former Banyan Tree Footprint  
Blanc Footprint

New Cheval



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#### 5 attachments

 **Original letter to the relevant Authorities dated 21 March 2023.docx**  
49K

 **seychelles-coastal-management-plan.pdf**  
11280K

 **Indendance Wetland water test results.pdf**  
204K

 **HAZARD SENSITIVE GUIDELINES1.pdf**  
2118K

 **CBS - HILL VIEW RESORTS SEYCHELLES - EIA REPORT.pdf**  
9407K