

**KERALA COASTAL ZONE MANAGEMENT
AUTHORITY**

34th MEETING

Agenda & Notes

Venue : Sasthra Bhavan,
Pattom,
Thiruvananthapuram.

Date & Time: 2.45 PM on 20th March, 2010.

KERALA COASTAL ZONE MANAGEMENT AUTHORITY
SASTHRA BHAVAN, PATTOM, THIRUVANANTHAPURAM – 695 004.

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Venue

**Sasthra Bhavan,
Pattom, Tvpm.**

Agenda Items

- 34.1 : Confirmation of the Minutes of 33rd Meeting**
- 34.2 : Action taken report on the decision of 33rd Meeting.**
- 34.3 : Consideration of New Agenda Item.**
- 34.3.1 : Construction of house in Re.Sy.No.175/6,7 of
Pantheeramkavu Village, Kozhikode – Application of
Smt.Mini.P.M. – Reg**
- 34.3.2 : Feroke Grama Panchayat – Bharat Petroleum Retail
Outlet –reg.**
- 34.3.3 : Payyannur Municipality – Construction of dwelling unit –
Application of Smt.Thaliyil Narayani-reg.**
- 34.3.4 : Nayarambalam Grama Panchayat – Construction of
building – reg.**
- 34.3.5 : Hatchery & Marine Life Research Centre by Ciso
Institute of Oceanic Studies(P) Ltd. at Punnayur Grama
Panchayat, Thrissur -reg.**
- 34.3.6 : Construction of Anganvadi Building, Panayam Grama
Panchayat – reg.**
- 34.3.7 : JNNURM- Storm Water drainage of Thiruvananthapuram
City – Construction of breakwater at Veli - reg.**

- 34.3.8 : Construction of houses under TRP in Edavanakkad Grama Panchayat -reg.**
- 34.3.9 : Development of Vizhinjam International Container Transshipment Terminal - CRZ clearance - reg.**
- 34.3.10 : Construction of building for Coastal Police Station - Kasaragod Municipality - reg.**

Agenda Item No.34.1

Minutes of the 33rd meeting

The minutes of the meeting (copy at Annexure I) may be considered for approval.

Agenda Item No.34.2

Action Taken Report(33rd KCZMA)

Agenda Item No	File No	Subject	Action taken
33.3.1	1000/A2/06/S&TD	Recategorisation of CRZ III areas in the State into CRZ II category.	Press release issued. LSG Dept. was requested to furnish the necessary proposals and support for recategorisation.
33.3.2	1103/A2/08/S&TD	Appointment of Standing Counsel for Kerala Coastal Zone Management Authority	Standing Counsel, KCZMA has been informed to attend meetings of KCZMA.
33.3.3	660/A2/09/S&TD	Destruction of Mangroves in the Campus of College of Fisheries, Panangad, Kochi.	Decision to take communicated to VC, Kerala Agricultural University and Principal Secretary, Forest Dept. on 13.2.2010.
33.3.4	866/A2/09/S&TD	Functioning of ICE Plant in CRZ area- Application of Sri.L.Michael, Arthiyal	Recommended and forwarded to MoEF on 22.1.2010.

		Purayidom, Marianad.	
33.3.5	1266/A2/09/S&TD.	Report of the Subcommittee on Reduction of No Development Zone on the banks of rivers/backwaters to 40% of the CRZ - reg.	Recommended and forwarded the Subcommittee report to MoEF, GOI on 27.1.2010.
33.3.6	1579/A2/09/S&TD.	Construction of Residential Apartment in Thalassery Municipal Area- Application of Shri.K.C.Basheer .	Project Proponent was directed to furnish CRZ status report vide Govt. letter dated 20.1.2010
33.3.7	1654/A2/09/S&TD	House constructed in CRZ area – Issuance of building number – Application of Smt.Alphonsa Cardoz	Clearance granted on 27.1.2010.
33.3.8.	1677/A2/09/S&TD	Tirur Municipality – Construction of commercial building – Application of Sri.T.V.Nazar and Sri.T.V.Manzoor, Thyvalappil House Thazhepalam, Pookayil Bazar, Tirur.	CRZ clearance issued on 21.1.2000
33.3.9	1945/A2/09/S&TD	Construction of houses for fishermen in CRZ area-Thanoor Grama Panchayat, Malappuram district	Recommended and forwarded to MoEF on 22.1.2010.
33.3.10	1950/A2/09/S&TD	Chellanam Grama Panchayat-EMS Housing Scheme, Jenoram BSUP Housing Scheme	Decision to collect more details communicated to Secretary, Chellanam Grama Panchayat on 20.1.2010.
33.3.11	1951/A2/09/S&TD	Judgment in WP©No.32050/08 of Hon'ble High Court –representation received from	Decision to maintain status quo communicated to MoEF& petitioner

		Smt.Suprabha.P.Kukkillaya, Adarsh, Mamangalam, Kochi - reg.	
33.3.12	2158/A2/09/S&TD	Construction of LPG Godown in CRZ area - Application of Shri.Joe John Thomas - Clarification issued from Ministry of Environment and Forests -	Clearance issued on 11.1.2010
33.3.13	1593/A2/08/S&TD	Construction of Apartment in Thalassery Municipality - Application of Sri.K.V.Abdul Azeez -reg.q	Decision to collected more details communicated to the project proponent.
33.3.14	1146/A2/09/S&TD	Ayurvedic Hospital in Karumkulam Grama Panchyat - Application of Sri.Joseph	Proposal rejected. Decision communicated to Secretary, Karumkulam Grama Panchayat on 27.1.2010.
33.3.15	1290/A2/09/S&TD	DLF Riverside Housing Project, Chilavannur, Kochi Corporation	The Project proponent was directed to furnish additional details/documents.

Agenda Item No.34.3.1

File No.1631/A2/09/S&TD

**Construction of House in Re.sy.No.175/6,7 of Pantheeramkavu
Village, Kozhikode – Application of Smt.Mini.P.M.**

Secretary, Olavanna GRama Panchayat, Kozhikode has forwarded an application from Smt.Mini.P.M. for the construction of a house in Re.Sy.No.175/6,7 of Pantheeramkavu Village. The site is at a distance of 15m from the High Tide Line of river having width more than 200m. Therefore the proposed construction is in No Development Zone. The total plinth area of the building as informed is 51.97sq.m, and the height is 3.9m. The Panchayat has reported that the plot is an elevated one and is above 15m from the water level. It is also reported that there is no chance of flood and land sliding in the area. Moreover the house is very small with a plinth area of 51.97sq.m. The applicant has no other land for construction of a residential building.

Point for decision

In the circumstances reported by the Panchayat, KCZMA may take a suitable decision.

Agenda Item No.34.3.2

File No.1948/A2/09/S&TD

Feroke Grama Panchayat – Bharat Petroleum Retail Outlet – reg.

Secretary, Feroke Grama Panchayat has forwarded the application for the construction of structures for establishing a petrol pump in Sy.No.145 of Karuvan Thiruthi Village, Kozhikode District. The total plinth area of the building as reported is 116.09 sq.m. The area is in CRZ III. The distance from High Tide Line to the plot is 60m and to the proposed building is 100m. The proposed building is a double storied one with a height of 7.15m. As per the provisions of CRZ Notification 1991, facilities for receipt and storage of Petroleum products and LPG can be permitted in CRZ III area subject to implementation of safety regulations based on the guidelines issued by Oil Industry Safety Directorate, Government of India, Ministry of Petroleum and Natural Gas and Ministry of Environment and Forests. But construction of petrol retail outlet is not mentioned either as prohibited activity or as permissible activity.

Point for decision

Whether CRZ clearance may be granted for the construction of Petroleum Retail Outlet in Feroke Grama Panchayat subject to conditions stipulated by the Ministry of Petroleum and Natural gas and Ministry of Environment and Forests, treating it as a permissible activity in CRZ III.

Agenda Item No.34.3.3

File No.2063/A2/09/S&TD

Payyannur Municipality – Construction of dwelling unit – Application of Smt.Thaliyil Narayani – reg.

The Secretary, Payyannur Municipality has forwarded an application for the construction of a house with a plinth area of 49.80sq.m. in 6cents of land by Smt.Thaliyil Narayani, for CRZ clearance. The proposed building is at 70m from the banks of river, and is behind the building having building no.PMC XXI-246C near Kowwae bridge. The area is in CRZ II.

The applicant belongs to SC Community and is facing social and financial problems. The Municipality has also reported that she is a widow and mother of a mentally retarded son

Hence the request may be considered for CRZ clearance subject to the following conditions:

- i) The area is not falling in CRZ I
- ii) The existing building mentioned as in between the proposed site and water body is an approved one.

Point for decision

Whether CRZ clearance may be granted for the construction of house in Re.sy.No.35/5 by Smt.Thaliyil Narayani in Vellore Village in Payyannur Municipality may be sanctioned subject to the above conditions.

Agenda Item No.34.3.4

File No.2138/A2/09/S&TD

Nayarambalam Grama Panchayat – Construction of building –reg.

The Secretary, Nayarambalam Grama Panchayat has forwarded a proposal for the construction of a new building attached to Public Health Centre utilizing the funds under NRHM. It is requested therein to allow exemption in CRZ Rules for the purpose. The proposed construction is in the No Development Zone of CRZ III. As per the provisions of CRZ Notification 1991, only dispensaries required for the local inhabitants are permitted in the above area.

Point for decision

Whether the proposal for the construction of building attached to Public Health Centre in the No Development Zone of CRZ III area may be permitted, since this is a project of Government for local inhabitants.

Agenda Item No.34.3.5

File No.2141/A2/09/S&TD

Hatchery & Marine Life Research Centre by Ciso Institute of Oceanic Studies(P) Ltd. at Punnayur Grama Panchayat, Thrissur.

The Secretary, Punnayur Grama Panchayat, Thrissur has forwarded a request for CRZ clearance for the construction of hatchery and Marine Life Research Centre by Ciso Institute of Oceanic Studies(P)Ltd. At Punnayur. The proposal involves construction of semi permanent buildings for holding Stream Ecosystem, Marine Underwater Ecosystem, Esturine Ecosystem, hatchery and building for office. The project proponent has stated that these buildings, except the one for office, vicinity to the sea as they have to hold live specimens and that operations are done in sea water.

The project lies in CRZ III area. The constructions are partly in NDZ and partly in regulated zone. A tunnel is also proposed under water.

Hatchery is a permissible activity in CRZ, under para 2(iii) of the CRZ Notification, 1991. But construction of office buildings, etc. are not permissible.

Point for decision.

KCZMA may decide whether the proposal including construction of buildings except the one for office, may be treated to the requiring water front, and if so whether the proposal may be taken up with the MoEF, Govt. of India for decision.

Agenda Item No.34.3.6

File No.2274/A2/09/S&TD

Construction of Anganvadi Building, Panayam Grama Panchayat

Secretary, Panayam Grama Panchayat has forwarded a proposal for the construction of a building for Anganvadi, at a distance of 90m from the banks of backwaters, in Re.Sy.No.35/20 of Panayam Village. The area belongs to No Development Zone of CRZ III. As per the provisions of CRZ Notification 1991, construction of buildings for educational purpose, for the local inhabitants is a permissible activity.

Point for decision

Whether the proposal for the construction of Anganvadi building in the No development Zone of CRZ III in Panayam Grama Panchayat may be allowed.

Agenda Item No.34.3.7

File No.23/A2/10/S&TD

**JNNURM – Storm Water drainage of Thiruvananthapuram City –
Construction of breakwater at Veli – reg.**

Chief Engineer, Harbour Engineering Department has requested to grant CRZ clearance for the construction of breakwaters at Veli as part of Storm Water drainage Project of Thiruvananthapuram City. CRZ status report of the area, Letter from Kerala State Pollution Control Board and EIA study report are also forwarded with the project proposal. The sanctioned amount of expenditure is Rs.1189Lakhs.

As per the CRZ Status report, the area in the South part lies in CRZ-II and the area in the north part lies in CRZ III. there is no CRZ I(i) area present in the location. As per CRZ Notification 1991, construction of breakwaters is a permissible activity and in cases where project cost exceeds Rs.5 crores, sanction of Government of India is required. Hence the case may be recommended and forwarded to Government of India.

Point for decision

Whether the proposal for the construction of breakwaters at Veli as part of Storm Water Drainage of Thiruvananthapuram under JNNURM may be recommended and forwarded to Government of India.

Agenda Item No.34.3.8

File No.40/A2/10/S&TD

Construction of houses under TRP in Edavanakkad Grama Panchayat

District Collector, Ernakulam has forwarded the minutes of the DLMC meeting held on 17.11.2009 through DM Department. It is requested to grant permission for the construction for 16 houses under TRP Scheme in Edavanakkad Grama Panchayat. Later, the Secretary, Edavanakkad Grama Panchayat informed that they are planning to construct 18 houses under TRP, in the area between 70-500m from the sea. Out of these, 6 houses lies within 70-200m ie. in the No Development Zone.

Construction of dwelling units can be permitted with 200-500m from High Tide Line of sea. List of the proposed houses may be seen as Annexure 8 (a)

In the cases of houses lying within the No Development Zone, only renovation/reconstruction can be allowed. As per the documents submitted house No. TN/6/14 was constructed prior to 1991. Hence reconstruction of the same can be allowed in No Development Zone. Other 5 constructions are not permissible.

New constructions are permissible within 200-500m of High Tide Line subject to the following conditions:

- a) The total number of dwelling units shall not be more than twice the number of existing buildings.
- b) The total covered area on all floors shall not be more than 33% of plot size.
- c) The overall height of the building shall not be more than 9m and

- d) The total number of floors shall not be more than 2 floors(ground floor + first floor)

Point for decision

Whether the proposal for the construction of the houses listed in the Annexure 8(a) may be allowed as a special case since it is part of TRP.

OR

Permission may be granted to the construction of houses in the RDZ and reconstruction of one existing authorized structure in the NDZ.

Agenda Item No.34.3.9

File No.121/A2/10/S&TD

**Development of Vizhinjam International Container Transshipment
Terminal – CRZ clearance – reg.**

Managing Director, Vizhinjam International Seaport Ltd. has requested to revive the proposal for the development of Vizhinjam International Container Transshipment Terminal(VICTT) Project, submitted in the year 2004 by the Director, Ports Department. Managing Director, Vizhinjam International Seaport Ltd.(VISL) has informed that the project is being implemented on public private partnership, to develop an international deepwater Seaport and Container Transshipment Terminal at Vizhinjam, 7km south of Thiruvananthapuram.

The CRZ of this sketch of coast is categorized as CRZ I and CRZ III in Map No.2 &3 of Kerala Coastal Zone Management Plan 1995. Laterite cliffs and adjacent 50m landward are categorized as CRZ I(i). Intertidal zone comprising of seasonal sandy beach and rocky near shore is categorized as CRZ I(ii). As per Notification 1991, development of port is a permissible activity except in CRZ I(i). The sea-side in which the port development is proposed doesn't have any CRZ I(i) area.

This proposal was earlier recommended and forwarded to Ministry of Environment and Forests on 30.6.2005. But the Managing Director, VISL has informed that this was not pursued further owing to certain technical and legal issues. Clearance given would lapse on completion of 5yrs.

(Contd...2)

Hence the present proposal for the development of VICTT Project may be recommended and forwarded to Government of India subject to conditions specified in letter No.28/B1/04/CZMA dated 30.6.2005, copy of which may be seen as Annexure 9(a).

Point for decision

Whether the proposal for development of VICT may be recommended and forwarded to Government of India subject to the conditions referred above.

Agenda Item No. 34.3.10

File No.201/A2/10/S&TD

Construction of building for Coastal Police Station – Kasaragod Municipality.

Secretary, Kasaragod Municipality forwarded the site plan and building plan of the proposed Coastal Police Station building in Re.sy.No.126/1 of Thalangara Village. It is on the banks of Chandragiri river and is within 500m from High Tide Line of sea. The area is shown as CRZ II in Map No.76 of KCZMP. Coastal Police Stations are listed as activities requiring water front and so this is a permissible activity as per Para 3(i) of CRZ Notification 1991.

Hence CRZ clearance may be granted subject to the conditions that

- a) All construction shall be in accordance with KMBR and local architectural style.
- b) Height of the building should not exceed 9m.
- c) No buildings other than police station building will be permitted.

Point for decision

Whether the proposal for the construction of Coastal Police Station may be allowed subject to the above conditions.

Agenda Item No.34.3.6

File No.2144/A2/09/S&TD

**Construction of apartments and Villas in Chirakkal Grama Panchayat
& Pallikunnu Grama Panchayat – Application of Sri.K.Arun Kumar,
M/s.MIR Builders & Developers Pvt. Ltd. –reg.**

Secretary, Chirakkal Grama Panchayat forwarded the application for the construction of apartments and villas in Kannur District, in CRZ area. The total built up area is of 8430 sq.m., and estimated cost is 7.1crores. As informed the maximum height of the building is 7.00mts.

As per the plan submitted the proposed villas are within the CRZ-III area and the apartments are outside CRZ area ie. Beyond 500m from the High Tide Line of sea. The construction of Tourism Villas can be considered only if it is for temporary occupation of tourists and permission may be granted subject to the following conditions:

- i) ((The project proponent shall not undertake any construction within 200m in the land-ward side from the High Tide Line and within the area between the Low Tide and High Tide Lines.

Provided that the Central Government may, after taking into account of geographical features and overall Coastal Zone Management Plans, and for reasons to be recorded in writing, permit any construction subject to such conditions and restrictions as it may deem fit;

(Provided further that construction for the purpose of tourism development may be permitted beyond 50m on the landward side of the

High Tide Line in the Union Territories of the Andaman and Nicobar Islands and Lakshadweep Islands based on integrated coastal zone management study conducted by the Ministry of Environment and Forests by itself or through any agency authorized by it in this behalf;)

- (i a) live fencing and barbed wire fencing with vegetative cover may be allowed around private properties subject to the condition that such fencing shall in no way hamper public access to the beach.
- (i b) no flattening of sand dunes shall be carried out;
- (i c) no permanent structures for sports facilities shall be permitted except construction of goal posts, net posts and lamp posts.
- (i d) construction of basements may be allowed subject to the condition that no objection certificate is obtained from the State Ground Water Authority to the effect that such construction will not adversely affect free flow of ground water in that area. The State Ground Water authority shall take into consideration the guidelines issued by the Central Government before granting such no objection certificate.

Though no construction is allowed in the no development zone for the purposes of calculation of FSI, the area of entire plot including the portion which falls within the no development zone shall be taken into account)).

- ii) the total plot size shall not be less than 0.4 hectares and the total covered area on all floors shall not exceed 33% of the plot size i.e. the FSI shall not exceed 0.33 (Further, the total covered area of all the floors shall not be more than 50% of the plot size both in the Union Territory of Andaman and Nicobar Islands and the Union Territory of Lakshadweep

Islands). The open area shall be suitably landscaped with appropriate vegetal cover;

- iii) The construction shall be consistent with the surrounding landscape and local architectural style;
- iv) The overall height of construction upto the highest ridge of the roof, shall not exceed 9metres and the construction shall not be more than 2 floors(ground floor plus one upper floor);
- v) Ground water shall not be tapped within 200m of the High Tide Line; within the 200 m -500m zone it can be tapped only with the concurrence of the Central/State Ground Water Board;
- vi) Extraction of sand, leveling or digging of sandy stretches except for structural foundation of building, swimming pool shall not be permitted within 500metres of the High Tide Line;
- vii) The quality of treated effluents, solid wastes, emissions and noise levels,etc. from the project area must conform to the standards laid down by the competent authorities including the Central/State Pollution Control Board and under the Environment (Protection)Act, 1986;
- viii) Necessary arrangements for the treatment of the effluents and solid wastes must be made. It must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent/solid waste shall be discharged on the beach;
- ix) To public access to the beach, at least a gap of 20metres width shall be provided between any two hotels/beach

resorts; and in no case shall gaps be less than 500metres apart; and

- x) If the project involves diversion of forest land for non-forest purposes, clearance are required under the Forest(Conservation) Act, 1980 shall be obtained. The requirements of other Central and State laws as applicable to the project shall be met with;
- xi) Approval of the state/Union Territory Tourism Department shall be obtained.