

THE BUILDING AND LAND USE PERMIT GUIDE

About the BLP Guide

The Building and Land Use Permit Application Guide explains how to prepare, submit and process an application. It provides a simple, step by step guide to applicants, persons involved in preparation of plans, to officers of Local Authorities and to the public at large.

You can use this Guide as a check list for completing your plans and other supporting documentation. If your application includes all the required details, the Local Authority can deal with it without delay.

Any questions?

If you need more information or advice, come and speak to our trained staff in the Planning Department of any Local Authority

We strongly recommend that you discuss your proposal during normal office hours with us before submitting your application.

NOTE FOR APPLICANTS

As from 1st October 2006, every person who intends to:

- (a) commence the construction of a building, or effect extensive alterations, additions or repairs to an existing building. or
- (b) carry out development of land

shall apply to the Local Authority for a

BUILDING AND LAND USE PERMIT (BLP)

This will be a single permit replacing the Development Permit and the Building Permit.

The Business Facilitation (Miscellaneous Provisions) Act 2006 provides for a new Legal Framework, which would allow business to start operations on the basis of **self-adherence to comprehensive and clear guidelines**. The application form for Building and Land Use Permit has been designed to help you achieve self adherence to Planning & Building norms and guidelines.

What is a Building and Land Use Permit Application? (BLP)

A Building and Land Use Application is a formal request for permission to carry out a proposed development/building. Development in relation to any land -

- includes building, engineering or other operations in, on, over and under the land, the making of any material change in the use of any building or other land, within the curtilage of such building and the division of any land,
- but does not include -
 - (i) interior works in a building that do not materially affect its external appearance;
 - (ii) maintenance or improvement works of a road;
 - (iii) inspection, repair and renewal works by statutory undertakers;
 - (iv) use of building or land incidental to the enjoyment of a dwelling; or
 - (v) use of land for agriculture & forestry

Do you need a BLP?

You need to make an application if you propose to do any of the following:

- commence the construction of a building, or effect extensive alterations, additions or repairs to an existing building, or
- carry out development of land, as per definition of the Town & Country Planning Act, or
- change the use of a building from one cluster to another.

You would not require a BLP if you satisfy the following criteria:

- You are exempted under a Planning Policy Guidance (PPG) as defined on page 3.
or
- if you change the use of a building or commercial, industrial or services unit to another use falling within the same cluster as per 11th Schedule of the Local Government Act 2003 (as amended); and

Building includes:

- (a) Part of a building;
- (b) A manufactured home or part of a manufactured home, a movable dwelling, or a movable structure; or
- (c) A structure, part of a structure or a temporary structure.

“building work” means:

any physical activity involved in the erection of a building.

What is Exempt Development?

Exempt development is a development that does not require a BLP.

Small scale enterprise/office activity that is carried out in the home without modification of the dwelling is exempt development that does not require a BLP provided the following criteria are satisfied -

- Daily vehicle movement to site is limited;
- There is no adverse external nuisance;
- Loading & unloading is not disruptive to amenity of the residential area;
- Operator of enterprise resides on the premises;
- Adequate parking is available; and
- All materials can be safely stored on site.

- your change of economic activity within the same cluster does not result in -
 - (i) direct or indirect dangerous or congested traffic conditions on any nearby street or road;
 - (ii) adverse external nuisance such as noise, dust, smell, fumes, soot, ash, vibration or any other similar nuisance;
 - (iii) loading and unloading causing disruption to the amenity of the surrounding neighborhood;
 - (iv) inadequate parking on site for staff and visitors; or
 - (v) unsafe storage of materials

IMPORTANT NOTE:

Industrial uses such as panel beating & spray painting, manufacture of furniture & vehicles repairs are not normally acceptable uses within residential areas.

Before submitting an application

Check with the Planning Department of the relevant Local Authority –

- (a) whether a permit is required
- (b) if yes, the applicable guidelines
- (c) the zoning and policies applicable to your site as per provisions of the Outline Scheme

For a major or complex development it is always advisable to have a pre-application meeting with the Head of Department.

To make an application for a Building and Land Use Permit (BLP), follow these 5 steps:

- 1. Check the BLP guidelines applicable to your proposed development.***
- 2. Prepare plans and drawings as per specifications given to you in the guide & gather all necessary documents.***

Step 1

The first step in preparing a BLP application is to find out about the policies and guidelines, which apply to your specific development which could fall under the following categories -

- (i) Residential including residential apartments/ tall buildings
- (ii) Commercial/services
- (iii) Small Enterprises/Handicraft Enterprises
- (iv) Industrial/Sui Generis
- (v) Excision/Subdivision of land among heirs

Please refer to the relevant guidelines in this document before preparing your plans.

You may wish to consult the website of the Ministry of Housing & Lands, namely <http://housing.gov.mu>

Note that every application for a BLP has to be in accordance with provisions of:

- (a) the Building Act
- (b) the Town and Country Planning Act
- (c) the Planning and Development Act 2004

3. Fill in both parts A & B of the application form as follows:

Part A - which needs to be filled in and signed by the applicant and the owner of the site (if applicant is not the owner). You need to give accurate information on your proposal to help us deal promptly with the application.

Part B - needs to be filled in and signed by the person having prepared the development/building plans and who would understand all the technical points that are included in this section of the form.

4. Comply with notification procedures and submit proof thereof.

5. Submit your application form with all required documents.

PLEASE SEND YOUR QUERIES TO LOCAL AUTHORITIES TO THE FOLLOWING E-MAIL ADDRESSES:

P.Louis – townclerk@intnet.mu

BB/R.Hill – mubbrh@intnet.mu

Q.Bornes – mcqb@intnet.mu

Vacoas/Phoenix –

mcvacoasphoenix@yahoo.com

Curepipe – curpip@intnet.mu

P/R. du Rempart – prdcce@intnet.mu

Moka/Flacq – mokaflacq@yahoo.com

Black River – briverdc@intnet.mu

Grand Port/Savanne – gpsdc@intnet.mu

Where do you collect an application form?

You may collect the application form from the Planning Department of any local authority, or SEHDA, or the Board of Investment, or the Ministry of Local Government or you may download from the following websites.

<http://www.investmauritius.com>

<http://www.sehda.org>

<http://localgovernment.gov.mu>

<http://mpl.intnet.mu>

<http://www.bbrh.org>

<http://www.qb.mu>

<http://vacoasphoenix.gov.mu>

<http://www.curepipe.org>

<http://www.prdconline.org>

<http://www.mokaflacq.org>

<http://www.brdc.intnet.mu>

<http://gpsdc.intnet.mu>

Step 2 Prepare plans and drawings

Which plans?

The following is a general guide to the type of plans you will need to prepare.

A. Location / Context Plan

Required for all applications and with specific details for commercial (Comm), industrial (Indu), services (Serv), small enterprise projects (SE) as specified in the checklist opposite).

B. Site Analysis Plan

Required for all applications which involve construction/development/change of use.

C. Scaled Plans and elevations

Required for all applications which involve construction and preferably on A4 or A3 size.

D. Survey Plan and Subdivision Plan

Required for applications for excision of land/subdivision among heirs.

E. Cross Section Plans

Required for all applications which involve construction.

F. Structural plans and structural details as per the Building Act.

Required for all applications which involve construction.

Checklist

The following checklist will guide you on what information is required on your plans. Be sure you show all the details that are relevant to your proposal.

Title Block

Include a title block on every plan showing:

- Name of professional.
- Plan number and date.
- Name of applicant.
- Amendment number and date (if relevant).
- Location and description of property.
- Description of project.

Orientation

Include a north point on every plan. This will help us relate your plans to the site.

Scale

Show the scale as specified in the application form on every plan and ensure all plans are drawn to metric scale.

Levels

Your plans and elevation must show relevant information including contours, ground levels, and roof levels.

G. Design Process

The design of a development layout involves consideration of the following issues:

- Analysing the site context
- Determining the appropriate intensity of development
- Establishing the broad framework, including consideration of connectivity and cohesiveness
- Establishing development types and plot sizes
- Determining the requirements for community facilities
- Incorporating traffic management systems
- Planning for visual and acoustic privacy

Location Plan

Accurate location plan, showing distance of site from specific or prominent landmarks to be submitted. For Comm/Indu/SE/Serv Projects, location plans should show all existing buildings/development in the immediate vicinity of the site (on side, rear boundaries and on opposite side) with details on the height, set backs and character of buildings in that area. This will help the Authorities to determine whether flexibility to guidelines in the PPG can be applied.

Site Plan

Must show -

- Existing and proposed buildings on the site, including setbacks (in metres) from boundaries, front and rear entrances and current uses.
- Outline of buildings to be shown (not roof plan).
- Fences, walls, swimming pools.
- Street frontage features – poles, trees, kerbs, crossings, handrails, drains, etc...
- Vehicular access to site in a safe location where visibility is good and visibility splays provided.
- Provision for on site parking and no reversing onto A or B road.

H. How do you calculate plot coverage?

When calculating coverage, all enclosed spaces on the ground floor shall be taken as 100% of their enclosed area on plan. "Enclosed" means surrounded by walls and covered by a roof. In the case of verandahs, porches, car parks and similar uses, they should be included within coverage if they are covered by a roof.

Where the verandah, porch, car park is backed by no more than one wall, the area should be included as 50% of its plan area in the coverage calculation. If backed or enclosed by two or more walls the whole area shall be included in the coverage calculation.

How do you calculate Floor Area Ratio (FAR) applicable to commercial buildings in major centres?

FAR is a factor that relates the sum of the gross enclosed area of all the floors of the development, to the area of the site. A FAR value therefore dictates the total development bulk permitted on a site.

For calculating FAR, the following areas are excluded -

Building services, sited in basements, on purely 'service' floors, or on roof tops;

Basement car parks; and

Light weight balconies (whether covered by a roof or not).

The well of an internal atrium is to be taken at half the plan area for each floor, but any surrounding corridors are to be calculated at full area.

Step 3:Filling the application form

PART A

The following on the application form require particular attention:

1. Owner's consent/signature

You must obtain the consent of the land owner if you are not the owner. If there is more than one landowner, signatures of all owners are required. If the application form is not signed by the landowners/s and by you as the applicant, **the application will not be accepted.**

2. Proposed development

You must describe the proposed development in detail. Tell us exactly what you propose to do. If you cannot fully describe your proposal in the space provided on the application form, you will need to include a full description on a separate sheet, which needs to be properly signed and dated by you.

PART B

Before filling in this section, please ascertain that the person preparing your plans is familiar with the relevant provisions in the Outline Planning Scheme, the PPG, the Building Act and the guidelines.

Sections 1.0 & 2.0 (to be filled in for all applications except those applying for excision/subdivision of land or for the installation of any engine).

Section 1.0 deals mainly with the plans to be submitted. Your draughtsman/architect must ensure that they design the project as per the guidelines in Step 2 of this guide.

After filling the above sections proceed to fill in the checklist applicable to your development.

These checklists have been designed in such a way that the professional, while filling in the form, will become immediately aware of the requirements and of any shortcoming in his plan.

You may find the application form lengthy and cumbersome to fill in. Please note that there needs to be self-adherence to norms & guidelines, as per the new framework. This form helps you to understand all the norms that you have to comply with.

Step 4 Notification procedures

1. Notification procedures are required for applications relating to -

- (a) Commercial/Industrial, services, Small Enterprises & Handicraft Enterprise, Sui Generis proposed within residential area;
- (b) Industrial development in residential areas, established commercial centres and Central Business Districts (CBD);
- (c) Residential apartments above G + 4 levels;
- (d) Construction of a building or conversion of a building to be used as a theatre, cinema hall or other place of public entertainment as required under Section 10 of the Building Act;
- (e) Installation of any engine as required under Section 40 of the Building Act;

2. For notification under the Building Act, the following procedures should be adopted:

(a) **Places of public entertainment:**

- (i) Legal notice should be served on all contiguous owners 15 days prior to submission of application as per format on Page 35.
- (ii) Publications should be effected in 3 dailies on 3 successive occasions 15 days prior to submission of application as per format for newspaper notice for public entertainment on Page 33.

(b) **For installation of any engine:**

- (i) Same as a(i) above
- (ii) Publications in 2 dailies as per format on Page 34.

3. In all cases, except for notifications required under the Building Act, the following procedures should be adopted:

- (a) Notification plate as per format on Page 36 should be put up along all access roads, 5 days before submission of application to the Local Authority.
- (b) A notification certificate as specified on Page 37 should be submitted to the Planning Department at the time of submission of application.

Publications should be effected in 2 dailies, as per format on Page 32. Public notification in the Press should be done 5 days before submission of the application to the Local Authority.

Note:

Please refer to Pages 32 to 37 for prescribed format for notification plate/newspaper publications/legal notice/notice issued under the Building Act (installation of any engine and construction of or conversion to places of public entertainment)

- (3) **If, following public notification on site and in the dailies, there are complaints against the proposed commercial activity, then the Committee will hold a hearing with both applicant and complainants.**

Step 5: Submit your application

How to lodge your application:

We prefer that you lodge your application personally at the Planning Department of the relevant Local Authority. This is because we can check with you whether you have completed the form and have all the necessary information

You need to:

- Include all the required plans and supporting documents.
- Obtain the owner's consent.
- Complete all notification procedures.
- Fill in and sign Parts A & have Part B of the application form filled in and signed by the professionals who have designed the plans.
- Pay the processing fee.

Processing Fee

A fixed rate is charged.

Payment options

Cheque: Make your cheque payable to the relevant Local Authority.

Cash: You can pay cash between 9.00 a.m and 3.00 p.m from Monday to Friday (except public holiday)

Card: Not accepted.

After you submit your application for BLP

A. Acknowledgement

You will receive a receipt specifying the fees paid, the registered application reference number and the date on which you should call at the office to get your permit/letter.

B. Public notification and complaints.

If the Council receives complaints against your proposed development following public notification procedures within the prescribed delay of 5 days, the Permits and Business Monitoring Committee will hold a hearing within a week.

However, for SE projects, no hearing will be held. The Permits & Business Monitoring Committee will determine the validity of the complaint and take a decision within 3 working days as from effective date of the application.

Now that you have correctly followed these 5 steps, your application has been registered.

The guide will now explain the steps followed by the Local Authority to determine your application.

STEP-BY-STEP GUIDE THROUGH PROCEDURES
FOLLOWED TO DETERMINE AN APPLICATION FOR
RESIDENTIAL DEVELOPMENT

DAY 1

-Applicant submits application with parts A & B of the form filled in, together with all information and plans spelt out in part B of the form and relevant documents in relation with notification procedures (legal notice/certificate of notification/newspaper publications as applicable).

Note: Application will not be accepted if application form is incomplete, documents or plans are missing, signatures are missing or notification procedures have not been effected.

-Application is registered and given a reference number and an effective date.

Acknowledgement Receipt is issued after the relevant processing fee has been paid at the cashier's office.

DAY 2

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DAY 5

Assessment of applications by relevant officers of the Planning Department will be as follows:

All residential applications are referred to Works/Building Inspector for assessment and then to Planning Officer for his recommendations to Permits and Business Monitoring (PBM) Committee.

All other applications (including residential apartments/tall building) are referred to Planning Inspector/Works Building Inspector and then to Head Planning Department.

DAY 5

- Applications where building construction is involved are referred to the Head of Works for his recommendation.

DAY 5

- DAY 8

- Head of Works submits his recommendation on the assessment form to the Planning Department.

DAY 9

- Application is submitted to the Permits and Business Monitoring (PBM) Committee on the assessment form. In case of complaints, a hearing is held and application is determined on the same day. **No postponement of a hearing would be entertained.** Application is either approved, approved with modifications or rejected.

DAY 10

- Applicant pays the necessary fees and collects his Building and Land Use Permit together with 1 set of approved plans, **OR**
- Applicant collects refusal letter, **OR**
- Applicant collects letter requesting for modifications

Note: Day 1 – Day 10 apply to working days.

The 2 weeks exclude weekends and public holidays

NO PERMIT WILL BE SENT BY POST

**STEP-BY-STEP GUIDE THROUGH PROCEDURES FOLLOWED TO
DETERMINE AN APPLICATION FOR SMALL ENTERPRISE**

DAY 1

- Applicant submits application with parts A & B of the form filled in, together with all information and plans spelt out in part B of the form and relevant documents in relation with notification procedures (legal notice/certificate of notification/newspaper publications as applicable).

Note: Application will not be accepted if application form is incomplete, documents or plans are missing, signatures are missing or notification procedures have not been effected. To be considered as a SE, the application must be accompanied by a certificate from SEHDA.

- Application is registered and given a reference number and an effective date.

- Acknowledgement Receipt is issued after the relevant processing fee has been paid at the cashier's office.

- 1 copy of the plans is sent to the Head of Works.

- A file is opened with application form, documents and plans and is sent to the Planning Inspector (in the absence of the Planning Inspector, the application is referred to the Planning Officer)

DAY 2

The Head of Works examines the plans as per the guidelines established under the Building Act and returns the plans to the Planning Department with his recommendations on the assessment form the next day at latest.

- The Planning Inspector/Planning Officer submits his report on the assessment form to the Head Planning Department together with the recommendations of the Head of Works.
- The Head Planning Department/Planning Officer submits recommendations on the application and refers assessment form to the Chief Executive on same day.

DAY 3

The Chief Executive issues BLP with or without conditions or rejects the application.

- Applicant calls at the office on Day 3 to obtain his permit or refusal letter or letter requesting for amendments to plans prior to issue of the permit. Permit will be issued after payment of the relevant fees.
- The PBMC is notified of all the applications received from SE since its last meeting and the actions taken.

Note: Application received after noon will be deemed to have been submitted on the following working day.

APPEALS AGAINST DECISION OF PERMITS & BUSINESS MONITORING COMMITTEE (PBMC)

Where the PBMC refuses to grant a permit, the applicant may appeal to the Town and Country Planning Board within a delay of 21 days as from the date on which the decision was communicated.

What is an effective date?

Under the Local Government Act 2003 **“Effective date in relation to an application, means the date by which all information, particulars and documents specified in the application form are submitted.”**

What is the time frame to determine your application?

The acknowledgement receipt will give you the exact date on which you should call on the Local Authority to receive the Committee’s decision on your application- i.e.

(i) Within 3 working days of the effective date of application for small enterprise falling under Small Enterprise and Handicraft Development Authority Act 2005.

(ii) Within 2 weeks of the effective date of application for all others.

Procedures followed after determination of application.

- (i) Where the Permits & Business Monitoring Committee has either approved your application or approved your application subject to modification or submission of particulars you will be given a delay of **4 weeks** as from the date of request to pay the appropriate BLP fees or to submit modifications or particulars.
- (ii) Should you fail to pay the BLP fees or submit the required information/amended plan within such delay, the application will be kept in abeyance for another period of 1 month.
- (iii) During that period of 1 month, the applicant may still pay the BLP fees or come up with the required information/amended plans.
- (iv) Where the BLP fees remain unpaid or if required information/amended plans are not submitted within one month, the application will be set aside.
- (v) Where an application has been set aside after one month, applicant will be required to come up with a fresh application, should he be still interested in carrying out the development.

OBLIGATIONS OF DEVELOPER AFTER ISSUE OF BLP

- 1.0 Under Section 98(i) of LGA 2003 as amended, the authority for execution and enforcement of the Building Act and the Town and Country Planning Act shall be the local authority of the respective town or district where the relevant building structure or tenement is to be found or where the land is to be developed.
- 1.1 Under Section 18 of the Building Act, it is stipulated that “a permit shall be acted upon so that the external walls of the building are raised at least 2 feet above the ground, within 6 months of the date of the permit, or it shall be deemed null and void”.
(Declaration to be signed as at page 39)
- 1.2 Under Section 19 of the Building Act, it is stipulated that -
- “(1) No new building shall be inhabited, used or occupied, until it has been inspected and approved by the Authority.
- (2) Any person who allows any new building to be used, occupied or inhabited in breach of this section shall commit an offence and shall, on conviction, be liable to a fine not exceeding Rs 2000 for everyday during which the building is used, occupied or inhabited.
- (3) Any violation of this section shall give the Authority the right to close the building forthwith.”
- 2.0 On the basis of the provisions of the Building Act, the developer must:
- (i) inform the Local Authority of the start of construction works within 6 months of the date of the permit as per format at page 40;
- (ii) inform the Local Authority of the completion of the construction of the building as per format at page 41.
- (iii) obtain an occupation certificate from the Local Authority, prior to occupying the building.
- 3.0 **OTHER OBLIGATIONS**
- 3.1 Need to comply with the guidelines issued under the Building Act, Town and Country Planning Act and the Planning & Development Act 2004.
- 3.2 Need to comply with guidelines issued by Ministry of Health & Quality of Life, the Fire Services and Ministry of Environment.
- 3.3 Need to pay a trade fee, 15 days after start of business.

Guidelines for Residential Development

(1) Documents required

- (a) Copy of Title Deed
- (b) Copy of Lease + planning clearance from Ministry of Housing and Lands (for State Land).
- (c) 3 sets of plans comprising site/location plan, layout plans, elevations and sections, drawn to metric scale preferably on A4 or A3 Size and floor area of proposed building in m² + structural details comprising foundation, columns/foundation details, beams details, slab details, staircase and basement details (if any), septic tank or other waste water disposal system. In instances of vertical and/ or horizontal extension to an existing building, copy of all structural and architectural details of existing structure to be submitted along with the details of the proposed extension.

(2) Compliance with Technical Guidelines as follows:

- (a) where site located within or on the edge of Settlement Boundary and complies with policies of the Outline Scheme or within limits of permitted development as per the relevant Outline Scheme.
- (b) where site is located outside settlement boundary but affidavit submitted to prove that it is a hardship case, as per relevant policy of the Outline Scheme.
- (c) where site is an agricultural land but a land conversion certificate has been obtained or applicant has submitted a declaration to be exempted from land conversion as per S.I.E (Amendment) Act 2005.
- (d) where there has been formal commitments given by the Ministry responsible for Public Utilities, the Ministry of Housing and Lands, the Local Authority, the Town and Country Planning Board, or under a Government – approved scheme prior to the approval of the Outline Scheme, provided such commitments are duly supported by bona fide evidence i.e. original and authentic documents.

Preferable Required Scale:

- (i) Location plan 1:2500
 - (ii) Site plan 1:200
 - (iii) Layout plans 1:100 or 1:200
 - (iv) Cross sections and elevations 1:100 or 1:200
- (d) All plans to be signed by draughtsman for building less than 250 m² in floor area, including his name, address. The total floor area to be indicated on the site plan and the floor areas for each level to be indicated on their respective floor plans.
- (e) For buildings of 250 m² floor areas and above, all drawings are to be signed by a registered Professional Architect, including his name, address, VAT Reg. No. and his registration number with the Professional Architects Council. The total floor area is to be indicated on the site plan and the floor areas for each level to be indicated on their respective floor plans.
- (f) All plans to be signed by a
- (e) The proposal can be readily connected to existing transport and utility networks or can be connected without excessive public expense.
 - (f) Plans satisfy all the requirements of the Planning Policy Guidance in respect of:
 - (i) building line of 6m from roadside boundary (A or B road).
 - (ii) building line of 4.5m from any other road or 3m from lightly trafficked road.
 - (iii) building line of 0.9m from side and rear boundaries (other than coastal zone).
 - (iv) building line of 3m from side and rear boundaries in "Coastal Frontage A & B of the Coastal Zone.
 - (v) building line of 2m from side and rear boundaries within "Coastal Road C & D" and "Inland E".
 - (vi) plot coverage of 20% within "Coastal Frontage A" & 27.5% within "Coastal Frontage B".
 - (vii) plot coverage of 30% for sites located within "Coastal Road C"
 - (viii) plot coverage of 40% for sites located within "Coastal Road D" and "Inland E".
 - (ix) height of buildings to be ground + 1 floor + 33% (G) within "Coastal Frontage A&B" (maximum height 13m).
 - (x) height of buildings to be ground +1+50% (G) within "Coastal

Registered Professional Civil/Structural Engineer indicating his name, address, his VAT Reg. No. and his RPEM number in the following situations:

- (i) For any building when beams/slabs span is 5.0m or more;
- (ii) For any building when beams/slabs cantilever is 1.2m or more;
- (iii) For buildings with 2 levels including basements where either or both floors are intended for commercial/industrial activities or public assembly;
- (iv) for any building above 2 levels including basements;
- (v) In case of any existing building within is being converted for other use such as library, warehouse, industrial use, place of entertainment, public assembly, and where structural alteration is involved;
- (vi) In case where the natural slope of the land is greater than 1:12
- (g) Identity card of applicant.

Road C" (maximum height 13m)

- (xi) height of building to be ground + 2 floors within "Coastal Road D" (maximum height 15m).
- (xii) height of building to be ground + 2 floors + 50% (G) within "Inland E" (maximum height 18m).
- (xiii) septic tank to be at 2m from boundary and 2m from building.
- (xiv) Buildings to be not less than 30m from High Water Mark.
- (xv) Parking: 1 space/ residential unit + 1 additional visitor's space per 5 residential units.
- (xvi) Construction will be located outside river reserves as defined hereunder unless the permission of the Ministry of Agro-Industry has been obtained.

<u>Type of water course</u>	<u>Width of reserve</u>
River	16 m(50 ft)
Rivulet	8 m (25 ft)
Feeder	3 m (10 ft)

- (xvii) For buildings above ground+3 floors, a passenger lift must be provided.
- (xviii) For buildings above ground+3 floors, an emergency staircase must be provided as per Guidelines of the Fire Services.
- (xix) For any building of ground+1 floor and above where there is public access, an emergency staircase must be provided as per the Guidelines of the Fire

- (h) Power of Attorney where applicable)
- (i) Original CEB Clearance (for all constructions) – stamped plans
- (j) Original CWA Clearance (for new construction) – stamped plans.

Services.

(xx) Set backs:

In cases where basements are being proposed, the set backs shall be 0.9 metre from the neighbours' boundaries and, if less, neighbour's consent has to be submitted. A basement may extend up to the boundary line along the road or to the limit of the road reserve (if any)

In the substructure of a building, where set backs are less than the prescribed distance of 0.9m from side and rear boundaries, the neighbour's consent has been obtained and this will apply only to the ground floor of the building.

“Coastal Frontage A” is reckoned as that area which normally accommodates the first row of sites from HWM and is commonly referred to as 'pieds dans l'eau'.

"Coastal Frontage B" is the area meant to accommodate row of sites immediately behind coastal frontage A up to a minimum depth of 81.21m.

“Coastal Road C” includes those plots immediately fronting the coastal road and located beyond coastal frontage areas A and B but still on the seaward side of the Coastal Road.

"Coastal Road Area D" include those plots immediately adjoining the coastal road but on the landward side.

"Inland E” includes those areas that may not have a Coastal road frontage, but may still be visible from or relate to the Coastal Road.

Guidelines for Development found in Commercial & Services Clusters

(1) Documents required:

- (a) Copy of title deed.
- (b) Copy of Lease + planning clearance from Ministry of Housing and Lands (for State Land).
- (c) consent of owner and copy of identity card.
- (d) Copy of identity card of applicant.
- (e) 3 sets of plans, comprising site and location plans, layout, elevations and sections. Site plan to show clearly parking space on site and total floor area of proposed building
- (f) For development within residential zones – public notification by way of plate display + notice in 2 dailies.
- (g) Consent of neighbour (if required)
- (h) PER/EIA Licence for Scheduled undertakings. (You may wish to visit the Website of the Ministry of Environment and National Development Unit for a list of scheduled undertakings at the following address:
<http://environment.gov.mu>)
- (i) All plans to be signed by draughtsman for building less than 250m² in floor area, including his name, address. The total floor area to be indicated on the site plan and the floor areas for each level to be indicated on their respective floor plans.

(2) Technical Guidelines

- (a) Proposed activity is compatible with the neighborhood and not likely to cause nuisance and complies with provisions of Outline Scheme and Planning Policy Guidance.
- (b) Site is located within an area where commercial activity may be allowed.
- (c) Building has a minimum setback of 4.5m from roadside boundary (exclusive of reserves).
- (d) There is adequate parking space on site as per the following standards.
 - (i) ***Cinemas/Theatres/Concert, Assembly and Wedding halls:***
 - 1 space/4m² public floor area*
 - (ii) ***Hotel & Guest House With Dining areas***
 - Conference or function facilities:*
 - 1 space/3 bedrooms*
 - 1 additional space/30m² dining space*
 - 1 additional space for 15m² of conference or function space*
 - (iii) ***Offices :1 space/ 60m² gross floor area***
 - (iv) ***Shops :1 space/ 30m² gross floor area(subject to a minimum of 1 space/ shopping unit)***

- (j) For buildings of 250m² floor area and above, (inclusive of existing areas, if any) all drawings are to be signed by a registered Professional Architect, including his name, address, VAT Reg. No. and his registration number with the Professional Architects Council. The total floor area is to be indicated on the site plan and the floor areas for each level to be indicated on their respective floor plans.
- (k) All plans to be signed by a Registered Professional Civil/Structural Engineer indicating his name, address, VAT Reg. No. and RPEM number as follows:
- (i) For any building when beams/slabs span is 5.0m or more;
 - (ii) For any building when beams/slabs cantilever is 1.2m or more;
 - (iii) For buildings with 2 levels including basements where either or both floors are intended for commercial /industrial activities or public assembly.
 - (iv) For any building above 2 levels including basements;
 - (v) In case of any existing building which is being converted for other use such as library, warehouse, industrial use, place of entertainment, public assembly, etc and where structural alteration is involved; and
- (v) **Supermarkets:**
1 space/18m² gross floor area
 - (vi) **Restaurant/ Cafeteria, Eating houses:**
1 space/8m² dining area
 - (vii) **Bars:**
1 space/6m² of the predominant drinking area
 - (viii) **Discotheque/ Night Club:**
1 space/ 8m² public floor area
 - (ix) **Bank:**
1 space/ 75m² ground floor area for staff + 1 space/ 25m² public floor area for customers.
- (e) parking space may be provided on an adjacent site subject to formal consent being submitted;
- (f) Consent of neighbours to be submitted (whenever applicable)
- (g) The ‘dual use’ of parking spaces within mixed commercial development (day/night activities) would be allowed. This would apply for development where uses proposed have differing peak parking demands
(e.g. office and residential use, or shop & night club etc.)
- (h) Within established commercial centres and Central Business Districts (CBD), the

(vi) In case where the natural slope of the land is greater than 1:12.

above guidelines for parking would not apply, and the provision of private parking may need to be controlled to support the wider area traffic management strategy.

(i) Developers of adjoining plots will be allowed to make collective provision for car parking, to avoid unnecessary proliferation of small car parks. In such cases, on-site parking as per the above guidelines, would not apply.

Guidelines for Industrial Development/Sui Generis

(1) Documents required:

- (a) Copy of title deed
- (b) Copy of Lease + planning clearance from Ministry of Housing and Lands (for State Land).
- (c) If lessee of building, consent of owner + copy of his identity card.
- (d) copy of identity card of applicant.
- (e) 3 sets of plans, comprising site and location plans, layout, elevations and sections, drawn to metric scale on A3 or A4 size. Site plan to show clearly parking space on site and total floor area of proposed building in m² & calculations for plot coverage and parking
- (f) Required Scale of Plans:
 - (i) Location plan 1:2500
 - (ii) Site plan 1:200
 - (iii) Layout plans 1:100 or 1:200
 - (iv) Cross section and elevations 1:100 or 1:200
 - (h) Contour plan to justify any basement level
 - (i) For development within residential zones – public notification by way of plate display and notice in 2 dailies
- (g) PER or EIA as required.

Technical Guidelines:

- (a) Compliance of Project with policies and provisions of Outline Scheme.
- (b) For polluting activities, provision of a 1km buffer from an existing residential area.
- (c) For animal rearing activities, a distance of 200m from existing residential area is respected.
- (d) For piggery/ slaughter house, a distance of 500m from housing/education and health facilities.
- (e) Loading and unloading space of 14m x3.5m or 18.5m x 3.5m being provided on site.
- (f) On site parking space (2.5m x 5.0m) being provided on site for staff and visitors at the rate of 1 space/115m² of gross floor area but with no less than 2 car spaces per industrial unit
- (g) Heavy goods vehicle parking being provided as follows:
 - (i) **Light industry/service industry**
1 space/ 500m² gross floor area
 - (ii) **General industry**
1 space/200m² gross floor area
- (h) Security gate at min 15m inside
- (i) Adequate visibility to enter and leave site

Guidelines for Hotel/Integrated Resorts

(1) Documents required:

- (a) Copy of title deed
- (b) Copy of Lease + planning clearance from Ministry of Housing and Lands (for State Land).
- (c) If lessee of building, consent of owner + copy of identity card.
- (d) Copy of identity card of applicant.
- (e) 3 sets of plans, comprising site and location plans, layout, elevations and sections, drawn to metric scale on A3 or A4 size. Site plan to show clearly parking space on site and total floor area of proposed building in square metres including calculations for plot coverage and parking
- (f) Required Scale of Plans:
 - (i) Location plan 1:2500
 - (ii) Site plan 1:200
 - (iii) Layout plans 1:100 or 1:200
 - (iv) Cross section and elevations 1:100 or 1:200
- (g) Contour plan to justify any basement level
- (h) For development within residential zones – public notification by way of plate display and notice in 2 dailies.
- (i) PER or EIA as required
- (j) All plans to be signed by draughtsman for building less than 250m² floor area, including his name and address. The total floor area is to be indicated on the site plan and the floor areas for each

Technical Guidelines:

- (a) An EIA Licence is required;
- (b) Buildings need to be setback at 30m from HWM on coastal frontage and 6m from a classified road;
- (c) Plans require to satisfy all the requirements of the Planning Policy Guidance in respect of:
 - (i) Building line of 6m from roadside boundary (A or B road);
 - (ii) Building line of 4.5m from any other road or a building line of 3m from lightly trafficked road;
 - (iii) Building line of 0.9m from side and rear boundaries (other than coastal zone);
 - (iv) Building line of 2m from side and rear boundaries for buildings 7.5m high;
 - (v) Building line of 3m from side and rear boundaries for buildings 15m high;
 - (vi) Building line of 5m from side and rear boundaries for buildings 25m high;
 - (vii) Plot coverage of 20% within 'Coastal Frontage A';
 - (viii) Plot coverage of 40% for sites located within 'Coastal Road B';
 - (ix) Plot coverage of 40% for sites located within " Inland C";
 - (x) Height of buildings to be ground + 1 floor + 33% of G within 'Coastal Frontage A' and within 81.21m from HWM and g+2 for remainder of land (maximum height 13m);
 - (xi) Height of building to be ground + 2 floors within 'Coastal Road B' (maximum height 15m).
 - (xii) Height of building to be ground+2+50% of G within

level to be indicated on their respective floor plans.

- (k) For buildings of 250 m² floor area and above, (inclusive of existing areas, if any) all drawings are to be signed by a registered Professional Architect, including his name, address, VAT Reg. No. and his registration number with the Professional Architects Council. The total floor area is to be indicated on the site plan and the floor area for each level is to be indicated on the respective floor plans.

- (l) All plans to be signed by a Registered Professional Civil/Structural Engineer indicating his name, address, his VAT Reg. No. and his RPEM number in the following situations -

- (i) For any building when beams/slabs span is 5.0m or more;
- (ii) For any building when beams/slabs cantilever is 1.2m or more;
- (iii) For buildings with 2 levels including basements where either or both floors are intended for commercial/ industrial activities or public assembly;
- (iv) For any building above 2 levels including basements;
- (v) In case of any existing building which is being converted for other use such as library, warehouse, industrial

inland C (maximum height 18m);

- (xiii) Septic tank to be at 2m from boundary and 2m from building;
- (xiv) Buildings to be at 30m from High Water Mark;
- (xv) Parking: 1 space/residential unit + 1 additional visitor's space per 5 residential units;
- (xvi) 1 car parking space for every 3 bedrooms;
- (xvii) Where conference or function facilities are provided at the rate of 1 space/15 m² of conference or function space;
- (xviii) A hotel dining room (or dining rooms) shall be provided with additional car spaces at the rate of 1 space for each 30 m² of dining space; and
- (xix) Discotheques – 1 car parking space/8 m² of public floor area.

For Hotel & Integrated Resorts

A – Coastal Frontage Land

Normally the strip of land between the high water Mark and the nearest coastal road.

- use, place of entertainment,
public assembly, etc and
which involves structural
alteration; and
- (vi) In case where the natural slope
of the land is greater than 1:1.

B – Coastal Road Land

This includes those plots immediately
fronting the coastal road and located on
the inland side of the road.

C - Inland

This includes those areas that may not
have a coastal road frontage but may
still be visible from or relate to the
coastal road.

Guidelines for application for Excision of land/subdivision among heirs

1. Excision of Land

(1) Documents required:

- (a) Copy of Title Deed
- (b) Survey plan.
- (c) Copy of Identity Card of owner.
- (d) 3 sets of plans drawn and signed by Sworn Land Surveyor and indicating his name, address and VAT Reg. No.
- (e) Consent of Owner

(2) Technical Guidelines:

- (a) Purpose of excision tallies with zoning in Outline Scheme.
- (b) Size of excised lot and surplus lot are in conformity with the provisions of the Planning Policy Guidance (PPG).
- (c) There is only one surplus lot.
- (d) There have not been more than 3 excisions approved by the Local Authority from the original site.

(3) Permit issued for one excision, from an original site, each year, with a maximum of three excisions.

(4) Permit issued with condition:

Land Conversion permit to be obtained for cases where the site is not located within an approved morcellement and purpose of the excision is residential/commercial/ industrial, even though site is located within limits of Permitted Development in the Outline Scheme (as per SIE Act).

No Land Conversion Permit is required if applicant owns up to 1 hectare in aggregate as at 30th September 2005, and complies with the provisions of the law and the Outline Scheme.

Applicant to submit a declaration as at page 38.

"Coastal Frontage A" is reckoned as that area which normally accommodates the first row of sites from **HWM** and is commonly referred to as "pieds dans l'eau".

"Coastal Frontage B" is the area meant to accommodate row of sites immediately behind coastal frontage A up to a minimum depth of 81.21m.

"Coastal Road C" includes those plots immediately fronting the coastal road and located beyond coastal frontage areas A and B but still on the seaward side of the Coastal Road.

"Coastal Road Area D" include those plots immediately adjoining the coastal road but on the landward side.

"Inland E" includes those areas that may not have a Coastal road frontage, but may still be visible from or relate to the Coastal Road.

2. Division in kind among heirs

(1) Documents required:

- (a) Copy of Title Deed
- (b) Survey plan.
- (c) Copy of Identity Card and consent of all heirs.
- (d) Copy of Affidavit.
- (e) 3 copies of plans drawn and signed by Sworn Land Surveyor and indicating his

(2) Technical Guidelines:

- (a) Purpose of the division tallies with zoning in Outline Scheme.
- (b) Size of the lots is in conformity with the provisions of the Planning Policy Guidance or Policy of Ministry of Agro-Industry.

- name, address and VAT Reg.
No.
(f) Consent of owner.

(c) It is ascertained that it is a
“division in kind” as per
definition given in the
Morcellement Act.

(3) *Permit issued with condition:*

- (a) Access will have to be tarred
with premixed asphalt if there
are more than 5 lots.
- (b) Neither the Municipal/District
Council nor the Village Council
would be responsible for tarring
the access.
- (c) Land Conversion permit to be
obtained for subdivision of land
for residential/ commercial/
industrial purposes for sites
located outside limits of
permitted development, except
for those complying with the
provisions of the SIE
(Amendment) Act 2005.
- (d) Kerb radius of 4.5m to be
provided at junctions.
- (e) Reserve of 1.5m to be provided
on roadside boundaries.

NEWSPAPER NOTICE FOR BUILDING & LAND USE
PERMIT APPLICATION

**NOTICE FOR PERMISSION FOR LANDUSE WITHIN
RESIDENTIAL ZONE**

Take notice that I will apply to
the Municipal/District Council of for a Building and Land
Use Permit for a proposed at
.....

Any person feeling aggrieved by the proposal may lodge an objection in
writing to the above-named Council within 5 days as from the date of this
publication.

Date:

NEWSPAPER NOTICE FOR PUBLIC ENTERTAINMENT

**NOTICE FOR A PLACE OF PUBLIC ENTERTAINMENT UNDER
SECTION 11 OF THE BUILDING ACT.**

Take notice that I will apply to the
Municipal/District Council of for a Building &
Land Use Permit for the conversion / construction of a building to be used as
Place of Public Entertainment.

Any person feeling aggrieved by the proposal may lodge an objection in
writing to the above-named Council within 15 days as from the date of this
publication.

Date:

NEWSPAPER NOTICE FOR ELECTRIC MOTORS

**NOTICE FOR THE INSTALLATION OF ANY ENGINE UNDER THE
SECTION 40 OF THE BUILDING ACT**

Take notice that I, will apply to
the Municipal/District Council of for a
licence to install the following electric motors/engine:
.....
..... at
.....

Any person feeling aggrieved by the proposal may lodge an objection in
writing to the above-named Council within 15 days as from the date of this
publication.

Date.....

FORMAT FOR LEGAL NOTICE

NOTE: A legal notice should be drafted by person of the legal profession, should be registered and should be served in person by an Usher of the Court.

Republic of Mauritius

Legal notice under Section 11 / Section 40 of the Building Act.

Take notice that I(name of applicant) will apply to the Municipal/District Council of for a Permit for Place of Public Entertainment under Section 10 of Building Act/Licence to install the following engines under Section 40 of the Building Act:

.....
.....

Now take further notice that you being the owner of the contiguous property may, within fifteen days from the service of this notice upon you, if you deem fit and proper, object to the granting of the said licence in writing to the Chief Executive of the above-named Council.

To: (1)
(2)
(3) } *Name & Address of contiguous owners*

Date:

Specifications For Plate Notification

Applicable for the following proposed development -

- **Commercial/Industrial, services, Small Enterprises & Handicraft Enterprise, Sui Generis proposed within residential area:**
- **Industrial development in residential areas & established commercial centres and Central Business Districts (CBD)**
- Residential apartments above ground + 4 levels.
- The plate should not be considered as an advertisement and should not be subject to tax control.
- To be displayed on the site of the proposed development.
- Not to be illuminated.
- Not to exceed 1 m² in area.
- No character to be less than 1.5cm in height and should be in white against a black background.
- The plate to be no less than 1.5m above ground level.
- One plate to be put up on different road frontages on particular sites serviced by more than one access road.
- The plate should not be more than 3m from roadside boundary of the site and should be clearly visible.
- The display of plate should not affect the safety of persons and should be firmly fixed on site.
- The plate should not obscure or hinder the interpretation of traffic signs.
- The plate should be displayed 5 days before submission of the application and should be kept on site until obtention of the permit.
- The plate should be displayed on a flat metal or wooden surface and should be properly weather proof.
- The plate should conform with the following format:

APPLICATION FOR BUILDING & LAND USE PERMIT MADE TO THE MUNICIPAL/DISTRICT COUNCIL OF
Name of Applicant:
Date of display:
Proposed Activity:
Address of site:
Any objection against the proposed development should be made in writing to the above-mentioned Municipal/District Council within a delay of 5 days as from date of display

APPLICATION FOR BUILDING & LAND USE PERMIT

CERTIFICATE OF NOTIFICATION

I, the applicant:
hereby certify that I have caused to be posted on the site situated at.....
..... . A plate notification for a
proposed as per specification of the local
authority since I certify that such notice will be left in position
until the obtention of the permit.

Name of Applicant:

Signature:

Date:

**Declaration made for the purpose of Section 28(4B) of the
Sugar Industry Efficiency Act 2001**

I, Mr/Mrs/Miss residing at
.....

and bearer of a National Identity Card No. hereby declare that: -

- (i) I was, on 30 September 2005, the owner of land, which or part of which is agricultural land, of an extent not exceeding one hectare (10,000 m²) in the aggregate. and
- (ii) The agricultural land is –
 - (A) Located in an area where development is permissible in accordance with an outline scheme / the strategic and detailed development policies of a development plan; and
 - (B) Land other than land within an irrigation area.

Signature:

Date:

Declaration made by Applicant for the purpose of Sections 18 & 19 of the Building Act

I, Mr/Mrs/Miss hereby certify having today received my Building and Land Use Permit from the Municipal /District Council of and that I have been informed of my obligations under Sections 18 and 19 of the Building Act.

I, therefore, take the commitment to inform the Planning Department of the following:

- (i) the date of the start of construction works on site so that the external walls of the building are raised at least 2 feet above ground level within a delay of 6 months as from the date of my permit;
- (ii) the date of completion of construction works so that Inspectors may effect a site visit in view of issuing a completion certificate.

I undertake not to use, occupy or inhabit the building until obtention of a completion certificate from the above-named Municipal/District Council.

Signature:

Date:

TO:

The Planning Department

The Municipal/District Council of

Address:

.....

Dear Sir,

Compliance with Section 18 of the Building Act –

Ref. No. of Permit

This is to inform you that further to the Building and Land Use Permit issued to me on, I have started/will start foundation works on and officers may wish to effect a site visit.

Yours faithfully,

Mr.

Address of Site.....

TO:

The Planning Department

The Municipal/District Council of

Address:

.....

Dear Sir,

Compliance with Section 19 of the Building Act –

Ref. No. of Permit

This is to inform you that my construction has been completed and officers of the Council may effect a site visit as from in view of issuing me a completion certificate.

Yours faithfully,

Mr.

Address.....