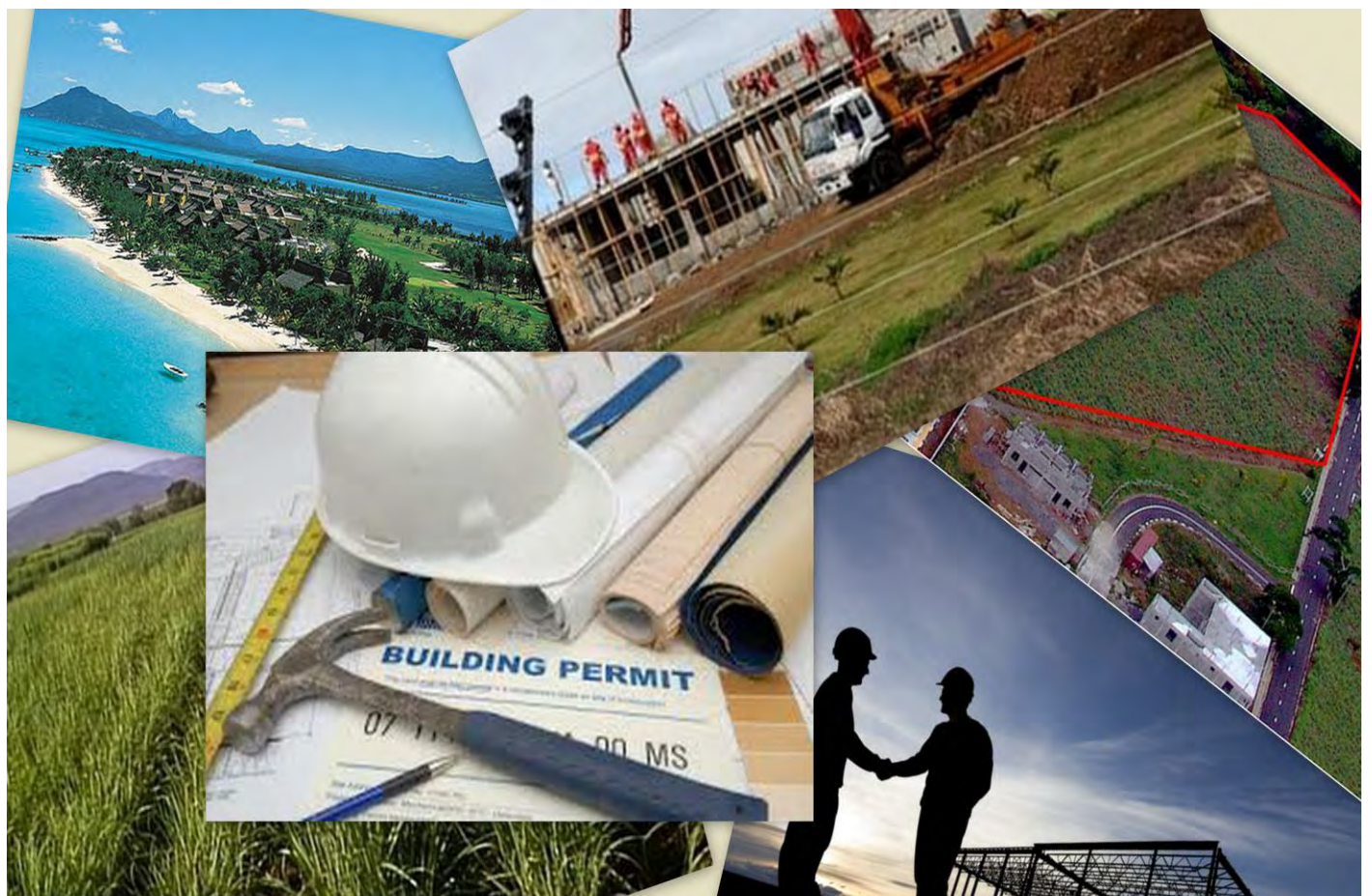




# **THE BUILDING AND LAND USE PERMIT GUIDE**

**(Including OPP and Exempt Development)**



**A STEP BY STEP handy guide to help you  
submit your Application and  
understand the Planning System**



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### **ABOUT THE BLP GUIDE**

The Building and Land Use Permit Application Guide explains how to prepare and submit an application and the procedures involved in determining the application. It provides a simple, step by step guide to applicants, persons involved in preparation of plans/projects for development and to officers of Local Authorities involved in the processing of applications.

You can use this Guide as a check list for completing your plans and other supporting documentation. If your application contains all the required information, documents and particulars, the Local Authority can determine it without delay.

#### **Any questions?**

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

**We strongly recommend that you discuss your proposal during normal office hours with planners of the Local Authority before submitting your application.**

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 legislations, regulations, norms and guidelines.

### **NOTE FOR APPLICANTS**

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), an Outline Planning Permission, where appropriate, or seek confirmation if the development is exempt development.

### **WHICH APPLICATION FORMS?**

There are 5 types of forms:

- Form BLP1 - Residential Development not exceeding G + 3 levels,
- Form BLP2– Excision of 1 lot/ subdivision of land among heirs
- Form BLP3- Economic Activities/Small Enterprise, Residential Development above G + 3 levels, Telecommunication structures/facilities, Places of public worship
- Form OPP - Application for Outline Planning Permission
- Request Form for Exempt Development: Exempt Development

## **WHAT IS A BUILDING AND LAND USE PERMIT APPLICATION?**

A Building and Land Use Application is a formal request for permission to carry out a proposed development/building construction.

Development in relation to any land –

(a) Means the carrying out of any building, engineering, mining, or other works or operations in, on, under or over land, or the making of any material change to the use of land or to any building or Morcellement;

(b) Includes:

- ✓ Use of land;
- ✓ Morcellement;
- ✓ The erection of a building;
- ✓ The carrying out of a work;
- ✓ The demolition of a building or work;
- ✓ Any other act, matter or thing that is controlled by a planning instrument.

**Building** includes:

- ✓ A manufactured home, a movable dwelling or other movable structure;
- ✓ A permanent or temporary structure erected or made on, in or under any land;

**“building work”-**

(a) Means construction works involving a permanent or temporary structure,; and

(b) Includes:

- (i) The erection, extension, alteration or demolition of a building;
- (ii) The alteration of, or repair to, a building.
- (iii) the provision, extension or alteration of permanent services and equipment in or in connection with a building such as air-conditioning services, or ventilating, electrical, plumbing or telecommunication systems;
- (iv) the alteration of existing interior spaces or the design of new interior spaces, including the demolition of non-load bearing wall partitioning or interior features within the interior space;
- (v) any site preparation works or excavation works carried out for the purpose of subparagraph (i), (ii), (iii), or (iv), including urban landscaping works.

### **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 movements associated with the enterprise are limited ( less than 8 vehicles movements in total, to and from the site);
- There would be no adverse external nuisance such as noise, dust, fumes, vibration etc.;
- Loading and unloading are not disruptive to the amenity of the surrounding residential neighborhood;
- Operator of enterprise should normally reside on the premises and the number of staff employed on site is small (typically less than 3 in total)
- Adequate parking is available for staff and visitors;
- All materials can be safely stored on site and stored materials are not unduly visible or intrusive in the street scene.

### **DO YOU NEED A BLP?**

- Under Section 117(2) of the Local Government Act 2011 “ every person who intends to
  - (a) Commence the construction or demolition of a building or effect extensive alterations, additions or repairs to an existing building;
  - (b) Carry out development of land;
  - (c) Carry out development, including demolition of a building in the Buffer Zones,

## THE BUILDING AND LAND USE PERMIT GUIDE

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Shall apply to the Municipal City Council, Municipal town Council or District Council, as the case may be, for an Outline Planning permission or a Building and Land Use Permit”

- A change in Cluster as per the Eleventh Schedule of the Local Government Act 2011 would require a Building and Land Use Permit.

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

- You are carrying out an Exempt Development as defined above
- if you change the use of a building within the same cluster except *Sui Generis*. and 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.

### **WHAT IS AN OUTLINE PLANNING PERMISSION (OPP)?**

As per the Town & Country Planning Act (as amended) “an Outline Planning Permission is a permission for the development of land sought from a local authority at an early stage and irrespective of whether a Building and Land Use Permit is to be granted or not and before any substantial costs are incurred in relation to the development of the land.”

An OPP does not authorize the holder to start work on the land to which the application relates until and unless a BLP is issued for the reserved matters.

### **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 Land Use and Planning Department of the relevant Local Authority: –

(a) Whether a permit is required

**If yes, then check**

- (i) the applicable guidelines and procedures**
- (ii) the zoning and policies applicable to your site as per the provisions of the Outline Planning Scheme and the relevant Planning Policy Guidance**

**If no:**

- (i) you will have to fill in a request form for Exempt Development**

### **(b) Whether it is advisable to apply for an Outline Planning Permission in the first instance**

You may wish to contact the relevant local authority in writing or via email on the following email addresses for any request for information, clarifications or queries:

<b>MUNICIPAL/DISTRICT COUNCIL</b>	<b>EMAIL ADDRESSES</b>
Municipal Council of Port Louis	<a href="mailto:mpl.ce@intnet.mu">mpl.ce@intnet.mu</a>
Municipal Council of Beau Bassin-Rose Hill	<a href="mailto:mubbrh@intnet.mu">mubbrh@intnet.mu</a>
Municipal Council of Quatre-Bornes	<a href="mailto:mcqb@intnet.mu">mcqb@intnet.mu</a>
Municipal Council of Vacoas-Phoenix	<a href="mailto:mvp@mcvp.intnet.mu">mvp@mcvp.intnet.mu</a>
Municipal Council of Curepipe	<a href="mailto:curpip@intnet.mu">curpip@intnet.mu</a>
District Council of Riviere du Rempart	<a href="mailto:prdcce@intnet.mu">prdcce@intnet.mu</a>
District Council of Pamplemousses	<a href="mailto:ceomfdc@intnet.mu">ceomfdc@intnet.mu</a>
District Council of Flacq	<a href="mailto:brdc@mail.la.gov.mu">brdc@mail.la.gov.mu</a>
District Council of Moka	<a href="mailto:gpsdc@intnet.mu">gpsdc@intnet.mu</a>
District Council of Grand Port	-
District Council of Savanne	-
District Council of Black River	<a href="mailto:brdc@mail.la.gov.mu">brdc@mail.la.gov.mu</a>

### **WHERE DO YOU COLLECT AN APPLICATION FORM?**

You may collect the application form from the Land Use and Planning Department of any local authority, or SMEDA, 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://www.vacoasphoenix.org>
- <http://www.municipal-curepipe.org>
- <http://www.prdc.mu>
- <http://www.mfdc.orange.mu>
- <http://www.brdc.mu>
- <http://gpsdc.intnet.mu>

**For a major or complex development, it is always advisable to have a pre-application meeting with the Head of the Land Use & Planning Department.**

**TO MAKE AN APPLICATION FOR AN OUTLINE PLANNING PERMISSION**

**(i) Fill in Application Form OPP**

**(ii) Submit the following documents:**

- a) Copy of title deeds
- b) Survey plan (if available)
- c) Copy of ID card of applicant
- d) Owner's consent if applicant is not the owner with copy of ID Card of owner
- e) A precise location plan to the scale of 1:25,000
- f) Where relevant, a context plan to the scale of 1:25,000 showing all uses within a radius of 500m
- g) Documentary evidence of compliance with notification procedures, where applicable;
- h) Where relevant, a contour plan of the site
- i) A site plan to the scale of 1:100 showing existing uses, indicative layout with setbacks, indicative parking layout and indicative vehicular access points.
- j) Development brief including plot coverage, indicative floor area and indicative building heights.

**(iii) Pay a processing fee of Rs500.**

## **TO MAKE AN APPLICATION FOR AN EXEMPT DEVELOPMENT**

- (1) Collect the request form for Exempt Development;
- (2) Call at the Land Use and Planning Department with all the documents specified in the form;
- (3) Once the officer of the Land Use and Planning Department is satisfied that the economic activity is exempted from a Building and Land Use Permit, the applicant may call at the Public Health Department to pay the appropriate trade fee.

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

- 1. Check the BLP Guideline applicable to your proposed development***
- 2. Prepare plans and drawings as per specifications given to you in the guide & gather all necessary documents***
- 3. Fill in Parts A, B & C 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 the exact nature of your proposed development to help us deal promptly with the application.***

***Parts B & C-need 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 where required and submit proof thereof.***
- 5. Submit your application form with all necessary information, documents and***

*particulars.*

For further information on technical guidelines you may also wish to consult the website of the Ministry of Housing & Lands, namely:

<http://housing.gov.mu>

Note that in accordance with section 117 of the Local Government Act 2011, every application for a BLP has to be in accordance with guidelines issued under:

- a) the Building Control Act 2012;
- b) the Town and Country Planning Act;
- c) the Planning and Development Act 2004;
- d) the Environment Protection Act; and
- e) any guidelines issued under the above Acts.

**The above five steps are detailed hereunder:**

### **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.

### **Step 2: Prepare plans and drawings**

#### **(A) Which plans?**

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

##### **(i) Location / Context Plan**

Required for all applications and with specific details for commercial, industrial, services and small enterprise projects as specified in the checklist below.

##### **(ii) Site Analysis Plan**

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

##### **(iii) Scaled Plans and elevations**

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

##### **(iv) Survey Plan and Subdivision Plan**

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

##### **(v) Section Plans**

Required for all applications which involve construction.

### **(vi) Structural plans and structural details as per the Building Control Act**

Required for all applications which involve construction.

### **(B) Design Process**

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

- Analyzing 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

### **(C) 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.

### **(D) 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.

#### **(i) Title Block**

You must include a title block on every plan showing:

- ✓ Name and signature of service provider/s. (surveyor, architect, engineer, draughtsman, planner)
- ✓ Plan number, plan description and date.
- ✓ Name of applicant.
- ✓ Amendment number and date (if relevant).
- ✓ Location and description of property.
- ✓ Description of project

#### **(ii) Orientation**

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

#### **(iii) Scale**

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

**(iv) Layout Plans**

Show uses of all rooms.

**(v) Levels**

Your plans and elevation must show relevant information including contours (where applicable), ground levels, and roof levels.

**(vi) 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, setbacks and character of buildings in that area. This will help the Authorities to determine whether flexibility to guidelines in the PPG can be applied.

**(vii) 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.

**(viii) 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 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 service provider is familiar with the relevant provisions in the Outline Planning Scheme, the PPG, the Building Control Act 2012 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 service provider must ensure that s/he designs 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 service provider, 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.

### **PART C**

Part C of the form will have to be filled in by the Service Provider- and this will enable you to know the amount of BLP fees payable on collection of your permit.

#### **Step 4: Notification procedures**

**1. Notification procedures are required for applications relating to -**

(a) Commercial/Industrial, services, Small Enterprises & Handicraft Enterprise and Sui

Generis proposed within residential areas;

(b) Industrial development in residential areas, established commercial centres and Central Business Districts (CBD);

(c) Residential apartments above G + 3 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;

(e) Installation of industrial engines;

(f) Construction of a building or conversion of a building to be used as a Place of Public Worship as required under PPG 3.

(g) Construction of building/structures for telecommunication purposes as required under PPG 7.

**2. For the following types of development notification procedures as outlined below should be adopted:**

**(a) Places of Public Entertainment:**

- (i) Site Notification as per format on Page 59 should be put up along all access roads bordering the site, 15 days before submission of application to the Local Authority.
- (ii) A notification certificate as specified on Page 60 should be submitted to the Land Use and Planning Department at the time of submission of application.
- (iii) Legal notice should be served on all contiguous owners 15 days prior to submission of application as per format on Page 57.
- (iv) 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 56.

**(b) For installation of Industrial Engines:**

- (i) Site Notification as per format on Page 59 should be put up along all access roads bordering the site, 15 days before submission of application to the Local Authority.
- (ii) A notification certificate as specified on Page 60 should be submitted to the Land Use and Planning Department at the time of submission of application.
- (iii) Legal notice should be served on all contiguous owners 15 days prior to submission of application as per format on Page 57.
- (iv) Publications in 2 dailies 15 days prior to submission of application as per format on Page 56.

### **(c) For Places of Public Worship:**

- (i) Site Notification as per format on Page 59 should be put up along all access roads bordering the site, 15 days before submission of application to the Local Authority.
- (ii) A notification certificate as specified on Page 60 should be submitted to the Land Use and Planning Department at the time of submission of application.
- (iii) Publications in 3 dailies on three successive occasions 15 days prior to submission of application as per format on page 56.
- (iv) In predominantly residential areas, a legal notice on all contiguous owners & property owners across the road 15 days prior to submission of application as per format on page 57.

### **(d) For siting and design of Radio Telecommunication Equipment**

- (i) Site Notification as per format on Page 59 should be put up along all access roads bordering the site, 15 days before submission of application to the Local Authority.
- (ii) A notification certificate as specified on Page 60 should be submitted to the Land Use and Planning Department at the time of submission of application.
- (iii) Publications in 3 dailies on three successive occasions 15 days prior to submission of application as per format on Page 56.
- (iv) Legal notice should be served on all contiguous owners 15 days prior to submission of application as per format on Page 57.

**3. In all other cases the following notification procedures should be adopted:**

- (a) Site notification as per format on Page 59 should be put up along all access roads bordering the site, 15 days before submission of application to the Local Authority.
- (b) A notification certificate as specified on Page 60 should be submitted to the Land Use and Planning Department at the time of submission of application.
- (c) Publications should be effected in 2 dailies, as per format on Page 56. Public notification in the Dailies/Press should be done 15 days before submission of the application to the Local Authority.

- Applicants should submit applications within 30 days after the expiry of the delay granted for objections. No application received after that period will be entertained by the Council.
- Objections against the proposed development received within the prescribed time limit will remain valid during the 30 days and will be taken into consideration while processing the application.
- Where no application has been received within the 30 days and applicant still wishes to proceed with the development fresh notification procedures should be carried out.

**Note:**

- 1) Please refer to Pages 56 to 60 for prescribed format for notification plate/newspaper publications/legal notice
- 2) Where publications are required in newspapers, the newspapers should be of English/French medium.

3) If, following public notification on site and in the dailies, there are objections against the proposed development, then the Permits and Business Monitoring Committee may hold a hearing with both applicant and objector(s).

### **Step 5: Submit your application**

#### **How to lodge your application?**

You can lodge your application personally or by a duly appointed agent at the Land Use and Planning Department of the relevant Local Authority or by using the online application facility.

You need to:

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

#### **PROCESSING FEE**

**A fixed rate is charged**

##### **Payment options**

<b>Cheque:</b>	Make your cheque payable to the relevant Local Authority
<b>Cash:</b>	You can pay cash between 9.00 a.m and 3.00 p.m from Monday to Friday (except public holiday)
<b>E-payment:</b>	<b>(will be available soon)</b>

### **After you submit your application for BLP**

#### **A. Acknowledgement**

You will receive an acknowledgement receipt specifying the processing fees paid, the registered application reference number, the effective date and the date on which you should call at the office to collect your Building and Land Use Permit or letter of approval with modification or letter of refusal.

“effective date”, in relation to an application, means the date by which all the information, particulars and documents specified in the application form are submitted;

The Council may request for any additional information which it deems necessary for the determination of the application. In such a case, the applicant will be informed within eight working days of the submission of the application and the initial effective date will no longer apply. A new effective date will be given on submission of the additional information required.

#### **B. Public notification and Objections.**

If the Council receives objections against your proposed development following public notification procedures within the prescribed delay of 15 days, the Permits and Business Monitoring Committee may hold a hearing at the earliest.

When a hearing has been fixed, no postponement of the hearing will be entertained unless all parties agree. In such a case the effective date given will no longer apply.

For SE projects, no hearing will be held. The Permits & Business Monitoring Committee will determine the validity of the objection 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 will be 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 A BUILDING AND LAND USE  
PERMIT  
(other than that of a small enterprise)**

**DAY 1**

-Applicant submits application with Parts A, B & C of the application form duly 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 complied with.**

- 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 set of the plans is sent to the Head, Public Infrastructure Department.

### DAY 2 - Day 8

Assessment of applications by relevant officers of the Land Use and Planning Department and the Public Infrastructure Department will be as follows:

All applications are referred to the relevant officer for assessment and then to the Land Use and Planning Department for the final recommendations to the Permits and Business Monitoring Committee.

Applications where building construction is involved are referred to the Head Public Infrastructure Department (HPID) for his recommendation on the structural soundness of the building.

HPID submits his recommendation on the assessment form to the Land Use and Planning Department.

If after the examination of the application, the above-mentioned officers are of the view that the application cannot be further processed, the Head Land Use and Planning Department or his representative shall request for any relevant clarification or information from the Applicant. In such a case the Effective Date given will no longer apply and a new Effective date will be given on submission of the required clarification/information.

## DAY 9

- Application is submitted to the Permits and Business Monitoring Committee (PBMC) together with the assessment form. In case of objections, a hearing may be held and a recommendation on the application is made on the same day. **No postponement of a hearing would be entertained unless all parties agree.**
- A list of all applications for which additional information has been sought shall be submitted for information to the PBMC.

## DAY 10 - Day 13

- The recommendations of the PBMC for the approval, approval with modification or refusal of an application, as the case may be, shall be referred to the Executive Committee of the Council.

## DAY 14

- The decisions of the Executive Committee, once taken shall be implemented immediately.
- If the Executive Committee fails to determine the application within the 14 working days of the effective date of the application, the Executive Committee shall be deemed to have no objection to the recommendations of the PBMC, and the application shall be determined accordingly.
- If the recommendations of the PBMC are rejected by the Executive Committee, the matter shall be referred to the Minister for determination. In

such circumstances the applicant shall be informed that the effective date is no longer applicable and that the time limit of fourteen working days shall not apply.

- On the 14th working day of the effective date of the application, the applicant shall call at the Land Use and Planning Department of the Council to:

- (i) Pay the appropriate fees and collect his BLP together with one set of approved plans; or
- (ii) Collect his refusal letter; or
- (iii) Collect his letter of approval with modifications.

If upon calling at the Council, the applicant does not get any approval or refusal letter from the Council on the fourteenth day, the front desk officer of the Land Use and Planning Department shall record the presence of the applicant at the Council.

### DAY 16

- If Applicant receives no determination of his application within two working days of the expiry of the prescribed delay, the application shall, on payment of the appropriate fees, be deemed to have been approved.

**Note:**

- (i) Day 1 – Day 16 applies to working days and exclude weekends and public holidays.
- (ii) No Building and Land Use Permit (BLP) shall be sent by post.
- (iii) The holder of a BLP shall forthwith inform the Council of the date he commences any building works and of the date the construction is completed.

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

<b>DAY 1</b>
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- Applicant submits application with parts A, B & C of the form duly 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 complied with. To be considered as a SE, the application must be accompanied by a certificate from SMEDA.

-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

Building Act and returns the plans to the Land Use and 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 Land Use and Planning Department together with the recommendations of the Head of Works.
- The Land Use and 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.

If upon calling at the Council, the applicant does not get any approval or refusal letter from the Council on the third day, the front desk officer of the Land Use and Planning Department shall record the presence of the applicant at the Council.

- The PBMC is notified of all the applications received from SE since its last meeting and the actions taken.

### DAY 5

If Applicant receives no determination of his application within two working days of the expiry of the prescribed delay, the application shall, on payment of the appropriate fees, be deemed to have been approved

**Note 1: Application received after noon will be deemed to have been submitted on the following working day.**

**Note 2: Day 1 – Day 5 apply to working days and exclude weekends and public holidays.**

### **APPEALS AGAINST DECISION OF PERMITS & BUSINESS MONITORING COMMITTEE/EXECUTIVE COMMITTEE**

**Any person aggrieved by a decision of a Council regarding a BLP application, may appeal to Environment and Land Use Appeal Tribunal 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 2011 “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 due 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 and Medium Enterprise Development Authority Act 2009
- ii. Within **14 working days** of the effective date of application for all others.

No time limit shall apply to an application for Outline Planning Permission or for a Building and Land Use Permit for the following development of land which requires the Minister’s prior approval:

- (a) along a mountain reserve, or a river reserve or a motorway;
- (b) for use as a night club, Private Club or place of public worship;
- (c) for the carrying on of any activity licensed under the Gambling Regulatory Act
- (d) for the carrying out of such other activity as may be prescribed
- (e) where the recommendations of the PBMC is rejected by the Executive Committee
- (f) Development within the Buffer Zones of the Aapravasi Ghat World Heritage Site.

### **WHAT HAPPENS IF YOUR APPLICATION IS NOT DETERMINED BY THE DUE DATE?**

The Local Government Act 2011 provides that where an application has not been determined within 2 working days of the expiry of the due date, the application shall, upon payment of the appropriate fee, be deemed to have been approved and the acknowledgement receipt together with the receipt acknowledging payment of the BLP fees shall be deemed to be the Building and Land Use Permit.

#### **Procedures followed after determination of application.**

- (i) Where the Permits & Business Monitoring Committee/Executive 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 4 weeks.
- (iii) During that period of 4 weeks, 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, 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 117 of LGA 2011 as amended, the authority for execution and enforcement of the Building Control Act 2012 and the Town and Country Planning Act shall be the local authority of the respective town or district where the relevant building structure is to be found or where the land is to be developed.

**1.1** Under Section 17 of the Building Control Act 2012 it is stipulated that where a person has been issued with a permit, he shall:

“(a) before commencing any building works, inform the local authority which has issued him with the permit;

(b) at all times comply with the conditions of the permit; and

(c) at all times during which building works are being undertaken, comply with such guidelines as may be issued, or regulations as may be made, by the Fire Services, the Sanitary Authority, the Energy Efficiency management Office, the National heritage Fund or any Ministry.”

**1.2** Under Section 18(1) of the Building Control Act 2012, it is stipulated that “a permit shall be valid for a period of 2 years from the date of its issue” unless provisions as per Sections 18(2) have been complied with.

(Declaration to be signed as at page 64)

**1.3** Under Section 19 of the Building control Act 2012, it is stipulated that “where a building has been erected after obtaining a permit, that building shall

not be inhabited, used or occupied unless a compliance certificate has been issued by the local authority which issued the permit”

### **2.0 The developer must:**

(i) inform the Local Authority of the start of construction works within 24 months of the date of the permit as per format at page 65;

(ii) inform the Local Authority of the completion of the construction of the building as per format at page 66.

(iii) obtain an occupation certificate and/or compliance 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 Control Act 2012, Town and Country Planning Act and the Planning & Development Act 2004 and the Environment Protection Act.

3.2 Need to comply with guidelines issued by Ministry of Health & Quality of Life, the Fire Services and Ministry of Environment and Sustainable Development.

3.3 Need to pay a trade fee to the Council, within 15 days after start of an economic activity listed in the 12<sup>th</sup> Schedule of the Local Government Act 2011.

## **GUIDELINES FOR RESIDENTIAL DEVELOPMENT**

### **1. Documents required:**

- (a) Copy of Title Deed or copy of lease agreement for development proposed on State land;
- (b) Planning clearance from Ministry of Housing and Lands except for building site approved by Ministry of Housing and Lands.
- (c) 3 sets of plans comprising site/ location plan, layout plans, elevations and sections, drawn to standard metric scale preferably on A4 or A3 Size and floor area of proposed building in m<sup>2</sup> and structural details comprising foundation and columns details, beams details, slab details, staircase and basement details (if any), septic tank or other waste water disposal system details. 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.

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.

#### Preferred Scale:

- (i) Location plan 1:2500
  - (ii) Site plan 1:200
  - (iii) Layout plans 1:100 or 1:200
  - (iv) Sections and elevations 1:100 or 1:200
- (d) All plans must be signed by service providers and should include his name and 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 exceeding a floor area of 150 m<sup>2</sup> floor areas and above, all drawings should be designed and signed by a registered Professional Architect, and should include his name, address and his registration number with the Professional Architects Council.

(f) For the following cases, all plans should be signed by a Registered Professional Civil/Structural Engineer indicating his name, address, and the registration number issued by the Council of Engineers of Mauritius:

- (i) For any building where beams/slabs span are 5.0m or more;
- (ii) For any building where beams/slabs cantilever are 1.2m or more;
- (iv) for any building above 2 levels including basements;
- (vi) where the natural slope of the land is greater than 1:20

(g) National Identity Card or passport (for non-citizens of Mauritius) of applicant.

(h) Power of Attorney, where applicable;

(i) Original Central Electricity Board Clearance (for all constructions) duly stamped on plans;

(j) Original Central Water Authority Clearance (for new construction) duly stamped on plans;

(k) Original Wastewater Management Authority Clearance (where applicable)

*The clearances at (i), (j) and (k) are not required for development within morcellements approved by the Morcellement Board.*

(l) Clearances of the Forestry Service, Road Development Authority and Department of Civil Aviation where applicable.

(m) For any structure that exceeds ground plus three storeys, a design statement prepared by the architect / town planner should be submitted.


### **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.
- 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) for Building comprising of Ground Floor and First Floor and not exceeding

7.5m in height.

- (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 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.

## THE BUILDING AND LAND USE PERMIT GUIDE

Residential Coastal Development					
Residential Development 	Coastal Frontage		Coastal Road		Inland
	A	B	C	D	E
Plot Size	Around 1000m <sup>2</sup>	Around 600m <sup>2</sup> Detached Unit 400m <sup>2</sup> Semi D	Around 300m <sup>2</sup> Detached Unit 265m <sup>2</sup> Semi D	Around 235m <sup>2</sup> Detached 210m <sup>2</sup> Semi D	
Maximum Building Height	G+1+33% of G	G+1+33% of G	G+1+50% of G	G+2	G+2+50% of G
Maximum Building Height in metres	13m	13m	13m	15m	18m
Max Plot Coverage	20%	27.5%	30%	40%	40%
General Setbacks	No less than 30m from HWM	No less than 30m from HWM			
From Main Road (Class A & B)	6m	6m	6m	6m	6m
Access Roads	4.5m	4.5m	4.5m	4.5m	4.5m
Lightly Trafficked Roads	3m	3m	3m	3m	3m
Side and Rear Boundaries	3m	3m	2m	2m	2m

(xv) Parking: 1 space/ residential unit + 1 additional visitor's space per 5 residential units.

(xvi) Construction should be located outside river reserves as defined hereunder.

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

(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.

(xx) Setbacks:

In cases where basements are being proposed, the setbacks 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 substructure 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 maximum 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) Copy of Business Registration Card
- (f) 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
- (g) Plans to be at the appropriate standard metric scales of 1:50 or multiples thereof
- (h) For development within residential zones – public notification by way of plate display + notice in 2 dailies.

- (i) Consent of neighbour (if required)
- (j) PER/EIA License 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>***

- (k) For buildings exceeding 150m<sup>2</sup> floor area , (inclusive of existing areas, if any) all drawings are to be designed and 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.
- (l) 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
  - (vi) In case where the natural slope of the land is greater than 1:20
- (m) If notification procedures are required, to submit copies of newspapers as

proof as well as a certificate of notification.

### 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) There is **adequate parking space on site** as per the following standards:

**(i) Cinemas/Theatres/Concert, Assembly and Wedding halls:**

- 1 space/4m<sup>2</sup> public floor area

**(ii) Hotel & Guest House With Dining areas Conference or function facilities:**

- 1 space/3 bedrooms
- 1 additional space/30m<sup>2</sup> dining space
- 1 additional space for 15m<sup>2</sup> of conference or function space

**(iii) Offices:**

- 1 space/ 60m<sup>2</sup> gross floor area

**(iv) Shops:**

- 1 space/ 30m<sup>2</sup> gross floor area (subject to a minimum of 1 space/ shopping unit)

**(v) Supermarkets:**

- 1space/18m<sup>2</sup> gross floor area

**(vi) Restaurant/ Cafeteria, Eating houses:**

- 1 space/8m<sup>2</sup> dining area

**(vii) Bars:**

- 1 space/6m<sup>2</sup> of the predominant drinking area

**(viii) Discotheque/ Night Club:**

- 1 space/ 8m<sup>2</sup> public floor area

**(ix) Bank:**

- 1 space/ 75m<sup>2</sup> ground floor area for staff + 1 space/ 25m<sup>2</sup> public floor area for customers.

(d) Parking space may be provided on an adjacent site subject to formal consent being submitted;

(e) Consent of neighbours to be submitted (whenever applicable).

(f) 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.)

(g) Within established commercial centres and Central Business Districts (CBD), the 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.

(h) 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 m<sup>2</sup> & calculations for plot coverage and parking
- (f) Preferred Scale of Plans:
  - (i) Location plan 1:2500
  - (ii) Site plan 1:200
  - (iii) Layout plans 1:100 or 1:200
  - (iv) 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.

#### **2. 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.

- (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 for staff and visitors at the rate of 1 space/115m<sup>2</sup> 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/ 500m<sup>2</sup> gross floor area
  - (ii) **General industry**  
1 space/200m<sup>2</sup> gross floor area
- (h) Security gate to be set back at least 15m inside from the boundary
- (i) Adequate visibility to enter and leave site

**GUIDELINES FOR HOTEL/INTEGRATED RESORTS/REAL ESTATE  
SCHEME**

**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) Preferred Scale of Plans:
  - (i) Location plan 1:2500
  - (ii) Site plan 1:200
  - (iii) Layout plans 1:100 or 1:200
  - (iv) 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 license as required
- (j) All plans to be signed by draughtsman for building not exceeding 200m<sup>2</sup> in 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 level to be indicated on their respective floor plans.

- (k) For buildings exceeding 150m<sup>2</sup> in floor area , (inclusive of existing areas, if any) all drawings are to be drawn and signed by a registered Professional Architect, and must include 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 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 1:20.

### **2. Technical Guidelines:**

- (a) An EIA License may be required (to consult Min of Environment);
- (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";
- 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);
- (x) Height of building to be ground + 2 floors within 'Coastal Road B' (maximum height 15m);
  - (xi) Height of building to be ground+2+50% of G within inland C (maximum height 18m);
  - (xii) Septic tank to be at 2m from boundary and 2m from building;
  - (xiii) Buildings to be at 30m from High Water Mark;

- (xiv) Parking: 1 space/residential unit + 1 additional visitor's space per 5 residential units;
- (xv) 1 car parking space for every 3 bedrooms;
- (xvi) Where conference or function facilities are provided at the rate of 1 space/15 m<sup>2</sup> of conference or function space;
- (xvii) A hotel dining room (or dining rooms) shall be provided with additional car spaces at the rate of 1 space for each 30 m<sup>2</sup> of dining space; and
- (xiii) Discotheques – 1 car parking space/8 m<sup>2</sup> of public floor area.

### ***A – Coastal Frontage Land***

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

### ***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**

**(i) *Documents required:***

- (a) Copy of Title Deed.
- (b) Survey plan.
- (c) Copy of Identity Card of owner.
- (d) 4 sets of plans of relevant scale drawn and signed by Sworn Land Surveyor and indicating his name, address and VAT Reg. No., showing contour line, angles and indicating the following:
  - Roads required to give access directly or indirectly to a public road as well as internal roads or internal accesses
  - Prominent features such as shops, service pole, bridge, etc. for easy identification of site especially in underdeveloped areas
  - The location of all service mains, such as water, sewer lines and electricity
  - The location of all existing buildings, drains or rivulets/rivers, if any, on the property
  - Description (total extent) of the land and the proposed subdivision (total number of lots and size of each plot)

**(ii) *Technical Guidelines:***

- (a) Purpose of excision tallies with policies 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 2 excisions approved by the Local Authority from the original site.

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

**(iv) Permit issued with condition**

Land Conversion Permit to be obtained, where applicable, prior to site being developed for the purpose for which the sub-division/excision has been approved.

## 2. **Division in kind among heirs**

**(i) Documents required:**

- (a) Copy of Title Deed.
- (b) Survey plan.
- (c) Copy of Identity Card of owner.
- (d) Copy of Affidavit.
- (e) 3 sets of plans of relevant scale drawn and signed by Sworn Land Surveyor and

indicating his name, address and VAT Reg. No., showing contour line, angles and indicating the following:

- Roads required to give access directly or indirectly to a public road as well as internal roads or internal accesses

- Prominent features such as shops, service pole, bridge, etc. for easy identification of site especially in underdeveloped areas
- The location of all service mains, such as water, sewer lines and electricity
- The location of all existing buildings, drains or rivulets/rivers, if any, on the property
- Description (total extent) of the land and the proposed subdivision (total number of lots and size of each plot)

**(ii) Technical Guidelines:**

- (a) Purpose of the division tallies with policies 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.
- (c) It is ascertained that it is a “division in kind” as per definition given in the Morcellement Act.

**(iii) 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, where applicable, prior to site being developed for the purpose for which the sub-division/excision has been approved.
- d) Kerb radius of 4.5m to be provided at junctions.
- e) Reserve to be provided on roadside boundaries as per PPG

**NEWSPAPER NOTICE FOR BUILDING &  
LAND USE PERMIT APPLICATION**

**NOTICE FOR PERMISSION FOR LAND USE**

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 15 days as from the date of this publication.

Date: .....

**FORMAT FOR LEGAL NOTICE**

NOTE: A legal notice should be drafted by a 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

Take notice that I .....(name of applicant) will apply to the  
Municipal/District Council of ..... for a Permit for Place of  
Public Entertainment / Place of Public Worship/ Installation of Industrial engines

.....  
.....

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 permit/authorization in writing to  
the Chief Executive of the above-named Council.

To: (1) .....	}	<i>Name &amp; Address of contiguous owners</i>
(2) .....		
(3) .....		

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 + 3 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 m<sup>2</sup> 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 each road frontage 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 BUILDING AND LAND USE PERMIT GUIDE

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- 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 15 days, as applicable, 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:

<p style="text-align: center;"><b>APPLICATION FOR BUILDING &amp; LAND USE PERMIT MADE TO THE MUNICIPAL/DISTRICT COUNCIL OF .....</b></p> <p><b>Name of Applicant:</b> .....</p> <p><b>Date of display:</b> .....</p> <p><b>Proposed Activity:</b> .....</p> <p><b>Address of site:</b> .....</p> <p>Any objection against the proposed development should be made in writing to the above-mentioned Municipal/District Council within a delay of 15 days as from date of display</p>
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**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 permit has been obtained.

Name of Applicant: .....

Signature: .....

Date: .....

**Declaration made for the purpose of Exemption from Land Conversion Permit up to a maximum of 2 hectares (4.7392 Arpents) for Agricultural land under Sugar Industry Efficiency (Amendment) Act 2011**

[Economic and Financial Measures (Miscellaneous Provision) Act]

I, (Mr/Mrs/Miss)/We .....  
residing ..... at  
.....and  
bearer/s of a National Identity Card No. .... hereby  
declare that: -

(i) I/we was/were ..... the owner of land,  
which or part of which is agricultural land of an extent not exceeding  
4.221 hectares (10 Arpents) 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/s: .....

Date: .....

**Important Notice:-**

This declaration form should be accompanied by an Affidavit duly signed by land owner/s to the effect that condition 1 above is being satisfied. The affidavit should contain details of total ownership of land and the extent of land that the owner/s has converted as at date.

**Declaration made by Applicant for the purpose of  
Sections 17, 18 &19 of the Building Control Act 2012**

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 17, 18 & 19 of the Building Control Act.

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

- (i) the date of the start of construction works on site ;
- (ii) the date of completion of construction works so that Inspectors may effect a site visit in view of issuing a compliance certificate to allow me to inhabit, use or occupy the building.

I undertake not to use, occupy or inhabit the building until I obtain a compliance/ occupation certificate from the local authority.

Signature: .....

Date: .....

## THE BUILDING AND LAND USE PERMIT GUIDE

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TO:

The Land Use and Planning Department

The Municipal/District Council of .....

Address: .....

.....

Dear Sir,

**Compliance with Section 17 of the Building Control Act –**

**Ref. No. of Building & Land Use 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.....

## THE BUILDING AND LAND USE PERMIT GUIDE

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TO:

The Land Use and Planning Department

The Municipal/District Council of .....

Address: .....

.....

Dear Sir,

**Compliance with Section 19 of the Building Control Act –**

**Ref. No. of Building & Land Use 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 an occupation certificate.

Yours faithfully,

Mr. ....

Address.....

## THE BUILDING AND LAND USE PERMIT GUIDE

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**MUNICIPAL/DISTRICT COUNCIL OF .....**

**COMPLIANCE CERTIFICATE**

**No. ....**

**Compliance with Section 19 of the Building Control Act 2012 (for buildings above 150m<sup>2</sup>)**

This is to certify that I have on ..... inspected the building of Mr/Mrs..... situate at ..... and confirmed that the building has been completed within acceptable norms in line with approved plans

**Permit/File Ref. No. ....**

Date of Occupation..... (as declared by developer)

I recommend

Signature.....

Date.....

Officer's Name.....

Officer's Grade.....

**An Occupation Certificate is hereby issued to you.**

Signature.....

Name.....

**Chief Executive**

Date.....