

# ± ..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 with us before submitting your application during normal office hours.**

## NOTE FOR APPLICANTS

As from 1<sup>st</sup> 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 & works by statutory undertakers
  - (iii) use of building or land incidental to the enjoyment of a dwelling
  - (iv) 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 Town & Country Planning Act 1954.
- 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 the Planning Policy Guidance
- if you change the use of a building or commercial/industrial unit to another use falling within the same cluster as per 11<sup>th</sup> schedule of the Local Government Act 2003 (as amended)

**Building** includes:

- (a) Part of a building
- (b) A manufactured home or part of a manufactured home, a movable dwelling, or a movable structure. and
- (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?**

Small scale enterprise/office that are carried out in the home without modification of the dwelling do not require a BLP and if they satisfy the following criteria:

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

- if 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.
  - (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, check which guidelines would be applicable
- (c) What is 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.***
- 3. Fill in both parts A & B of the application form as follows:***

### **Step 1**

The first step in preparing a BLP application is to find out about our policies and guidelines, which apply to your development:

- (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 before preparing your plans.

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

Every application for a BLP shall be in accordance with guidelines issued under:

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

**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** – prdce@intnet.mu  
**Moka/Flacq** – mokaflacq@yahoo.com  
**Black River** – briverdc@intnet.mu  
**Grand Port/Savanne** – gpsdc@intnet.mu

## **Where to collect your application form?**

You may collect the application form at the Planning Department of any local authority, at SEHDA, at the Board of Investment, at the Ministry of Local Government and is downloadable from their respective websites.

[www.investmauritius.com](http://www.investmauritius.com)

[www.sehda.org](http://www.sehda.org)

<http://localgovernment.gov.mu>

<http://mpl.intnet.mu>

[www.bbrh.org](http://www.bbrh.org)

[www.qb.mu](http://www.qb.mu)

<http://vacoasphoenix.gov.mu>

[www.curepipe.org](http://www.curepipe.org)

[www.prdconline.org](http://www.prdconline.org)

<http://www.mokaflacq.org>

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

[gpsdc.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/ industrial/services/SE projects (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 & 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 & the like, if they are covered by a roof, they should be included as coverage.

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

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, **we will not accept the application.**

#### **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 aware of the relevant provisions in the Outline Planning Scheme, the P.P.G, 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 need to be self-adherence to norms & guidelines, as per the law. This form helps you to understand all the norms that you have to comply with.

## Step 4 Notification procedures

1. Notification procedures are required as follows:

- (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/ conversion of a building to be used as a theatre, cinema hall or other place of public entertainment as under Section 11 of the Building Act.
- (e) Installation of any engine 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.
- (ii) Publications should be effected in 3 dailies on 3 successive occasions 15 days prior to submission of application

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

- (i) Same as a(i) above
- (ii) Publications in 2 dailies 15 days prior to submission of application.

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 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 landowners 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 8.45 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 YOUR APPLICATION**

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 referred to Works/Building Inspector for assessment and then to Planning Officer for his recommendations to PBM Committee.

-All applications (including residential apartments/tall building) 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 Permit and Business Monitoring 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.**

- 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.

Clerical officer creates a file for the application and transmits:

- 1 copy of the plans to the Head of Works.
- The file with application form, documents and plans to the Planning Inspector (in the absence of the Planning Inspector, the application is referred to the Planning Officer)
- A memo to Chief Executive informing him of receipt of the SE application and for Committee to be held on Day 3.

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 convenes the committee for Day 3. On Day 3, application is either approved with or without conditions or rejected. Permit is prepared and signed by Head Planning, Head Works and Chief Executive on same day.

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.

**Note: Application received after 14 hours will be deemed to have been submitted on the following day.**

## **APPEAL 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 of which the decision was communicated.**

## What is an effective date?

- (a) An effective date as per the Local Government Act 2003 (as subsequently amended) will be given to your application once the relevant officer is satisfied that all the relevant documents (newspaper publications, certificate of notification, legal notice) have been submitted together with your application.
- (b) 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 2 weeks of the effective date of application for a normal application.**
- (ii) **Within 3 working days of the effective date of application for small enterprise falling under SEHDA**

## 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 a maximum 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, but a new effective date will then be given to the application.
- (iv) Where the BLP fees remained unpaid or if required information/amended plans are not submitted, the application will be set aside after 1 month.
- (v) Where an application has been set aside after one month, applicant needs 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 of LGA 2003 as amended, the authority for execution and enforcement of the Building Act & 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”.

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;
- (ii) inform the Local Authority of the completion of the construction of the building;
- (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 & Country Planning Act 1954 and Planning & Development Act 2004.

3.2 Need to comply with guidelines issued by Ministry of Health & Quality of Life, 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 m<sup>2</sup> + 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) Technical Guidelines to be complied with:**

- (a) site located within or on the edge of Settlement Boundary and complies with policies of the Outline Scheme/within limits of permitted development as per the relevant outline Scheme
- (b) 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) 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 Local Authority, the Town and Country Planning Board, the Ministry of Housing or other 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 m<sup>2</sup> in floor area, including his name, 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.
- (e) For buildings of 250 m<sup>2</sup> 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 are 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 unacceptable 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

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 involving structural alteration and is being converted for other use such as library, warehouse, industrial use, place of entertainment, public assembly,
- (vi) In case where the natural slope of the land is greater than 1:12
- (g) Identity card of applicant.
- (l) Power of Attorney (where applicable)
- (m) Original CEB Clearance (for all constructions) – stamped plans

+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.
- (xv) Parking: 1 space/ residential unit + 1 additional visitor’s space per 5 residential units.
- (xvi) Construction will be located outside reserves as defined hereunder unless the permission of the Ministry of Agro-Industry has been obtained.

Type of water course	Width of reserve
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

(n) Original CWA Clearance (for new construction) – stamped plans.

per the Guidelines of the Fire Services.

(xx) Set backs:

In cases where basements are being proposed, the set backs shall be 0.9 metre from the neighbors' boundaries and, if less, neighbor'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 neighbor'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 & copy of identity card.
- (d) Copy of identity card of applicant.
- (e) Business Registration No
- (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) For development within residential zones – public notification by way of plate display + notice in 2 dailies.
- (h) Consent of neighbor (if required)
- (i) PER/EIA Licence for Scheduled undertakings.
- (i) All plans to be signed by draughtsman for building less than 250m<sup>2</sup> in floor area,

### **(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/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 of 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/***

including his name, 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.

- (j) For buildings of 250m<sup>2</sup> 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 are 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

*shopping unit)*

**(v) Supermarkets:**

*1 space/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.*

(e) parking space may be provided on an adjacent site and consent given

(f) Consent of neighbors is 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 & (CBD), the above guidelines for parking

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 involving structural alteration and is being converted for other use such as library, warehouse, industrial use, place of entertainment, public assembly, etc.
- (vi) In case where the natural slope of the land is greater than 1:12

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 identity card.
- (d).Business registration No.
- (e).Copy of identity card of applicant.
- (f) 3 sets of plans, comprising site and location plans, layout, elevations and sections and 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
- (g) 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
- (j). PER or EIA as required

### **Technical Guidelines:**

- (a) Project complies with policies provisions of Outline Scheme
- (b) 1 Km buffer provided from an existing residential area for polluting activities
- (c) Site is located at 200m from existing residential area for animal rearing activities
- (d) Site is located at 500m from housing/education and health facilities for piggery/ slaughter house
- (e) Loading and unloading space of 14m x3.5m or 18.5m x 3.5m provided on site
- (f) On site parking space (2.5m x 5.0m) provided on site 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 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 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) Business registration No.
- (e) Copy of identity card of applicant.
- (f) 3 sets of plans, comprising site and location plans, layout, elevations and sections and 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 metre including calculations for plot coverage and parking
- (g) 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.
- (j) PER or EIA as required
  
- (k) All plans to be signed by draughtsman building less than 250m<sup>2</sup> 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

### **Technical Guidelines:**

- (a) An EIA License has been obtained
- (b) Buildings are setback at 30m from HWM on coastal frontage and 6m from a classified road.
- (c) 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 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% (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

respective floor plans.

- (l) For buildings of 250 m<sup>2</sup> 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 their respective floor plans.
- (m) 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 involving structural alteration and is being converted for other use such as library, warehouse, industrial use, place of entertainment, public assembly, etc.
- (vi) In case where the natural slope of the land is greater than 1:1

- 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 sm 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 sm of dining space.
- (xix) Discotheques – 1 car parking space/8 sm 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.

### *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 + VAT No.
- (e) Consent of Owner
- (f) Letter from owner for submitting application.

#### ***(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 Authorities 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 30<sup>th</sup> September 2005, and complies with the provisions of the law and the Outline Scheme.

*“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) 5 copies of plans drawn and signed by Sworn Land Surveyor.
- (f) Consent of owner.

### ***(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 Agriculture.
- (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 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 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 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 1919.

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 Council.

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

Date: .....

## Specifications For Plate Notification

**Applicable for development such as:**

- **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 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 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:

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

**APPLICATION FOR BUILDING & LAND USE PERMIT**

**CERTIFICATE OF NOTIFICATION**

I hereby certify that:

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 m<sup>2</sup>) 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 (foundation stage) 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 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.....