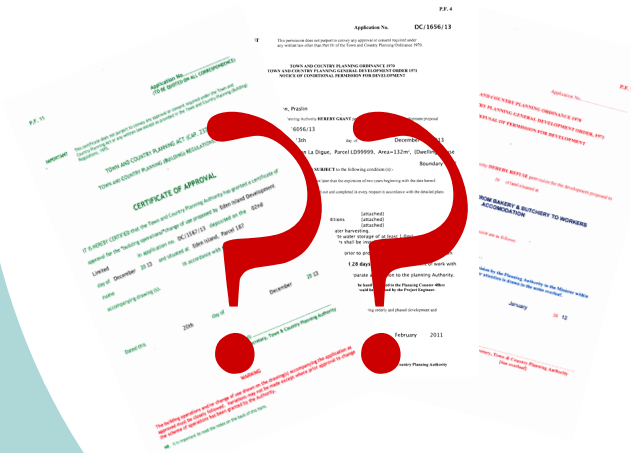




PRACTICAL TIPS FOR PROSPECTIVE DEVELOPERS



For any additional information or clarification on matters concerning permits Please Contact the Planning Authority on (+248) 4674576 OR Email us at: gserret@mluh.gov.sc



PRODUCED BY

SEYCHELLES PLANNING AUTHORITY

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SEYCHELLES PLANNING AUTHORITY
MINISTRY OF LANDS & HOUSING

- When your application is refused, take time to read and understand the reasons for refusal. These are ALWAYS inscribed in the refusal documents. The law makes provision for you to appeal to the Appeals Board, within 30 days of the date of refusal. If you wish to make an appeal, ensure that you do so in the prescribed format and within the specified time frame.
- When you receive an approval, ensure that you read and understand all the conditions attached to the approval. Seek help from your agent or the Planning Authority if in doubt.
- Ensure you submit a commencement notice to the Planning Authority at least 48 hours before you start implementing your Planning Authority approved project. If you fail to do so, you will be stopped by a Planning Authority officer. This may cost you time and money.
- When you submit a commencement notice, your project will be allocated to a designated Development Control Officer. The responsible officer will within a few days enter in contact with to monitor but not to supervise your project. This is to ensure that your project is carried out as per the approval. Feel free to consult the officer for advise or when you are in doubt.
- When your project is under **Stop Notice**, you are obliged to stop all works on site immediately. Works may only resume when the Stop Notice is officially lifted. Ensure you understand why a Stop Notice is served on your development.
- Ensure that you obtain separate permission from Planning Authority before you undertake any earth cutting.
- You need permission to blast rocks or boulders on your site. This is issued by the Department of Environment.
- It is advisable for you to use the services of a competent licensed building contractor to implement your approved project.
- Always enter in a formal contract agreement with your building contractor. This will save you a lot of hassle later.
- For storey buildings or others with structural elements, ensure that the operations on site are effected under the supervision of your preferred licensed engineer. The engineer has to certify your project on completion. Ensure you obtain a certificate from him/her on completion of your project. The engineer may be liable and responsible for what happens later to your project.

Planning Authority

Seychelles Planning Authority is a government organisation empowered by law to exercise statutory physical planning functions for the country. It regulates the physical developments on land.

Planning Authority Responsibilities

- Uphold provisions of the *physical Planning Act 2021*.
- Prepare and implement development and land use plans.
- Develop and implement approved physical development policies and guidelines.
- Offer pre-planning advise and assess applications.
- Verify structural designs/details.
- Relay Planning Authority Board decisions.
- Advice clients on development matters.
- Monitor implementation of approved projects.
- Collect planning (processing) fees.
- Investigate breaches that have occurred against the TCPA.

Planning Authority Does Not

- Prepare application for developers.
- Carry out property surveys and subdivision of land.
- Carry out relocation of boundary beacons.
- Build structures but monitors their implementation.
- Construct or clean drains.
- Reclaim the sea or backfill land/marshes/wetland.
- Sell or purchase land and houses.
- Build roads, accesses, footpaths, steps, bridges, walls or provide right of ways.
- Issue license to agents, contractors and business operators.
- Draw or sell house and survey plans or orthophotos.
- Supervise construction projects but monitors same.
- Carry out structural evaluation of private buildings.
- Clean dilapidated/unoccupied/abandoned properties.
- Issue permit to blast rocks or boulders.
- Issue permit to cut trees.
- Control noise and other pollution on construction sites.
- Dictate working hours on construction sites.
- Consider application where an applicant is not the owner of the land unless registered permission is given by the landowner.

Developments requiring Planning Permission

Dwelling houses, commercial buildings, fences, boundary and retaining walls, private/public paving, excavations, terrace cuttings, stores, kiosks, outside kitchen/toilets, subdivision of land other than those amongst heirs, house extensions and renovations involving structure change, change of use of existing structures, roads/ accesses, private drives, re-roofing involving structural elements, new septic tanks, change of existing color scheme, road diversions, right of way diversion, subdivision surveys to excise encroachments, reclamation and backfilling, works involving material change to land, private sheds, locating containers on site, erection of billboards and advertisements, erection of farm houses, mining and quarrying operations, jetties and piers, ports, drainage systems, water and communications towers, hotels and guest houses, self catering structure, discotheques, bars, restaurants, takeaways, sewerage treatment plants, etc.

Licensed Agents

All applications for physical development on land whether small or large are prepared and submitted to Planning Authority by competent licensed agents. The process is very technical and complex in nature hence the need for proposals to be handled by professionals. Licensed agents are well versed with the technicalities of technical drawings, development legislation and policies, Planning Authority processes, procedures and practices. Agents act on behalf and in the interests of their clients. Communications between the Planning Authority and the applicant/developer (s) are made through the appointed agent.

By law, licensed agents are classified in terms of the size of development proposals they are permitted to prepare and submit to the Planning Authority. These are:

1. Draughtsman CLASS IV (dev. up to 100 square meters)
2. Draughtsman CLASS III (dev. up to 150 square meters)
3. Draughtsman CLASS II (dev. up to 250 square meters)
4. Draughtsman CLASS I (dev. up to 500 square meters)
5. Architectural draughtsman (dev. up to 1000 square meters)
6. Architect Any size
7. Engineer All structural proposals (roads, bridges, etc.)
8. Land Surveyor (subdivision proposals only and of any size).

NB: 1. to 6. cannot submit structural projects.

Tips

- There are many individuals out there who draw plans but are not eligible to submit applications to the Authority. Always chose an appropriate, competent and trusted licensed agent to handle your application.
- When in doubt, verify with the Seychelles Licensing Authority or our Customer Care personnel to confirm if an individual or agent is eligible to handle your development proposal.
- When you select an agent, always ensure that s/he fully understands your plan and can entertain your wish list.
- Your dream house is a long term investment. Ensure that you know and understand fully what the agent is submitting to the Planning Authority. Final Planning Authority decision is not negotiable and you may have to incur additional costs in the event that you wish to make changes to your approved development.
- Encourage your agent to seek pre-planning advise from the Planning Authority before making a detail application. It can save you time and money. Pre-planning will allow you to know if you will be able to develop the land with your preferred proposal.
- Ask your agent to consult the land use planning unit to ascertain the land use classification and to what extent you can build on your parcel of land before working on your application.
- Your agent or you may only appeal against the decision of the Planning Authority to the Minister when the Authority issues a red card or 'NOTICE OF REFUSAL identified as P.F 7 or an Environment refusal.
- Your application to Planning Authority is only complete when you receive a refusal or approval decision in writing from the Authority. Therefore, avoid making full payment to your agent until you receive the final decision from the Planning Authority. If you enter into an agreement with your agent, there should be no reason for you to keep paying the agent when the Authority requests for him/her to make changes to your application. It may be the result of mistake (s) made by your agent. Such requests are not chargeable by the Authority and are part and parcel of the assessment process. Site and proposal pegging is part of the application process. This is normally done by your chosen agent.

