

**SCHEDULES TO CITY OF EKURHULENI METROPOLITAN MUNICIPALITY (COEMM) SPATIAL
PLANNING AND LAND USE MANAGEMENT BY-LAWS 19 SEPTEMBER 2019 EDITION**

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SCHEDULE 1 – CONSOLIDATION APPLICATION FORM**CO-1**

**APPLICATION FORM FOR
CONSOLIDATION
IN TERMS OF SECTION 55 OF THE COEMM SPATIAL PLANNING AND LAND USE MANAGEMENT
BY-LAW, 2019 AND CLAUSE 35
OF THE EKURHULENI TOWN PLANNING SCHEME, 2014**

TO: The Area Manager: City Planning

..... Customer Care Centre

COE REFERENCE NO.

DATE:..... 20.....

1. DESCRIPTION OF LAND ACCORDING TO TITLE DEED

Erven/Holdings/Portions	
Town/Agricultural Holdings/Farm	
Number and Name of Street or Road	

3. PROPOSED CONSOLIDATION

Current zoning	
Consolidated Size (m ²)	

4. PROPERTY INFORMATION

Bond	YES	N/A
Bondholder's Name		
Special Power of Attorney	YES	N/A
Company Resolution	YES	N/A

5. APPLICANT'S DETAILS

Type of applicant	INDIVIDUAL	LEGAL ENTITY/OTHER
Name of Legal Entity/other		

Company/CC number	Registration	
Representative name		
Title		
Initial		
First Name(s)		
Surname		
Postal Address		
Physical Address		
E-Mail Address		
Cell Phone		
Telephone		

6. **OWNER'S DETAILS (if different from applicant)**

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company/CC number	Registration	
Representative name		
Title		
Initial		
First Name(s)		
Surname		
ID Number		
Postal Address		
Physical Address		
E-Mail Address		
Cell Phone		
Telephone		

Details of Owner's/ Marital Status	Not Applicable	Married in Community of Property	Married in out of Community of Property
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7. **REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATION FORMS:**

Documents required	Number of copies	Submitted (X or N/A)
Application fee		
Bondholder's Consent (if applicable)	2	
Company Resolution (if applicable)	2	
Consolidation Plan/Diagram (A3/A4 size)	7	
Motivated memorandum	7	
Special Power of Attorney (if applicable)	2	
Title Deed / Leasehold Title	2	

DECLARATION OF COMPLIANCE

I/We.....

ID Number/s.....

hereby declare that:

I/ We have provided the correct information to the Municipality to enable it to take an informed decision.

I/ We understand that the Municipality has the authority to ensure orderly built environment through land use management.

I/ We declare that all conditions attached to this application, if approved, will be fully complied with.

I/ We certify that the municipal officials shall be granted access to the property in order to conduct inspections and other related municipal functions.

Signed aton day month year
.....

SIGNATURE OF APPLICANT/S:

If the property is registered in more than one person's name all owners need to sign.



**GENERAL INFORMATION AND PROCEDURE FOR
CONSOLIDATION APPLICATION
IN TERMS OF SECTION 55 OF THE COEMM SPATIAL PLANNING AND LAND USE MANAGEMENT
BY-LAW, 2019 AND CLAUSE 35
OF THE EKURHULENI TOWN PLANNING SCHEME, 2014**

To be read with form CO-1

1. APPLICATION

A complete application duly completed and accompanied by prescribed documents, must be submitted to the City Planning office at the applicable Customer Care Centre. Further information can also be obtained from the relevant Customer Care Centre.

2. LODGING OF APPLICATION

THE APPLICANT MUST SUBMIT THE FOLLOWING TO:

The Area Manager: City Planning

See **Schedule 47** for full details of applicable Customer Care Centre where the application must be submitted.

- (a) An application form, duly signed by the applicant.
- (b) If the applicant is not the registered owner of the property, the application must be accompanied by a **Power of Attorney from the registered owner**.
- (c) Should the owner of the property be a registered company, a resolution taken by the board of directors of the company, authorising the relevant director/employee to apply on behalf of the company, is required in addition.
- (d) A **fully** motivated memorandum clearly setting forth the applicant's intentions, including the following:
 - (i) Locality Map
 - (ii) Need and desirability
 - (iii) Proposed sizes
- (e) Consolidation plan, in A4/A3 size, showing the following in relation to each other and the property:

- (i) Proposed consolidated erf
- (ii) Locality and uses of existing buildings on the property
- (iii) Locality and uses of proposed new buildings, if any.
- (iv) Boundaries of property.
- (v) Access to and from property.
- (vi) North point.

(f) A copy of the relevant Title Deed(s) of the property.

(g) An Application fee as per Council Tariffs payable to the **Municipality**.

3. The attention of the applicant is directed to the fact that the responsibility of ascertaining whether this procedure may, or may not be followed, is entirely their own (i.e. the applicant's). It must be clearly understood that these forms are being issued without prejudice.
4. Applicants are advised in their own interest to pay close attention to the aforementioned, since an application cannot be accepted or considered, until the required information and/or documents are furnished satisfactorily.

NB. THIS APPLICATION DOES NOT EXEMPT APPLICANTS FROM COMPLIANCE WITH OTHER PROCEDURE AND/OR REQUIREMENTS PRESCRIBED BY ANY OTHER APPLICABLE LEGISLATION.

5. **PLEASE NOTE:**

MERELY SUBMITTING AN APPLICATION, *MUST NOT BE CONSIDERED* AS APPROVAL BEING GRANTED. A SUBMITTED APPLICATION IS MERELY FOR CONSIDERATION AND THE FINAL DECISION MUST STILL BE MADE BY COUNCIL.

SCHEDULE 3 – SPECIAL CONSENT USE APPLICATION FORM

CU-1



**APPLICATION FORM FOR
SPECIAL CONSENT USE
IN TERMS OF SECTION 58 OF THE COEMM SPATIAL PLANNING AND LAND USE MANAGEMENT
BY-LAW, 2019 AND CLAUSE 32
OF THE EKURHULENI TOWN PLANNING SCHEME, 2014**

TO: The Area Manager: City Planning

..... Customer Care Centre

COE REFERENCE NO.

DATE:..... 20.....

1. DESCRIPTION OF LAND ACCORDING TO TITLE DEED

Erf/Holding/Portion	
Town/Agricultural Holdings/Farm	
Number and Name of Street or Road	

2. PROPOSED USE(S)

Proposed Use	
Size (m ²) / Number of children / Number of seats / etc.	

3. PROPERTY INFORMATION

Current zoning		
Property size (m ²)		
Bond	YES	N/A
Bondholder's Name		
Special Power of Attorney	YES	N/A
Company Resolution	YES	N/A

4. **APPLICANT'S DETAILS**

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company/CC Registration number		
Representative name		
Title		
Initial		
First Name(s)		
Surname		
Postal Address		
Physical Address		
E-Mail Address		
Cell Phone		
Telephone		

5. **OWNER'S DETAILS (if different from applicant)**

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company/CC Registration number		
Representative name		
Title		
Initial		
First Name(s)		
Surname		
ID Number		
Postal Address		
Physical Address		
E-Mail Address		

Cell Phone			
Telephone			
Details of Owner's/ Marital Status	Not Applicable	Married in Community of Property	Married in out of Community of Property

6. **REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATION FORMS:**

Documents required	Number of copies	Submitted (X or N/A)
Documents to be attached to the application form		
Application fee		
Bondholder's Consent (if applicable)	2	
Comments from External Departments (if applicable)	1	
Company Resolution (if applicable)	2	
Maps (Locality Plan, Land Use Plan, Zoning Map)	20	
Motivated memorandum	20	
Site/Development Plan (A3/A4 size)	20	
Special Power of Attorney (if applicable)	2	
Title Deed / Leasehold Title	2	
Documents to be submitted prior to finalisation of the application		
Affidavit confirming the site notice was maintained	1	
Photographic evidence of site notice	1	
Proof of Newspaper advertisement (if applicable)	1	
Proof of Notification to Adjoining Property Owners	1	

DECLARATION OF COMPLIANCE

I/We.....

ID Number/s.....

hereby declare that:

I/ We have provided the correct information to the Municipality to enable it to take an informed decision.

I/ We understand that the Municipality has the authority to ensure orderly built environment through land use management.

I/ We declare that all conditions attached to this application, if approved, will be fully complied with.

I/ We certify that the municipal officials shall be granted access to the property in order to conduct inspections and other related municipal functions.

Signed aton day month year

SIGNATURE OF APPLICANT/S:

If the property is registered in more than one person's name all owners need to sign.



GENERAL INFORMATION AND PROCEDURE FOR
SPECIAL CONSENT USE APPLICATION
IN TERMS OF SECTION 58 OF THE COEMM SPATIAL PLANNING AND LAND USE MANAGEMENT
BY-LAW, 2019 AND CLAUSE 32
OF THE EKURHULENI TOWN PLANNING SCHEME, 2014

To be read with form CU-1

1. **APPLICATION**

A complete application duly completed and accompanied by prescribed documents, must be submitted to the City Planning office at the applicable Customer Care Centre. Further information can also be obtained from the relevant Customer Care Centre.

2. **LODGING OF APPLICATION**

THE APPLICANT MUST SUBMIT THE FOLLOWING TO:

The Area Manager: City Planning

See **Schedule 47** for full details of applicable Customer Care Centre where the application must be submitted.

- (a) An application form for the Council's consent, duly signed by the applicant.
- (b) If the applicant is not the registered owner of the property, the application must be accompanied by a **Power of Attorney from the registered owner**. (See **Schedule 34**)
- (c) Should the owner of the property be a registered company, a resolution taken by the board of directors of the company, authorising the relevant director/employee to apply on behalf of the company, is required in addition.
- (d) A **fully** motivated memorandum clearly setting forth the applicant's intentions, including the following:
 - (i) Locality Map
 - (ii) Land Use and Zoning Map
 - (iii) **Need** and **desirability** of proposed use(s) at the specific location.
 - (iv) Extent, use(s) and floor space(s) of intended building(s) as well as the total area required in respect of the proposed use(s)
 - (v) Number of workers to be employed and where they will be housed
 - (vi) Source and distance of similar enterprise presently serving the community

- (vii) Estimated number of persons who may patronise the business
- (viii) Operating/Business/Trading hours
- (e) Site plan, in A4/A3 size, showing the following in relation to each other and the property:
 - (i) Locality and uses of existing buildings on the property
 - (ii) Locality and uses of proposed new buildings, if any
 - (iii) Boundaries of property
 - (iv) Parking
 - (v) Access to and from property
 - (vi) North point
- (f) A copy of the relevant Title Deed(s) of the property.
- (g) Bondholder's Consent (if applicable)
- (h) Comments from the relevant external departments (if applicable).
- (i) An Application fee as per Council Tariffs payable to the **Municipality**.

THEREAFTER, THE APPLICANT MUST SUBMIT THE FOLLOWING DOCUMENTATION:

- (a) Proof of newspaper advertisement/s
- (b) A sworn affidavit (**Schedule 36**) to the effect that a site notice was posted and maintained for a period of **at least twenty-eight days** together with the site notice that was displayed as well as a photograph of the notice on site must be submitted as proof of compliance.
- (c) Proof that the notification of the adjoining property owners. **Schedule 31** can be used for this purpose.

3. NOTIFICATION OF ADJOINING PROPERTY OWNERS

The applicant shall notify each adjoining property owner of the application by registered post or hand delivery.

If the adjoining property owners form part of a body corporate, the notice may be delivered in the onsite post boxes of the adjoining property owners and the applicant may submit email / facsimile correspondence as proof of receipt of the notice so delivered. Alternatively, comments from the board of trustees of the body corporate may be obtained.

If the adjoining property does not reside on the adjoining property, the applicant shall notify them by registered post.

The applicant shall submit proof of the notification of the adjoining property owners to the Municipality on this prescribed form.

See **Schedule 31, 32 and 33**.

4. **NEWSPAPER ADVERTISEMENTS (IF REQUIRED)**

The application must be advertised in one newspaper circulating in the area where the land concerned is situated and may be a community newspaper.

The application may only be advertised AFTER lodging thereof with the Municipality

The first publication of the notice shall appear in the Provincial Gazette and one of the newspapers on the same date.

The advertisement must be placed **once a week for two consecutive weeks**.

All advertisements shall be published in English.

See **Schedule 37 and 38**.

5. **NOTICES**

The **site notice** shall be posted **simultaneously with the first advertisement and maintained for at least twenty-eight (28) days**.

The site notice must be at least A3 in size, printed on white laminated paper and in the format prescribed by the Municipality.

The site notice must be placed in a conspicuous place on the land to be developed and shall be unobstructed from view, clearly visible and readable.

Where a property is adjoined by more than one street, a site notice shall be placed along each adjoining street.

If the property is situated at such a distance from a public road or other public place that the notice cannot be read from there, the placard shall also be displayed at every public entrance of the public place.

In the case of an application within an existing business centre or other similar place to which the public has access, a notice shall be displayed and maintained in a conspicuous place at the entrance of the shop to which the application refers, and at each public entrance of the business centre.

The applicant shall, within 21 days from the last day of display of the notice, submit a sworn affidavit to the Municipality, confirming the maintenance of the site notice and shall further submit photographs of the site notice which shows the dates during which the site notice was displayed.

The site notice shall be written in English.

See **Schedule 35**.

6. **RAISING OF OBJECTIONS**

Provision is made in the draft newspaper advertisements, the site notice as well as the notification to adjoining property owners for a period of 28 days wherein objections against the application may be submitted. A period for the raising of objections i.e. 28 days **calculated from the date of**

publication of the first notice must be provided in all newspaper advertisements as well as the large notice on the property and the notification to the adjoining property owners.

Any objections/comments or representations with regard to the specific application must be submitted in writing to the City Planning Offices, at the applicable Customer Care Centre on or before the final date of the objection period as stated in the advertisements and/or notices.

7. Any objections/comments/representations received by the Municipality will be forwarded to the applicant and the applicant will have a reasonable opportunity after the objection period is over to reply in writing to any such objections/comments/representations and before the municipality considers the application.
8. The Municipality will take into consideration any objection received within the prescribed period and will notify the applicant and the persons, if any, from whom objections/comments/representations were received, of its decision.

The applicant and/or any of the aforesaid persons, **if aggrieved by the decision of the Council**, may then appeal to the Ekurhuleni Metropolitan Municipality Appeals Authority, in writing. (The contact details for this Authority will be made available by the City Planning Offices at the applicable Customer Care Centre)

9. The decision of the Municipality will not take effect until the **expiration of twenty-eight (28) days** from the date on which the applicant and the objectors, if any, were notified thereof, or if an appeal has been lodged, until such appeal is disposed of by the Ekurhuleni Metropolitan Municipality Appeals Authority.
10. The attention of applicant/s is directed to the fact that the responsibility of ascertaining whether this procedure may, or may not be followed, to obtain certain land use rights, is entirely their own (i.e. the applicant's). It must be clearly understood that these forms are being issued without prejudice.
11. Applicants are advised in their own interest to pay close attention to the aforementioned, since an application cannot be accepted or considered, until the required information and/or documents are furnished satisfactorily.

IF ANY DIFFICULTIES IN THIS REGARD ARE EXPERIENCED IT MAY BE ADVISABLE TO CONTACT A TOWN PLANNING CONSULTANT OR THE RELEVANT MUNICIPAL PLANNER FOR THE AREA.

NB. THIS APPLICATION DOES NOT EXEMPT APPLICANTS FROM COMPLIANCE WITH OTHER PROCEDURE AND/OR REQUIREMENTS PRESCRIBED BY ANY OTHER APPLICABLE LEGISLATION.

12. **PLEASE NOTE:**

MERELY SUBMITTING AN APPLICATION, *MUST NOT BE CONSIDERED AS APPROVAL BEING GRANTED*. A SUBMITTED APPLICATION IS MERELY FOR CONSIDERATION AND THE FINAL DECISION MUST STILL BE MADE BY COUNCIL.

SCHEDULE 5 – WRITTEN CONSENT A APPLICATION FORM

WCA-1



**APPLICATION FORM FOR
WRITTEN CONSENT 'A'
IN TERMS OF IN TERMS OF SECTION 58 OF THE COEMM SPATIAL PLANNING AND LAND USE
MANAGEMENT BY-LAW, 2019 AND CLAUSE 30
OF THE EKURHULENI TOWN PLANNING SCHEME, 2014**

TO: The Area Manager: City Planning

..... Customer Care Centre

COE REFERENCE NO.

DATE:..... 20.....

1. DESCRIPTION OF LAND ACCORDING TO TITLE DEED

Erf/Holding/Portion	
Town/Agricultural Holdings/Farm	
Number and Name of Street or Road	

2. PROPOSED USE(S)

Proposed Use	
Size (m ²) / Number of seats / etc.	

3. PROPERTY INFORMATION

Current zoning		
Property size (m ²)		
Bond	YES	N/A
Bondholder's Name		
Special Power of Attorney	YES	N/A
Company Resolution	YES	N/A

4. **APPLICANT'S DETAILS**

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company / CC Registration number		
Representative name		
Title		
Initial		
First Name(s)		
Surname		
Postal Address		
Physical Address		
E-Mail Address		
Cell Phone		
Telephone		

5. **OWNER'S DETAILS (if different from applicant)**

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company / CC Registration number		
Representative name		
Title		
Initial		
First Name(s)		
Surname		
ID Number		
Postal Address		
Physical Address		
E-Mail Address		

Cell Phone			
Telephone			
Details of Owner's/ Marital Status	Not Applicable	Married in Community of Property	Married in out of Community of Property

6. **REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATION FORMS:**

Documents required	Number of copies	Submitted (X or N/A)
Application fee		
Bondholder's Consent (if applicable)	2	
Building Plan (if applicable)	7	
Company Resolution (if applicable)	2	
Motivated memorandum	7	
Site/Development Plan (A3/A4 size)	7	
Special Power of Attorney (if applicable)	2	
Title Deed / Leasehold Title	2	
Proof of Notification to Adjoining Property Owners	2	

DECLARATION OF COMPLIANCE

I/We.....

ID Number/s.....

hereby declare that:

I/ We have provided the correct information to the Municipality to enable it to take an informed decision.

I/ We understand that the Municipality has the authority to ensure orderly built environment through land use management.

I/ We declare that all conditions attached to this application, if approved, will be fully complied with.

I/ We certify that the municipal officials shall be granted access to the property in order to conduct inspections and other related municipal functions.

Signed aton day month year

SIGNATURE OF APPLICANT/S:

If the property is registered in more than one person's name all owners need to sign.



**GENERAL INFORMATION AND PROCEDURE FOR
WRITTEN CONSENT 'A' APPLICATION
IN TERMS OF SECTION 58 OF THE COEMM SPATIAL PLANNING AND LAND USE MANAGEMENT
BY-LAW, 2019 AND CLAUSE 30
OF THE EKURHULENI TOWN PLANNING SCHEME, 2014**

To be read with form WCA-1

1. APPLICATION

A complete application duly completed and accompanied by prescribed documents, must be submitted to the City Planning office at the applicable Customer Care Centre. Further information can also be obtained from the relevant Customer Care Centre.

2. LODGING OF APPLICATION

THE APPLICANT MUST SUBMIT THE FOLLOWING TO:

The Area Manager: City Planning

See **Schedule 47** for full details of applicable Customer Care Centre where the application must be submitted.

- (a) An application form for the Council's consent, duly signed by the applicant.
- (b) If the applicant is not the registered owner of the property, the application must be accompanied by a **Power of Attorney from the registered owner**.
- (c) Should the owner of the property be a registered company, a resolution taken by the board of directors of the company, authorising the relevant director/employee to apply on behalf of the company, is required in addition.
- (d) A **fully** motivated memorandum clearly setting forth the applicant's intentions, including the following:
 - (i) Locality Map
 - (ii) **Need** and **desirability** of proposed use(s) at the specific location
 - (iii) Extent, use(s) and floor space(s) of intended building(s) as well as the total area required in respect of the proposed use(s)
 - (iv) Number of workers to be employed and where they will be housed
 - (v) Source and distance of similar enterprises presently serving the community
 - (vi) Estimated number of persons who may patronise the business
 - (vii) Operating/Business/Trading hours

- (e) Site plan / Building Plan, in A4/A3 size, showing the following in relation to each other and the property:
 - (i) Locality and uses of existing buildings on the property.
 - (ii) Locality and uses of proposed new buildings, if any.
 - (iii) Boundaries of property.
 - (iv) Parking.
 - (v) Access to and from property.
 - (vi) North point.
- (f) A copy of the relevant Title Deed(s) of the property.
- (g) Bondholder's consent (if applicable)
- (h) An Application fee as per the Council Tariffs, payable to the **Municipality**.

THEREAFTER, THE APPLICANT MUST SUBMIT THE FOLLOWING DOCUMENTATION:

- (a) Proof of the notification of the adjoining property owners.

3. **NOTIFICATION OF ADJOINING PROPERTY OWNERS**

The applicant shall notify each adjoining property owner of the application by registered post or hand delivery.

If the adjoining property owners form part of a body corporate, the notice may be delivered in the onsite post boxes of the adjoining property owners and the applicant may submit email / facsimile correspondence as proof of receipt of the notice so delivered. Alternatively, comments from the board of trustees of the body corporate may be obtained.

If the adjoining property does not reside on the adjoining property, the applicant shall notify them by registered post.

The applicant shall submit proof of the notification of the adjoining property owners to the Municipality on this prescribed form.

See **Schedule 31, 32 and 33**.

4. **RAISING OF OBJECTIONS**

Provision is made in the notification of adjoining property owners for a period of 28 days wherein objections against the application may be submitted. The period, i.e. 28 days for the raising of objections is **calculated from the date on which each adjoining property owners was notified and signed receipt or the date that the registered mail was sent to them**.

Any objections/comments or representations with regard to the specific application must be submitted in writing to the City Planning Offices, at the applicable Customer Care Centre on or before the final date of the objection period as stated in the advertisements and/or notices.

5. Any objections/comments/representations received by the Municipality will be forwarded to the applicant and the applicant will have a reasonable opportunity after the objection period is over to reply in writing to any such objections/comments/representations and before the municipality considers the application.
6. The Municipality will take into consideration any objection received within the prescribed period and will notify the applicant and the persons, if any, from whom objections/comments/representations were received, of its decision.

The applicant and/or any of the aforesaid persons, **if aggrieved by the decision of the Council**, may then appeal to the Ekurhuleni Metropolitan Municipality Appeals Authority, in writing. (The contact details for this Authority will be made available by the City Planning Offices at the applicable Customer Care Centre)

7. The decision of the Municipality will not take effect if an appeal has been lodged, until such appeal is disposed of by the Ekurhuleni Metropolitan Municipality Appeals Authority.
8. The attention of applicant/s is directed to the fact that the responsibility of ascertaining whether this procedure may, or may not be followed, to obtain certain rights, is entirely their own (i.e. the applicant's). It must be clearly understood that these forms are being issued without prejudice.
9. Applicants are advised in their own interest to pay close attention to the aforementioned, since an application cannot be accepted or considered, until the required information and/or documents are furnished satisfactorily.

IF ANY DIFFICULTIES IN THIS REGARD ARE EXPERIENCED IT MAY BE ADVISABLE TO CONTACT A TOWN PLANNING CONSULTANT OR THE RELEVANT MUNICIPAL PLANNER FOR THE AREA.

NB. THIS APPLICATION DOES NOT EXEMPT APPLICANTS FROM COMPLIANCE WITH OTHER PROCEDURE AND/OR REQUIREMENTS PRESCRIBED BY ANY OTHER APPLICABLE LEGISLATION.

10. **PLEASE NOTE:**

MERELY SUBMITTING AN APPLICATION, *MUST NOT BE CONSIDERED* AS APPROVAL BEING GRANTED. A SUBMITTED APPLICATION IS MERELY FOR CONSIDERATION AND THE FINAL DECISION MUST STILL BE MADE BY COUNCIL.

SCHEDULE 7 – WRITTEN CONSENT B APPLICATION FORM

WCB-1



**APPLICATION FORM FOR
WRITTEN CONSENT 'B'
IN TERMS OF SECTION 58 OF THE COEMM SPATIAL PLANNING AND LAND USE MANAGEMENT
BY-LAW, 2019 AND CLAUSE 31
OF THE EKURHULENI TOWN PLANNING SCHEME, 2014**

TO: The Area Manager: City Planning

..... Customer Care Centre *

COE REFERENCE NO.

DATE:..... 20.....

1. DESCRIPTION OF LAND ACCORDING TO TITLE DEED

Erf/Holding/Portion	
Town/Agricultural Holdings/Farm	
Number and Name of Street or Road	

2. TYPE OF SUBMISSION

Is this application subject to the approval of Building Plans?	YES	N/A
Building Plan No.		

3. PROPOSED USE(S)

Proposed Use (for example Second Dwelling / Car Wash etc.)	
---	--

4. PROPERTY INFORMATION

Current zoning		
Property size (m ²)		
Bond	YES	N/A

Bondholder's Name		
Special Power of Attorney	YES	N/A
Company Resolution	YES	N/A

5. **APPLICANT'S DETAILS**

Type of applicant	INDIVIDUAL	LEGAL ENTITY/OTHER
Name of Legal Entity/other		
Company / CC Registration number		
Representative name		
Title		
Initial		
First Name(s)		
Surname		
Postal Address		
Physical Address		
E-Mail Address		
Cell Phone		
Telephone		

6. **OWNER'S DETAILS (if different from applicant)**

Type of applicant	INDIVIDUAL	LEGAL ENTITY/OTHER
Name of Legal Entity/other		
Company / CC Registration number		
Representative name		
Title		
Initial		
First Name(s)		
Surname		
ID Number		

Postal Address			
Physical Address			
E-Mail Address			
Cell Phone			
Telephone			
Details of Owner's/ Marital Status	Not Applicable	Married in Community of Property	Married in out of Community of Property

7. **REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATION FORMS:**

SUBMISSION WITH BUILDING PLANS

Documents required	Number of copies	Submitted (X or N/A)
Application fee		
Site and/or Building Plan (A3/A4 size)	2	
Title Deed / Leasehold Title	1	
Proof of notification of the adjoining property owners	1	

SUBMISSION WITHOUT BUILDING PLANS

Documents required	Number of copies	Submitted (X or N/A)
Application fee		
Bondholder's Consent (if applicable)	2	
Building Plan (if applicable)	7	
Company Resolution (if applicable)	2	
Motivated memorandum	7	
Site/Development Plan (A3/A4 size)	7	
Special Power of Attorney (if applicable)	2	
Title Deed / Leasehold Title	2	
Proof of notification of the adjoining property owners	1	

DECLARATION OF COMPLIANCE

I/We.....

ID Number/s.....

hereby declare that:

I/ We have provided the correct information to the Municipality to enable it to take an informed decision.

I/ We understand that the Municipality has the authority to ensure orderly built environment through land use management.

I/ We declare that all conditions attached to this application, if approved, will be fully complied with.

I/ We certify that the municipal officials shall be granted access to the property in order to conduct inspections and other related municipal functions.

Signed aton day month year

SIGNATURE OF APPLICANT/S:

If the property is registered in more than one person’s name all owners need to sign.



**GENERAL INFORMATION AND PROCEDURE FOR
WRITTEN CONSENT 'B' APPLICATION
IN TERMS OF SECTION 58 OF THE COEMM SPATIAL PLANNING AND LAND USE MANAGEMENT
BY-LAW, 2019 AND CLAUSE 31
OF THE EKURHULENI TOWN PLANNING SCHEME, 2014**

To be read with form WCB-1

1. APPLICATION

A complete application duly completed and accompanied by prescribed documents, must be submitted to the City Planning office at the applicable Customer Care Centre. Further information can also be obtained from the relevant Customer Care Centre.

2. LODGING OF APPLICATION

THE APPLICANT MUST SUBMIT THE FOLLOWING TO:

Submission with building plans: The Area Manager: Building Control

See **Schedule 48** for full details of applicable Customer Care Centre where the application must be submitted.

Submission without building plans: The Area Manager: City Planning

See **Schedule 47** for full details of applicable Customer Care Centre where the application must be submitted.

- (a) An application form for the Council's consent, duly signed by the applicant.
- (b) If the applicant is not the registered owner of the property, the application must be accompanied by a **Power of Attorney from the registered owner**.
- (c) Should the owner of the property be a registered company, a resolution taken by the board of directors of the company, authorising the relevant director/employee to apply on behalf of the company, is required in addition.
- (d) Site plan, in A4/A3 size, showing the following in relation to each other and the property:
 - (i) Locality and uses of existing buildings on the property
 - (ii) Locality and uses of proposed new buildings, if any
 - (iii) Boundaries of property
 - (iv) Parking

- (v) Access to and from property
- (vi) North point
- (e) A copy of the relevant Title Deed(s) of the property.
- (f) Special Power of Attorney, from the registered owner (if application is made by someone else) and if applicable, the bondholder's consent & company resolution. (See **Schedule 34**)
- (g) Proof of the notification of the adjoining property owners
- (h) An Application fee as per the Council Tariffs, payable to the **Municipality**.

3. **NOTIFICATION OF ADJOINING PROPERTY OWNERS**

The applicant shall notify each adjoining property owner of the application by registered post or hand delivery.

If the adjoining property owners form part of a body corporate, the notice may be delivered in the onsite post boxes of the adjoining property owners and the applicant may submit email / facsimile correspondence as proof of receipt of the notice so delivered. Alternatively, comments from the board of trustees of the body corporate may be obtained.

If the adjoining property does not reside on the adjoining property, the applicant shall notify them by registered post.

The applicant shall submit proof of the notification of the adjoining property owners to the Municipality on this prescribed form.

See **Schedule 31, 32 and 33**.

4. **RAISING OF OBJECTIONS**

Provision is made in the notification of adjoining property owners for a period of 28 days wherein objections against the application may be submitted. The 28 day period is **calculated from the date on which each adjoining property owners was notified and signed receipt or the date that the registered mail was sent to them.**

Any objections/comments or representations with regard to the specific application must be submitted in writing to the City Planning Offices, at the applicable Customer Care Centre on or before the final date of the objection period as stated in the advertisements and/or notices.

- 5. Any objections/comments/representations received by the Municipality will be forwarded to the applicant and the applicant will have a reasonable opportunity after the objection period is over to reply in writing to any such objections/comments/representations and before the municipality considers the application.
- 6. The Municipality will take into consideration any objection received within the prescribed period and will notify the applicant and the persons, if any, from whom objections/comments/representations were received, of its decision.

The applicant and/or any of the aforesaid persons, **if aggrieved by the decision of the Council**, may then appeal to the Ekurhuleni Metropolitan Municipality Appeals Authority, in writing. (The contact details for this Authority will be made available by the City Planning Offices at the applicable Customer Care Centre)

7. The decision of the Municipality will not take effect if an appeal has been lodged, until such appeal is disposed of by the Ekurhuleni Metropolitan Municipality Appeals Authority.
8. The attention of applicant/s is directed to the fact that the responsibility of ascertaining whether this procedure may, or may not be followed, is entirely their own (i.e. the applicant's). It must be clearly understood that these forms are being issued without prejudice.
9. Applicants are advised in their own interest to pay close attention to the aforementioned, since an application cannot be accepted or considered, until the required information and/or documents are furnished satisfactorily.

IF ANY DIFFICULTIES IN THIS REGARD ARE EXPERIENCED IT MAY BE ADVISABLE TO CONTACT A TOWN PLANNING CONSULTANT OR THE RELEVANT MUNICIPAL PLANNER FOR THE AREA.

NB. THIS APPLICATION DOES NOT EXEMPT APPLICANTS FROM COMPLIANCE WITH OTHER PROCEDURE AND/OR REQUIREMENTS PRESCRIBED BY ANY OTHER APPLICABLE LEGISLATION.

10. **PLEASE NOTE:**

MERELY SUBMITTING AN APPLICATION, *MUST NOT BE CONSIDERED* AS APPROVAL BEING GRANTED. A SUBMITTED APPLICATION IS MERELY FOR CONSIDERATION AND THE FINAL DECISION MUST STILL BE MADE BY COUNCIL.

SCHEDULE 9 – SUBDIVISION APPLICATION FORM

SD-1



**APPLICATION FORM FOR
SUBDIVISION
IN TERMS OF SECTION 53 OF THE COEMM SPATIAL PLANNING AND LAND USE MANAGEMENT
BY-LAW, 2019 AND CLAUSE 35
OF THE EKURHULENI TOWN PLANNING SCHEME, 2014**

TO: The Area Manager: City Planning

..... Customer Care Centre

COE REFERENCE NO.

DATE:..... 20.....

1. DESCRIPTION OF LAND ACCORDING TO TITLE DEED

Erf/Holding/Portion	
Town/Agricultural Holdings/Farm	
Number and Name of Street or Road	

2. PROPOSED SUBDIVISION

Number of subdivided portions	
Size (m ²) of subdivided portions	

3. PROPERTY INFORMATION

Current zoning		
Property size (m ²)		
Bond	YES	N/A
Bondholder's Name		
Special Power of Attorney	YES	N/A
Company Resolution	YES	N/A

4. **APPLICANT'S DETAILS**

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company / CC Registration number		
Representative name		
Title		
Initial		
First Name(s)		
Surname		
Postal Address		
Physical Address		
E-Mail Address		
Cell Phone		
Telephone		

5. **OWNER'S DETAILS (if different from applicant)**

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company / CC Registration number		
Representative name		
Title		
Initial		
First Name(s)		
Surname		
ID Number		
Postal Address		
Physical Address		
E-Mail Address		

Cell Phone			
Telephone			
Details of Owner's/ Marital Status	Not Applicable	Married in Community of Property	Married in out of Community of Property

6. **REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATION FORMS:**

Documents required	Number of copies	Submitted (X or N/A)
Application fee		
Bondholder's Consent (if applicable)	2	
Company Resolution (if applicable)	2	
Motivated memorandum	7	
Special Power of Attorney (if applicable)	2	
Subdivision Plan/Diagram (A3/A4 size)	7	
Title Deed / Leasehold Title	2	

DECLARATION OF COMPLIANCE

I/We.....

ID Number/s.....

hereby declare that:

I/ We have provided the correct information to the Municipality to enable it to take an informed decision.

I/ We understand that the Municipality has the authority to ensure orderly built environment through land use management.

I/ We declare that all conditions attached to this application, if approved, will be fully complied with.

I/ We certify that the municipal officials shall be granted access to the property in order to conduct inspections and other related municipal functions.

Signed aton day month year

SIGNATURE OF APPLICANT/S:

If the property is registered in more than one person's name all owners need to sign.



**GENERAL INFORMATION AND PROCEDURE FOR
SUBDIVISION APPLICATION
IN TERMS OF SECTION 53 OF THE COEMM SPATIAL PLANNING AND LAND USE MANAGEMENT
BY-LAW, 2019 AND CLAUSE 35
OF THE EKURHULENI TOWN PLANNING SCHEME, 2014**

To be read with form SD-1

1. APPLICATION

A complete application duly completed and accompanied by prescribed documents, must be submitted to the City Planning office at the applicable Customer Care Centre. Further information can also be obtained from the relevant Customer Care Centre.

2. LODGING OF APPLICATION

THE APPLICANT MUST SUBMIT THE FOLLOWING TO:

The Area Manager: City Planning

See **Schedule 47** for full details of applicable Customer Care Centre where the application must be submitted.

- (a) An application form, duly signed by the applicant.
- (b) If the applicant is not the registered owner of the property, the application must be accompanied by a **Power of Attorney from the registered owner**.
- (c) Should the owner of the property be a registered company, a resolution taken by the board of directors of the company, authorising the relevant director/employee to apply on behalf of the company, is required in addition.
- (d) A **fully** motivated memorandum clearly setting forth the applicant's intentions, including the following:
 - (i) Locality Map
 - (ii) Need and desirability
 - (iii) Proposed sizes
- (e) Subdivision plan, in A4/A3 size, showing the following in relation to each other and the property:
 - (i) Proposed subdivided portions
 - (ii) Locality and uses of existing buildings on the property

- (iii) Locality and uses of proposed new buildings, if any
- (iv) Boundaries of property
- (v) Access to and from property
- (vi) North point

(f) A copy of the relevant Title Deed(s) of the property.

(g) An Application fee as per Council Tariffs payable to the **Municipality**.

3. The applicant and/or any of the aforesaid persons, **if aggrieved by the decision of the Council**, may then appeal to the Ekurhuleni Metropolitan Municipality Appeals Authority, in writing. (The contact details for this Authority will be made available by the City Planning Offices at the applicable Customer Care Centre)
4. The decision of the Municipality will not take effect if an appeal has been lodged, until such appeal is disposed of by the Ekurhuleni Metropolitan Municipality Appeals Authority.
5. The attention of the applicant is directed to the fact that the responsibility of ascertaining whether this procedure may, or may not be followed, is entirely their own (i.e. the applicant's). It must be clearly understood that these forms are being issued without prejudice.
6. Applicants are advised in their own interest to pay close attention to the aforementioned, since an application cannot be accepted or considered, until the required information and/or documents are furnished satisfactorily.

IF ANY DIFFICULTIES IN THIS REGARD ARE EXPERIENCED IT MAY BE ADVISABLE TO CONTACT A TOWN PLANNING CONSULTANT OR THE RELEVANT MUNICIPAL PLANNER FOR THE AREA.

NB. THIS APPLICATION DOES NOT EXEMPT APPLICANTS FROM COMPLIANCE WITH OTHER PROCEDURE AND/OR REQUIREMENTS PRESCRIBED BY ANY OTHER APPLICABLE LEGISLATION.

7. **PLEASE NOTE:**

MERELY SUBMITTING AN APPLICATION, *MUST NOT BE CONSIDERED* AS APPROVAL BEING GRANTED. A SUBMITTED APPLICATION IS MERELY FOR CONSIDERATION AND THE FINAL DECISION MUST STILL BE MADE BY COUNCIL.

SCHEDULE 11 – REZONING APPLICATION FORM

RZ-1



**APPLICATION FORM FOR
REZONING
IN TERMS OF SECTION 48 OF THE COEMM SPATIAL PLANNING AND LAND USE MANAGEMENT
BY-LAW, 2019**

TO: The Area Manager: City Planning

..... Customer Care Centre

COE REFERENCE NO.

DATE:..... 20.....

1. DESCRIPTION OF LAND ACCORDING TO TITLE DEED

Erf/Holding/Portion	
Town/Agricultural Holdings/Farm	
Number and Name of Street or Road	

2. PROPOSED USE(S)

Proposed Zoning	
Proposed Height	
Proposed Coverage	
Proposed Floor Area Ratio	
Proposed Density	
Proposed Parking Ratio	
Proposed Building Lines	
Additional Information (if applicable)	

3. PROPERTY INFORMATION

Town Planning Scheme	Ekurhuleni Town Planning Scheme, 2014
Current zoning	

Property size (m ²)		
Bond	YES	N/A
Bondholder's Name		
Special Power of Attorney	YES	N/A
Company Resolution	YES	N/A

4. **APPLICANT'S DETAILS**

Type of applicant	INDIVIDUAL	LEGAL ENTITY/OTHER
Name of Legal Entity/other		
Company / CC Registration number		
Representative name		
Are you a Registered Planner?	YES	NO
SACPLAN Registration No.		
Title		
Initial		
First Name(s)		
Surname		
Postal Address		
Physical Address		
E-Mail Address		
Cell Phone		
Telephone		

5. **OWNER'S DETAILS (if different from applicant)**

Type of applicant	INDIVIDUAL	LEGAL ENTITY/OTHER
Name of Legal Entity/other		
Company / CC Registration number		
Representative name		

Title			
Initial			
First Name(s)			
Surname			
ID Number			
Postal Address			
Physical Address			
E-Mail Address			
Cell Phone			
Telephone			
Details of Owner's/ Marital Status	Not Applicable	Married in Community of Property	Married in out of Community of Property

6. **REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATIONS:**

Documents required	Number of copies	Submitted (X or N/A)
Documents to be attached to the application forms		
Application fee		
Confirmation of from engineering services departments in respect of services capacity (pre-consultation)	2	
Proof of Registration as Registered Planner	1	
Bondholder's Consent (if applicable)	2	
Comments from the External Departments	2	
Company Resolution (if applicable)	2	
Maps (Locality Plan, Land Use Plan, Zoning Map)	20	
Motivated memorandum	20	
Site / Development Plan (A3/A4 size)	20	
Special Power of Attorney (if applicable)	2	
Title Deed / Leasehold Title	2	
Environmental Impact Assessment (if applicable)	2	
Excision Certificate (if applicable)	2	
Floodline Certificate (if applicable)	2	
Geotechnical Investigation (if applicable)	2	
Mineral Rights Holder's Consent (if applicable)	2	
Traffic Impact Study (if required)	2	
Documents to be submitted prior to finalisation of the application		
Affidavit confirming the site notice was maintained	1	
Photographic evidence of the site notice	1	
Proof of Newspaper advertisement	1	

Proof of Provincial Gazette advertisement	1	
Notification to Adjoining Property Owners	1	

DECLARATION OF COMPLIANCE

I/We.....

ID Number/s.....

hereby declare that:

I/ We have provided the correct information to the Municipality to enable it to take an informed decision.

I/ We understand that the Municipality has the authority to ensure orderly built environment through land use management.

I/ We declare that all conditions attached to this application, if approved, will be fully complied with.

I/ We certify that the municipal officials shall be granted access to the property in order to conduct inspections and other related municipal functions.

Signed aton day month year

SIGNATURE OF APPLICANT/S:

If the property is registered in more than one person's name all owners need to sign.



GENERAL INFORMATION AND PROCEDURE FOR
REZONING APPLICATION
IN TERMS OF SECTION 48 OF THE COEMM SPATIAL PLANNING AND LAND USE MANAGEMENT
BY-LAW, 2019

To be read with form RZ-1

1. **APPLICATION**

A complete application duly completed and accompanied by prescribed documents, must be submitted to the City Planning office at the applicable Customer Care Centre. Further information can also be obtained from the relevant Customer Care Centre.

2. **LODGING OF APPLICATION**

THE APPLICANT MUST SUBMIT THE FOLLOWING TO:

The Area Manager: City Planning

See **Schedule 47** for full details of applicable Customer Care Centre where the application must be submitted.

- (a) An application form, duly signed by the applicant.
- (b) If the applicant is not the registered owner of the property, the application must be accompanied by a **power of attorney from the registered owner**.
- (c) Should the owner of the property be a registered company, a resolution taken by the board of directors of the company, authorising the relevant director/employee to apply on behalf of the company, is required in addition.
- (d) A **fully** motivated memorandum clearly setting forth the applicant's intentions, including the following:
 - (i) Locality Map
 - (ii) Land Use and Zoning Map
 - (iii) **Need** and **desirability** of proposed removal/amendment of condition(s)
 - (iv) Extent, use(s) and floor space(s) of intended building(s) as well as the total area required in respect of the proposed use(s).
- (e) Site / Development plan, in A4/A3 size, showing the following in relation to each other and the property:

- (i) Locality and uses of existing buildings on the property
 - (ii) Locality and uses of proposed new buildings, if any
 - (iii) Boundaries of property
 - (iv) Parking
 - (v) Access to and from property
 - (vi) North point
- (f) A copy of the relevant Title Deed(s) of the property.
 - (g) Bondholder's Consent (if applicable).
 - (h) Proof of Provincial Gazette & newspaper advertisement (**full pages** of the newspapers in which the advertisements appeared **or** editor's certificates).
 - (i) An affidavit must be submitted as proof of posting the notice on the property & must be sworn to/confirmed and signed before a Commissioner of Oaths. A photograph of the notice on site must also be submitted.
 - (j) Comments from the relevant external departments.
 - (k) Environmental Impact Assessment (if listed activity).
 - (l) Traffic Impact Study (if greater than 50 peak hour trips).
 - (m) Geotechnical investigation (if required under very specific circumstances).
 - (n) Proof of registration as a Registered Planner.
 - (o) Undertaking that the applicant has capacity to provide for essential engineering services and contributions.
 - (p) Comments received from the External Services Departments.
 - (q) Excision Certificate (if applicable)
 - (r) An Application fee as per Council Tariffs payable to the **Municipality**.

3. NOTIFICATION OF ADJOINING PROPERTY OWNERS

The applicant shall notify each adjoining property owner of the application by registered post or hand delivery.

If the adjoining property owners form part of a body corporate, the notice may be delivered in the onsite post boxes of the adjoining property owners and the applicant may submit email / facsimile correspondence as proof of receipt of the notice so delivered. Alternatively, comments from the board of trustees of the body corporate may be obtained.

If the adjoining property does not reside on the adjoining property, the applicant shall notify them by registered post.

The applicant shall submit proof of the notification of the adjoining property owners to the Municipality on this prescribed form.

See **Schedule 31, 32 and 33**

4. **NEWSPAPER & PROVINCIAL GAZETTE ADVERTISEMENTS**

The application must be advertised in the Provincial Gazette and two newspapers circulating in the area where the land concerned is situated.

The application may only be advertised AFTER lodging thereof with the Municipality

The first publication of the notice shall appear in the Provincial Gazette and one of the newspapers on the same date.

If the date of publication of the two newspapers referred to does not correspond, the closing date by which comments and objections shall be submitted, as indicated in the notices in the different newspapers, shall -

- (a) be the same in all notices;
- (b) be calculated from the date of first publication; and
- (c) make provision for a period of submission of comments and objections of at least 28 days.

The advertisement must be placed **once a week for two consecutive weeks**.

All advertisements shall be published in English.

See **Schedule 40** for the draft newspaper advertisement.

5. **NOTICES**

The **site notice** shall be posted **simultaneously with the first advertisement and maintained for at least twenty-eight (28) days**.

The site notice must be at least A3 in size, printed on white laminated paper and in the format prescribed by the Municipality.

The site notice must be placed in a conspicuous place on the land to be developed and shall be unobstructed from view, clearly visible and readable.

Where a property is adjoined by more than one street, a site notice shall be placed along each adjoining street.

If the property is situated at such a distance from a public road or other public place that the notice cannot be read from there, the placard shall also be displayed at every public entrance of the public place.

In the case of an application within an existing business centre or other similar place to which the public has access, a notice shall be displayed and maintained in a conspicuous place at the entrance of the shop to which the application refers, and at each public entrance of the business centre.

The applicant shall, within 21 days from the last day of display of the notice, submit a sworn affidavit to the Municipality, confirming the maintenance of the site notice and shall further submit photographs of the site notice which shows the dates during which the site notice was displayed.

The site notice shall be written in English.

See **Schedule 35** for the draft site notice.

6. **RAISING OF OBJECTIONS**

Provision is made in the newspaper advertisements & the site notice for a period of 28 days wherein objections against the application may be submitted. This period for the raising of objections is **calculated from the date of publication of the first advertisement** must be provided in all newspaper advertisements as well as the large notice on the property.

Any objections/comments or representations with regard to the specific application must be submitted in writing to the City Planning Offices, at the applicable Customer Care Centre on or before the final date of the objection period as stated in the advertisements and/or notices.

7. Any objections/comments/representations received by the Municipality will be forwarded to the applicant and the applicant will have a reasonable opportunity after the objection period is over to reply in writing to any such objections/comments/representations and before the municipality considers the application.
8. The Municipality will take into consideration any objection received within the prescribed period and will notify the applicant and the persons, if any, from whom objections/comments/representations were received, of its decision.

The applicant and/or any of the aforesaid persons, **if aggrieved by the decision of the Council**, may then appeal to the Ekurhuleni Metropolitan Municipality Appeals Authority, in writing. (The contact details for this Authority will be made available by the City Planning Offices at the applicable Customer Care Centre)

9. The decision of the Municipality will not take effect if an appeal has been lodged, until such appeal is disposed of by the Ekurhuleni Metropolitan Municipality Appeals Authority.
10. The attention of applicant/s is directed to the fact that the responsibility of ascertaining whether this procedure may, or may not be followed, to obtain certain land use rights, is entirely their own (i.e. the applicant's). It must be clearly understood that these forms are being issued without prejudice.
11. Applicants are advised in their own interest to pay close attention to the aforementioned, since an application cannot be accepted or considered, until the required information and/or documents are furnished satisfactorily.

NB. THIS APPLICATION DOES NOT EXEMPT APPLICANTS FROM COMPLIANCE WITH OTHER PROCEDURE AND/OR REQUIREMENTS PRESCRIBED BY ANY OTHER APPLICABLE LEGISLATION.

12. **PLEASE NOTE:**

MERELY SUBMITTING AN APPLICATION, *MUST NOT BE CONSIDERED* AS APPROVAL BEING GRANTED. A SUBMITTED APPLICATION IS MERELY FOR CONSIDERATION AND THE FINAL DECISION MUST STILL BE MADE BY COUNCIL.

SCHEDULE 13 – REMOVAL OF RESTRICTIVE TITLE CONDITIONS APPLICATION FORM

ROR-1



**APPLICATION FORM FOR
REMOVAL OF RESTRICTIVE TITLE CONDITIONS
IN TERMS OF SECTION 50 OF THE COEMM SPATIAL PLANNING AND LAND USE MANAGEMENT
BY-LAW, 2019**

TO: The Area Manager: City Planning

..... Customer Care Centre

COE REFERENCE NO.

DATE:..... 20.....

1. **DESCRIPTION OF LAND ACCORDING TO TITLE DEED**

Erf/Holding/Portion	
Town/Agricultural Holdings/Farm	
Number and Name of Street or Road	

2. **REMOVAL OF RESTRICTIONS IN TITLE DEED**

Title Deed Number	
Conditions to be Removed / Amended	
Summary of reasons for Amendment or Removal of Condition/s	

3. **PROPERTY INFORMATION**

Town Planning Scheme	Ekurhuleni Town Planning Scheme, 2014	
Current zoning		
Property size (m ²)		
Bond	YES	N/A
Bondholder's Name		
Special Power of Attorney	YES	N/A
Company Resolution	YES	N/A

4. **APPLICANT'S DETAILS**

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company / CC Registration number		
Representative name		
Title		
Initial		
First Name(s)		
Surname		
Postal Address		
Physical Address		
E-Mail Address		
Cell Phone		
Telephone		

5. **OWNER'S DETAILS (if different from applicant)**

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company / CC Registration number		
Representative name		
Title		
Initial		
First Name(s)		
Surname		
ID Number		
Postal Address		
Physical Address		
E-Mail Address		
Cell Phone		

Telephone			
Details of Owner's/ Marital Status	Not Applicable	Married in Community of Property	Married in out of Community of Property

6. **REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATION FORMS:**

Documents required	Number of copies	Submitted (X or N/A)
Documents to be attached to application forms		
Application fee		
Proof of registration as Registered Planner	1	
Bondholder's Consent (if applicable)	2	
Comments for External Departments (if applicable)	2	
Company Resolution (if applicable)	2	
Motivated memorandum	5	
Site / Development plan (A3/A4 size)	5	
Special Power of Attorney (if applicable)	2	
Title Deed / Leasehold Title	5	
Documents to be submitted prior to finalisation of the application		
Affidavit confirming that the site notice was placed	1	
Photographic evidence of site notice	1	
Proof of Newspaper advertisement	1	
Proof of Provincial Gazette advertisement	1	
Proof of notification of the adjoining property owners	1	

DECLARATION OF COMPLIANCE

I/We.....

ID Number/s.....

hereby declare that:

I/ We have provided the correct information to the Municipality to enable it to take an informed decision.

I/ We understand that the Municipality has the authority to ensure orderly built environment through land use management.

I/ We declare that all conditions attached to this application, if approved, will be fully complied with.

I/ We certify that the municipal officials shall be granted access to the property in order to conduct inspections and other related municipal functions.

Signed aton day month year

SIGNATURE OF APPLICANT/S:

If the property is registered in more than one person's name all owners need to sign.

SCHEDULE 14 – REMOVAL OF RESTRICTIVE TITLE CONDITIONS APPLICATION GENERAL INFORMATION

ROR-2



GENERAL INFORMATION AND PROCEDURE FOR REMOVAL OF RESTRICTIVE TITLE CONDITIONS APPLICATION IN TERMS OF SECTION 50 OF THE COEMM SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019

To be read with form ROR-1

1. APPLICATION

A complete application duly completed and accompanied by prescribed documents, must be submitted to the City Planning office at the applicable Customer Care Centre. Further information can also be obtained from the relevant Customer Care Centre.

2. LODGING OF APPLICATION

THE APPLICANT MUST SUBMIT THE FOLLOWING TO:

The Area Manager: City Planning

See **Schedule 47** for full details of applicable Customer Care Centre where the application must be submitted.

- (a) An application form, duly signed by the applicant.
- (b) If the applicant is not the registered owner of the property, the application must be accompanied by a **power of attorney from the registered owner**.
- (c) Should the owner of the property be a registered company, a resolution taken by the board of directors of the company, authorising the relevant director/employee to apply on behalf of the company, is required in addition.
- (d) A **fully** motivated memorandum clearly setting forth the applicant's intentions, including the following:
 - (i) Locality Map
 - (ii) Restrictive Title Conditions to be removed/amended
 - (iii) **Need** and **desirability** of proposed removal/amendment of condition(s)
- (e) Site / Development plan, in A4/A3 size, showing the following in relation to each other and the property:

- (vii) Locality and uses of existing buildings on the property
 - (viii) Locality and uses of proposed new buildings, if any
 - (ix) Boundaries of property
 - (x) Parking
 - (xi) Access to and from property
 - (xii) North point
- (f) A copy of the relevant Title Deed(s) of the property.
 - (g) A copy of the Bondholder's consent (if applicable)
 - (h) Proof of the notification of the adjoining property owners.
 - (i) Proof of Provincial Gazette & newspaper advertisement (**full pages** of the newspapers in which the advertisements appeared **or** editor's certificates).
 - (j) An affidavit must be submitted as proof of posting the notice on the property & must be sworn to/confirmed and signed before a Commissioner of Oaths. A photograph of the notice on site must also be submitted.
 - (k) Proof of registration as a Registered Planner.
 - (l) Comments from External Departments (if applicable).
 - (m) An Application fee as per Council Tariffs payable to the **Municipality**.

3. NOTIFICATION OF ADJOINING PROPERTY OWNERS

The applicant shall notify all the **owners and/or occupiers** of all abutting properties, including the properties across the street from the subject property, of the application and its intentions, either by hand delivering the notices or by registered post. This should be done at the same time as the advertising in the Provincial Gazette & newspaper.

Neighbours should be given a copy of the application form and any other documentation that may reasonably allow them to make an informed decision about the intended application.

4. PROVINCIAL GAZETTE & NEWSPAPER ADVERTISEMENTS

The application must be advertised in the Provincial Gazette and two newspapers circulating in the area where the land concerned is situated.

The first publication of the notice shall appear in the Provincial Gazette and one of the newspapers on the same date.

If the date of publication of the two newspapers referred to does not correspond, the closing date by which comments and objections shall be submitted, as indicated in the notices in the different newspapers shall -

- (a) be the same in all notices;
- (b) be calculated from the date of first publication; and
- (c) make provision for a period of submission of comments and objections of at least 28 days.

The advertisement must be placed **once a week for two consecutive weeks**.

See **Schedule 39** for the draft newspaper advertisement.

5. **NOTICES**

The **site notice** shall be posted **simultaneously with the first advertisement and maintained for at least twenty-eight (28) days**.

The site notice must be at least A3 in size, printed on white laminated paper and in the format prescribed by the Municipality.

The site notice must be placed in a conspicuous place on the land to be developed and shall be unobstructed from view, clearly visible and readable.

Where a property is adjoined by more than one street, a site notice shall be placed along each adjoining street.

If the property is situated at such a distance from a public road or other public place that the notice cannot be read from there, the placard shall also be displayed at every public entrance of the public place.

In the case of an application within an existing business centre or other similar place to which the public has access, a notice shall be displayed and maintained in a conspicuous place at the entrance of the shop to which the application refers, and at each public entrance of the business centre.

The applicant shall, within 21 days from the last day of display of the notice, submit a sworn affidavit to the Municipality, confirming the maintenance of the site notice and shall further submit photographs of the site notice which shows the dates during which the site notice was displayed.

The site notice shall be written in English.

See **Schedule 35** for the draft site notice.

6. **RAISING OF OBJECTIONS**

Provision is made in the newspaper advertisements, the site notice as well as the notification to adjoining property owners for a 28 day period wherein objections against the application may be submitted. This period is **calculated from the date of publication of the first advertisement** must be provided in all newspaper advertisements as well as the notification to the adjoining property owners.

Any objections/comments or representations with regard to the specific application must be submitted in writing to the City Planning Offices, at the applicable Customer Care Centre on or before the final date of the objection period as stated in the advertisements and/or notices.

7. Any objections/comments/representations received by the Municipality will be forwarded to the applicant and the applicant will have a reasonable opportunity after the objection period is over

to reply in writing to any such objections/comments/representations and before the municipality considers the application.

8. The Municipality will take into consideration any objection received within the prescribed period and will notify the applicant and the persons, if any, from whom objections/comments/representations were received, of its decision.

The applicant and/or any of the aforesaid persons, **if aggrieved by the decision of the Council**, may then appeal to the Ekurhuleni Metropolitan Municipality Appeals Authority, in writing. (The contact details for this Authority will be made available by the City Planning Offices at the applicable Customer Care Centre).

9. The decision of the Municipality will not take effect if an appeal has been lodged, until such appeal is disposed of by the Ekurhuleni Metropolitan Municipality Appeals Authority.
10. The attention of applicant/s is directed to the fact that the responsibility of ascertaining whether this procedure may, or may not be followed, is entirely their own (i.e. the applicant's). It must be clearly understood that these forms are being issued without prejudice.
11. Applicants are advised in their own interest to pay close attention to the aforementioned, since an application cannot be accepted or considered, until the required information and/or documents are furnished satisfactorily.

NB. THIS APPLICATION DOES NOT EXEMPT APPLICANTS FROM COMPLIANCE WITH OTHER PROCEDURE AND/OR REQUIREMENTS PRESCRIBED BY ANY OTHER APPLICABLE LEGISLATION.

12. **PLEASE NOTE:**

MERELY SUBMITTING AN APPLICATION, *MUST NOT BE CONSIDERED* AS APPROVAL BEING GRANTED. A SUBMITTED APPLICATION IS MERELY FOR CONSIDERATION AND THE FINAL DECISION MUST STILL BE MADE BY COUNCIL.

SCHEDULE 15 – SIMULTANEOUS REMOVAL OF RESTRICTIONS AND REZONING APPLICATION FORM

RRR-1



**APPLICATION FORM FOR
SIMULTANEOUS REMOVAL OF RESTRICTIONS & REZONING
IN TERMS OF SECTION 68 OF THE COEMM SPATIAL PLANNING AND LAND USE MANAGEMENT
BY-LAW, 2019**

TO: The Area Manager: City Planning

..... Customer Care Centre

COE REFERENCE NO.

DATE:..... 20.....

1. DESCRIPTION OF LAND ACCORDING TO TITLE DEED

Erf/Holding/Portion	
Town/Agricultural Holdings/Farm	
Number and Name of Street or Road	

2. PROPOSED USE(S)

Proposed Zoning	
Proposed Height	
Proposed Coverage	
Proposed Floor Area Ratio	
Proposed Density	
Proposed Parking Ratio	
Proposed Building Lines	
Additional Information (if applicable)	

3. **REMOVAL OF RESTRICTIONS IN TITLE DEED**

Title Deed Number	
Conditions to be Removed / Amended	
Summary of reasons for Amendment or Removal of Condition/s	

4. **PROPERTY INFORMATION**

Town Planning Scheme	Ekurhuleni Town Planning Scheme, 2014	
Current zoning		
Property size (m ²)		
Bond	YES	N/A
Bondholder's Name		
Special Power of Attorney	YES	N/A
Company Resolution	YES	N/A

5. **APPLICANT'S DETAILS**

Type of applicant	INDIVIDUAL	LEGAL ENTITY/OTHER
Name of Legal Entity/other		
Company / CC Registration number		
Representative name		
Are you a Registered Planner?	YES	NO
SACPLAN Registration No.		
Title		
Initial		
First Name(s)		
Surname		
Postal Address		
Physical Address		
E-Mail Address		
Cell Phone		

Telephone	
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6. **OWNER'S DETAILS (if different from applicant)**

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>	
Name of Legal Entity/other			
Company/CC Registration Number			
Representative name			
Title			
Initial			
First Name(s)			
Surname			
ID Number			
Postal Address			
Physical Address			
E-Mail Address			
Cell Phone			
Telephone			
Details of Owner's/ Marital Status	Not Applicable	Married in Community of Property	Married in out of Community of Property

7. **REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATION FORMS:**

Documents required	Number of copies	Submitted (X or N/A)
Documents to be attached to the application form		
Application fee		
Confirmation of from engineering services departments in respect of services capacity (pre-consultation)	1	
Proof of registration as a Registered Planner	1	
Bondholder's Consent (if applicable)	2	
Comments from the External Departments	1	
Company Resolution (if applicable)	2	
Maps (Locality Plan, Land Use Plan, Zoning Map)	20	
Motivated memorandum	20	
Site / Development Plan (A3/A4 size) *	20	
Special Power of Attorney (if applicable)	2	
Title Deed / Leasehold Title	2	
Environmental Impact Assessment (if applicable)	2	
Excision Certificate (if applicable)	2	

Floodline Certificate (if applicable)	2	
Geotechnical Investigation (if applicable)	2	
Mineral Rights Holder's Consent (if applicable)	2	
Traffic Impact Study (if required)	2	
Documents to be submitted prior finalisation of an application		
Affidavit confirming that the site notice was maintained	1	
Photographic evidence of site notice	1	
Proof of Newspaper advertisement	1	
Proof of Provincial Gazette advertisement	1	
Proof of notification of the adjoining property owners	1	

DECLARATION OF COMPLIANCE

I/We.....

ID Number/s.....

hereby declare that:

I/ We have provided the correct information to the Municipality to enable it to take an informed decision.

I/ We understand that the Municipality has the authority to ensure orderly built environment through land use management.

I/ We declare that all conditions attached to this application, if approved, will be fully complied with.

I/ We certify that the municipal officials shall be granted access to the property in order to conduct inspections and other related municipal functions.

Signed aton day month year

SIGNATURE OF APPLICANT/S:

If the property is registered in more than one person's name all owners need to sign.

SCHEDULE 16 – SIMULTANEOUS REMOVAL OF RESTRICTIONS & REZONING APPLICATION GENERAL INFORMATION

RRR-2



GENERAL INFORMATION AND PROCEDURE FOR SIMULTANEOUS REMOVAL OF RESTRICTIONS & REZONING APPLICATION IN TERMS OF SECTION 68 OF THE COEMM SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019

To be read with form RRR-1

1. APPLICATION

A complete application duly completed and accompanied by prescribed documents, must be submitted to the City Planning office at the applicable Customer Care Centre. Further information can also be obtained from the relevant Customer Care Centre.

2. LODGING OF APPLICATION

THE APPLICANT MUST SUBMIT THE FOLLOWING TO:

The Area Manager: City Planning

See **Schedule 47** for full details of applicable Customer Care Centre where the application must be submitted.

- (a) An application form, duly signed by the applicant.
- (b) If the applicant is not the registered owner of the property, the application must be accompanied by a **power of attorney from the registered owner**.
- (c) Should the owner of the property be a registered company, a resolution taken by the board of directors of the company, authorising the relevant director/employee to apply on behalf of the company, is required in addition.
- (d) A **fully** motivated memorandum clearly setting forth the applicant's intentions, including the following:
 - (i) Locality Map
 - (ii) Restrictive Title Conditions to be removed/amended
 - (iii) Land Use and Zoning Map
 - (iv) **Need and desirability** of proposed removal/amendment of condition(s)
 - (v) Extent, use(s) and floor space(s) of intended building(s) as well as the total area required in respect of the proposed use(s).

- (e) Site plan, in A4/A3 size, showing the following in relation to each other and the property:
 - (i) Locality and uses of existing buildings on the property
 - (ii) Locality and uses of proposed new buildings, if any
 - (iii) Boundaries of property
 - (iv) Parking
 - (v) Access to and from property
 - (vi) North point
- (f) A copy of the relevant Title Deed(s) of the property.
- (g) Bondholder's Consent (if applicable)
- (h) Proof of Provincial Gazette & newspaper advertisement (**full pages** of the newspapers in which the advertisements appeared **or** editor's certificates).
- (i) An affidavit must be submitted as proof of posting the notice on the property & must be sworn to/confirmed and signed before a Commissioner of Oaths. A photograph of the notice on site must also be submitted.
- (j) Comment from the relevant external departments.
- (k) Proof of the notification of the adjoining property owners.
- (l) Environmental Impact Assessment (if listed activity).
- (m) Traffic Impact Study (if greater than 50 peak hour trips).
- (n) Geotechnical investigation (if required under very specific circumstances).
- (o) Proof of registration as a Registered Planner.
- (p) Excision Certificate (if applicable).
- (q) Comments received from the External Services Departments.
- (r) An Application fee as per Council Tariffs payable to Municipality.

3. NOTIFICATION OF ADJOINING PROPERTY OWNERS

The applicant shall notify each adjoining property owner of the application by registered post or hand delivery.

If the adjoining property owners form part of a body corporate, the notice may be delivered in the onsite post boxes of the adjoining property owners and the applicant may submit email / facsimile correspondence as proof of receipt of the notice so delivered. Alternatively, comments from the board of trustees of the body corporate may be obtained.

If the adjoining property does not reside on the adjoining property, the applicant shall notify them by registered post.

The applicant shall submit proof of the notification of the adjoining property owners to the Municipality on this prescribed form.

4. **NEWSPAPER & PROVINCIAL GAZETTE ADVERTISEMENTS**

The application must be advertised in the Provincial Gazette and two newspapers circulating in the area where the land concerned is situated.

The application may only be advertised AFTER lodging thereof with the Municipality

The first publication of the notice shall appear in the Provincial Gazette and one of the newspapers on the same date.

If the date of publication of the two newspapers referred to does not correspond, the closing date by which comments and objections shall be submitted, as indicated in the notices in the different newspapers, shall -

- (a) be the same in all notices;
- (b) be calculated from the date of first publication; and
- (c) make provision for a period of submission of comments and objections of at least 28 days.

The advertisement must be placed **once a week for two consecutive weeks**.

All advertisements shall be published in English.

See **Schedule 41** for the draft newspaper advertisement.

5. **NOTICES**

The **site notice** shall be posted **simultaneously with the first advertisement and maintained for at least twenty-eight (28) days**.

The site notice must be at least A3 in size, printed on white laminated paper and in the format prescribed by the Municipality.

The site notice must be placed in a conspicuous place on the land to be developed and shall be unobstructed from view, clearly visible and readable.

Where a property is adjoined by more than one street, a site notice shall be placed along each adjoining street.

If the property is situated at such a distance from a public road or other public place that the notice cannot be read from there, the placard shall also be displayed at every public entrance of the public place.

In the case of an application within an existing business centre or other similar place to which the public has access, a notice shall be displayed and maintained in a conspicuous place at the entrance of the shop to which the application refers, and at each public entrance of the business centre.

The applicant shall, within 21 days from the last day of display of the notice, submit a sworn affidavit to the Municipality, confirming the maintenance of the site notice and shall further submit photographs of the site notice which shows the dates during which the site notice was displayed.

The site notice shall be written in English.

See **Schedule 35** for the draft site notice.

6. **RAISING OF OBJECTIONS**

Provision is made in the newspaper advertisements & the site notice as well as in the notification of the adjoining property owners for a 28 day period wherein objections against the application may be submitted. This period is **calculated from the date of publication of the first advertisement** and the date must be provided in all newspaper advertisements as well as the site notice maintained on the property.

Any objections/comments or representations with regard to the specific application must be submitted in writing to the City Planning Offices, at the applicable Customer Care Centre on or before the final date of the objection period as stated in the advertisements and/or notices.

7. Any objections/comments/representations received by the Municipality will be forwarded to the applicant and the applicant will have a reasonable opportunity after the objection period is over to reply in writing to any such objections/comments/representations and before the municipality considers the application.
8. The Municipality will take into consideration any objection received within the prescribed period and will notify the applicant and the persons, if any, from whom objections/comments/representations were received, of its decision.

The applicant and/or any of the aforesaid persons, **if aggrieved by the decision of the Council**, may then appeal to the Ekurhuleni Metropolitan Municipality Appeals Authority, in writing. (The contact details for this Authority will be made available by the City Planning Offices at the applicable Customer Care Centre).

9. The decision of the Municipality will not take effect if an appeal has been lodged, until such appeal is disposed of by the Ekurhuleni Metropolitan Municipality Appeals Authority.
10. The attention of applicant/s is directed to the fact that the responsibility of ascertaining whether this procedure may, or may not be followed, to obtain certain land use rights, is entirely their own (i.e. the applicant's). It must be clearly understood that these forms are being issued without prejudice.
11. Applicants are advised in their own interest to pay close attention to the aforementioned, since an application cannot be accepted or considered, until the required information and/or documents are furnished satisfactorily.

NB. THIS APPLICATION DOES NOT EXEMPT APPLICANTS FROM COMPLIANCE WITH OTHER PROCEDURE AND/OR REQUIREMENTS PRESCRIBED BY ANY OTHER APPLICABLE LEGISLATION.

12. **PLEASE NOTE:**

MERELY SUBMITTING AN APPLICATION, *MUST NOT BE CONSIDERED* AS APPROVAL BEING GRANTED. A SUBMITTED APPLICATION IS MERELY FOR CONSIDERATION AND THE FINAL DECISION MUST STILL BE MADE BY COUNCIL.

SCHEDULE 17 – COMBINED APPLICATION FORM

CA-1



**APPLICATION FORM FOR
SIMULTANEOUS / COMBINED APPLICATIONS
IN TERMS OF SECTION 68 OF THE COEMM SPATIAL PLANNING AND LAND USE MANAGEMENT
BY-LAW, 2019**

TO: The Area Manager: City Planning

..... Customer Care Centre

COE REFERENCE NO.

DATE:..... 20.....

1. TYPE OF APPLICATION (Mark with X)

Rezoning	
Removal of Restrictions	
Consolidation	
Subdivision	
Consent Use	
Written Consent A	
Written Consent B	

2. DESCRIPTION OF LAND ACCORDING TO TITLE DEED

Erf/Holding/Portion	
Town/Agricultural Holdings/Farm	
Number and Name of Street or Road	

3. PROPOSED USE(S)

Proposed Zoning	
Proposed Special Consent/ Written Consent	
Proposed Height	
Proposed Coverage	
Proposed Floor Area Ratio	

Proposed Density	
Proposed Parking Ratio	
Proposed Building Lines	
Additional Information (if applicable)	

4. **REMOVAL OF RESTRICTIONS IN TITLE DEED**

Title Deed Number	
Conditions to be Removed / Amended	
Summary of reasons for Amendment or Removal of Condition/s	

5. **PROPERTY INFORMATION**

Town Planning Scheme	Ekurhuleni Town Planning Scheme, 2014	
Current zoning		
Property size (m ²)		
Bond	YES	N/A
Bondholder's Name		
Special Power of Attorney	YES	N/A
Company Resolution	YES	N/A

6. **APPLICANT'S DETAILS**

Type of applicant	INDIVIDUAL	LEGAL ENTITY/OTHER
Name of Legal Entity/other		
Company / CC Registration number		
Representative name		
Are you a Registered Planner?	YES	NO
SACPLAN Registration No.		
Title		
Initial		
First Name(s)		

Surname	
Postal Address	
Physical Address	
E-Mail Address	
Cell Phone	
Telephone	

7. **OWNER'S DETAILS (if different from applicant)**

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company/CC Registration number		
Representative name		
Title		
Initial		
First Name(s)		
Surname		
ID Number		
Postal Address		
Physical Address		
E-Mail Address		
Cell Phone		
Telephone		
Details of Owner's/ Marital Status	Not Applicable	Married in Community of Property
		Married in out of Community of Property

8. **REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATION FORMS:**

Documents required	Number of copies	Submitted (X or N/A)
Documents to be submitted with the application form		
Application fee		
Confirmation of from engineering services departments in respect of services capacity (pre-consultation)	1	

Proof of registration as a Registered Planner	1	
Bondholder's Consent (if applicable)	2	
Comments from the External Departments	1	
Company Resolution (if applicable)	2	
Maps (Locality Plan, Land Use Plan, Zoning Map)	20	
Motivated memorandum	20	
Site / Development Plan (A3/A4 size)	20	
Special Power of Attorney (if applicable)	2	
Subdivision / Consolidation Diagram (A3/A4 size)	2	
Title Deed / Leasehold Title	2	
Environmental Impact Assessment (if applicable)	2	
Excision Certificate (if applicable)	2	
Floodline Certificate (if applicable)	2	
Geotechnical Investigation (if applicable)	2	
Traffic Impact Study (if required)	2	
Documents to be submitted prior to finalisation of the application		
Affidavit confirming that the site notice was maintained	1	
Photographic evidence of site notice	1	
Proof of Newspaper advertisement	1	
Proof of Provincial Gazette advertisement	1	
Proof of notification of the adjoining property owners	1	

DECLARATION OF COMPLIANCE

I/We.....

ID Number/s.....

hereby declare that:

I/ We have provided the correct information to the Municipality to enable it to take an informed decision.

I/ We understand that the Municipality has the authority to ensure orderly built environment through land use management.

I/ We declare that all conditions attached to this application, if approved, will be fully complied with.

I/ We certify that the municipal officials shall be granted access to the property in order to conduct inspections and other related municipal functions.

Signed aton day month year

SIGNATURE OF APPLICANT/S:

If the property is registered in more than one person's name all owners need to sign.



GENERAL INFORMATION AND PROCEDURE FOR
SIMULTANEOUS / COMBINED APPLICATION
IN TERMS OF SECTION 68 OF THE COEMM SPATIAL PLANNING AND LAND USE
MANAGEMENT BY-LAW, 2019

To be read with form CA-1

1. **APPLICATION**

A complete application duly completed and accompanied by prescribed documents, must be submitted to the City Planning office at the applicable Customer Care Centre. Further information can also be obtained from the relevant Customer Care Centre.

2. **LODGING OF APPLICATION**

THE APPLICANT MUST SUBMIT THE FOLLOWING TO:

The Area Manager: City Planning

See **Schedule 47** for full details of applicable Customer Care Centre where the application must be submitted.

- (a) An application form, duly signed by the applicant.
- (b) If the applicant is not the registered owner of the property, the application must be accompanied by a **power of attorney from the registered owner**.
- (c) Should the owner of the property be a registered company, a resolution taken by the board of directors of the company, authorising the relevant director/employee to apply on behalf of the company, is required in addition.
- (d) A **fully** motivated memorandum clearly setting forth the applicant's intentions, including the following:
 - (i) Locality Map
 - (ii) Restrictive Title Conditions to be removed/amended
 - (iii) Land Use and Zoning Map
 - (iv) **Need and desirability** of proposed removal/amendment of condition(s)
 - (v) Extent, use(s) and floor space(s) of intended building(s) as well as the total area required in respect of the proposed use(s).

- (e) Site plan/Subdivision diagram/ Consolidation diagram, in A4/A3 size, showing the following in relation to each other and the property:
 - (i) Locality and uses of existing buildings on the property
 - (ii) Locality and uses of proposed new buildings, if any.
 - (iii) Boundaries of property.
 - (iv) Parking.
 - (v) Access to and from property.
 - (vi) North point.
- (f) A copy of the relevant Title Deed(s) of the property.
- (g) Bondholder's Consent (if applicable)
- (h) Proof of Provincial Gazette & newspaper advertisement (**full pages** of the newspapers in which the advertisements appeared **or** editor's certificates).
- (i) An affidavit must be submitted as proof of posting the notice on the property & must be sworn to/confirmed and signed before a Commissioner of Oaths. A photograph of the notice on site must also be submitted.
- (j) Comments from the relevant external departments.
- (k) Proof of the notification of the adjoining property owners.
- (l) Environmental Impact Assessment (if listed activity).
- (m) Traffic Impact Study (if greater than 50 peak hour trips).
- (n) Geotechnical investigation (if required under very specific circumstances).
- (o) Proof of registration as a Registered Planner.
- (p) Excision Certificate (if applicable).
- (q) Comments received from the External Services Departments.
- (r) An Application fee as per Council Tariffs payable to the **Municipality**.

3. **NOTIFICATION OF ADJOINING PROPERTY OWNERS**

The applicant shall notify each adjoining property owner of the application by registered post or hand delivery.

If the adjoining property owners form part of a body corporate, the notice may be delivered in the onsite post boxes of the adjoining property owners and the applicant may submit email / facsimile correspondence as proof of receipt of the notice so delivered. Alternatively, comments from the board of trustees of the body corporate may be obtained.

If the adjoining property does not reside on the adjoining property, the applicant shall notify them by registered post.

The applicant shall submit proof of the notification of the adjoining property owners to the Municipality on this prescribed form.

See **Schedule 31, 32 and 33.**

4. **NEWSPAPER & PROVINCIAL GAZETTE ADVERTISEMENTS**

The application must be advertised in the Provincial Gazette and two newspapers circulating in the area where the land concerned is situated.

The application may only be advertised AFTER lodging thereof with the Municipality

The first publication of the notice shall appear in the Provincial Gazette and one of the newspapers on the same date.

If the date of publication of the two newspapers referred to does not correspond, the closing date by which comments and objections shall be submitted, as indicated in the notices in the different newspapers, shall -

- (a) be the same in all notices;
- (b) be calculated from the date of first publication; and
- (c) make provision for a period of submission of comments and objections of at least 28 days.

The advertisement must be placed **once a week for two consecutive weeks.**

All advertisements shall be published in English.

See **Schedule 43** or the draft newspaper advertisement.

5. **NOTICES**

The **site notice** shall be posted **simultaneously with the first advertisement and maintained for at least twenty-eight (28) days.**

The site notice must be at least A3 in size, printed on white laminated paper and in the format prescribed by the Municipality.

The site notice must be placed in a conspicuous place on the land to be developed and shall be unobstructed from view, clearly visible and readable.

Where a property is adjoined by more than one street, a site notice shall be placed along each adjoining street.

If the property is situated at such a distance from a public road or other public place that the notice cannot be read from there, the placard shall also be displayed at every public entrance of the public place.

In the case of an application within an existing business centre or other similar place to which the public has access, a notice shall be displayed and maintained in a conspicuous place at the entrance of the shop to which the application refers, and at each public entrance of the business centre.

The applicant shall, within 21 days from the last day of display of the notice, submit a sworn affidavit to the Municipality, confirming the maintenance of the site notice and shall further submit photographs of the site notice which shows the dates during which the site notice was displayed.

The site notice shall be written in English.

See **Schedule 35** for the draft site notice.

6. **RAISING OF OBJECTIONS**

Provision is made in the draft newspaper advertisements & the site notice as well as in the notification to the adjoining property owners for a 28 day period wherein objections against the application may be submitted. This period is calculated from the date of publication of the first advertisement must be provided in all newspaper advertisements as well as the large notice on the property.

Any objections/comments or representations with regard to the specific application must be submitted in writing to the City Planning Offices, at the applicable Customer Care Centre on or before the final date of the objection period as stated in the advertisements and/or notices.

7. Any objections/comments/representations received by the Municipality will be forwarded to the applicant and the applicant will have a reasonable opportunity after the objection period is over to reply in writing to any such objections/comments/representations and before the municipality considers the application.
8. The Municipality will take into consideration any objection received within the prescribed period and will notify the applicant and the persons, if any, from whom objections/comments/representations were received, of its decision.

The applicant and/or any of the aforesaid persons, **if aggrieved by the decision of the Council**, may then appeal to the Ekurhuleni Metropolitan Municipality Appeals Authority, in writing. (The contact details for this Authority will be made available by the City Planning Offices at the applicable Customer Care Centre)

9. The decision of the Municipality will not take effect if an appeal has been lodged, until such appeal is disposed of by the Ekurhuleni Metropolitan Municipality Appeals Authority.
10. The attention of applicant/s is directed to the fact that the responsibility of ascertaining whether this procedure may, or may not be followed, to obtain certain land use rights, is entirely their own (i.e. the applicant's). It must be clearly understood that these forms are being issued without prejudice.
11. Applicants are advised in their own interest to pay close attention to the aforementioned, since an application cannot be accepted or considered, until the required information and/or documents are furnished satisfactorily.

NB. THIS APPLICATION DOES NOT EXEMPT APPLICANTS FROM COMPLIANCE WITH OTHER PROCEDURE AND/OR REQUIREMENTS PRESCRIBED BY ANY OTHER APPLICABLE LEGISLATION.

12. **PLEASE NOTE:**

MERELY SUBMITTING AN APPLICATION, *MUST NOT BE CONSIDERED* AS APPROVAL BEING GRANTED. A SUBMITTED APPLICATION IS MERELY FOR CONSIDERATION AND THE FINAL DECISION MUST STILL BE MADE BY COUNCIL.

SCHEDULE 19 – TOWNSHIP ESTABLISHMENT APPLICATION FORM

TE-1



**APPLICATION FORM FOR
TOWNSHIP ESTABLISHMENT
IN TERMS OF SECTION 38 OF THE COEMM SPATIAL PLANNING AND LAND USE MANAGEMENT
BY-LAW, 2019**

TO: The Area Manager: City Planning

..... Customer Care Centre

COE REFERENCE NO.

DATE:..... 20.....

1. DESCRIPTION OF LAND ACCORDING TO TITLE DEED

Proposed Township	
Holding/Portion	
Agricultural Holdings/Farm	
Number and Name of Street or Road	

2. PROPOSED USE(S)

Proposed Zoning	
Proposed Height	
Proposed Coverage	
Proposed Floor Area Ratio	
Proposed Density	
Proposed Parking Ratio	
Proposed Building Lines	
Additional Information (if applicable)	

3. **PROPERTY INFORMATION**

Town Planning Scheme	Ekurhuleni Town Planning Scheme, 2014	
Current zoning		
Property size (m ²)		
Bond	YES	N/A
Bondholder's Name		
Special Power of Attorney	YES	N/A
Company Resolution	YES	N/A

4. **APPLICANT'S DETAILS**

Type of applicant	INDIVIDUAL	LEGAL ENTITY/OTHER
Name of Legal Entity/other		
Company / CC Registration number		
Representative name		
Are you a Registered Planner?	YES	NO
SACPLAN Registration No.		
Title		
Initial		
First Name(s)		
Surname		
Postal Address		
Physical Address		
E-Mail Address		
Cell Phone		
Telephone		

5. **OWNER'S DETAILS (if different from applicant)**

Type of applicant	INDIVIDUAL	LEGAL ENTITY/OTHER
Name of Legal Entity/other		

Company / CC Registration number			
Representative name			
Title			
Initial			
First Name(s)			
Surname			
ID Number			
Postal Address			
Physical Address			
E-Mail Address			
Cell Phone			
Telephone			
Details of Owner's/ Marital Status	Not Applicable	Married in Community of Property	Married in out of Community of Property

6. **REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATION FORMS:**

Documents required	Number of copies	Submitted (X or N/A)
Documents to be attached to the application form		
Application fee		
Confirmation of from engineering services departments in respect of services capacity (pre-consultation)	1	
Proof of registration as a Registered Planner	1	
Bondholder's Consent (if applicable)	2	
Comments from the External Departments	1	
Company Resolution (if applicable)	2	
Layout Plan	20	
Maps (Locality Plan, Land Use Plan, Zoning Map)	20	
Motivated memorandum	20	
Special Power of Attorney (if applicable)	2	
Title Deed / Leasehold Title	2	
Environmental Impact Assessment (if applicable)	2	
Floodline Certificate	2	
Geotechnical Investigation (if applicable)	2	
Mineral Rights Holder's Consent (if applicable)	2	
Traffic Impact Study (if required)	2	
Documents to be submitted prior to the finalisation of the application		
Affidavit confirming that the site notice was maintained	1	
Photographic evidence of site notice	1	

Proof of Newspaper advertisement	1	
Proof of Provincial Gazette advertisement	1	
Proof of notification of the adjoining property owners	1	
Affidavit confirming that the site notice was maintained	1	

DECLARATION OF COMPLIANCE

I/We.....

ID Number/s

hereby declare that:

I/ We have provided the correct information to the Municipality to enable it to take an informed decision.

I/ We understand that the Municipality has the authority to ensure orderly built environment through land use management.

I/ We declare that all conditions attached to this application, if approved, will be fully complied with.

I/ We certify that the municipal officials shall be granted access to the property in order to conduct inspections and other related municipal functions.

Signed aton day month year

SIGNATURE OF APPLICANT/S:

If the property is registered in more than one person's name all owners need to sign.



GENERAL INFORMATION AND PROCEDURE FOR
TOWNSHIP ESTABLISHMENT APPLICATION
IN TERMS OF SECTION 38 OF THE COEMM SPATIAL PLANNING AND LAND USE MANAGEMENT
BY-LAW, 2019

To be read with form TE-1

1. **APPLICATION**

A complete application duly completed and accompanied by prescribed documents, must be submitted to the City Planning office at the applicable Customer Care Centre. Further information can also be obtained from the relevant Customer Care Centre.

2. **LODGING OF APPLICATION**

THE APPLICANT MUST SUBMIT THE FOLLOWING TO:

The Area Manager: City Planning

See **Schedule 47** for full details of applicable Customer Care Centre where the application must be submitted.

- (a) An application form, duly signed by the applicant.
- (b) If the applicant is not the registered owner of the property, the application must be accompanied by a **Power of Attorney from the registered owner**.
- (c) Should the owner of the property be a registered company, a **resolution** taken by the board of directors of the company, authorising the relevant director/employee to apply on behalf of the company, is required in addition.
- (d) A **fully** motivated memorandum clearly setting forth the applicant's intentions, including the following:
 - (i) Locality Map
 - (ii) Land Use and Zoning Map
 - (iii) **Need** and **desirability** of proposed use(s) at the specific location.
 - (iv) Extent, use(s) and floor space(s) of intended building(s) as well as the total area required in respect of the proposed use(s).
- (e) Township Layout plan, in A4/A3 size, showing the following in relation to each other and the property:

- (i) Proposed roads and erven
 - (ii) Schedule of rights (proposed zoning, etc.)
 - (iii) Contours
 - (iv) Existing buildings
 - (v) Scale
 - (vi) North point
- (f) A copy of the relevant Title Deed(s) of the property.
 - (g) Bondholder's Consent (if applicable)
 - (h) Proof of Provincial Gazette & newspaper advertisement (**full pages** of the newspapers in which the advertisements appeared **or** editor's certificates).
 - (i) An affidavit must be submitted as proof of posting the notice on the property & must be sworn to/confirmed and signed before a Commissioner of Oaths. A photograph of the notice on site must also be submitted.
 - (j) Comments from the relevant external departments.
 - (k) Environmental Impact Assessment (if listed activity).
 - (l) Traffic Impact Study (if greater than 50 peak hour trips).
 - (m) Geotechnical investigation.
 - (n) Proof of registration as a Registered Planner
 - (o) Comments from the engineering services departments.
 - (p) An Application fee as per Council Tariffs payable to the **Municipality**.

3. NOTIFICATION OF ADJOINING PROPERTY OWNERS

The applicant shall notify each adjoining property owner of the application by registered post or hand delivery.

If the adjoining property owners form part of a body corporate, the notice may be delivered in the onsite post boxes of the adjoining property owners and the applicant may submit email / facsimile correspondence as proof of receipt of the notice so delivered. Alternatively, comments from the board of trustees of the body corporate may be obtained.

If the adjoining property does not reside on the adjoining property, the applicant shall notify them by registered post.

The applicant shall submit proof of the notification of the adjoining property owners to the Municipality on this prescribed form.

See **Schedule 31, 32 and 33**.

4. **NEWSPAPER & PROVINCIAL GAZETTE ADVERTISEMENTS**

The application must be advertised in the Provincial Gazette and two newspapers circulating in the area where the land concerned is situated.

The application may only be advertised AFTER lodging thereof with the Municipality

The first publication of the notice shall appear in the Provincial Gazette and one of the newspapers on the same date.

If the date of publication of the two newspapers referred to does not correspond, the closing date by which comments and objections shall be submitted, as indicated in the notices in the different newspapers, shall -

- (a) be the same in all notices;
- (b) be calculated from the date of first publication; and
- (c) make provision for a period of submission of comments and objections of at least 28 days.

The advertisement must be placed **once a week for two consecutive weeks**.

All advertisements shall be published in English.

See **Schedule 42** for the draft newspaper advertisement.

5. **NOTICES**

The **site notice** shall be posted **simultaneously with the first advertisement and maintained for at least twenty-eight (28) days**.

The site notice must be at least A3 in size, printed on white laminated paper and in the format prescribed by the Municipality.

The site notice must be placed in a conspicuous place on the land to be developed and shall be unobstructed from view, clearly visible and readable.

Where a property is adjoined by more than one street, a site notice shall be placed along each adjoining street.

If the property is situated at such a distance from a public road or other public place that the notice cannot be read from there, the placard shall also be displayed at every public entrance of the public place.

In the case of an application within an existing business centre or other similar place to which the public has access, a notice shall be displayed and maintained in a conspicuous place at the entrance of the shop to which the application refers, and at each public entrance of the business centre.

The applicant shall, within 21 days from the last day of display of the notice, submit a sworn affidavit to the Municipality, confirming the maintenance of the site notice and shall further submit photographs of the site notice which shows the dates during which the site notice was displayed.

The site notice shall be written in English.

See **Schedule 35** for the draft site notice.

6. **RAISING OF OBJECTIONS**

Provision is made in the draft newspaper advertisements & the site notice for a 28 day period wherein objections against the application may be submitted. This period is **calculated from the date of publication of the first advertisement** must be provided in all newspaper advertisements as well as the large notice on the property.

Any objections/comments or representations with regard to the specific application must be submitted in writing to the City Planning Offices, at the applicable Customer Care Centre on or before the final date of the objection period as stated in the advertisements and/or notices.

7. Any objections/comments/representations received by the Municipality will be forwarded to the applicant and the applicant will have a reasonable opportunity after the objection period is over to reply in writing to any such objections/comments/representations and before the municipality considers the application.
8. The Municipality will take into consideration any objection received within the prescribed period and will notify the applicant and the persons, if any, from whom objections/comments/representations were received, of its decision.

The applicant and/or any of the aforesaid persons, **if aggrieved by the decision of the Council**, may then appeal to the Ekurhuleni Metropolitan Municipality Appeals Authority, in writing. (The contact details for this Authority will be made available by the City Planning Offices at the applicable Customer Care Centre)

9. The decision of the Municipality will not take effect if an appeal has been lodged, until such appeal is disposed of by the Ekurhuleni Metropolitan Municipality Appeals Authority.
10. The attention of applicant/s is directed to the fact that the responsibility of ascertaining whether this procedure may, or may not be followed, to obtain certain land use rights, is entirely their own (i.e. the applicant's). It must be clearly understood that these forms are being issued without prejudice.
11. Applicants are advised in their own interest to pay close attention to the aforementioned, since an application cannot be accepted or considered, until the required information and/or documents are furnished satisfactorily.

NB. THIS APPLICATION DOES NOT EXEMPT APPLICANTS FROM COMPLIANCE WITH OTHER PROCEDURE AND/OR REQUIREMENTS PRESCRIBED BY ANY OTHER APPLICABLE LEGISLATION.

12. **PLEASE NOTE:**

MERELY SUBMITTING AN APPLICATION, *MUST NOT BE CONSIDERED AS APPROVAL* BEING GRANTED. A SUBMITTED APPLICATION IS MERELY FOR CONSIDERATION AND THE FINAL DECISION MUST STILL BE MADE BY COUNCIL.

SCHEDULE 21 – EXTENSION OF TOWNSHIP BOUNDARIES APPLICATION FORM

EXT-1



**APPLICATION FORM FOR
EXTENSION OF TOWNSHIP BOUNDARIES
IN TERMS OF SECTION 40 OF THE COEMM SPATIAL PLANNING AND LAND USE MANAGEMENT
BY-LAW, 2019**

TO: The Area Manager: City Planning

..... Customer Care Centre

COE REFERENCE NO.

DATE:..... 20.....

1. DESCRIPTION OF LAND ACCORDING TO TITLE DEED

Proposed Township	
Holding/Portion	
Agricultural Holdings/Farm	
Number and Name of Street or Road	

2. PROPOSED USE(S)

Proposed Zoning	
Proposed Height	
Proposed Coverage	
Proposed Floor Area Ratio	
Proposed Density	
Proposed Parking Ratio	
Proposed Building Lines	
Additional Information (if applicable)	

3. **PROPERTY INFORMATION**

Town Planning Scheme	Ekurhuleni Town Planning Scheme, 2014	
Current zoning		
Property size (m ²)		
Bond	YES	N/A
Bondholder's Name		
Special Power of Attorney	YES	N/A
Company Resolution	YES	N/A

4. **APPLICANT'S DETAILS**

Type of applicant	INDIVIDUAL	LEGAL ENTITY/OTHER
Name of Legal Entity/other		
Company / CC Registration number		
Representative name		
Are you a registered Planner?	YES	NO
SACPLAN Registration No.		
Title		
Initial		
First Name(s)		
Surname		
Postal Address		
Physical Address		
E-Mail Address		
Cell Phone		
Telephone		

5. **OWNER'S DETAILS (if different from applicant)**

Type of applicant	INDIVIDUAL	LEGAL ENTITY/OTHER
Name of Legal Entity/other		

Company / CC Registration number			
Representative name			
Title			
Initial			
First Name(s)			
Surname			
ID Number			
Postal Address			
Physical Address			
E-Mail Address			
Cell Phone			
Telephone			
Details of Owner's/ Marital Status	Not Applicable	Married in Community of Property	Married in out of Community of Property

6. **REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATION FORMS:**

Documents required	Number of copies	Submitted (X or N/A)
Documents to be attached to the application forms		
Application fee		
Confirmation of from engineering services departments in respect of services capacity (pre-consultation)	1	
Proof of registration as a Registered Planner	1	
Bondholder's Consent (if applicable)	2	
Comments from the External Departments	1	
Company Resolution (if applicable)	2	
Layout Plan	20	
Maps (Locality Plan, Land Use Plan, Zoning Map)	20	
Motivated memorandum	20	
Special Power of Attorney (if applicable)	2	
Title Deed / Leasehold Title	2	
Environmental Impact Assessment (if applicable)	2	
Floodline Certificate	2	
Geotechnical Investigation (if applicable)	2	
Mineral Rights Holder's Consent (if applicable)	2	
Traffic Impact Study (if required)	2	
Documents to be submitted prior finalisation of the application		
Affidavit confirming that the site notice was maintained	1	
Photographic evidence of site notice	1	
Proof of Newspaper advertisement	1	

Proof of Provincial Gazette advertisement	1	
Proof of notification of the adjoining property owners	1	

DECLARATION OF COMPLIANCE

I/We.....

ID Number/s.....

hereby declare that:

I/ We have provided the correct information to the Municipality to enable it to take an informed decision.

I/ We understand that the Municipality has the authority to ensure orderly built environment through land use management.

I/ We declare that all conditions attached to this application, if approved, will be fully complied with.

I/ We certify that the municipal officials shall be granted access to the property in order to conduct inspections and other related municipal functions.

Signed aton day month year

SIGNATURE OF APPLICANT/S:

If the property is registered in more than one person's name all owners need to sign.



GENERAL INFORMATION AND PROCEDURE FOR
EXTENSION OF TOWNSHIP BOUNDARIES APPLICATION
IN TERMS OF SECTION 40 OF THE COEMM SPATIAL PLANNING AND LAND USE MANAGEMENT
BY-LAW, 2019

To be read with form EXT-1

1. **APPLICATION**

A complete application duly completed and accompanied by prescribed documents, must be submitted to the City Planning office at the applicable Customer Care Centre. Further information can also be obtained from the relevant Customer Care Centre.

2. **LODGING OF APPLICATION**

THE APPLICANT MUST SUBMIT THE FOLLOWING TO:

The Area Manager: City Planning

See **Schedule 47** for full details of applicable Customer Care Centre where the application must be submitted.

- (a) An application form, duly signed by the applicant.
- (b) If the applicant is not the registered owner of the property, the application must be accompanied by a **Power of Attorney from the registered owner**.
- (c) Should the owner of the property be a registered company, a **resolution** taken by the board of directors of the company, authorising the relevant director/employee to apply on behalf of the company, is required in addition.
- (d) A **fully** motivated memorandum clearly setting forth the applicant's intentions, including the following:
 - (v) Locality Map
 - (vi) Land Use and Zoning Map
 - (vii) **Need** and **desirability** of proposed use(s) at the specific location.
 - (viii) Extent, use(s) and floor space(s) of intended building(s) as well as the total area required in respect of the proposed use(s).
- (e) Township Layout plan, in A4/A3 size, showing the following in relation to each other and the property:

- (vii) Proposed roads and erven
 - (viii) Schedule of rights (proposed zoning, etc.)
 - (ix) Contours
 - (x) Existing buildings
 - (xi) Scale
 - (xii) North point
- (f) A copy of the relevant Title Deed(s) of the property.
 - (g) Bondholder's Consent (if applicable)
 - (h) Proof of Provincial Gazette & newspaper advertisement (**full pages** of the newspapers in which the advertisements appeared **or** editor's certificates).
 - (i) An affidavit must be submitted as proof of posting the notice on the property & must be sworn to/confirmed and signed before a Commissioner of Oaths. A photograph of the notice on site must also be submitted.
 - (j) Comments from the relevant external departments.
 - (k) Environmental Impact Assessment (if listed activity).
 - (l) Traffic Impact Study (if greater than 50 peak hour trips).
 - (m) Geotechnical investigation.
 - (n) Proof of registration as a Registered Planner.
 - (o) An Application fee as per Council Tariffs payable to the **Municipality**.

3. **NOTIFICATION OF ADJOINING PROPERTY OWNERS**

The applicant shall notify each adjoining property owner of the application by registered post or hand delivery.

If the adjoining property owners form part of a body corporate, the notice may be delivered in the onsite post boxes of the adjoining property owners and the applicant may submit email / facsimile correspondence as proof of receipt of the notice so delivered. Alternatively, comments from the board of trustees of the body corporate may be obtained.

If the adjoining property does not reside on the adjoining property, the applicant shall notify them by registered post.

The applicant shall submit proof of the notification of the adjoining property owners to the Municipality on this prescribed form.

See **Schedule 31, 32 and 33**.

4. **NEWSPAPER & PROVINCIAL GAZETTE ADVERTISEMENTS**

The application must be advertised in the Provincial Gazette and two newspapers circulating in the area where the land concerned is situated.

The application may only be advertised AFTER lodging thereof with the Municipality

The first publication of the notice shall appear in the Provincial Gazette and one of the newspapers on the same date.

If the date of publication of the two newspapers referred to does not correspond, the closing date by which comments and objections shall be submitted, as indicated in the notices in the different newspapers, shall -

- (a) be the same in all notices;
- (b) be calculated from the date of first publication; and
- (c) make provision for a period of submission of comments and objections of at least 28 days.

The advertisement must be placed **once a week for two consecutive weeks**.

All advertisements shall be published in English.

See **Schedule 42** for the draft newspaper advertisement.

5. **NOTICES**

The **site notice** shall be posted **simultaneously with the first advertisement and maintained for at least twenty-eight (28) days**.

The site notice must be at least A3 in size, printed on white laminated paper and in the format prescribed by the Municipality.

The site notice must be placed in a conspicuous place on the land to be developed and shall be unobstructed from view, clearly visible and readable.

Where a property is adjoined by more than one street, a site notice shall be placed along each adjoining street.

If the property is situated at such a distance from a public road or other public place that the notice cannot be read from there, the placard shall also be displayed at every public entrance of the public place.

In the case of an application within an existing business centre or other similar place to which the public has access, a notice shall be displayed and maintained in a conspicuous place at the entrance of the shop to which the application refers, and at each public entrance of the business centre.

The applicant shall, within 21 days from the last day of display of the notice, submit a sworn affidavit to the Municipality, confirming the maintenance of the site notice and shall further submit photographs of the site notice which shows the dates during which the site notice was displayed.

The site notice shall be written in English.

See **Schedule 35** for the draft site notice.

6. **RAISING OF OBJECTIONS**

Provision is made in the draft newspaper advertisements & the site notice for a 28 day period wherein objections against the application may be submitted. This period is **calculated from the date of publication of the first advertisement** must be provided in all newspaper advertisements as well as the large notice on the property.

Any objections/comments or representations with regard to the specific application must be submitted in writing to the City Planning Offices, at the applicable Customer Care Centre on or before the final date of the objection period as stated in the advertisements and/or notices.

7. Any objections/comments/representations received by the Municipality will be forwarded to the applicant and the applicant will have a reasonable opportunity after the objection period is over to reply in writing to any such objections/comments/representations and before the municipality considers the application.
8. The Municipality will take into consideration any objection received within the prescribed period and will notify the applicant and the persons, if any, from whom objections/comments/representations were received, of its decision.

The applicant and/or any of the aforesaid persons, **if aggrieved by the decision of the Council**, may then appeal to the Ekurhuleni Metropolitan Municipality Appeals Authority, in writing. (The contact details for this Authority will be made available by the City Planning Offices at the applicable Customer Care Centre)

9. The decision of the Municipality will not take effect if an appeal has been lodged, until such appeal is disposed of by the Ekurhuleni Metropolitan Municipality Appeals Authority.
10. The attention of applicant/s is directed to the fact that the responsibility of ascertaining whether this procedure may, or may not be followed, to obtain certain land use rights, is entirely their own (i.e. the applicant's). It must be clearly understood that these forms are being issued without prejudice.
11. Applicants are advised in their own interest to pay close attention to the aforementioned, since an application cannot be accepted or considered, until the required information and/or documents are furnished satisfactorily.

NB. THIS APPLICATION DOES NOT EXEMPT APPLICANTS FROM COMPLIANCE WITH OTHER PROCEDURE AND/OR REQUIREMENTS PRESCRIBED BY ANY OTHER APPLICABLE LEGISLATION.

12. **PLEASE NOTE:**

MERELY SUBMITTING AN APPLICATION, *MUST NOT BE CONSIDERED AS APPROVAL* BEING GRANTED. A SUBMITTED APPLICATION IS MERELY FOR CONSIDERATION AND THE FINAL DECISION MUST STILL BE MADE BY COUNCIL.

SCHEDULE 23 – DIVISION / PHASING OF TOWNSHIP APPLICATION FORM

DIVTE -1



**APPLICATION FORM FOR
DIVISION / PHASING OF AN APPROVED TOWNSHIP APPLICATION
IN TERMS OF SECTION 39 OF THE COEMM SPATIAL PLANNING AND LAND USE MANAGEMENT
BY-LAW, 2019**

TO: The Area Manager: City Planning

..... Customer Care Centre

COE REFERENCE NO.

DATE:..... 20.....

1. TOWNSHIP DESCRIPTION

Approved Township name	
Holding/Portion	
Agricultural Holdings/Farm	

2. PROPOSED DIVISION / PHASING

Number of divisions / phases to be created	
Proposed Township Extensions allocated for this application	

3. APPLICANT'S DETAILS

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company / CC Registration number		
Representative name		
Title		
Initial		
First Name(s)		

Surname	
Postal Address	
Physical Address	
E-Mail Address	
Cell Phone	
Telephone	

4. REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATION FORMS:

Documents required	Number of copies	Submitted (X or N/A)
Application fee		
Motivated Memorandum	8	
Approved Conditions of Establishment	8	
Approved Layout Plan	8	
Phasing / Divisional Layout Plans	8	

DECLARATION OF COMPLIANCE

I/We.....

ID Number/s.....

hereby declare that:

I/ We have provided the correct information to the Municipality to enable it to take an informed decision.

I/ We understand that the Municipality has the authority to ensure orderly built environment through land use management.

I/ We declare that all conditions attached to this application, if approved, will be fully complied with.

I/ We certify that the municipal officials shall be granted access to the property in order to conduct inspections and other related municipal functions.

Signed aton day month year

SIGNATURE OF APPLICANT/S:

If the property is registered in more than one person's name all owners need to sign.



GENERAL INFORMATION AND PROCEDURE FOR
DIVISION/PHASING OF AN APPROVED TOWNSHIP APPLICATION
IN TERMS OF SECTION 39 OF THE COEMM SPATIAL PLANNING AND LAND USE MANAGEMENT
BY-LAW, 2019

To be read with form DIVTE-1

1. **APPLICATION**

A complete application duly completed and accompanied by prescribed documents, must be submitted to the City Planning office at the applicable Customer Care Centre. Further information can also be obtained from the relevant Customer Care Centre.

2. **LODGING OF APPLICATION**

THE APPLICANT MUST SUBMIT THE FOLLOWING TO:

The Area Manager: City Planning

See **Schedule 47** for full details of applicable Customer Care Centre where the application must be submitted.

- (a) An application form, duly signed by the applicant.
- (b) A **fully** motivated memorandum clearly setting forth the applicant's intentions, including the following:
 - (i) **Need** and **desirability** of proposed division/phasing.
 - (ii) Number of phases the approved township will be divided into.
 - (iii) Proposed development controls for each phase/division.
- (c) Approved Conditions of Establishment.
- (d) Approved Township Layout Plan.
- (e) Divisional/ Phasing Township Layout plans, in A4/A3 size, showing the following in relation to each other and the property:
 - (i) Proposed roads and erven
 - (ii) Schedule of rights (proposed zoning, etc.)
 - (iii) Contours
 - (iv) Existing buildings
 - (v) Scale
 - (vi) North point

- (f) An Application fee as per Council Tariffs payable to the **Municipality**.

You are advised in your own interest to pay close attention to the aforementioned, since your application cannot be accepted or considered, until the required information and/or documents are furnished satisfactorily.



**APPLICATION FORM FOR
PRE-PROCLAMATION COMPLIANCE CERTIFICATE
IN TERMS OF SECTION 42 OF THE COEMM SPATIAL PLANNING AND LAND USE MANAGEMENT
BY-LAW, 2019**

TO: The Area Manager: City Planning

..... Customer Care Centre

COE REFERENCE NO.

DATE:..... 20.....

1. DECLARATION

I/We do hereby declare that all pre-proclamation conditions laid down by the City of Ekurhuleni Metropolitan Municipality have been complied with.

2. TOWNSHIP DESCRIPTION

Proposed Township	
Holding/Portion	
Agricultural Holdings/Farm	

3. APPLICANT'S DETAILS

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company / CC Registration number		
Representative name		
Title		
Initial		
First Name(s)		
Surname		

Postal Address	
Physical Address	
E-Mail Address	
Cell Phone	
Telephone	

4. REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATION FORMS:

Documents required	Submitted (X or N/A)
Conditions of Establishment	
General Plan	
Proof of compliance with all pre-proclamation conditions	

DECLARATION OF COMPLIANCE

I/We.....

ID Number/s.....

hereby declare that:

I/ We have provided the correct information to the Municipality to enable it to take an informed decision.

I/ We understand that the Municipality has the authority to ensure orderly built environment through land use management.

I/ We declare that all conditions attached to this application, if approved, will be fully complied with.

I/ We certify that the municipal officials shall be granted access to the property in order to conduct inspections and other related municipal functions.

Signed aton day month year

SIGNATURE OF APPLICANT/S:

If the property is registered in more than one person's name all owners need to sign.



**GENERAL INFORMATION AND PROCEDURE FOR THE
PRE-PROCLAMATION COMPLIANCE CERTIFICATE APPLICATION
IN TERMS OF SECTION 42 OF THE COEMM SPATIAL PLANNING AND LAND USE MANAGEMENT
BY-LAW, 2019**

To be read with form S 42 -1

1. APPLICATION

A complete application duly completed and accompanied by prescribed documents, must be submitted to the City Planning office at the applicable Customer Care Centre. Further information can also be obtained from the relevant Customer Care Centre.

2. LODGING OF APPLICATION

THE APPLICANT MUST SUBMIT THE FOLLOWING TO:

The Area Manager: City Planning

See **Schedule 47** for full details of applicable Customer Care Centre where the application must be submitted.

- (a) An application form for the Council's consent, duly signed by the applicant.
- (b) A copy of the latest Conditions of Establishment issued by Council.
- (c) A copy of the approved General Plan for the township.
- (d) Proof that each and every pre-proclamation conditions has been complied with.

3. You are advised in your own interest to pay close attention to the aforementioned, since your application cannot be accepted or considered, until the required information and/or documents are furnished satisfactorily.

SCHEDULE 27 – SERVICES AGREEMENT APPLICATION FORM

SA-1



**APPLICATION FORM FOR
SERVICES AGREEMENT APPLICATIONS
IN TERMS OF SECTION 77(3) READ WITH SECTION 80(3) OF THE COEMM SPATIAL PLANNING
AND LAND USE MANAGEMENT BY-LAW, 2019**

TO: The Area Manager: City Planning

..... Customer Care Centre

COE REFERENCE NO.

DATE:..... 20.....

1. IN RESPECT OF:

Land Development Application	Property Description	X / N/A
Township Establishment	 Extension (to be established on Portion of the Farm held by title deed No.....)	
Rezoning	 (held by title deed No.....)	
Consent Use	 (held by title deed No.....)	

2. LAND DEVELOPMENT APPLICATION DETAILS

The application was submitted on (date)	
The application was approved on (date)	

3. NAME OF THE OWNER/PERSON DULY AUTHORISED TO SIGN THE SERVICES AGREEMENT

Name	
Address	
E-Mail	
Telephone Number	
Capacity	

4. **THE FOLLOWING INFORMATION/DOCUMENTS MUST BE PROVIDED AND/OR ANNEXED HERETO, IN ORDER FOR THE APPLICATION TO BE PROCESSED:**

Name of the owner of the property that is the subject of the land development		
<i>If not a natural person:</i> Registration number		
<i>If not a natural person:</i> Registered address of main place of business (not a postal address)		
<i>If not a natural person, a copy of the relevant resolution authorizing the signatory to sign the agreement on behalf of the township owner must be attached</i>		
Name and designation of the person who will sign the agreement on behalf of the land owner		
Is the property the subject of a sale agreement to a third party	YES	NO
<i>If the applicant is not the owner of the property, a copy of the power of attorney authorizing the applicant to act as the authorized agent of the owner of the property on which the township is to be established/being established.</i>		

5. **PROPOSED LAND USE CONTROLS APPLIED FOR** (please note that external services contribution charges will be calculated on the development controls applied for)

Erf / Ptn	Proposed zoning	Property size	Coverage	Height	FAR	Max potential: Number of units, floor area of offices / industry / restaurant etc., number of children / learners etc., no of seats etc.

6. **REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATION FORMS:**

Documents required	Submitted (X or N/A)
Approved General Plan (if applicable)	
Company Resolution/ CIPC documentation (if applicable)	
Conditions of Approval	
Copy of the Sale Agreement (if applicable)	
Excision certificate (if applicable)	
Pre-Proclamation Compliance Certificate (if applicable)	
Small Scale Diagram (if applicable)	
Special Power of Attorney (if applicable)	
Title Deed / Leasehold Title	

NOTES:

- (a) The property description to be filled out in (1) above - the property description referred to in the title deed and the property description on the general plan of the township have to be linked. Therefore, if the property description to be filled out in (1) is that of an agricultural holding, the following documents should accompany the application for a services agreement:
 - Excision certificate: such certificate to clearly states the “new” property description (i.e. what the property would be known as after excision)
 - In cases where the township is to be established on only a portion of the property, the small scale diagram of the property should also be attached.
- (b) The applicant is the applicant as defined in SPLUMA. Where the applicant is not a natural person, then the applicant is whoever acts on behalf of the legal entity from the nature of the applicant’s employment or in terms of a power of attorney
- (c) The resolution by the company that the signatory can sign the agreement on behalf of the legal entity, should not be signed by the signatory self. Preferably such resolution should be signed by the company secretary/ auditor or by other members/ directors of the legal entity. If the signatory of the legal entity is the sole director of the company or sole member of the close corporation, proof thereof should be provided.
- (d) If the property/township is the subject of a sale agreement to a third party, a copy of the deed of sale must be provided.

DECLARATION OF COMPLIANCE

I/We.....

ID Number/s.....

hereby declare that:

I/ We have provided the correct information to the Municipality to enable it to take an informed decision.

I/ We understand that the Municipality has the authority to ensure orderly built environment through land use management.

I/ We declare that all conditions attached to this application, if approved, will be fully complied with.

I/ We certify that the municipal officials shall be granted access to the property in order to conduct inspections and other related municipal functions.

Signed aton day month year
.....

SIGNATURE OF APPLICANT/S:

If the property is registered in more than one person’s name all owners need to sign.



GENERAL INFORMATION AND PROCEDURE FOR
SERVICES AGREEMENT APPLICATION
IN TERMS OF SECTION 77(3) READ WITH SECTION 80(3) OF THE COEMM SPATIAL PLANNING
AND LAND USE MANAGEMENT BY-LAW, 2019

To be read with form SA-1

1. **APPLICATION**

A complete application duly completed and accompanied by prescribed documents, must be submitted to the City Planning office at the applicable Customer Care Centre. Further information can also be obtained from the relevant Customer Care Centre.

2. **LODGING OF APPLICATION**

THE APPLICANT MUST SUBMIT THE FOLLOWING TO:

The Area Manager: City Planning

See **Schedule 47** for full details of applicable Customer Care Centre where the application must be submitted.

- (a) An application form, duly signed by the applicant.
- (b) If the applicant is not the registered owner of the property, the application must be accompanied by a **Power of Attorney from the registered owner** conferring the right to sign the engineering service agreement on behalf of the land owner.
- (c) Should the owner of the property be a registered company, a resolution taken by the board of directors of the company, authorising the relevant director/employee to apply on behalf of the company, is required in addition.
- (d) In the event that the company/ closed corporation (CC) only has one director/member, the relevant CC/Company Registration form issued by CIPC (Companies & Intellectual Property Commission) (previously CIPRO – Companies & Intellectual Property Registration Office) is required in addition.
- (e) A copy of the General Plan for the township (if applicable).
- (f) A copy of the approved Small Scale Diagram / Subdivision Diagram (if applicable).
- (g) A copy of the signed Pre-Proclamation Compliance Certificate (if applicable).

- (h) A copy of Conditions of approval.
 - (i) A copy of the relevant Title Deed(s) of the property.
 - (j) A copy of the excision certificate clearly stating the new farm portion number (if applicable).
3. Applicants are advised in their own interest to pay close attention to the aforementioned, since an application cannot be accepted or considered, until the required information and/or documents are furnished satisfactorily.

SCHEDULE 29 – SECTION 125 CERTIFICATE APPLICATION FORM

S125-1



**APPLICATION FORM FOR
SECTION 125 CERTIFICATE APPLICATIONS
IN TERMS OF SECTION 125 OF THE COEMM SPATIAL PLANNING AND LAND USE
MANAGEMENT BY-LAW, 2019**

TO: The Area Manager: City Planning

..... Customer Care Centre

COE REFERENCE NO.

DATE..... 20.....

1. TOWNSHIP DESCRIPTION

Township Name	
---------------	--

2. APPLICANT'S DETAILS

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company / CC Registration number		
Representative name		
Title		
Initial		
First Name(s)		
Surname		
Postal Address		
Physical Address		
E-Mail Address		
Cell Phone		
Telephone		

3. **REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATION FORMS:**

Documents required	Submitted (X or N/A)
Signed Services Agreement	
Proof of Compliance with conditions stipulated in the Services Agreement	
As-built engineering diagrams (if applicable)	
General Plan (if applicable)	
Conditions of Approval	
Proof of Compliance with all conditions in the Conditions of Approval	
Proclamation Notice	
Proof of Contribution Payments (if applicable)	
Proof of Maintenance Guarantees (if applicable)	
Special Power of Attorney	
Title Deed	

DECLARATION OF COMPLIANCE

I/We.....

ID Number/s.....

hereby declare that:

I/ We have provided the correct information to the Municipality to enable it to take an informed decision.

I/ We understand that the Municipality has the authority to ensure orderly built environment through land use management.

I/ We declare that all conditions attached to this application, if approved, will be fully complied with.

I/ We certify that the municipal officials shall be granted access to the property in order to conduct inspections and other related municipal functions.

Signed aton day month year

SIGNATURE OF APPLICANT/S:

If the property is registered in more than one person's name all owners need to sign.



**GENERAL INFORMATION AND PROCEDURE FOR
SECTION 125 CERTIFICATE APPLICATION
IN TERMS OF SECTION 125 OF THE COEMM SPATIAL PLANNING AND LAND USE
MANAGEMENT BY-LAW, 2019**

To be read with form S125-1

1. **APPLICATION**

A complete application duly completed and accompanied by prescribed documents, must be submitted to the City Planning office at the applicable Customer Care Centre. Further information can also be obtained from the relevant Customer Care Centre.

2. **LODGING OF APPLICATION**

THE APPLICANT MUST SUBMIT THE FOLLOWING TO:

The Area Manager: City Planning

See **Schedule 47** for full details of applicable Customer Care Centre where the application must be submitted.

- (a) An application form for the Council's consent, duly signed by the applicant. If the applicant is not the registered owner of the property, the application must be accompanied by a **Power of Attorney from the registered owner**. Should the owner of the property be a registered company, a resolution taken by the board of directors of the company, authorising the relevant director/employee to apply on behalf of the company, is required in addition.
- (b) A copy of the Services Agreement signed by Council and the Township Owner.
- (c) Proof of compliance with all conditions/requirements stipulated in the Services Agreement.
- (d) A copy of the Conditions of Approval.
- (e) Proof of compliance with all conditions/requirements stipulated in the Conditions of Approval, for example the erection of physical barriers/fences, registration of servitudes, removal of buildings constructed over erf boundaries, etc.
- (f) A copy of the proclamation notice declaring the land development application approved.
- (g) A copy of the approved General Plan for the township (if applicable).

- (h) As-built engineering plans (if required)
 - (i) A copy of the relevant Title Deed(s) of the property.
 - (j) Special Power of Attorney from the registered owner (if application is made by someone else) and if applicable, a company resolution
 - (k) Proof of maintenance Guarantees in respect of engineering services (if applicable).
 - (l) Proof of payment of External Engineering Services Contributions & Endowments (if contributions were charged by the services departments).
3. Applicants are advised in their own interest to pay close attention to the aforementioned, since an application cannot be accepted or considered, until the required information and/or documents are furnished satisfactorily.

IF ANY DIFFICULTIES ARE EXPERIENCED IN THIS REGARD, IT MAY BE ADVISABLE TO CONTACT A TOWN PLANNING CONSULTANT OR THE RELEVANT MUNICIPAL PLANNER FOR THE AREA.

NB. THIS APPLICATION DOES NOT EXEMPT APPLICANTS FROM COMPLIANCE WITH OTHER PROCEDURE AND/OR REQUIREMENTS PRESCRIBED BY ANY OTHER APPLICABLE LEGISLATION.

SCHEDULE 31 – PROOF OF NOTIFICATION TO THE ADJOINING PROPERTY OWNERS

In terms of, I/We confirm hereby that I/We **have been informed of the applicant’s intention to apply** to the Municipality, to use the property:

Erf/Holding/Portion	
Town/Agricultural Holdings/Farm	
Number and Name of Street/Road	
Land Development Application Type	
Proposed Use	

NAME OF RECIPIENT*	ADDRESS	SIGNATURE THAT RECIPIENT WAS NOTIFIED	CONTACT NUMBER	DATE NOTIFIED	I HAVE NO OBJECTION & WAVE MY 28 OBJECTION PERIOD (SIGNATURE REQUIRED)

***PLEASE NOTE:** This notification is for the owner of the property, if the owner does not reside on the property the applicant must send the letter by registered mail to the owner of the property as well and provide council with proof of such.

SCHEDULE 32 – LETTER OF NOTIFICATION TO THE ADJOINING PROPERTY OWNERS

Contact details of the adjoining property owner being informed:

Name	
Postal / Physical Address	

SIR / MADAM

In terms of Section 12 of the CITY OF EKURHULENI METROPOLITAN MUNICIPALITY SPATIAL PLANNING & LAND USE MANAGEMENT BY-LAW, 2019, you are hereby informed of my/our intention to apply to the Municipality **for the purpose of:**

LAND DEVELOPMENT APPLICATION TYPE	
PROPOSED USE	

in respect of:

Application Description	Site	Erf/portion/holding	
		Suburb/farm/agricultural holding	
		Street address	

You are hereby requested to furnish your comments/objections, if any, **in writing** to:

The Area Manager: City Planning Department

Customer Care Centre:

Physical Address:

Postal Address:

within a period of 28 days from the date of this letter (or within such time as the municipality may allow in respect of the abovementioned application.

ALSO FIND ATTACHED a copy of the application form, site plan and any other documentation that may reasonably be required to allow for an informed decision about the intended application.

Yours Sincerely,

.....
Applicant's Signature

.....
Name

.....
Date of Notification

* This notification is for the owner of the adjoining property and if the owner does not reside there the letter must be sent by registered mail to the owner of the property as well.

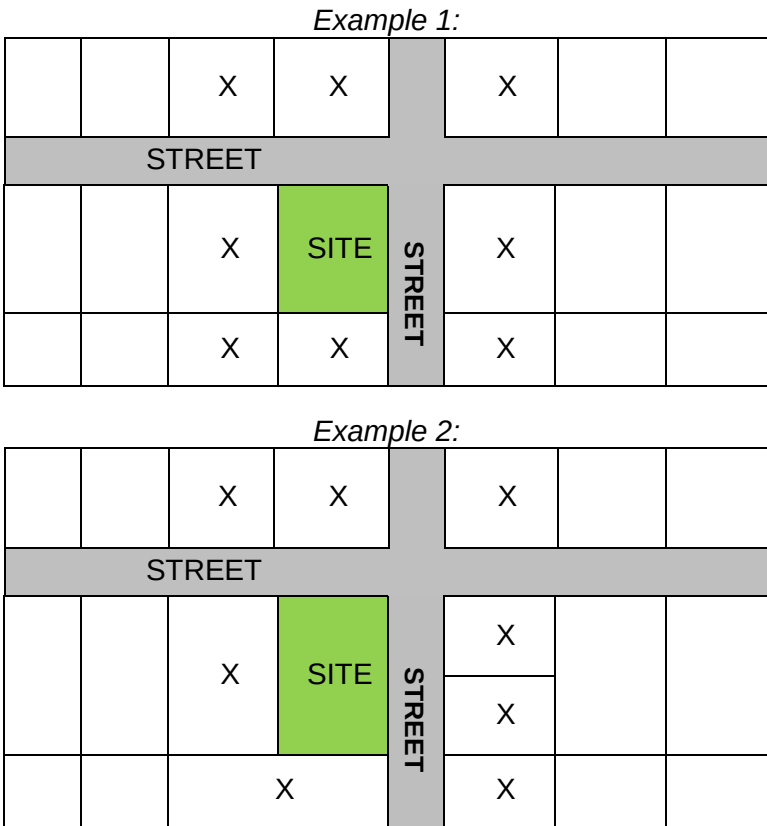
SCHEDULE 33 – AFFECTED ADJOINING PROPERTY OWNERS

Please note that it is the applicant’s duty to make sure from the relevant Customer Care Centre (City Planning Department) who the required adjoining property owners are to whom the notifications should be delivered or posted via registered mail. The sketches below are just an illustration.

Diagram A: Land development area in the centre of the block



Diagram B: Land development area on a corner of two streets



Erven marked **SITE** represent the land development area (application property)
Erven marked **X** represent the properties whose owners must receive the notice

SCHEDULE 34 – SPECIAL POWER OF ATTORNEY

*I/we (owner/s)
with ID number.....

OR

* I in my capacity as of
..... (Name of CC/Company) duly authorised thereto in
terms of resolution by the said CC/Company (a copy of the resolution is attached)

OR

*I..... in my capacity as sole member/director
of (name of CC/Company). (a copy of the
CC/Company registration form confirming that I am the sole member/director of the said
company and which form is issued by CIPC (Companies and Intellectual Property
Commission)(previously CIPRO companies and Intellectual Property Registration office)

do hereby nominate and constitute and appoint:

(applicant)
with ID number.....

with power substitution to be my lawful representative to make/withdraw any necessary
application for a

.....
.....
(list/provide detail of actions to be taken on behalf of the owner of the property)

And to take all such steps, do all such acts, sign all such documents as may be requisite in
order to give effect to the powers hereby granted and in general for effecting the purpose
aforesaid, to do or cause to be done whatsoever shall be requisite, as fully and effectually, for
all intents and purposes as I might or could do if personally present and acting herein – hereby
ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all
and whatsoever the said representative shall lawfully do, or cause to be done, by virtue of
these presents.

Signed aton this theday of..... 20.....

SIGNED:

In the presence of the undersigned witness:

As Witness:

1)

2)

*Delete whichever is not applicable

..... COMMISSIONER OF OATHS

COMMISSIONER'S STAMP

OR NAME

ADDRESS:

.....

SCHEDULE 35 – LAND DEVELOPMENT APPLICATION SITE NOTICE

LAND DEVELOPMENT APPLICATION NOTICE

NOTICE IS HEREBY GIVEN IN TERMS OF SECTION 11 OF THE CITY OF EKURHULENI METROPOLITAN MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW 2019, THAT I/WE HAVE APPLIED TO THE CITY OF EKURHULENI METROPOLITAN MUNICIPALITY FOR THE SPECIAL CONSENT USE / REZONING / REMOVAL OF RESTRICTIVE TITLE CONDITIONS / TOWNSHIP ESTABLISHMENT FOR:

PROPOSED USE:

PROPOSED CONDITIONS TO BE REMOVED:

APPLICATION IS MADE ON:

ERF/ PORTION:

ZONED:

PLANS AND/OR PARTICULARS RELATING TO THE APPLICATION MAY BE INSPECTED DURING OFFICE HOURS AT THE AREA MANAGER: CUSTOMER CARE CENTRE, DEPARTMENT CITY PLANNING, (PHYSICAL ADDRESS)

ANY PERSON HAVING AN OBJECTION TO THE PROPOSAL MAY LODGE SUCH OBJECTIONS, TOGETHER WITH THE GROUNDS THEREOF, IN WRITING AT THE ABOVE ADDRESS, OR BY POST TO THE AREA MANAGER: CUSTOMER CARE CENTRE, DEPARTMENT CITY PLANNING, (POSTAL ADDRESS), (CODE) ON OR BEFORE 28 DAYS FROM THE DATE OF THIS NOTICE.

DATE NOTICE IS PLACED: _____

CLOSING DATE FOR OBJECTIONS: _____

APPLICANT: _____

ADDRESS: _____

SIGNATURE: _____

*THIS NOTICE MUST BE AT LEAST A3-SIZE

SCHEDULE 36 – SWORN AFFIDAVIT

I, the undersigned,

.....(name)

do hereby make on Oath and state as follows/confirm:

1. That I am making application for consent to use erf/holding/portion

.....
..... (description of property.)

for the purpose of

.....

2. That the necessary notice(s) were posted and maintained on the above property by me, as required by the local authority, conspicuously and clearly legible from a public road, for a period of at least twenty-eight (28) days from

..... 20.... to 20....

..... APPLICANT'S SIGNATURE

Signed and sworn to/confirmed at

on this the day of20

Before me

..... COMMISSIONER OF OATHS

COMMISSIONER'S STAMP

OR NAME

ADDRESS:

.....

.....

* Affidavit to be signed AFTER 28-day period lapsed & thereafter the signed affidavit must be submitted to Council.

SCHEDULE 37 – CHECKLIST FOR ADVERTISEMENT OF SPECIAL CONSENT USE APPLICATIONS

USES ALLOWED BY SPECIAL CONSENT AS PER TABLE C, COLUMN 4	REQUIRE ADVERTISEMENT IN LOCAL NEWSPAPER
Abattoirs	YES
Agricultural Uses	NO
Art Galleries	NO
Auctioneers	NO
Brick Making	YES
Business Purposes	YES
Car Wash	NO
Caravan Parks	NO
Catteries	NO
Child Care Facilities	NO
Commercial Purposes	YES
Compost making for Commercial Purposes	YES
Conference Centres	YES
Correctional Facilities	YES
FAR	NO
Filling Station	YES
Fitment Centres	NO
Funeral Parlours	NO
Guest Houses	NO
Gymnasium	NO
Home Care Facilities	NO
Hospitals	YES
Hotels (excluding Off-Sales)	YES
Institutions	YES
Light Industries	NO
Military Facilities	YES
Motor Dealers	NO
Motor Workshops	NO
Municipal Purposes	NO
Museums	NO
Noxious Industries	YES
Old Age Homes	YES
Panel Beaters	YES
Places of Education and Places of Instruction ancillary to Agricultural Uses	NO
Places of Entertainment	YES
Places of Instruction	NO
Places of Public Worship	YES
Plant Nurseries	NO
Post Offices	NO
Resorts	YES
Restaurants	YES
Scrap Yards	YES
Service Industries	NO
Shops	NO
Social Halls	YES
Special Uses	YES
Sport and Recreation Clubs	NO
Taverns	AS PER POLICY
Tuck Shop	NO
Uses as shown on relevant Annexure	YES
Uses not in Columns 2 or 4	YES
Uses not in Columns 2 as determined by the "Municipality"	YES
Uses not in Columns 3 or 5	YES
Uses which are subservient and ancillary to the Land Use Category	NO
Veterinary Hospitals	YES
Waste Disposal Sites	YES
Zoological Gardens	YES

FURTHER REQUIREMENTS FOR NOTIFICATION IN TERMS OF SECTION 33(4) OF THE EKURHULENI TOWN PLANNING SCHEME, 2014 MAY BE IMPOSED AT THE DISCRETION OF THE MUNICIPALITY.

SCHEDULE 38 – SPECIAL CONSENT USE APPLICATIONS ADVERT TEMPLATE

CU-3

**NOTICE OF APPLICATION FOR A SPECIAL CONSENT USE APPLICATION IN TERMS
OF SECTION 58 OF THE CITY OF EKURHULENI METROPOLITAN MUNICIPALITY
SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019 READ WITH
CLAUSE 32 OF THE EKURHULENI TOWN PLANNING SCHEME, 2014.**

NOTICE IS HEREBY GIVEN that in terms of Section 10 of the City of Ekurhuleni Metropolitan Municipality Spatial Planning and Land Use Management By-Law, 2019, read with Clause 32 of the Ekurhuleni Town Planning Scheme, 2014, I/we, the undersigned,

.....
have applied to the City of Ekurhuleni Metropolitan Municipality, for special consent to use erf/holding/portion*
and the existing/proposed* buildings thereon for the following purpose(s)**

.....
The land is zoned " " in terms of the abovementioned Town Planning Scheme. Plans and/or particulars relating to the application may be inspected during office hours at:

The Area Manager: City Planning Department

Customer Care Centre:

Physical Address:

Postal Address:

Any person having any objection to the granting of this application must lodge such objection in writing, together with the grounds thereof, with the Area Manager: City Planning, at the abovementioned address, not later than 28 days from the date of first advertisement.

SIGNED:

* Delete which is not applicable.

** Please specify.

Date:

**SCHEDULE 39 – REMOVAL OF RESTRICTIVE TITLE CONDITIONS
APPLICATIONS ADVERT TEMPLATE**

ROR-3

**PROVINCIAL GAZETTE / NEWSPAPER ADVERTISEMENT FOR
REMOVAL OF RESTRICTIONS APPLICATIONS**

**NOTICE OF APPLICATION FOR THE REMOVAL OF RESTRICTIONS APPLICATION IN
TERMS OF SECTION 50 OF THE CITY OF EKURHULENI METROPOLITAN
MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019.**

I, being authorized agent of the owner hereby give notice in terms of Section 10 of the City of Ekurhuleni Metropolitan Municipality Spatial Planning and Land Use Management By-Law, 2019, that I have applied to the City of Ekurhuleni Metropolitan Municipality for the removal of certain conditions contained in the Title Deed T...../..... of ERF.....,(suburb/farm/agricultural holding) which property is situated at(street address).

Particulars of the application will lie for inspection during normal office hours at the office of the Area Manager: City Planning Department, Customer Care Centre of the City of Ekurhuleni Metropolitan Municipality, (PHYSICAL ADDRESS), for a period of 28 days from (the date of the first publication of this notice).

Objections to or representations in respect of the application must be lodged with or made in writing to the Area Manager: City Planning Department, Customer Care Centre of the City of Ekurhuleni Metropolitan Municipality, (PHYSICAL ADDRESS) or (POSTAL ADDRESS), (CODE), within a period of 28 days from

Address of the authorised agent:

SCHEDULE 40 – REZONING APPLICATIONS ADVERT TEMPLATE

RZ-3

PROVINCIAL GAZETTE / NEWSPAPER ADVERTISEMENT FOR REZONING APPLICATIONS

NOTICE OF APPLICATION FOR THE AMENDMENT OF TOWN PLANNING SCHEME APPLICATION IN TERMS OF SECTION 48 OF THE CITY OF EKURHULENI METROPOLITAN MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019

I, being
authorized agent of the owner of Erf/Erven/Portion(S)/Holding(S)
(suburb/farm/agricultural holding) hereby give notice in terms of Section 10 of the City of
Ekurhuleni Metropolitan Municipality Spatial Planning and Land Use Management By-Law,
2019, that I have applied to the City of Ekurhuleni Metropolitan Municipality for the amendment
of the Ekurhuleni Town Planning Scheme, 2014, by the rezoning of the property described
above, situated at (street address) from “.....” to
“.....”.

Particulars of the application will lie for inspection during normal office hours at the office of the
Area Manager: City Planning Department, Customer Care Centre of the City of
Ekurhuleni Metropolitan Municipality, (PHYSICAL ADDRESS), for a period of 28
days from (the date of the first publication of this notice).

Objections to or representations in respect of the application must be lodged with or made in
writing to the Area Manager: City Planning Department, Customer Care Centre of the
City of Ekurhuleni Metropolitan Municipality, (PHYSICAL ADDRESS) or
(POSTAL ADDRESS), (CODE), within a period of 28 days from

Address of the authorised agent:

SCHEDULE 41 – SIMULTANEOUS REMOVAL OF RESTRICTIONS AND REZONING APPLICATIONS ADVERT TEMPLATE

RRR-3

PROVINCIAL GAZETTE / NEWSPAPER ADVERTISEMENT FOR SIMULTANEOUS REZONING & REMOVAL OF RESTRICTIONS APPLICATIONS

NOTICE OF APPLICATION FOR SIMULTANEOUS REMOVAL OF RESTRICTIONS AND REZONING APPLICATION IN TERMS SECTION 68 OF THE CITY OF EKURHULENI METROPOLITAN MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019

I, being authorized agent of the owner hereby give notice in terms of Section 10 of the City of Ekurhuleni Metropolitan Municipality Spatial Planning and Land Use Management By-Law, 2019, that I have applied to the City of Ekurhuleni Metropolitan Municipality (..... Care Centre) for the removal of certain conditions contained in the Title Deed T...../..... of Erf/Erven/Portion/Holding....., (suburb/farm/agricultural holding) which property is situated at(street address) and for the simultaneous amendment of the Ekurhuleni Town Planning Scheme, 2014, by the rezoning of the property from “.....” to “.....”, subject to certain conditions.

Particulars of the application will lie for inspection during normal office hours at the office of the Area Manager: City Planning Department, Customer Care Centre of the City of Ekurhuleni Metropolitan Municipality, (PHYSICAL ADDRESS), for a period of 28 days from (the date of the first publication of this notice).

Objections to or representations in respect of the application must be lodged with or made in writing to the Area Manager: City Planning Department, Customer Care Centre of the City of Ekurhuleni Metropolitan Municipality,(PHYSICAL ADDRESS) or (POSTAL ADDRESS), (CODE), within a period of 28 days from

Address of the authorised agent:

**SCHEDULE 42 – TOWNSHIP ESTABLISHMENT/ EXTENSION OF BOUNDARIES
APPLICATIONS ADVERT TEMPLATE**

TE-3

**PROVINCIAL GAZETTE / NEWSPAPER ADVERTISEMENT FOR
TOWNSHIP ESTABLISHMENT APPLICATIONS**

**NOTICE OF APPLICATION FOR THE ESTABLISHMENT OF TOWNSHIP/EXTENSION OF
BOUNDARIES IN TERMS OF SECTION 38/ 40 OF THE CITY OF EKURHULENI
METROPOLITAN MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT
BY-LAW, 2019**

..... (*name of township*) EXTENSION
I/We..... (*full name*) being
the applicant hereby give notice in terms of Section 10 of the City of Ekurhuleni Metropolitan
Municipality Spatial Planning and Land Use Management By-Law, 2019, that I/we have
applied to the City of Ekurhuleni for the establishment of the township/extension of boundaries,
referred to in the Annexure hereto,

Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or
comment(s) with full contact details, without which the Municipality cannot correspond with
the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or
made in writing to: (*relevant CCA of City Planning*)
from..... (*the first date of the publication of the notice set
out in section 10 of the By-law referred to above*), until
..... (*not less than 28 days after the date of first
publication of the notice*).

Full particulars and plans (if any) may be inspected during normal office hours at the offices
as set out below, for a period of 28 days from the date of first publication of the advertisement
in the Provincial Gazette /..... newspaper.

Address of Municipal offices:
Closing date for any objections and/or comments:

Address of applicant (*Physical as well as postal address*):
.....
Telephone No:
Dates on which notice will be published:

ANNEXURE

Name of township: Extension

Full name of applicant:
Number of erven, proposed zoning and development control measures:
.....

The intension of the applicant in this matter is to: (*indicate the proposed
development*).....

Locality and description of property(ies) on which township is to be established:
.....

The proposed township is situated

Reference:

**SCHEDULE 43 – COMBINED APPLICATION APPLICATIONS ADVERT
TEMPLATE**

CA-3

**PROVINCIAL GAZETTE / NEWSPAPER ADVERTISEMENT FOR
SIMULTANEOUS REZONING & REMOVAL OF RESTRICTIONS &
APPLICATIONS**

**NOTICE OF APPLICATIONS FOR REZONING AND REMOVAL OF RESTRICTIONS IN TERMS
OF SECTIONS 68 OF THE CITY OF EKURHULENI METROPOLITAN MUNICIPALITY
SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019**

I, being authorized agent of the owner of
Erf/Erven/Portion/Holding....., (suburb/farm/agricultural holding), which
property is situated at(street address), hereby give notice in
terms of Section 10 of the City of Ekurhuleni Metropolitan Municipality Spatial Planning and
Land Use Management By-Law, 2019, that I have applied to the City of Ekurhuleni
Metropolitan Municipality (..... Care Centre) for the

- i) *removal of certain conditions** contained in the Title Deed T...../..... of the
property and/or
- ii) for the *amendment of the Ekurhuleni Town Planning Scheme, 2014*, by the
rezoning of the property from “.....” to “.....”, subject to certain
conditions and/or
- iii) for the special consent of council to use the property for the purpose of
.....

Particulars of the application will lie for inspection during normal office hours at the office of the
Area Manager: City Planning Department, Customer Care Centre of the City
of Ekurhuleni Metropolitan Municipality, (PHYSICAL ADDRESS), for a period
of 28 days from (the date of the first publication of this notice).

Objections to or representations in respect of the application must be lodged with or made in
writing to the Area Manager: City Planning Department, Customer Care Centre of
the City of Ekurhuleni Metropolitan Municipality,(PHYSICAL ADDRESS) or
..... (POSTAL ADDRESS), (CODE), within a period of 28 days from

Address of the authorised agent:

* delete whichever does not apply

SCHEDULE 44 – NOTICE FOR THE ALTERATION / AMENDMENT / PARTIAL CANCELLATION OF A GENERAL PLAN (APPLICATION)

AGP-3

CITY OF EKURHULENI METROPOLITAN MUNICIPALITY

NOTICE OF AN APPLICATION FOR THE ALTERATION/AMENDMENT OR PARTIAL CANCELLATION OF A GENERAL PLAN IN TERMS OF SECTION 63 OF THE CITY OF EKURHULENI METROPOLITAN MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019

I/we(full name) the applicant hereby gives notice in terms of section 63(3) of the City of Ekurhuleni Metropolitan Municipality Spatial Planning and Land Use Management By-law, 2019, that an application has been made for the alteration/amendment/total or partial cancellation of the general plan of the township known as
.....
.....

The application together with the relevant plans, documents and information will lie for inspection during normal office hours at the Municipal offices, at

for a period of 28 days from (the date of first publication of this notice).

Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to: (relevant address of CCA) from..... (the first date of the publication of the notice) until..... (not less than 28 days after the date of first publication of the notice).

Closing date for any objections

Address of applicant (Physical as well as postal address):
.....
.....

Telephone No:

Dates on which notice will be published:

Reference:

SCHEDULE 45 – CLOSURE OF AN OPEN SPACE

CITY OF EKURHULENI METROPOLITAN MUNICIPALITY

PROPOSED CLOSING OF _____ (Erf No)

Notice is hereby given in terms of sections 68 of the Local Government Ordinance, 1939 and Section 10 of the City of Ekurhuleni Metropolitan Municipality Spatial Planning and Land Use Management By-Law 2019 that the City of Ekurhuleni Metropolitan Municipality intends to close permanently Erf

A plan showing the locality of the abovementioned erf that is to be closed is open for inspection is in office,from(date of notice in the Provincial Gazette and newspapers) to(30 days from the first date) during working hours.

Any person who has any objection to the proposed closing of the said erf or who will have any claim for compensation if the aforesaid closing is carried out, shall lodge his objection or claim in writing with the..... CCA (see schedule 47 for full of applicable CCAs where the application must be submitted) not later than.....(Second date).

SCHEDULE 46 – ROAD CLOSURE

CITY OF EKURHULENI METROPOLITAN MUNICIPALITY

**PROPOSED CLOSING OF _____ (Street or portion of street
to be closed)**

Notice is hereby given in terms of sections 67 of the Local Government Ordinance, 1939 and Section 10 of the City of Ekurhuleni Metropolitan Municipality Spatial Planning and Land Use Management By-Law 2019 that the City of Ekurhuleni Metropolitan Municipality intends to close permanently Erf

A plan showing the locality of the abovementioned street/portion of street that is to be closed is open for inspection in office,from(date of notice in the Provincial Gazette and newspapers) to(30 days from the first date) during working hours.

Any person who has any objection to the proposed closing of the said erf or who will have any claim for compensation if the aforesaid closing is carried out, shall lodge his objection or claim in writing with the.....CCA (see schedule 47 for full of applicable CCAs where the application must be submitted) not later than.....(Second date).

SCHEDULE 47 – CONTACT DETAILS FOR CITY PLANNING OFFICES (LAND USE OPERATIONS)

CONTACT DETAILS FOR CITY PLANNING: LAND USE OPERATIONS OFFICES

Please note that throughout the application forms the name and address of the applicable Customer Care Centre must be used as per the list below:

1. Alberton / Tokoza City Planning: Operations Offices

Alberton CCC: 11th Floor, Alberton Civic Centre, Alwyn Taljaard Street, New Redruth, Alberton

Area Manager: City Planning Department (Alberton)
City of Ekurhuleni Metropolitan Municipality
P.O. Box 4
ALBERTON
1450

2. Benoni/Actonville & Daveyton City Planning: Operations Offices:

Benoni CCC: 6th Floor, Benoni Civic Centre, Treasury Building, Corner Tom Jones Street and Elston Avenue, Benoni

Area Manager: City Planning Department (Benoni)
City of Ekurhuleni Metropolitan Municipality
Private Bag X014
BENONI
1500

3. Boksburg/Vosloorus City Planning: Operations Offices:

Boksburg CCC: 3rd Floor, Boksburg Civic Centre, cnr Trichardts Road and Commissioner Street, Boksburg

Area Manager: City Planning Department (Boksburg)
City of Ekurhuleni Metropolitan Municipality
P.O. Box 215
BOKSBURG
1460

4. Brakpan City Planning: Operations Offices:

Brakpan CCC: E-Block, Room E212, Brakpan Civic Centre, cnr Elliot Rd and Escombe Avenue, Brakpan

Area Manager: City Planning Department (Brakpan)
City of Ekurhuleni Metropolitan Municipality
PO Box 15
BRAKPAN
1540

5. Edenvale and Bedfordview City Planning: Operations Offices:

Edenvale CCC: Edenvale Civic Centre, cnr Van Riebeeck Avenue and Hendrik Potgieter Street, Edenvale (Entrance Number 3, Room 248)

Area Manager: City Planning Department (Edenvale)
City of Ekurhuleni Metropolitan Municipality
P.O. Box 25
EDENVALE
1610

6. Germiston/Katlehong City Planning: Operations Offices

Germiston CCC: 175 Meyer Street, c/o Meyer- & Library Streets, United House Building, 1st Floor, Germiston

Area Manager: City Planning Department (Germiston)
City of Ekurhuleni Metropolitan Municipality
P.O. Box 145
GERMISTON
1400

7. Kempton Park City Planning: Operations Offices:

Kempton Park CCC: 5th Floor, Room A 506/8, Main Building, Kempton Park Civic Centre, cnr CR Swart and Pretoria Roads, Kempton Park

Area Manager: City Planning Department (Kempton Park)
City of Ekurhuleni Metropolitan Municipality
P.O. Box 13
KEMPTON PARK
1620

8. Nigel City Planning: Operations Offices:

Nigel CCC: Ground Floor, City Planning Reception, Engineers Building, 145 Eeufees Street, c/o Eeufees and Hendrik Verwoerd Streets, Nigel

Area Manager: City Planning Department (Nigel)
City of Ekurhuleni Metropolitan Municipality
P.O. Box 23
NIGEL
1491

9. Springs City Planning: Operations Offices:

Springs CCC: 4th Floor, F-Block, Springs Civic Centre, cnr Plantation and South Main Reef Roads, Springs

Area Manager: City Planning Department (Springs)
City of Ekurhuleni Metropolitan Municipality
P.O. Box 45
SPRINGS
1560

10. Tembisa City Planning: Operations Offices:

Tembisa CCC: 5th Floor, Room A 506/8, Main Building, Kempton Park Civic Centre, cnr
CR Swart and Pretoria Roads, Kempton Park

Area Manager: City Planning Department (Tembisa)
City of Ekurhuleni Metropolitan Municipality
P.O. Box 13
KEMPTON PARK
1620

SCHEDULE 48 – CONTACT DETAILS FOR CITY PLANNING OFFICES (BUILDING SURVEY)

CONTACT DETAILS FOR CITY PLANNING: BUILDING SURVEY OFFICES

Please note that throughout the application forms the name and address of the applicable Customer Care Centre must be used as per the list below:

1. Alberton / Tokoza Building Survey Offices:

Alberton CCC: 8th Floor, Alberton Civic Centre, Alwyn Taljaard Street, New Redruth, Alberton

Area Manager: City Planning: Building Survey (Alberton)
City of Ekurhuleni Metropolitan Municipality
P.O. Box 4
ALBERTON
1450

2. Benoni /Actonville & Daveyton Building Survey Offices:

Benoni CCC: 1st Floor, 49 Kempston Avenue, Benoni

Area Manager: City Planning: Building Survey (Benoni)
City of Ekurhuleni Metropolitan Municipality
Private Bag X014
BENONI
1500

3. Boksburg/Vosloorus Building Survey Offices:

Boksburg CCC: 5th Floor, Boksburg Civic Centre, cnr Trichardts Road and Commissioner Street, Boksburg

Area Manager: City Planning: Building Survey (Boksburg)
City of Ekurhuleni Metropolitan Municipality
P.O. Box 215
BOKSBURG
1460

4. Brakpan Building Survey Offices:

Brakpan CCC: E-Block, Brakpan Civic Centre, cnr Elliot Rd and Escombe Avenue, Brakpan

Area Manager: City Planning: Building Survey (Brakpan)
City of Ekurhuleni Metropolitan Municipality
PO Box 15
BRAKPAN
1540

5. Edenvale and Bedfordview Building Survey Offices:

Edenvale CCC: Edenvale Civic Centre, cnr Van Riebeeck Avenue and Hendrik Potgieter Street, Edenvale

Area Manager: City Planning: Building Survey (Edenvale)
City of Ekurhuleni Metropolitan Municipality
P.O. Box 25
EDENVALE
1610

6. Germiston/Katlehong Building Survey Offices

Germiston CCC: 175 Meyer Street, c/o Meyer- & Library Streets, United House Building, 1st Floor, Germiston

Area Manager: City Planning: Building Survey (Germiston)
City of Ekurhuleni Metropolitan Municipality
P.O. Box 145
GERMISTON
1400

7. Kempton Park Building Survey Offices:

Kempton Park CCC: 5th Floor, Main Building, Kempton Park Civic Centre, cnr CR Swart and Pretoria Roads, Kempton Park

Area Manager: City Planning: Building Survey (Kempton Park)
City of Ekurhuleni Metropolitan Municipality
P.O. Box 13
KEMPTON PARK
1620

8. Nigel Building Survey Offices:

Nigel CCC: Ground Floor, City Planning Reception, Engineers Building, 145 Eeufees Street, c/o Eeufees and Hendrik Verwoerd Streets, Nigel

Area Manager: City Planning: Building Survey (Nigel)
City of Ekurhuleni Metropolitan Municipality
P.O. Box 23
NIGEL
1491

9. Springs Building Survey Offices:

Springs CCC: 4th Floor, F-Block, Springs Civic Centre, cnr Plantation and South Main Reef Roads, Springs

Area Manager: City Planning: Building Survey (Springs)
City of Ekurhuleni Metropolitan Municipality
P.O. Box 45
SPRINGS
1560

10. Tembisa Building Survey Offices:

Tembisa CCC: 5th Floor, Main Building, Kempton Park Civic Centre, cnr CR Swart and Pretoria Roads, Kempton Park

Area Manager: City Planning: Building Survey (Tembisa)

City of Ekurhuleni Metropolitan Municipality

P.O. Box 13

KEMPTON PARK

1620

**SCHEDULE 49 – DECLARATION OF AN APPROVED REMOVAL OF
RESTRICTIVE TITLE CONDITIONS APPLICATION**

ROR-4

**CITY OF EKURHULENI METROPOLITAN MUNICIPALITY
SECTION 50(5) OF THE CITY OF EKURHULENI METROPOLITAN MUNICIPALITY
SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019
ERF, TOWNSHIP**

It is hereby notified in terms of the provisions of section 50(5) of the City of Ekurhuleni Metropolitan Municipality Spatial Planning and Land Use Management By-law, 2019, that the City of Ekurhuleni Metropolitan Municipality has approved the removal of restrictive title conditions (.....), (.....) and (.....) from Deed of Transfer T...../.....

The application as approved is open to inspection during normal office hours.

(Reference number.....)

CITY OF EKURHULENI METROPOLITAN MUNICIPALITY

(date of publication) (Notice)

SCHEDULE 50 – DECLARATION OF AN APPROVED REZONING APPLICATION

RZ-4

CITY OF EKURHULENI METROPOLITAN MUNICIPALITY

..... AMENDMENT SCHEME (NO)

It is hereby notified in terms of the provisions of section 48(2) of the City of Ekurhuleni Metropolitan Municipality Spatial Planning and Land Use Management By-law, 2019, that the City of Ekurhuleni Metropolitan Municipality has approved and hereby adopted the land development application for the amendment of the Scheme, being the rezoning of (property description) from (current zoning) to (approved zoning) subject to certain further conditions.

The Land Use Scheme, and the adopted scheme clauses and adopted annexure of this amendment scheme are filed with the Municipality, and are open to inspection during normal office hours.

This amendment is known as Amendment Scheme and shall come into operation on the date of publication of this notice.

(Reference number.....)

CITY OF EKURHULENI METROPOLITAN MUNICIPALITY

(date of publication) (Notice)

SCHEDULE 51 – DECLARATION OF AN APPROVED REZONING & REMOVAL OF RESTRICTIVE CONDITIONS APPLICATION

RRR-4

CITY OF EKURHULENI METROPOLITAN MUNICIPALITY

..... AMENDMENT SCHEME (NO)

It is hereby notified in terms of the provisions of section 48(2) and 50(5) of the City of Ekurhuleni Metropolitan Municipality Spatial Planning and Land Use Management By-law, 2019, that the City of Ekurhuleni Metropolitan Municipality has approved the removal of restrictive title conditions (.....), (.....) and (.....) from Deed of Transfer T...../..... and hereby adopted the land development application for the amendment of the Scheme, being the rezoning of (property description) from..... (current zoning) to (approved zoning) subject to certain further conditions.

TheLand Use Scheme, and the adopted scheme clauses and adopted annexure of this amendment scheme are filed with the Municipality, and are open to inspection during normal office hours.

This amendment is known as Amendment Schemeand shall come into operation on the date of publication of this notice.

(Reference number.....)

CITY OF EKURHULENI METROPOLITAN MUNICIPALITY

(date of publication) (Notice)

SCHEDULE 52 – PROCLAMATION OF APPROVED TOWNSHIP

TE-4

CITY OF EKURHULENI METROPOLITAN MUNICIPALITY PROCLAMATION OF APPROVED TOWNSHIP IN TERMS OF SECTION 44 OF THE CITY OF EKURHULENI METROPOLITAN MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019 FOR AN APPROVED TOWNSHIP

.....

It is hereby declared that in terms of the provisions of section 44 of the City of Ekurhuleni Metropolitan Municipality Spatial Planning and Land Use Management By-law, 2019, that is an approved township, subject to the conditions as set out in the schedules hereto.

add conditions of establishment here

It is hereby notified in terms of the provisions of Section 44 of the City of Ekurhuleni Metropolitan Municipality Spatial Planning and Land Use Management By-law, 2019 that the City of Ekurhuleni Metropolitan Municipality has approved and hereby adopted the land development application for the amendment scheme with regard to the property(ies) in the township of....., being an amendment of the Scheme

The Land Use Scheme, and the adopted scheme map and the adopted annexures of this amendment scheme are filed with the Municipality, and are open to inspection during normal office hours.

This amendment is known as Amendment Schemeand shall come into operation on the date of publication of the notice.

(Reference number.....)

CITY OF EKURHULENI METROPOLITAN MUNICIPALITY

(date of promulgation)

* MUST BE ADVERTISED TOGETHER WITH ADVERTISEMENT AS PER SCHEDULE 50

**SCHEDULE 53 – DECLARATION OF AN APPROVED ALTERATION /
AMENDMENT / PARTIAL CANCELLATION OF A GENERAL PLAN APPLICATION**
AGP-4

CITY OF EKURHULENI METROPOLITAN MUNICIPALITY

**NOTICE OF THE APPROVAL OF AN APPLICATION FOR THE
ALTERATION/AMENDMENT OR PARTIAL CANCELLATION OF A GENERAL PLAN IN
TERMS OF SECTION 63(11) OF THE CITY OF EKURHULENI METROPOLITAN
MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019**

It is hereby notified that in terms of the provisions of section 63(11) of the City of Ekurhuleni Metropolitan Municipality Spatial Planning and Land Use Management By-law, 2019, that an application for the alteration/amendment/total or partial cancellation of the general plan of the township known as
.....
.....
has been approved.

The application as approved is open to inspection during normal office hours.

(Reference number.....)

CITY OF EKURHULENI METROPOLITAN MUNICIPALITY

(date of publication) (Notice)

SCHEDULE 54 – CONDITIONS TO BE INSERTED IN THE MEMORANDUM OF INCORPORATION OF A NON-PROFIT COMPANY

The following conditions as, the case may be and as contemplated section 127(2)(c) of this City of Ekurhuleni Metropolitan Municipality Spatial Planning and Land Use Management By-law, 2019 shall be included in the documents establishing a non-profit company(ies) and shall be filed with the Registrar Companies where applicable, which condition may not be amended without the consent of the Municipality.

- (a) The main purpose of the non-profit company shall be to maintain the relevant internal engineering services (i.e. engineering services not taken over by the municipality) and environmentally sensitive land in the township. Own, maintain and manage access erven, open spaces and or recreational areas for the benefit of the owners of the proposed Portions/Erven within the development and/or township
- (b) Each and every owner of Portions of.....Erf OR Erven inExtension ... Township (*insert numbers of newly created portions/Erven in the township*) and/or owners of units erected thereon, shall have free access over Portion/s of Erf (*insert number/s of the access erf/erven*) to afford them access to a public road.
- (c) (If applicable, i.e. if any of the internal engineering services in the development/township have been taken over by the council) The entire Portion/s of Erf (*insert number/s of the access erf/erven*) shall be subject to a servitude for municipal purposes and right of way in favour of the Municipality and each and every Erf/Portion or Unit in the township/subdivision or development.
- (d) The Municipalities engineering services departments and its emergency services are guaranteed 24 hour access to Portion/s of Erf (*insert number/s of the access erf/erven*) to maintain the Municipalities installations and/or to provide services to the owners of the development/township.
- (e) As provided for in section 28 of the National Environmental Management Act, 1998 all environmentally sensitive land in the township/development shall be cared for at its own costs by (*insert the name of the NPC*)
- (f) (*insert the name of the NPC*) shall not be de-registered at the Registrar of Companies without the written consent of the Municipality first having been obtained.
- (g) The street name allocated to the internal road/s (over the access erf/erven) and the street numbers allocated to the newly created erven in the development, shall be properly and clearly displayed and shall be maintained by(NPC) to the satisfaction of the Municipality.
- (h) Neither the access Erf..... nor the private open space Erf..... in the development shall be bonded.
- (i) The developer shall become and remain a member of the NPC, until the last transfer of any portion/erf or unit within the development and shall be liable for all rates and taxes, or metered services payable in relation to any of the portions/erven or units including payments due to the Municipality on the remainder of the development, should they have separate title or not.

- (j) This Memorandum of Incorporation shall not be amended, without the written consent of the Municipality first being had and obtained;
- (k) The developer shall for purposes of the remainder of the development after having sold and transferred the first unit, erf or portion remain a member of the NPC but shall only have one vote within the NPC for the remaining part of the development whether Certificates of Registered Title have been registered or through sectional title ownership in the name of the developer or any subsidiary or company of which the developer is the full shareholder or partial shareholder;
- (l) Any other condition which in the opinion of the Municipality is deemed expedient

SCHEDULE 55 – EXEMPTION OF FEES IN TERMS OF SECTION 21(2) AND 37(5)(b) OF THIS BY-LAW

1. An applicant may request the Municipality for exemption of payment of application fees and/or fees for a copy of the Land Use Scheme or any component thereof in the following instances:
 - (i) The proposed land development application will be for National, Provincial or Municipal uses; and/or
 - (i) Municipal projects and/or Consultants that have been appointed by the Municipality to lodge a specific land development application or project; and/or
 - (ii) academic research projects.
2. The following documentations must be submitted in support of the application referred to subsection 1 above :
 - (i) written motivation with the reasons for exemption of fees;
 - (ii) proof that the proposed development will be of National, Provincial or Municipal purposes or interest;
 - (iii) proof of ownership of the proposed application property(ies);
 - (iv) proof to the satisfaction of the Municipality that the project is for academic research.
3. Exemption for payment of application fees must be granted before the submission of a land development application, failing which section 128 **(NOTE: THE SECTION OF PAYMENT OF FEES)** of this By-law shall apply.

SCHEDULE 56 – PROCEDURE FOR CANCELLATION OF A LAND DEVELOPMENT APPLICATION IN TERMS OF SECTION 130 OF THIS BY-LAW

1. An owner or applicant may request the Municipality to cancel a land development application as contemplated in terms of section 130 of this By-law and for purposes of completion shall at least submit the following documentation:
 - (i) submit proof that the applicant requesting cancellation, has the authority to do so;
 - (ii) a written notification for the cancellation;
 - (iii) submit proof that all the persons as contemplated in section 16(f) to (n) of this By-law have been notified of the request for cancellation of the land development application; and
 - (iv) submit an acknowledgement that the owner shall not have any claim for any re-instatement of such land development application.

SCHEDULE 57 – REQUEST FORM FOR CANCELLATION OF LAND DEVELOPMENT APPLICATION BY MUNICIPALITY - TEMPLATE

SECTION 130(2) OF THE CITY OF EKURHULENI METROPOLITAN MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019

I/we, the undersigned,

.....
hereby request the municipality in terms of Section 130(2) of the City of Ekurhuleni Metropolitan Municipality Spatial Planning and Land Use Management By-Law, 2019 to cancel the land development application for

.....
.....
.....
in respect of Erf/Holding/Portion
.....
.....

SIGNED:

Date:

SCHEDULE 58 – NOTICE BY THE MUNICIPALITY IN TERMS OF SECTION 130(3)(b) OF THE CITY OF EKURHULENI METROPOLITAN MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019 THAT A LAND DEVELOPMENT APPLICATION HAS BEEN CANCELLED – PRO FORMA



REF:

CITY PLANNING DEPARTMENT

ENQUIRIES:

xxxx Civic Centre
xxxx
xxxx
xxxx
xxxx

Messrs xxxxx

Xxxxx

Xxxx

Xxxx

Tel: (011) 999-xxxx
Fax: xxx xxx xxxx
www.ekurhuleni.gov.za

Sir/Madam,

CANCELLATION OF LAND DEVELOPMENT APPLICATION IN RESPECT OF
..... (property description)

NOTICE IS HEREBY GIVEN by the Municipality in terms of Section 130 (3)(b), read with Sections 130(1) and 130(2) of the CITY OF EKURHULENI METROPOLITAN MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019 that your application has been cancelled.

Yours faithfully,

.....
XXXXXXXXX
AREA MANAGER
Xxxxxxx CUSTOMER CARE CENTRE
For HEAD OF DEPARTMENT: CITY PLANNING DEPARTMENT

Date:

SCHEDULE 59 – CORRECTION OF ERRORS OR OMISSION IN TERMS OF SECTION 129 OF THIS BY-LAW

1. An applicant who wishes to request the Municipality to correct an error or omission in terms of section 129 of this By-law on an approved land development application must for purposes of completion of his/her submission at least submit the following documentation:
 - (i) motivation memorandum that clearly indicates the reasons for the submission as well as the alleged error or omission with specific reference to whether the error or omission is so material as to constitute a new land development application or not as is required to be considered by the Municipality in terms of this By-law;
 - (ii) substantial proof such as an official approval of land use rights must be submitted that clearly and without any doubt indicates the error or omission; and
 - (iii) the proposed corrected approval letter, development controls, amendment scheme map and/or annexure statement of conditions of establishment, layout plan or any other document that must be corrected.
 - (iv) If the application was adopted, promulgated or declared, a correction notice shall be published in the Provincial Gazette

SCHEDULE 60 – NOTICE OF APPEAL

NOTICE OF APPEAL

Appellant Details				
Title				
Initial				
First Name(s)				
Surname				
ID Number				
Physical Address of the Appellant				
Physical Address (Work)				
Address Line 1 (street no)				
Address Line 2 (street name)				
Township				
Postal Code				
Specify City				
Postal Address of the Appellant				
Postal Type	PO Box		Physical Address (Home)	
	Physical Address (Work)		Private Bag	
Postal Number				
Township				
Postal Code				
Specify City				
APPEAL DETAILS				
Type of application				
Relevant legislation applicable				
Reference number				
Indicate the decision maker	EMPT (Ekurhuleni Municipal Planning Tribunal)		AO (Authorised Official)	
Date of decision				
PROPERTY DESCRIPTION				
Township/ Agricultural Holding/ Farm				
Erf / Lot / Plot / Farm Portion				
CONCISE AND SUCCINCT GROUND OF APPEAL				

LIST OF ATTACHED DOCUMENTS	
RELIEF SOUGHT BY THE APPELLANT FROM THE APPEAL AUTHORITY	

If the appellant wishes to raise any *points in limine* with regard to the appeal it must form part of the documents submitted

Any expert reports must be submitted and copies thereof must be made available to all respondents on lodging of the appeal

REQUIRED DOCUMENTS

Official Receipt of fees	
Proof that all the parties on record to the land development application including the Department responsible for Development Planning has been notified of the appeal	
All information on the land development application to which the appeal relates	
Every objection lodged and all comments made in respect of the land development application	
Every reply to an objection or comment	

Declaration:

I/We (full names) hereby submit an appeal to the Appeals Authority in terms of section 99 of the City of Ekurhuleni Metropolitan Municipality Spatial Planning & Land Use Management By-law, 2019. I declare that I shall be bound by all the provisions of this By-law. I solemnly declare that, to the best of my knowledge and belief, all the information contained herein is true and correct.

I acknowledge that the appeal as contemplated in section 100 of this By-law can be a written or oral hearing

Signed:
Date:

SCHEDULE 61 – WRITTEN NOTICE OF APPEAL AGAINST A DECISION IN RESPECT OF A LAND DEVELOPMENT APPLICATION AND/OR SERVICES CHARGES TEMPLATE

SECTIONS 89 AND/OR 99(1) OF THE CITY OF EKURHULENI METROPOLITAN MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019

NOTICE OF APPEAL IS HEREBY GIVEN to the CITY MANAGER OF THE CITY OF EKURHULENI METROPOLITAN MUNICIPALITY in terms of Section 89 AND/OR 99(1) of the City of Ekurhuleni Metropolitan Municipality Spatial Planning and Land Use Management By-Law, 2019 against the decision for the land development application and/or services charges in respect of the application for

.....
.....
.....
on Erf/Holding/Portion

.....
.....
.....
With the following comprehensive grounds of appeal

.....
.....
.....
.....
.....
.....
.....

SIGNED:

Date:

SCHEDULE 62 – WITHDRAWAL OF AN APPEAL TEMPLATE

SECTION 99(18) OF THE CITY OF EKURHULENI METROPOLITAN MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019

NOTICE IS HEREBY GIVEN to the CITY MANAGER OF THE CITY OF EKURHULENI METROPOLITAN MUNICIPALITY that in terms of Section 99(18) of the City of Ekurhuleni Metropolitan Municipality Spatial Planning and Land Use Management By-Law, 2019 that I/we, the undersigned,

.....

have withdrawn the appeal submitted in terms of the provisions of Section 99(1) in respect of the application for

.....

..... on
Erf/Holding/Portion

.....

.....

and that I/we will notify all parties involved about such withdrawal.

SIGNED:

Date:

SCHEDULE 63 – MONEYS AND/OR CONTRIBUTIONS PAYABLE AND PROVISION OF LAND FOR OPEN SPACES AND PARKS IN TERMS OF THIS BY-LAW

1. Determination of an area of land/or an amount or contribution payable in respect of provision of open spaces or parks, including private open space, public open space or areas contemplated in section 86 of this By-law, shall be in accordance with this schedule or as may be determined by the Municipality from time to time;
2. Where, by virtue of a condition or in terms of the provisions of this By-law an owner of property(ies) on which a land development application is approved, excluding a township establishment in terms of section 38 or an application in terms of section 39 of this By-law, is required to provide land or pay an amount of money or a contribution to the Municipality, in respect of the provision of open spaces or parks, such area of land or amount money or contribution shall be determined, in accordance with the following formula:

$$\frac{(a - b) \times c \times e}{d}$$
 in which formula:

- (a) “a” represents the number of dwelling houses/dwelling units which may be erected on the land to which the application relates in terms of the approved application;
- (b) “b” represents the number of dwelling houses/units which could have been erected on the land contemplated in paragraph (a) prior to approval of the applications
- (c) “c” represents:
 - (i) 18m² where, in terms of the approved land development application, the land contemplated in paragraph (a) may be used for Residential 1 or 2 purposes, or for purposes as may be determined by the Municipality from time to time;
 - (ii) 24m² where, in terms of the approved land development application, the land contemplated in paragraph (a) may be used for Residential 3 or 4 for purposes as may be determined by the Municipality from time to time;
- (d) “d” represents the area of the land contemplated in paragraph (a) in m²;
- (e) “e” represents the site value of the land contemplated in paragraph (a)
 - (i) as reflected in the valuation roll or the supplementary valuation roll of the Municipality
 - or
 - (ii) if the land is not reflected in the valuation roll or supplementary valuation roll of the Municipality, as determined by a Municipal Valuer, duly appointed by the Municipality;
- (aa) who is a member of the South African Institute of Valuers; or

(bb) as defined in the Local Government Property Rates Act, 2004.

3. Where, by virtue of a condition or a provision of this By-law an owner of property, on which a land development application for a township or division of township is approved, in terms of section 38 and/or 39 this By-law, is required to provide land or pay an amount of money or a contribution to the Municipality, in respect of the provision of open spaces or parks, such area of land or amount or contribution, shall be determined in accordance with the following formula:

$a \times 18 \text{ m}^2 + b \times 24 \text{ m}^2$, in which formula:

- (a) “a” represents the number of dwelling houses which may be erected on land in the township which, in terms of the land use scheme concerned, is to be zoned “Residential 1” or “Residential 2” or as may be determined by the Municipality from time to time, as the case may be;
 - (b) “b” represents the number of dwelling units which may be erected on land in the township which, in terms of the Land Use Scheme concerned, is to be zoned “Residential 3” or “Residential 4” or as may be determined by the Municipality from time to time, as the case may be;
4. Any area of land in a proposed township or divided township in terms of section 38 and/or section 39 of this By-law, which is subject to environmentally sensitive portions that include flooding by a 1:100-year flood line, sensitive habitats, wetlands and ridges shall be shown on the layout plan of the township, as an open space reserved for conservation purposes if and when required by the Municipality and such land to be maintained by the non-profit company.

**SCHEDULE 64 – CONTINUATION OF A LAND DEVELOPMENT APPLICATION BY
NEW OWNER APPLICATION FORM**

NEW-1



**APPLICATION FORM FOR
CONTINUATION OF A LAND DEVELOPMENT APPLICATION BY A NEW OWNER IN
TERMS OF SECTION 137(2) OF THE CITY OF EKURHULENI METROPOLITAN
MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019**

TO: The Area Manager: City Planning

..... Customer Care Centre

COE REFERENCE NO.

DATE:..... 20.....

1. APPLICATION

I/We (the transferee of the subject property)do
.....do
hereby confirm that the subject property has been registered in my/our name and that I/We
hereby apply to the City of Ekurhuleni Metropolitan Municipality to continue with the application
as the new owner/s.

2. PROPERTY DESCRIPTION

Erf/Holding/Portion	
Town/Agricultural Holding/Farm	
Number and Name of Street or Road	

3. TYPE OF LAND DEVELOPMENT APPLICATION (Mark with X)

Township Establishment		Written Consent	
Rezoning		Consolidation	
Consent Use		Subdivision	

4. **OWNER'S DETAILS**

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company/CCRegistration number		
Representative name		
Title		
Initial		
First Name(s)		
Surname		
Postal Address		
Physical Address		
E-Mail Address		
Cell Phone		
Telephone		

5. **REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATION FORM:**

Documents required	Submitted (X or N/A)
Application fee	
Proof of registration & copy of registered title deed	
Special power of attorney (if applicable)	
Bondholder's consent (if applicable)	
Conditions of approval	

DECLARATION OF COMPLIANCE

I/We.....

ID Number/s.....

hereby declare that:

I/ We have provided the correct information to the Municipality to enable it to take an informed decision.

I/ We understand that the Municipality has the authority to ensure orderly built environment through land use management.

I/ We declare that all conditions attached to this application, if approved, will be fully complied with.

I/ We certify that the municipal officials shall be granted access to the property in order to conduct inspections and other related municipal functions.

Signed aton day month year

SIGNATURE OF APPLICANT/S:

If the property is registered in more than one person's name all owners need to sign.

SCHEDULE 65 – CONTINUATION OF A LAND DEVELOPMENT APPLICATION BY NEW OWNER GENERAL INFORMATION AND PROCEDURE

NEW-2



GENERAL INFORMATION AND PROCEDURE FOR THE CONTINUATION OF A LAND DEVELOPMENT APPLICATION BY A NEW OWNER IN TERMS OF SECTION 137(2) OF THE CITY OF EKURHULENI METROPOLITAN MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019

To be read with form NEW-1

1. **APPLICATION**

A complete application duly completed and accompanied by prescribed documents, must be submitted to the City Planning office at the applicable Customer Care Centre. Further information can also be obtained from the relevant Customer Care Centre.

2. **LODGING OF APPLICATION**

THE APPLICANT MUST SUBMIT THE FOLLOWING TO:

The Area Manager: City Planning

See **Schedule 47** for full details of applicable Customer Care Centre where the application must be submitted.

- (a) An application form for the Council's consent, duly signed by the applicant.
- (b) Proof of registration of the property/ies.
- (c) A copy of the registered title deed.
- (d) Special power of attorney.
- (e) Bondholder's consent.
- (f) Latest letter of approval and relevant conditions.

4. You are advised in your own interest to pay close attention to the aforementioned, since your application cannot be accepted or considered, until the required information and/or documents are furnished satisfactorily.

SCHEDULE 66 – TEMPORARY/OCCASIONAL USE APPLICATION FORM**TEMP-1**

**APPLICATION FORM FOR
TEMPORARY / OCCASIONAL USE
IN TERMS OF SECTION 60 OF THE COE SPATIAL PLANNING AND LAND USE
MANAGEMENT BY-LAW, 2019**

TO: The Area Manager: City Planning

..... Customer Care Centre

COE REFERENCE NO.

..... 20.....

1. DESCRIPTION OF LAND ACCORDING TO TITLE DEED

Erf/Holding/Portion	
Town/Agricultural Holdings/Farm	
Number and Name of Street or Road	

2. PROPOSED USE(S)

Proposed Temporary Use/ Event	
Proposed date on which the use/event to be conducted	
Proposed Completion Date	
Operating Hours (if applicable)	
Extent of Use (are any structures/tents required)	

3. PROPERTY INFORMATION

Town Planning Scheme	Land Use Scheme
Current zoning	
Property size (m ²)	

4. **APPLICANT'S DETAILS**

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company/CC Registration number		
Representative name		
Title		
Initial		
First Name(s)		
Surname		
Postal Address		
Physical Address		
E-Mail Address		
Cell Phone		
Telephone		
Special Power of Attorney	<i>YES</i>	<i>N/A</i>
Company Resolution	<i>YES</i>	<i>N/A</i>

5. **OWNER'S DETAILS (if different from applicant)**

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company/CC Registration number		
Representative name		
Title		
Initial		
First Name(s)		
Surname		
ID Number		

Postal Address			
Physical Address			
E-Mail Address			
Cell Phone			
Telephone			
Details of Owner's / Marital Status	Not Applicable	Married in Community of Property	Married in out of Community of Property

6. **REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATION FORMS:**

Documents required	Number of copies	Submitted (X or N/A)
Copy of ID	2	
Company Resolution (if applicable)	2	
Locality Plan (A3/A4 size)	6	
Motivated memorandum	6	
Special Power of Attorney (if applicable)	2	

DECLARATION OF COMPLIANCE

I/We.....

ID Number/s.....

hereby declare that:

I/ We have provided the correct information to the Municipality to enable it to take an informed decision.

I/ We understand that the Municipality has the authority to ensure orderly built environment through land use management.

I/ We declare that all conditions attached to this application, if approved, will be fully complied with.

I/ We certify that the municipal officials shall be granted access to the property in order to conduct inspections and other related municipal functions.

Signed aton day month year

SIGNATURE OF APPLICANT/S:

If the property is registered in more than one person's name all owners need to sign.

SCHEDULE 67 – TEMPORARY/OCCASIONAL GENERAL INFORMATION AND PROCEDURE

TEMP-2



GENERAL INFORMATION AND PROCEDURE FOR THE TEMPORARY / OCCASIONAL USE IN TERMS OF SECTION 60 OF THE COE SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019

To be read with form TEMP-1

1. APPLICATION

A complete application duly completed and accompanied by prescribed documents, must be submitted to the City Planning office at the applicable Customer Care Centre. Further information can also be obtained from the relevant Customer Care Centre.

2. LODGING OF APPLICATION

THE APPLICANT MUST SUBMIT THE FOLLOWING TO:

The Area Manager: City Planning

See **Schedule 47** for full details of applicable Customer Care Centre where the application must be submitted.

- (a) An application form for the Council's consent, duly signed by the applicant.
- (b) If the applicant is not the registered owner of the property, the application must be accompanied by a **power of attorney from the registered owner**.
- (c) Should the owner of the property be a registered company, a resolution taken by the board of directors of the company, authorising the relevant director/employee to apply on behalf of the company, is required in addition.
- (d) A fully motivated memorandum which at least should contain the following information:
 - (i) **Need and desirability** of proposed use(s) at the specific location
 - (ii) Extent, use(s) and floor space(s) of intended building(s) as well as the total area required in respect of the proposed use(s)
 - (iii) Number of workers to be employed and where they will be housed
 - (iv) Estimated number of persons who may patronise the business

- (v) Access plan (how will patrons gain access to the property – provide street names etc.)
 - (vi) Parking plan (where parking will be accommodated & how many parking spaces are/can be made available)
 - (vii) How will provision be made for ablution facilities
 - (viii) How will provision be made for power/electrical connections
 - (ix) Duration of the occurrence/use/event
 - (x) Operating/Business/Trading hours
- (e) A locality plan indicating where the property is situated.
- (f) A copy of the Identity Documentation of the applicant/s.
3. You are advised in your own interest to pay close attention to the aforementioned, since your application cannot be accepted or considered, until the required information and/or documents are furnished satisfactorily.

NB. THIS APPLICATION DOES NOT EXEMPT APPLICANTS FROM COMPLIANCE WITH OTHER PROCEDURE AND/OR REQUIREMENTS PRESCRIBED BY ANY OTHER APPLICABLE LEGISLATION.

4. **PLEASE NOTE:**

MERELY SUBMITTING AN APPLICATION, *MUST NOT BE CONSIDERED AS APPROVAL BEING GRANTED.* A SUBMITTED APPLICATION IS MERELY FOR CONSIDERATION AND THE FINAL DECISION MUST STILL BE MADE BY COUNCIL.

SCHEDULE 68 – BUILDING LINE RELAXATION APPLICATION FORM

BLR-1



**APPLICATION FORM FOR
BUILDING LINE RELAXATION
IN TERMS OF SECTION 62 OF THE CITY OF EKURHULENI SPATIAL PLANNING AND
LAND USE MANAGEMENT BY-LAW, 2019**

TO: The Area Manager: City Planning

..... Customer Care Centre

COE REFERENCE NO.

DATE:..... 20.....

1. DESCRIPTION OF LAND ACCORDING TO TITLE DEED

Erf/Holding/Portion	
Town/Agricultural Holdings/Farm	
Number and Name of Street or Road	

2. EXTENT OF RELAXATION

<i>From</i>	<i>To</i>	<i>Boundary (street/side/back)</i>
m	m	
m	m	
m	m	
m	m	

3. PROPERTY INFORMATION

Town Planning Scheme	Land Use Scheme	
Current zoning		
Property size (m ²)		
Bond	YES	N/A

Bondholder's Name		
Special Power of Attorney	YES	N/A
Company Resolution	YES	N/A

4. **APPLICANT'S DETAILS**

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company / CC Registration number		
Representative name		
Title		
Initial		
First Name(s)		
Surname		
Postal Address		
Physical Address		
E-Mail Address		
Cell Phone		
Telephone		

5. **OWNER'S DETAILS (if different from applicant)**

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company / CC Registration number		
Representative name		
Title		
Initial		
First Name(s)		
Surname		

ID Number			
Postal Address			
Physical Address			
E-Mail Address			
Cell Phone			
Telephone			
Details of Owner's/ Marital Status	Not Applicable	Married in Community of Property	Married in out of Community of Property

6. **REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATION FORMS:**

SUBMISSION WITH BUILDING PLANS

Documents required	Number of copies	Submitted (X or N/A)
Application fee		
Site and/or Building Plan (A3/A4 size)	2	
Title Deed / Leasehold Title	1	
Proof of notification of the adjoining property owners	1	

SUBMISSION WITHOUT BUILDING PLANS

Documents required	Number of copies	Submitted (X or N/A)
Application fee		
Bondholder's Consent (if applicable)	2	
Company Resolution (if applicable)	2	
Motivated memorandum	5	
Site/Development Plan (A3/A4 size)	5	
Special Power of Attorney (if applicable)	2	
Title Deed / Leasehold Title	2	
Proof of notification of the adjoining property owners	1	

DECLARATION OF COMPLIANCE

I/We.....

ID Number/s.....

hereby declare that:

I/ We have provided the correct information to the Municipality to enable it to take an informed decision.

I/ We understand that the Municipality has the authority to ensure orderly built environment through land use management.

I/ We declare that all conditions attached to this application, if approved, will be fully complied with.

I/ We certify that the municipal officials shall be granted access to the property in order to conduct inspections and other related municipal functions.

Signed aton day month year

SIGNATURE OF APPLICANT/S:

If the property is registered in more than one person's name all owners need to sign.

SCHEDULE 69 – BUILDING LINE RELAXATION GENERAL INFORMATION AND PROCEDURE

BLR-2



GENERAL INFORMATION AND PROCEDURE FOR THE BUILDING LINE RELAXATION IN TERMS OF SECTION 62 OF THE CITY OF EKURHULENI SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019

To be read with form BLR-1

1. **APPLICATION**

A complete application duly completed and accompanied by prescribed documents, must be submitted to the City Planning office at the applicable Customer Care Centre. Further information can also be obtained from the relevant Customer Care Centre.

2. **LODGING OF APPLICATION**

THE APPLICANT MUST SUBMIT THE FOLLOWING TO:

Submission with building plans: The Area Manager: Building Control

See **Schedule 48** for full details of applicable Customer Care Centre where the application must be submitted.

Submission without building plans: The Area Manager: City Planning

See **Schedule 47** for full details of applicable Customer Care Centre where the application must be submitted.

- (a) An application form for the Council's consent, duly signed by the applicant.
- (b) If the applicant is not the registered owner of the property, the application must be accompanied by a **Power of Attorney from the registered owner**.
- (c) Should the owner of the property be a registered company, a resolution taken by the board of directors of the company, authorising the relevant director/employee to apply on behalf of the company, is required in addition.
- (d) Site plan / Building plan, in A4/A3 size, showing the following in relation to each other and the property:

- (i) Locality and uses of existing buildings on the property
 - (ii) Locality and uses of proposed new buildings, if any
 - (iii) Boundaries of property
 - (iv) Parking
 - (v) Access to and from property
 - (vi) North point
- (e) A copy of the relevant Title Deed(s) of the property.
- (f) Special Power of Attorney, from the registered owner (if application is made by someone else) and if applicable, the bondholder's consent & company resolution. (See **Schedule 34**)
- (g) Proof of the notification of the adjoining property owners
- (h) An Application fee as per the Council Tariffs, payable to the **Municipality**.

3. **NOTIFICATION OF ADJOINING PROPERTY OWNERS**

The applicant shall notify each adjoining property owner of the application by registered post or hand delivery.

If the adjoining property owners form part of a body corporate, the notice may be delivered in the onsite post boxes of the adjoining property owners and the applicant may submit email / facsimile correspondence as proof of receipt of the notice so delivered. Alternatively, comments from the board of trustees of the body corporate may be obtained.

If the adjoining property does not reside on the adjoining property, the applicant shall notify them by registered post.

The applicant shall submit proof of the notification of the adjoining property owners to the Municipality on this prescribed form.

See **Schedule 31, 32 and 33**.

4. **RAISING OF OBJECTIONS**

Provision is made in the notification of adjoining property owners for a period of 28 days wherein objections against the application may be submitted. The 28 day period is **calculated from the date on which each adjoining property owners was notified and signed receipt or the date that the registered mail was sent to them**.

Any objections/comments or representations with regard to the specific application must be submitted in writing to the City Planning Offices, at the applicable Customer Care Centre on or before the final date of the objection period as stated in the advertisements and/or notices.

5. Any objections/comments/representations received by the Municipality will be forwarded to the applicant and the applicant will have a reasonable opportunity after the objection period is over to reply in writing to any such objections/comments/representations and before the municipality considers the application.
6. The Municipality will take into consideration any objection received within the prescribed period and will notify the applicant and the persons, if any, from whom objections/comments/representations were received, of its decision.

The applicant and/or any of the aforesaid persons, **if aggrieved by the decision of the Council**, may then appeal to the Ekurhuleni Metropolitan Municipality Appeals Authority, in writing. (The contact details for this Authority will be made available by the City Planning Offices at the applicable Customer Care Centre)

7. The decision of the Municipality will not take effect if an appeal has been lodged, until such appeal is disposed of by the Ekurhuleni Metropolitan Municipality Appeals Authority.
8. The attention of applicant/s is directed to the fact that the responsibility of ascertaining whether this procedure may, or may not be followed, is entirely their own (i.e. the applicant's). It must be clearly understood that these forms are being issued without prejudice.
9. Applicants are advised in their own interest to pay close attention to the aforementioned, since an application cannot be accepted or considered, until the required information and/or documents are furnished satisfactorily.

IF ANY DIFFICULTIES IN THIS REGARD ARE EXPERIENCED IT MAY BE ADVISABLE TO CONTACT A TOWN PLANNING CONSULTANT OR THE RELEVANT MUNICIPAL PLANNER FOR THE AREA.

NB. THIS APPLICATION DOES NOT EXEMPT APPLICANTS FROM COMPLIANCE WITH OTHER PROCEDURE AND/OR REQUIREMENTS PRESCRIBED BY ANY OTHER APPLICABLE LEGISLATION.

10. **PLEASE NOTE:**

MERELY SUBMITTING AN APPLICATION, *MUST NOT BE CONSIDERED AS* APPROVAL BEING GRANTED. A SUBMITTED APPLICATION IS MERELY FOR CONSIDERATION AND THE FINAL DECISION MUST STILL BE MADE BY COUNCIL.

**SCHEDULE 70 – ALTERATION / AMENDMENT / PARTIAL CANCELLATION OF A
GENERAL PLAN APPLICATION FORM**

AGP-1



**APPLICATION FORM FOR
ALTERATION / AMENDMENT / PARTIAL CANCELLATION OF A GENERAL PLAN
IN TERMS OF SECTION 63 OF THE CITY OF EKURHULENI SPATIAL PLANNING AND
LAND USE MANAGEMENT BY-LAW, 2019**

TO: The Area Manager: City Planning

..... Customer Care Centre *

COE REFERENCE NO.

DATE:..... 20.....

1. DESCRIPTION OF LAND

Township name	
Holding/Portion	
Agricultural Holdings/Farm	
Number and Name of Street or Road	
General Plan number	

2. APPLICANT'S DETAILS

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company/CC Registration number		
Representative name		
Title		
Initial		
First Name(s)		

Surname	
Postal Address	
Physical Address	
E-Mail Address	
Cell Phone	
Telephone	

3. **OWNER'S DETAILS (if different from applicant)**

Type of applicant	<i>INDIVIDUAL</i>		<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other			
Company/CC Registration number			
Representative name			
Title			
Initial			
First Name(s)			
Surname			
ID Number			
Postal Address			
Physical Address			
E-Mail Address			
Cell Phone			
Telephone			
Details of Owner's/ Marital Status	Not Applicable	Married in Community of Property	Married in out of Community of Property

4. **REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATION FORMS:**

Documents required	Number of copies	Submitted (X or N/A)
Application Fee		
Company Resolution (if applicable)	2	
Motivated memorandum	7	
Sketch plan showing the proposed alteration/amendment/partial cancellation of the General Plan	7	
Special Power of Attorney (if applicable)	2	
Title Deed / Leasehold Title	2	

DECLARATION OF COMPLIANCE

I/We.....

ID Number/s.....

hereby declare that:

I/ We have provided the correct information to the Municipality to enable it to take an informed decision.

I/ We understand that the Municipality has the authority to ensure orderly built environment through land use management.

I/ We declare that all conditions attached to this application, if approved, will be fully complied with.

I/ We certify that the municipal officials shall be granted access to the property in order to conduct inspections and other related municipal functions.

Signed aton day month year

SIGNATURE OF APPLICANT/S:

If the property is registered in more than one person's name all owners need to sign.

SCHEDULE 71 – ALTERATION / AMENDMENT / PARTIAL CANCELLATION OF A GENERAL PLAN GENERAL INFORMATION AND PROCEDURE

AGP-2



GENERAL INFORMATION AND PROCEDURE FOR THE ALTERATION / AMENDMENT / PARTIAL CANCELLATION OF A GENERAL PLAN IN TERMS OF SECTION 63 OF THE CITY OF EKURHULENI SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019

To be read with form AGP-1

1. APPLICATION

A complete application duly completed and accompanied by prescribed documents, must be submitted to the City Planning office at the applicable Customer Care Centre. Further information can also be obtained from the relevant Customer Care Centre.

2. LODGING OF APPLICATION

THE APPLICANT MUST SUBMIT THE FOLLOWING TO:

The Area Manager: City Planning

See **Schedule 47** for full details of applicable Customer Care Centre where the application must be submitted.

- (a) An application form, duly signed by the applicant.
- (b) If the applicant is not the registered owner of the property, the application must be accompanied by a **power of attorney from the registered owner**.
- (c) Should the owner of the property be a registered company, a resolution taken by the board of directors of the company, authorising the relevant director/employee to apply on behalf of the company, is required in addition.
- (d) A **fully** motivated memorandum clearly setting forth the applicant's intentions, including the following:
 - (i) Locality Map
 - (ii) **Need** and **desirability** of proposed use(s) at the specific location.
- (e) Sketch plan, in A4/A3 size, showing the following in relation to each other and the property:

- (i) Proposed amendment/alteration/partial cancellation of the general Plan
 - (ii) Proposed roads and erven
 - (iii) Servitudes (if applicable)
 - (iv) Schedule of rights (proposed zoning, etc.)
 - (v) Contours
 - (vi) Existing buildings
 - (vii) Scale
 - (viii) North point
- (f) A copy of the relevant Title Deed(s) of the property.
- (g) Proof of Provincial Gazette & newspaper advertisement (full pages of the newspapers in which the advertisements appeared or editor's certificates).

3. **NEWSPAPER & PROVINCIAL GAZETTE ADVERTISEMENTS**

The application must be advertised in the Provincial Gazette and two newspapers circulating in the area where the land concerned is situated.

The application may only be advertised AFTER lodging thereof with the Municipality

The first publication of the notice shall appear in the Provincial Gazette and one of the newspapers on the same date.

If the date of publication of the two newspapers referred to does not correspond, the closing date by which comments and objections shall be submitted, as indicated in the notices in the different newspapers, shall -

- (a) be the same in all notices;
- (b) be calculated from the date of first publication; and
- (c) make provision for a period of submission of comments and objections of at least 28 days.

The advertisement must be placed **once a week for two consecutive weeks**.

All advertisements shall be published in English.

See **Schedule 44** for the draft newspaper advertisement.

4. **RAISING OF OBJECTIONS**

Provision is made in the newspaper advertisements & the site notice for a period of 28 days wherein objections against the application may be submitted. This period for the raising of objections is **calculated from the date of publication of the first advertisement** must be provided in all newspaper advertisements as well as the large notice on the property.

Any objections/comments or representations with regard to the specific application must be submitted in writing to the City Planning Offices, at the applicable Customer

Care Centre on or before the final date of the objection period as stated in the advertisements and/or notices.

5. Any objections/comments/representations received by the Municipality will be forwarded to the applicant and the applicant will have a reasonable opportunity after the objection period is over to reply in writing to any such objections/comments/representations and before the municipality considers the application.
6. The Municipality will take into consideration any objection received within the prescribed period and will notify the applicant and the persons, if any, from whom objections/comments/representations were received, of its decision.

The applicant and/or any of the aforesaid persons, **if aggrieved by the decision of the Council**, may then appeal to the Ekurhuleni Metropolitan Municipality Appeals Authority, in writing. (The contact details for this Authority will be made available by the City Planning Offices at the applicable Customer Care Centre)

7. The decision of the Municipality will not take effect if an appeal has been lodged, until such appeal is disposed of by the Ekurhuleni Metropolitan Municipality Appeals Authority.
8. The attention of applicant/s is directed to the fact that the responsibility of ascertaining whether this procedure may, or may not be followed, to obtain certain land use rights, is entirely their own (i.e. the applicant's). It must be clearly understood that these forms are being issued without prejudice.
9. Applicants are advised in their own interest to pay close attention to the aforementioned, since an application cannot be accepted or considered, until the required information and/or documents are furnished satisfactorily.

NB. THIS APPLICATION DOES NOT EXEMPT APPLICANTS FROM COMPLIANCE WITH OTHER PROCEDURE AND/OR REQUIREMENTS PRESCRIBED BY ANY OTHER APPLICABLE LEGISLATION.

10. **PLEASE NOTE:**

MERELY SUBMITTING AN APPLICATION, *MUST NOT BE CONSIDERED AS* APPROVAL BEING GRANTED. A SUBMITTED APPLICATION IS MERELY FOR CONSIDERATION AND THE FINAL DECISION MUST STILL BE MADE BY COUNCIL.

SCHEDULE 72 – CONSENT IN TRANSITIONAL ZONE APPLICATION FORM

TZ-1



**APPLICATION FORM FOR
CONSENT IN TRANSITIONAL ZONE
IN TERMS OF SECTION 64 OF THE CITY OF EKURHULENI SPATIAL PLANNING AND
LAND USE MANAGEMENT BY-LAW, 2019**

TO: The Area Manager: City Planning

..... Customer Care Centre *

COE REFERENCE NO.

DATE:..... 20.....

1. APPLICATION SITE DESCRIPTION

Settlement name	
Dwelling number	

**2. PROPERTY DESCRIPTION ACCORDING TO TITLE DEED (DESCRIPTION OF
LAND ON WHICH SETTLEMENT IS SITUATED)**

Erf/Holding/Portion	
Town/Agricultural Holdings/Farm	
Number and Name of Street or Road	

3. PROPOSED USE(S)

Proposed Use	
Size (m ²) / Number of seats / etc.	

4. **PROPERTY INFORMATION**

Town Planning Scheme	Land Use Scheme
Current zoning	
Property size (m ²) (if applicable)	

5. **APPLICANT'S DETAILS**

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company / CC Registration number		
Representative name		
Title		
Initial		
First Name(s)		
Surname		
Postal Address		
Physical Address		
E-Mail Address		
Cell Phone		
Telephone		

6. **REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATION FORMS:**

Documents required	Number of copies	Submitted (X or N/A)
Application Fee		
Proof from the department responsible for human settlements that the dwelling has officially been allocated to the applicant	2	
Motivated memorandum	7	
Site/Development Plan (A3/A4 size)	7	
Affidavit confirming that all house/home owners agree to the application (if applicable)	2	
Proof of notification of the adjoining house/home owners	1	

DECLARATION OF COMPLIANCE

I/We.....

ID Number/s.....

hereby declare that:

I/ We have provided the correct information to the Municipality to enable it to take an informed decision.

I/ We understand that the Municipality has the authority to ensure orderly built environment through land use management.

I/ We declare that all conditions attached to this application, if approved, will be fully complied with.

I/ We certify that the municipal officials shall be granted access to the property in order to conduct inspections and other related municipal functions.

Signed aton day month year

SIGNATURE OF APPLICANT/S:

If the property is registered in more than one person's name all owners need to sign.

SCHEDULE 73 – CONSENT IN TRANSITIONAL ZONE APPLICATION FORM GENERAL INFORMATION AND PROCEDURE

TZ-2



GENERAL INFORMATION AND PROCEDURE FOR THE CONSENT IN TRANSITIONAL ZONE IN TERMS OF SECTION 64 OF THE CITY OF EKURHULENI SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019 AND CLAUSE 31 OF THE EKURHULENI TOWN PLANNING SCHEME, 2014

To be read with form TZ-1

1. APPLICATION

A complete application duly completed and accompanied by prescribed documents, must be submitted to the City Planning office at the applicable Customer Care Centre. Further information can also be obtained from the relevant Customer Care Centre.

2. LODGING OF APPLICATION

THE APPLICANT MUST SUBMIT THE FOLLOWING TO:

The Area Manager: City Planning

See **Schedule 47** for full details of applicable Customer Care Centre where the application must be submitted.

- (a) An application form, duly signed by the applicant.
- (b) Proof from the department responsible for human settlements that the dwelling that is the subject of the application has officially been allocated to the applicant.
- (c) A fully motivated memorandum/letter which at least should contain the following information:
 - (i) Locality Map
 - (ii) **Need** and **desirability** of proposed use(s) at the specific location
 - (iii) Extent, use(s) and floor space(s) of intended building(s) as well as the total area required in respect of the proposed use(s)
 - (iv) Number of workers to be employed and where they will be housed
 - (v) Source and distance of similar enterprises presently serving the community
 - (vi) Estimated number of persons who may patronise the business

- (vii) Operating/Business/Trading hours
- (l) Site plan, in A4/A3 size, showing the following in relation to each other and the property:
 - (i) Locality and uses of existing buildings on the property.
 - (ii) Locality and uses of proposed new buildings, if any.
 - (iii) Boundaries of property.
 - (iv) Parking.
 - (v) Access to and from property.
 - (vi) North point.
- (m) Where there is more than one house/home owner, an affidavit shall be submitted together with the application indicating that all house/home owners agree to the application as submitted (only if applicable).
- (n) Proof that the notification of the neighbours were sent by registered mail or hand delivered.
- (o) An Application fee as per the Council Tariffs, payable to the **Municipality**.

3. **NOTIFICATION OF ADJOINING PROPERTY OWNERS**

The applicant shall notify each adjoining property owner of the application by registered post or hand delivery.

If the adjoining property owners form part of a body corporate, the notice may be delivered in the onsite post boxes of the adjoining property owners and the applicant may submit email / facsimile correspondence as proof of receipt of the notice so delivered. Alternatively, comments from the board of trustees of the body corporate may be obtained.

If the adjoining property does not reside on the adjoining property, the applicant shall notify them by registered post.

The applicant shall submit proof of the notification of the adjoining property owners to the Municipality on this prescribed form.

See **Schedule 31, 32 and 33**.

4. **RAISING OF OBJECTIONS**

Provision is made in the notification of adjoining property owners for a period of 28 days wherein objections against the application may be submitted. The period, i.e. 28 days for the raising of objections is **calculated from the date on which each adjoining property owners was notified and signed receipt or the date that the registered mail was sent to them.**

Any objections/comments or representations with regard to the specific application must be submitted in writing to the City Planning Offices, at the applicable Customer Care Centre on or before the final date of the objection period as stated in the advertisements and/or notices.

5. Any objections/comments/representations received by the Municipality will be forwarded to the applicant and the applicant will have a reasonable opportunity after the objection period is over to reply in writing to any such objections/comments/representations and before the municipality considers the application.
6. The Municipality will take into consideration any objection received within the prescribed period and will notify the applicant and the persons, if any, from whom objections/comments/representations were received, of its decision.

The applicant and/or any of the aforesaid persons, **if aggrieved by the decision of the Council**, may then appeal to the Ekurhuleni Metropolitan Municipality Appeals Authority, in writing. (The contact details for this Authority will be made available by the City Planning Offices at the applicable Customer Care Centre)

7. The decision of the Municipality will not take effect if an appeal has been lodged, until such appeal is disposed of by the Ekurhuleni Metropolitan Municipality Appeals Authority.
8. The attention of applicant/s is directed to the fact that the responsibility of ascertaining whether this procedure may, or may not be followed, to obtain certain rights, is entirely their own (i.e. the applicant's). It must be clearly understood that these forms are being issued without prejudice.
9. Applicants are advised in their own interest to pay close attention to the aforementioned, since an application cannot be accepted or considered, until the required information and/or documents are furnished satisfactorily.

IF ANY DIFFICULTIES IN THIS REGARD ARE EXPERIENCED IT MAY BE ADVISABLE TO CONTACT A TOWN PLANNING CONSULTANT OR THE RELEVANT MUNICIPAL PLANNER FOR THE AREA.

NB. THIS APPLICATION DOES NOT EXEMPT APPLICANTS FROM COMPLIANCE WITH OTHER PROCEDURE AND/OR REQUIREMENTS PRESCRIBED BY ANY OTHER APPLICABLE LEGISLATION.

10. PLEASE NOTE:

MERELY SUBMITTING AN APPLICATION, *MUST NOT BE CONSIDERED* AS APPROVAL BEING GRANTED. A SUBMITTED APPLICATION IS MERELY FOR CONSIDERATION AND THE FINAL DECISION MUST STILL BE MADE BY COUNCIL.

SCHEDULE 74 – EXCISION OF AN AGRICULTURAL HOLDING APPLICATION FORM

EX-1



APPLICATION FORM FOR EXCISION OF AN AGRICULTURAL HOLDING IN TERMS OF SECTION 124 OF THE CITY OF EKURHULENI SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019

TO: The Area Manager: City Planning

..... Customer Care Centre *

COE REFERENCE NO.

DATE..... 20.....

1. DESCRIPTION OF LAND ACCORDING TO TITLE DEED

Holding Number	
Name of Agricultural Holdings	

2. APPLICANT'S DETAILS

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company/CC Registration number		
Representative name		
Are you a Registered Planner?	YES	NO
Title		
Initial		
First Name(s)		
Surname		
Postal Address		

Physical Address	
E-Mail Address	
Cell Phone	
Telephone	

3. **OWNER'S DETAILS (if different from applicant)**

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company/CC Registration number		
Representative name		
Title		
Initial		
First Name(s)		
Surname		
ID Number		
Postal Address		
Physical Address		
E-Mail Address		
Cell Phone		
Telephone		
Details of Owner's/ Marital Status	Not Applicable	Married in Community of Property
		Married in out of Community of Property

4. **REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATION FORMS:**

Documents required	Number of copies	Submitted (X or N/A)
Application Fee		
Bondholder's Consent (if applicable)	2	
Company Resolution (if applicable)	2	
Locality Plan	2	
Motivated memorandum	2	

Site / Development Plan (A3 / A4 size)	2	
Special Power of Attorney (if applicable)	2	
Title Deed / Leasehold Title	2	

DECLARATION OF COMPLIANCE

I/We.....

ID Number/s.....

hereby declare that:

I/ We have provided the correct information to the Municipality to enable it to take an informed decision.

I/ We understand that the Municipality has the authority to ensure orderly built environment through land use management.

I/ We declare that all conditions attached to this application, if approved, will be fully complied with.

I/ We certify that the municipal officials shall be granted access to the property in order to conduct inspections and other related municipal functions.

Signed aton day month
year

SIGNATURE OF APPLICANT/S:

If the property is registered in more than one person's name all owners need to sign.

SCHEDULE 75 – EXCISION OF AN AGRICULTURAL HOLDING GENERAL INFORMATION AND PROCEDURE

EX-2



GENERAL INFORMATION AND PROCEDURE FOR THE EXCISION OF AN AGRICULTURAL HOLDING IN TERMS OF SECTION 124 OF THE CITY OF EKURHULENI SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019

To be read with form EX-1

1. **APPLICATION**

A complete application duly completed and accompanied by prescribed documents, must be submitted to the City Planning office at the applicable Customer Care Centre. Further information can also be obtained from the relevant Customer Care Centre.

2. **LODGING OF APPLICATION**

THE APPLICANT MUST SUBMIT THE FOLLOWING TO:

The Area Manager: City Planning

See **Schedule 47** for full details of applicable Customer Care Centre where the application must be submitted.

- (a) An application form for the Council's consent, duly signed by the applicant.
- (b) Special power of attorney.
- (c) Bondholder's consent (if applicable).
- (d) Company Resolution (if applicable)
- (e) Motivated memorandum
- (f) Locality Plan
- (g) General Plan / Agricultural Holdings Diagram
- (h) Agricultural Holding Layout Plan
- (i) Title Deed

3. **Important aspects relating to the application for excision of land from the agricultural holding register**

- (a) The application cannot be dealt with if all the required documents as indicated in the paragraph above have not been submitted.
- (b) In the case of a township establishment or subdivision application, it may be done simultaneously and there is no need for permission to bring the applications simultaneously. Therefore a township can automatically have an excision application being brought simultaneously, however if the excision is to remove restrictive conditions for any purpose other than a township it may, in the sole discretion of the Municipality, be dealt with together with the land development application or separate.
- (c) In terms of the process the following will be implemented:
 - When an excision application is submitted, the Municipality shall first make a recommendation for the excision, where after the recommendation will be submitted to the Surveyor-General.
 - Upon receipt of the recommendation for the granting of the excision, the applicant shall request a new property description of the farm into which the Agricultural Holding will be incorporated.
 - The applicant on receipt of the new farm description shall prepare a draft survey diagram and submit the said diagram to the Municipality with a confirmation that he wishes to proceed with the excision.
 - The Municipality considers the excision with reference to the new farm portion number and imposes conditions, if applicable.
 - The excision only comes into effect when the title deed of the Agricultural Holding is endorsed with the new farm portion number.
 - When the decision is taken by the Municipality and the Certificate is issued, copies will be sent to inter alia the Applicant, Surveyor-General and the Registrar.
 - Where by virtue of an excision, the land is to be incorporated into a farm register and the farm has by notice in the Provincial Gazette been made subject to the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970) falls under the Department responsible for the administration of the said Act, the applicant wishes to bring any other application they still need to obtain permission from the Department of Agriculture.
- (d) Stages of an application:
 - Submission of application to CCA
 - Letter of recommendation done by Area Manager
 - CCA process and forward recommendation to applicant with the request to obtain the proposed new farm portion number.
 - Applicant use above to request Surveyor General to reserve a new farm description
 - New farm description from Surveyor General back to client
 - Applicant submit new farm description to CCA
 - CCA submit draft certificate to HOD
 - Certificate signed to be signed by HOD must be accompanied by draft survey diagram and letter from Surveyor General stating new farm description.

- HOD to sign Excision Certificate and return to CCA
 - CCA inform applicant and applicant to collect certificate
 - Attorney to submit certificate and new Title Deed to be registered at Deeds Office
4. You are advised in your own interest to pay close attention to the aforementioned, since your application cannot be accepted or considered, until the required information and/or documents are furnished satisfactorily.

SCHEDULE 76 – NOTIFICATION FOR THE LAPSING OF A LAND DEVELOPMENT APPLICATION



REF:

ENQUIRIES:

Messrs xxxxx
Xxxxx
Xxxx
Xxxx

CITY PLANNING DEPARTMENT

xxxx Civic Centre
xxxx
xxxx
xxxx
xxxx

Tel: (011) 999-xxxx
Fax: xxx xxx xxxx
www.ekurhuleni.gov.za

Sir/Madam,

LAPSING OF LAND DEVELOPMENT APPLICATION IN RESPECT OF **..... (property description)**

NOTICE IS HEREBY GIVEN by the Municipality in terms of Section 41(2) / 43(3) / 54(1) / 56(1) *(delete whichever is not applicable)* of the CITY OF EKURHULENI METROPOLITAN MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019 that your application has lapsed.

Yours faithfully,

.....
XXXXXXX
AREA MANAGER
Xxxxxx CUSTOMER CARE CENTRE
For HEAD OF DEPARTMENT: CITY PLANNING DEPARTMENT

Date:

SCHEDULE 77 – REQUEST FOR EXTENSION OF TIME

SECTION 41(4) / 43(2) / 54(2) / 56(2) OF THE CITY OF EKURHULENI METROPOLITAN MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019

I/we, the undersigned,

.....
hereby request the municipality in terms of Section 41(4) / 43(2) / 54(2) / 56(2) (*delete whichever is not applicable*) of the City of Ekurhuleni Metropolitan Municipality Spatial Planning and Land Use Management By-Law, 2019, read with Section 43(2) of the Spatial Planning and Land Use Management Act, 2013 to grant extension of time to finalise my/our land development application for

.....
in respect of Erf/Holding/Portion/Township.....
.....
.....

SIGNED:

Date:

SCHEDULE 78 – APPROVAL OF EXTENSION OF TIME



REF:

ENQUIRIES:

Messrs xxxxx

Xxxxx

Xxxx

Xxxx

CITY PLANNING DEPARTMENT

xxxx Civic Centre

xxxx

xxxx

xxxx

xxxx

Tel: (011) 999-xxxx

Fax: xxx xxx xxxx

www.ekurhuleni.gov.za

Sir/Madam,

EXTENSION OF TIME OF LAND DEVELOPMENT APPLICATION IN RESPECT OF **..... (Property/Township description)**

NOTICE IS HEREBY GIVEN by the Municipality in terms of Section 41(4) / 43(2) / 54(3) / 56(3) *(delete whichever is not applicable)* of the CITY OF EKURHULENI METROPOLITAN MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019, read with Section 43(2) of the Spatial Planning and Land Use Management Act, 2013 that your request for extension of time to finalise your land development application has been granted.

Yours faithfully,

.....
XXXXXXXX

AREA MANAGER

Xxxxxx CUSTOMER CARE CENTRE

For HEAD OF DEPARTMENT: CITY PLANNING DEPARTMENT

Date:

SCHEDULE 79 – REQUEST TO AMEND APPLICATION PRIOR TO APPROVAL OF THE LAND DEVELOPMENT APPLICATION

AMEND-1



APPLICATION FORM FOR AMENDMENT OF APPLICATIONS PRIOR TO APPROVAL IN TERMS OF SECTION 65(1) OF THE CITY OF EKURHULENI METROPOLITAN MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019

TO: The Area Manager: City Planning

..... Customer Care Centre

COE REFERENCE NO.

..... 20.....

1. PROPOSED AMENDMENT:

Erf / Ptn	Proposed zoning	Property size	Coverage	Height	FAR	Max potential: Number of units, floor area of offices / industry / restaurant etc., number of children / learners etc., no of seats etc.

Description of Amendment (if not development controls – *example: amendment of a layout plan*):

2. TYPE OF LAND DEVELOPMENT APPLICATION (Mark with X)

Township Establishment		Written Consent	
Rezoning		Consolidation	
Removal of Restrictions		Subdivision	
Consent Use			

3. PROPERTY DESCRIPTION:

Erf/Holding/Portion	
Town/Agricultural Holding/Farm	
Number and Name of Street or Road	

4. APPLICANT'S DETAILS:

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company/CC Registration number		
Representative name		
Are you a Registered Planner?	YES	NO
SACPLAN Registration No.		
Title		
Initial		
First Name(s)		
Surname		
Postal Address		
Physical Address		
E-Mail Address		
Cell Phone		
Telephone		

5. **REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATION FORM:**

Documents required	Number of copies	Submitted (X or N/A)
Confirmation of from engineering services departments in respect of services capacity (pre-consultation)	1	
Comments from the External Departments (if applicable)	1	
Layout Plan (if applicable)	7	
Motivated memorandum	7	
Phasing / Divisional Plan(s) (if applicable)	7	
Site / Development Plan (if applicable)	7	
Subdivision / Consolidation Plan (if applicable)	7	
Affidavit confirming that the site notice was maintained (if applicable)	1	
Photographic evidence of site notice (if applicable)	1	
Proof of Newspaper advertisement (if applicable)	1	
Proof of Provincial Gazette advertisement (if applicable)	1	
Proof of notification of the adjoining property owners (if applicable)	1	
Environmental Impact Assessment (if applicable)	2	
Floodline Certificate (if applicable)	2	
Geotechnical Investigation (if applicable)	2	
Mineral Rights Holder's Consent (if applicable)	2	
Traffic Impact Study (if required)	2	

DECLARATION OF COMPLIANCE

I/We.....

ID Number/s.....

hereby declare that:

I/ We have provided the correct information to the Municipality to enable it to take an informed decision.

I/ We understand that the Municipality has the authority to ensure orderly built environment through land use management.

I/ We declare that all conditions attached to this application, if approved, will be fully complied with.

I/ We certify that the municipal officials shall be granted access to the property in order to conduct inspections and other related municipal functions.

Signed aton day month year

SIGNATURE OF APPLICANT/S:

If the property is registered in more than one person's name all owners need to sign.

SCHEDULE 80 – NOTICE OF ADMINISTRATIVE PENALTY



REF:

ENQUIRIES:

REGISTERED LAND OWNER

Messrs xxxxx

Xxxxx

Xxxx

Xxxx

CITY PLANNING DEPARTMENT

xxxx Civic Centre

xxxx

xxxx

xxxx

xxxx

Tel: (011) 999-xxxx

Fax: xxx xxx xxxx

www.ekurhuleni.gov.za

Sir/Madam,

NOTICE OF ADMINISTRATIVE PENALTY IN TERMS OF SECTION 110(1) OF THE CITY OF EKURHULENI METROPOLITAN MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019 IN RESPECT OF (property description)

Although you were served with a contravention and compliance notice for the illegal use of Erf/Holding/Portion.....
for the purposes of
in terms of Section 109 of the CITY OF EKURHULENI METROPOLITAN MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019 on,
you failed to cease the said land use within the stipulated time frame.

Therefore, NOTICE IS HEREBY GIVEN by the Municipality in terms of Section 110(1) of the CITY OF EKURHULENI METROPOLITAN MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019, that a daily administrative penalty of (R500 – R5000) has been imposed on you as from the date of this notice until such time as the contravention and compliance notice is complied with.

.....
XXXXXXX

AREA MANAGER

Xxxxxx CUSTOMER CARE CENTRE

For HEAD OF DEPARTMENT: CITY PLANNING DEPARTMENT

Date:

SCHEDULE 80 (A) – CONTRAVENTION AND COMPLIANCE NOTICE

REF:

ENQUIRIES:

REGISTERED LAND OWNER

Messrs xxxxxxxxxxxx

Xxxxxxxxxx

xxxxxxx

Xxxxxx



xxxx Civic Centre

xxxx

xxxx

xxxx

xxxx

Tel: (011) 999-xxxx

Fax: xxx xxx xxxx

www.ekurhuleni.gov.za

Sir/Madam;

CONTRAVENTION AND COMPLIANCE NOTICE TO COMPLY WITH SECTION 109 OF THE CITY OF EKURHULENI METROPOLITAN MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019 IN RESPECT OF (PROPERTY DESCRIPTION)

PART A – Inspection/Investigation:

The Department: City Planning conducted an inspection on.....(Property Description) leased/ owned by you on(Date of Inspection).

The inspection revealed the following:

1. The operation of a(nature of contravention) on your property zoned as(current zoning). In terms of the Ekurhuleni Town Planning Scheme, 2014 “.....” **does not** permit such use on the property.
2. You are hence in contravention of:
 - (i) **Section 109 the City of Ekurhuleni Metropolitan Municipality Spatial Planning and Land Use Management By-Law, 2019**
 - (ii) **Section 38 of the Ekurhuleni Town Planning Scheme, 2014 (ETOPS, 2014)** in that ‘Any person who contravenes or fails to comply with any provision of the scheme shall be guilty of an offence’ to wit the zoning of the property is “Residential 1” and does not permit the operation of a boarding house.
 - (iii) **Any other legislation and By-Laws of other departments e.g Environmental Health, etc.**

PART B - Details of Non-Compliance:

Your attention is particularly drawn to the details of the non-compliance described above as follows:

(To include details of non-compliance including photographs) Photographs Annexure”...”

PART C – Instructions to person/s responsible:

1. YOU are hereby instructed to-
 - 1.1 Immediately cease the contravention/s listed above, but not later than 30 days from receipt of this notice;
 - 1.2 Restore the property to its current zoning being “.....”
 - 1.3 Demolish all structures in contravention of the approved building plans. **(A copy of the approved building plans is attached as Annexure “....”)**

PART D – Remedies:

1. Upon meeting the directives issued in PART C above, you may then follow the prescribed application procedures set out in the City of Ekurhuleni Metropolitan Municipality Spatial Planning and Land Use Management By-Law, 2019 in order to obtain appropriate land use rights. In this regard, all applications will be considered on merit and it must be noted that the mere submission of a land use application does not imply that such application will necessarily be approved by the City of Ekurhuleni Metropolitan Municipality.

PART E - Failure to comply with notice:

1. YOU are further advised that should you fail to comply with this notice as provided for in PART C above, the City of Ekurhuleni Metropolitan Municipality shall institute prosecution forthwith.

PART F - Objection/ Representation:

1. Should you not understand or be satisfied with the contents contained above then you may enquire from or object, in writing, to the following person/s employed at the City of Ekurhuleni: -

NAME:(Name of Compliance Officer)	DESIGNATION AND CONTACT DETAILS: Development Compliance Officer: 011 999 xxx Certificate No.....
--	--

SIGNED ATON THIS THE _____ DAY OF _____
2019.

**AREA MANAGER: CUSTOMER CARE AREA
FOR HEAD OF DEPARTMENT: CITY PLANNING**

Proof of Delivery/ Receipt

Received by: _____

Signature: _____

Date: _____

SCHEDULE 80 (B) – CONTRAVENTION NOTICE



CITY PLANNING DEPARTMENT

REF:

ENQUIRIES:

REGISTERED LAND OWNER

Messrs xxxxxxxxxxxx

Xxxxxxxxxx

xxxxxxx

Xxxxxx

xxxx Civic Centre

xxxx

xxxx

xxxx

xxxx

Tel: (011) 999-xxxx

Fax: xxx xxx xxxx

www.ekurhuleni.gov.za

Sir/Madam;

CONTRAVENTION NOTICE TO COMPLY WITH SECTION 109 OF THE CITY OF EKURHULENI METROPOLITAN MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019 IN RESPECT OF (PROPERTY DESCRIPTION)

A recent site inspection, conducted by an official of this Department, on the (date of inspection), has revealed that the subject property is currently being used for the purpose of “.....” (describe nature of contravention).

In terms of the Ekurhuleni Town Planning Scheme, 2014, the above-mentioned property is currently zoned “.....” (zoning) which allows for (allowable land uses) only. The use which is presently being conducted from the property, is not in line with the zoning, and constitutes a direct contravention of the aforesaid Town-Planning Scheme and consequently renders you liable for prosecution.

You are hereby accordingly instructed, in terms of the provisions of Section 109 of the City of Ekurhuleni Metropolitan Municipality Spatial Planning & Land Use Management By-Law, 2019, to cease the above-mentioned alleged illegal land use and restore the property to its original purpose, within 28 days from the date of this letter.

Please be advised, for your information, that the property will again be inspected after the 28 day period has lapsed and should it be found that the aforesaid illegal use has not ceased, this Department will, without any further notice, proceed to institute legal proceedings against you, in accordance with the provisions of Section 109 of the City of Ekurhuleni Metropolitan Municipality Spatial Planning & Land Use Management By-Law, 2019.

Kindly regard this matter in a serious light and for your interest you are hereby requested to discuss the aforesaid with the Compliance Officer of the City Planning Department:

NAME:(Name of Compliance Officer)	DESIGNATION AND CONTACT DETAILS: Development Compliance Officer: 011 999 xxx Certificate No.....
--	--

SIGNED ATON THIS THE _____ DAY OF _____
2019.

AREA MANAGER: CUSTOMER CARE AREA
FOR HEAD OF DEPARTMENT: CITY PLANNING

Proof of Delivery/ Receipt

Received by: _____

Signature: _____

Date: _____

SCHEDULE 81 – APPLICATION FOR CONSENT TO ENTER INTO CERTAIN CONTRACTS AND OPTIONS APPLICATION FORM

S126-1



**APPLICATION FORM FOR
THE CONSENT OF THE MUNICIPALITY TO ENTER INTO CERTAIN CONTRACTS AND
OPTIONS
IN TERMS OF SECTION 126(2) OF THE CITY OF EKURHULENI SPATIAL PLANNING
AND LAND USE MANAGEMENT BY-LAW, 2019**

TO: The Area Manager: City Planning

..... Customer Care Centre *

COE REFERENCE NO.

DATE: 20.....

1. DESCRIPTION OF PROPOSED TOWNSHIP

Proposed township name	
Relevant erf numbers	

2. APPLICANT'S DETAILS

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company/CC Registration number		
Representative name		
Title		
Initial		
First Name(s)		
Surname		
Postal Address		
Physical Address		

E-Mail Address	
Cell Phone	
Telephone	

3. **OWNER'S DETAILS (if different from applicant)**

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company/CC Registration number		
Representative name		
Title		
Initial		
First Name(s)		
Surname		
ID Number		
Postal Address		
Physical Address		
E-Mail Address		
Cell Phone		
Telephone		

4. **REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATION FORMS:**

Documents required	Number of copies	Submitted (X or N/A)
Conditions of approval	2	
Signed Engineering Services Agreement	2	
Proof of compliance with conditions stipulated in the Engineering Services Agreement	2	

DECLARATION OF COMPLIANCE

I/We.....

ID Number/s.....

hereby declare that:

I/ We have provided the correct information to the Municipality to enable it to take an informed decision.

I/ We understand that the Municipality has the authority to ensure orderly built environment through land use management.

I/ We declare that all conditions attached to this application, if approved, will be fully complied with.

I/ We certify that the municipal officials shall be granted access to the property in order to conduct inspections and other related municipal functions.

Signed aton day month year

SIGNATURE OF APPLICANT/S:

If the property is registered in more than one person's name all owners need to sign.

SCHEDULE 82 – APPLICATION FOR CONSENT TO ENTER INTO CERTAIN CONTRACTS AND OPTIONS GENERAL INFORMATION AND PROCEDURE

S126-2



GENERAL INFORMATION AND PROCEDURE FOR THE CONSENT OF THE MUNICIPALITY TO ENTER INTO CERTAIN CONTRACTS AND OPTIONS IN TERMS OF SECTION 126(2) OF THE CITY OF EKURHULENI SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019

To be read with form S126-1

1. **APPLICATION**

A complete application duly completed and accompanied by prescribed documents, must be submitted to the City Planning office at the applicable Customer Care Centre. Further information can also be obtained from the relevant Customer Care Centre.

2. **LODGING OF APPLICATION**

THE APPLICANT MUST SUBMIT THE FOLLOWING TO:

The Area Manager: City Planning

See **Schedule 47** for full details of applicable Customer Care Centre where the application must be submitted.

- (a) An application form for the Council's consent, duly signed by the applicant.
- (b) Conditions of approval
- (c) Signed Engineering Services Agreement
- (d) Proof of compliance with conditions stipulated in the Engineering Services Agreement

3. You are advised in your own interest to pay close attention to the aforementioned, since your application cannot be accepted or considered, until the required information and/or documents are furnished satisfactorily.

[illegible]

SCHEDULE 84 – EXCISION CERTIFICATE



CORPORATE OFFICE
CITY PLANNING DEPARTMENT

.....
.....
.....
.....
.....

Tel: (011) 999-.....
Fax:
www.ekurhuleni.gov.za

C E R T I F I C A T E

CONSENT FOR THE CANCELLATION OF AN AGRICULTURAL HOLDING CERTIFICATE

I,, in my capacity as Head of Department, City Planning of the City of Ekurhuleni Metropolitan Municipality duly authorized as authorized official, hereby in terms of Section 6(1) of the Agricultural Holdings (Tvl) Registration Act 1919 (Act 22 of 1919) read with the Spatial Planning and Land Use Management Act (Act 16 of 2013), approves the cancellation of the Agricultural Holding Certificate in respect of –

**Holding Agricultural Holdings, Registration Division I.R.
Gauteng Province.**

For Township Establishment as approved by the City of Ekurhuleni Metropolitan Municipality / To use the Holding for other purposes than those contemplated by the definition of a Holding contained in the Agricultural Holdings (Transvaal) Registrations Act 1919. (delete whichever is not applicable)

THUS DONE and SIGNED at on 2019

.....

.....
**HEAD OF DEPARTMENT: CITY PLANNING
CITY OF EKURHULENI METROPOLITAN MUNICIPALITY**

SCHEDULE 85 – NOTARIAL TIE APPLICATION FORM

TIE-1



APPLICATION FORM FOR NOTARIAL TIE AGREEMENT IN TERMS OF

TO: The Area Manager: City Planning

..... Customer Care Area

COE REFERENCE NO.

..... 20.....

1. **DESCRIPTION OF LAND ACCORDING TO TITLE DEED** (add information for each property affected by the proposed notarial tie agreement)

Property 1	Erf/Holding/Portion	
	Town/Agricultural Holdings/Farm	
	Held under Deed of Transfer	
Property 2	Erf/Holding/Portion	
	Town/Agricultural Holdings/Farm	
	Held under Deed of Transfer	

2. **APPLICANT'S DETAILS**

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company/CC Registration number		
Representative name		
Title		
Initial		
First Name(s)		
Surname		

Postal Address	
Physical Address	
E-Mail Address	
Cell Phone	
Telephone	

3. **REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATION FORMS:**

Documents required	Number of copies	Submitted (X or N/A)
Bondholder's Consent (if applicable)	1	
Company Resolution (if applicable)	1	
General Plan / S.G. Diagram	1	
Locality Plan	1	
Motivated memorandum	1	
Special Power of Attorney (if applicable)	1	
Title Deed / Leasehold Title	1	
Draft Notarial Tie Agreement	1	
Draft Special Power of Attorney for the signature by HOD: City Planning	1	

DECLARATION OF COMPLIANCE

I/We.....

ID Number/s.....

hereby declare that:

I/ We have provided the correct information to the Municipality to enable it to take an informed decision.

I/ We understand that the Municipality has the authority to ensure orderly built environment through land use management.

I/ We declare that all conditions attached to this application, if approved, will be fully complied with.

I/ We certify that the municipal officials shall be granted access to the property in order to conduct inspections and other related municipal functions.

Signed aton day month
year

SIGNATURE OF APPLICANT/S:

If the property is registered in more than one person's name all owners need to sign.

SCHEDULE 86 – NOTARIAL TIE GENERAL INFORMATION AND PROCEDURE

TIE-2



GENERAL INFORMATION AND PROCEDURE FOR THE NOTARIAL TIE AGREEMENT IN TERMS OF

To be read with form TIE-1

1. **APPLICATION**

A complete application duly completed and accompanied by prescribed documents, must be submitted to the City Planning office at the applicable Customer Care Centre. Further information can also be obtained from the relevant Customer Care Centre.

2. **LODGING OF APPLICATION**

THE APPLICANT MUST SUBMIT THE FOLLOWING TO:

The Area Manager: City Planning

See **Schedule 47** for full details of applicable Customer Care Area where the application must be submitted.

- (a) An application form for the Council's consent, duly signed by the applicant.
- (b) Special power of attorney.
- (c) Bondholder's consent (if applicable).
- (d) Company Resolution (if applicable)
- (e) Motivated memorandum
- (f) Locality Plan
- (g) General Plan / S.G. Diagram
- (h) Title Deed
- (i) Draft Notarial Tie Agreement (template to be obtained from the relevant CCA)
- (j) Draft Special Power of Attorney for signature by HOD: City Planning (template to be obtained from the relevant CCA)

3. You are advised in your own interest to pay close attention to the aforementioned, since your application cannot be accepted or considered, until the required information and/or documents are furnished satisfactorily.

SCHEDULE 87 – SECTION 125 CERTIFICATE



CORPORATE OFFICE
CITY PLANNING DEPARTMENT

The Registrar of Deeds

.....
.....
.....
.....

.....
.....
.....
.....

Tel: (011) 999-.....
Fax:
www.ekurhuleni.gov.za

Date:

Sir/Madam

CERTIFICATE ISSUED IN TERMS OF THE PROVISIONS OF SECTION 125(3) OF THE CITY OF EKURHULENI METROPOLITAN MUNICIPALITY SPATIAL PLANNING & LAND USE MANAGEMENT BY-LAW, 2019: (*property description*)

I,, in my capacity as Head of Department: City Planning of the City of Ekurhuleni Metropolitan Municipality duly authorized thereto, certify that: -

1. The applicant has complied with all the conditions listed under Section 125(3) of the City of Ekurhuleni Metropolitan Municipality Spatial Planning & Land Use Management By-law, 2019;
2. The Registrar of Deeds may register and / or transfer the abovementioned property.

**THUS DONE AND SIGNED AT ON THIS THE
..... DAY OF 2016.**

.....

.....
**HEAD OF DEPARTMENT: CITY PLANNING
CITY OF EKURHULENI METROPOLITAN MUNICIPALITY**

SCHEDULE 88 – SITE DEVELOPMENT PLAN APPLICATION FORM

SDP-1



**APPLICATION FORM FOR
SITE DEVELOPMENT PLAN
IN TERMS OF CLAUSE 29 OF THE CITY OF EKURHULENI TOWN PLANNING SCHEME,
2014**

TO: The Area Manager: City Planning

..... Customer Care Area

COE REFERENCE NO.

..... 20.....

5. DESCRIPTION OF LAND ACCORDING TO TITLE DEED

Erf/Holding/Portion	
Town/Agricultural Holdings/Farm	
Street Address	

6. APPLICANT'S DETAILS

Type of applicant	<i>INDIVIDUAL</i>	<i>LEGAL ENTITY/OTHER</i>
Name of Legal Entity/other		
Company/CC Registration number		
Representative name		
Title		
Initial		
First Name(s)		
Surname		
Postal Address		
Physical Address		

E-Mail Address	
Cell Phone	
Telephone	

7. **REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATION FORMS:**

Documents required	Number of copies	Submitted (X or N/A)
Application Fee		
Site Development Plan	10	
Title Deed / Leasehold Title	1	

DECLARATION OF COMPLIANCE

I/We.....

ID Number/s.....

hereby declare that:

I/ We have provided the correct information to the Municipality to enable it to take an informed decision.

I/ We understand that the Municipality has the authority to ensure orderly built environment through land use management.

I/ We declare that all conditions attached to this application, if approved, will be fully complied with.

I/ We certify that the municipal officials shall be granted access to the property in order to conduct inspections and other related municipal functions.

Signed aton day month
year

SIGNATURE OF APPLICANT/S:

If the property is registered in more than one person's name all owners need to sign.

SCHEDULE 89 – SITE DEVELOPMENT PLAN GENERAL INFORMATION AND PROCEDURE

SDP-2



GENERAL INFORMATION AND PROCEDURE FOR THE SITE DEVELOPMENT PLAN IN TERMS OF CLAUSE 29 OF THE CITY OF EKURHULENI TOWN PLANNING SCHEME, 2014

To be read with form SDP-1

1. **APPLICATION**

A complete application duly completed and accompanied by prescribed documents, must be submitted to the City Planning office at the applicable Customer Care Centre. Further information can also be obtained from the relevant Customer Care Centre.

2. **LODGING OF APPLICATION**

THE APPLICANT MUST SUBMIT THE FOLLOWING TO:

The Area Manager: City Planning

See **Schedule 47** for full details of applicable Customer Care Area where the application must be submitted.

- (a) An application form for the Council's consent, duly signed by the applicant.
- (b) Site Development Plan (10 folded copies – 2x colour, 8x black and white)
- (c) Title Deed

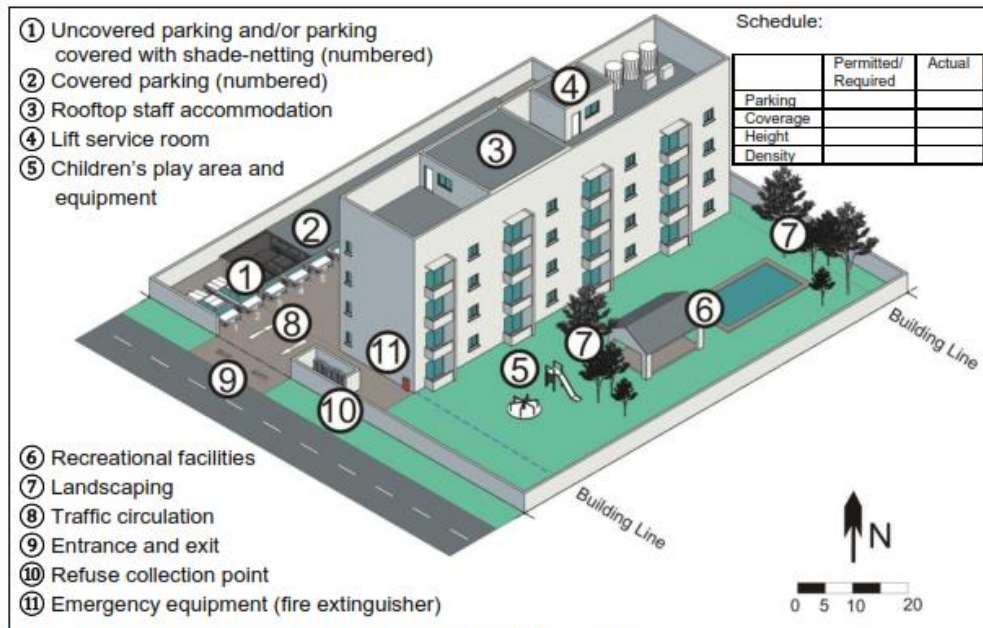
3. **REQUIREMENTS IN TERMS OF CLAUSE 29 OF THE EKURHULENI TOWN PLANNING SCHEME, 2014**

The Municipality may require a Site Development Plan (SDP) to be submitted for approval, in respect of all Use Zones, excluding dwelling houses on Residential 1 and 2 zoned erven. Alternatively, the Municipality may allow a detailed site plan to be submitted as part of the building plans.

- 3.1. Where an SDP is required, it may be approved simultaneously with any building plan by the Municipality, as one set of plans, in connection with the proposed development.

- 3.2. The Municipality may approve or refuse a SDP, or may request amendments thereof.
- 3.3. Unless the Municipality determines otherwise, a SDP or a detailed site plan must show at least the following:
- (a) A scale of 1:500 or such other scale as may be approved by the Municipality.
 - (b) A north point.
 - (c) The siting, height, floor area and coverage of all buildings and structures (proposed extensions included).
 - (d) A schedule containing both the permitted/required development parameters and actual development parameters, including parking provision.
 - (e) The elevation and architectural treatment of all buildings and structures.
 - (f) Loading and off-loading areas.
 - (g) A minimum of 10% landscaped or permeable areas on all land, which may include functional recreational areas, but exclude parking.
 - (h) Entrances to and exits from the land (including access layout) and surrounding land and buildings.
 - (i) If the erf is to be subdivided, the proposed subdivision lines.
 - (j) Access to buildings and parking areas, as well as provision for the disabled.
 - (k) Building restriction areas.
 - (l) Parking areas (including surface treatment) and where required by the Municipality, circulation of vehicular and pedestrian traffic.
 - (m) Parking bays shall be numbered and be cross referenced with the schedules in (l) above.
 - (n) Public Transport Facilities (including taxi bays), where applicable.
 - (o) The phasing and programming of future development, if it is not proposed to develop the whole property simultaneously.
 - (p) Steps to be taken to control stormwater run-off, to the satisfaction of the Municipality.
 - (q) Contours and floodlines.
 - (r) Existing and proposed engineering services.
 - (s) Cadastral information, including servitudes and adjoining properties, as well as buildings.
 - (t) Topographical and natural features, if so required by the Municipality.
 - (u) Refuse areas and/or Refuse Collection Points.
 - (v) Where the storage of dangerous and or poisonous substances/materials is to occur on the property, a descriptive table of all such substances/materials and the placing of all signs on the property and buildings, indicating the storage areas, including the floor area to be used, must be indicated.
 - (w) The location of emergency equipment, including fire hydrants and extinguishers.
- 3.4. If a SDP has been approved, the owner(s) of the application property shall, if he/she wishes to amend the SDP, submit the amended SDP to the Municipality.
- 3.5. The Municipality may approve or refuse the proposed amendment of the SDP.

Example of the application of the principles of a Site Development Plan



REFER TO THE EKURHULENI TOWN PLANNING SCHEME, 2014 FOR ANY FURTHER CLARITY

4. You are advised in your own interest to pay close attention to the aforementioned, since your application cannot be accepted or considered, until the required information and/or documents are furnished satisfactorily.