GENERAL INFORMATION AND PROCEDURE

1. APPLICATION

A complete application including the application form, (pages 4 and 5), application fee and a site plan together with other listed documents must be submitted to the City Planning office at the applicable Customer Care Centre. See a list of the Customer Care Centres with their complete details in Annexure “A”. Further information can also be obtained from the relevant Customer Care Centre.

2. NOTIFICATION OF NEighbours

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 (page 6 and 7) or by registered post. See page 8 for a guide if notifications are hand delivered or provide proof of registered mail separately.

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

3. RAISING OF OBJECTIONS

Provision is made for the notification of neighbours for a period wherein objections against the application may be submitted. A period for the raising of objections i.e. 28 days calculated from the date on which each neighbour 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 to the City Planning Offices in writing, at the applicable Customer Care Centre on or before the final date of the objection period as stated in the advertisements and/or notices.
4. LODGING OF APPLICATION

BEFORE ANY NOTIFICATION IS DELIVERED OR SENT TO NEIGHBOURS, THE APPLICANT MUST SUBMIT 5 COPIES OF THE FOLLOWING TO:

The Area Manager: City Planning
Customer Care Centre

See list provided in Annexure "A" for full details of applicable Customer Care Centre where the application must be submitted.

(a) An application form (page 4 and 5) 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) 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.

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

NOTE: Restrictive conditions should be discussed with the Development Planner for the area to prevent unnecessary delays with the application.

(d) Special Power of Attorney from the registered owner (if application is made by someone else) and if applicable, the bondholder's consent.

(e) Proof that the notification of the neighbours prescribed in 2. above were sent by registered mail or hand delivered. Proof shall be required and the form on page 9 can be used for neighbours to sign for the notice, together with contact details of such neighbours. (Should be submitted as soon as proof can be given that all neighbours have been duly notified)

(f) An Application fee as per the Council Tariffs, payable to:

Ekurhuleni Metropolitan Municipality.
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 Ekurhuleni Metropolitan 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 Townships Board, Department of Economic Development, P.O. Box X091, Marshalltown, 2107. (Tel. 011 634 7042 or Fax. 086 628 0197).

7. The decision of the Ekurhuleni Metropolitan 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 Townships Board.

8. The attention of applicant/s is directed to the fact that the responsibility of ascertaining whether the consent use 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. 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.

**IF YOU EXPERIENCE ANY DIFFICULTIES 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.**

10. **PLEASE NOTE:**

The notification of neighbours and/or the submission of this application, **MUST NOT BE CONSIDERED AS PERMISSION GRANTED TO PRACTISE THE PROPOSED USE(S).**
APPLICATION FORM FOR WRITTEN CONSENT USE “B”

REFERENCE NO. .................................................................

WRITTEN CONSENT “B” APPLICATION IN TERMS OF CLAUSE 31
OF THE EKURHULENI TOWN PLANNING SCHEME, 2014

TO:        The Area Manager: City Planning
........... Customer Care Centre *

* See a list of the Customer Care Centres with their complete details (Annexure “A”)

........................................................................ 20......

I ...................................................................................................... (name)
of .................................................................................................................. (postal address)
.................................................................................................................. (telephone)
.................................................................................................................. (cellphone)
.................................................................................................................. (email)

hereby apply on behalf of ........................................................................ (name)

the registered owner of the land, for the Written Consent Use B of the Council to use the land described
here for the following purposes.
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)**

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

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

   (Please specify e.g. Second Dwelling Unit.)

3. **MOTIVATION**

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

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

   (Attach additional pages if required.)

4. **DOCUMENTS ATTACHED HERETO, AS SET OUT IN PAGES 1-4 ABOVE:**

   (a) Site and/or a building plan in A4/A3 size.

   (b) A copy of the relevant title deed(s).

   (c) Special Power of Attorney from the registered owner (if application is made by someone else).

   (d) Proof that the notification of the neighbours as prescribed, were sent by registered mail or hand delivered.

   (e) Application fee as per the Council Tariffs.

**PLEASE NOTE:** YOUR TELEPHONE NUMBERS ARE ESSENTIAL

**NAME/S:**

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

**SIGNATURE OF APPLICANT/S:**

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

If the property is registered in more than one person’s name all owners need to sign.
LETTER OF NOTIFICATION TO NEIGHBOURS

SIR / MADAM* (OWNER OF PROPERTY)

RE. PROPOSED WRITTEN CONSENT USE B: Erf No. ...........................................................
..........................................................................................................................................
..............................................................................................................................................(suburb/farm/agricultural holding).

Situated at: (physical/street address)
..........................................................................................................................................
..........................................................................................................................................
..........................................................................................................................................

In terms of Clause 31 of the Ekurhuleni Town Planning Scheme, 2014, you are hereby informed of my intention to apply for Written Consent "B" from Ekurhuleni Metropolitan Municipality, to use the property for the purposes of:
..........................................................................................................................................

(Detailed description, eg. Second Dwelling Unit)

You are hereby requested to furnish your comments/objections, if any, in writing to: The Area Manager: City Planning, at the following address:

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

* This notification is for the owner of the neighbouring 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.

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

In terms of Clause 30 of the Ekurhuleni Town Planning Scheme, 2014, I/We confirm hereby that I/We have been informed of the applicant’s intention to apply for Written Consent B from, Ekurhuleni Metropolitan Municipality, to use the property:

Erf No. .......................................................... .................................................................................. (suburb/farm/agricultural holding).

Situated at: (physical/street address) ........................................................................................................

for the purposes of: ........................................................................................................................................

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* PLEASE NOTE: This notification is for the owner of the neighbouring 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.