Consent Use
Consent Use

Application in Terms of Section 19 of The City of Johannesburg Municipal Planning By-Law, 2016.

1. An owner of land may submit a consent use application in terms of this By-law and as provided for in the City’s land use scheme to use the land or site or any building on the land or site for a particular purpose.

2. An application for consent as envisaged in subsection (1) above shall submit the following:

   a) Prescribed application fee, currently: R 788-00
   b) Covering letter addressed to: The Executive Director
      Development Planning
      PO Box 30733
      Braamfontein
      2017
   c) Application Information – Form A.
   d) **Original** Power of attorney (if applicable – Form B)
   e) Company Resolution (if applicable – Form C)
   f) A copy of the registered title deed for each erf that is included in the application. (6 copies)
   g) A copy of the company closed corporation, should the or trust property by registered in favour of one of the above.
   h) If the land is subject to a mortgage bond, full details of such bond holder as well as the bond holder’s consent relevant to the application.
   i) Comprehensive Motivating memorandum in support of the application. (25 copies)
   j) Locality plan of the area. (25 copies)
   k) Zoning and density zoning plan. (25 copies)
   l) Land Use Plan. (25 copies)
   m) Information regarding the existing zoning.
   n) Information on the **existing** development and use on the land.
o) Information on the proposed use on the land

p) Proposed site plan, showing, inter alia, the parking lay out. (6 copies)

q) Undertaking to advertise – Form E1.
   a. E1a - Letter Template
   b. E1b - Site Notice Template
   c. E1c - Site Notice and Letter Affidavit Template

r) Subject to section 55(2) to (5) of the By-law, any other information deemed relevant to the application.

In addition to the above information, should engineering report be submitted, three copies of each report should be submitted.

Engineering Report Guidelines:

**Outline Scheme Report (Stormwater):**

ORS =
- Site Area < 5 000m² Stormwater Management
- Site Area 5000m² to 8500m² Outline Scheme Report
- Site Area > 8500m² Outline Scheme Report with Attenuation

**Outline Scheme Report (Water and Sewer):**

ORS =
- > 10kl Outline Scheme Report

**Traffic Impact Study / Assessment (TIS/TIA):**

TIS/TIS
- < 50 Trips - Traffic Statement (Optional)
- 50 to 150 Trips - Traffic Statement
- > 150 Trips Traffic Impact Study
Form A – Application Information

APPLICABLE SCHEME:
...........................................................TOWN PLANNING SCHEME, ................................

APPLICATION TYPE:

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

APPLICATION PURPOSES:

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

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

SITE DESCRIPTION:

Erf/Erven (stand) No(s): .................................................................
Township (Suburb) Name: ..............................................................
Street Address: ............................................................... Code:

OWNER:

Full name: ............................................................................
Postal Address: ................................................................. Code: ................................................
Tel No (w): ................................................................. Fax No: ................................................
Cell: ...................................................................................
E-mail address: ........................................................................

SIGNED: ................................................................................
Signature of owner/s

DATE: ..................................................................................
AUTHORISED AGENT (IF APPLICABLE)

Full name: ..................................................................................................................

Postal Address: .........................................................................................Code: .............

Residential Address: .................................................................................................

Tel No (w): ............................................ Fax No: ......................................................

Cell: .............................................................................................................................

E-mail address: ...............................................................................................................

SIGNED: ....................................................................................................................

Signature of Agent

DATE: .....................................................................................................................

If an AUTHORISED AGENT is submitting the application, please submit:

Special Power of Attorney (Form B)

OR – A letter of authorisation from the owner/s

IF THE OWNER IS A COMPANY

A company resolution authorising the agent is required (Form C)
SPECIAL POWER OF ATTORNEY

I, the undersigned .................................................................
being the registered owner of ..................................................
held under deed of transfer/certificate of consolidation title no. .........................
do hereby nominate, constitute and appoint ..........................................
...........................................................................................
With power of Substitution to be my lawful representative in my name, place and
stead, to make application for ..................................................
...........................................................................................

In addition to applying for the Municipality's approval of and to make any other
necessary applications including any post decision processes with regard to
contributions, payment of park contributions and inclusionary housing requests and
further to represent me at any inquiry in relation to the abovementioned matters and
generally do whatever may be necessary or desirable to procure the consent of the
Council, and generally for effecting the purpose aforementioned, to do or cause to be
done whatsoever shall be requisite, as fully and effectually, for all intends and
purpose 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 my representative shall lawfully do or cause to be done,
by virtue of these present and whatever my said representative has to date done
herein.

SIGNED AT JOHANNESBURG ON THIS _____ THE DAY OF _____________20____
in the presence of the undersigned witnesses.

SIGNED: ___________________

AS WITNESSES:

1. ___________________

2. ___________________
COMPANY RESOLUTION

RESOLUTION BY OWNERS / MEMBERS OF


RESOLVED THAT:

At a meeting held at ________________________________ on this
________ day ____________ month for the _________________ year.

1. An application be submitted to the City of Johannesburg Metropolitan
   Municipality for the ____________________________________
   ________________________________________________________

2. _____________________________________________________
   be and hereby authorised to sign all necessary documentation and papers to enable
   the above application to be proceeded with.

Chairperson of the meeting

SIGNED: _____________________

AS WITNESSES:

1. _____________________

2. _____________________
UNDERTAKING TO ADVERTISE – CONSENT

A consent use application shall comply with the following procedures:

(a) A notice shall be displayed on the land under consideration in English;

(b) Such notice shall be displayed on the land within 7 (seven) days from the date of the City’s letter of acknowledgment of a complete application;

(c) Such notice shall be in the format as determined by the City;

(d) Such notice shall be displayed in a conspicuous place on the land in question where it would be best and easily visible and can be easily read from each and every adjacent public street or other adjacent public place;

(e) Such notice shall be maintained in a clearly legible condition for a period of not less than 21 days from the date of 1st display of such notice;

(f) Such notice shall reflect full details of the application including, but not limited to, the street address, the name of the township, a clear erf description of the erf, farm portion or agricultural holding concerned and the nature and general purpose of the application;

(g) Such notice shall reflect the date of 1st display of such notice and it shall reflect the name, postal address, telephone number, fax number and e-mail address of the person submitting the application;

(h) Such notice shall further reflect that the application and its accompanied documents will lie open for inspection at specified times and at specified places at the City’s offices and that any objection, comment or representation in regard thereto must be submitted timeously to both the City and the person mentioned in subsection (g) above in writing by registered post, by hand, by facsimile or by e-mail within a period of 28 days from date of first displaying the notice on the land under consideration; and

(i) In addition to the requirements in subsections (a) to (h) above, a letter shall also be dispatched within 7 days of date of first display of the notice envisaged in subsection (a) above to the owners/occupiers of all contiguous erven, including those on the opposite side of a street or lane by registered post, by hand or by any other means available informing such owners/occupiers of all the detail as prescribed in subsections (f), (g) and (h) above.

(j) Proof of compliance with the above in the form of a written affidavit shall be submitted to the City within 14 days of expiry of the date contemplated in subsection (h) above.
Form E1 – Advertise Consent

I hereby state that I intend to advertise this application on:

Date: ________________________________________________

OWNER / AUTHORISED AGENT

Name: ..................................................................................................................

Postal Address: .................................................................Code: ......................

Residential Address: ........................................................................................................

Tel No (w): .........................Cell: .........................Fax No: ..............................

E-mail address: ..............................................................................................................

SIGNED: .................................................................

Signature of owner/s

DATE: ..........................................................................................
Form E1 – Advertise Consent

X = Contiguous erven

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<td>Application Site</td>
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<tr>
<td>X</td>
<td>Application Site</td>
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Form E1a – Letter Consent

Name and Address of

Contiguous owner / occupant

And / or interested party

Dear Sir/ Madam

DATE OF DISPATCHING THE LETTER

APPLICATION TYPE:

APPLICATION PURPOSES:

SITE DESCRIPTION:
Erf/Erfen (stand) No(s):

Township (Suburb) Name:

Street Address: Code

The above application, made in terms of the (applicable scheme), will be open for inspection from 08:00 to 15:30 at the Registration Counter, Department of Development Planning, Room 8100, 8th Floor A- Block, Metropolitan Centre, 158 Civic Boulevard, Braamfontein.

Any objection or representation with regard to the application must be submitted to both the owner / agent and the Registration Section of the Department of Development Planning at the above address, or posted to P. O. Box 30733, Braamfontein, 2017, or a facsimile send to (011) 339 4000, or an e-mail send to benp@joburg.org.za, by not later than (state date - 28 days from the date on which the application notice was first displayed).
Details of OWNER / AUTHORISED AGENT

Full name: .................................................................................................................................

Postal Address: .........................................................................................................................Code: ................................

Residential Address: ...................................................................................................................

Tel No (w): ............................................. Fax No: ........................................................................

Cell: ........................................................................................................................................

E-mail address: ..........................................................................................................................

SIGNED: .................................................................................................................................

Signature of owner/s
SITE NOTICE – TO BE ENLARGED

APPLICABLE SCHEME:

TOWN PLANNING SCHEME,

Notice is hereby given, in terms of Section 19 of the City of Johannesburg Municipal Planning By-Law, 2016, that I / we, the undersigned, intend to apply to the City of Johannesburg for an amendment to the land use scheme.

APPLICATION PURPOSES:

SITE DESCRIPTION:

Erf/Erven (stand) No(s):

Township (Suburb) Name:

Street Address: Code

The above application, made in terms of the (applicable scheme), will be open for inspection from 08:00 to 15:30 at the Registration Counter, Department of Development Planning, Room 8100, 8th Floor A-Block, Metropolitan Centre, 158 Civic Boulevard, Braamfontein.

Any objection or representation with regard to the application must be submitted to both the owner / agent and the Registration Section of the Department of Development Planning at the above address, or posted to P. O. Box 30733, Braamfontein, 2017, or a facsimile send to (011) 339 4000, or an e-mail send to bnp@joburg.org.za, by not later than (state date – 28 days from the date on which the application notice was first displayed).

OWNER / AUTHORISED AGENT

Full name:

Postal Address: Code:

Tel No (w): Fax No:

Cell:

E-mail address:

SIGNED: Signature of owner/s

DATE:
DISPLAY OF NOTICE ON THE SITE AND DISPARCHING OF LETTERS

AFFIDAVIT

I, ................................................................................................. (Name) of

SITE DESCRIPTION:

Erf/Erven (stand) No(s): ..............................................................................

Township (Suburb) Name: ............................................................................

Street Address: .......................................................................................... Code

make oath and say that:

1. On ............................................................... (Date of erection of notice) I posted in a
   conspicuous position at: ................................................................................
   (Application site) so as to be visible to the passing public, the notice of my intention to
   apply to the Council for its consent for ..........................................................
   ......................................................................................................................
   specific use of building or land) on the abovementioned property.

2. I inspected such noticed on various dates after the ............................................
   (Date of erection of notice) and on the ..........................................................
   (Date of removal of notice at least 21 days later) and found the notice at the time of
   all such including the latter date, intact and posted as aforesaid.

3. On ............................................................... (Date of letters)
   I posted / hand delivered / e-mailed or ........................................................
   in a letter to the properties listed on this form.

So as to inform the owner/s and /or occupant/s of my intention to apply to the Council
for its consent ....................................................................................................
............................................................................................................................
............................................................................................................................

Applicant’s Signature
Signed and sworn to, before me at .......................................................  

(Name of town/city) this ................ Day of ................................. 20........  

I certify that the Deponent has acknowledged that he/she knows and understands the contents of this affidavit.  

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

Commissioner of Oaths
List of Property Owner/s / occupant/s notified:

Property:

Address:

Property:

Address:

Property:

Address:
Form E1c – Affidavit Consent

List of Property Owner/s / occupant/s notified: (continue)

Property:

Address:

Property:

Address:

Property:

Address:
List of Property Owner/s / occupant/s notified: (continue)

Property:

Address:

Property:

Address:

Property:

Address: