



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

APPLICATION SUBMISSION REQUIREMENTS

March 2024

Development Management

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1 BASIC APPLICATION PROCEDURE

Depending on the nature, extent and complexity of a proposal, processing a planning application is generally likely to go through (a number of or all) the following procedural steps or stages in terms of the City of Cape Town Municipal Planning By-law, 2015 (as amended) (MPBL):

- Pre-application consultation (if required);
- Electronic submission;
- Internal circulation and notice of application (if required) (once application considered complete, including applicant response to any objections and/or comments received);
- Detailed technical assessment by the Development Management Department (the 'Department'), including amendments / revisions by applicant if required;
- Decision (either by an authorised official or the Municipal Planning Tribunal);
- Notification of decision;
- Appeal (if any).

The MPBL now binds every owner and operator of land, inclusive of the state, to its provisions and will prevail over any other by-law of the City. Exemptions from any provisions of this by-law as provided for in section 140 will only be considered where and when it relates to applications designated for government subsidised housing.

Prospective applicants are advised to have a pre-application consultation meeting with their local planning office when there is uncertainty to what needs to accompany their application or to obtain proper information on the application procedure to be followed, relevant higher order planning frameworks and policies, by-laws, regulations and other requirements, as well as any likely application / advertisement / notice fees payable and the relevant application forms, before an application is prepared or submitted. For certain application types the requirement to have a pre-application consultation meeting is compulsory. Pre-application consultation meeting requests must be submitted via the planning portal. Where policy or legislation has changed materially such that it may impact on previous pre-application consultation advice, it is required that a new pre-application consultation meeting be requested. Additionally, case officers have the discretion to initiate this request if deemed appropriate.

Once the application fee has been paid, an applicant will receive acknowledgement of receipt of the application, wherein the case number allocated to the application, as well as the case officer's name and phone number will be stated.

Should the City require any further information / documentation / fees to enable its consideration of an application, this will be requested within a 7-day period, whereupon the applicant is required to submit the outstanding information / documentation / fees within 20 days.

Until a final notification letter of a decision is received, any correspondence or discussion regarding your application should not be construed as an indication that it will in fact be approved and is not binding on the City in any way.

2 APPLICATION TYPES

Planning applications may include any of the following, all made in terms of the City of Cape Town Municipal Planning By-Law, 2015 (as amended):

Type in terms of (see second column below) of the City of Cape Town Municipal Planning By-Law, 2015	
Rezoning of land, including rezoning to subdivisional area overlay zoning	section 42(a)
Permanent departure	section 42(b)
Temporary departure	section 42(c)
Subdivision of land	section 42(d)
Implementation of a subdivision approval in phases	section 42(e)
Consolidation of land	section 42(f)
Amendment, suspension or removal of a restrictive condition	section 42(g)
Consent or approval in terms of, or the relaxation of, a restrictive condition in a title deed where the restriction relates to use, subdivision, development rules or design criteria	section 42(h)
Consent, approval or any other permission or requirement in terms of the development management scheme	section 42(i)
Amendment, deletion or addition of conditions in respect of an existing approval granted or deemed to be granted in terms of the MPBL	section 42(j)
Extension of the period of validity of an approval	section 42(k)
Amendment or cancellation of an approved plan of subdivision or general plan	section 42(l)
Permission required in terms of the conditions of approval of an application	section 42(m)
Determination of a zoning, a non-conforming use right or any other matter which the City may determine in terms of the MPBL	section 42(n)
Correction of a zoning map	section 42(o)
Alteration or amendment of a street name or number as contemplated in section 136	section 42(q)
Determination of an administrative penalty as contemplated in section 129(1)	section 42(r)
To exempt a subdivision from the need for approval in terms of the MPBL as contemplated in section 67(3)	section 42(s)
Permission for the reconstruction of a building or a substantial part of it within the envelope of a non-conforming use as contemplated in section 37(6)	section 42(t)
Any other application which the City Manager may prescribe in terms of the MPBL	section 42(u)
Approval in terms of section 55(4)(b) of the MPBL	section 42(v)

3 INFORMATION AND DOCUMENTATION REQUIRED

It is important that an application include all relevant information necessary (as per section 71 of the MPBL) to enable the Department to properly evaluate it.

Section 8 in this document lists the minimum supporting information and documentation required to enable the City to assess the various types of planning applications. However, as this is only a guideline, please consult your local district planning office and the City of Cape Town Municipal Planning By-law (as amended), as there may be site specific or additional / unique requirements relating to an application.

Should the title deed of a subject property be unclear, a conveyancer's certificate may be required, certifying that the relevant original title deed (and not only the latest deed of transfer) was examined by a conveyancer for restrictive conditions and describing such restrictions, if any.

It is important to highlight that submission requirements are the same for any applicant of an application, be it a private developer, the City or any state department.

4 APPLICATION FEES AND TARIFFS

Land use application fees and tariffs are set on an annual basis by the City of Cape Town Council for each financial year (i.e. from 1 July to 30 June the next year) and must be paid in full after an invoice has been created at submission stage, failing which the application will not be considered to have been accepted and therefore processed.

The total fee payable is determined by the application type, extent / complexity of the proposal and extent of public participation required and may therefore consist of:

- a basic application fee; and/or
- a complexity fee; and/or
- advertising / notice fee.

Should the need for further impact assessments (indicating complexity) only arise later during the evaluation process or further additional public participation be required (e.g. in case of a major amendment), an additional fee may be charged at such time.

5 PROPOSAL MOTIVATION

Any application must be properly motivated in terms of the **criteria set out in section 99 of the City of Cape Town Municipal Planning By-Law, 2015 (and section 48(4) in the case of removal, suspension or amendment of restrictive conditions, where regard must be given to section 39(5) of the Land Use Planning Act and sections 42(1)(c) and 47 of SPLUMA).**

Motivations may include, but is not limited to, the following aspects:

- **Background:** Any information of significance to the application, which may include site history, any previous negotiations, transactions or changing circumstances preceding the application, previous applications etc.
- **Physical characteristics of the application premises and surrounding area:** Description of all physical characteristics of the subject premises, including topography, slopes, drainage, vegetation, floodplains and flood lines, unique ecological habitats and sensitive areas, any unstable soil formations, existing buildings and structures, access routes etc., as well as expert knowledge and opinion where problems are anticipated. The use of photographs is

encouraged. It is furthermore strongly recommended that the surrounding area is assessed in the context of the specific application, to an extent that is acceptable and realistic.

- **Development proposal:** Detailed description of all aspects of the proposed development, including any alternative schemes. The application should furthermore be supported by drawings, plans, sections or elevations which can give an indication of the proposed built form, landscaping and public interface of the proposed development.
- **Desirability:** The following considerations are amongst other things relevant to the assessment of the proposed land use to determine if it would be desirable and should therefore be properly motivated in an application (please refer to section 99 of the MPBL) –
 - socio-economic impact;
 - compatibility with surrounding uses;
 - impact on the external engineering services;
 - impact on safety, health and wellbeing of the surrounding community;
 - impact on heritage;
 - impact on the biophysical environment;
 - traffic impacts, parking, access and other transport related considerations; and
 - whether the imposition of conditions can mitigate an adverse impact of the proposed use or development of land.

In motivating applications for the removal, suspension or amendment of restrictive conditions, applicants must have regard to section 39(5) of the Land Use Planning Act and sections 42(1)(c) and 47 of the Spatial Planning and Land Use Management Act.

6 ADVERTISING AND PUBLIC PARTICIPATION

The City must cause notice to be given of certain application types. Notice to persons whose rights or legitimate expectations may be materially and adversely affected (as determined by the City) if an application is approved also needs to be given. This can be done by means of several forms or methods of notification. Further detail of required advertising and public participation is contained in the City's standard operating procedure for the notification of land use development applications.

7 APPEALS

Once a decision has been made on an application, the applicant and/or any objectors will be notified of such decision and be advised of a right to appeal to the appeal authority in terms of section 108 of the City of Cape Town Municipal Planning By-Law, 2015 (as amended).

Should such an appeal right be exercised, it must be done within the prescribed manner.

The operation of the approval of an application is suspended until the effective date of the decision, as per section 105 of the City of Cape Town Municipal Planning By-law (as amended).

8 APPLICATION REQUIREMENTS

The purpose of the below tables are to guide applicants in the preparation of applications.

Land use applications are required to be accompanied by the minimum supporting information and documentation listed below, without all of which the application may be refused to be accepted. Also see the notes at the end of the tables and section 71 of the City of Cape Town Municipal Planning By-law, 2015 (as amended):

Types of applications in terms of the Cape Town Municipal Planning By-Law, 2015 (MPBL) (as amended)

	Section 42(a)	Section 42(b)	Section 42(c)	Section 42(d)	Section 42(e)	Section 42(f)	Section 42(g)	Section 42(h)	Section 42(i)	Section 42(j)
	Rezoning of land, including rezoning to subdivisional area overlay zoning *8	Permanent departure *8	Temporary departure *8	Subdivision of land *5 *6 *7 *8	Implementation of a subdivision approval in phases *5 *6 *7 *8	Consolidation of land *8	Amendment, suspension or removal of a restrictive condition *8	Consent or approval in terms of, or the relaxation of, a restrictive condition in a title deed where the restriction relates to use, subdivision, development rules or design criteria *8	Consent, approval or any other permission or requirement in terms of the development management scheme *8	Amendment, deletion or addition of conditions in respect of an existing approval granted or deemed to be granted in terms of this By-Law *8
Information required										
Completed and signed prescribed application form	x	x	x	x	x	x	x	x	x	x
Relevant authority i to section 71(1)(b)(i-iv) of the MPBL *1	x	x	x	x	x	x	x	x	x	x
Consent of any mortgage bond holder *3							x			

Types of applications in terms of the Cape Town Municipal Planning By-Law, 2015 (MPBL) (as amended)

	Section 42(a)	Section 42(b)	Section 42(c)	Section 42(d)	Section 42(e)	Section 42(f)	Section 42(g)	Section 42(h)	Section 42(i)	Section 42(j)
	Rezoning of land, including rezoning to subdivisional area overlay zoning *8	Permanent departure *8	Temporary departure *8	Subdivision of land *5 *6 *7 *8	Implementation of a subdivision approval in phases *5 *6 *7 *8	Consolidation of land *8	Amendment, suspension or removal of a restrictive condition *8	Consent or approval in terms of, or the relaxation of, a restrictive condition in a title deed where the restriction relates to use, subdivision, development rules or design criteria *8	Consent, approval or any other permission or requirement in terms of the development management scheme *8	Amendment, deletion or addition of conditions in respect of an existing approval granted or deemed to be granted in terms of this By-Law *8
Proof of payment of all fees	x	x	x	x	x	x	x	x	x	x
Record of pre-application consultation *2	x	x	x	x	x	x	x	x	x	x
Full copy of the title deed	x	x	x	x	x	x	x	x	x	x
Conveyancer's certificate *3	x	x	x	x	x	x	x	x	x	x
Locality plan, layout plan or plan depicting the proposed development in its cadastral context (see additional notes on p14)	x	x	x	x	x	x	x	x	x	x
Copy of the SG diagram or extract from the approved general plan	x	x	x	x	x	x	x	x	x	x

Types of applications in terms of the Cape Town Municipal Planning By-Law, 2015 (MPBL) (as amended)

	Section 42(a)	Section 42(b)	Section 42(c)	Section 42(d)	Section 42(e)	Section 42(f)	Section 42(g)	Section 42(h)	Section 42(i)	Section 42(j)
	Rezoning of land, including rezoning to subdivisional area overlay zoning *8	Permanent departure *8	Temporary departure *8	Subdivision of land *5 *6 *7 *8	Implementation of a subdivision approval in phases *5 *6 *7 *8	Consolidation of land *8	Amendment, suspension or removal of a restrictive condition *8	Consent or approval in terms of, or the relaxation of, a restrictive condition in a title deed where the restriction relates to use, subdivision, development rules or design criteria *8	Consent, approval or any other permission or requirement in terms of the development management scheme *8	Amendment, deletion or addition of conditions in respect of an existing approval granted or deemed to be granted in terms of this By-Law *8
Written motivation for the application based on the criteria for decision-making and information to support such motivation	x	x	x	x	x	x	x	x	x	x
Motivation to support criteria in terms of section 39(5) of LUPA and sections 42(1)(c) and 47 of SPLUMA							x			
Information required in pre-application consultation *2	x	x	x	x	x	x	x	x	x	x
Sufficient information as required into the City's approved DC policy *4	x	x	x	x	x	x	x	x	x	x

Types of applications in terms of the Cape Town Municipal Planning By-Law, 2015 (MPBL) (as amended)

Section 42(a)	Section 42(b)	Section 42(c)	Section 42(d)	Section 42(e)	Section 42(f)	Section 42(g)	Section 42(h)	Section 42(i)	Section 42(j)
Rezoning of land, including rezoning to subdivisional area overlay zoning *8	Permanent departure *8	Temporary departure *8	Subdivision of land *5 *6 *7 *8	Implementation of a subdivision approval in phases *5 *6 *7 *8	Consolidation of land *8	Amendment, suspension or removal of a restrictive condition *8	Consent or approval in terms of, or the relaxation of, a restrictive condition in a title deed where the restriction relates to use, subdivision, development rules or design criteria *8	Consent, approval or any other permission or requirement in terms of the development management scheme *8	Amendment, deletion or addition of conditions in respect of an existing approval granted or deemed to be granted in terms of this By-Law *8
Any additional information that the City Manager calls for or prescribes *3						Site Development Plan showing exact development proposal			
Notice of no objection	x	x					x		

Types of applications in terms of the Cape Town Municipal Planning By-Law, 2015 (MPBL) (as amended)

Section 42(k)	Section 42(l)	Section 42(m)	Section 42(n)	Section 42(o)	Section 42(q)	Section 42(s)	Section 42(t)	Section 42(u)	Section 42(v)
Extension of the period of validity of an approval *8	Amendment or cancellation of an approved plan of subdivision or general plan *8	Permission required in terms of the conditions of approval of an application *8	Determination of a zoning, a non-conforming use right or any other matter which the City may determine in terms of this By-Law *8	Correction of a zoning map *8	Alteration or amendment of a street name or number as contemplated in section 136 *8	To exempt a subdivision from the need for approval in terms of this By-Law as contemplated in section 67(3) *8	Permission for the reconstruction of a building or a substantial part of it within the envelope of a non-conforming use as contemplated in section 37(6)	Any other application which the City Manager may prescribe in terms of the MBPL *9	Approval in terms of section 55(4)(b) of the MPBL

Information required	Section 42(k)	Section 42(l)	Section 42(m)	Section 42(n)	Section 42(o)	Section 42(q)	Section 42(s)	Section 42(t)	Section 42(u)	Section 42(v)
Completed and signed prescribed application form	x	x	x	x	x	x	x	x		x
Relevant authority i to section 71(1)(b)(i-iv) of the MPBL *1	x	x	x	x	x	x	x	x		x
Consent of any mortgage bond holder *3										
Proof of payment of all fees	x	x	x	x	x	x	x	x		x
Record of pre-application consultation *2	x	x	x	x	x	x	x	x		x
Full copy of the title deed	x	x	x	x	x	x	x	x		x
Conveyancer's certificate *3	x	x	x	x	x	x	x	x		x

Types of applications in terms of the Cape Town Municipal Planning By-Law, 2015 (MPBL) (as amended)

	Section 42(k)	Section 42(l)	Section 42(m)	Section 42(n)	Section 42(o)	Section 42(q)	Section 42(s)	Section 42(t)	Section 42(u)	Section 42(v)
	Extension of the period of validity of an approval *8	Amendment or cancellation of an approved plan of subdivision or general plan *8	Permission required in terms of the conditions of approval of an application *8	Determination of a zoning, a non-conforming use right or any other matter which the City may determine in terms of this By-Law *8	Correction of a zoning map *8	Alteration or amendment of a street name or number as contemplated in section 136 *8	To exempt a subdivision from the need for approval in terms of this By-Law as contemplated in section 67(3) *8	Permission for the reconstruction of a building or a substantial part of it within the envelope of a non-conforming use as contemplated in section 37(6)	Any other application which the City Manager may prescribe in terms of the MBPL *9	Approval in terms of section 55(4)(b) of the MPBL
Locality plan, layout plan or plan depicting the proposed development in its cadastral context (see additional notes on p14)	x	x	x	x	x	x	x	x		x
Copy of the SG diagram or extract from the approved general plan	x	x	x	x	x	x	x	x		x
Written motivation for the application based on the criteria for decision-making and information to support such motivation	x	x	x	x	x	x	x	x		x
Motivation to support criteria in terms of section 39(5) of LUPA and sections 42(1)(c) and 47 of SPLUMA										

Types of applications in terms of the Cape Town Municipal Planning By-Law, 2015 (MPBL) (as amended)

	Section 42(k)	Section 42(l)	Section 42(m)	Section 42(n)	Section 42(o)	Section 42(q)	Section 42(s)	Section 42(t)	Section 42(u)	Section 42(v)
	Extension of the period of validity of an approval *8	Amendment or cancellation of an approved plan of subdivision or general plan *8	Permission required in terms of the conditions of approval of an application *8	Determination of a zoning, a non-conforming use right or any other matter which the City may determine in terms of this By-Law *8	Correction of a zoning map *8	Alteration or amendment of a street name or number as contemplated in section 136 *8	To exempt a subdivision from the need for approval in terms of this By-Law as contemplated in section 67(3) *8	Permission for the reconstruction of a building or a substantial part of it within the envelope of a non-conforming use as contemplated in section 37(6)	Any other application which the City Manager may prescribe in terms of the MBPL *9	Approval in terms of section 55(4)(b) of the MPBL
Information required in pre-application consultation *2	x	x	x	x	x	x	x	X		x
Sufficient information as required into the City's approved DC policy *4	x	x	x	x	x	x	x	X		x
Any additional information that the City Manager calls for or prescribes *3										
Notice of no objection	x									

Notes

*1	Unless applicant is registered owner
*2	If application did require pre-application consultation as prescribed by the City Manager, or if pre-application consultation has taken place on request
*3	If prescribed/required by the City Manager or his/her delegatee
*4	If development contributions (DC's) will be/are required
*5	In the case of an application for the subdivision or consolidation of land, the subdivision or consolidation plan must showing the following – (i) location of the proposed land units; (ii) proposed zonings in respect of the proposed land units; (iii) public places; (iv) existing structures; (v) existing and proposed access points;

	(vi) servitudes; (vii) contours with at least a 1m interval or such interval as the City Manager may prescribe (refer to the approved Ground Level Map(GLM)); (viii) existing external engineering services; (ix) any significant natural features; (xi) scale of the plan; and (xii) the proposed names and numbers of streets.
*6	If a subdivision is to be implemented in phases, the subdivision application must be accompanied by a phasing plan showing – (a) the proposed timeline for the completion of the entire subdivision; (b) how the subdivision will be implemented and what engineering services must be in place before a certificate contemplated in section 137 may be granted; (c) that the engineering services for each phase will be able to function independently and in sequence; (d) the links in engineering services to the next phase; (e) proposed measures to avoid or mitigate any adverse impact on adjoining land units or proposed land units not located within the phase to be developed; and (f) a map indicating – (i) the proposed subdivision which clearly marks, in bold lines, the boundaries of each proposed phase; (ii) each phase labelled alphabetically; and (iii) the roads, land units, open spaces, internal engineering services and external engineering services that the applicant will provide for each phase.
*7	If an application for subdivision requires a servitude over land which does not belong to the applicant, the applicant must provide a copy of a written agreement with the owner of the land over which the servitude will be registered.
*8	If an owners' association is to be established, the applicant must provide an indication of the financial costs of the maintenance of the private open spaces, private streets and internal engineering services and amenities for the owners' association.
*9	Currently, no other application types are prescribed

Additional notes

Depending on the nature of the application and at the planning official's discretion, additional information / documentation which may be required during the 7-day final completeness checking period may include (but is not limited to) any of the following (this information may also be required to be submitted initially, where appropriate (e.g. indication of existing ground level):

- Copy of a Traffic Impact Statement (TIS) (if between 50-150 peak hr trips) or Traffic Impact Assessment (TIA) (if >150 peak hr trips)
- Flood line certificate (where proposal located in / close to floodplain)
- Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) report & Record of Decision (RoD) (where required in terms of legislation)
- Confirmation of submission of EIA / HIA / Notice of Intent to Develop (NITD)
- Services infrastructure report
- Phasing plan
- Landscaping plan (where relevant)
- Tree survey plan (where relevant)
- Contour plan / Existing ground level (based on the GLM, motivation and determination required if it is not to be applicable)
- Typical unit types (plan & elevation)
- Perspective illustrations / models
- Additional motivation
- Etc.

9 DISTRICT OFFICE CONTACTS

DEVELOPMENT MANAGEMENT ONE NUMBER: 021 401 4702

TABLE BAY DISTRICT

PHYSICAL ADDRESS: Media City Building, 2nd Floor, cnr Adderley Street and Hertzog Boulevard, Cape Town, 8001

POSTAL ADDRESS: PO Box 4529, Cape Town, 8000

E-MAIL: Tablebay.hub@capetown.gov.za

BLAAUWBERG DISTRICT

PHYSICAL ADDRESS: Municipal Building , 87 Pienaar Road, Milnerton, 7441

POSTAL ADDRESS: PO Box 35, Milnerton, 7435

E-MAIL: Blaauwberg.hub@capetown.gov.za

NORTHERN DISTRICT

PHYSICAL ADDRESS: Kraaifontein Administrative Building, 87 Brighton Road, Kraaifontein, 7570

POSTAL ADDRESS: PO Box 25, Kraaifontein, 7569

E-MAIL: Northern.hub@capetown.gov.za

HELDERBERG DISTRICT

PHYSICAL ADDRESS: Somerset West Administrative Building, cnr Andries Pretorius and Victoria Streets, Somerset West, 7130

POSTAL ADDRESS: PO Box 19, Somerset West, 7129

E-MAIL: Helderberg.hub@capetown.gov.za

CAPE FLATS DISTRICT

PHYSICAL ADDRESS: Ledger House, cnr Aden Avenue and George Street, Athlone, 7764

POSTAL ADDRESS: PO Box 283, Athlone, 7760

E-MAIL: CapeFlats.hub@capetown.gov.za

TYGERBERG DISTRICT

PHYSICAL ADDRESS: Parow Administrative Building, cnr Voortrekker Road and Tallent Street, Parow, 7500

POSTAL ADDRESS: Private Bag X4, Parow, 7499

E-MAIL: Tygerberg.hub@capetown.gov.za

MITCHELLS PLAIN / KHAYELITSHA DISTRICT

PHYSICAL ADDRESS: Stocks and Stocks Complex, Ntlazane Road, Ilitha Park, Khayelitsha

POSTAL ADDRESS: Private Bag X93, Bellville, 7535

E-MAIL: Khayemitch.hub@capetown.gov.za

SOUTHERN DISTRICT

PHYSICAL ADDRESS: Plumstead Administrative Building, cnr Main and Victoria Roads, Plumstead, 7800

POSTAL ADDRESS: Private Bag X5, Plumstead, 7801

E-MAIL: Southern.hub@capetown.gov.za