



**CITY OF TSHWANE**

"we are the same"

## **CITY OF TSHWANE**

# **REQUIREMENTS FOR AN APPLICATION FOR PERMISSION IN TERMS OF THE TSHWANE TOWN- PLANNING SCHEME, 2008**

COMPILED BY:

LAND USE LEGISLATION AND APPLICATION MANAGEMENT SECTION  
CITY PLANNING AND DEVELOPMENT DIVISION  
CITY PLANNING, DEVELOPMENT AND REGIONAL SERVICES DEPARTMENT

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# APPLICATION FOR PERMISSION IN TERMS OF THE TSHWANE TOWN-PLANNING SCHEME, 2008

## A. PROCEDURE

Before submitting any application to The City of Tshwane in accordance with these requirements, it is in your own interest to consult the town planner official for the area in question to make sure of the most recent Municipal or departmental policies and requirements that may influence your application.

### 1. Who may apply

The owner of land or the owner's authorised agent may apply to the Strategic Executive Director: City Planning, Development and Regional Services for permission in terms of the Tshwane Town-Planning Scheme, 2008.

### 2. How to apply (legal requirements)

The applicant must submit to the City of Tshwane his or her application, together with the full particulars and plans required by the City of Tshwane (see Paragraph 3)

### 3. What documents are required

The application documents (with the number of copies indicated below) of which one should be the original, all stapled together in the upper left corner, must be submitted during office hours 08:00 to 15:00 to: The Strategic Executive Director: City Planning, Development and Regional Services (at one of the following offices):

Akasia Office: 1<sup>ST</sup> Floor, Spectrum Building, Plein Street West, Karenpark, Akasia,  
Enquiries: JM Loots (Functional Head) Tel: 012-358-9110


or

Centurion Office: Room F8, Town Planning Office cnr Basden and Rabie Streets,  
Enquiries: JD Zeeman (Functional Head) Tel: 012-358-5-3253

or

Pretoria Office: Room G10, Ground Floor, Munitoria, 230 Vermeulen Street, Pretoria.  
Enquiries: Lucy Nkadimeng (Functional Head) Tel : 012-358-4689

### 3.1 Section A: Application Documents

Type of Permission	Documents Required
<p><b>Clause 5 (2): Definitions</b></p> <p>2. <b>EQUESTRIAN SCHOOL</b></p> <p>Means a place where horses are stabled and horse riders and horses are trained and may include horse competitions <b>with the permission of the Municipality.</b></p>	<p>a) Covering Letter  b) A motivating memorandum;  c) A site plan showing parking for horse boxes and spectators cars as well as entrance and exit points.  d) Application fee.  e) Power of attorney if the applicant is not the owner;  f) Zoning certificate and/or Annexure B/ Annexure T/ Annexure or Schedule or Consent use.</p> <p>Advert not necessary</p>
<p><b>Clause 7 (7): Prohibition of Access</b></p> <p>Entry to or exit from any property to or from a public street, shall be subject to the following conditions:</p> <p>(1) The Municipality may prohibit the entrance to or exit from a property to a public street from any boundary of such property, this boundary is indicated by the following symbol on the map:</p> <p style="text-align: center;"></p> <p>With the proviso that the Municipality may revoke such access prohibition on receipt of a <b>written application for its permission</b>, subject to any conditions that the Municipality may impose, except in the case of access restrictions in respect of National or Provincial Roads.</p>	<p>a) A Covering Letter  b) A motivating memorandum  c) Power of attorney if the applicant is not the owner;  d) Copy of the title deed;  e) Site plan indicating the access required;  f) Zoning certificate and/or Annexure B/ Annexure T/ Annexure or Schedule or Consent use.  g) Application fee.</p> <p>Advert not necessary</p>
<p><b>Clause 14 (3): Use of Buildings and Land</b></p> <p>The following Table B indicates for each of the Use Zones the purposes</p> <p>in Column (3), for which buildings may be erected and used or land used,</p> <p>in Column (4), for which buildings may be erected and used or land used only with the consent of the Municipality, and</p> <p>in Column (5), for which buildings may not be erected and used, nor land used:</p> <p>Provided that:</p> <p>(a) The owner of any property in any use zone that is used for sectional title dwelling-units and blocks of flats shall develop and maintain at least 4 square meters per dwelling-unit with a minimum of 50 square meters on the property as a children's playground: Provided that the Municipality may <b>grant permission to reduce this requirement.</b></p>	<p>a) Covering Letter  b) A motivating memorandum  c) Power of attorney if the applicant is not the owner;  d) Copy of the title deed;  e) Site plan indicating the children's playground required;  f) Zoning certificate and/or Annexure B/ Annexure T/ Annexure or Schedule or Consent use.  g) Application fee.</p> <p>Advert not necessary</p>

Type of Permission	Documents Required
<p><b>CLAUSE 14(8)</b></p> <p>Notwithstanding any contrary stipulation contained in this Scheme the Municipality may grant permission for the temporary use of any building or land within any use zone for any of the following:</p> <p>(a) The erection and the use of temporary or the use of existing buildings or sites for site offices, storage rooms, workshops or such other uses that are in the opinion of the Municipality necessary for the erection of any permanent building or structure on the land or the installation of engineering services shall be to the satisfaction of the municipality: Provided <b>that such permission</b> shall lapse, ipso facto, on completion of the permanent building or structure or the completion of the engineering contract.</p> <p>(b) The temporary use of land or buildings for another purpose such as inter alia concerts, fairs, circuses, bazaars, street vendors, parking, place of amusement, public gatherings or meetings and social halls and subject to such conditions which the Municipality may impose and further subject to the condition <b>that such permission:</b></p> <p>may be withdrawn after 30 days written notice to the owner if any conditions of the permission are not met, malpractice occurs or the amenity of the area is prejudiced; and</p> <p>expires 3 months from the date on which permission was granted unless the Municipality extends it in writing.</p>	<p>a) Covering Letter  b) A motivating memorandum  c) Power of attorney if the applicant is not the owner;  d) Copy of the title deed;  e) Site plan  f) Zoning certificate and/or Annexure B/ Annexure T/ Annexure or Schedule or Consent use.  g) Application fee.</p> <p>Advert not necessary</p>
<p><b><u>Clause 18: General Conditions Applicable to all Properties</u></b></p> <p>(1) All erven are subject to the following conditions:</p> <p>(a) A servitude 1,89 metres wide in favour of the Municipality shall be provided for services along only one of the boundaries, other than a street boundary, which boundary shall be determined by the Municipality.</p> <p>(b) No building or other structure may be erected in the servitude area referred to in the afore-mentioned Sub-clause (a) and no tree with large roots may be planted within the afore-mentioned servitude area or within 1, 89 metres thereof <b>except with the permission of the Municipality.</b></p>	<p>a) Covering Letter  b) A motivating memorandum  c) Power of attorney if the applicant is not the owner;  d) Copy of the title deed;  e) Site plan indicating the servitude area where the tree is to be planted;  f) Zoning certificate and/or Annexure B/ Annexure T/ Annexure or Schedule or Consent use  g) Application fee.</p> <p>Advert not necessary</p>

Type of Permission	Documents Required
<p><b><u>Clause 20 (2): Conditions Applicable to Residential 1 Erven</u></b></p> <p>(2) Notwithstanding the provisions of Sub-clause (1), the following further conditions are applicable to the subdivision approval:</p> <p>(a) such erf shall have an acceptable shape and street frontage for vehicular access; or if such resultant erf is an erf with a panhandle and the size of such resultant erf, exclusive of the panhandle, complies with the applicable minimum erf size: Provided that:</p> <p>(ii) the panhandle shall be not less than 3 m wide along its whole length and not wider than 8 m, <b>except with the written permission of the Municipality;</b></p> <p>(iv) <b>except with the written permission of the Municipality</b> the slope of the panhandle shall not exceed 1:8;</p>	<p>a) Covering Letter</p> <p>b) A motivating memorandum</p> <p>c) Power of attorney if the applicant is not the owner;</p> <p>d) Copy of the title deed;</p> <p>e) Site plan indicating the panhandle and footprint of the buildings;</p> <p>f) Zoning certificate and/or Annexure B/ Annexure T/ Annexure or Schedule or Consent use.</p> <p>g) Application fee.</p> <p>Advert not necessary</p>
<p><b><u>Clause 26: Height of Buildings</u></b></p> <p>(2) For the purposes of this Clause account shall not be taken of the following:</p> <p>(a) Any storey of which the floor is more than two metres below the natural ground level of the ground covered by the building.</p> <p>(b) One or part of one storey of a building which is used for the parking of vehicles:</p> <p>Provided that,</p> <p>(i) the Municipality <b>may grant permission</b> for a maximum of three storeys to be used for the parking of motor vehicles except in the area bounded by Walker Street, the railway line and Mears Street, in Muckleneuk, where only one storey for the parking of motor vehicles shall be permitted;</p>	<p>a) Covering Letter</p> <p>b) A motivating memorandum</p> <p>c) Power of attorney if the applicant is not the owner;</p> <p>d) Copy of the title deed;</p> <p>e) Building plans indicating the additional height required</p> <p>f) Zoning certificate and/or Annexure B/ Annexure T/ Annexure or Schedule or Consent use.</p> <p>g) Application fee.</p> <p>Advert not necessary</p>
<p><b><u>Clause 28: Parking Requirements (p.60)</u></b></p> <p>Parking spaces together with enough manoeuvring space shall be provided on the property in accordance with the following Tables F and G and the layout and construction thereof, shall be subject to the approval of the Municipality.</p> <p>Provided that:</p> <p>(3) the Municipality may in special circumstances <b>grant its permission</b> for the provision of parking spaces elsewhere than on the site or accept a monetary contribution in lieu thereof,</p>	<p>a) Covering Letter</p> <p>b) A motivating memorandum</p> <p>c) Power of attorney if the applicant is not the owner;</p> <p>d) Copy of the title deed;</p> <p>e) Locality plan indicating the alternative parking site required</p> <p>f) Zoning certificate and/or Annexure B/ Annexure T/ Annexure or Schedule or Consent use.</p> <p>g) Application fee.</p> <p>Advert not necessary</p>

Type of Permission	Documents Required
<p>which contribution shall be used solely for the provision of public parking facilities in the vicinity of the site;</p> <p>(4) the requirements with regard to the number of parking spaces, <u>prescribed in the above Table G or an Annexure T or a Consent Use</u>, that shall be provided on the site, <b>may be relaxed with the permission of the Municipality</b>; and</p>	<p>a) Covering Letter  b) A motivating memorandum  c) Power of attorney if the applicant is not the owner;  d) Copy of the title deed;  e) Site plan indicating the parking layout;  f) Zoning certificate and/or Annexure B/ Annexure T/ Annexure or Schedule or Consent use.  g) Application fee.</p> <p>Advert not necessary</p>
<p><b><u>Schedule 9: Home Enterprise</u></b></p> <p>CONDITIONS GOVERNING A HOME ENTERPRISE</p> <p>(1) With respect to a dwelling-unit and its outbuildings, but apart from the exceptions mentioned in Conditions 3 and 4, a Home Enterprise is restricted to -</p> <p>(2) A maximum of 30% of the gross floor area of the dwelling-unit: Provided that without the <b>written permission of the Municipality</b> such area shall not exceed 60 m<sup>2</sup>.</p> <p>The following uses shall not be permitted in any dwelling-unit:</p> <p>(3) Spaza Shops except <b>with the permission of the Municipality</b>, subject to Clause 15.</p>	<p>a) Covering Letter  b) A motivating memorandum  c) Power of attorney if the applicant is not the owner;  d) Copy of the title deed;  e) Site plan indicating the parking layout and use of buildings  f) Zoning certificate and/or Annexure B/ Annexure T/ Annexure or Schedule or Consent use.  g) Application fee.</p> <p>Advert not necessary</p> <p>a) Covering Letters  b) A motivating memorandum  c) Power of attorney if the applicant is not the owner;  d) Copy of the title deed;  e) Site plan indicating the position of the spaza shop, parking layout and use of buildings  f) Zoning certificate and/or Annexure B/ Annexure T/ Annexure or Schedule or Consent use.  g) Application fee.</p> <p>Advert necessary: Placard on site and letters of consent fro neighbours.</p>
<p><b><u>Schedule 10 (6): Specific Conditions Regulating certain Primary Uses</u></b></p> <p>VEHICLE SALES MARTS are permitted on "Business 2", and "Business 1" Use Zones, subject to the following conditions:</p> <p>Vehicles may only be displayed on the natural ground level of the site, and no podium or platform shall be erected or used for display purposes, <b>without the written permission of the Municipality</b>.</p>	<p>a) Covering Letter  b) A motivating memorandum  c) Power of attorney if the applicant is not the owner;  d) Copy of the title deed;  e) Site plan indicating the position of the podium and an elevation of the podium;  f) Zoning certificate and/or Annexure B/ Annexure T/ Annexure or Schedule or Consent use.  g) Application fee.</p> <p>Advert not necessary</p>

#### **4. Important aspects relating to the application**

- 4.1 Applications will not be accepted for consideration if they are not prepared in accordance with Paragraph 2 of this document. Incomplete applications are legally not acceptable and will unfortunately have to be returned to the applicant.



## APPLICATION FORM – FOR PERMISSION

Please ensure that all the information is completed on the form. If any information is missing/incomplete this might result in a rejection of the application. This application can be hand submitted to Akasia Office: 1<sup>ST</sup> Floor, Spectrum Building, Plein Street West, Karenpark, Akasia; or Centurion Office: Room F8, City Planning Office cnr Basden and Rabie Streets, Centurion City Planning Division, Centurion; or Pretoria Office: Room G10, Ground Floor, Munitoria, 230 Vermeulen Street, Pretoria.

1.	Type of application :	Permission	
	According to Tshwane Town-Planning Scheme,2008 :		
2.	The status of the applicant		Registered owner
			Authorised agent
<b>3. Applicant details</b>			
3.1	Individual/Company/Other (specify)		
3.2	Surname		
3.3	First names		
3.4	Initials		
3.5	Email		
3.6	Telephone number		
3.7	Fax number		
3.8	Cellular Phone Number		
3.9	Physical Address		
3.10	Postal address		
<b>4. Application fees</b>			
5.	Receipt number (for official use)		
5.1	Receipt amount (for official use)		
<b>6. Application date (as signed by) applicant</b>			
<b>7. Date received at City of Tshwane</b>			

**8. Required documents:**

	Application form		Covering letter	
	Site plan		Zoning certificate Annexure	
	Title Deed			
	Motivating memorandum			

Please complete this section for each property (make a separate copy for each property)

<b>9.</b>	<b>PROPERTY INFORMATION</b>						
9.1	Township						
9.2	Property No.					Portion (e.g. /R/1)	
9.3	Ward						
9.4	Street name						
9.5	Street number					Planning Zone	
<b>9.6</b>	<b>Registered Owner according to Title Deed</b> (only required if different to applicant's detail)						
9.6.1	Company name						
9.6.2	Title	Mr	Mrs	Miss	Dr	Prof	Other
9.6.3	Surname						
9.6.4	First names						
9.6.5	Initials						
9.6.6	Email						
9.6.7	Tel						
9.6.8	Fax						
9.6.9	Cellular Phone						
9.6.10	Physical Address						
	Postal code						
9.6.11	Postal Address						
	Postal code						
9.6.12	Marital Status		Not applicable	In community of property	Out of community of property		
9.7	Present Zoning (Scheme)						
9.8	Present Height (Scheme)						
9.9	Present Density (Scheme)						
9.10	Present Coverage(Scheme)			Present FSR (Scheme)			
9.11	Present Annexure T No.			Present Amendment Scheme No			
9.12	Present Land value			Proposed land value			
9.13	Property size (m <sup>2</sup> )			Title Deed No			
9.14	Existing development						
9.15	Restrictive Title Deed condition paragraph no						
9.16	If Administrator's Consent is required, specify condition						

10.	Advertisement / Notice (Official use)	
-----	---------------------------------------	--

I \_\_\_\_\_ being the Registered Owner / Authorised Agent of the property/ties declare that the above information is correct and that the required documents are attached.  
 The following documentation will be submitted to City Planning and development Division within 28 days of the date of publication of the advertisements (if possible)

Affidavit		Photos of placard		Proof of Advertisements	
-----------	--	-------------------	--	-------------------------	--

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**ANNEXURE 2**

**EXAMPLE OF POWER OF ATTORNEY**

I/We, [John Citizen] \_\_\_\_\_, ID No. \_\_\_\_\_,  
the undersigned, hereby nominate, constitute and appoint - \_\_\_\_\_  
ID No. \_\_\_\_\_

with the power of substitution to be my/our legal attorney(s) and agent(s) in my/our name, place and  
stead to apply for -

\_\_\_\_\_  
(type of application and property description)

at \_\_\_\_\_  
(name of local authority)

and in general to do everything to effect the application and to do whatever I/we would do if I/we were  
present in person and acting in the matter; and I/we hereby ratify, allow and confirm, and promise and  
agree to ratify, allow and confirm everything and anything my/our attorney(s) and agent(s) may do or  
may permit to be done legally in terms of this power of attorney.

Signed at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

in the presence of the undersigned witnesses.

AS WITNESSES:

1. \_\_\_\_\_

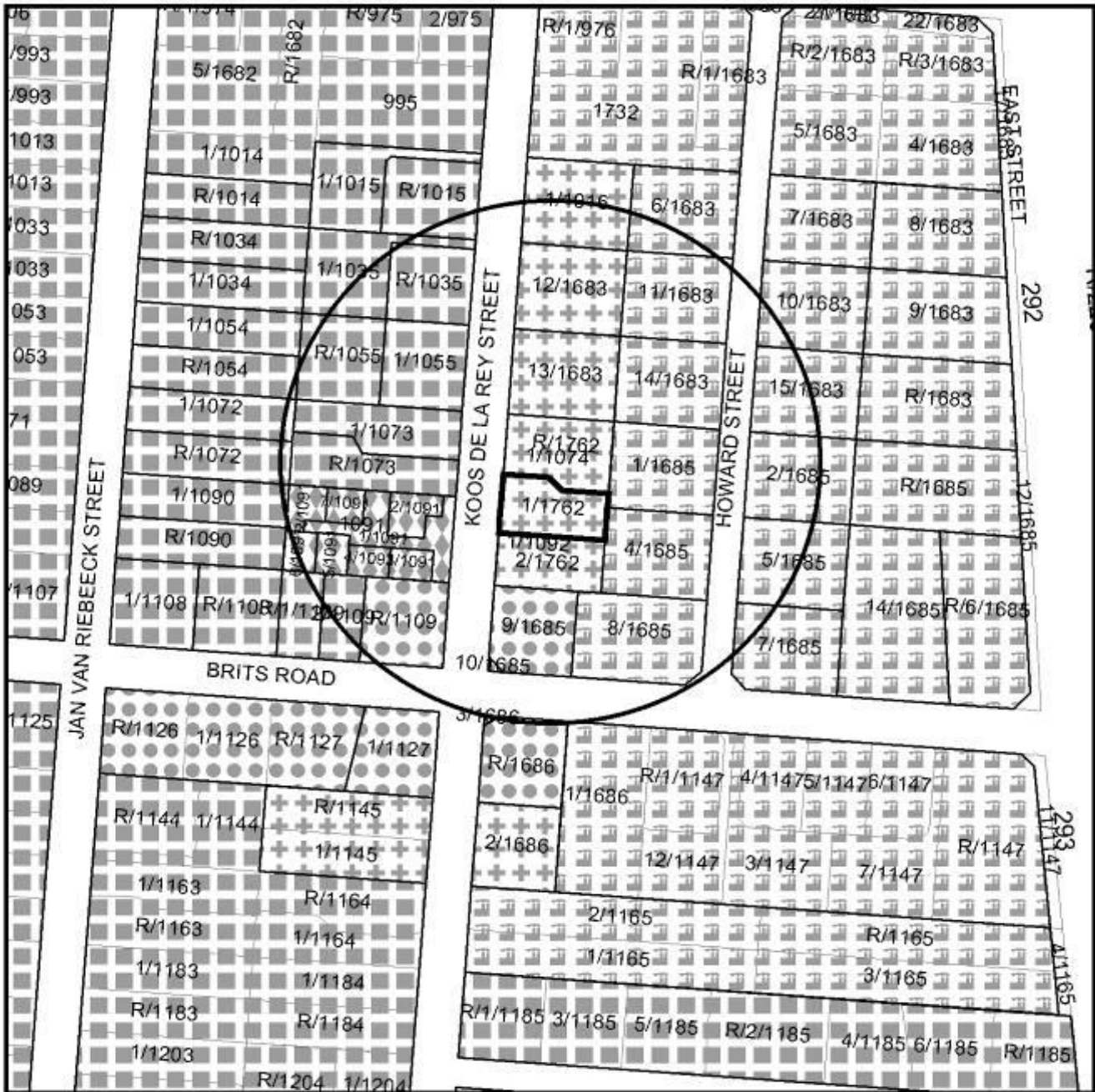
2. \_\_\_\_\_

[John Citizen] \_\_\_\_\_  
Registered owner

EXAMPLE OF A LAND USE PLAN: ANNEXURE 3

# LAND USE PLAN

PORTION 1 OF ERF 1762, PRETORIA NORTH



**REFERENCE**

 The\_Site

**LAND USE**

- |   |  |
|---|--|
|  Low Density Residential |  Medium Density Residential |
|  Business                |  Industrial                 |
|  Dwelling House Offices  |  |

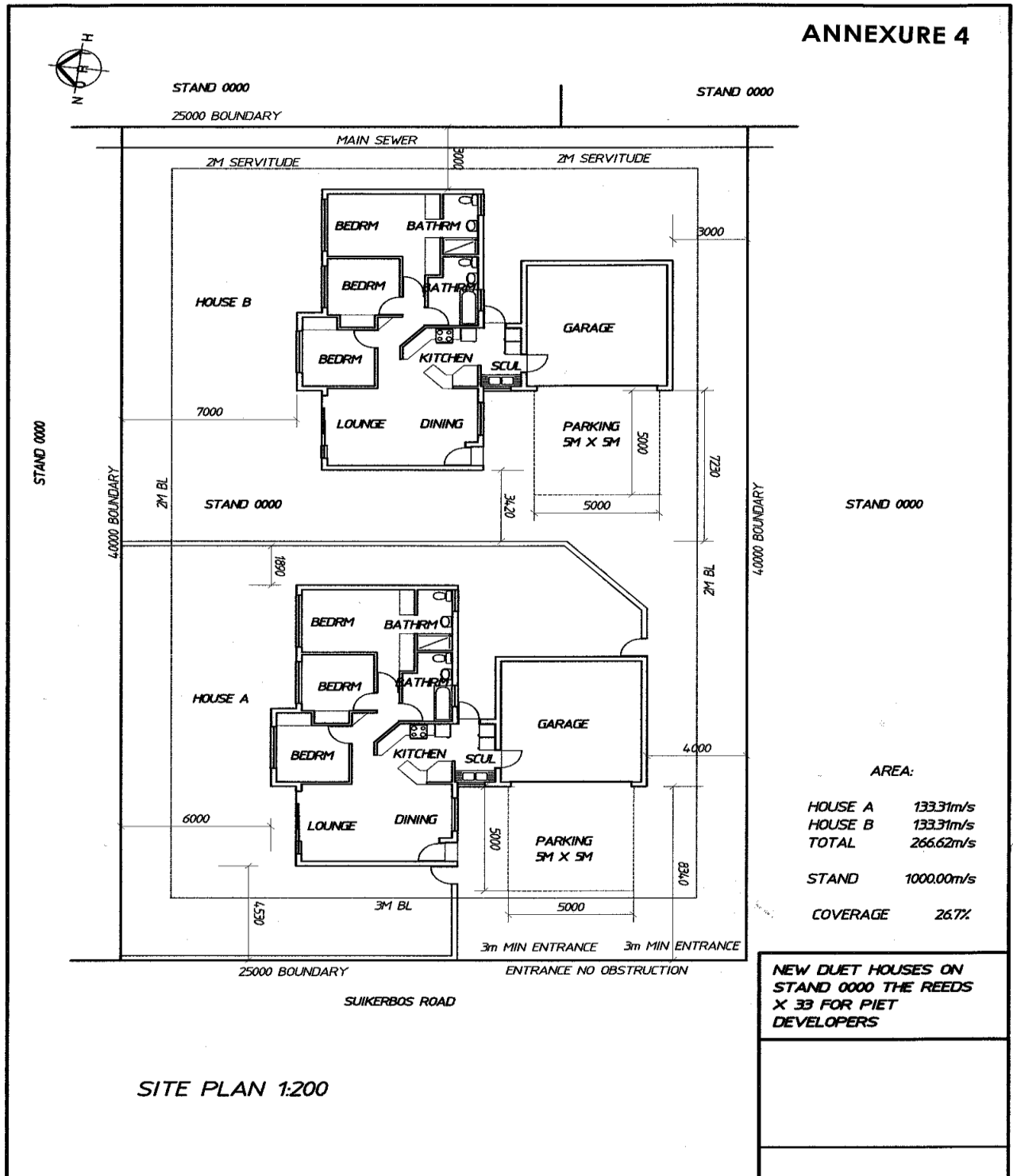


Date : 02/07/2004

Scale : 1:2,500

# ANNEXURE 4

## EXAMPLE OF SITE PLAN: ANNEXURE 4



## EXAMPLE OF PLACARD AND NOTICE TO ADJACENT OWNERS: ANNEXURE 5

TSHWANE-DORPSBEPLANNINGSKEMA, 2008  
 INGEVOLGE KLOUSULE 14(10) VAN DIE TSHWANE-DORPSBEPLANNINGSKEMA, 2008, WORD HIERMEE AAN ALLE BELANGHEBBENDES KENNIS GEGEE DAT EK (VOLLE NAAM), ..... VAN VOORNEMENS IS OM BY  
 DIE STAD TSHWANE AANSOEK OM TOESTEMMING TE DOEN OM:  
 \*(i) 'n tweede woonhuis op te rig; of  
 \*(ii) 'n deel van 'n bestaande woonhuis te omskep in as 'n tweede woonhuis;of  
 \*(iii) die bestaande tweede woonhuis tot groter as 100 m<sup>2</sup> te vergroot  
 (\*Skrap wat nie van toepassing is nie)  
 OP (EIENDOM EN VOORSTAD)..... OOK  
 BEKEND AS (STRAATNAAM EN NOMMER)  
 ..... GELEË IN 'N  
 \*..... SONE.  
 (\*Bv.: Residensiele 1, landbou of Onbepaald)

ENIGE BESWAAR, MET REDES DAARVOOR, MOET BINNE 28 DAE NA die eerste dag van hierdie kennisgewing,  
 NAAMLIK ..... SKRIFTELIK BY OF TOT: DIE  
 Strategiese Uitvoerende Direkteur: Stedelike Beplanning Ontwikkeling en Streeksdienste  
 \*Akasia: 1st Vloer, Spektrum-gebou, Pleinstraat, Karenpark, Akasia, Posbus 58393, Karenpark 0118  
 \*Centurion: Kamer F8, Stedelike Beplanning Knatore, h/v Basden- en Rabiestraat, Centurion, Posbus 14013, Lyttelton 0140  
 \*Pretoria: Kamer 334, Munitoria, , h/v Vermeulen- en Van der Waltstraat, Pretoria, Posbus 3242, Pretoria, 0001,  
 INGEDIEN OF GERIG WORD.  
 VOLLEDIGE BESONDERHEDE EN PLANNE (AS DAAR IS) KAN GEDURENDE GEWONE KANTOORURE BY DIE BETROKKE KANTOOR BESIGTIG WORD, VIR 'N PERIODE VAN 28 DAE NA DIE EERSTE DAG VAN HIERDIE KENNISGEWING.

HIERDIE KENNISGEWING SAL VERTOONWORD:  
 VANAF.....  
 TOT.....  
 SLUITINGSDATUM VIR BESWARE: .....  
 AANVRAER SE STRAAT EN POSADRES:.....  
 .....

TSHWANE TOWN-PLANNING SCHEME, 2008  
 NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN THAT IN TERMS OF CLAUSE 14(10) OF THE TSHWANE TOWN PLANNING SCHEME, 2008, I (FULL NAME) ..... INTENDS APPLYING TO THE CITY OF  
 TSHWANE FOR CONSENT TO-  
 \*(i) erect a second dwelling house; or  
 \*(ii) convert part of an existing dwelling house as a second dwelling house; or  
 \*(iii) enlarge the existing second dwelling house to more than 100m<sup>2</sup>.  
 (\* Delete whichever is not applicable).  
 ON (PROPERTY AND SUBURB) ..... ALSO KNOWN  
 AS (STREET NAME AND NUMBER) ..... SITUATED IN AN  
 \*..... ZONE.  
 (\*Example: Residential 1, Agricultural or Undetermined)

ANY OBJECTION, WITH THE GROUNDS THEREFOR, SHALL BE LODGED WITH OR MADE IN WRITING TO: THE STRATEGIC EXECUTIVE DIRECTOR: CITY PLANNING, DEVELOPLMENT AND REGIONAL SERVICES  
 \*Akasia : 1<sup>st</sup> Floor, Spectrum Building, Plein Street West, Karenpark, Akasia. P O Box 58393, Karenpark, 0118  
 \*Centurion: Room F8, Town Planning Office, cnr Basden and Rabie Streets, Centurion, PO Box 14013, Lyttelton, 0140; or  
 \*Pretoria: Room 334, Third Floor, Munitoria, c/o Vermeulen and Van der Walt Street, Pretoria, P O Box 3242, Pretoria 0001  
 WITHIN 28 DAYS OF THE FIRST DAY OF THIS NOTICE. FULL PARTICULARS AND PLANS (IF ANY) MAY BE INSPECTED DURING NORMAL OFFICE HOURS AT THE RELEVANT OFFICE FOR A PERIOD OF 28 DAYS FROM THE FIRST DAY OF THIS NOTICE.

THIS NOTICE SHALL BE DISPLAYED:  
 FROM.....  
 TO.....  
 CLOSING DATE FOR OBJECTIONS: .....  
 APPLICANT STREET AND POSTAL ADDRESS:.....  
 .....  
 .....

Note: The above is an example of the wording of the site notice. The placard notices must not be smaller than 594 mm x 420 mm, and any lettering on the notices must be at least 6 mm high, legible, upright and in print. Placard notices can be obtained at the City Planning and Development Division, Room G10, Ground Floor, Munitoria, Centurion of Akasia, from 08:00 to 15:00, Monday to Friday.

EXAMPLE OF AFFIDAVIT/DECLARATION:

AFFIDAVIT/DECLARATION

TO WHOM IT MAY CONCERN:

I, the undersigned, (full name) .....

\*hereby declare under oath/\*hereby confirm that the placard notice(s) as prescribed in terms of Clause 14(10) of the Tshwane Town-planning Scheme, 2008, on Property No ....., Township....., was displayed and maintained in a conspicuous and to the public accessible position, from the day the advertisement was advertised in the Provincial Gazette, viz ..... 20..., for a period of 21 days.

SIGNED: ..... (Signature of applicant)

ON: .....

AT: .....

I certify that the declarant acknowledges that he is conversant with this declaration and understands it, and that the declarant uttered the following words: "I swear that the contents of this declaration are true, so help me God".

COMMISSIONER OF OATHS: .....

DATE: .....

\*Delete what is not applicable.

**TAKE NOTE:**

**This declaration must be handed in only after the required period for the display and maintenance of the placard notice has expired. The day upon which the advertisement was published in the Provincial Gazette, as well as any possible following public holidays thereafter, must not be counted in the calculation of the 21 day period. In the event of this declaration being incorrectly completed/signed and/or handed in too early, the Municipality will view such a declaration as a false declaration.**

**In the aforementioned case it shall be required from the applicant to comply with the prescribed advertisement/procedure anew. Legal prosecution of the applicant shall possible also be considered.**

