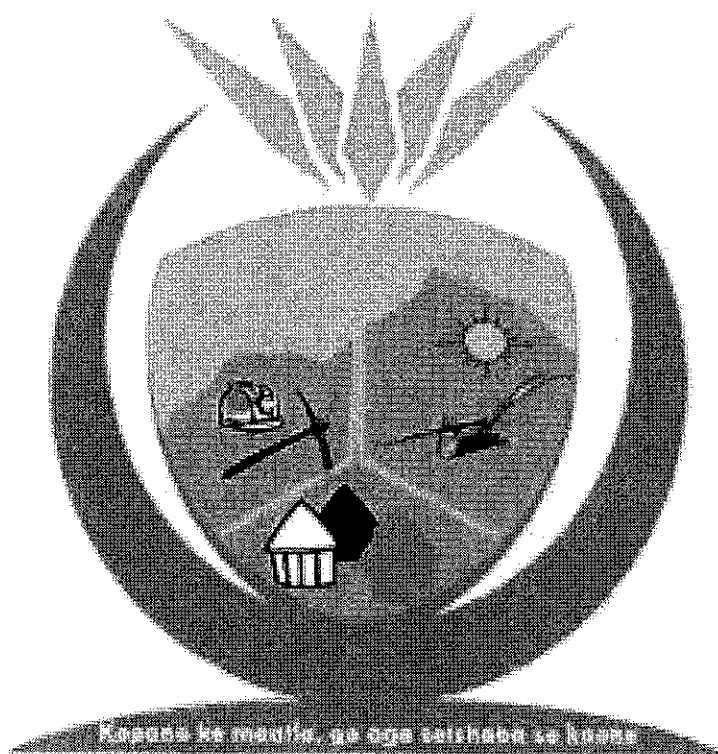


Procedure Manual for handling Town planning and Building Plan applications



Molemole Municipality

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1. INTRODUCTION

Molemole Local municipality continuously seeks to achieve the best practice methods which also fastrack the process of service delivery, administration and operations. In order for the town planning unit to be very productive and active there is a need for implementation of effective procedures which are in line with the Town Planning Ordinance, 15 of 1986 and the National Building Regulation Act 103 of 1977.

2. PURPOSE OF THE PROCEDURE MANUAL

2.1 The purpose of this procedure manual is:

- To introduce a new framework of handling all town planning related applications in a professional and effective way.
- To enable municipal officials to execute their work properly according to legislation relevant to specific town planning and land use applications.
- To indicate municipal officials who will form part of the Land Use Committee that is going to handle all town planning and land use applications.

3. DEFINITIONS

Definitions in this procedure manual are as outlined in Molemole Land Use Management Scheme, 2006 and the Town planning Ordinance, 15 of 1986. The following words and expressions have the respective meanings assigned to them herein and the plural and alternative gender forms shall denote the same meanings as follows:

3.1 STATUTORY RELATED DEFINITIONS

3.1.1 **ENVIRONMENTAL IMPACT ASSESSMENT (EIA)** - means a process of examining the environmental effects of development in terms of the requirements of The Environment Conservation Act, (Act No 73 of 1989).

3.1.2 **LAND USE SCHEME**- means a scheme which determines and regulates the use and development of land in an area in accordance with the Town Planning and Townships Ordinance, 1986 (Ordinance No 15 of 1986) and is a component of land use management.

3.2 GENERAL DEFINITIONS

3.2.1 **ADDITIONAL DWELLING UNIT** – means a second dwelling unit on the same property provided that the total coverage does not exceed the prescribed coverage defined in Table “C” of the Land Use Management Scheme, 2006.

3.2.2 **BUILDING** – means and includes structures or constructions of any nature whatsoever.

3.2.3 **BUILDING LINE** – means a line indicating the limits of a building restriction area as measured from a street boundary or other boundary of a property which does not border on a street and which, at a fixed distance from such boundary, runs parallel to such boundary.

3.2.4 **BUILDING RESTRICTION AREA** – means an area wherein no building, except those permitted in the scheme, may be erected.

3.2.5 **LOCAL AUTHORITY** – means the local municipality and/or any employee in his service to whom the authority is delegated.

3.2.6 **MINOR STRUCTURAL CHANGES** – means small structural changes to an existing building for which a building plan is not a requirement.

3.2.7 **SITE DEVELOPMENT PLAN** – means a plan that indicates the development of an erf in relation to what is existing on such erf.

4. APPLICATION ASSESSMENT PROCEDURE UNTIL APPROVAL

(a) The applicant shall submit an application to the town planning unit after paying the application fee for the type of application to be submitted e.g. Rezoning, Subdivision etc.

(b) the local authority shall assess the application for a period of 14 days which include inspection of the site where such development or change in land use shall take place.

(c) the application will be circulated to various departments internally for comments and inputs on the proposed development after the application has been lodged.

(d) the local authority shall consider any objection(s) received during the notice period of 28 days from the day the application was lodged.

(e) after the 28 days notice period the Municipal Land Use Committee comprising of the following officials; Senior Managers for LED & Planning, Technical Services and

Community Services, Divisional Heads for Town Planning, Water & Sanitation and Electrical Services, Technician: Roads & Stormwater and the Building Inspector shall compile a report (comments) with regards to the application and notify the applicant of the objection(s) received from neighbours etc.

(f) the Municipal Land Use Committee shall arrange a date where the objector and the applicant are to come for a hearing with regards to the application before such an application can be approved by the local authority.

(g) the local authority shall notify in writing, the applicant with regards to the hearing and application within a period of seven (7) days after the hearing.

(h) every applicant shall, after approval by the local authority on an annual basis notify of such an approval to the satisfaction of the local authority which confirms that the conditions pertaining to such approval and use are fully complied with.

→ If the local municipality is not satisfied that compliance is taking place it shall:

- Send a notice to such person informing the person of non-compliance, giving such person 14 days or such an extended period as may be required to ensure compliance and
- Failing which the stipulations of clause mutatis mutandis(offence) shall apply.
- Any act or omission, being an offence in terms of clause 30.3 and 30.3 of the Molemole Land Use Management Scheme,2006 is triable in a Magistrate Court created in terms of the Magistrate Courts Act 1944(Act 32 of 1944) and upon conviction is punishable with a fine not exceeding R 5000.00.

4.1 BUILDING PLAN APPLICATION

(a) Upon receipt of an application of a building plan, the municipality shall check that the application submission requirements have been met.

(b) Applications will not be assessed until all relevant plans, elevations and supporting information is submitted and the appropriate application fee is paid.

(c) Once the municipality is satisfied that the appropriate information has been submitted, a preliminary assessment of the application will be done to ensure that the proposal is broadly consistent with the requirements of the Land Use Plan.

(d) The application will then be referred to relevant referral authorities (Divisional Heads for Electrical Services and Water & Sanitation) for comments/requirements and this will take a period of 21 days.


(e) Once the authorities made comments upon the application and granted a planning approval then a building approval will be issued.

5. APPROVAL OF THE PROCEDURE MANUAL

The Procedure Manual shall be effective after it shall have been approved by Molemole Council wherein the Honourable Mayor or council authorized representative shall sign on it.

(a) Date of approval by Council.

APPROVAL

Signature:	
Initial & Surname:	M.P Makgato
Designation:	Mayor
Council Resolution Number:	0004/2013 - 6.4/29/5/13
Council Date:	29 May 2013