CITY OF TSHWANE
IGNITING EXCELLENCE

Economic Development and Spatial Planning

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DEVELOPMENT COMPLIANCE CIRCULAR 13 July 2020

APPLICATION SUBMISSIONS TO PCPDeveCompliance@tswhane.gov.za

As per our previous Circular we have been operating with the above e-mail address successfully for over 6 weeks. We are hoping that you are receiving some benefit from the e-application process in the Post Approval Phase.

As with every new process there will be a few tripwires that we may not have foreseen, but we will do our best to deal with them as quickly as possible.

Post approval applications

We are now in a position to add further applications that can be submitted via e-mail. All applications that have been captured on the APS with Item Numbers can now be submitted. This includes applications for Regulation 38's and Section 16(10)'s for subdivisions and applications (post approval) for Townships that were **submitted in terms of the By-law, and NOT the Ordinance.**

For Townships and Subdivisions or any other applications which we need to assess, we may still require hard copies to be submitted (Notarial Deeds, Guarantees, Agreements) that cannot be scanned and e-mailed and if we are unable to assess these applications from the APS, we may have to obtain the files that consist of various volumes.

We cannot guarantee response times for files from Registry, but will request the files. The Post Approval Specialist, will indicate where hard copy documents can be delivered. (Note: We are working on a process, to receive applications directly, but this will take time and logistics to arrange).

We can unfortunately not accept post approval applications on Townships that were submitted in terms of the Ordinance electronically. This is due to the fact that we do not have those applications on the APS and we are still reliant on the files to be able to deal with e.g. Section 101's, Section 82's, Section 98(5) post approval amendments etc. We have dealt with the Extensions of Time that we were able to, but the Ordinance extensions of times must be submitted to LUMA.

Notifications

You will note that we have started sending by e-mail pdf copies of the documents issued by Post Approval, however the originals may be required by the applicants. For that purpose we will make arrangements for centrally located places in the three different Regions for the collection of the originals. The e-mail by which we send the scanned copy will indicate where you can collect the original. We request that you have minimal physical contact with staff to prevent any transmission of Covid-19.

Township Application Amendments

As per our training sessions that were held regarding township establishment we will not entertain multiple Conditions of Establishment Amendment Applications.

It is impossible for us to do 10-15 amendments of the Conditions of Establishment, which are sent to all the departments, the Registrar and the Surveyor-General.

They have all requested that the practice that was previously entertained must stop, since it is causing confusion as to the validity of what is presented to them and what must be used for their comments or actions as well as for promulgation. As indicated we will limit the amendment of Conditions of Establishment to the Erf Number amendments, General Plan Amendments and Final Amendments for purposes of issuing a Section 101 in terms of the Ordinance or Section 16(7) of the LUM By-law. Please note that these are for purpose of post approval implementation amendments of the COE's and do not relate the amendment by LUMA of the application.

E-mail and file naming protocol

You will also note that the message below is displayed when you send an e-application. We request that you please assist us in administering the "Inbox" by complying with the rules of engagement as set out in our Circulars dated 26 June 2020 and 9 July 2020.

"Please note that you will not receive a reply from this "Inbox" to confirm receipt of an application. The application will be allocated to the Post Approval Specialist and all correspondence enquiries or other matters must be sent directly to the Post Approval Specialist. Please follow the naming protocols in the subject line being: Type of Application, Item Number, Erf Number, Township Name and Extension. Applications must be scanned as a PDF as ONE DOCUMENT ***including your e-application form*** *that must be the first document. We reserve the right to delete your application from the "Inbox" if you do not comply with the directives of the Municipality as per our Circulars and as per this reply. If you have not complied please send a notice of withdrawal from the "Inbox" and do a re-submission. Clearly mark the withdrawal and re-submission."*

Please use the following "type of application" abbreviations and references:

EOT – For Extension of Time

PCP – For application for proof of compliance with Conditions

Section 16(7) – For application to open Township Register

Section 28(1) – Servitude Registration

PA Amendment of COE (Erf numbers/GP Section 16(7) – Post approval amendment of Conditions of Establishment and the reason for the amendment (only By-law).

Section 16(10) Subdivision

Section 23(2) Corrections

COO – Change of ownership

Please make sure that you give a clear indication of the application type. The administration section will be required to be able to do allocation of the application with the information provided in the subject line.

We want to express our thanks to those applicants that have assisted us in launching this process successfully.

NICOLENE LE ROUX

DEVELOPMENT COMPLIANCE AND LEGISLATION