CITY OF TSHWANE

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REQUIREMENTS FOR AN APPLICATION FOR CONSOLIDATION AND/OR SUBDIVISION IN TERMS OF SECTION 92 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

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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REQUIREMENTS FOR AN APPLICATION FOR CONSOLIDATION AND/OR SUBDIVISION IN TERMS OF SECTION 92 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

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 for the area in question to make certain of the most recent Municipality 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 submit a consolidation and/or subdivision application to the Strategic Executive Director, City Planning, Development and Regional Services in terms of Section 92 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986). (hereinafter referred to as the Ordinance and/or Regulations)

2. How to apply (Legal Requirements)

2.1 The application form must be completed **in full** and signed.

2.2 All documents stipulated in Regulations 35 and 39 of the Regulations under the Ordinance and all additional documents required by the City of Tshwane must be attached.

2.3 The application fees prescribed by the City of Tshwane from time to time must be paid in terms of Section 92(1) of the Ordinance. If a cheque is used as the method of payment, the cheque must be made out to the City of Tshwane. Post-dated cheques will not be accepted.

2.4 An application for the subdivision of a dwelling-house erf shall comply with the provisions of Clause 21 of the Tshwane Town-planning Scheme, 2008.

3. What documents are required

The documents or information below must be handed in at the City Planning and Development Division (the relevant office)

Akasia: 1ST Floor, Spectrum Building, Plein Street West, Karenpark, Akasia;
Enquiries: JM Loots (Functional Head) Tel: 012-358-9110
or
Centurion: Room 8, Town Planning Office, cnr Basden and Rabie Streets, Centurion;
Enquiries: JD Zeeman (Functional Head) Tel: 012-358-5-3253
or
Pretoria: Room G10, Ground Floor, Munitoria, 230 Vermeulen Street, Pretoria.
Enquiries: Lucy Nkadimeng (Functional Head) Tel: 012-358-4689

Applications will not be accepted for consideration if they are not prepared in accordance with Paragraph 3 of this document. Incomplete applications are legally not acceptable and will unfortunately have to be returned to the applicant.

3.1 ***Covering letter (5 copies)***
This letter must be addressed to the Strategic Executive Director: City Planning, Development and Regional Services.

3.2 ***Application form (5 copies)***
The attached application form must be completed in full and signed by the applicant.

3.3 ***Power of attorney (3 copies)***
If any person other than the registered owner of the erf submits the application, a power of attorney from the registered owner of the erf must be attached. The power of attorney must correspond with the **registered** title deed (Annexure 2).

3.4 ***Company/close corporation/trust resolution (3 copies)***
If the registered owner is a company, close corporation or trust, a resolution of the company, close corporation or trust must be attached stating the grounds on which the applicant is authorised to act on behalf of the company, close corporation or trust. Please note that this resolution is not the same as the power of attorney.

3.5 ***Proof of members of company/close Corporation/trust (3 copies)***
A copy of the following must be submitted as proof:
- CM 29 form in the case of a company (Companies Act 61 of 1973)
- CK 1 or 2 forms in the case of a close corporation (Close Corporations Act 69 of 1984)
- Letter of appointment of trustees in the case of a trust

3.6 ***Bondholders consent (3 copies)***

3.7 ***Motivating memorandum (5 copies)***

3.8 ***Registered Title Deed (3 copies)***

3.9 ***Zoning certificate (5 copies)***

3.10 ***Proof of marital status of the owner (3 copies)***
If the owner is married in community of property, his or her spouse must co-sign the power of attorney and application form.

3.11 ***Subdivision and/or consolidation sketch plans (5 copies)***
A4 or A3 size copies of the subdivision and consolidation sketch plan(s) of the erf/erven in question must be submitted and shall be in accordance with the requirements set out in paragraph 4 of this document.

3.12 ***Application fee***
Details of application fees payable are available at City Planning and Development Division enquiries.

4. The requirements for the subdivision and consolidation sketch plan(s)

(Regulations 35 and Regulation 39(1) of the Ordinance)

<u>Note:</u> Where the combined consolidation and subdivision results in a complex sketch plan that is not easily interpretable, the applicant is requested to submit separate plans showing the various stages of the combined consolidation and subdivision. This will facilitate the processing of the application.

4.1 The plan must be drawn in black on a white background.

4.2 The plan must be drawn to a scale -

(a) not smaller than 1:500 for erven smaller than 2 000 m²;
(b) not smaller than 1:1 000 for erven from 2 000 m² up to and including 3 000 m²; and
(c) not smaller than 1:1 500 for erven larger than 3 000 m² but smaller than 10 000 m²:

Provided that the Strategic Executive Director: City Planning, Development and Regional Services may authorise another scale to be used.

4.3 The following information must be indicated on the consolidation and subdivision sketch plan(s):

The erf number(s)

The name of the township in which the erven are situated

The erf numbers of adjoining erven, and the township(s) in which they are situated

Proposed consolidation and subdivision lines and existing or proposed servitude lines, if applicable Scale 1:200

North point (true north)

A legend identifying each proposed consolidated and subdivided portion by means of a figure

The applicant's signature

The dimensions of the erven

The dimensions of each consolidated and subdivided portion

The size of the erven

The size of each consolidated and subdivided portion

The location and nature of every building on the erf and the distances between the buildings and the street boundaries, existing boundaries and the consolidation and subdivision line

The number of storeys in every existing building situated within 5,0 m of any proposed subdivision line

The direction, by means of small arrows, of the slope of the roof of every building situated immediately next to any proposed subdivision line

The nature of any building fronting on and which is within 10,0 metres of the subdivision line

The purpose for which every room on the side of a building that fronts on any subdivision line is used

The position of every door and window in any wall facing any subdivision line

The approximate location of any existing overhead conductor or structure used for -

- telephone purposes; and
- electrical purposes

The approximate location, in the street reserve adjacent to the erf, of -

- trees;
- fire hydrants;
- bus shelters;
- storm-water catch pits; and
- water connection points, indicated with the symbol κ

If the cross slope of the street reserve or the slope of any proposed new access is more than 1:5, an insert on the sketch plan that indicates contours with intervals of 1,0 m

All buildings and structures or any portion of buildings and structures the applicant intends demolishing

All natural watercourses traversing the erf in question

The 1:50-year flood lines if the erf in question is situated in an area that is subject to flooding

Existing drains on the erf, the street number and name

NB: If the above information has not been provided or is not applicable, a note explaining why the information has not been provided or is not applicable must be submitted.

ANNEXURE 1

APPLICATION FORM - CONSOLIDATION AND/OR SUBDIVISION Section 92 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986)

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 submitted to the Strategic Executive Director: City Planning, Development and Regional Services (at the relevant office)
Akasia Office: 1ST Floor, Spectrum Building, Plein Street West, Karenpark, Akasia or
Centurion Office: Room F8, Town Planning Office cnr Basden and Rabie Streets, Centurion or,
Pretoria Office: Room G10, Ground Floor, Munitoria, c/o Vermeulen and Van der Walt Streets, Pretoria.

1.	*Type of application :*		*Group housing*
			Other (specify)
2.	*The status of the applicant:*		*Registered owner*
			Authorised agent
3.	***Applicant details***		
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*		
		Postal Code	
3.10	*Postal address*		
		Postal Code	
4.	***Application fees***		
4.1	*Receipt number* ***(for official use)***		
4.2	*Receipt amount* ***(for official use)***		
5.	*Application date (as signed by applicant)*		
6.	*Date received at City of Tshwane*		
7.	*Required documents:*		

	Application form		*Subdivision and Consolidation Sketch Plan(s)*		
	Memorandum		*Covering letter*		*Zoning certificate*

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

8.	***PROPERTY INFORMATION***						
8.1	*Township*						
8.2	*Erf No.*		*Portion (e.g. /R/1)*				
8.3	*Ward*						
8.4	*Street name*						
8.5	*Street number*		*Planning Region*				
8.6	***Registered Owner according to Title Deed*** *(only required if different to applicant's detail)*						
8.6.1	*Company name*						
8.6.2	*Title*	*Mr*	*Mrs*	*Miss*	*Dr*	*Prof*	*Other*
8.6.3	*Surname*						
8.6.4	*First names*						
8.6.5	*Initials*						
8.6.6	*Email*						
8.6.7	*Tel*						
8.6.8	*Fax*						
8.6.9	*Cellular Phone*						
8.6.10	*Physical Address*						
8.6.11	*Postal Address*						
8.6.12	*Marital Status*	*Not applicable*	*In community of property*	*Out of community of property*			
8.7	*Present Zoning (Scheme)*						
8.8	*Present Height (Scheme)*						
8.9	*Present Density (Scheme)*						
8.10	*Present Coverage (Scheme)*		*Present FAR (Scheme)*				
8.11	*Present Annexure or Schedule No*		*Present Amendment Scheme No*				
8.12	*Present Land value*						
8.13	*Property size (m²)*		*Title Deed No*				
8.14	*Existing development*						
8.15	*Restrictive Title Deed condition paragraph no*						

8.16 Required documents:

	Title Deed		*Company Resolution (cc)*		*Power of Attorney*

9.	***SUBDIVISION DETAILS:***					
Subdivided portion number	*1*	*2*	*3*	*4*	*Remainder*	*Total*
Buildable area	*m²*					
Area of panhandle	*m²*					
Total area	*m²*					
Width of panhandle	*m*					

10. CONSOLIDATION DETAILS:

Erf No.	***Size***
Total (consolidated)	

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.

SIGNATURE ***DATE***

EXAMPLE OF A POWER OF ATTORNEY: ANNEXURE 2

SPECIAL 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