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Building Development Management

Information Booklet

Frequently Asked Questions



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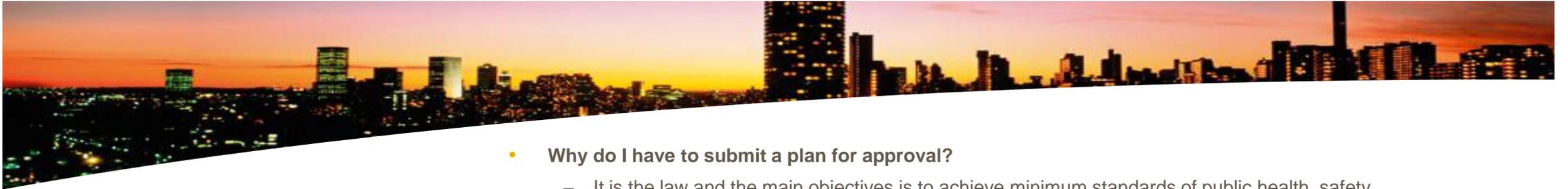
Frequently Asked Questions



- Building plans - Any new building and any alteration that adds on to or changes the structure of an existing building must be approved by the City.
- **Who has to submit building plans?**
 - The short answer is everyone. Any new building and alteration that adds on to or changes the structure of an existing building must go to the City's (planning) Development Management Department for approval.
 - If you redecorate your kitchen, or re-plaster your house, you don't need permission, because you haven't moved any walls around or altered the drainage system.
 - But if you make a change to the structure, for example, add on a carport, or even just move the front door, you do need permission. When you submit a building plan for approval it is essential that you make sure that you have complied with the zoning regulations of the Town Planning Scheme.
- **Who can draw my plan?**
 - A draughtsman or an architect, who is registered at the SA Council for the Architectural Profession.



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- **Why do I have to submit a plan for approval?**
 - It is the law and the main objectives is to achieve minimum standards of public health, safety, stability and convenience in all buildings.
- **What if someone fails to submit a plan?**
 - If you`ve chosen to build without having the plans approved, a building inspector is entitled to enter your property and order construction to stop immediately. He could even obtain a court order for the structure to be demolished, at your expense, and you would be liable for legal costs as well. In serious cases, you could be fined or sent to prison.
- **What if no building inspector notices your illegal structure?**
 - They could come back to haunt you years later-when you try to sell the house and the prospective buyer asks to see approved plans.
- **Where can I get an application form?**
 - You submit the completed forms, together with the building plans and supporting documentation to the same counter on the ground floor of the Metro Centre, 158 Civic Boulevard, between 8am and 3pm.
- **How do I submit the plan?**
 - You submit the completed forms, together with the building plans and supporting documentation to the same counter on the ground floor of the Metro Centre, 158 Civic Boulevard, Braamfontein, between 8am and 3pm.



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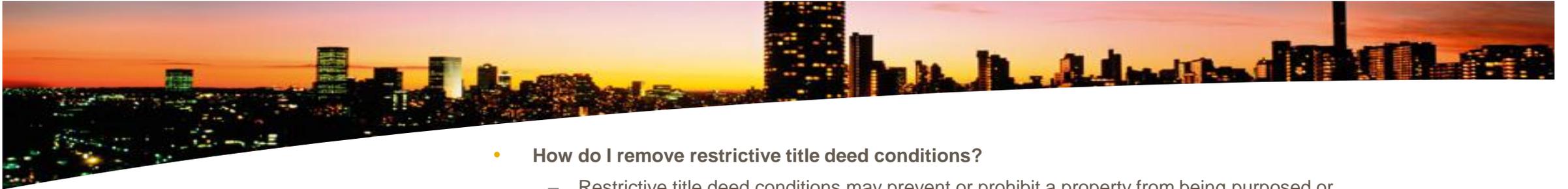
- **What does the council need from me before it considers my plan?**
 - The council needs a completed application form, signed by the owner of the property or his/her authorised representative (proof of authorisation is required) together with a copy of the registered title deed.
 - The title deed can be obtained either from the attorneys who handled the transfer of the property, the financial institution that.

Land Use Management

- **What are my obligations as a property owner in terms of planning law?**
 - You may only or allow your property to be used or developed in accordance described in the City's development Management scheme. If you do not know the development rights relating to your property, or know whether a specific activity permitted, contact your district planning office.
- **How do I make a planning application?**
 - If planning approval is required for the activity or proposed development you will contact your local district planning office for application forms and a list of the submission documentation the is required for submission. In more complicated cases, your consultant to assist in preparing the application. Once you have submitted the fees, an official will check the application to see if it is complete and issue application forms for your reference.
- **How will my application be processed in terms of the relevant planning?**
 - Once an application has been accepted as valid and complete, it will be advertising affected parties and circulated to relevant internal and other government departments. Should any



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- **How do I remove restrictive title deed conditions?**
 - Restrictive title deed conditions may prevent or prohibit a property from being purposed or from being developed in a certain way. You may apply to the City to have the restriction amended, suspended or even removed. Alternatively, you may also have the relevant restriction expunged from the title deed. Contact your local council office for application forms and advice.
- **How do I acquire new or additional land use development rights?**
 - You may apply to acquire new or additional land use or development rights through (changing existing rights), consent use (additional rights) or a departure from the management scheme (additional or new rights). Contact your local council office application forms and further advice.
- **How do I apply new or zoning scheme departure?**
 - Consult a planning official about the likelihood of your request for a departure, to complete the relevant application forms and supporting documentation. Building or development may only be submitted once the departure application has been approved.



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- **When do I need a site development plan?**

- The City may require a developer to submit a detailed Site Development Plan if they design specifics of a proposed development are important for its consideration. The condition of approval in a subdivision or rezoning application, or it may be required zoning scheme. A Site Development Plan usually comprises a set of plans or drawings aspects such as building positioning, vehicular access and parking arrangement landscaping and engineering services. Once approved, the details and the stand become a legal obligation, with which the developer must comply when carrying development.

- **What must my application include?**

- The drawing you submit with your building plan application must include the following:

Title deeds

- Zoning certificate
- Surveyor General's Diagram
- Site Development Plan(not always)
- Engineers Certificate(not always)
- Building line relaxation(not always)
- Neighbour`s consent if applicable(not always)
- Engineers Service Contributions paid
- SA Council for the Architectural Profession Registration form (Draughtsman or Architect)



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- **How do I register a complaint if property owners or occupiers are contravening land- use controls and regulations?**
 - Should any legal action be taken (e.g. prosecution), once you have around the alleged contravention or unauthorised development, submit compliance to your nearest local district office. Include your name, address and contact details of the alleged offender and a description of the relevant contravention then be investigated by a planning inspector or other relevant official. Any (necessary prosecution) will be taken, and you will be informed of the outcome.

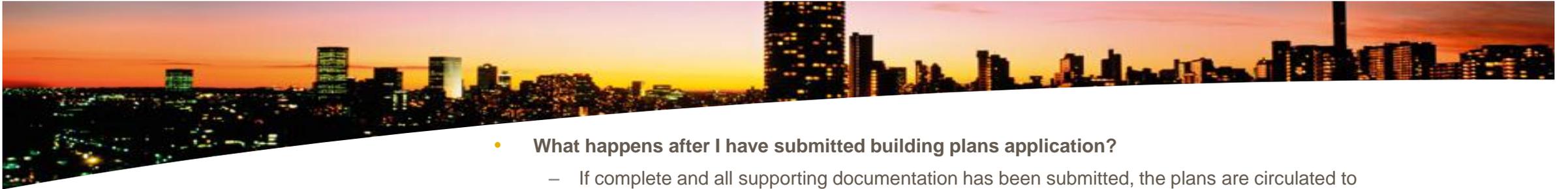


Building Development Management

- **What kinds of building activities require building plans to be submitted?**
 - A building plan application must be submitted for any structure, whether this is permanent nature and irrespective of the materials used to build it. These include extensions to existing structures. The only exceptions are building smaller than wire fence or open-side fabric covered shelter for a car, boat or caravan.
- **Who may prepare building plans?**
 - In terms of the architectural profession Act (Act 44 of 2000), Architects, Technologist, Draughtspersons who are registered with the South African Council for the architects may prepare building plans. For details on how to register, visit www.sacapsa.co.za.



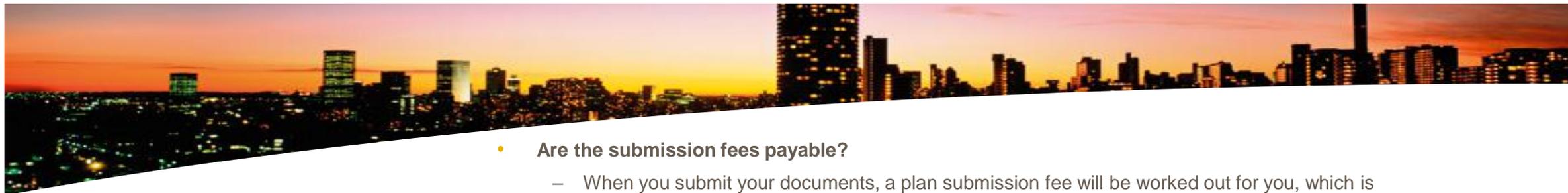
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- **What happens after I have submitted building plans application?**
 - If complete and all supporting documentation has been submitted, the plans are circulated to relevant technical departments (e.g. Fire, Health etc.) for comments then scrutinised in terms of the National Building Regulations and Building Standards Regulations. The City will contact you via SMS if any amendments or corrections need to be done. You will also be kept informed via SMS of your building plan routing and you won't need to go where the plan was submitted.
- **How long does a building take to be approved?**
 - If terms of the National Building Regulations and Building Standards Act, the council approve or refuse a building plan application for buildings smaller than 500 square metres and buildings larger than 500 square metres, provided that Land Use Management clearance has of any land use departures.
- **Do I need to inform my neighbour of my proposed building works?**
 - No (although it is considered good practice), unless the application also include zoning scheme regulations (such as building line relaxation, increased bulk/coverage) similar proposals, in which case formal consultation is required.
- **How are building plans assessed?**
 - A building plan application can only be approved if it complies with the requirements of the Building Standards Act, The National Building Regulations and any other applications are therefore assessed in terms of the Act and Regulations and are circulated for City departments.
- **Who does this Act and Regulation apply to?**



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- **Are the submission fees payable?**
 - When you submit your documents, a plan submission fee will be worked out for you, which is payable before the submission will be processed.
 - You will be given a receipt for your payment, which you must keep in a safe place. A file will be opened for you, which is referred to using the erf number of the property and the Township.
- **When can I start building?**
 - Your building plan has been approved, but before you start building, you or your builder must notify the local building inspector to arrange for the first building inspection to take place. There are three compulsory building site inspections that must be carried out during the process of building.
 - The first is the inspection of the foundation trenches, the next an inspection of the open drains, and the third is a final inspection when building work is complete.
 - You are not allowed to proceed with the next stage of work until the relevant inspection has been done and the building work is approved and signed off by the inspector.
- **Where do I find the building inspector?**
 - Once the building plan has been approved the system will print a letter to the owner informing him who the inspector is and also of his contact details.
- **When can I occupy the building?**
 - As soon as the inspection has been satisfactory completed an occupancy certificate will be issued to the owner by the building inspector, which allows legal occupation of the building.

