

DEVELOPMENT APPROVALS PRIOR TO PROPERTY TRANSFER

City of Cape Town Municipality Municipal Planning By-Law

In terms of the new planning laws effective in the City of Cape Town municipality from 1 July this year, the City can, on application, approve construction plans before the subdivision has been confirmed. Developers are at present however unable to submit any building plans prior to the confirmation, i.e. prior to the first unit in the subdivision being registered or transferred. The City is addressing the issue.

In terms of the Municipal Planning By-Law of the City of Cape Town, an application may be lodged in terms of section 55(4)(b) for permission to commence construction before the subdivision has been confirmed.

The section reads:

55(4) No building or structure may be constructed on a land unit forming part of an approved subdivision unless ...

(a) ...

(b) the City approves the construction before the subdivision or phased part thereof is confirmed.

In order to address the current concern in this regard, we have been advised that a special Municipal Planning Tribunal has been convened meeting to assess all the pending section 55(4)(b) applications .

It is therefore necessary to urgently submit any such application to the relevant district office to ensure that it is considered when the Tribunal holds its special meeting.

CONTACT US

■ CAPE TOWN
Tel: 021 406 9100

■ SOMERSET MALL
Tel: 021 850 6400

■ TYGER VALLEY
Tel: 021 943 3800

■ FOURWAYS
011 219 6200

■ CLAREMONT
Tel: 021 673 4700

■ STELLENBOSCH
Tel: 021 001 1170

■ MENLYN
Tel: 012 348 1682

■ CENTURION
Tel: 012 001 1546

■ FISH HOEK
Tel: 021 784 1580

■ TABLE VIEW
Tel: 021 521 4000

■ ILLOVO
Tel: 011 219 6200

■ BEDFORDVIEW
Tel: 011 453 0577