



City of Johannesburg  
Department of Development Planning

Metro Centre  
158 Civic Boulevard  
Braamfontein

PO Box 30733  
Braamfontein  
2017

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[www.joburg.org.za](http://www.joburg.org.za)

# ***Amendment of Land Use Scheme (Rezoning)***

## ***Amendment of Land Use Scheme (Rezoning)***

### **Application in Terms of Section 21 of The City of Johannesburg Municipal Planning By-Law, 2016.**

1. An owner of land who wishes to have a provision of the City's land use scheme or any provision of any other scheme which may still be applicable to the land under consideration amended, may submit an application in terms of this By-law to the City for consideration.
2. An application as envisaged in subsection (1) above shall submit the following:
  - a) Prescribed application fee. (Refer to fees schedule).
  - b) Covering letter addressed to:      The Executive Director  
Development Planning  
PO Box 30733  
Braamfontein  
2017
  - c) Application Information – Form A.
  - d) **Original** Power of attorney (if applicable – Form B)
  - e) Company Resolution (if applicable – Form C)
  - f) A copy of the registered title deed for each erf that is included in the application. (1 copy)
  - g) A copy of the company closed corporation, should the or trust property by registered in favour of one of the above.
  - h) If the land is subject to a mortgage bond, full details of such bond holder as well as the bond holder's consent relevant to the application.
  - i) Comprehensive motivational report in support of the application. (25 copies)
  - j) Locality plan of the area. (25 copies)
  - k) A land use map of the surrounding immediate area. (25 copies)
  - l) Information on the existing development on the land. (25 copies)
  - m) Information on the proposed use on the land. (25 copies)
  - n) Information regarding the existing zoning on the land and in terms of which land use scheme or any other town planning scheme that might still be applicable

- o) Zoning and density zoning plan surrounding immediate area. (25 copies)
- p) The proposed scheme clauses, schedules, maps and annexures. (25 copies)
- q) Table of existing and proposed rights. Form D (25 copies)
- r) Proposed site development plan, where required, showing, *inter alia*, the parking lay out. (5 copies)
- s) Undertaking to advertise – Form E3.
  - a. E3a - Letter Template
  - b. E3b - Site Notice Template
  - c. E3c - Affidavit Template
  - d. E3d - Newspaper Template
- t) Subject to section 55(2) to (5) of the By-law, any other information deemed relevant to the application.

In addition to the above information, should engineering report be submitted, three copies of each report should be submitted.

Engineering Report Guidelines:

**Outline Scheme Report (Stormwater):**

ORS =        Site Area < 5 000m<sup>2</sup> Stormwater Management  
                 Site Area 5000m<sup>2</sup> to 8500m<sup>2</sup> Outline Scheme Report  
                 Site Area > 8500m<sup>2</sup> Outline Scheme Report with Attenuation

**Outline Scheme Report (Water and Sewer):**

ORS =        > 10kl Outline Scheme Report

**Traffic Impact Study / Assessment (TIS/TIA):**

TIS/TIS       < 50 Trips - Traffic Statement (Optional)  
                 50 to 150 Trips - Traffic Statement  
                 > 150 Trips Traffic Impact Study

APPLICABLE SCHEME:

**CITY OF JOHANNESBURG LAND USE SCHEME, 2018**

APPLICATION TYPE:

.....  
.....

APPLICATION PURPOSES:

.....  
.....  
.....

**SITE DESCRIPTION:**

Erf/Erven (stand) No(s): .....

Township (Suburb) Name: .....

Street Address: ..... Code.....

**OWNER:**

Full name: .....

Postal Address: ..... Code: .....

Tel No (w): ..... Fax No: .....

Cell: .....

E-mail address: .....

**SIGNED:** .....

Signature of owner/s

**DATE:** .....

**AUTHORISED AGENT (IF APPLICABLE)**

**AUTHORISED AGENT (IF APPLICABLE)**

Full name: .....

Postal Address: ..... Code: .....

Residential Address: .....

Tel No (w): ..... Fax No: .....

Cell: .....

E-mail address: .....

The owner hereby elects the Authorised Agent of the Owner/s address to appear below as that to which all correspondence regarding this application shall be directed and, if having elected that of the Authorised Agent, acknowledges that correspondence addressed to such Agent shall be deemed to have been received by the Owner, notwithstanding that such correspondence may not have actually been brought to the Owner's notice.

**SIGNED:** .....  
Signature of Agent

**DATE:** .....

**If an AUTHORISED AGENT is submitting the application, please submit:**

Special Power of Attorney (Form B)

OR – A letter of authorisation from the owner/s

**IF THE OWNER IS A COMPANY**

A company resolution authorising the agent is required (Form C)

**SPECIAL POWER OF ATTORNEY**

I, the undersigned .....  
being the registered owner of .....  
held under deed of transfer/certificate of consolidation title no. ....  
do hereby nominate, constitute and appoint .....

.....  
With power of Substitution to be my lawful representative in my name, place and  
stead, to make application for .....

.....  
In addition to applying for the Municipality’s approval of and to make any other  
necessary applications including any post decision processes with regard to  
contributions, payment of park contributions and inclusionary housing requests and  
further to represent me at any inquiry in relation to the abovementioned matters and  
generally do whatever may be necessary or desirable to procure the consent of the  
Council, and generally for effecting the purpose aforementioned, to do or cause to be  
done whatsoever shall be requisite, as fully and effectually, for all intends and  
purpose as I might or could do if personally present and acting herein-hereby  
ratifying, allowing and confirming and promising and agreeing to ratify, allow and  
confirm all and whatsoever my representative shall lawfully do or cause to be done,  
by virtue of these present and whatever my said representative has to date done  
herein.

**SIGNED AT JOHANNESBURG ON THIS \_\_\_\_\_ THE DAY OF \_\_\_\_\_ 20\_\_**  
in the presence of the undersigned witnesses.

**SIGNED:** \_\_\_\_\_

**AS WITNESSES:**

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_

**COMPANY RESOLUTION**

RESOLUTION BY OWNERS / MEMBERS OF

.....  
.....

**RESOLVED THAT:**

At a meeting held at \_\_\_\_\_ on this  
\_\_\_\_\_ day \_\_\_\_\_ month for the \_\_\_\_\_ year.

1. An application be submitted to the City of Johannesburg Metropolitan  
Municipality for the \_\_\_\_\_  
\_\_\_\_\_.

2. \_\_\_\_\_  
be and hereby authorised to sign all necessary documentation and papers to enable  
the above application to be proceeded with.

Chairperson of the meeting

**SIGNED:** \_\_\_\_\_

**AS WITNESSES:**

1. \_\_\_\_\_

2. \_\_\_\_\_

**SUMMARY OF EXISTING AND PROPOSED  
LAND USE RIGHTS & DEVELOPMENT CONTROL MEASURES  
TO BE COMPLETED AND VERIFIED BY APPLICANT**

**PROPERTY DESCRIPTION :** Erf / Erven / Portion / Holding No. : \_\_\_\_\_  
(Information as per Title Deed)

**EXTENT OF SITE :** \_\_\_\_\_ m<sup>2</sup>      *As per Scheme must be described in detail.*

Township / Farm / Holding : \_\_\_\_\_

TOWN PLANNING SCHEME, 19_____.	EXISTING RIGHTS		PROPOSED RIGHTS	ADDITIONAL COMMENTS DEEMED RELEVANT & APPLICABLE
	IN TERMS OF ZONING	BY WAY OF SPECIAL CONSENT <small>(if applicable)</small>		
<b>ZONING</b>				
<b>A/S NO. / ANNEXURE NO. / REF NO.</b> <small>(if applicable)</small>	<small>(Copy of approved MAP 3 and Schedule / Annexure to be attached if applicable)</small>	<small>(Copy of approval letter to be attached if applicable)</small>	<b>Ref No. : _____</b>	
<b>PERMISSIBLE LAND USES</b> <small>(Please list all)</small>				
<b>LAND USES SPECIFICALLY EXCLUDED</b> <small>(Please list all if applicable)</small>				
<b>HEIGHT OF BUILDINGS</b>				
<b>STOREYS</b>				
<b>HEIGHT IN METRES</b> <small>(if applicable)</small>				



**Form D – Zoning Info Rezoning**

<b>COVERAGE</b>		
%		
<b>ACTUAL EXTENT IN m<sup>2</sup></b>		
<b>FLOOR AREA RATIO</b>		
<b>RATIO</b>		
<b>ACTUAL EXTENT IN m<sup>2</sup></b> <small>(Indicate any limitations / restrictions applicable to specific land use/s, e.g. shops restricted to 250m<sup>2</sup>)</small>		
<b>DENSITY</b>		
<b>UNITS/ha</b>		
<b>MAXIMUM No. of UNITS</b>		
<b>SPECIFY ANY OTHER LIMITATIONS / REQUIREMENTS</b> <small>(e.g. Line of No Access / Building Lines along Prov or National Roads, Maximum number of children / scholars for crèche / school, etc.)</small>		

**VERIFIED BY :** \_\_\_\_\_ **IN MY CAPACITY AS** \_\_\_\_\_

(PLEASE PRINT)

**SIGNATURE :** \_\_\_\_\_ **DATE :** \_\_\_\_/\_\_\_\_/20\_\_\_\_

## UNDERTAKING TO ADVERTISE

An application for the amendment of a provision of the City's land use scheme or any other scheme that may still be applicable to the land under consideration as envisaged shall comply with the following procedures:

- (a) Notice of the application shall be given once by simultaneously publishing a notice in the *Provincial Gazette* and a **newspaper** that circulates within the area of jurisdiction of the application site in English;
- (b) Such notice shall clearly reflect in terms of which section of this By-law the application is made and which land use scheme or any other scheme is applicable;
- (c) Such notice shall reflect full details of the application including, but not limited to, the street address, the name of the township, a clear erf description of the erf concerned and the nature and general purpose of the application;
- (d) Such notice shall further reflect the name, postal address, telephone number, fax number and e-mail address of the person submitting the application;
- (e) Such notice shall further reflect that the application and its accompanied documents will lie open for inspection at specified times and at specified places at the City's offices and that any objection, comment or representation in regard thereto must be submitted timeously to the City in writing by registered post, by hand, by facsimile or by e-mail within a period of 28 days from the date of publication of the notice as envisaged in subsection (a) above.
- (f) A **site notice** that contains the same detail as envisaged in subsections (b) to (e) above shall be displayed on the land under consideration in English;
- (g) Such notice shall be displayed on the land from the same date as the date of the publication of the notice mentioned in subsection (a) above;
- (h) Such notice shall be in the format as determined by the City;
- (i) Such notice shall be displayed in a conspicuous place on the land in question where it would be best and easily visible and can be easily read from each and every adjacent public street or other adjacent public place;
- (j) Such notice shall be maintained in a clearly legible condition for a period of not less than 21 days from the date of publication of the notice mentioned in subsection (a) above; and

- (k) In addition to the requirements in subsections (a) and (f) above, a **letter** shall also be dispatched within 7 days of date of the publication of the notice envisaged in subsection (a) above to the owners/occupiers of all contiguous erven, including those on the opposite side of a street or lane by registered post, by hand or by any other means available informing such owners/occupiers of all the detail as prescribed in subsection (b) to (e) above.
- (l) Proof of compliance with the above must be submitted to the City in the form of a written **affidavit** within 14 days of expiry of the date contemplated in subsection (e) above.

**I hereby state that I intend to advertise this application on:**

**Date:** \_\_\_\_\_

OWNER / AUTHORISED AGENT

Full name: .....

Postal Address: .....Code: .....

Residential Address: .....

Tel No (w): ..... Fax No: .....

Cell: .....

E-mail address: .....

**SIGNED:** .....  
Signature of owner/s

**DATE:** .....

Name and Address of \_\_\_\_\_  
Adjoining registered owner \_\_\_\_\_  
And/ or interested party \_\_\_\_\_

Dear Sir/ Madam

***DATE OF DISPATCHING / HAND DELIVERING THE LETTER***

**SITE DESCRIPTION:**

Erf/Erven (stand) No(s): .....

Township (Suburb) Name: .....

Street Address: ..... Code.....

**APPLICATION TYPE:**

.....

**APPLICATION PURPOSES:**

.....

*(Specify amendment of the land use scheme information and the proposed use of building or land) on the abovementioned property.*

The above application, in terms of the **City of Johannesburg Land Use Scheme, 2018**, will be open for inspection from 08:00 to 15:30 at the Registration Counter, Department of Development Planning, Room 8100, 8<sup>th</sup> Floor A- Block, Metropolitan Centre, 158 Civic Boulevard, Braamfontein.

Any objection or representation with regard to the application must be submitted to both the owner / agent and the Registration Section of the Department of Development Planning at the above address, or posted to P. O. Box 30733, Braamfontein, 2017, or a facsimile send to (011) 339 4000, or an e-mail send to [ObjectionsPlanning@joburg.org.za](mailto:ObjectionsPlanning@joburg.org.za), by not later than .....  
*(state date - 28 days from the date on which the application notice was first displayed).*

Any objection/s not fully motivated as required in terms of Section 68 of The City of Johannesburg Municipal Planning By-Law, 2016, (Validity of Objections) may be deemed invalid and may be disregarded during the assessment of the application.

**Details of OWNER / AUTHORISED AGENT**

Full name: .....

Postal Address: .....Code: .....

Residential Address: .....

Tel No (w): ..... Fax No: .....

Cell: .....

E-mail address: .....

**SIGNED:** .....  
Signature of Agent

**SITE NOTICE – TO BE ENLARGED**

APPLICABLE SCHEME:

**CITY OF JOHANNESBURG LAND USE SCHEME, 2018**

Notice is hereby given, in terms of Section 21 of the City of Johannesburg Municipal Planning By-Law, 2016, that I / we, the undersigned, intend to apply to the City of Johannesburg for an amendment to the land use scheme.

**SITE DESCRIPTION:**

Erf/Erven (stand) No(s): .....

Township (Suburb) Name: .....

Street Address: ..... Code.....

APPLICATION TYPE:

.....

APPLICATION PURPOSES:

.....

*(Specify amendment of the land use scheme information and the proposed use of building or land) on the abovementioned property.*

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Any objection/s not fully motivated as required in terms of Section 68 of The City of Johannesburg Municipal Planning By-Law, 2016, (Validity of Objections) may be deemed invalid and may be disregarded during the assessment of the application.

**OWNER / AUTHORISED AGENT**

Full name: .....

Postal Address: ..... Code: .....

Residential Address: .....

Tel No (w): ..... Fax No: .....

Cell: .....

E-mail address: .....

**SIGNED:** .....  
Signature of owner/s

**DATE:** .....

**DISPLAY OF NOTICE ON THE SITE AND DISPATCHING OF LETTERS**

**AFFIDAVIT**

I, ..... (Name) Of

**SITE DESCRIPTION:**

Erf/Erven (stand) No(s): .....

Township (Suburb) Name: .....

Street Address: ..... Code.....

make oath and say that:

1. On ..... (*Date of erection of notice*) I posted in a conspicuous position at: ..... (*Application site*) so as to be visible to the passing public, the notice of my intention to apply to the Council for rezoning of the above site from ..... to ..... in order to develop ..... (*specify rezoning information and the use of building or land*) on the abovementioned property.

2. I inspected such noticed on various dates after the ..... (*Date of erection of notice*) and on the ..... (*Date of removal of notice at least 21 days later*) and found the notice at the time of all such including the latter date, intact and posted as aforesaid.

3. On ..... (*Date of letters*) I posted / hand delivered / e-mailed or ..... in a letter to the properties listed on this form.



**Form E3c – Affidavit Rezoning**

So as to inform the owner/s and /or occupant/s of my intention to apply to the Council for rezoning of the above site from ..... to ..... in order to develop .....

.....  
*(specify rezoning information and the use of building or land)* on the abovementioned property.

.....

Applicant's Signature

**Signed and sworn to, before met at .....**

**(Name of town/city) this ..... Day of ..... 20....**

I certify that the Deponent has acknowledged that he/she knows and understands the contents of this affidavit.

.....

**Commissioner of Oaths**

**List of Property Owner/s / occupant/s notified:**

**Property:**

.....

**Address / Signature and contact details if hand delivered:**

.....

.....

**Property:**

.....

**Address / Signature and contact details if hand delivered:**

.....

.....

**Property:**

.....

**Address / Signature and contact details if hand delivered:**

.....

.....

**List of Property Owner/s / occupant/s notified: (continue)**

**Property:**

.....

**Address / Signature and contact details if hand delivered:**

.....

.....

**Property:**

.....

**Address / Signature and contact details if hand delivered:**

.....

.....

**Property:**

.....

**Address / Signature and contact details if hand delivered:**

.....

.....

**List of Property Owner/s / occupant/s notified: (continue)**

**Property:**

.....

**Address / Signature and contact details if hand delivered:**

.....

.....

**Property:**

.....

**Address / Signature and contact details if hand delivered:**

.....

.....

**Property:**

.....

**Address / Signature and contact details if hand delivered:**

.....

.....

**NEWSPAPER ADVERTISEMENT FOR AMENDMENT TO THE LAND USE SCHEME (REZONING)**

APPLICABLE SCHEME:

**CITY OF JOHANNESBURG LAND USE SCHEME, 2018**

Notice is hereby given, in terms of Section 21 of the City of Johannesburg Municipal Planning By-Law, 2016, that I / we, the undersigned, intend to apply to the City of Johannesburg for an amendment to the land use scheme.

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APPLICATION PURPOSES:

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**OWNER / AUTHORISED AGENT**

Full name: .....

Postal Address: .....Code: .....

Residential Address: .....

Tel No (w): ..... Fax No: .....

Cell: .....

E-mail address: .....

**DATE:** .....