



DEVELOPMENT MANAGEMENT SCHEME COMPLIANCE ADVISORY: 1 OF 2026

PRESCRIPTION IN TERMS OF SECTION 122F(3) OF THE CITY OF CAPE TOWN MUNICIPAL PLANNING BY-LAW (MPBL)

1. The Council of the City of Cape Town has approved the City of Cape Town Municipal Planning Amendment By-law, 2025 on 26 June 2025.
2. Chapter 8A of the MPBL, containing sections 122A to 122K, empowers the City to rectify an approval under the MPBL and building plan approval under the National Building Regulations and Building Standards Act, 1977 (National Building Act).
3. This express power in the MPBL to revoke or amend an existing approval or building plan approval means that the City can take the decision again without costly and slow litigation, whether initiated by the City, the beneficiary or another interested person.
4. Rectification is a City remedy and must be procedurally fair and administratively just. It can only be used to rectify material administrative irregularities, i.e. a flaw in the legislative procedure or requirements leading to an approval.
5. As provided for in section 122F(3) of the MPBL, a prescription is required to set the requirements for a person materially and adversely affected by an approval or a building plan approval to request a revocation or amendment in accordance with Chapter 8A:

"A person materially and adversely affected by an approval or a building plan approval may request a revocation or amendment of the approval or the building plan approval under this Chapter only—

(a) in the prescribed manner;

(b) within 21 days of the date on which they were informed of, became aware, or might reasonably be expected to have become aware, of the approval or building plan approval and supporting reasons, as the case may be;

(c) on the ground of a material administrative irregularity; and

(d) by giving clear, specific and enough detail to prove the claim of an irregularity, as if the civil onus applied in court proceedings."

6. Accordingly, the following has been prescribed:
 - A person materially and adversely affected by an approval or a building plan approval may request a revocation or amendment of the approval or the building plan approval under Chapter 8A by submitting such request to the relevant district office, via the following respective email addresses:

PREScription IN TERMS OF SECTION 122F(3) OF THE CITY OF CAPE TOWN MUNICIPAL PLANNING BY-LAW (MPBL)

Table Bay District: Tablebay.hub@capetown.gov.za

Blaauwberg District: Blaauwberg.hub@capetown.gov.za

Northern District: Northern.hub@capetown.gov.za

Tygerberg District: Tygerberg.hub@capetown.gov.za

Helderberg District: Helderberg.hub@capetown.gov.za

Khayelitsha/Mitchells Plain District: KhayeMitch.hub@capetown.gov.za

Cape Flats District: CapeFlats.hub@capetown.gov.za

Southern District: Southern.hub@capetown.gov.za

- The request must clearly comply with the comprehensive requirements in section 122F of the MPBL.
 - The requester must clearly demonstrate the material administrative irregularity in the process that led to the respective approval.
7. The Development Management Department is in the process of developing a comprehensive standard operating procedure to further expand on Chapter 8A.



PLEASE NOTE

Always consult the City of Cape Town Municipal Planning By-law, 2015 (as amended), before any land use application is submitted to the Department.