



Requirements to determine whether an application will require pre-application consultation in terms of section 70(2) of the City of Cape Town Municipal Planning By-Law (MPBL):

The following are requirements that will trigger pre-application consultation (from 1 July 2018 onwards) prior to submitting an application in terms of the MPBL:

1. a rezoning of land currently zoned Open Space 1-3 (OS1-3) ; Agricultural (AG) and Rural (RU);
2. rezoning from any zoning to General Residential 4-6 (GR4-6) ; General Business 4-7 (GB4-7) ; Mixed-Use 3 (MU3) ; General Industry 2 (GI2) ; Risk Industry (RI);
3. rezoning to any zoning from General Residential 4-6 (GR4-6) ; General Business 4-7 (GB4-7) ; Mixed-Use 3 (MU3) ; General Industry 2 (GI2) ; Risk Industry (RI);
4. amendment, suspension or deletion of a restrictive condition;
5. any development in the following Spatial Transformation Areas, as depicted by the approved Municipal Spatial Development Framework: "Discouraged Growth Areas" or "Critical Natural Areas";
6. any development in any of the localised "unique" areas, as depicted by the approved Municipal Spatial Development Framework;
7. a proposal not complying with the Municipal Spatial Development Framework, relevant District Plan, Structure Plan listed in Schedule 1 and 2 of the MPBL or any valid 4(6) or 4(10) structure plan approved in terms of the Land Use Planning Ordinance, 1985 (LUPO);
8. rezoning, subdivision or site development plan application involving the development of an area exceeding 1Ha (area refers to the physical development area, not the size of the erf);
9. where a site development plan application are required for the following:
 - a. commercial developments exceeding a floor area of 1000m²;
 - b. industrial developments exceeding a floor area of 5000m².

Procedure for pre-application consultation:

1. A request for pre-application consultation must be processed by the relevant Section Head: Land Use Management (SH: LUM). SH: LUM to allocate a planning case officer, who should preferably also be the case officer after formal submission of the specific application;
2. Pre-application consultation meeting must be held within 14 days, or such further period as agreed to between the planning case officer and the applicant, after the request by the applicant;
3. The planning case officer will be responsible to determine and invite all relevant internal staff and any other party who needs to be involved in the application process;
4. A record of the pre-application consultation must be prepared by the applicant and forwarded to the planning case officer who attended the meeting for vetting within 7 days, or such further period as agreed to between the planning case officer and the applicant, of the meeting. After vetting of the records it must be uploaded to the DAMS case created;
5. If applicable, but not limited to, the pre-application consultation meeting must determine the factors listed in section 70(1)(a-i) of the MPBL and the application type(s) required.