



OBJECTION, COMMENT OR REPRESENTATION to an application received by the City

(prescribed form in terms of section 90 of the City of Cape Town Municipal Planning By-Law, 2015 (MPBL))

If you wish to object, comment or provide representation in terms of section 90 of the City of Cape Town Municipal Planning By-law, 2015 (MPBL) towards a land use application being considered by the City you will be required to complete this form to ensure the objection, comment or representation is valid.

Use of this form does not limit any supplementary documentation that you may wish to bring to the attention of the decision authority. All documents you wish to submit for consideration by the decision authority should be attached and submitted simultaneously with this form.

Please complete/tick the appropriate boxes below, provide a motivation/explanation of your answer, attach any supplementary documentation to this form and submit it to the relevant email address as specified in the notice.

Subject to section 90(7) of the MPBL your submission may appear on a public agenda. In terms of section 92 of the MPBL your submission will be referred to the applicant to allow for a response to the City.

SECTION A: APPLICATION DETAILS

Case ID Subject erf number

Street address of the subject property

How did you become aware of the application?

Registered letter via post Onsite notice Newspaper City of Cape Town website

Other, please specify

SECTION B: DECLARATION BY AFFECTED PARTY OR PARTIES/ PROPERTY OWNERS

In respect of the aforementioned application, I/we the registered owner(s) or resident(s) of the undermentioned premises, formally:

Object Comment on Provide representation

If the activity is currently in operation, how does the activity affect you?

The decision-maker will use section 99(3) of the MPBL to determine the desirability of the application. Should you wish to align your submission with the above-mentioned criteria please visit the City website to peruse the MPBL.

Reason for objection, comment or representation must include:

- I. Your interest in the application.
- II. Effect the application will have on you, your property or the area.
- III. Any aspect of the application that is considered to be inconsistent with policy, and how.
- IV. What impact the development has on your property.

Are you objecting to the whole application or only part of it? If in part, provide more details below:

Would you support the application if particular conditions were imposed? Y N

Such condition(s) must be reasonable and relate to the application at hand in terms of section 100 of the MPBL. If so, state the reason and propose conditions below:

Section 120(11) of the MPBL provides that a person may make a request to the Municipal Planning Tribunal (MPT) to make an oral submission. For such request to be considered it must comply with the following requirements:

1. Must be a written request emailed to the following address: MPT.oralhearings@capetown.gov.za.
2. Adequate reasons must be given for such request.
3. The request must be received at the above-mentioned address at least five days before the MPT meeting where the application(s) will be considered, or closer to the meeting if good cause is shown.

To assist you in deciding whether you would like to make such request, go to the following web link to view the MPT meeting dates: <http://www.capetown.gov.za/Family%20and%20home/meet-the-city/city-council/Meeting-calendar>.

You will be able to view MPT meeting dates, agendas and reports using erf numbers, physical addresses and case ID. Requestor to note that you will be required to identify when the application to which you wish to make oral submission on, will appear on the Tribunal agenda in order for you to submit the request in time as per the above requirement.

SECTION C: SIGNATORIES DETAILS

| | | | | | | | | | | | |
|--|----------------------|----------------|---|---|---|---|---|---|---|---|---|
| Full name and surname | <input type="text"/> | | | | | | | | | | |
| Erf number | <input type="text"/> | Postal address | <input type="text"/> | | | | | | | | |
| Email address for correspondence* | <input type="text"/> | | | | | | | | | | |
| <small>* If this form is submitted using a different email address than the one stated above, then note that the City will only communicate with you using the email address from which the form was received.</small> | | | | | | | | | | | |
| Contact number | <input type="text"/> | Signature | <input type="text"/> | | | | | | | | |
| Cell number | <input type="text"/> | Date | <table border="1"><tr><td>D</td><td>D</td><td>M</td><td>M</td><td>Y</td><td>Y</td><td>Y</td><td>Y</td></tr></table> | D | D | M | M | Y | Y | Y | Y |
| D | D | M | M | Y | Y | Y | Y | | | | |

EXTRACT FROM THE CITY OF CAPE TOWN MUNICIPAL PLANNING BY-LAW, 2015

90 Objection to an application

- 1) A person who has been invited to comment or object, or any person in response to a public invitation to comment or object, may object to, comment on or make representations about the application in accordance with this section.
- 2) An objection, comment or representation must be in writing.
- 3) A late objection, comment or representation will not be considered unless the City Manager condones the late submission in terms of subsection (4).
- 4) The City Manager may condone the late submission of an objection, comment or representation if good cause is shown and consideration of the late objection, comment or representation would not -
 - (a) cause an unreasonable delay; or
 - (b) prejudice the public interest.
- 5) A person who submits an objection, comment or representation must provide on the prescribed form -
 - (a) sufficient details of the application for it to be readily identified;
 - (b) their full name;
 - (c) their address and other contact details and the method by which they may be notified;
 - (d) their interest in the application;
 - (e) the reason for their objection, comment or representation, including at least -
 - (i) the effect that the application will have on them or the area;
 - (ii) any aspect of the application that is considered to be inconsistent with policy, and how.
- 6) An objection, comment or representation which does not meet the requirements of subsection (5) may be disregarded.
- 7) The City Manager may keep the information provided under subsections (5)(b) and (5)(c) confidential on good cause shown.
- 8) No person may request the payment of money or any other form of consideration from the applicant or any person involved in the application in return for not submitting an objection or in return for submitting a notice of no objection or a supportive comment.
- 9) No person may offer a person payment of money or any other form of consideration in return for not submitting an objection or for submitting a notice of no objection or a supportive comment.
- 10) Subsections (8) and (9) do not prohibit the request for or the offer to undertake measures to mitigate the impact of the development contemplated in the application.
- 11) A person who contravenes subsections (8) or (9) is guilty an offence and upon conviction is liable to the penalties contemplated in sections 133(2) and 133(3).

Method and date of notification

The date of notification is determined as follows:
if the notification is provided -

- (a) orally, it is the date of oral communication;
- (b) by hand, it is the date of delivery or collection;
- (c) by registered post, it is regarded as the fourth day after the date stamped upon the receipt for registration issued by the post office which accepted the notice; or
- (d) by email or fax, it is the date that the email or fax is sent,

Interpretation Act No 33 of 1957 section 4

- (4) Reckoning of number of days. - When any particular number of days is prescribed for the doing of any act, or for any other purpose, the same shall be reckoned exclusive of the first and inclusive of the last day, unless the last day happens to fall on a Sunday or on any public holiday, in which case the time shall be reckoned exclusive of the first day and exclusive also of every such Sunday or public holiday.

As an example, if the date of notification is 1 October, then the first day of calculation of the 21 day appeal period will be 2 October and the 21st day would be 22 October. If 22 October is either a Sunday or a public holiday, then the closing date will be the next following day that is not either a Sunday or a public holiday.