



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

BUILDING DEVELOPMENT MANAGEMENT TARIFF BUSINESS RULES 2019/2020

(JULY 2019 UPDATE)

1. Effective Date

- 1.1 Fees are effective from 1 July 2019
- 1.1. These tariffs replace all previous tariffs charged by the Building Development Management branch of Council.

2. Method of payment

- 2.1 Please refer to the Tax Invoice for payment method options, or to <http://www.capetown.gov.za/work%20and%20business/planning-portal/online-planning-and-building-resources/dams>
- 2.2 Cheques and postal orders must be made payable to: City of Cape Town. Post-dated cheques will not be accepted. Note that cheque payments are being phased out

3. Time of payment

- 3.1 Fees are due on submission of the building plan application.
- 3.2 Applications are only processed upon payment of the prescribed fees.

4. Proof of payment

- 4.1 . The correct payment must be verified by the system against the application before any scrutiny will be done.

5. Refunds

- 5.1 Building plan application scrutiny fees are not refundable under any circumstances except for the rectification of errors (over charging) in the determination of the fees. No refund will be paid if the fees was captured in accordance with the application form.

6. Rectification of errors.

- 6.1 Errors in the determination of the fees (either over or under charging) must be rectified prior to the approval of the application.

7. Subject to change

- 7.1 All fees and business rules are subject to change.
- 7.2 The fees applicable at the time of submission of the application are payable.

8. Exemptions.

8.1 The following applications are exempt from the payment of scrutiny fees:

- Applications in respect of any building to be erected by or on behalf of the State. In this context "State" means an "organ of State" as defined in Section 239 of the Constitution. This is interpreted as those institutions which are an intrinsic part of government and those institutions outside the public service which are controlled by the State – ie where the majority of the members of the controlling body are appointed by the State or where the functions of that body and their exercise is prescribed by the State to such extent that it is effectively in control.
- Building Plans for all buildings and structures, including Housing projects managed by the Local Authority, erected for and by the Local Authority. (Plans must be submitted and approved prior to construction.)
- Applications in respect of alterations and/or additions to any building older than 60 years and of special heritage significance subject to the following provisos:
 - The exemption will be applicable for internal and external alterations, including renovations and repairs, where at least two thirds of the heritage fabric is retained as determined by the City's Heritage Resource officials. The exemption will not apply to applications where only the shell of the original building is retained.
 - The exemption will be applicable for additions to existing buildings on condition that the architectural floor area of the additions is less than 25% of the architectural floor area of the original building.
 - The exemption will not apply to applications for new separate buildings on the same erf.
 - The exemption will not apply to applications for new work where only a portion of the original building is retained. For example, the façade of the original building. The exemption will apply where the façade is retained and there is redevelopment within the envelope of the existing building.
 - The exemption will not be applicable to applications for building work in urban conservation areas unless the first two criteria apply.
- Applications in respect of any building to be erected or altered or additions thereto in the Atlantis Industrial Area as defined in the current City of Cape Town: Municipal Planning By-law.
- All applications required to address / give effect to successful resettlement claims in terms of the Restitution of Land Rights Act, as well as in cases where land has been allocated to a successful claimant, such claimant is allowed to submit only one application (building plan), for residential development only which application(s) will be exempted from building plan fees as per normal fees.

- Applications from organisations providing residential facilities to the elderly and homeless children who qualify for rates relief in terms of: (a) the criteria mentioned in Item 6.7 of the Rates Policy and; (b) accreditation obtained from the Homeless Agency Committee (HOMAC) as stipulated in the Children's Act No. 38 of 2005. It will be required from the owner of the property on which the building plans is to be submitted to provide sufficient proof that he/she has been relieved from the payment of rates by the City's Revenue Department in terms of (a) or has obtained accreditation from HOMAC in terms of (b).
- Applications for the conversion, or addition to, dwelling houses, other residential units in former state subsidized housing developments or in areas where shelters is allowed, for ECD purposes will be charged for at the minimum tariff for such residential developments up to a total habitable floor area of 80m².
- The Director: Planning and Building Development Management may grant or refuse applications for the exemption of some or all the applicable Building Development application fees of a particular application which are necessitated due to changes to developments made at the request of the Environmental Management Service of the City of Cape Town in the interests of environmental or heritage conservation.
- In cases where a successful land claimant submits a building plan for a purely non-residential development (which does not include any residential development) on land so obtained, such non-residential application is subject to all the fees applicable to any other similar application which was not obtained by way of the Restitution of Land Rights Act.
- If a successful land claimant submits a building plan for a mixed use development (which includes non-residential development) on land so obtained, such non-residential building plan gets charged the normal fees as specific for such application as if the non-residential part of the application is a separate application from the residential part of the development.
- The Director: Planning & Building Development Management may authorise exemption from building plan application tariffs in cases where a building plan decision was set aside in a court of law and is required in terms of a court to be resubmitted to the City for decision, subject thereto that it is the same plan as originally submitted.

9. OTHER FEES

- 9.1 Requests for information: if information is specifically requested in terms of the "Access to Information Act," the relevant fees as prescribed in terms of that Act apply.

9.2 Printing fees:

- a) Printing fees are charged per page according to size. Copies will only be made in the sizes that are available at a particular office.

10. APPLICATION OF THE TARIFFS

10.1 Minor Building Work: As defined in the Building Regulations:

- Aviary
- Solid fuel store not exceeding 10m² in area and 2 m in height
- Tool shed not exceeding 10m² in area
- Child's playhouse not exceeding 5m² in area
- Cycle shed not exceeding 5m² in area
- Greenhouse not exceeding 15m² in area
- Open sided car, caravan or boat shelter or a carport where such shelter or carport does not exceed 40m² in area
- Private swimming pool
- Change room, not exceeding 10m² in area, at a private swimming pool
- Lapas and gazebos (with any type of roof covering) under 40m² in area.
- Any free-standing wall where such wall does not exceed 2.1 m in height: max length 500 m thereafter at 0.85% of the estimated value.
- Permits valid for 6 months
- Each category is charged for separately even if part of a full plan submission.
- Reconstruction of fire or natural disaster damaged buildings at applicable rate as per single/other/non-residential categories.

10.2 Applications for Alterations and Additions: Plans will be assessed as follows:

- Additions: assessed on the area (square metres) per category
- Alterations, Non-residential: assessed on the QS/Architect estimated value of the building cost (wet works) and calculated at 0.85% of the value.
- Alterations, Residential and other Residential: assessed on the minimum tariff per category

10.3 Applications for mixed use buildings: Plans will be assessed as follows:

- Where there is a horizontal separation of uses, for example, parking floors within an office building, the parking component is assessed separately at the applicable rate.

10.4 Applications for Provisional Authorisation to Commence with the erection of a Building:

Applications for provisional authorisation to proceed with the erection of a building prior to final building plan approval will be considered in exceptional circumstances on condition that:

- The application has been formally submitted (the full scrutiny fees paid) and the plans have been circulated to the applicable service branches and a consolidated list of requirements have been compiled.
- The application for provisional authority is in writing and is fully motivated.
- The prescribed provisional authority fee is paid. This fee is not refundable.
- The application is for specific items of work clearly defined on the working drawings accompanying the building plan submission.
- The architectural area of the building under consideration (as defined in Section 1 of Act 103 of 1977) is greater than 500 square metres.
- Full Planning (Zoning) approval has been obtained.
- The property must be not encumbered by private restrictive title deed conditions.

- Any work done prior to the approval the building plans is entirely at the applicants' risk and should the plans require amendments or should the application be refused for any reason the work already completed will have to altered or removed as the case may be at the applicant's expense.

Effective 01 July 2019

These business rules must be read in conjunction with the "BUILDING DEVELOPMENT MANAGEMENT TARIFF STRUCTURE FOR 2019/2020" Enquiries: Mr P Koekemoer, Tel 021 400 7581
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