

# **eThekwini Municipality**

## **Development Applications & Approvals Branch**

### **Understanding the Building Plan Submission/Approval Process**

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# Building Plan Submission/Approval Process in a nutshell.

**Introduction:** This document seeks to provide a basic understanding of the processes related to the submission and assessment of a building application.

It must be noted that prior to the submission of the building application it is first necessary to ensure that there are no restrictive conditions applicable to the property on which the building is to be erected, and that the building and the use thereof is in accordance with zoning and scheme controls. This requires that the proposal is first submitted to the Land Use Management Branch (LUMS) who will do the necessary checks, which may include acquiring input from the Environment Department or eThekweni Transport Authority where necessary.

Only once LUMS clearance has been obtained can the building application be submitted.

The Building Application:

The processes described below relates to the **building application** which is submitted to the Development Applications Branch (DAA) in accordance with section 4 of the Act (Act 103/1977) which states in part that: *“No person shall without the prior approval in writing of the local authority in question, erect any building in respect of which plans and specifications are to be drawn and submitted in terms of this Act.”*

On the submission of a building application the process is as follows:



The targeted process timeframes, from submission to decision, that we seek to achieve are around 12 to 15 working days. Times may vary however dependant on the complexity of an application, the number of applications which we receive at that time or whether or not the application needs to circulate to internal departments.

## **UNDERSTANDING THE PROCESS:**

### **Step 1: Submission [Plans Administrator (PA)]**

- The documentation
  - The PA receives the application and confirms that basic submission requirements have been met including the LUMS clearance.
  
- Calculation and receipting of fees
  - The PA calculates the fee in accordance with the tariff of charges.
  - The PA completes the “payment invoice” and “client receipt” with which the applicant proceeds to make payment.
  
- Recording and stamping
  - On confirmation of payment having been made the PA records the application and generates a unique application number.
  - The application number is affixed to all documents and plans which are separated into sets.
  
- Compiling the jacket
  - Plans and documents are placed, in sets, in a “plan jacket/file” and forwarded to the Assessment Officer.

[Note: As far as possible we seek to ensure that the application reaches an Assessment Officer within 1 day of submission]

### **Step 2: Assessment and routing [Assessment Officer (AO)]**

- The assessment
  - The AO confirms that the application corresponds with that cleared by LUMS
  - The AO assesses the application for compliance with the Act, Regulations, Standards and any other applicable law as may be necessary.
  - The AO documents his/her recommendation including where necessary reasons for recommending a refusal.
  
- Determining need for circulation and routing
  - The AO in assessing the application determines the need for external departmental comment and records the depts. to which the application must be circulated, this includes circulation to the Chief Fire Officer when so required.

- The “plan jacket” is forwarded to the PA for circulation or directly to TL where no circulation is required.

**Step 3: Circulation [Plans Administrator / Internal depts.]**

- Circulation
  - In order to save time applications are circulated simultaneously to departments where their input is deemed necessary. (hence the need to submit multiple copies)
  - Timeframes are monitored and the application is forwarded to TL together with dept comment/input when received

[**Note:** Applications that have been circulated are forwarded to the TL within a prescribed time limit or once all depts. comments/input have been returned, whichever is the soonest. Where no circulation is required the application moves directly from the Assessment Officer to the Team Leader.]

**Step 4: Decision [Team Leader (TL)]**

- Consideration
  - The TL considers the recommendation of the AO and any input/comment from other departments where applicable and decides on the application.
  - The decision is either to approve or refuse the application.
- Documentation
  - If satisfied that the application complies with the Act and any other applicable law the Team Leader will approve the application
  - Should the Team Leader not be entirely satisfied, he/she will refuse the application and provide reasons for this in writing

**Step 5: Notification and collection [Plans Administrator (PA)]**

- Approved Applications
  - PA sorts the application file/jacket as follows:
    - A set of the approved plans (stamped and signed by the TL) and documents including approval advisory are prepared for collection by the applicant
    - A copy of the approved plan and specific documents are forwarded to the Building Inspectorate
    - A copy of the approved plan and supporting documents are forwarded to the Registry.

- Refused Applications
  - PA separates the application file/jacket as follows:
    - Plans and documents including refusal notice (containing the reasons for which the application was refused) are prepared for collection by the applicant.
    - A “control” copy of the plan together with relevant documents are retained in the application jacket by DAA

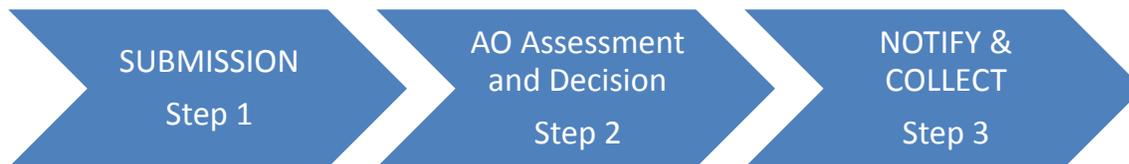
The applicant is notified that the application is available for collection.

**SUBMISSION ANEW:** An application which has been refused may be submitted anew at no additional cost subject to those issues which caused its refusal having been addressed and/or resolved. The period provided for in which this must happen is 12 months from the date on which the application was **initially** refused.

An application which has been refused and is submitted more than 12 months after the initial date on which it was refused, shall be deemed a fresh application for which new submission fees (at the current tariff) will be required.

**MINOR BUILDING WORKS (MBW):** These applications follow a simpler route and are to be encouraged, noting however that this option only applies to building works as listed on the “Minor Building Work” schedule.

MBW process:



We trust that this document provides some clarity and insight into the workings within the building application process.