



Midvaal Local Municipality
Contact Details
PO Box 9, Meyerton, 1960
Tel: 016-360-7400
Fax: 016-360-7519
www.midvaal.gov.za

WRITTEN/TEMPORARY CONSENT APPLICATION GUIDELINE

1. Purpose

The procedure intends to highlight the process entailed in the submission of a written consent or temporary consent application and matters related thereto and all the relevant and required supporting documentation.

2. Background

The application must be submitted in terms of Clause 51 Midvaal Local Municipality Land Use Scheme 2017.

3. Definition

“Temporary Consent” - means the temporary consent provided by the municipality that is envisaged for the temporary use of a property for up to (6) months;

Provided that -

- (a) the erection and use of temporary buildings, or the use of existing buildings for site offices, storage rooms, workshops or such other uses as may be necessary during the erection of any permanent building or structure on the land; Provided that such consent shall ipso facto lapse upon completion of the permanent structure or on the expiry date thereof as determined by the municipality;
- (b) the occasional use of land or buildings for public religious exercises, place of instruction, institution, place of amusement or social hall;
- (c) the use of land or buildings thereon for State or Municipal purposes;
- (d) the use of land or the erection of buildings necessary for the purpose of informal retail trade; and
- (e) emergency relocation of residence in line with the executing of the municipal disaster management plan.
- (f) Extension for further 6 months.

4. Documentation required

A written consent / temporary consent application shall comply with the following procedures:

4.1. A letter:

- Reflective of the proposed land use as permitted in the specific use zone,
- Proof of letters to adjoining owners shall be dispatched as follows:
 - Hand delivery – as per form
 - Email – proof of delivery

Registered mail – remains applicant`s responsibility to provide proof of delivery.

- 4.2. Letters to affected neighbours shall include the following details:
- Submission date to the municipality;
 - Reflect the name, postal address, telephone number, fax number (where applicable) and e-mail address of the person submitting the application.
- 4.3. Comments or objections procedure:
- Shall be submitted to both the municipality and the agent/owner in within a period of fourteen (14) days from date of receipt of the letter.

4.4. Proof of compliance with procedure

4.4.1. Proof of compliance shall be accompanied by a written affidavit that must be submitted to the municipality prior to consideration of the application.

4.4.2. Proof of payment for application fee.

5. Circulation

- 5.1. The municipality shall forward all comments, objections and representations to the applicant within seven (7) days after the time period to submit any comments, objections or representations has expired.



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APPLICATION FORMS



Midvaal Local Municipality
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Tel: 016 360 7400
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APPLICATION FORM FOR WRITTEN CONSENT IN TERMS OF CLAUSE 51 OF THE MIDVAAL LAND USE SCHEME AS PROMULGATED IN TERMS OF SECTION 19(1) OF THE MIDVAAL MUNICIPAL SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW

I (Agent/registered owner),

(Name)

of _____

(Postal address)

(Telephone, email address, cellphone)

hereby apply on behalf of

(Name)

the registered owner of the land, for special consent of the Council to use the land describe hereunder for the following purposes:

1. DESCRIPTION OF LAND ACCORDING TO TITLE DEED

Erf/Holding/Portion

Town/Agricultural
Holding/Farm

Number and Name of Street/Road

2. *PROPOSED USE(S)*

(Please specify, e.g General Dealer Trading in Groceries; Nursery School; Second dwelling)

REQUIRED DOCUMENTS

Receipt of proof of payment of application fees		Covering Letter		Motivating Memorandum	
Power of Attorney		Company/Close Corporation/Trust resolution		Proof of Members of Company /Close Corporation/Trust	
Proof of Marital Status of the Owner		Bondholders Consent		Locality Plan	
Registered Title Deed and/or notarial deed		Zoning Certificate		List of adjoining owners	

EXAMPLE OF A POWER OF ATTORNEY

I/We,

.....
..... ID No: the undersigned, hereby
nominate, constitute and appoint –

.....ID No:
with the power of substitution to be my/our legal attorney(s) and agent(s) in my/our name,
place and stead to apply for -

..... (type of application and property
description)

at The Midvaal Local
Municipality and in general to do everything to effect the application and to do whatever I/we
would do if I/we were present in person and acting in the matter; and I/we hereby ratify, allow
and confirm, and promise and agree to ratify, allow and confirm everything and anything
my/our attorney(s) and agent(s) may do or may permit to be done legally in terms of this
power of attorney.

Signed at on this day of
.....20..... in the presence of the undersigned witnesses.

AS WITNESSES:

1.....
.....

2.....
.....

.....
Registered Owner

PERMISSION SLIP

(To be completed by affected neighbour)

I _____, property owner
of _____

Holding / Farm Portion / Erf _____ Township / Agricultural Holdings /

Farm: _____; hereby

☐ Do not object

☐ Object

To the proposed _____.

Comment/reason:

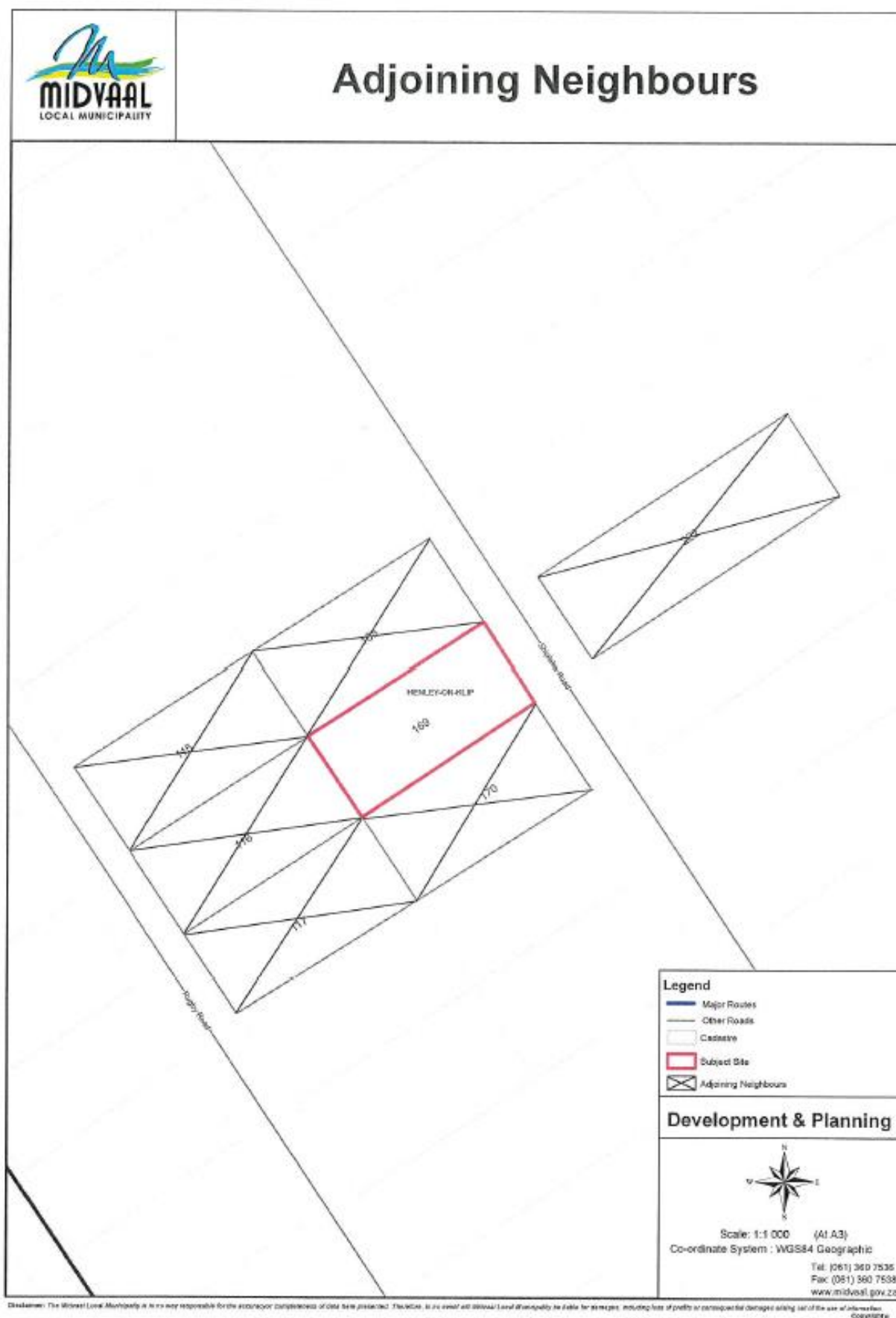
Date: _____

Signature: _____

Cell: _____

Email: _____

Example of adjoining owners



AFFIDAVIT

In terms of Section 51(2)(b) of the Midvaal Land Use Scheme, 2017,

I/We _____

(Applicant)

the lawful property owner (s)/representative of the property owner (s), do hereby declare under Oath and confirm the following:

1. That the letters as prescribed in Section 51(2)(a) of the Midvaal Land Use Scheme, 2017, for a written consent application to permit a _____, on Erf/Farm/Holding _____ were dispatched to all the adjoining members affected by the proposed use.
2. That details provided on all permission slips are correct, and that the referred adjacent owners have been informed about the full details of the proposed application.

Signed _____ (signature of applicant)

on _____ at _____

I hereby certify that the deponent acknowledges that *he/she was conversant with the contents of this statement and understood it, and that the deponent uttered the following words: "I swear that the contents of this statement are the truth and nothing but the truth, so help me God".

Commissioner of Oaths _____

Date: _____

Stamp: