

# ECD DISCUSSION DOCUMENT #2: POSSIBLE SOLUTIONS TO SIMPLIFYING LAND USE (PART 2 OF 2)



NELSON MANDELA  
FOUNDATION  
*Living the legacy*



Project Preparation Trust of KZN

**ECD DISCUSSION DOCUMENT #2:**

**POSSIBLE SOLUTIONS TO SIMPLIFYING LAND USE (PART 2 OF 2)**

This is a series of five papers aimed at stimulating discussion and awareness about local government matters that affect the delivery of Early Childhood Development (ECD) services. These papers are a product of a series of work that the Nelson Mandela Foundation commissioned the Project Preparation Trust to do.

**The discussion papers cover the following topics:**

- 1) Land-use and related challenges
- 2) Simplifying land use processes
- 3) Barriers to effective ECD delivery
- 4) Developmental role of the LM/Metros in ECD
- 5) Programmatic approach

*We are grateful to the Hanns Seidel Foundation for their generous support of these papers. The opinions expressed herein do not necessarily reflect those of the Hanns Seidel Foundation.*



### SUMMARY

**FOCUS OF THIS DISCUSSION DOCUMENT:** The purpose of this discussion document is to suggest solutions to the problems facing under-resourced ECD centres in respect of planning approvals. These include difficulties in obtaining rezoning or planning consents or municipal acknowledgment in areas where there are no approved town plans. The current planning frameworks are formal in their orientation and do not adequately accommodate informality and incremental improvement, as envisaged by national ECD policy and as required by the Spatial Planning and Land Use Management Act (SPLUMA).

#### **OVERVIEW OF POSSIBLE SOLUTIONS TO SIMPLIFY LAND USE PROCESSES**

The Spatial Planning and Land Use Management Act (SPLUMA) requires municipalities to develop planning and land use frameworks which accommodate informality, and which are incremental and inclusive in their orientation. In line with this intention, the following four possible solutions are proposed to create a more enabling environment for ECD partial care registration. It is emphasised that these would apply only to land use approvals while all other ECD requirements would remain in place (e.g. approval by Department of Education (DOE) and EHP inspections etc).

**FOR ECD CENTRES WITHIN LAND USE SCHEMES:** The following three solutions are for ECD centres within land use schemes who ordinarily must apply for land use approval in the form of a special consent (for a secondary use) or rezoning. These processes are onerous for ECD operators. They are costly, time-consuming and require specialist capacity, usually requiring the services of a professional town planner (typically costing R15,000 to R20,000 for rezoning and R6,000 to R9,000 for a special consent).

- 1) **Including ECD as a Primary Use in Municipal Land Use Scheme:** Making ECD a primary use within the municipality's land use scheme would mean that there is an automatic right to provide ECD on sites within certain categories of zoning approved by the municipality (e.g. residential, mixed residential, general business) from a land-use point of view. An amendment to this effect would be required to the municipality's land use scheme. No land use application would then be required.
- 2) **Establishing a Neighbour's Consent as a means of land use approval:** Establishing a neighbour's consent as an option in the municipal land use scheme would enable ECD centres to obtain approval of land use for ECD from the municipality based on the written consent of their neighbours. On this basis the municipality could, for example, issue a letter of consent for ECD as a secondary use. An amendment to this effect would be required to the municipality's land use scheme.
- 3) **Allowing an exemption of land use scheme requirements:** Enabling ECD centres to apply for exemption from the normal requirements of the scheme is another option. The ECD operator could then prepare the submission/motivation themselves using a prescribed template. On this basis the municipality could, for example, issue a letter of consent for ECD as a secondary use. Specific conditions/requirements could be e.g. environmental health certificate, compliance with by-laws etc. An amendment to this effect would be required to the municipality's land use scheme. Whilst this is more burdensome than options 1 and 2, it would still be less onerous, quicker and more affordable than full (conventional) applications.

## ENHANCING THE DELIVERY OF EARLY CHILDHOOD DEVELOPMENT (ECD) IN LOCAL GOVERNMENT

FOR ECD CENTRES OUTSIDE OF LAND USE SCHEMES: ECD centres outside of land use schemes (e.g. in informal settlements or on traditional land) are currently unable to obtain land use approvals and may therefore be unable to obtain ECD registration. They currently fall outside of planning frameworks.

- 4) **Issuing of a letter of acknowledgement:** Municipalities could provide a letter of acknowledgment to ECD centres confirming their existence, their location and the municipality's planning intentions in the area e.g. category B1 informal settlement destined for incremental, in-situ upgrading with the provision of basic services in the short term; rural traditional settlement. This would be provided based on an application from the ECD centre providing prescribed details of the centre and including a neighbour's consent. It would be beneficial if, in the medium term, municipalities also start to put in place incremental planning and tenure arrangements for these areas as required by SPLUMA, however it is recognised that this process will take time to achieve.

# 1. INTRODUCTION

ECD Partial Care Registration is compulsory and is the only way for ECD centres to become part of the state's system of oversight and support. Section 78 (2) b(ii) of the Children's Amendment Act 41 of 2007 (page 16) requires that partial care facilities meet "the structural safety, health and other requirements of the municipality of the area where the partial care facility is situated", which includes meeting land use requirements. The Department has instituted the ECD registration framework which facilitates the scaling up of the registration process by providing conditional registration (bronze and silver). However, to align fully with Section 78 (2), the issues outlined in the first discussion document "Solving the land related matters" (Part 1 of 2) which pertain to planning, land use, municipal by-laws and building plans requirements need to be addressed.

It is important to note that the Spatial Planning and Land Use Management Act (SPLUMA) No 16 of 2013, that enables municipalities to develop spatial development frameworks (SDFs) and land use schemes, recognises many of the challenges experienced by ECD centres – especially those in low income and non-scheme areas. The SPLUMA enables municipalities to adopt a developmental approach in order to create enabling living environments for all their communities.

The SPLUMA identified development principles to which all spatial planning, land development and land use management must conform, namely:

- a) Spatial justice: Of particular interest is the fact that land use management systems must include all areas of a municipality and specifically include provisions that are flexible and appropriate for the management of disadvantaged areas, informal settlements and former homeland areas.
- b) Spatial sustainability: This requires among others that spatial planning and land use management systems must consider all current and future costs to all parties for the provision of infrastructure and social services in land developments.
- c) Efficiency: Decision making procedures must be designed to minimise negative financial, social, economic or environmental impacts, and application procedures must be developed that are efficient and streamlined and have set timeframes that should be adhered to by all parties.
- d) Spatial resilience: Whereby flexibility in spatial plans, policies and land use management systems are accommodated to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks.
- e) Good administration: To which all land developments and land use systems must conform.

Bearing in mind the above principals set out in the SPLUMA, the following section outlines possible options which Municipalities could consider in order to simplify land use processes to assist ECD Centres in low-income communities to more easily obtain partial care registration.

## 2. OPTIONS TO SIMPLIFY LAND USE PROCESSES

### 2.1. Option 1: ECD as Primary use

It is proposed that Municipalities consider the **inclusion of ECD centres under the primary use category** in certain cases. This means that an ECD becomes a primary land use right in certain instances

and an application is thus not necessary. This would require an amendment to the relevant land use scheme. Furthermore, it is understandable that municipalities will need to consider this very carefully as there are certain zonings where an ECD cannot be a primary right, such as the case with industrial use.

### 2.2. Option 2: Establishing a Neighbours' Consent as a special type consent use

This proposal involves the creation of a **second type of consent use in the land use scheme**. The land use scheme normally provides for a second type of use on a property which is not the primary use, but which is closely associated with it. A consent use does require a decision by the relevant municipality. This in turn implies an application and the processes associated with it. In order to avoid this, a special type of consent use, which only requires neighbours' consent, is proposed. It is felt that ECD is a very specific use with special requirements (especially in low-income areas) and could be accommodated under such a type of consent use. Municipalities will have to be approached about this and if in agreement, will have to amend their land use schemes accordingly.

### 2.3. Option 3: Exemption on the land use scheme requirements

In this case, the proposal is **to allow an exemption of the land use scheme's requirements**. This involves an amendment to the scheme as the municipality must be enabled to grant this type of approval. It involves an application to the municipality by the ECD operator and if in agreement, the municipality may set that particular application free of the requirements of the scheme. As with Option 1: ECD as primary use, municipalities cannot be expected to grant all applications and each will need careful consideration.

### 2.4. Option 4: Letter of acknowledgment in areas without a land use scheme

This proposal deals with ECD centres in all areas without a land use scheme (e.g. informal settlement areas; on land not designated for development; on land governed by traditional authorities) who need to register. Up to now most municipalities ignored developments in areas not part of the approved land use schemes i.e. did not issue any documentation in support of the registration. Municipalities can implement a simple procedure similar to the neighbour's consent and can issue a municipal letter of acknowledgment to support ECD registration in non-scheme areas. These processes will be more inclusionary, flexible, and allow incremental improvements. ECD operators, EHPs and DOE will be able to work with the municipality instead of around the municipality.

Municipalities are encouraged by SPLUMA to include within their land use schemes "provisions that permit the incremental introduction of land use management and regulation in areas under traditional leadership rural areas, informal settlement, slums and areas not previously subject to a land use scheme." Municipalities should adopt the principles and provisions of the SPLUMA that:

- Requires the inclusion of persons and areas previously excluded and characterised by widespread poverty and deprivation
- Include provisions that are flexible and appropriate, and ensure incremental upgrading approaches to development and regulation
- Permit the incremental introduction of land use management and regulation

### NOTE:

- **Options 1 to 3:** require a) amendments to land use schemes; b) the submission of building plans and applications for relaxation where required; c) all tariffs to be differentiated according to the applicable socio-economic area and; d) do not require the services of a professional town planner.
- **Options 2 – 4:** Municipalities should assist ECD operators with the printing of required documentation (e.g. GPs SG diagrams, title deeds) at cost.

The table below provides a description for each of these options as well as some pros and cons associated with each of them.

## ENHANCING THE DELIVERY OF EARLY CHILDHOOD DEVELOPMENT (ECD) IN LOCAL GOVERNMENT

Option 1: ECD as a primary use	Option 2: Neighbours consent - another category / second type of Consent Use	Option 3: Exemption of zoning requirements for ECD	Option 4: Letter of acknowledgment in non-scheme areas
<p><b>Applicable</b></p> <ul style="list-style-type: none"> <li>In low income areas with land use scheme</li> </ul>	<p><b>Applicable</b></p> <ul style="list-style-type: none"> <li>In low-income areas with land use scheme</li> </ul>	<p><b>Applicable</b></p> <ul style="list-style-type: none"> <li>In all areas with land use scheme</li> </ul>	<p><b>Applicable</b></p> <ul style="list-style-type: none"> <li>In all areas outside of land use schemes (e.g. informal settlements; traditional land)</li> </ul>
<p><b>Description</b></p> <ul style="list-style-type: none"> <li>Municipalities may include ECD centres under the primary use category in certain cases. This means that an ECD becomes a primary land use right in certain instances;</li> <li>Some zonings that may be considered include: crèche, education, residential, general business, general commercial, institutional, mixed use, special zone group housing, urban agriculture, etc. It is understandable that municipalities will need to consider this very carefully as there are certain zonings where an ECD cannot be a primary right, such as the case with industrial use.</li> <li>ECD operators will in these cases not be required to submit a land use application.</li> <li>An amendment to the relevant land use scheme will be required.</li> <li>Municipalities will be notified of the intended use when the ECD centres arrange for EHP inspections, which is required for partial care registration.</li> </ul>	<p><b>Description</b></p> <ul style="list-style-type: none"> <li>This proposal involves the creation of a second type consent use in the land use scheme. Land use scheme normally provides for a second type use on a property which is not the primary use but which is closely associated with it. A consent use does require a decision by the relevant municipality. This in turn implies an application and the processes associated with it.</li> <li>In order to avoid this (i.e. long, cumbersome and expensive processes), a special type of consent use, <b>which is not advertised widely but only requires neighbours' consent, is proposed</b>. It is felt the ECD is a very specific use with special requirements (especially in low-income areas) and could be accommodated under such a type of consent use.</li> <li>Municipalities will have to be approached about this and if in agreement, will have to amend their land use schemes accordingly.</li> <li>Municipalities should consider making available an application pack which could be obtained from all municipal offices. These packs should include a simple application form, a site notice, neighbours</li> </ul>	<p><b>Description</b></p> <ul style="list-style-type: none"> <li>Municipalities may decide to allow an exemption of the land use scheme's requirements.</li> <li>This involves an amendment to the scheme as the municipality must be enabled to grant this type of approval.</li> <li>ECD operators will be required to submit an application for such exemption.</li> <li>If in agreement, the Municipality may set that particular application free of the requirements of the scheme.</li> <li>Municipalities cannot be expected to grant all applications and each application will need careful consideration.</li> <li>A Municipality should adopt a simplified application.</li> <li>Support documentation as per a normal consent use application. The applicant is responsible for completing the application form, motivation letter, supply the title deed, building and site layout plans, provide evidence that the application fee is</li> </ul>	<p><b>Description</b></p> <ul style="list-style-type: none"> <li>Municipalities should adopt the principles and provisions of the SPLUMA that             <ul style="list-style-type: none"> <li>requires the inclusion of persons and areas previously excluded and characterised by widespread poverty and deprivation</li> <li>include provisions that are flexible and appropriate, ensure incremental upgrading approaches to development and regulation</li> <li>permit the incremental introduction of land use management and regulation</li> </ul> </li> <li>Municipalities can implement a simple procedure similar to the neighbours consent e.g.             <ul style="list-style-type: none"> <li>Simple application form, site notice, neighbours consent (notification forms &amp; record of notification)</li> <li>Support documentation will be limited to documentation to be supplied by                 <ol style="list-style-type: none"> <li>the applicant:                     <ul style="list-style-type: none"> <li>application (as outlined above)</li> </ul> </li> </ol> </li> </ul> </li> </ul>



## ENHANCING THE DELIVERY OF EARLY CHILDHOOD DEVELOPMENT (ECD) IN LOCAL GOVERNMENT

<ul style="list-style-type: none"> <li>• Applications for building plan approval and normal relaxations (e.g. building line relaxation, side, rear space relaxations) still apply</li> <li>• All tariffs should be differentiated according to the applicable socio-economic area.</li> </ul>	<p>notification and a record of notification. Once completed and signed, these documents must be submitted to the Municipality.</p> <ul style="list-style-type: none"> <li>• Support documentation will be limited to documentation to be supplied by             <ol style="list-style-type: none"> <li>a) the applicant:                 <ul style="list-style-type: none"> <li>▪ personal details</li> <li>▪ a building plan or if not available a sketch with measurements of the building(s) to be used and a site plan (not to scale); and</li> <li>▪ photos of the buildings and site</li> </ul> </li> <li>b) the Municipality e.g.                 <ul style="list-style-type: none"> <li>▪ location map</li> <li>▪ copy of SG diagram/ GP</li> <li>▪ copy of title deed if not readily available etc. These prints will be payable by the applicant.</li> </ul> </li> </ol> </li> <li>• No application fee will be applicable where there are no objections.</li> <li>• Where objections are received, the town planner will arrange a meeting on site with the applicant, objecting neighbour and ward councillor to try and resolve the matter. A reasonable and affordable tariff will be determined to cover these costs.</li> <li>• Once it is satisfied that all requirements were met, the Municipality will issue approval.</li> <li>• Applications for building plan approval and normal relaxations (e.g. building line, rear, side space relaxations) still apply.</li> <li>• All tariffs should be differentiated according</li> </ul>	<p>paid. Other documents such as the locality map, general plan, SG diagram can be obtained from the municipality. These prints will be payable by the applicant.</p> <ul style="list-style-type: none"> <li>• Notification is done by handing out notices and by displaying a site notice. Objections must be submitted to Municipality in writing by the objecting neighbour.</li> <li>• Conditions should be aligned with specific socio-economic areas e.g. adequate parking arrangements will be required in upper income areas while only a drop-off zone may be required in low-income areas where people either walk or make use of public transport; A drop off zone may not even be required in informal settlements where there may be no vehicle access in the immediate vicinity</li> <li>• Applications for building plan approval and normal relaxations (e.g. building line relaxation, side, rear space relaxations) still apply.</li> <li>• All tariffs should be differentiated according to the applicable socio-economic area.</li> <li>• Once it is satisfied that all requirements were met, the Municipality may grant approval for the Exemption</li> </ul>	<p>including personal details</p> <ul style="list-style-type: none"> <li>▪ a building plan or if not available a sketch with measurements of the building(s) to be used and a site plan (not to scale); and</li> <li>▪ photos of the buildings and site.</li> </ul> <p><b>b) the Municipality:</b></p> <ul style="list-style-type: none"> <li>▪ location map indicating the specific informal settlement</li> <li>▪ google snapshot indicating the specific location of the facility based on GPS coordinates</li> <li>▪ details of the informal settlement e.g. name, settlement category (e.g. B1) functional tenure arrangements (e.g. shack number, municipal certificate of occupation).</li> </ul> <ul style="list-style-type: none"> <li>• The municipality will issue a municipal letter of acknowledgment to support ECD registration in non-scheme areas.</li> </ul>
---	---	--	--

## ENHANCING THE DELIVERY OF EARLY CHILDHOOD DEVELOPMENT (ECD) IN LOCAL GOVERNMENT

	to the applicable socio-economic area.		
<p><b>Pros</b></p> <ul style="list-style-type: none"> <li>The fact that ECD is classified as primary use and no application is required, will shorten and streamline the ECD partial care registration process considerably and will save ECD operators considerable costs.</li> <li>This option can also be applied to middle- and higher-income areas</li> <li>The municipality will have less land use applications to process.</li> </ul>	<p><b>Pros</b></p> <ul style="list-style-type: none"> <li>This application process in low- income areas is simplified to the extent that ECD operators would not need to appoint a town planner.</li> <li>The cost to the applicant will be minimal.</li> <li>All ECD operators will be able to comply.</li> <li>Obtaining such neighbours consent will take days or weeks instead of months.</li> </ul>	<p><b>Pros</b></p> <ul style="list-style-type: none"> <li>Exemption will set the application free of the rezoning requirements of the scheme.</li> <li>A simplified process will enable applicants to prepare the applications themselves instead of appointing town planners to assist, which is expensive.</li> <li>An Exemption may be granted in all areas under control of a scheme, provided that it is worded as such in the scheme. It therefore adds to the flexibility of the scheme</li> </ul>	<p><b>Pros</b></p> <ul style="list-style-type: none"> <li>These processes will be more inclusionary, flexible, and allow incremental improvements.</li> <li>ECD operators, EHPs and DOE will be able to work with the municipality instead of around the municipality to effect partial care registration.</li> </ul>
<p><b>Cons</b></p> <ul style="list-style-type: none"> <li>Neighbours will not have an opportunity to object to the establishment of an ECD centre</li> <li>Municipalities may decide to limit the number of zones that can be used, to try and build in some control, which may at the end of the day dilute the anticipated impact and make no real difference.</li> </ul>	<p><b>Cons</b></p> <ul style="list-style-type: none"> <li>This type of consent may be regarded as more time consuming as the municipal Town Planner will be expected to attend on site meetings to address objections.</li> <li>The application is subject to a municipal decision as it remains a consent use.</li> </ul>	<p><b>Cons</b></p> <ul style="list-style-type: none"> <li>ECD operators must still follow a cumbersome application process even though the process may be simplified to some extent.</li> <li>Applications for exemption may still carry a cost.</li> <li>The application is subject to a municipal decision</li> </ul>	<p><b>Cons</b></p> <ul style="list-style-type: none"> <li>Getting the municipality to deal more comfortably with informality may take some time.</li> <li>On traditional land, approval by the relevant authority may be required which makes it a cumbersome process.</li> </ul>

Municipalities may consider implementing a combination of these options to cover both areas with and without land use schemes e.g. Option1: ECD as primary use, and Option 4: Letter of acknowledgment in areas without a land use scheme.

**NB: Documentation relating to submission and notification was only prepared for Option 2: Neighbours consent (another category/second type of Consent Use) to illustrate the level of simplification. It is anticipated that Option 4 will use similar documentation.**

### 3. NOTIFICATION OF PROPOSAL

One of the cost drivers in land use applications is the required placement of advertisements in newspapers to make the proposal known to all interested parties.

Instead of an expensive advertisement procedure, neighbours' information and comment is proposed for options 2 – 4 mentioned above. This implies the serving of a notice on adjacent (and across the street) occupiers to inform them of the proposal and provide them with an opportunity to comment. The following is pertinent:

- The placement of formal advertisements in two languages does not seem to have much value for people in low-income communities and is considered to be a mere administrative, though expensive, box to be ticked.
- Most residents in low-income communities do not have the means to purchase the daily newspapers and even if they did - few, if any, will be reading the advertisements. It is thus doubtful that neighbours will see the advertisement to be informed of the application or would be able to respond.
- ECD operators in low-income communities do not have the financial means and resources to pay for such advertisements.
- An early childhood development centre should be deemed as a low-impacting land use.
- The scale of ECD operations is usually fairly small<sup>1</sup> and the establishment of such services does not justify expensive processes.
- ECD centres offer an essential and much needed service to the community.

Agreeing to the neighbours' information and comment as an alternative to expensive advertisement is the first step for municipalities towards a more developmental approach that provides for less cumbersome, more simplified and affordable processes that are better aligned with the needs and realities of low-income communities.

**The neighbours' information and comment can also be applied in informal settlements, unproclaimed land and on traditional land<sup>2</sup>** even though there may be no land use scheme in place. ECD centres will at least be able to state that they have consulted their neighbours and that the neighbours are agreeable to the proposed establishment of such service.

The following steps may be considered to implement the requirements laid down by the scheme:

- a) Municipalities are encouraged to arrange monthly/quarterly awareness meetings with all prospective ECD operators wishing to register as partial care facilities, where land use application processes will be explained and standard application packs will be issued. These meetings will be attended free of charge by prospective applicants.

---

<sup>1</sup> A recent survey of 1 114 ECD centres (464 ECD centres in 7 rural municipalities and 650 ECD centres in the eThekweni Metro) indicated the average size of ECD centres in underserved areas to be in the order of 37 children.

<sup>2</sup> Municipalities are encouraged to differentiate between formal, informal and/ or communal areas as provided for in the Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA), section 24(2) (c) that stipulates that the land use or zoning scheme "must include provisions that permit the incremental introduction of land use management and regulation in areas under traditional leadership, rural areas, informal settlements, slums and areas not previously subject to a land use scheme", and to allow differentiation in terms of the criteria of decision making, application fees, different notice costs, and enforcement measures of the bylaw to enable ECD centres in poor and under serviced areas to incrementally meet the norms and standards as set out in the ECD Registration Framework that will allow conditional registration of these centres.

## ENHANCING THE DELIVERY OF EARLY CHILDHOOD DEVELOPMENT (ECD) IN LOCAL GOVERNMENT

Alternatively, municipalities may join the jamborees for partial care registration for ECD centres organised by DOE (which is advisable).

- b) Applicants must complete the application form with all erf details and the description of the project and added plans **(Annexure A)**.
- c) Applicants must notify / consult the adjacent land / property owners / occupants (those that the applicant is sharing a boundary with to the left, right and back) as well as the neighbour directly across the street, of the owner/ occupant's intent to establish an ECD centre on the premises. A copy of the application must be attached to the notification.
- d) Such notification is done in terms of a standard Neighbour's Notification form **(Annexure B)** that includes a copy of the completed application form **(Annexure A)** that explains the proposal.
- e) The Neighbour's Notification Form **(Annexure B)** must be delivered in person by the applicant to the owner/ occupier of the adjacent household.
- f) The adjacent owners/occupant must acknowledge Receipt of the Neighbour's Notification **(Annexure B)** by dating and signing the standard Record of Receipt of Neighbours' Notification form **(Annexure C1)**
- g) Each adjacent owner/occupant must comment on the proposal on the Neighbours Written Comments Form **(Annexure C2)**, which the applicant must add to the application pack for submission to the Municipality.
- h) A standard A3 site notice **(Annexure D)** must also be displayed/erected on the site frontage for the duration of the public participation period. A clear photo of the site notice may be added to the application pack by the applicant.
- i) A copy of the application and its accompanying documents will be open for inspection at the specified municipal offices during the public participation period.
- j) Members of the public are free to lodge written comments to the municipality by hand, by registered post or by email.
- k) Where no written comments are received, the municipality will accept that the application is supported.
- l) Competition/rivalry will not be accepted as a legitimate reason for objection.
- m) Legitimate objections will be followed up in terms of a formal meeting scheduled and facilitated by the municipal Town planner with the applicant, objecting neighbour(s) and ward councillor. The meeting should be held on site so that all parties will have the opportunity to physically inspect the site to see how best the concerns can be addressed.
- n) The town planner will submit a report with recommendations for submission to the relevant standing committee.
- o) The Municipality will inform the applicant of the outcome of the application.

[NAME OF MUNICIPALITY AND LOGO]

**APPLICATION: NEIGHBOURS' CONSENT FOR EARLY CHILDHOOD DEVELOPMENT (ECD) FACILITY IN LOW INCOME AREAS**

**TOWN/ VILLAGE:** \_\_\_\_\_

SECTION A: APPLICANT DETAILS						
First names						
Surname						
ID number						
ECD centre name						
Management of Centre (tick appropriate block)	NPO		Private		CBO	
NPO number						
Email						
Telephone Number						
Cell phone Number						
SECTION B: PROPERTY DETAILS						
Erf / lot number						
GPS Coordinates	Latitude		Longitude			
Physical or street address or description of traditional land	_____					
Suburb / neighbourhood						
Ward number						
Current zoning						
Title deed available?	Yes		No			
If yes, title deed number			Title Deed date			
If no, provide a reason						
Any restrictive title deed conditions affecting development on the property?						
Size of the site in m <sup>2</sup>						
Any existing buildings? If so how many and what are they used for?						
SECTION C: OWNER DETAILS (IF NOT THE APPLICANT)						
First names						
Surname						
ID number						
Email						
Tel						
Cell						
Lease agreement						
Permission to apply	In my capacity as owner of the land, I consent to the submission of this application for the establishment of an ECD centre on the erf mentioned above. Signature: _____ Date: _____					

## ENHANCING THE DELIVERY OF EARLY CHILDHOOD DEVELOPMENT (ECD) IN LOCAL GOVERNMENT

<b>SECTION D: APPLICATION TYPE</b>					
Neighbours' Consent Application in terms of Section _____ of the _____ Municipality Spatial Planning and Land Use Management By-Laws No. _____ of _____ [date].					
<b>SECTION E: DESCRIPTION OF PROPOSED ECD CENTRE</b>					
Number of children TOTAL: 0-2 years 3-5 years Grade R					
Operating hours	From		To		
Type of building	Existing Building(s)		Extension to an existing building		New building
Wall type e.g. Conventional – brick/block, containers, prefab, corrugated iron, wattle and daub					
Size of building (in m <sup>2</sup> )					
Number of rooms and use Number of playrooms: Kitchen Pantry / food store Office Sickbay Store Covered veranda Number of adult toilets Number of adult wash basins Number of children's toilets Number of children's washbasins					
Playground Size of play area (in m <sup>2</sup> ) Playground equipment Site fenced Lockable gate					
Parking / drop zone					
<b>Section F: Attachments and plans</b>					
Key documentation for application	To be completed by the Municipality				
	Yes	No	Comments		
a) Application form completed (Annexure A)					
b) Copy of the neighbours' notification (Annexure B)					
c) Signed Record of receipt of neighbours' notification (Annexure C1)					
d) Written neighbours' comments obtained from neighbours (Annexure C2)					

## ENHANCING THE DELIVERY OF EARLY CHILDHOOD DEVELOPMENT (ECD) IN LOCAL GOVERNMENT

e) Copy of the site notice (Annexure D)			
f) Photo of the site notice (optional)			
g) Locality Map, General Plan and Surveyor General Diagram			
<ul style="list-style-type: none"> <li>• <b>For rural areas</b> <ul style="list-style-type: none"> <li>i Map indicating the neighbourhood /area indicating the site with a polygon</li> <li>ii Highlight the locality of the site on Google snapshot in satellite view using GPS coordinates.</li> <li>iii Outline the site boundaries on the Google snapshot map. <i>(municipality to assist with printing of these maps)</i></li> </ul> </li> <li>• <b>For formal low income township areas</b> <ul style="list-style-type: none"> <li>1. Formal locality plan,</li> <li>2. General Plan / SG diagram <i>(municipality to assist with printing of these maps)</i></li> </ul> </li> </ul>			
<b>h) Site layout plan</b>			
<ul style="list-style-type: none"> <li>• <b>For rural, and low income areas</b> A hand drawn site plan with measurements indicating <ul style="list-style-type: none"> <li>a) Site entrance;</li> <li>b) The name of the street onto which the site fronts (if applicable);</li> <li>c) Fencing (cadastral boundaries of site);</li> <li>d) The position and area of the building(s) on the site in relation to the size of the erf;</li> <li>e) The purposes for which each part of the buildings will be used e.g. playroom, kitchen, ablution facilities</li> <li>f) Type of buildings (e.g. Conventional – brick/block, containers, prefab, corrugated iron, wattle and daub)</li> <li>g) Location of outdoor play area;</li> <li>h) The position of site services, e.g. water, sewer and electricity connections, water tank, waste management area; and</li> <li>i) Parking / Drop zone where applicable;</li> <li>j) Photos of the site from all sides.</li> </ul> </li> </ul>			
<b>i) Building Plans</b>			
<p><b>Minimum requirement for rural, and low income areas</b></p> <ul style="list-style-type: none"> <li>• <b>For existing buildings (block, brick, wood, prefab)</b> <ul style="list-style-type: none"> <li>a) <b>Approved building plans</b> for conventional, pre fab buildings, if available.</li> </ul> </li> </ul>			

<p>b) If none available, provide <b>hand drawn sketch floor plan with measurements</b></p> <ul style="list-style-type: none"> <li>○ Indicating room types (e.g. kitchen, playroom, office, store, sick bay passage, veranda), room sizes and walls lengths, windows, doors, and stairs and/ or ramp, as well as fixed installations such as bathroom fixtures (e.g. toilets and hand basins), kitchen cabinetry (e.g. cupboards and sink), and appliances (e.g. stove, fridge).</li> <li>○ <b>PLUS, photos</b> of elevation on the outside and inside of existing buildings</li> </ul> <p>• <b>For informal building structures (wood, corrugated iron, wattle and daub, container)</b></p> <p>a) <b>Hand drawn floor plan and photos</b> - same as above plus</p> <p>b) A <b>municipal building inspection report</b> has to be submitted that confirms that the structure–</p> <ol style="list-style-type: none"> <li>i. is stable;</li> <li>ii. is waterproof;</li> <li>iii. is sufficiently ventilated;</li> <li>iv. is constructed of materials which are safe;</li> <li>v. is supplied with a portable fire extinguisher or other appropriate firefighting equipment;</li> <li>vi. does not contain any physical features which present or might present a risk to children; and</li> <li>vii. complies with any other additional requirements determined by the Municipality. Should contain recommendations to get the building to Silver or Gold status.</li> </ol> <p><i>Further guidelines may be required in this regard, since the buildings may be informal to varying degrees and the building inspector cannot be held liable for any subsequent problems which become manifest. The objective would however be to determine mainly: a) particular risks (e.g. structurally); and b) to gauge whether or not the building is likely to be able to obtain subsequent building plan approval at silver level if the centre were to ‘step up’ or alternatively if this appears unlikely or impossible.</i></p>			
---	--	--	--



## ENHANCING THE DELIVERY OF EARLY CHILDHOOD DEVELOPMENT (ECD) IN LOCAL GOVERNMENT

<ul style="list-style-type: none"> <li>○ <b>For new builds and extensions</b> <ul style="list-style-type: none"> <li>○ Formal building plans as per municipal specification</li> </ul> </li> </ul>			
<b>j) Fire plan approval</b>			
<ul style="list-style-type: none"> <li>● <b>All areas</b> <ul style="list-style-type: none"> <li>○ Reasonable precautions are taken to protect children and staff from the risk of fire, accidents or other hazards,</li> <li>○ There is fire control equipment - at minimum a bucket of sand in rural areas or a portable extinguisher in informal settlements ((bronze level)</li> <li>○ Approved fire control equipment is provided and maintained in good order, in line with the relevant by-laws of the local authority. (silver &amp; gold level)</li> </ul> </li> </ul>			
<b>k) Tenure</b>			
<ul style="list-style-type: none"> <li>● <b>For rural areas:</b> <ul style="list-style-type: none"> <li>● Written PTO/lease agreement with Traditional Authority or proof that this process is underway if it is possible.</li> </ul> </li> </ul>			
<ul style="list-style-type: none"> <li>● <b>For formal low income areas:</b> <ul style="list-style-type: none"> <li>● Copy of Title deed or proof that the erf is being registered or</li> <li>● a written lease agreement.</li> </ul> </li> </ul>			

I / We declare that the information contained in this application form and the support documentation is complete and correct.

Signed by:

\_\_\_\_\_

Name of the owner or chairperson of the ECD Centre

\_\_\_\_\_

Signature

\_\_\_\_\_

Date

[NAME OF MUNICIPALITY AND LOGO]

NEIGHBOURS' NOTIFICATION

TO: OWNERS / OCCUPANTS

ERF / LOT DESCRIPTION

---

---

---

---

---

---

---

---

Notice is hereby given that an application has been made to the \_\_\_\_\_ Municipality  
In terms of the \_\_\_\_\_ Municipality Spatial Planning and Land Use Management  
By-Laws No. \_\_\_\_\_ for the following:

**Type of application:** \_\_\_\_\_

**Property/ site description:** \_\_\_\_\_

**Street address:** \_\_\_\_\_

**To utilise the abovementioned sites for the purposes of:** \_\_\_\_\_

---

---

A copy of the Application and its accompanying documents is attached to this document but can also be I be open for inspection by interested members of the public between the hours of 08h00 to \_\_h\_\_ Mondays to Fridays (excluding Public Holidays) at the offices of \_\_\_\_\_ (physical address).

Members of the public are invited to lodge written comments by hand with \_\_\_\_\_ (physical address), or by registered post to \_\_\_\_\_, (postal address) or by email to \_\_\_\_\_@\_\_\_\_\_ within 30 days (excluding public holidays) on or before the \_\_\_\_\_ (Date).

Should you fail to lodge or forward comments by the said date, it will be considered that you have no objections or comments to the above proposal. You will be disqualified from further participating in the process.

NAME AND ADDRESS OF APPLICANT:

---

---

Tel: \_\_\_\_\_

Email: \_\_\_\_\_

[NAME OF MUNICIPALITY AND LOGO]  
**RECORD OF RECEIPT OF NEIGHBOURS' NOTIFICATION**

Name and surname	ID number	Address	Contact number	Date: Notification received	Signature

The record of receipt forms part of the applicant's application pack.

APPLICANTS' NAME

ADDRESS OF APPLICANT:

CONTACT NUMBER

DATE

SIGNATURE

\_\_\_\_\_

[NAME OF MUNICIPALITY AND LOGO]

NEIGHBOURS' WRITTEN COMMENTS

**Instructions to the Applicant:**

- Make at least 4 copies of this page and hand out to adjacent owners / occupants
- Each adjacent owner / occupant must provide written comments on the proposed Early Childhood Development Centre
- The Applicant must add to the application pack.

I, \_\_\_\_\_ [name and surname]

ID number: \_\_\_\_\_ living at \_\_\_\_\_

\_\_\_\_\_ [Address]

Hereby submit my comments on the proposed establishment of the Early Childhood Development Centre proposed by the Applicant as per the Neighbours Notification and copy of the Application delivered.

---

---

---

---

**Please tick the box with a  that best reflects your comments.**

I support this Application

I do not support this Application

Signed by:

\_\_\_\_\_  
Name of the owner / occupant adjacent

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**SITE NOTICE**

Notice is hereby given that an application has been made to the ..... Municipality in terms of the \_\_\_\_\_ municipality Spatial Planning and Land Use Management By-Laws No. \_\_\_\_\_ in respect of the \_\_\_\_\_ Town Planning Scheme

**Nature of application:**

\_\_\_\_\_  
\_\_\_\_\_

**Erf number:** \_\_\_\_\_

**Property/ site description:** \_\_\_\_\_

**Street address:** \_\_\_\_\_

**To utilise the abovementioned site for the purposes of:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A copy of the application and its accompanying documents will be open for inspection by interested members of the public between the hours of 08h00 to \_\_h\_\_ Mondays to Fridays (excluding Public Holidays) at the offices of \_\_\_\_\_ (physical address).

Members of the public are invited to lodge written comments by hand with \_\_\_\_\_ (physical address), or by registered post to \_\_\_\_\_, (postal address) or by email to \_\_\_\_\_@\_\_\_\_\_ within 30 days (excluding public holidays) on or before the \_\_\_\_\_ (Date).

Should you fail to lodge or forward comments by the said date, it will be considered that you have no objections or comments to the above proposal. You will be disqualified from further participating in the process.

**NAME AND ADDRESS OF APPLICANT:**

\_\_\_\_\_  
\_\_\_\_\_

Tel: \_\_\_\_\_

Email: \_\_\_\_\_