

Development Planning

Typical Law Enforcement Process within Development Planning

COMPLAINTS HANDLING PROCEDURES

(High level)

Please Note:

- Refer to *Annexure A* for timelines
- Complaint email: ComplaintsPLE@Joburg.org.za

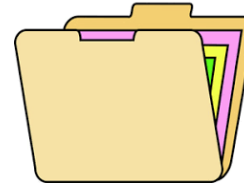
TYPICAL PROCESS FOLLOWED AFTER LODGING A COMPLAINT DEVELOPMENT PLANNING

LAW
ENFORCEMENT
UNIT



1

The **Law Enforcement Unit, 5th Floor, Metro Centre, A block** receives a contravention complaint from the complainant for an alleged non compliance of a Land Use Scheme or Outdoor Advertising By-law



2

The **Administration Officer** within two(2) working days from date of receipt of contravention complaint , opens a file for the complaint



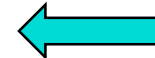
3

The **Administration Officer** registers the complaint on the **Law Enforcement System (LES)** linked to the **Land Information System (LIS)** and allocates a reference number to the contravention complaint . This is also recorded on file



4

The **Administration Officer** must, within five (5) working days from the date of receipt of the contravention complaint , acknowledge to the complainant receipt of the contravention complaint via the post, email and/or telephone



5

The **Administration Officer** submits the registered contravention complaint to the **Operational Manager** for assessment



6

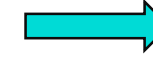
An **Operational Manager** will assess the complaint against the jurisdiction and direct the contravention complaint to the relevant Municipal Entity if required.

The complainant is notified in writing should the contravention complaint be directed to the Municipal Entity.



7

If the **Operational Manager** makes a finding that the contravention complaint constitutes a contravention of a Land Use Scheme or Outdoor Advertising By-law, then the complainant is notified in writing that the contravention complaint is accepted and will be investigated



8

An **Operational Manager** allocates the contravention complaint to a **Senior Law Enforcement Officer** to investigate the contravention complaint

TYPICAL PROCESS WITH THE INVESTIGATION OF A COMPLAINT
DEVELOPMENT PLANNING

LAW
ENFORCEMENT
UNIT



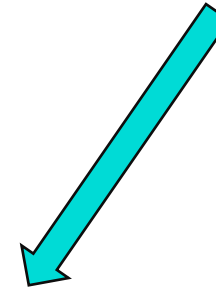
9

The **Senior Law Enforcement Officer** within three (3) working days of allocation, does a desktop investigation to validate the owner and property details on **LIS, Geographical Information Systems(GIS) Online Maps, Building Applications Systems (BAS), Township Application System (TAS)** for any applications in process and check the parent file at the **Land Use Management (LUM) Records section on the 7th Floor, Metro Centre**



10

The **Senior Law Enforcement Officer** within seven (7) working days after completion of desktop investigation, conduct the first site inspection to investigate complaint



10 (a)

The **Senior Law Enforcement Officer** closes the file within three (3) working days of the first site inspection if no violation of the Land Use Scheme or Outdoor Advertising By-law is found. The complainant is notified in writing



10 (b)

The **Senior Law Enforcement Officer** issues the offender with a compliance notice (which will specify action timelines) if a contravention of the Land Use Scheme or Outdoor Advertising By-law is found.



10 (c)

The **Senior Law Enforcement Officer** must, within two (2) working days generate an inspection report of the findings based on the allegations of contravention. The evidence is updated on the **LES (LIS)** and recorded on file



TYPICAL PROCESS WITH THE INVESTIGATION OF A COMPLAINT
CONTINUED

LAW
ENFORCEMENT
UNIT



11

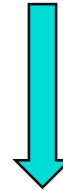
The **Senior Law Enforcement Officer** must conduct a second site inspection within **thirty (30) working days** after the expiry of the notice period



11 (a)

The **Senior Law Enforcement Officer** closes the file within three (3) working days of the second site inspection if no violation of the Land Use Scheme or Outdoor Advertising By-law is found. The complainant is notified in writing

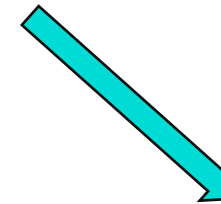
11 (b)



If a violation of the Land Use Scheme or Outdoor Advertising By-law is found, then the complainant is notified in writing.

The **Senior Law Enforcement Officer** must, after the second site inspection, within two (2) working days generate an inspection report confirming whether the allegations of violation were corrected.

The evidence is updated on the **LES (LIS)** and recorded on file



12

The **Operational Manager** drafts a memorandum to the **Assistant Director** advising to impose a rates penalty, and a referral to **LEGAL** for Municipal Court and Civil Court

13

The **Operational Manager** must keep the complainant informed of the status on a monthly basis



ANNEXURE A

LUDM TURNAROUND TIMES: 2019/20

APPLICATION	TURNAROUND TIME
LEGAL ADMIN	
Post-decision legal Admin: Subdivisions/Division of land	2.0 Months
Post-decision legal Admin: Rezoning	3 Months
Post-decision legal Admin: Consent	1.5 Month
Post-decision legal Admin: Township (Excludes processes out of the City's hands e.g. lodging documents with the SG, opening a township register etc.)	
Issuing if conditions of establishment from date of submission	1 month
Division of township application	15 working days
Extension of time application	15 working days
Amendment of the conditions	15 working days
Section 101(1) application (all pre-proclamation conditions are met)	1 month
Change of ownership before Section 82	15 days
Proclamation of township	1 month
Section 82 Application	1 month
Notarial tie/ Notarial tie cancellation/ Notarial Deed of Servitudes/Release of guarantees	1 month
LAND USE MANAGEMENT	
Rezoning	5.5 month
Consent Use	2.5 month
Township Establishment	5.5 month
PLANNING LAW ENFORCEMENT	
First Inspection and issuing of notice after registration of complaint	15 days
Re-inspection from the date of the first inspection	31 days

Notes:

Turnaround times are calculated from the time of submission of a complete application to approval of the application, excluding delays (pending time) caused by additional requests/late comments from ME's, City Departments, Government Gazette etc.