

Molo

Dumela

Ndaa

Hello

Avuxeni

Sawubona

Lotjhani!

Goeie Dag

...and Welcome to this Presentation

on how the building **COMPLAINTS** process works

(Download our FAQ's on our website for more info.)



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY



1. Download the Complaint Form from our website
<https://stellenbosch.gov.za/planning>

STELLENBOSCH
 MUNICIPALITY • STADSRAAT • MUNISIPALITEIT

T: +27 21 808 866 / 866 / 864 / 861 • E-mail complaint to: Dillon.williams@stellenbosch.gov.za
 Municipal Mail, Andriess Street, Stellenbosch, 7600 • PO Box 17, Stellenbosch, 7590
<http://www.stellenbosch.gov.za>

BUILDING REGULATIONS - COMPLAINT FORM

Please note that **ALL complaints** must be submitted in writing on the attached form & emailed to the above email address. Anonymous complaints will not be investigated, and further information may be requested in the form of a sworn affidavit in relation to the activities witnessed on site. This may lead to evidence being given in court.

COMPLAINANT'S INFORMATION (Please complete to the best of your ability)

Name & Surname: _____
 Address: _____ Postal Code: _____
 Contact Details: Cell _____ Home _____
 Work _____
 Email Address: _____

All Correspondence regarding any progress of your complaint will be sent via email (preferred) or registered post. Please provide at least one telephone number on which the Municipality will be able to reach you.

Signature: _____ Date: _____

ALLEGED CONTRAVENTION INFORMATION (S)

Name/Surname of Offending Party: _____
 Address where activity is taking place: _____
 Erf Number: (if known) _____
 Nature of Alleged Contravention: _____

Frequency of Activity: _____
 Impact of Activity on you/surroundings: _____

Note:
 You may attach further information such as photos, letters and/or petitions to this complaint form.
 Please indicate if you have added additional information to this complaint form by marking the appropriate box below.

Yes No

For any noise nuisance and other general law enforcement complaints please contact Law Enforcement on 021 - 808 8890/1.

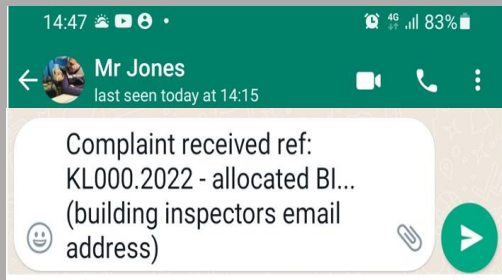


2. Please complete the form in full and...

- Follow the instructions at the top of the Complaint Form.
- Email to Customer Interface: dillon.williams@stellenbosch.gov.za
- Deliver by hand to Dillon @ (021) 808 8696 OR email to above.

*****PLEASE NOTE: All LANDUSE ENQUIRIES can be emailed to:**
Landuse.Enquiries@stellenbosch.gov.za

BI to contact Complainant within 24 hrs.



3. BDM Manager to allocate complaint to inspector

- Customer Interface forwards complaint to BDM Manager who records the complaint on the Complaints registry.
- The complaint form is uploaded onto the electronic management System to an allocated Building inspector (BI).
- The Complainant will receive a WhatsApp with the building inspector's details reference number from the BDM Manager.

- Reference to BDM Department JD and duties.

2 working days to do scheduled inspection

4. Building inspection to be done within 2 working days

- Site inspection to be done with 2 working days after contacting complainant
- Building inspector to report back via email to complainant within 24 hrs on the findings of the site inspection.
- The prosecution process will commence if any building related contraventions have been identified by the building inspector in terms of NBR and SANS 10400 only.

- National Building Regulations (NBR), Act 103, 1977.
- SANS 10400: 2020
- PAJA, Act 3, 2000



So, what is way forward from here?



OUTCOME

A

If Building is built according to Council Approved plan in terms of s4(1), NBR ... then **NO LEGAL ACTION** is required, email report outcome to complainant and record progress on electronic management system.



OUTCOME

B

If Building complaint trigger any other department's legislation ... then the building inspector will forward the complaint to the applicable Department e.g., Town Planning, Heritage, Environmental etc.

- **Building inspector to CC complainant into the email referral.**



OUTCOME

C

If Building is **NOT** built according to Council Approved plan in terms of s4(1), NBR ... then the Prosecution process forward in terms of the **PAJA** will start.

Stage 1: Serve a 30-Day Notice with a cease work order – hand served/sent registered post. **If work does not cease immediately, then move automatically to...**

Stage 2: Serve a 14-Day Notice with a cease work order – hand served/sent registered post. **If work does not cease immediately, then move automatically to...**

Stage 3: Building inspector to gather ALL information and prepare an affidavit Soonest to hand over to the Municipal court for further legal action and Enforcement/Rectification court order.

Download:

- the allocated building inspectors area within the WC 024 area
 - BDM staff contact details
- ...from the ST website:
<https:// Stellenbosch.gov.za/planning>

- Act 23, 1977 (Section A25(10))
- PAJA, Act 3, 2000
- NBR, Act 103, 1977 (Section 15(2))

What is PAJA?

The PAJA is the law passed to "give effect" to the right to just administrative action in the Bill of Rights. This says everyone has the right: To fair, lawful and reasonable administrative action.