



DEVELOPMENT MANAGEMENT SCHEME COMPLIANCE ADVISORY: 6 OF 2026

STANDARD ADMINISTRATIVE PENALTY IN TERMS OF THE CITY OF CAPE TOWN MUNICIPAL PLANNING BY-LAW, 2025 (MPBL)

1. BACKGROUND

- 1.1. The City of Cape Town is committed to improving service delivery and promoting compliance with the requirements of the Municipal Planning By-law (MPBL).
- 1.2. Where unauthorised land use activities or development have occurred, the MPBL provides for the imposition of an administrative penalty as a mechanism to regularise such contraventions, where appropriate.
- 2.1 To improve transparency, consistency and predictability for applicants, the City has introduced a Standard Administrative Penalty for qualifying contraventions.

2. PURPOSE

- 2.1 The purpose of this advisory is to create awareness of the Standard Administrative Penalty and to provide guidance regarding its application.
- 2.2 The Standard Administrative Penalty seeks to:
 - 1) Promote voluntary compliance with planning legislation.
 - 2) Simplify the regularisation of qualifying contraventions.
 - 3) Improve consistency in the application of administrative penalties.
 - 4) Enhance service delivery to property owners and development practitioners.
 - 5) Provide greater certainty regarding penalty amounts for qualifying cases.

3. SCOPE AND APPLICATION

STANDARD ADMINISTRATIVE PENALTY IN TERMS OF THE CITY OF CAPE TOWN MUNICIPAL PLANNING BY-LAW, 2025 (MPBL)

- 3.1 This advisory applies to property owners, authorised agents, planning practitioners and other stakeholders seeking to regularise qualifying unauthorised land use or development activities within the jurisdiction of the City of Cape Town.
- 3.2 The Standard Administrative Penalty may only be applied where the circumstances of a case meet the criteria determined by the City and the requirements of the applicable legislation.
- 3.3 The Standard Administrative Penalty does not apply automatically and may not be appropriate in all circumstances.

4. LEGAL POSITION

4.1 City of Cape Town Municipal Planning Amendment By-law, 2025

The City of Cape Town Municipal Planning Amendment By-law, 2025 introduced amendments to the enforcement provisions of the Municipal Planning By-law to improve the administration of administrative penalties and support the efficient regularisation of development and land use contraventions.

4.2 Administrative Penalties

Section 129 of the Municipal Planning By-law empowers the City to impose an administrative penalty where development, land use activities, building work or the use of land has occurred in contravention of the Municipal Planning By-law.

The purpose of an administrative penalty is to facilitate the regularisation of unauthorised development or land use activities where appropriate and in accordance with the provisions of the Municipal Planning By-law.

4.3 Standard Administrative Penalties

The Municipal Planning Amendment By-law, 2025 further provides for the application of Standard Administrative Penalties for specified categories of contraventions.

The introduction of Standard Administrative Penalties seeks to:

- 1) Promote consistency in the application of administrative penalties;
- 2) Improve transparency and predictability for applicants;

- 3) Reduce unnecessary administrative burden; and
- 4) Support improved service delivery and regulatory compliance.

4.4 Effect of a Standard Administrative Penalty

The payment of a Standard Administrative Penalty does not:

- 1) Constitute planning approval;
- 2) Confer land use rights;
- 3) Constitute building plan approval;
- 4) Exempt an applicant from compliance with applicable legislation; or
- 5) Authorise any unlawful land use or development activity.

Applicants remain responsible for obtaining all approvals required in terms of the Municipal Planning By-law, the National Building Regulations and Building Standards Act, and any other applicable legislation.

4.5 City's Enforcement Powers

Nothing contained in this advisory limits the City's powers to investigate contraventions, require compliance with applicable legislation, issue directives or notices, impose conditions where appropriate, or institute enforcement proceedings in accordance with the Municipal Planning By-law and other applicable legislation.

5. ACTION AND SUBMISSION REQUIREMENTS

Applicants wishing to regularise unauthorised land use or development activities must ensure that:

- 1) All required information and supporting documentation are submitted.
- 2) The nature and extent of the contravention are accurately disclosed.
- 3) Any associated planning, land use or building applications are submitted where required.
- 4) All applicable legislative and municipal requirements are met.

Additional information may be requested by the City where necessary to assess compliance with the applicable legislation.

6. ROLES AND RESPONSIBILITIES

Property Owners and Applicants

Property owners and applicants are responsible for:

- 1) Ensuring compliance with applicable legislation.
- 2) Disclosing all relevant information relating to the contravention.
- 3) Submitting complete and accurate information.
- 4) Obtaining all necessary approvals required by law.

Built Environment Professionals and Agents

Professionals and authorised agents acting on behalf of applicants are responsible for:

- 1) Providing accurate professional advice.
- 2) Ensuring that submissions comply with applicable requirements.
- 3) Assisting applicants in regularising contraventions where necessary.

City of Cape Town

The City is responsible for:

- 1) Assessing applications in accordance with the Municipal Planning By-law and applicable legislation.
- 2) Determining whether a matter qualifies for a Standard Administrative Penalty.
- 3) Promoting fair, transparent and consistent decision-making.
- 4) Supporting regulatory compliance and sound development management practices.

7. IMPLEMENTATION

The Standard Administrative Penalty forms part of the City's ongoing initiatives to improve customer experience, streamline administrative processes and promote compliance with planning legislation.

The initiative supports the City's objective of improving regulatory certainty while maintaining appropriate oversight of land use and development activities.

8. CONTACT INFORMATION

For additional information, applicants and practitioners may contact their relevant Development Management district office or visit the City of Cape Town website.

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Queries relating to land use applications, administrative penalties and compliance matters should be directed to the appropriate Development Management office responsible for the area in which the property is located.



PLEASE NOTE

It is important to acknowledge that certain aspects of the MPBL are complex, and the details thereof extend beyond the scope of this advisory. To gain a comprehensive understanding, you are strongly encouraged to consult the MPBL directly, alongside referring to previous [advisories](#) where some of these complexities have been explained in more detail.