

SITE DEVELOPMENT PLAN (SDP) APPLICATION INFORMATION PACK

**In terms of the KwaDukuza Municipality Spatial Planning and Land
Use Management By-Laws No.1630**

KwaDukuza Municipality

Municipal Offices

[NORTH] 34 Chief Albert Luthuli Street, KwaDukuza (OK Mall Building)

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SITE DEVELOPMENT PLAN (SDP) APPLICATION

In terms of the KwaDukuza Municipality Spatial Planning and Land Use Management By-Laws No.1630

APPLICATION PROCEDURE

1. All SDP applications submitted must be accompanied by,
 - 1.1) Form 1 – Pre-Consultation/Submission of the application.
 - 1.2) Form 2 – Formal Submission forms, signed by the owner and his/her authorized representative.
 - 1.3) Form 7 – Land use affidavit.
 - 1.4) Form 8 – Power of Attorney, signed by the owner, his/her authorized representative. This also applies to applications submitted by a company or an organisation authorising one person to sign the application.
 - (A company resolution letter giving authority to an individual is required. That assigned individual may sign the power of attorney in the event that they are further giving an agent powers to make the application on their behalf).
 - 1.5) Form 10A – Confirmation of Receipt.
 - 1.6) Certified Copy of Resolution by the Board of Directors, if the property is in the ownership of a Company/Trust, member's resolution if the applicant is a close corporation.
 - 1.7) Letter of Consent from Homeowners Association/Body Corporate (For properties within estates).
 - 1.8) Detailed (signed) Planning Motivation Report.
 - 1.9) Site development plans (at least two (2) of the three sets must be coloured)
 - 1.10) Title Deeds.
 - 1.11) Registered SG Diagram / General Plan.
 - 1.12) Setting out plan for all "As Built structures"
 - 1.13) Four (4) x sets of completed application inclusive of the above. There must be one (1) original (colour) and the other two (3) can be copies of the original for **Formal (Final) Submission**.
2. Applicants are encouraged to have a pre-submission consultation with the town planning department prior to submission and should a pre-consultation be held Form 1 should be used.
3. Complete application packs needs to be submitted to the various sector departments determined by the Town Planner for commenting.
4. Four (4) x sets of completed application are required to be submitted to KDM Town Planning Department for the **Formal (Final) Submission** inclusive of **Form 10A and Form 10B**. KDM Town Planning will ensure that the application is tabled to the **Development Assessment Committee (DAC)** for comments.

Note:

- Please refer to the tariffs of charges for SDP Application submission fees.
- A pre-submission application for SDP applications is allowed, however, please note that there is a fee associated.
- In the case of a pre-submission, once the application has been certified to be complete the applicant should ensure that they submit a Formal Application, proof of payment for the formal application fee as outlined above. Such formal application fee is required to be paid prior or on the day of submission and no application will be accepted without proof of payment.

CHECKLIST FOR SITE DEVELOPMENT PLAN (SDP) APPLICATIONS IN TERMS OF THE KWADUKUZA SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAWS NO. 1630

	Application reference:			
	Date Accepted:			
NO.	DOCUMENT	COMPLETE (for KDM official use)		
		Yes	No	Comments
1.	Completed Form 1 – Pre-Consultation/Submission if a Pre-consultation was held.			
2.	Completed Application form (Form 2 Formal Submission)			
3.	Land Use Affidavit confirming land uses on site as well as on plans (Form 7)			
5.	Power of Attorney (Form 8)			
6.	Comments from the respective service departments (but not limited to) (Form 10A and Form10B) <ul style="list-style-type: none"> ▪ KDM. Building Control ▪ KDM. Civil Engineering ▪ KDM. Electrical Engineering ▪ KDM. Environment ▪ KDM. Traffic ▪ KDM. Fire ▪ KZN Department of Health (ILembe Health) ▪ Sembcorp Siza Water ▪ ILembe District Municipality (Technical Services) 			
7.	Certified copy of the Resolution by the Board of Directors , if the property is in the ownership of a Company/Trust, member's resolution if the applicant is a close corporation.			
8.	Letter of Consent from Homeowners Association/Body Corporate (<i>For properties within estates</i>).			
9.	Motivational Report setting out the use, character, design and external appearance of buildings including the materials used in their construction, the architectural language/guidelines/principles, the character of the locality in which it is proposed to erect such building and shall take into account whether or not the building will be injurious to the amenities of the locality by reason of its external appearance or the materials it is proposed to use and should include the following subheading details: (a) Property Description (b) Ownership details			

	(c) Street Address (d) Area of the property and proposed development (e) The character of the locality (f) Present land use of the site (g) Details of proposal (h) Historical information (i) Background (j) Physical characteristics of the site (topography, natural features) (k) Surrounding land uses (l) Accessibility of the site (impact of the proposal on traffic) (m) Environmental features of the site (Environmental Impact Assessment or Basic Assessment) (n) Existing services on site (water, sewage, electricity, disposal) (Bulk Services Report/Engineers Report) (o) Site Development Controls (zoning information and implications as per the Scheme) (p) Nature of the proposal (q) Reason for proposal (r) The architectural language/guidelines/principles			
10.	Copy of Title Deed			
11.	Registered SG Diagram / General Plan.			
12.	Site Development Plan: to scale plan showing: a) Existing buildings b) Location of new proposed buildings c) Access to the site d) Parking e) Common areas f) Building lines g) Property dimensions h) Splays (if any) i) Erven adjoining the proposed development (preferably within a 100m radius) j) Roads bordering the property and/ or in close proximity k) Contours l) 1:100 year floodlines (if any) m) Highwater mark of the sea and the Admiralty reserve (if any) n) Existing and proposed servitudes, servitudes which require deletion and unregistered service servitudes o) Engineering services p) Other matters which the municipality may consider			
13.	A Layout Plan (at least 1:500 and fully legible) or plans schedules showing where applicable: ▪ The physical topographical features of the property concerned, with contours recorded indigenous vegetation, sensitive habitat areas and natural systems.			

	<ul style="list-style-type: none"> ▪ The boundaries of all building curtilages, private open areas and common open areas as well as all register servitudes and servitudes to be registered as a result of the development. ▪ The position, nature, extent and levels of all proposed and existing buildings on the property and adjoining properties, building lines, side and rear spaces as well as any relaxations of building lines and or rear space required. ▪ The position and extent of any utility areas ▪ The position and extent of all areas reserved for parking, loading and access ways, drive ways and internal roads. ▪ The position and nature of recreation facilities, if any. 			
14.	<p>Area schedule on the proposed plans showing the following:</p> <ul style="list-style-type: none"> ▪ The total area of the property. ▪ The total number of units ▪ The total floor area of buildings ▪ The total number of car parking spaces for occupants and visitors (Parking Schedule Breakdown). ▪ The extent of usable common land and areas of private open area and utility area. 			
15.	<p>Locality Map-showing the location of the property in relation to the surrounding properties and streets (existing property numbers and street names must be indicated). If in close proximity to national or provincial road or intersection, indicate distance from road or intersection.</p>			
16.	<p>An EMP and or report from an independent and accredited Environmental consultant, where necessary and proof of approval of EMP by the relevant authority. An Environmental Control Officer shall be appointed and monthly progress reports submitted to the authorizing authority and the Director: Development and Planning of KwaDukuza Municipality.</p>			
17.	<p>Setting Out Plan clearly indicating all “As Built Structures” with distances in relation to the boundaries. The setting drawing submitted should be endorsed by the registered surveyor</p>			
18.	<p>Proof of Payment</p>			

FORM 1: PRE – CONSULTATION/SUBMISSION

FOR OFFICIAL USE ONLY	
Application Reference No.	
Date Received	
Checked By	
Notes:	
1. INSTRUCTION 1.1 This form must be completed in block capitals or typewritten. 1.2 This form is issued without prejudice and does not constitute acceptance of the application. 1.3 The application shall be lodged within 12 months from date of issuing this pre-registration form, failing in which will result in the lapsing of this submission.	
2. ACKNOWLEDGEMENT OF RECEIPT OF APPLICATION FORM I hereby acknowledge receipt of application Form 1 which sets out the minimum requirements to be met when submitting a complete application as well as the application pack containing the respective supporting documentation.	
3. PROPERTY DETAILS	
Title Deed No.	
Registered property description	
Physical address of the property concerned	
Municipal and (District) of the area of jurisdiction	
4. APPLICANT DETAILS AND DOCUMENTS	
I, the undersigned (state full name) _____	
Telephone Number	
Cell phone Number	
Postal Address:	
Fax No:	
Email address:	
In my capacity as owner of land/ a person acting with the written consent of the owner of the land which is described, Erf Number : _____ situated at _____ _____ Hereby give notice to the KwaDukuza Municipality that an application will be submitted in due course for: _____ _____ _____ (Give a short description of the application).	
Furthermore, I have gone through the Checklist which sets out the application requirements and I fully understand what is required upon final submission.	
Signature :	Date:
_____	_____

FORM 2: FORMAL SUBMISSION

FOR OFFICIAL USE ONLY			
Date Received:		Received By:	
Receipt No.		File Ref:	

SECTION A: APPLICANT DETAILS	
First names	
Surname	
Company/Trust Name	
VAT no	
Business Address	
Postal Address	
Email	
Telephone Number	
Cell phone Number	
SECTION B: PROPERTY DETAILS	
Erf/Erven/Farm N	
Street address	
Suburb	
Current Zoning	
Title deed no	
Title Deed date	
Approximate age of existing buildings	
Property extent	
Any restrictive title deed conditions affecting development on the property?	
Is the property encumbered by a bond?	
Any unauthorized land use/building work/structures on the property? If so, has the owner been served with a notice to rectify?	
Is the purpose of this application to rectify a contravention in terms of the KwaDukuza Municipality Spatial Planning and Land Use Management Act By-Laws, 2016?	
SECTION C: OWNER DETAILS	
First names	
Surname	
Company/Trust Name	

VAT no	
Email	
Tel	
Cell	
SECTION D: APPLICATION TYPE	
Site Development Plan (SDP) Application in terms of Section 46(c) of the KwaDukuza Municipality Spatial Planning and Land Use Management By-Laws No. 1630 March 2016.	
Has there been any previous related application? If Yes, ref/application no	
Was a pre-application consultation undertaken with a municipal official regarding the subject application?	
Is the pre-application consultation record attached?	

SECTION E: ATTACHMENTS AND SUPPORTING INFORMATION			
Please note that the following documents/plans are required			
	Form 1 – Pre-Consultation/Submission		Landscaping Plan
	Form 7– Land Use Affidavit		Traffic Impact Assessment
	Form 8 – Power of Attorney		Geotechnical Report
	Form 10b – Summary of Comments		Geohydro Assessment Report
	Certified copy of the Resolution by the Board of Directors , if the applicant is a company/members resolution if the applicant is a close corporation.		Socio-Economic Study
	Letter of Consent from Homeowners Association/Body Corporate (For properties within estates		Floodline Assessment
	Motivational Report – indicating the full details and reasons of the application.		Heritage Impact Assessment
	Copy of Title Deed		An EMP from an independent and accredited environmental consultant where necessary and proof of approval of EMP by the relevant authority.
	Registered SG Diagram / General Plan		All plans to be submitted preferably on A2 or A3 (i.e. to scale)
	Locality Map		Encroachment/relaxation approval of proof of application being made
	Site Development Plan		Other supporting applications
	Elevation Plan		Other supporting documents
	Sections Plan		Three (3) copies of the application for Formal (Final) Submission .
	Layout Plan		Proof of Payment
	Setting out plan for all “As Built structures”		

SECTION F: FURTHER APPLICATION DETAILS

Nature of Application:

Details of proposal:

SECTION G: DECLARATION

I/we hereby wish to confirm the following:

1. That the information contained in this application form and accompanying documentation is complete and correct.
2. That I/we are properly authorized to make this application on behalf of the owner and (where applicable) that copies of such full relevant powers of attorney are attached hereto.
3. That where an agent is indeed appointed to submit this application on the owner's behalf, it is accepted that correspondence and formal notification as required in terms of Planning law will only be sent to such consultant/agent and that the owner will regularly consult with the agent/consultant in this regard.
4. That this submission includes all necessary planning applications (including any departures) required to enable the development proposed herein. I/we specifically confirm that I/we have read the relevant title deed (s) and that there are no restrictive conditions which impact on this application, or alternatively where there are, removal/amendment/suspension of these form part of the submission.
5. That where the proposal involves existing building work erected and /or used in contravention of the development management scheme, that I/we have consulted with the planning department with reference to the applicable area to ensure the correct application in terms of planning law is made. Notwithstanding submission of the departure application, in the case of unauthorized work, I/we acknowledge the municipality's right to exercise any option in terms of the KwaDukuza Municipality Spatial Planning and Land Use Management By-Laws, 2016.
6. That, as owner/applicant/developer, I am/we are aware of the state of existing bulk services provision and infrastructure availability in the subject area and any development contributions that might be payable in respect of the development proposed herein (if applicable). If the application is made by a person other than the registered owner (e.g. an agent/consultant) the requirements in terms of the KwaDukuza Municipality Spatial Planning and Land Use Management By-Laws, 2016 must be adhered to.

Registered owner's name			
Registered owner's signature		Date	
Agents /Consultant's name			
Agents /Consultant's signature		Date	
Professional capacity		Applicants Ref	

FORM 7: LAND USE AFFIDAVIT

I, _____ the _____ undersigned, in my capacity _____ do hereby declare under oath that that no portion of the existing building or the proposed additions / alterations, for which building plans/relaxations have been submitted for approval (Plan/Relaxation No: _____), will be used for any purposes other than what is shown on the plan and will not be used or converted for use as a separate dwelling unit unless application has been to council and approval granted in terms of the KwaDukuza Town Planning Scheme in course preparation.

Proposal: _____

On cadastral description / Erf No: _____
situated at street address: _____

Name of applicant: _____

Address of applicant: _____

(Signature of Applicant)

The Deponent acknowledges that he/she knows and understands the contents of this Affidavit.	Commissioner of oath stamp
<p>Signature: _____</p> <p>Declared before me _____ at _____</p> <p>_____ on this _____ day of _____</p>	

FORM 8: POWER OF ATTORNEY

The Director- Development Planning
KwaDukuza Municipality
P. O. Box 72
KwaDukuza
4450

Date: _____

Dear Sir / Madam

OWNER'S CONSENT

I/We _____, owner (s) of the property
described as _____ (Erf No.) _____ and known
as _____ (Road / Street No.) do hereby confirm that permission has been
given to _____ (person or business) to apply and submit the for
the necessary _____

_____ (nature of application).

Yours faithfully

Signature of Registered Owner

<p>The Deponent acknowledges that he/she knows and understands the contents of this Affidavit.</p> <p>Signature: _____</p> <p>Declared before me _____ at _____</p> <p>_____ on _____</p> <p>this _____ day of _____</p>	<p>Commissioner of oath stamp</p>
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FORM 10A: CONFIRMATION OF RECEIPT

An application for _____ (Type of application)
on Erf _____ Situated at _____
_____ (Street Address) for the purposes of _____

_____ (Proposal) will be submitted to KwaDukuza Municipality in
terms of the KwaDukuza Municipality Spatial Planning and Land Use Management By-Laws No.1630.

Accordingly, as required by the KwaDukuza Municipality Spatial Planning and Land Use Management By-Laws
No.1630 the application needs to be circulated to the relevant service departments for comments. The above
mentioned application for has been circulated to
the _____ (Department) on the _____
_____ (Date) to obtain comments.

As stipulated in Schedule 4, Section 3 (1) (2) of the KwaDukuza Municipality Spatial Planning and Land Use
Management By-Laws No.1630, the Service Department should provide comments within 60 days from being
served with a request for the information or decision or such further period as agreed upon with the applicant which
will lapse on the _____ (Date) from the date of confirmation of receipt of application as
confirmed herein.

CONFIRMATION OF RECIEPT

The _____ department hereby confirms receiving the above
mentioned application on the _____ (date).

<p>Name of official: _____</p> <p>Designation: _____</p> <p>Signature: _____</p> <p>Date: _____</p>	<p>Departmental Stamp</p>
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FORM 10B: SUMMARY OF COMMENTS

An application _____ (Type of application) on
Erf _____ Situated at
_____ (Street Address) for the purposes
of _____

_____ (Proposal) was submitted to
_____ (Department) on the _____ (Date).

Accordingly, the following comments are recorded for consideration:

In light of the above, _____ Department/ Organization.

**RECOMMENDED FOR
APPROVAL**

☐

REFER TO ATTACHED REPORT

☐

**RECOMMENDED FOR
DISAPPROVAL**

☐

(Please tick the appropriate)

<p>Name of official: _____</p> <p>Designation: _____</p> <p>Signature: _____</p> <p>Date: _____</p>	<p>Departmental Stamp</p>
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