



DEVELOPMENT PLANNING AND LAND USE MANAGEMENT APPLICATION

in terms of the KwaDukuza Municipality Spatial Planning and Land Use Management By-
Law No.2002 Gazetted 27 September 2018

INFORMATION PACK FOR AN APPLICATION FOR MUNICIPAL PLANNING APPROVAL (Development Planning)

KwaDukuza Municipality
Municipal Offices,
14 Chief Albert Luthuli Street
P. O. Box 72, KwaDukuza, 4450
Telephone: 032 437 5000
Fax: 032 437 5098
Email: MunicipalM@kwadukuza.gov.za



DEVELOPMENT PLANNING AND LAND USE MANAGEMENT APPLICATION

in terms of the KwaDukuza Municipality Spatial Planning and Land Use Management By-Law No. 2002

APPLICATION PROCEDURE

APPLICATION PROCEDURE FOR APPLICANTS

- 1. All applications must be lodged with a municipality in whose area that land is situated for:–**
 - The adoption of a land use scheme
 - The amendment of a land use scheme
 - The repeal of a land use scheme
 - The subdivision of a property
 - Township establishment
 - The consolidation of properties
 - The notarial tying of adjacent properties
 - The extension of a sectional title scheme by the addition of land to common property in terms of Section 26 of the Sectional Titles Act
 - The permanent closure of a municipal road or a public place
 - The removal, amendment or suspension of a restrictive condition of title or a servitude
 - A material change to a Municipality's decision on an application for municipal planning approval
 - The cancellation of a Municipality's decision on an application for municipal planning approval, except a decision to adopt or amend a land use scheme.



2. The development planning application must be accompanied by the following, amongst other things, which may be required by the Municipality (please refer to Form 1 for a comprehensive list):–

- The relevant application form;
- Written motivation by the applicant in support thereof;
- The relevant proof of registered ownership and relevant proof of registered property;
- The written powers/ consent of the registered owner of that land, if the applicant is not the owner thereof;
- The relevant plans that should accompany your application (e.g. layout plan, general plan, site development plan, surveyed plan, land use plan, zoning plan); and
- Any other plans, diagrams, documents, information or fees that the Municipality may require.

3. All the following development planning applications require a Pre-submission/ Pre-Scrutiny Process to be followed:-

- The adoption of a land use scheme
- The amendment of a land use scheme
- The repeal of a land use scheme
- The subdivision of a property
- Township establishment
- The consolidation of properties
- The notarial tying of adjacent properties
- The extension of a sectional title scheme by the addition of land to common property in terms of Section 26 of the Sectional Titles Act
- The permanent closure of a municipal road or a public place
- The removal, amendment or suspension of a restrictive condition of title or a servitude
- A material change to a Municipality's decision on an application for municipal planning approval
- The cancellation of a Municipality's decision on an application for municipal planning approval, except a decision to adopt or amend a land use scheme.



NOTES:

- (1) Applicants are encouraged to familiarise themselves with the KwaDukuza Municipality Spatial Planning and Land Use Management By-Law No. 2002 (September 2018) (KDM SPLUM By-law No. 2002).
- (2) Applicants are referred to Schedule 4 of the KDM SPLUM By-law No. 2002 for the application processes for municipal planning approval.
- (3) The applicant shall mean the owner of the property and the agent shall mean the consultant appointed to submit an application on behalf of the applicant.
- (4) The application process involves a Pre-Submission/ Pre-Scrutiny process that is applicable to all development planning applications.
- (5) Applicants/ agents are encouraged to schedule a Pre-Submission/ Pre-Scrutiny Meeting with the relevant Municipal Planning Registrar, in order to obtain information on the application procedure.
- (6) As part of the Pre-Submission/ Pre-Scrutiny Meeting, the Municipal Planning Registrar will give guidance to a potential applicant or agent on approvals and/ or comments that may be required from organs of state and municipal internal departments, and other information, in order to make an application complete for the Municipal Planning Approval Authority to make an informed decision.
- (7) Please note that the Municipal Planning Registrar will be providing guidance to your application at face value, once your Pre-Submission Application has been submitted (and therefore paid for), your application will be scrutinized in more detail and further information may be required.
- (8) That all development planning applications are subject to a Pre-Assessment Fee as per the Council Tariff of Charges. Please note that as per the same Tariff of Charges
- (9) In terms of Schedule 4 of the KDM SPLUM By-law, the applicant/ agent is required to obtain approvals/ comments from the relevant various organs of state and municipal internal departments for comments (meaning that the applicant/ agent is required to circulate his/ her application).
- (10) Forms 10a and 10b should be noted for such circulation to various organs of state and municipal internal departments.
- (11) Form 10a and 10b is required to be signed, dated and stamped by the respective organs of state and municipal internal departments, in the absence of a departmental stamp Forms 10a and 10b should be signed and dated.

FORM 1:

CHECKLIST FOR PRE-SUBMISSION APPLICATION

DEVELOPMENT PLANNING AND LAND USE MANAGEMENT APPLICATION

Application in terms of Section 54 of the KwaDukuza Municipality Spatial Planning and Land Use Management By-law No. 2002 Gazetted 27 September 2018

Application reference	
Date Accepted	

NO.	DOCUMENT	COMPLETE (for KDM official use)		
		Yes	No	Comment
1.	PROOF OF PAYMENT FOR PRE-SUBMISSION APPLICATION FEE			
2.	ATTACHED APPLICATION FORMS (FORMS 2, 8, 10a AND 10b)			
3. WRITTEN MOTIVATION:				
3.1.	Historical information (if applicable)			
3.2.	Background			
3.3.	Property description			
3.4.	Ownership			
3.5.	Area of the property			
3.6.	Locality			
3.7.	Present land use of the site			
3.8.	Surrounding land uses			
3.9.	Accessibility to the site (Traffic Impact Assessment - if applicable)			
3.10.	Physical characteristics of the site (topography, natural features)			
3.11.	Environment of the site (Environmental Impact Assessment - if applicable)			
3.12.	Existing services on site (water, sewage, electricity, stormwater, refuse disposal)			

NO.	DOCUMENT	COMPLETE (for KDM official use)		
		Yes	No	Comment
3.13.	Proposed services to site (Bulk Services Report/ Engineering Report - if applicable)			
3.14.	Development controls (if property within a scheme) (zoning certificate)			
3.15.	Nature of the proposal			
3.16.	Reason for proposal			
3.17.	Area of the proposed development (in Ha or m ²);			
3.18.	<p>Merits of the application in terms of the Schedule 8 of KDM SPLUM By-law, Town Planning Scheme, Precinct Plans, Local Area Plans, SDF and IDP.</p> <p>Schedule 8 of an application discusses the following (if applicable):</p> <ul style="list-style-type: none"> the development principles in terms of section 7 of the Spatial Planning and Land Use Management Act; policies, including national and provincial policies adopted in terms of any law and the Municipality's own policies; norms and standards, including – <ul style="list-style-type: none"> national norms and standards for land use management and land development in terms of section 8 of the Spatial Planning and Land Use Management Act; provincial planning norms and standards; and the Municipality's own norms and standards; spatial development frameworks, including – <ul style="list-style-type: none"> a national spatial development framework adopted in terms of section 13(1) of the Spatial Planning and Land Use Management Act; a provincial spatial development framework adopted in terms of section 15(1) of the Spatial Planning and Land Use Management Act; a regional spatial development framework adopted in terms of section 18(1) of the Spatial Planning and Land Use Management Act; and the municipal spatial development framework adopted in terms of section 25(1) of the Municipal Systems Act read with section 20(1) of the Spatial Planning and Land Use Management Act; the Municipality's Integrated Development Plan in terms of section 25(1) of the Municipal Systems Act; the Municipality's land use scheme, including matters that a Municipality must consider that have been identified in the land use scheme; the design guidelines and rules for plan approval of the land owner's association, body corporate or share block company that has been deposited with the Municipality; the authorisation in terms of the Environmental Impact Assessment Regulations; the potential impact, including the cumulative impact, on <ul style="list-style-type: none"> the environment; socio-economic conditions; 			

NO.	DOCUMENT	COMPLETE (for KDM official use)		
		Yes	No	Comment
	<ul style="list-style-type: none"> – cultural heritage; – existing developments; – existing rights to develop land; and – mineral rights; • the human and financial resources likely to be available for implementing the municipal planning approval; • the benefits that accrue from the adoption, replacement or amendment of land use scheme compared to the cost of compensation in terms of Chapter 8; • the provision and standard of engineering services; • the impact, including the cumulative impact, of the application on the national, provincial and municipal road networks, public transport, municipal services, sewage and waste water disposal, water and electricity supply, waste management and removal, policing and security; • access to health, educational and recreational facilities; • the historical effects of past racially discriminatory and segregatory legislation on land ownership, land development and access to engineering services and public facilities, and the need to address the historical imbalances; • the protection or preservation of cultural and natural resources, including agricultural resources, unique areas or features, landscape character and biodiversity; • the natural and physical qualities of that area; • the number and purpose for which properties will be used when a Municipality decides if the Surveyor-General should – <ul style="list-style-type: none"> – approve a diagram for each property or a general plan for all the properties; and – approve the land – <ul style="list-style-type: none"> ○ as a farm, including a portion or a remainder of a farm; ○ as a subdivision of land that is not a farm; or ○ as an erf in a township; • the need to prohibit the alienation of a part of the land by means of a sectional title scheme in terms of the Sectional Titles Act or a share block in terms of the Share Blocks Control Act, 1980 (Act No. 59 of 1980); • (aa)the provisions of section 13 of the Legal Succession to the South African Transport Services Act, 1989 (Act No. 9 of 1989) relating to the zoning of land owned by Transnet and other laws which regulate the zoning of land; • any local practice or approach to land use management that is consistent with – <ul style="list-style-type: none"> – the laws of the Republic; – the provincial planning norms and standards; and – the Municipality’s Integrated Development Plan; and • any other relevant factor. 			
3.19.	Public notice / Public consultation (once formal submission is made) (see table 6 below)			

NO.	DOCUMENT	COMPLETE (for KDM official use)		
		Yes	No	Comment
4. GENERAL DOCUMENTS				
4.1.	A certified copy of the Title Deed			
4.2.	Original or certified copy of Resolution from Board of Directors (if applicant is company)			
4.3.	Power of attorney (if agent involved) (please refer Form 8) and A certified copy of registered owners written consent (in special circumstances)			
4.4.	Consent, name and contact details of the bondholder (if applicable)			
4.5.	Additional documentation (comments from relevant organs of state, comments from relevant municipal internal departments and/ or relevant specialist studies – please refer to table 7 & 8 below)			
4.6.	Tribunal DFA Judgment (if applicable)			
4.7.	Municipal Application Fee (payment to reference Vote No.)			
5. PLANS TO BE ATTACHED TO THE MOTIVATION:				
5.1.	A certified copy of the Surveyor-General Diagram or General Plan			
5.2.	Locality Plan – showing the location of the property in relation to the surrounding properties and streets (existing property lot numbers and street names must be indicated). If in close proximity to a national or provincial road or intersection, indicate distance from road or intersection.			
5.3.	Site Development Plan (if required by the Municipality): to-scale plan showing: <ul style="list-style-type: none"> – existing buildings – location of new proposed buildings – access to the site – parking – common areas – building lines – property dimensions – splays (if any) – erven adjoining the proposed development (preferably within a 100m radius) – roads bordering the property and/ or in close proximity – contours – 1:100 year floodlines (if any) – highwater mark of the sea and the admiralty reserve (if any) – existing and proposed servitudes, servitudes which require deletion and unregistered service servitudes 			

NO.	DOCUMENT	COMPLETE (for KDM official use)		
		Yes	No	Comment
	<ul style="list-style-type: none"> – engineering services – other matters which the municipality may consider 			
5.4.	Floor Plan (if required by the Municipality): to-scale plan showing: <ul style="list-style-type: none"> – existing buildings – location of new proposed buildings – bulk factors (existing, permitted and proposed FAR, Coverage, Height) – land use table illustrating area and percentage of each proposed land use (especially in the case if a proposed mixed use, township, social housing and/ or infill developments) 			
5.5.	Architectural Concept Plan (if required by the Municipality): to-scale plan showing: <ul style="list-style-type: none"> – location and layout of new proposed buildings in relation to proposed subdivision plots; – location and layout of new proposed parking bays; – proposed access point illustrating ingress and egress; and – proposed bulk factors (proposed FAR, Coverage and Height) 			
5.6.	Setting Out Plan (if required by the Municipality): to-scale plan showing: <ul style="list-style-type: none"> – position of existing buildings in relation to boundary; – size and shape of buildings in relation to the property boundary; – property boundary and its dimensions 			
5.7. FOR SCHEME AMENDMENT AND/ OR REZONING APPLICATION				
5.7.1.	Existing Land Use Plan: coloured copy of to-scale plan showing the existing land use of the property and land uses of properties within a 100m radius			
5.7.2.	Existing Zoning Plan: coloured copy of scheme map showing the existing zoning of the property and properties within a 100m radius			
5.7.3.	Proposed Land Use Plan: coloured copy of to-scale plan showing the proposed land use of the property and land uses of properties within a 100m radius			
5.7.4.	Proposed Zoning Plan: coloured copy of to-scale plan showing the proposed zoning of the property and properties within a 100m radius			
5.8. FOR SUBDIVISION AND/ OR CONSOLIDATION APPLICATION				
5.8.1.	Proposed Layout Plan: coloured copy of to-scale layout showing: <ul style="list-style-type: none"> – existing buildings (if applicable) – erven adjoining the proposed subdivision or consolidation 			

NO.	DOCUMENT	COMPLETE (for KDM official use)		
		Yes	No	Comment
	<ul style="list-style-type: none"> – proposed subdivision with subdivision numbers designated by the SG's Office, width and length of hatched shaped erven, Erf frontages, minimum subdivision sizes for each Erf – access to the site – property dimensions – splays (if any) – roads bordering the site – contours – 1:100 year floodlines (if any) – highwater mark of the sea and the admiralty reserve (if any) – existing and proposed servitudes, servitudes which require deletion and unregistered service servitudes – engineering services 			
5.9. FOR THE PHASING OF APPROVED LAYOUT APPLICATION				
5.9.1.	Proposed Layout Plan: coloured copy of to-scale layout showing the proposed phasing of the approved layout, and showing: <ul style="list-style-type: none"> – existing buildings (if applicable) – erven adjoining the proposed subdivision or consolidation – proposed subdivision with subdivision numbers designated by the SG's Office, width and length of hatched shaped erven, Erf frontages, minimum subdivision sizes for each Erf – access to the site – property dimensions – splays (if any) – roads bordering the site – contours – 1:100 year floodlines (if any) – highwater mark of the sea and the admiralty reserve (if any) – existing and proposed servitudes, servitudes which require deletion and unregistered service servitudes – engineering services 			
5.10. FOR THE CANCELLATION OF APPROVED LAYOUT APPLICATION				
5.10.1.	Proposed Layout Plan: coloured copy of to-scale layout showing the part thereof to be cancelled, and showing: <ul style="list-style-type: none"> – existing buildings (if applicable) – erven adjoining the proposed subdivision or consolidation – proposed subdivision with subdivision numbers designated by the SG's Office, width and length of hatched shaped erven, Erf frontages, minimum 			

NO.	DOCUMENT	COMPLETE (for KDM official use)		
		Yes	No	Comment
	subdivision sizes for each Erf – access to the site – property dimensions – splays (if any) – roads bordering the site – contours – 1:100 year floodlines (if any) – highwater mark of the sea and the admiralty reserve (if any) – existing and proposed servitudes, servitudes which require deletion and unregistered service servitudes – engineering services			
5.11. FOR THE REMOVAL, AMENDMENT OR SUSPENSION OF A RESTRICTIVE CONDITION OF TITLE OR A SERVITUDE APPLICATION				
5.11.1.	Site Development Plan: to-scale plan showing: – existing buildings – location of new proposed buildings – access to the site – parking – common areas – building lines – property dimensions – splays (if any) – erven adjoining the proposed development (preferably within a 100m radius) – roads bordering the property and/ or in close proximity – contours – 1:100 year floodlines (if any) – highwater mark of the sea and the admiralty reserve (if any) – existing and proposed servitudes, servitudes which require deletion and unregistered service servitudes – engineering services – other matters which the municipality may consider			
5.12. PERMANENT CLOSURE OF MUNICIPAL ROAD OR PUBLIC PLACE APPLICATION				
5.12.1.	Proposed Layout Plan: coloured copy of to-scale layout showing the municipal road or part thereof to be closed or public place to be closed, and showing: – existing buildings (if applicable) – erven adjoining the proposed subdivision or consolidation – proposed subdivision with subdivision numbers designated by the SG's Office, width and length of hatched shaped erven, Erf frontages, minimum subdivision sizes for each Erf – access to the site			

NO.	DOCUMENT	COMPLETE (for KDM official use)		
		Yes	No	Comment
	<ul style="list-style-type: none"> – property dimensions – splays (if any) – roads bordering the site – contours – 1:100 year floodlines (if any) – highwater mark of the sea and the admiralty reserve (if any) – existing and proposed servitudes, servitudes which require deletion and unregistered service servitudes) – engineering services 			
6. PUBLIC CONSULTATION (TO BE PROVIDED ON THE CLOSING DATE OF THE PUBLIC NOTICE PERIOD)				
6.1 The applicant to serve notice on (if applicable)				
<i>* Such to be served on the interested and affected parties on the day of the publishing of the advert (this being the same day as the day that the formal submission of the application is made) or prior.</i>				
6.1.1	The owner of land within a 100m radius from the boundary of the erf.			
6.1.2	The Chairperson of a body corporate that governs adjacent properties.			
6.1.3	The Chairperson of a land owners association of adjacent properties.			
6.1.4	The holder of a servitude registered against the land.			
6.1.5	A person in whose favour a condition of title is registered against the land.			
6.1.6	The Municipal Councillor of the ward in which the land is situated.			
6.1.7	Traditional leaders or other community leaders.			
6.1.8	Any other person who may in the opinion of the Municipality have an interest in an application for municipal planning approval.			
6.2 Documents to be submitted on closing date of application				
<i>* This to be undertaken once the municipality has deemed your application complete and applicant is allowed to submit a formal application</i>				
6.2.1	Proof of public notice – Copy of newspaper advert (illustrating date of advert and notice of proposal) (Forms 4)			
6.2.2	Proof of site notice – Pictures of site notice(s) placed on site (such pictures to illustrate the date and time picture was taken) (Form 5)			
6.2.3	Proof of serving notice – Copies of signed and dated registered slips or delivery of notice (Form 6)			
6.2.4	Affidavit (Form 7)			
7. CIRCULATION TO RELEVANT ROLEPLAYERS AND/ OR STATUTORY BODIES				
7.1. Internal Municipal Departments (please refer to Form 9)				
7.1.1.	KDM. Legal			
7.1.2.	KDM. Human Settlements			
7.1.3.	KDM. Building Control			
7.1.4.	KDM. Civil Engineering			

NO.	DOCUMENT	COMPLETE (for KDM official use)		
		Yes	No	Comment
7.1.5.	KDM. Electrical Engineering			
7.1.6.	KDM. Fire			
7.1.7.	KDM. Municipal Services			
7.1.8.	KDM. Environment			
7.1.9.	KDM. Traffic			
7.2. Service Departments				
7.2.1.	iLembe District Municipality			
7.2.2.	Sembcorp Siza Water			
7.2.3.	Eskom			
7.3. Organs of State (National and Provincial Departments)				
7.3.1.	KZN Department of Transport			
7.3.2.	South African National Roads Agency Soc. Ltd (SANRAL Support)			
7.3.3.	National Department of Agriculture, Forestry and Fisheries			
7.3.4.	KZN Department of Economic Development, Tourism And Environmental Affairs			
7.3.5.	KZN Department of Rural Development and Land Reform/ KZN Office of The Regional Land Claims Commissioner			
7.3.6.	KZN Department of Health (iLembe Health)			
7.3.7.	KZN Department of Water Affairs			
7.3.8.	KZN Department of Mineral and Energy Affairs			
7.3.9.	AMAFA KwaZulu-Natal			
7.3.10.	KZN Corporative Government and Traditional Affairs (COGTA)			
7.3.11.	Transnet			
7.4. Interested and Affected Parties				
7.4.1.	Ingonyama Trust			
7.4.2.	KZN Ezemvelo Wildlife			
8. SPECIALIST STUDIES TO BE CONDUCTED				
The following table lists the relevant spatial studies that may or will be required based on the location of the property and complexity of the proposal. This study will be undertaken at the responsibility and cost of the applicant. These studies are required to be included in the submitted Pre-Submission Application and will have been circulated to the relevant authority for comment:				
8.1.	Traffic Impact Assessment			
8.2.	Environmental Impact Assessment (an HIA may need to form part of the EIA)			
8.3.	Geotechnical Survey			
8.4.	Wetland Delineation Report and/ or Floodline Assessment Report			
8.5.	Development Economist: Market Analysis or Socio Economic Assessment			
8.6.	Agricultural Specialists Assessment			
8.7.	Demographic Assessment			
8.8.	Engineering Report/ Bulk Services Assessment			
8.9.	Visual Impact Assessment			
8.10.	Archaeological and/ or Heritage Impact Assessment			

NO.	DOCUMENT	COMPLETE (for KDM official use)			
		Yes	No	Comment	
9. ADDITIONAL INFORMATION/ DOCUMENTATION					
Depending on the proposal and location of the property in question, other and/ or further documentation that may be required by the Municipality:					
9.1.	Service Level Agreement with KwaDukuza Municipality for electricity				
9.2.	Service Level Agreement with iLembe District Municipality for water and sewerage				
9.3.	Service Level Agreement with Sembcorp Siza Water for water and sewerage (within compensation area)				
10. ALIGNMENT TO THE MUNICIPALITY'S PACKAGE OF PLANS					
Depending on the proposal and location of the property in question, other and/ or further documentation that may be required by the Municipality, your proposal needs to align to the following Municipal Plans, Policies and/ or Frameworks:					
10.1.	City Development Strategy (compulsory)				
10.2.	Integrated Development Strategy (compulsory)				
10.3.	Spatial Development Framework (compulsory)				
10.4.	Local Area Plan: Greater Compensation Area Conceptual and Development Framework Plan				
10.5.	Precinct Plan: Ballito Village Node				
10.6.	Land Use Management Scheme Planning Scheme				
10.7.	Cellular Telecommunication Infrastructure Policy				
10.8.	Development Charges Policy (not applicable yet)				

NOTES:

- ✓ Please note that an initial fee is charged for a Pre-submission Application, and thereafter an additional fee is charged for every other Pre-submission application resubmitted by the applicant. Please refer to Tariff of Charges.
- ✓ Once the application has been certified to be complete; the applicant is required to submit a Formal Application, in which such application must attach proof of payment for the formal application fee as per the Tariff of Charges. Such formal application fee is required to be paid prior or on the day of submission.
- ✓ Please ensure that the applicant checks with the relevant Municipal Planning Registrar prior to payment of the application fee, to ensure that the correct amount is charged, and therefore, paid by the applicant for his formal submission. Please refer to Tariff of Charges.
- ✓ Please also note that the applicant cannot make any payment of any sort prior to the Deputy Municipal Planning Registrar issuing an invoice to the applicant.

PRE-SUBMISSION APPLICATION FORM

DEVELOPMENT PLANNING AND LAND USE MANAGEMENT APPLICATION

in terms of the KwaDukuza Municipality Spatial Planning and Land Use Management By-Law No. 2002
Gazetted 27 September 2018

OFFICIAL USE

APPLICATION REFERENCE NO.	
DATE RECEIVED	
RECEIVED BY	
PRE-SUBMISSION FEE RECEIPT NO.	
NOTES	

1. INSTRUCTIONS

- (1) The form must be completed in block capitals or typewritten.
- (2) This form is issued without prejudice and does not constitute acceptance of the application contemplated in Schedule 4 Sections 3 and 5 of the KDM SPLUM By-law No. 2002.
- (3) The application shall be lodged within 12 months from date of issuing this pre-registration form, failing which registration will lapse.
- (4) Application documentation ready for submission must include (if applicable):
 - (a) Proof of payment of Pre-Submission Application Fee;
 - (b) Written Motivation, which should be aligned to the following Package of Plans (if applicable):
 - (i) City Development Strategy;
 - (ii) Integrated Development Plan (compulsory);
 - (iii) Spatial Development Framework (compulsory);
 - (iv) Local Area Plan
 - (v) Precinct Plan
 - (vi) Cellular Telecommunication Infrastructure Policy;

- (vii) Land Use Management Scheme
- (c) Certified copies and/ or originals of the relevant documentation to be attached as annexures;
- (d) The relevant plans to be attached as annexures,
- (e) Comments and/ or approvals from the following interested and affected parties, to be attached as annexures:
 - (i) relevant Municipal Internal Departments;
 - (ii) relevant Service Authority;
 - (iii) relevant Organs of State; and
 - (iv) other interested and affected party;
- (f) The relevant specialist studies to be attached

2. TYPE OF APPLICATION

- | | |
|--|---|
| <input type="checkbox"/> Adoption of a land use scheme | <input type="checkbox"/> Subdivision of a property |
| <input type="checkbox"/> Amendment of a land use scheme (including rezoning) | <input type="checkbox"/> Township establishment |
| <input type="checkbox"/> Repeal of a land use scheme | <input type="checkbox"/> Consolidation of properties |
| <input type="checkbox"/> Permanent closure of a municipal road or a public place | <input type="checkbox"/> Notarial tying of adjacent properties |
| <input type="checkbox"/> Removal, amendment or suspension of a restrictive condition of title or a servitude | <input type="checkbox"/> Extension of a sectional title scheme |
| <input type="checkbox"/> Cancellation of a Municipality's decision | <input type="checkbox"/> A material change to a Municipality's decision |

*** Please refer to Chapter 4 Section 46 of the KDM SPLUM By-law No. 2002, for a detailed description of the above listed types of application.**

3. 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.

4. APPLICANT/ AGENT DETAILS AND PROPOSAL

I, the undersigned
 (State full name)

Tel No: Postal Address:

Fax No:

E-mail:

In my capacity as owner of land/ a person acting with the written consent of the owner of the land which is described as

..... (Cadastral description)

and situated at

..... (Street address)

hereby give notice to the KwaDukuza Municipality that an application will be submitted in due course for:

..... (Give short description of the proposal)

5. PROPERTY DETAILS

(1) Title Deed No:

(2) Registered property description:

(3) Physical address of the property concerned:

(4) Municipal and (District) of the area of jurisdiction:

6. GENERAL DOCUMENTATION AND ANNEXURES

I attach to this application the following documents and relevant annexures (tick whichever applicable) and please note that the below may be required at the discretion of the Municipality:

(1) Application documentation and its associated attachments:

- ☐ Proof of payment of Pre-Submission Application Fee (EFT or Receipt from Cashier)
 - Please reference Vote No. 000062
- ☐ Written motivation
 - Please refer to paragraph 11 below for a detailed description of what this document should entail
- ☐ Certified copy of Title Deed
- ☐ Original or certified copy of Resolution from Board of Directors (if applicant is a company)
- ☐ Power of Attorney authorizing the agent (if agent involved) (Form 8)
- ☐ Consent, name and contact details of the bondholder (if applicable)
- ☐ Additional documentation (comments from organs of state / municipal departments / specialist studies)
- ☐ Tribunal DFA Judgment (if applicable)

(2) Plans:

- ☐ Copy of certified Surveyor-General Diagram or General Plan
- ☐ Locality Plan
- ☐ Land Use Plan
- ☐ Zoning Plan
- ☐ Site Development Plan (if required by the Municipality): to-scale plan
- ☐ Floor Plan (if required by the Municipality): to-scale plan
- ☐ Architectural Concept Plan (if required by the Municipality): to-scale plan
- ☐ Setting Out Plan (if required by the Municipality): to-scale plan
- ☐ Layout Plan: to-scale plan

(3) Approvals and/ or comments from Municipal Internal Departments:

- ☐ KDM. Legal
- ☐ KDM. Human Settlements
- ☐ KDM. Building Control
- ☐ KDM. Civil Engineering
- ☐ KDM. Electrical Engineering
- ☐ KDM. Fire
- ☐ KDM. Municipal Services
- ☐ KDM. Environment
- ☐ KDM. Traffic

(4) Approvals and/ or comments from Service Departments:

- ☐ iLembe District Municipality
- ☐ Sembcorp Siza Water

☐ Eskom

(5) Approvals and/ or comments from Organs of State (National and Provincial Departments):

- ☐ KZN Department of Transport
- ☐ South African National Roads Agency Soc. Ltd (SANRAL Support)
- ☐ National Department of Agriculture, Forestry and Fisheries
- ☐ KZN Department of Economic Development, Tourism And Environmental Affairs
- ☐ KZN Department of Rural Development and Land Reform/ KZN Office of The Regional Land Claims Commissioner
- ☐ KZN Department of Health (iLembe Health)
- ☐ KZN Department of Water Affairs
- ☐ KZN Department of Mineral and Energy Affairs
- ☐ Amafa Akwazulu Natal
- ☐ Corporative Government and Traditional Affairs (COGTA)
- ☐ Ingonyama Trust
- ☐ KZN Ezemvelo Wildlife

(6) Specialist Studies:

- ☐ Traffic Impact Assessment
- ☐ Environmental Impact Assessment (an HIA may need to form part of the EIA)
- ☐ Geotechnical Survey
- ☐ Wetland Delineation Report and/ or Floodline Assessment Report
- ☐ Development Economist: Market Analysis or Socio Economic Assessment
- ☐ Agricultural Specialists Assessment
- ☐ Demographic Assessment
- ☐ Engineering Report/ Bulk Services Assessment
- ☐ Archaeological and/ or Heritage Impact Assessment

(7) Service Level Agreements:

- ☐ Service Level Agreement with KwaDukuza Municipality for electricity
- ☐ Service Level Agreement with iLembe District Municipality for water and sewerage
- ☐ Service Level Agreement with Sembcorp Siza Water for water and sewerage (within compensation area)

(8) Alignment to the Municipality's Package of Plans, Policies and Frameworks:

- ☐ City Development Strategy (not applicable yet)

- ☐ Integrated Development Strategy (compulsory)
- ☐ Spatial Development Framework (compulsory)
- ☐ Local Area Plan: Greater Compensation Area Conceptual and Development Framework Plan
- ☐ Precinct Plan: Ballito Village Node
- ☐ Cellular Telecommunication Infrastructure Policy
- ☐ Development Charges Policy (not applicable yet)

(9) Previous Town Planning Scheme (If the application site/s was under a town planning scheme prior to the adoption of LUMS):

- ☐ Ballito Town Planning Scheme
- ☐ Zimbali Town Planning Scheme
- ☐ Umhlali Town Planning Scheme
- ☐ Tinley Manor Town Planning Scheme
- ☐ Stanger Town Planning Scheme
- ☐ Blythedale Beach Town Planning Scheme
- ☐ Nkwazi Town Planning Scheme
- ☐ Prince's Grant Town Planning Scheme
- ☐ Shaka's Kraal Town Planning Scheme

(10) Written Motivation

A Written Motivation in support of the application is required to discuss a variety of town planning related facts, circumstances and matters that will allow the Municipal Planning Authority to make an informed decision on an application:

<input type="checkbox"/>	<p>Written Motivation:</p> <ul style="list-style-type: none"> • Background • Property description • Ownership • Area of the property • Locality • Present land use of the site • Surrounding land uses • Accessibility to the site (Traffic Impact Assessment?) • Physical characteristics of the site (topography, natural features, vegetation etc.) • Environment of the site (Environmental Impact Assessment?) • Existing services on site (water, sewage, electricity, stormwater, refuse disposal) • Proposed services to site (Bulk Services Report/ Engineering Report?) • Development controls (if property within a scheme) (zoning certificate) • Nature of the proposal • Reason for proposal • Area of the proposed development (in Ha or m²); • Merits of the application in terms of the Schedule 8 of KDM SPLUM By-law, Town Planning Scheme, Precinct Plans, Local Area Plans, SDF and IDP.
--------------------------	---

(11) Merits of an application

As contemplated in section in Schedule 8 of the KDM SPLUM By-law No. 2002, an application is required to set out all relevant facts, circumstances and matters which the Municipal Planning Authority must consider when it decides or makes a recommendation on an application for municipal planning approval:

<input type="checkbox"/>	<p>Merits of an application (if applicable):</p> <ul style="list-style-type: none">• the development principles in terms of section 7 of the Spatial Planning and Land Use Management Act;• policies, including national and provincial policies adopted in terms of any law and the Municipality's own policies;• norms and standards, including –<ul style="list-style-type: none">– national norms and standards for land use management and land development in terms of section 8 of the Spatial Planning and Land Use Management Act;– provincial planning norms and standards; and– the Municipality's own norms and standards;• spatial development frameworks, including –<ul style="list-style-type: none">– a national spatial development framework adopted in terms of section 13(1) of the Spatial Planning and Land Use Management Act;– a provincial spatial development framework adopted in terms of section 15(1) of the Spatial Planning and Land Use Management Act;– a regional spatial development framework adopted in terms of section 18(1) of the Spatial Planning and Land Use Management Act; and– the municipal spatial development framework adopted in terms of section 25(1) of the Municipal Systems Act read with section 20(1) of the Spatial Planning and Land Use Management Act;• the Municipality's Integrated Development Plan in terms of section 25(1) of the Municipal Systems Act;• the Municipality's land use scheme, including matters that a Municipality must consider that have been identified in the land use scheme;• the design guidelines and rules for plan approval of the land owner's association, body corporate or share block company that has been deposited with the Municipality;• the authorisation in terms of the Environmental Impact Assessment Regulations;• the potential impact, including the cumulative impact, on –<ul style="list-style-type: none">– the environment;– socio-economic conditions;– cultural heritage;– existing developments;– existing rights to develop land; and– mineral rights;• the human and financial resources likely to be available for implementing the municipal planning approval;• the benefits that accrue from the adoption, replacement or amendment of land use scheme compared to the cost of compensation in terms of Chapter 8;• the provision and standard of engineering services;• the impact, including the cumulative impact, of the application on the national, provincial and municipal road networks, public transport, municipal services, sewage and waste water disposal, water and electricity supply, waste management and removal, policing and security;• access to health, educational and recreational facilities;• the historical effects of past racially discriminatory and segregatory legislation on land ownership, land development and access to engineering services and public facilities, and the need to address the historical imbalances;
--------------------------	--

	<ul style="list-style-type: none"> • the protection or preservation of cultural and natural resources, including agricultural resources, unique areas or features, landscape character and biodiversity; • the natural and physical qualities of that area; • the number and purpose for which properties will be used when a Municipality decides if the Surveyor-General should – <ul style="list-style-type: none"> – approve a diagram for each property or a general plan for all the properties; and – approve the land – <ul style="list-style-type: none"> ○ as a farm, including a portion or a remainder of a farm; ○ as a subdivision of land that is not a farm; or ○ as an erf in a township; • the need to prohibit the alienation of a part of the land by means of a sectional title scheme in terms of the Sectional Titles Act or a share block in terms of the Share Blocks Control Act, 1980 (Act No. 59 of 1980); • (aa)the provisions of section 13 of the Legal Succession to the South African Transport Services Act, 1989 (Act No. 9 of 1989) relating to the zoning of land owned by Transnet and other laws which regulate the zoning of land; • any local practice or approach to land use management that is consistent with – <ul style="list-style-type: none"> – the laws of the Republic; – the provincial planning norms and standards; and – the Municipality’s Integrated Development Plan; and • any other relevant factor.
--	---

Was a Pre-Submission/ Application Consultation Meeting undertaken with a municipal official regarding the subject application?	Y	N
--	---	---

I, the undersigned, hereby certify that the information supplied by me, including the documents attached to this application form is correct.

In addition to the above, I also confirm that I have read and understood the application process stipulated under Schedule 4 of the KDM SPLUM By-law No. 2002 (September 2018), and undertake to provide the Municipality with any and such additional information and/ or documentation as may be required by it, for the completion of this application within 90 (ninety) days of being notified by the Municipality in writing to do so or within such further period as may be agreeable to the Municipality.

DATED at this day of 20.....

Name of Applicant/ Agent:

Professional Registration Number (if applicable).....

Signature:

Date:

FORMAL APPLICATION SUBMISSION FORM FOR A COMPLETE APPLICATION DEVELOPMENT PLANNING AND LAND USE MANAGEMENT APPLICATION

in terms of the KwaDukuza Municipality Spatial Planning and Land Use Management By-Law No. 2002
Gazetted 27 September 2018

OFFICIAL USE

APPLICATION REFERENCE NO.	
DATE RECEIVED	
RECEIVED BY	
FORMAL SUBMISSION FEE RECEIPT NO.	
NOTES	

1. INSTRUCTIONS

- (1) The form must be completed in block capitals or typewritten.
- (2) This form is issued without prejudice and does not constitute acceptance of the application contemplated in Schedule 4 Sections 3 and 5 of the KDM SPLUM By-Law No. 2002.
- (3) Application documentation ready for submission must include (if applicable):
 - (a) Proof of payment of Application Fee (for Complete/ Formal application);
 - (b) Written Motivation, which should be aligned to the following Package of Plans (if applicable):
 - (i) City Development Strategy;
 - (ii) Integrated Development Plan (compulsory);
 - (iii) Spatial Development Framework (compulsory);

- (iv) Local Area Plan
- (v) Precinct Plan
- (vi) Cellular Telecommunication Infrastructure Policy;
- (vii) Town Planning Scheme
- (c) Certified copies and/ or originals of the relevant documentation to be attached as annexures;
- (d) The relevant plans to be attached as annexures,
- (e) Comments and/ or approvals from the following interested and affected parties, to be attached as annexures:
 - (i) relevant Municipal Internal Departments;
 - (ii) relevant Service Authority;
 - (iii) relevant Organs of State; and
 - (iv) other interested and affected party;
- (f) The relevant specialist studies to be attached
- (4) Public consultation is required to be undertaken at the expense of the applicant and involves a combination of methods of public notice as contemplated in the KDM SPLUM By-law No. 2002.

2. TYPE OF APPLICATION

- | | |
|--|---|
| <input type="checkbox"/> Adoption of a land use scheme | <input type="checkbox"/> Subdivision of a property |
| <input type="checkbox"/> Amendment of a land use scheme | <input type="checkbox"/> Township establishment |
| <input type="checkbox"/> Repeal of a land use scheme | <input type="checkbox"/> Consolidation of properties |
| <input type="checkbox"/> Permanent closure of a municipal road or a public place | <input type="checkbox"/> Notarial tying of adjacent properties |
| <input type="checkbox"/> Development of land situated outside the area of a land use scheme | <input type="checkbox"/> Extension of a sectional title scheme |
| <input type="checkbox"/> Removal, amendment or suspension of a restrictive condition of title or a servitude | <input type="checkbox"/> A material change to a Municipality's decision |
| <input type="checkbox"/> Cancellation of a Municipality's decision | |

*** Please refer to Chapter 4 Section 46 of the KDM SPLUM By-law No. 2002, for a detailed description of the above listed types of application.**

3. APPLICANT/ AGENT DETAILS AND PROPOSAL

I, the undersigned
..... (State full name)

Tel No: Postal Address:

Fax No:

E-mail:

In my capacity as owner of land/ a person acting with the written consent of the owner of the land which is described as

.....
..... (Cadastral description)

and situated at
.....
..... (Street address)

hereby give notice to the KwaDukuza Municipality that an application will be submitted in due course for:

.....
.....
.....
.....
.....
.....
.....
.....
..... (Give short description of the proposal)

4. PROPERTY DETAILS

(1) Title Deed No:
.....

(2) Registered property description:
.....
.....
.....

(3) Physical address of the property concerned:
.....
.....
.....

(4) Municipal and (District) of the area of jurisdiction:

.....

5. GENERAL DOCUMENTATION AND ANNEXURES

I attach to this application the following documents and relevant annexures (tick whichever applicable) and please note that the below may be required at the discretion of the Municipality:

(1) Application documentation and its associated attachments:

- ☐ Proof of payment of Pre-Submission Application Fee (EFT or Receipt from Cashier)
 - Please reference Vote No. 000062
- ☐ Written motivation
 - Please refer to paragraph 11 below for a detailed description of what this document should entail
- ☐ Copy of Title Deed
- ☐ Original or certified copy of Resolution from Board of Directors (if applicant is a company)
- ☐ Power of Attorney authorizing the agent (if agent involved) (Form 8)
- ☐ Consent, name and contact details of the bondholder (if applicable)
- ☐ Additional documentation (comments from organs of state / municipal departments / specialist studies)
- ☐ Tribunal DFA Judgment (if applicable)

(2) Plans:

- ☐ Copy of certified Surveyor-General Diagram or General Plan
- ☐ Locality Plan
- ☐ Land Use Plan
- ☐ Zoning Plan
- ☐ Site Development Plan (if required by the Municipality): to-scale plan
- ☐ Floor Plan (if required by the Municipality): to-scale plan
- ☐ Architectural Concept Plan (if required by the Municipality): to-scale plan
- ☐ Setting Out Plan (if required by the Municipality): to-scale plan
- ☐ Layout Plan: to-scale plan

(3) Approvals and/ or comments from Municipal Internal Departments:

- ☐ KDM. Legal
- ☐ KDM. Human Settlements
- ☐ KDM. Building Control
- ☐ KDM. Civil Engineering
- ☐ KDM. Electrical Engineering

- ☐ KDM. Fire
- ☐ KDM. Municipal Services
- ☐ KDM. Environment
- ☐ KDM. Traffic

(4) Approvals and/ or comments from Service Departments:

- ☐ iLembe District Municipality
- ☐ Sembcorp Siza Water
- ☐ Eskom

(5) Approvals and/ or comments from Organs of State (National and Provincial Departments):

- ☐ KZN Department of Transport
- ☐ South African National Roads Agency Soc. Ltd (SANRAL Support)
- ☐ National Department of Agriculture, Forestry and Fisheries
- ☐ KZN Department of Economic Development, Tourism And Environmental Affairs
- ☐ KZN Department of Rural Development and Land Reform/ KZN Office of The Regional Land Claims Commissioner
- ☐ KZN Department of Health (iLembe Health)
- ☐ KZN Department of Water Affairs
- ☐ KZN Department of Mineral and Energy Affairs
- ☐ Amafa Akwazulu Natal
- ☐ Corporative Government and Traditional Affairs (COGTA)

(6) Approvals and/ or comments from Interested and Affected Parties:

- ☐ Ingonyama Trust
- ☐ KZN Ezemvelo Wildlife

(7) Specialist Studies:

- ☐ Traffic Impact Assessment
- ☐ Environmental Impact Assessment (an HIA may need to form part of the EIA)
- ☐ Geotechnical Survey
- ☐ Wetland Delineation Report and/ or Floodline Assessment Report
- ☐ Development Economist: Market Analysis or Socio Economic Assessment
- ☐ Agricultural Specialists Assessment
- ☐ Demographic Assessment

- ☐ Engineering Report/ Bulk Services Assessment
- ☐ Archaeological and/ or Heritage Impact Assessment

(8) Service Level Agreements:

- ☐ Service Level Agreement with KwaDukuza Municipality for electricity
- ☐ Service Level Agreement with iLembe District Municipality for water and sewerage
- ☐ Service Level Agreement with Sembcorp Siza Water for water and sewerage (within compensation area)

(9) Alignment to the Municipality's Package of Plans, Policies and Frameworks:

- ☐ City Development Strategy (not applicable yet)
- ☐ Integrated Development Strategy (compulsory)
- ☐ Spatial Development Framework (compulsory)
- ☐ Local Area Plan: Greater Compensation Area Conceptual and Development Framework Plan
- ☐ Precinct Plan: Ballito Village Node
- ☐ Cellular Telecommunication Infrastructure Policy
- ☐ Development Charges Policy (not applicable yet)

(10) Previous Town Planning Scheme (If the application site/s was under a town planning scheme prior to the adoption of LUMS):

- ☐ Ballito Town Planning Scheme
- ☐ Zimbali Town Planning Scheme
- ☐ Umhlali Town Planning Scheme
- ☐ Tinley Manor Town Planning Scheme
- ☐ Stanger Town Planning Scheme
- ☐ Blythedale Beach Town Planning Scheme
- ☐ Nkwazi Town Planning Scheme
- ☐ Prince's Grant Town Planning Scheme
- ☐ Shaka's Kraal Town Planning Scheme

(11) Written Motivation

A Written Motivation in support of the application is required to discuss a variety of town planning related facts, circumstances and matters that will allow the Municipal Planning Authority to make an informed decision on an application:

<input type="checkbox"/>	<p>Written Motivation:</p> <ul style="list-style-type: none">• Background• Property description• Ownership• Area of the property• Locality• Present land use of the site• Surrounding land uses• Accessibility to the site (Traffic Impact Assessment?)• Physical characteristics of the site (topography, natural features, vegetation etc.)• Environment of the site (Environmental Impact Assessment?)• Existing services on site (water, sewage, electricity, stormwater, refuse disposal)• Proposed services to site (Bulk Services Report/ Engineering Report?)• Development controls (if property within a scheme) (zoning certificate)• Nature of the proposal• Reason for proposal• Area of the proposed development (in Ha or m²);• Merits of the application in terms of the Schedule 8 of KDM SPLUM By-law, Town Planning Scheme, Precinct Plans, Local Area Plans, SDF and IDP.
--------------------------	---

(12) Merits of an application

As contemplated in section in Schedule 8 of the KDM SPLUM By-law No. 2002, an application is required to set out all relevant facts, circumstances and matters which the Municipal Planning Authority must consider when it decides or makes a recommendation on an application for municipal planning approval:

<input type="checkbox"/>	<p>Merits of an application (if applicable):</p> <ul style="list-style-type: none">• the development principles in terms of section 7 of the Spatial Planning and Land Use Management Act;• policies, including national and provincial policies adopted in terms of any law and the Municipality's own policies;• norms and standards, including –<ul style="list-style-type: none">– national norms and standards for land use management and land development in terms of section 8 of the Spatial Planning and Land Use Management Act;– provincial planning norms and standards; and– the Municipality's own norms and standards;• spatial development frameworks, including –<ul style="list-style-type: none">– a national spatial development framework adopted in terms of section 13(1) of the Spatial Planning and Land Use Management Act;– a provincial spatial development framework adopted in terms of section 15(1) of the Spatial Planning and Land Use Management Act;– a regional spatial development framework adopted in terms of section 18(1) of the Spatial Planning and Land Use Management Act; and– the municipal spatial development framework adopted in terms of section 25(1) of the Municipal Systems Act read with section 20(1) of the Spatial Planning and Land Use Management Act;
--------------------------	---

- the Municipality's Integrated Development Plan in terms of section 25(1) of the Municipal Systems Act;
- the Municipality's land use scheme, including matters that a Municipality must consider that have been identified in the land use scheme;
- the design guidelines and rules for plan approval of the land owner's association, body corporate or share block company that has been deposited with the Municipality;
- the authorisation in terms of the Environmental Impact Assessment Regulations;
- the potential impact, including the cumulative impact, on –
 - the environment;
 - socio-economic conditions;
 - cultural heritage;
 - existing developments;
 - existing rights to develop land; and
 - mineral rights;
- the human and financial resources likely to be available for implementing the municipal planning approval;
- the benefits that accrue from the adoption, replacement or amendment of land use scheme compared to the cost of compensation in terms of Chapter 8;
- the provision and standard of engineering services;
- the impact, including the cumulative impact, of the application on the national, provincial and municipal road networks, public transport, municipal services, sewage and waste water disposal, water and electricity supply, waste management and removal, policing and security;
- access to health, educational and recreational facilities;
- the historical effects of past racially discriminatory and segregatory legislation on land ownership, land development and access to engineering services and public facilities, and the need to address the historical imbalances;
- the protection or preservation of cultural and natural resources, including agricultural resources, unique areas or features, landscape character and biodiversity;
- the natural and physical qualities of that area;
- the number and purpose for which properties will be used when a Municipality decides if the Surveyor-General should –
 - approve a diagram for each property or a general plan for all the properties; and
 - approve the land –
 - as a farm, including a portion or a remainder of a farm;
 - as a subdivision of land that is not a farm; or
 - as an erf in a township;
- the need to prohibit the alienation of a part of the land by means of a sectional title scheme in terms of the Sectional Titles Act or a share block in terms of the Share Blocks Control Act, 1980 (Act No. 59 of 1980);
- (aa) the provisions of section 13 of the Legal Succession to the South African Transport Services Act, 1989 (Act No. 9 of 1989) relating to the zoning of land owned by Transnet and other laws which regulate the zoning of land;
- any local practice or approach to land use management that is consistent with –
 - the laws of the Republic;
 - the provincial planning norms and standards; and
 - the Municipality's Integrated Development Plan; and
- any other relevant factor.

I/ we hereby wish to confirm the following:

- (1) That the information contained in this application form and accompanying application 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 the KDM SPLUM By-law No. 2002 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 required to enable the assessment of 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 Town Planning Scheme (in course of preparation), that I/ we have consulted with the planning department with reference to the applicable area to ensure the correct application in terms of KDM SPLUM By-law No. 2002, is made. Notwithstanding submission of any departure application that may be required, 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-Law No. 2002, 2016.
- (6) That, as owner/ applicant/ developer/ agent/ consultant, 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-Law, 2016 must be adhered to.

Registered owner's signature: Date:

Full Name:

Agents/ Consultants signature: Date:

Professional capacity:

Agents/ Consultants Application Reference No.:



KwaDukuza Municipality
BUSINESS UNIT:
ECONOMIC DEVELOPMENT & PLANNING

FORM 4:

PUBLIC NOTICE: NEWSPAPER ADVERT

KWADUKUZA MUNICIPALITY

CONSOLIDATED LAND USE MANAGEMENT SCHEME:

Application in terms of Section 53 of the KDM SPLUM By-law, No. 2002 (September 2018)

Notice is hereby given that an application has been made to the Municipality, in terms of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) read with the KwaDukuza Municipality Spatial Planning and Land Use Management By-law No. 2002 (September 2018) (KDM SPLUM By-law) for:

Property Description:
.....
..... (Cadastral description)

Street Address:
.....
.....
..... (Street address or GPS coordinates)

Scope of Application:
.....
.....
.....
.....
.....
.....
..... (Give short description of the proposal)

A copy of the application and its accompanying documents will be open for inspection by interested members of the public between the office hours of 08h00 to 13h00 and 13h30 to 15h30 Mondays to Fridays (excluding public holidays) at

- The Front Desk: Development Planning Section, No. 10 Leanora Drive, Nokukhanya Luthuli House, Ballito. (all applications with a “BA” reference)
- or
- The Front Desk: Development Planning Section, No. 34 Chief Albert Luthuli Street, Okay Building (corner of Chief Albert Luthuli Street and Hulett Street), KwaDukuza Municipal Offices, KwaDukuza Town (formerly Stanger). (all applications with a “KD” reference)

The application will lie for inspection from 20.....

Any person having sufficient interest in the proposal is invited to lodge written comments by hand and addressed to the KwaDukuza Municipality Municipal Manager at 14 Chief Albert Luthuli Street, or by registered post and addressed to the Municipal Manager to P. O. Box 72, KwaDukuza Municipality, 4450, or by e-mail to MunicipalM@kwadukuza.gov.za by no later than 20.....

A person who fails to lodge or forward comments by the said date, in response to this notice, will be disqualified from further participation in the process,

N. J. MDAKANE

Municipal Manager

KwaDukuza Municipality

Municipal Offices

14 Chief Albert Luthuli Street

P. O. Box 72

KwaDukuza

4450

NAME OF APPLICANT:

.....

REPRESENTED BY:

.....

.....

.....

Tel:

Fax:

E-mail:

(Postal address and contact details of agent/
consultant)

DATE: 20.....

MN

SITE NOTICE

KWADUKUZA MUNICIPALITY

CONSOLIDATED LAND USE MANAGEMENT SCHEME:

Application in terms of Section 53 of the KDM SPLUM By-law, No. 2002 (September 2018)

Notice is hereby given that an application has been made to the Municipality, in terms of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) read with the KwaDukuza Municipality Spatial Planning and Land Use Management By-law No. 2002 (September 2018) (KDM SPLUM By-law) for:

Property Description:
.....
.....
..... (Cadastral description)

Street Address:
.....
.....
.....
..... (Street address or GPS coordinates)

Scope of Application:
.....
.....
.....
.....
.....
.....

.....
..... (Give short description of the proposal)

A copy of the application and its accompanying documents will be open for inspection by interested members of the public between the office hours of 08h00 to 13h00 and 13h30 to 15h30 Mondays to Fridays (excluding public holidays) at

- The Front Desk: Development Planning Section, No. 10 Leanora Drive, Nokukhanya Luthuli House, Ballito. (all applications with a “BA” reference)
- or
- The Front Desk: Development Planning Section, No. 34 Chief Albert Luthuli Street, Okay Building (corner of Chief Albert Luthuli Street and Hulett Street), KwaDukuza Municipal Offices, KwaDukuza Town (formerly Stanger). (all applications with a “KD” reference)

The application will lie for inspection from 20.....

Any person having sufficient interest in the proposal is invited to lodge written comments by hand and addressed to the KwaDukuza Municipality Municipal Manager at 14 Chief Albert Luthuli Street, or by registered post and addressed to the Municipal Manager to P. O. Box 72, KwaDukuza Municipality, 4450, or by e-mail to MunicipalM@kwadukuza.gov.za by no later than 20.....

A person who fails to lodge or forward comments by the said date, in response to this notice, will be disqualified from further participation in the process,

NAME OF APPLICANT:

DATE OF PUBLICATION OF ADVERT:

.....

.....

REPRESENTED BY:

NAME OF NEWSPAPER(S):

.....

.....

.....

.....

.....

.....

Tel:

.....

Fax:

.....

E-mail:

(Postal address and contact details of agent/
consultant)

Note: All Site Notices should be in A3 and should be on site for the duration of the public participation period.

SERVING NOTICE FORM

Application in terms of Section 53 of the KwaDukuza Municipality Spatial Planning and Land Use Management By-law No. 2002 (September 2018)

REGISTERED POST

TO: REGISTERED OWNERS

.....
.....
.....
.....
.....
.....

NOTICE IS HEREBY GIVEN THAT AN APPLICATION HAS BEEN MADE TO THE KWADUKUZA MUNICIPALITY

Application in terms of Section 54 of the KDM SPLUM By-law, No. 2002 (September 2018)

Notice is hereby given that an application has been made to the Municipality, in terms of Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) read with the KwaDukuza Municipality Spatial Planning and Land Use Management By-law No. 2002 (September 2018) (KDM SPLUM By-law) for:

Property Description:
.....
..... (Cadastral description)

Street Address:
.....
.....

.....
..... (Street address or GPS coordinates)

Scope of Application:

.....
.....
.....
.....
.....
.....
.....
..... (Give short description of the proposal)

A copy of the application and its accompanying documents will be open for inspection by interested members of the public between the office hours of 08h00 to 13h00 and 13h30 to 15h30 Mondays to Fridays (excluding public holidays) at

- The Front Desk: Development Planning Section, No. 10 Leanora Drive, Nokukhanya Luthuli House, Ballito. (all applications with a “BA” reference)
- or
- The Front Desk: Development Planning Section, No. 34 Chief Albert Luthuli Street, Okay Building (corner of Chief Albert Luthuli Street and Hulett Street), KwaDukuza Municipal Offices, KwaDukuza Town (formerly Stanger). (all applications with a “KD” reference)

The application will lie for inspection from 20.....

Any person having sufficient interest in the proposal is invited to lodge written comments by hand and addressed to the KwaDukuza Municipality Municipal Manager at 14 Chief Albert Luthuli Street, or by registered post and addressed to the Municipal Manager to P. O. Box 72, KwaDukuza Municipality, 4450, or by e-mail to MunicipalM@kwadukuza.gov.za by no later than 20.....

A person who fails to lodge or forward comments by the said date, in response to this notice, will be disqualified from further participation in the process,

NAME OF APPLICANT:

.....

REPRESENTED BY:

.....

.....

.....

Tel:

Fax:

E-mail:

(Postal address and contact details of agent/
consultant)

DATE OF PUBLICATION OF ADVERT:

.....

NAME OF NEWSPAPER(S):

.....

.....

.....

.....

.....

Application reference	
Date	

AFFIDAVIT

Application in terms of Section 54 of the KwaDukuza Municipality Spatial Planning and Land Use Management By-law No. 2002 (September 2018)

I, (full name)
(I. D. No.) the undersigned, in my capacity as
..... do hereby declare
under oath that:

- (1) The proposal was advertised in the (name of newspaper)
on the day of 20..... (this being the public notice –
Form 3);

- (2) The site notice(s) (Form 4) were prominently displayed in a legible condition for a continuous
period of thirty (30) days from the date of the advertisement as indicated in (1) above in the
following positions on the site
.....
.....
.....
.....;
and

- (3) A neighbours notice (Form 5) was posted, per registered post or delivered by hand, to all
adjoining property owners/ occupants as per the attached list issued by the KwaDukuza
Municipality (Development Planning and Property Management Sections) on the day of
..... 20.....

- (1) Proof of public notice – Copy of newspaper advert (illustrating date of advert and notice of proposal);
- (2) Proof of site notice – Pictures of site notice(s) placed on site (such pictures to illustrate the date and time picture was taken); and
- (3) Proof of serving notice – Copies of signed and dated registered slips.

Proposal:

..... (Give short description of the proposal)

On Cadastral Description / Erf No.:

.....

.....

..... (Property description)

Situated at:

.....

.....

..... (Street address or GPS coordinates)

NAME OF APPLICANT:

.....

REPRESENTED BY:

.....

.....

.....

Tel:

Fax:

E-mail:

(Postal address and contact details of agent/ consultant)

.....

Signature of Applicant/ Agent

I. D. No.

The Deponent acknowledges that he/ she knows and understands the contents of this Affidavit.

Signature:

Declared before me

at

thisday of20.....

Commissioner of Oath's Stamp

***THIS FORM MUST BE RETURNED TO THE DEVELOPMENT PLANNING SECTION WITHIN
7 DAYS OF EXPIRY OF ADVERT PERIOD***

Office hours: 08h00 to 12h30: Mondays to Fridays (excluding public holidays).

POWER OF ATTORNEY

Application in terms of Section 54 of the KwaDukuza Municipality Spatial Planning and Land Use Management By-law No. 2002 (September 2018)

Dear Sir / Madam

POWER OF ATTORNEY

I/ We
.....
owner(s) of the property described as
.....
..... (Property/ Cadastral description)
and situated at
.....
..... (Street address or GPS coordinates)
do hereby confirm that permission has been given to (person or business)
.....
..... (agent/ consultant appointed)
to submit an application on my/ our behalf to the KwaDukuza Municipality in terms of Section 46 of the KwaDukuza Municipality Spatial Planning and Land Use Management By-law No. 2002 (September 2018) for the proposal to
.....
.....
.....
.....
.....
.....
..... (Give short description of the proposal)

in order for the applicant to
.....
.....
.....
..... (Give reason for the proposal)

Yours faithfully,

.....
Signature of Registered Owner

I. D. No.

The Deponent acknowledges that he/ she knows and understands the contents of this Power of Attorney.

Signature:

Declared before me

at

thisday of20.....

Commissioner of Oath's Stamp

***THIS FORM MUST BE INCLUDED IN ALL APPLICATIONS TO THE DEVELOPMENT
PLANNING SECTION***

Office hours: 08h00 to 12h30 : Mondays to Fridays (excluding public holidays).

LIST OF MUNICIPAL INTERNAL DEPARTMENTS, ORGANS OF STATE AND INTERESTED AND AFFECTED PARTIES

Application in terms of Section 54 of the KwaDukuza Municipality Spatial Planning and Land
Use Management By-law No. 2002 (September 2018)

MUNICIPAL INTERNAL DEPARTMENTS	CONTACT DETAILS
KDM. LEGAL	Contact person: Ms. P. Govender Title: Director Legal Services Address: 14 Chief Albert Luthuli Street Kwadukuza 4450 Tel: 032 437 5019 Email: PamelaG@kwadukuza.gov.za
KDM. HUMAN SETTLEMENTS	Contact person: Mr. T. G. Dube Title: Director Human Settlement Address: 2 Industria Crescent Kwadukuza 4450 Tel: 032 437 5057 Email: ThembaD@kwadukuza.gov.za
KDM. BUILDING CONTROL	Contact person: Mr. Wiseman Vilakazi Title: Senior Manager Building Control Address : 34 Chief Albert Luthuli Street Kwadukuza 4450 Tel: 032 437 5065 Email: WisemanV@Kwadukuza.gov.za
KDM. CIVIL ENGINEERING	Contact person: Mr. F. Mhlongo Title: Director Address: 2 Industria Crescent Kwadukuza 4450 Tel: 032 437 5041/032 437 5090 Email: FisokuhleM@kwadukuza.gov.za

KDM. ELECTRICAL ENGINEERING	Contact person: Mr. G. Herrmannsen (PA) Title: Director Fleet Management Address: 2 Industria Crescent Kwadukuza 4450 Tel: 032 437 5087 Email: GailH@kwadukuza.gov.za
KDM. FIRE	Contact person: Mr. D. Govender Title: Senior Fire Fighter Address: 1 Gledhow Mill Road Kwadukuza 4450 Tel: 032 946 8039 Email: DevanG@kwadukuza.gov.za
KDM. MUNICIPAL SERVICES	Contact person: Mr. N. Ngwane Title: Director: Community Services Address: 2 Industria Crescent Kwadukuza 4450 Tel: 032 437 5176 Email: NjabuloN@kwadukuza.gov.za
KDM. ENVIRONMENT	Contact person: Ms. T. Mthuli (Ballito) / Ms. N. Duma (Stanger) Title: Senior Environmental Officers Address: 34 Chief Albert Luthuli Street Kwadukuza 4450 Tel: 032 437 5030 / 032 525 8579 Email: ThembekaM@kwadukuza.gov.za / NokubongaD@kwadukuza.gov.za
KDM. TRAFFIC	Contact person: Mr. E. N. Boaventura Title: Superintendent Traffic Address: 2 Industria Crescent Kwadukuza 4450 Tel: 032 551 6754 Email: EddieB@kwadukuza.gov.za
SERVICE AUTHORITIES	CONTACT DETAILS
ILEMBE DISTRICT MUNICIPALITY	Contact person: Mr. K. Mthonjeni (Logie Govendor) Title: Director: Technical Services Address: 12 Haysom Road P. O. Box 1788 Stanger 4450 Tel: 032 551 8776 / 8706 Email: kuhle.mthonjeni@ilembe.gov.za / logie.Govender@ilembe.gov.za

SEMB CORP SIZA WATER	Contact person: Mr. N. Misra Title: Project Manager Address: Suite 1 & 2 Reyparkhouse, Reysplace Ballito Tel: 032 946 1115/ 032 946 7200 Email: Nikilesh.Misra@sembcorp.com
ESKOM	Contact person: N. W. Purdon (Michelle Nicol) Title: Land Development Manager Address: P. O. Box 66 New Germany 3620 Tel: 031 710 5404 Email: Nicolm@eskom.co.za
DOLPHIN COAST WASTE MANAGEMENT SERVICES	Contact person: Mr. Mandla Mayise Title: Director Address: P. O. Box 1576 Ballito 4420 Tel: 032 947 1576 Email: mandla@dcwm.co.za
ORGANS OF STATE	CONTACT DETAILS
KZN DEPARTMENT OF TRANSPORT	Contact person: Mrs M.D Schmid Title: KZN Provincial Roads Address: 244 Prince Alfred Str., PMB, 3201 Private Bag X 9043 Pietermaritzburg 3201 Tel: 033 355 0581 Email: michelle.schmid@kzntransport.co.za
SOUTH AFRICAN NATIONAL ROADS AGENCY SOC. LTD. (SANRAL SUPPORT)	Contact person: Mr. Ravi Ronny Title: Manager Planning Design and Construction Address: 58 Van Eck Place, Mkondeni, Pietermaritzburg,3200 Tel: (033) 392 8115/ 083 283 6064 Email: ronnyr@nra.co.za
NATIONAL DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES	Contact person: Dr. M. E. Tau Title: Acting Deputy Director General: Forestry and Natural Resources Address: C/o Annie Botha @ Union Street, Riviera, 0084 Private Bag X120 Pretoria (Tshwane) 0001 Tel: 012 319 7634 Email: ThokoB@daff.gov.za / nhlakad@daff.gov.za or Contact person: B. N. De Lange Title: Director: Land Use and Soil Management

	<p>Address: C/o Annie Botha @ Union Street, Riviera, 0084</p> <p>Private Bag X120 Gazina, Pretoria 0031</p> <p>Tel: 012 319 7634</p> <p>Email: ThokoB@daff.gov.za/ nhlakad@daff.gov.za</p>
KZN DEPARTMENT OF ECONOMIC DEVELOPMENT, TOURISM AND ENVIROMENTAL AFFAIRS	<p>Contact person: Nombulelo Zungu</p> <p>Title: District Manager: iLembe Office</p> <p>Address: Private Bag X 10691 KwaDukuza 4450</p> <p>Tel: 032-552 5302</p> <p>Email: Nombulelo.zungu@kznded.gov.za</p>
KZN DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM/ KZN OFFICE OF THE REGIONAL LAND CLAIMS COMMISSIONER	<p>Contact person: S. G. Dladla</p> <p>Title: Manager: Information and Records Management</p> <p>Address: 200 Church Str. / 139 Langalibalele Str. Private Bag X 9120 Pietermaritzburg 3200</p> <p>Tel: 032-355 8400/ 032-341 2600</p> <p>Email: LMJBoucher@ruraldevelopment.gov.za</p>
KZN DEPARTMENT OF HEALTH (ILEMBE HEALTH)	<p>Contact person: Mr. Leon Botha</p> <p>Title: Manager Environmental Health</p> <p>Address: 59/61 Mahatma Ghandi Street, Kwadukuza,4450</p> <p>Tel: 032 437 9837</p> <p>Email: Leon.Botha@ilembe.gov.za</p>
KZN DEPARTMENT OF WATER AFFAIRS	<p>Contact person: Ms. Zama Hadebe</p> <p>Title: Assistant Director Licensing</p> <p>Address: 88 Joe Slovo Street, Durban, 4000</p> <p>Tel: 031 336 2767</p> <p>Email: HadebeZ@dws.gov.za</p> <p>Contact person: Mr. Shaun Naidoo</p> <p>Title: Deputy Director Water Use</p> <p>Address: 88 Joe Slovo Street, Durban, 4000</p> <p>Tel: 031 336 2735</p> <p>Email: NaidooSO@dws.gov.za</p>
KZN DEPARTMENT OF MINERAL AND ENERGY AFFAIRS	<p>Contact person: Mr. Karoon Moodley</p> <p>Title: Deputy Director Environmental Section</p> <p>Address: 333 Anton Lembede Street, 3rd Floor Durban Bay House, Durban, 4000</p> <p>Tel: 031 335 9636</p> <p>Email: karoon.moodley@dmr.gov.za</p>
AMAFA AKWAZULU NATAL	<p>Contact person: Benardet Pawandiwa</p> <p>Title: Senior Heritage Officer</p> <p>Address: 195 Langalibalele Street, Pietermaritzburg, 3200</p>

	Tel: 033 394 6543 Email: archeology@amafapmb.co.za
CORPORATIVE GOVERNMENT AND TRADITIONAL AFFAIRS (COGTA)	Contact person: Kevin Suzor Title: Acting Senior Manager: Land Use Management Address: 7 Buro Crescent, Mayville, 4001 Private Bag X54310 Durban 4000 Tel: 031 204 1711 Email: kevin.suzor@kzncogta.gov.za / ashok.bhyrodoyal@kzncogta.gov.za / sewnarian.annoop@kzncogta.gov.za
INGONYAMA TRUST	Contact person: Tashveer Bothath Title: Town Planner Address: 65 Trelawney Rd, Pietermaritzburg, 3201 Tel: 033 846 9928/ 083 865 4930 Email: BothathT@ingonyamatrust.org.za
KZN EZEMVELO WILDLIFE	Contact person: Ms. Irene Hatton Title: Acting Coordinator Protected Area Management Planning Address: 1 Peter Brown Drive, Montrose, 3202 Tel: 033 845 1999 Email: ihatton@kznwildlife.com



KwaDukuza Municipality
BUSINESS UNIT:
ECONOMIC DEVELOPMENT & PLANNING

FORM 10a:

CONFIRMATION OF RECEIPT

Notice is hereby given that an application has been made to the KwaDukuza Municipality in terms of the KwaDukuza Municipality Spatial Planning and Land Use Management By-law No. 2002 Gazetted 27 September 2018.

An application for the proposed

.....

.....

.....

.....

.....

..... (Give short description of the proposal)

on Cadastral Description / Erf No.

.....

.....

..... (Property description)

SITUATED at

.....

.....

..... (Street address or GPS coordinates)

for the purposes of

.....

(Give reason for the proposal)

Departmental Stamp

will be submitted to KwaDukuza Municipality in terms of the KwaDukuza Municipality Spatial Planning and Land Use Management By-law No. 2002.

Accordingly, as required by the KwaDukuza Municipality Spatial Planning and Land Use Management By-law No. 2002, the application needs to be circulated to the relevant municipal departments for comments.

The above mentioned application has been circulated to the KwaDukuza Municipality
.....
..... (Give name of the municipal department)
on the day of 20..... to obtain comments.

As stipulated in Schedule 4 Section 3(1)(2) of the KwaDukuza Municipality Spatial Planning and Land Use Management By-Law No. 2002, the Municipal Internal 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 day of
20..... (Municipal Department to provide date if applicable) from the date of confirmation of receipt of application as confirmed herein.

CONFIRMATION OF RECIEPT

..... (Give name of the municipal department)
hereby confirms receiving the above mentioned application on the day of
..... 20.....

Name of Official:

Designation:

Signature:

Date: / /20.....

Departmental Stamp

NB: KINDLY STAMP BOTH PAGES OF THE FORM OR WHERE THERE IS NO STAMP AVAILABLE, KINDLY SIGN AND DATE BOTH PAGES OF THE FORM



KwaDukuza Municipality
BUSINESS UNIT:
ECONOMIC DEVELOPMENT & PLANNING

FORM 10b:

SUMMARY OF COMMENTS

Notice is hereby given that an application has been made to the KwaDukuza Municipality in terms of the KwaDukuza Municipality Spatial Planning and Land Use Management By-law No. 2002 Gazetted 27 September 2018

An application for the proposed
.....
.....
.....
.....
..... (Give short description of the proposal)
on Cadastral Description / Erf No.
.....
..... (Property description)
SITUATED at
.....
..... (Street address or GPS coordinates)
for the purposes of
.....
..... (Give reason for the proposal)
was submitted to the (Give name of the municipal department)
on the day of 20.....

Departmental Stamp

..... (Municipal Department to provide its comment)

NO OBJECTION

Name of Official:

Designation:

Signature:

Date: / /20.....

Departmental Stamp	
--------------------	--

Page 2 of 2