



**OFFICIAL USE:**

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APPLICATION NO. ....

RECEIPT NO. ....

AMOUNT .....

DATE .....

The Municipal Manager  
City of Umhlathuze  
Private Bag X1004  
RICHARDS BAY  
3900

Sir

**SINGLE OR COMBINED APPLICATIONS UNDER THE SPATIAL PLANNING AND LAND USE  
MANAGEMENT ACT (ACT NO. 16 OF 2013) AND THE KWAZULU-NATAL PLANNING AND  
DEVELOPMENT ACT, 2008 (ACT NO. 6 OF 2008):**

(\*mark applicable application/s)

- ☐ Amendment of the uMhlathuze Land Use Scheme / Rezoning
- ☐ Subdivision of Land
- ☐ Consolidation of Land
- ☐ Development situated outside the area of a Scheme (areas subject to Act 70 of 1970)
- ☐ Phasing of an approved layout plan
- ☐ Cancellation of an approved layout plan
- ☐ Alteration, suspension or deletion of condition(s) of title relating to land
- ☐ Alteration, suspension or deletion of condition(s) of approval relating to land
- ☐ Closure of Street or Public Places (ito the Local Authorities Ordinance, 1974)

**SHORT DESCRIPTION OF THE PURPOSE OF THIS APPLICATION:**

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**PROPERTY DETAILS:**

Deed Number(s) and date(s) [including registered servitudes]:.....  
.....

Town and Extension:.....

Registered property description (Farm name and number / Erf number):.....  
.....

Physical Address of the property:.....  
.....

If scheme amendment approval is sought, state size of application property:.....

If subdivision approval is sought, state the number of proposed subdivided erven (incl. Remainder) to be created.....

If relevant, state conditions to be suspended, altered or deleted (lettered or numbered in the deed, or page number and line number if conditions are not lettered or numbered)

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

**CONTACT DETAILS:**

Name of the registered owner of the property:

.....

Postal Address:.....  
.....

Telephone number:..... Cellphone Number:.....

Fax number:..... Email:.....

Name of the planning consultant acting on behalf of the registered owner (if applicable):

.....

Postal Address:.....  
.....

Telephone number:..... Cellphone Number:.....

Fax number:..... Email:.....

Name of the environmental consultant acting on behalf of the registered owner (if applicable):

.....

Postal Address:.....

.....

Telephone number:..... Cellphone Number:.....

Fax number:.....Email:.....

Please address any correspondence relating to this application to: (mark applicable)

- ☐ The Registered Owner
- ☐ The environmental consultant acting on behalf of the registered owner
- ☐ The planning consultant acting on behalf of the registered owner

Via: (mark preference)

- ☐ Post
- ☐ Telephone
- ☐ Fax
- ☐ Email

#### **DECLARATION**

I hereby certify that the information and documents attached to this application form are correct. I accept any financial responsibilities that may result from this application.

SIGNED AT ..... ON THE .....

DAY OF ..... 20.....

.....

SIGNATURE OF APPLICANT

.....

PRINT NAME

## CHECKLIST : DOCUMENTATION

(Mark with X if applicable and attach proof or n/a if not applicable)

### All applications:

- ☐ Proof of payment of application fee
- ☐ Certified copy of the resolution by the Board of Directors, members or trustees if the applicant is a company, close corporation or trust
- ☐ Written consent to act on behalf of the registered owner or owners, if the applicant is not the registered owner of the property
- ☐ Copies of all the relevant Deed(s), including registered servitudes
- ☐ Consent / approval / comment from any other body which the Municipality may deem necessary, as determined during the pre-application meeting (*refer to Annexure A*)
- ☐ Specialist Studies which the Municipality may deem necessary, as determined during the pre-application meeting (*refer to Annexure B*)
- ☐ Proposed conditions of establishment (for subdivision applications)
- ☐ A memorandum in support of the application, as contemplated in sections 12, 25, 42, 64 and 73 of the Act, setting out all relevant facts, circumstances, and matters which a municipality must consider, including (if relevant):
  - (i) Detailed description of the nature and need for the development/proposal and the decision/s sought from the Municipality;
  - (ii) Consideration of the following principles, policies and guidelines:
    - a. Section 3 of the Development Facilitation Act, 1995 (Act No. 67 of 1995), and other norms and standards, frameworks and policies;
    - b. Land use and development norms and standards (in the absence of Provincial Norms and Standards, please address compliance with the "Red Book", KZN Provincial Planning and Development Commission Guidelines, etc.);
    - c. Compliance with the Municipality's Integrated Development Plan and Spatial Development Framework; and
    - d. Any relevant local practice or approach to land use management.
  - (iii) How the proposal complies, or aims to comply with Municipality's Land Use Management Scheme, i.e.
    - a. description of current zoning, development and land use on site, as well as properties around the application site;
    - b. the proposed land uses or developmental rights sought; and
    - c. the impact of the proposal on these existing or proposed developments or rights.
  - (iv) A description of the current socio-economic environment and an analysis of the potential impacts of the proposal on socio-economic conditions, such as:
    - a. character of the area;
    - b. access to community services (public transport, policing and security, health and educational facilities, open space and recreational facilities, etc.);
    - c. job creation;
    - d. how the application addresses historical effects of past racially discriminatory and segregatory legislation on land ownership, land development and access to engineering services / public facilities and the need to address the historical imbalances;
    - e. etc.

- (v) A description of the current natural and physical qualities of the area and an analysis of the impacts of the proposal on the natural environment, with specific reference to the following, during and after construction:
  - a. Energy and water efficiency;
  - b. Slope, stability and run-off;
  - c. Waste reduction, recycling and management;
  - d. Pollution prevention;
  - e. Protection or preservation of cultural and natural resources, including agricultural resources, unique areas or features, presence of protected species and biodiversity in general;
- (vi) Description of existing services in the area (water, wastewater, roads, stormwater, electricity, telecommunications, waste management and removal, etc.) and an analysis of:
  - a. responsibilities in respect of the provision of additional services, including the required sequence or timeframes for servicing;
  - b. responsibilities in respect of the maintenance of existing and additional services;
- (vii) A description of existing traffic conditions and access to the property/ies and an analysis of the impacts of the proposal on the national, provincial and municipal road system, including:
  - a. proposed access/egress points;
  - b. detail regarding traffic generation and traffic management;
  - c. consideration of how future access to undeveloped properties in close proximity to the development would be ensured by means of the proposed layout (if relevant);
  - d. etc.
- (viii) An analysis of any prejudice to be caused by the proposal, to any person, including existing mineral rights, registered land claims, PTO's, expropriations, any mortgagee, a holder of a servitude right, or a lessee in terms of a registered lease as well as any compensation payable (if relevant); and
- (ix) Any other relevant information.

## **CHECKLIST : PLANS**

### **All applications:**

- ☐ 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
- ☐ Copy of the existing Surveyor General diagram/s or relevant part of the general plan for all properties involved in the application

### **All applications, except alteration, suspension and deletion of restrictive conditions or title or conditions of approval relating to land**

- ☐ Site Development Plan (to scale) showing existing and proposed buildings, bulk factors, access to the site, parking, common areas, building lines, and other matters which the municipality must consider
- ☐ Landscape Plan (if requested by the Municipality)
- ☐ Copy of the floor plan (if requested by the Municipality)

**Application for Scheme Amendments:**

- ☐ To scale drawing/copy of the scheme map showing the existing zoning of the property and properties in close proximity
- ☐ To scale drawing showing the existing land use of the property and land use of properties in close proximity
- ☐ To scale drawing showing the proposed zoning of the property and properties in close proximity

**Application for Subdivision and Consolidation of Land:**

- ☐ To scale drawing of the proposed layout, showing:
  - existing buildings
  - erven adjoining the proposed subdivision / consolidation
  - proposed subdivision with subdivision numbers designated by the SG's Office, width and length of hatched shaped erven, erf frontage(s), minimum subdivision size(s) for each erf
  - 1:100 year floodlines (if applicable)
  - Highwater mark of the sea and the Admiralty Reserve (if applicable)
  - Existing and proposed servitudes, servitudes which require deletion and unregistered service servitudes
  - Engineering services
- ☐ Draft SG Diagram/s (if available)
- ☐ Contours and Slope Analysis (if property is considered steep / constrained)

**Development of land situated outside Scheme areas:**

- ☐ To scale drawing of the proposed layout, showing:
  - Existing buildings
  - Location of new buildings
  - Erven adjoining the proposed development
  - 1:100 year floodlines (if applicable)
  - Highwater mark of the sea and the Admiralty Reserve (if applicable)
  - Existing and proposed servitudes, servitudes which require deletion and unregistered service servitudes
  - Engineering services
- ☐ Contours and Slope Analysis (if property is considered steep / constrained)

**Phasing of Approved Layout(s):**

- ☐ To scale drawing showing the proposed phasing of the approved layout

**Cancellation of Approved Layout(s):**

- ☐ To scale layout, or part thereof, to be cancelled

**Note:**

- **Four hardcopies of the application form and document, including all plans and supporting documentation, should be submitted**
- **If possible, all documents and plans should also be provided in an electronic format (shapefiles / .drg / .dwg / .dxf / .pdf / .jpg), please**
- **Plans should indicate a scale, scale bar and north point**

## ANNEXURE A

### CHECKLIST FOR CONSENT / APPROVAL / COMMENT FROM ANY OTHER BODY WHICH THE MUNICIPALITY MAY DEEM NECESSARY

1.	Written consent from the uMhlathuze Municipality's City Electrical Engineering Section, or services agreement, for electricity requirements	
2.	Electricity to be provided by ESKOM – Written consent or formalised services agreement from Eskom	
3.	Written consent from the uMhlathuze Municipality's City Engineering Section / Water Services Authority, or services agreement for water, sewer, roads and stormwater requirements	
4.	Written consent or services agreement from the Water Services Authority for connection to marine outfall pipeline	
5.	Written consent or comment from Telkom if telecommunication services may be affected	
6.	Written consent from the uMhlathuze Municipality's Waste Management Section, or services agreement for waste management service requirements	
7.	Connection to the gas pipeline – Written consent or formalised services agreement from SASOL	
8.	Approval of/comment by the MEC for Department of Agriculture, Environmental Affairs and Rural Development in terms of the Environmental Impact Assessment Regulations, 2010 (Notice No. 543, 544, 545 and/or 546 of 2010)?	
9.	Approval of/comment by the Department of Environmental Affairs and Tourism in terms of section 65 of the National Environment Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008)	
10.	Approval of the MEC for Agriculture, Environmental Affairs and Rural Development in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004)	
11.	Approval of the National Department of Agriculture, Forestry and Fisheries for the extension of a scheme over agricultural land and the subdivision of agricultural land in terms of the Subdivision of Agricultural Land Act, 1970 (Act No. 70 of 1970)	
12.	Comment from the KZN Farmer's Association for applications which impacts on agricultural land	
13.	Approval of the Amafa aKwaZulu-Natali Heritage Council in terms of the KwaZulu-Natal Heritage Act, 2008 (Act No. 4 of 2008)	
14.	Approval of the Department of Minerals and Energy Affairs in terms of the Mineral and Petroleum Resources Development Act, (Act No. 28 of 2002)	
15.	Approval of the KwaZulu-Natal Department of Transport in terms of the Provincial Roads Act, 2001 (Act No. 4 of 2001)	
16.	Comment from the KwaZulu-Natal Department of Transport and uThungulu District Municipality regarding impact on public transport / taxi routes	
17.	Approval of the South African National Roads Authority in terms of the South African National Roads Agency Limited and National Roads Act, 1998 (Act No. 7 of 1998)	
18.	Proof of informing the Land Claims Commissioner for KwaZulu-Natal in terms of section 11(aA) of the Restitution of Land Right Act, 1994 (Act No. 22 of 1994)	
19.	Comment from the KwaZulu-Natal Department of Community Safety and Liaison	
20.	Comment from the KwaZulu-Natal Department of Health for hospitals and clinics	
21.	Comment from the KwaZulu-Natal Department of Education for schools and crèches	
22.	Comment from the KwaZulu-Natal Department of Arts and Culture for libraries	
23.	Comment from the KwaZulu-Natal Department of Public Works for government buildings and extension to government buildings, including hospitals, clinics and schools	
24.	Is the property subject to existing mineral rights or does the application seek to establish a filling station? If yes, then the comment/approval from the Department of Minerals and Energy Affairs should first be sought in terms of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002)	
25.	Comment from the Department of Water Affairs and Forestry for any sandwinning and mining applications, applications involving the abstraction of water, development within 1:100 year floodline, etc.	

26.	Comment from the KZN Department of Health, Meat Hygiene (Department of Agriculture and Environmental Affairs), Department of Health and Veterinary Services for any application involving abattoirs	
27.	Comment from the South African Civil Aviation Authority in cases where an airstrip is proposed or for cellular mast applications	
28.	Comment from the National Ports Authority for any application within their Port Boundary / Limit or where sightlines across the Richards Bay bay area may be affected	
29.	Does the proposal by the applicant include the relocation of farm workers from one area to another? If yes, the Department of Land Affairs needs to be consulted in terms of the Labour Tenants Act.	
30.	Does the application affect servitudes registered in the Title Deed of the property? If yes, the beneficiary of the servitude must be consulted (Eskom, Telkom, Propnet, Transnet, etc.)	
31.	Comment from the SG's Office for permanent closure of streets and public places	
32.	Comment from the Department of Transport for permanent closure of streets	
33.	Other (please specify)	

## **ANNEXURE B**

### **CHECKLIST FOR SPECIALIST STUDIES TO BE SUBMITTED AS PART OF A MOTIVATION DOCUMENT**

1.	Traffic Impact Assessment	
2.	Geotechnical Assessment	
3.	Stormwater Management Plan	
4.	Floodline determination	
5.	Socio-economic or economic study / need and desirability report	
6.	Percolation test by an engineer if the applicant intends to use a VIP/Pit Latrine or soak away as a form of sewage disposal	