



**APPLICATION UNDER SECTION 27(1) OF THE UMHLATHUZE SPATIAL PLANNING AND
LAND USE MANAGEMENT BYLAW, 2017**

PRE-APPLICATION DISCUSSION DOCUMENT

MEETING DATE:.....

PRESENT DURING THE MEETING:.....
.....
.....

PURPOSE OF THE MEETING:

Professional Planner to state that the purpose of the meeting includes:

- To provide the applicant with an overview of the application procedure and to streamline processes;
- To agree on relevant stakeholders that should be contacted and information that should be obtained prior to submission of the application, in order to minimize the time taken to arrive at a decision on the application;
- To gain an understanding of the potential applicant's aims and expectations; and
- In general, to provide guidance.

The discussion that takes place and information requested by the Municipality does not in any way pre-empt the outcome of the application or authorise the application.

SHORT DESCRIPTION OF THE PURPOSE OF THE APPLICATION:

.....
.....

DOCUMENTATION DISCUSSED (include document reference, document/plan dates and plan numbers where possible):.....

.....
.....

APPLICANT:

Name:

Tel no:.....

Email:.....

PROPERTY DETAILS:

Farm / Erf Number(s) :.....

Street Address :.....

QUESTIONNAIRE:

SECTION A

		OBTAIN COMMENT FROM:	TICK IF YES
1.	<p>Is the application in line with the Municipality's Integrated Development Plan (IDP) and Spatial Development Framework (SDF)?</p> <p>If no, the application cannot be considered without Council first considering an amendment to the IDP/SDF, which may or may not be approved.</p>		To be addressed in the application
	<p>If uncertain, obtain comment from the IDP Manager:</p> <p>Ms. Zodwa Mdluli: Tel: 035 907 5062 Email: MdluliNP@umhlathuze.gov.za</p>	IDP Manager	
	<p>If uncertain, obtain comment from the relevant Manager responsible for the SDF:</p> <p>Ms. Brenda Strachan: Tel: 035 907 5415 Email: StrachanB@umhlathuze.gov.za</p>	Manager City Development : Spatial and Environmental Planning	
2.	<p>Is the application in line with the Scheme provisions?</p>		To be addressed in the application
	<p>If uncertain, obtain comment from the uMhlathuze Municipality's Land Use Management Section:</p> <p>Ms. Londiwe Zama Tel: 035 907 5453 Email: ZamaLNP@umhlathuze.gov.za</p> <p>Ms. Mariaan Smith Tel: 035 907 5629 Email: msmith@umhlathuze.gov.za</p>	Land Use Management Section	
3.	<p>Is the application in line with the Provincial Norms and Standards?</p>		Not applicable at present

SECTION B - CONSENT TO PROVIDE SERVICES TO THE PROPOSED DEVELOPMENT AND COMMENT FROM EXTERNAL SOURCES RELATING TO SERVICES IMPACTS

		OBTAIN COMMENT FROM:	TICK IF RELEVANT
1.	Does the proposal/development require the following additional infrastructure/services:		
a)	Electricity? If yes, please obtain written comment from the uMhlathuze Municipality's Electricity & Energy Services Department (Electricity) Specifically enquire whether it would be necessary: a) to submit an engineering design report; b) to pay bulk engineering contributions. Please direct your enquiries to: Mr. Daniel Mohapi (Matters relating to Electricity planning and Quotations for Bulk Contributions) Tel: 035 907 5951 Email: MohapiMD@umhlathuze.gov.za	E&ES – Electrical Section	
b)	Electricity to be provided by ESKOM or Eskom powerline/servitude traversing the application site – Please obtain written comment / consent from Eskom	E&ES Electrical to provide guidance	
c)	Water, sewer, roads and stormwater? If yes, please obtain written comment from the uMhlathuze Municipality's Infrastructure Services Department (Civils) Specifically enquire whether it would be necessary: a) to submit an engineering design report; b) to pay bulk engineering contributions.	Infrastructure Services IS – Civils	
	Please direct your enquiries to: <i>Roads Section:</i> Mr. Jaco Schutte (Matters relating to Traffic Impact Assessments and Quotations for Bulk Road Contributions) Tel: 035 907 5234 Email: jschutte@umhlathuze.gov.za		
	<i>Stormwater Section:</i> Mr. Alfonso Zaire Tel: 035 907 5217 Email: Alfonso.Zaire@umhlathuze.gov.za		
	<i>Water and Sanitation Section:</i> Mr. Siboniso Zungu (Matters relating to Water and Sanitation planning and Quotations for Bulk Contributions) Tel: 035 907 5219 Email: Siboniso.Zugu@umhlathuze.gov.za		
d)	Does the applicant intend using a VIP/Pit Latrine or soak-away as a form of sewage disposal? If yes, a percolation test from a certified engineer is required.	IS to provide guidance	
e)	Connection to the marine outfall pipeline? If yes, please obtain comment/authorisation from the Water Services Authority (WSA)	IS	

	Mr. Rheenie Mbatha Tel: 035 907 5805 Email: MbathaRB@umhlathuze.gov.za		
f)	Would the proposal lead to densification to such an extent that waste management services may be impacted, or would the development lead to the creation of hazardous, medical, foodstuff waste, etc.? If yes or uncertain, please obtain written consent from the uMhlathuze Municipality's Waste Management Section and King Cetshwayo District Municipality Mr. Zilindile Masango Tel: 035 907 5713 Email: zilindile.masango@umhlathuze.gov.za Ms. Janine Roselt Email: roseltj@kingcetshwayo.gov.za	Community Services	
g)	Connection to the gas pipeline? If yes, please obtain formalised services agreement from SASOL / Transnet	SASOL / Transnet	
h)	Access to rail infrastructure? If yes, then please contact the following person for further information: Mr. Siphon Khuzwayo IS Manager Urban Roads and Rail Tel: 035 907 5222 Email: KhuzwayoPS@umhlathuze.gov.za		
i)	Other bulk services required? Please specify.		
2. Telecommunications			
	Would the proposal lead to densification to such an extent that telecommunication services may be impacted (larger developments) or does the application affect a registered servitude in favour of OpenServe, etc.? If yes or uncertain, please obtain written consent or comment from Telkom and/or other service providers.	OpenServe	
3. Existing and Proposed Servitudes			
a)	Are any servitudes required for the provision of new services? If yes, please indicate on the draft SG Diagram and Layout Plan and Site Development Plan to be submitted.	IS and E&ES to provide guidance	
b)	Does the application affect servitudes registered in the Title Deed of the property / shown on the SG Diagram? If yes, the beneficiary of the servitude must be consulted (Eskom, OpenServe, Transnet Property, Transnet, SASOL, etc.) and their comment included in the application documentation.		
c)	Is the proposed development located in close proximity to a railway line or propose to cross a railway line? If yes, consider whether Transnet Rail / Municipality must be consulted. Also obtain comment from the Rail Safety Regulator.	Transnet Rail / IS and E&ES / Rail Safety Regulator	
d)	Is the proposed development located in close proximity to the a Gas Line? If yes, consult SASOL / Transnet and obtain their written	SASOL / Transnet	

	agreement.		
e)	Does the application require the registration of a servitude/s wider than 15m? If yes, check the scheme provisions to determine whether an application for consent may be required.		
f)	Any other existing services that should be considered?		
4. Environmental Impact Considerations relating to services			
	Is environmental authorisation/comment required for the provision of services in terms of the EIA Regulations, 2014? If yes or uncertain, then the Department of Economic Development, Tourism and Environmental Affairs comment/approval should first be sought.	Dept. of Economic Development, Tourism and Environmental Affairs	
5. Traffic Impact and Public Transport			
a)	Does the possible impact of the development warrant a Traffic Impact Assessment? Please contact the following person for further information: Mr. Jaco Schutte (Matters relating to Traffic Impact Assessments and Quotations for Bulk Road Contributions) Tel: 035 907 5234 Email: jschutte@umhlathuze.gov.za		
b)	Does the proposal warrant the provision of additional public transport stops / pedestrian crossing / ingress or egress lanes / traffic calming measures, etc.? If yes, consider if a Traffic Impact Assessment should include these factors and indicate on Site Development Plan		
c)	Would the proposal impact on public transport facilities or routes? If yes, then the KwaZulu-Natal Department of Transport and King Cetshwayo District Municipality's comments should first be sought		
d)	Does the proposal impact in any way on a national road, or is the applicant's proposal 90m from a National Road? If yes, then the South African National Roads Agency's comment/approval should first be sought in terms of the South African National Roads Agency Limited and National Roads Act, 1998 (Act No. 7 of 1998)		
e)	Would the proposal impact in any way on a provincial, main or district road, or is the proposal situated within 15m of the boundary of a provincial, main or district road? If yes, then the Department of Transport's comment/consent/approval should first be sought in terms of the Kwazulu-Natal Provincial Roads Act, 2001 (Act No. 4 of 2001)		
6. Other (please specify)			

SECTION C – CONSENT / COMMENT REQUIRED FROM EXTERNAL PARTIES PRIOR TO LODGING AN APPLICATION

		TICK RELEVANT	IF
1.	Impact on Natural Resources		
a)	<p>Does the site have any of the following features and will the proposed development impact on these features:</p> <ul style="list-style-type: none"> - a watercourse within 500m of the application site - wetlands within 500m of the application site - natural vegetation <p>Consider the implications of the EIA Regulations, National Water Act, Biodiversity Management Act, etc. and consult with the relevant Departments for comment / approval prior to submitting the planning application.</p>		
b)	Is environmental authorisation/comment required for this activity in terms of the EIA Regulations, 2014? If yes or uncertain, then the Department of Dept. of Economic Development, Tourism and Environmental Affairs comment/approval should first be sought.		
c)	<p>Is the site constrained by a steep slope (steeper than 18 degrees)?</p> <p>Consider the necessity for a Slope Analysis and submit contour mapping.</p>		
d)	Does the application affect the coastal zone (1km from the high water mark of the sea for areas outside the scheme area or 100m from the high water mark of the sea for areas inside the scheme area)? If yes, the Department of Dept. of Economic Development, Tourism and Environmental Affairs' approval/comment should first be sought in terms section 65 of the National Environment Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008)		
e)	Does the application affect air quality by means of dust, pollutants or noise? If yes, the applicant may require a permit, and as such should obtain the Department of Dept. of Economic Development, Tourism and Environmental Affairs' approval/comment in terms of in terms of the National Environment Management: Air Quality Act, 2004 (Act No. 24 of 2008)		
f)	Would the proposal impact in any way on biodiversity? If yes or uncertain, then eZemvelo KZN Wildlife's and the Department of Dept. of Economic Development, Tourism and Environmental Affairs' comment should first be sought.		
g)	Would the application impact on a natural forest area or protected trees? If yes, the Department of Agriculture, Forestry and Fisheries' comment must be sought in terms of the National Forests Act, 1998.		
h)	<p>Does the application aim to:</p> <ul style="list-style-type: none"> - apply for sandwinning or mining rights; - apply for the abstraction of above ground or underground water; - impact in any way on a watercourse or wetland (pollution, development in close proximity to a watercourse/wetland, etc.) or is located within 500m from a watercourse or wetland; - apply for development within the 1 in 100 year floodline; - etc. <p>Then comment / approval from the relevant department must be obtained.</p>		
2.	Impact on Agricultural Resources		
a)	<p>Would the proposal seek to obtain:</p> <ul style="list-style-type: none"> - approval for the extension of a scheme; and/or - Subdivision of agricultural land which is subject to Act 70 of 1970 <p>Then Consent from the National Department of Agriculture, Forestry and Fisheries must be obtained in terms of the Subdivision of Agricultural Land Act, 1970 (Act No. 70 of 1970)</p>		
b)	Comment from the KZN Farmer's Association for an application which impacts on agricultural land		
c)	Does the proposal by the applicant include the relocation of farm workers from one area to another? If yes, the Department of Rural Development and Land Affairs needs to be consulted in terms of the Labour Tenants Act.		

d)	Does the proposal motivate for a servitude wider than 15m over agricultural land? Then Consent from the National Department of Agriculture, Forestry and Fisheries must be obtained in terms of the Subdivision of Agricultural Land Act, 1970 (Act No. 70 of 1970)	
3. Impact on Cultural and Heritage Resources		
	Are any existing buildings on site older than 60 years or do you have reason to believe that there may be any cultural or natural heritage considerations that may need to be investigated/confirmed? – If yes or uncertain, then the approval or comment from Amafa aKwaZulu-Natali Heritage Council should first be sought in terms of the Kwazulu-Natal Heritage Act, 2008 (Act No. 4 of 2008).	
4. Impact on Mineral Resources		
	Is the property subject to <u>existing mineral rights</u> or does the application seek to establish a <u>mine or filling station</u> ? If yes, then the comment/approval from the Department of Mineral Resources should first be sought.	
5. Socio-Economic Impacts		
	Would the proposal lead to densification to such an extent that the number of schools, healthcare facilities, libraries, safety services, etc. in the area may be impacted upon, or does the application seek to develop such facilities? If yes, then the comment/consent from the KwaZulu-Natal Department of Arts and Culture and/or KwaZulu-Natal Department of Education and/or KwaZulu-Natal Department of Health and/or KwaZulu-Natal Department of Community Safety and Liaison should first be sought.	
6. Health Impacts		
a)	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	
b)	Comment from the KZN Department of Health for any application involving a hospital, clinic, step down facility, medical care facility, retirement village, etc.	
7. Jurisdictional Matters		
a)	Comment from the South African Civil Aviation Authority in cases where an airstrip is proposed, or for cellular mast applications	
b)	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	
c)	Proof of having informed the Regional 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) if the subject property is on rural land or outside of the scheme area in order to verify whether a land claim exists on the property. (Note that a letter from the RLCC is required for all applications)	
8. Other (please specify)		

SECTION D - SPECIALIST STUDIES / PLANS / COMMENT REQUIRED

		COMMENT FROM:	TICK IF RELEVANT
1.	Traffic Impact Assessment	IS to provide guidance	
2.	Geotechnical Assessment	IS to provide guidance	
3.	Stormwater Management Plan	IS to provide guidance	
4.	Floodline determination	Environmental Planning Section to provide guidance	
5.	Socio-economic or economic study / need and desirability report	Planner to provide guidance	
6.	Contour Map / Slope Analysis (For steep sites. Properties are not to be created on a slope steeper than 18 degrees)		
7.	Risk Assessment		
8.	Other (please specify)		

SECTION E – COPIES OF PLANS / DOCUMENTS TO BE SUBMITTED AS PART OF THE APPLICATION

		TICK IF RELEVANT
	All Applications:	
1.	<p>Who will lodge the application? If not the registered owner, then written consent / power of attorney is required to lodge the application and act on behalf of the registered owner / owners.</p> <p>Note regarding power of attorney:</p> <ul style="list-style-type: none"> - The power of attorney must appoint the person submitting the planning application and must be witnessed by two people - Include a Company Resolution signed by all members/directors appointing the signatory who signed the PoA (if relevant) - Include a company report / letter of authority or relevant documentation to prove who the members/directors of the company or trustees are (if relevant) <p>For properties involving a Sectional Title Scheme, submit:</p> <ul style="list-style-type: none"> - documentation proving that all owners consent to the application - documents indicating the trustees of the Body Corporate and appointing the signatory who signed the PoA - PoA signed by the authorized signatory and two witnesses - Body Corporate Rules 	
2.	Is the property subject to a bond registered in the name of a third party? If yes, then the bondholder's consent is required.	
3.	Is the property registered in the name of a Close Corporation, Trust or Company? If yes, then a certified copy of the resolution by the Board of Directors, members or trustees is required indicating that the application may be submitted and that a consultant may act on their/its behalf (if applicable)	
4.	Does the application site fall within a Traditional Authority area? Then the consent from the Traditional Council must be submitted (consent must be dated not more than 3 months prior to application date)	
5.	Certified copies of all the relevant Deed(s), including registered servitude deeds	
	OR Conveyancer's Certificate	
6.	Copy of the Surveyor General diagram or relevant part of the general plan, including	

	servitudes	
7.	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	
8.	Site Development Plan (to scale) showing the following (applicable to all developed sites): <ul style="list-style-type: none"> - existing and proposed buildings - existing and proposed servitudes (clearly distinguish between the two) - building lines / side and rear spaces (refer to the Scheme, Title Deed and possible restriction imposed by Department of Transport) - existing and proposed access to the site and dimensions - number of parking bays and dimensions - number of loading bays and dimensions - waste collection point/s (note that loading bays for foodstuff and waste collection points should be separated) - bulk factors to the Scheme (zoning, FAR and coverage) - common open space areas (refer to Scheme requirements) - existing and proposed engineering services - contours - block containing information relating to % hardened surfaces vs. % permeable surfaces - landscaping / natural areas to be conserved - existing and/or new public transport facilities - pedestrian areas (paved areas, pedestrian crossings, etc.) - lighting and security measures to be implemented - undevelopable areas such as floodline, rivers, wetlands, etc. and - any other matters which the municipality must consider 	
9.	Landscape Plan (if requested by the Municipality)	
10.	Copy of the floor plan (if requested by the Municipality)	
11.	Other plans requested by the Municipality (please specify):	

	Application for Scheme Amendments / Rezoning:	TICK RELEVANT	IF
1.	To scale drawing/copy of the scheme map showing the existing zoning of the property and properties in close proximity		
2.	To scale drawing showing the existing land use of the property and land use of properties in close proximity		
3.	To scale drawing showing the proposed zoning of the property and properties in close proximity		

	Application for Subdivision/ Consolidation of Land or Amendment of General Plan:	TICK RELEVANT	IF
1.	To scale drawing or drawings of the existing and proposed layout, showing or describing: <ul style="list-style-type: none"> ▪ existing buildings, structures older than 60 years and existing building lines applicable; ▪ Existing erf numbers for the application area and the area adjoining the proposed application area; ▪ Designations by the SG's Office for each proposed erf; ▪ Dimensions in metres and area of each erf shown, including width and length of hatched shaped erven, erf frontage(s), etc.; ▪ Existing and proposed engineering services, including an indication of services which are to be relocated / removed; ▪ Road widths, suitable future road links, road name / number, type of road construction; ▪ Existing and proposed servitudes, including servitudes which require deletion 		

	and unregistered service servitudes; <ul style="list-style-type: none"> ▪ Undevelopable areas, for instance 1:100 year floodlines, highwater mark of the sea and the Admiralty Reserve, swampy areas / wetlands, etc.; ▪ Title block ▪ Plan number and date 	
2.	Contours and Slope analysis plan, showing contour intervals	
3.	Draft SG Diagram (if available)	
4.	For subdivision - proposed conditions of establishment (clearly outlining conditions to be met prior to transfer, alienation and development)	
5.	Should the existing General Plan include a public place/s, then an application for the permanent closure of the public place/s must accompany the application	

	Development of land situated outside Scheme areas:	TICK RELEVANT	IF
1.	To scale drawing of the proposed layout, showing: <ul style="list-style-type: none"> ▪ 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, etc. 		
2.	Contours and Slope analysis plan		

	Phasing of Approved Layout(s)	TICK RELEVANT	IF
1.	To scale drawing showing the proposed phasing of the approved layout		

	Cancellation and/or Partial Cancellation of Approved Layout(s)	TICK RELEVANT	IF
1.	To scale layout, or part thereof, to be cancelled		
2.	Should the existing General Plan include a public place/s, then an application for the permanent closure of the public place/s must accompany the application		

	Permanent closure of Municipal Road or Public Place	TICK RELEVANT	IF
1.	Comment from Surveyor General's office		
2.	Comment from the Department of Transport's office for the closure of roads		
3.	To scale drawing showing the municipal road or part thereof to be closed or public place to be closed, with designations from the SG's Office		

THE WRITTEN MOTIVATION:

The Planning Motivation must address (refer to the example available from the Municipality):

ASPECT	
Heading / Application : Correct reference to relevant sections of legislation in terms of which the application is submitted	
The Applicant (reference to name of owner and applicant & power of attorney granted, if relevant)	
The application site: <ul style="list-style-type: none">- Location- Existing development, land use and zoning- Reference to Title Deed and SG Diagram / General Plan	
Details of the Proposal <ul style="list-style-type: none">- History / Previous approvals- The proposed development- Relevant applications ito Section 27(1)	
Motivation and Impacts of the application (address each impact, if relevant): <ul style="list-style-type: none">- Need and Desirability- Access and Traffic Generation (if specialist study is attached, summarise impacts and recommendations in the planning motivation)- Engineering Services<ul style="list-style-type: none">• Impact on Civil Services (water, sewer, roads and stormwater : if specialist study is attached, summarise services requirements and impacts in the planning motivation. Address internal and bulk service impacts)• Impact on Electrical Services (if specialist study is attached, summarise services requirements and impacts in the planning motivation. Address internal and bulk service impacts)• Impact on Waste Management• Other services- Geotechnical conditions and slope- Environment, heritage and agricultural resources- Access to community facilities (for large developments – address “Red Book Standards”)- Socio-Economic Impacts- Comments received- Others (project specific)	
Compliance Matters (Describe how the application addresses these matters): <ul style="list-style-type: none">- Compliance with National and Provincial Legislation, Policies, etc.- Compliance with the Municipality’s IDP & SDF- Compliance with SPLUMA Development Principles- Compliance with the uMhlathuze Land Use Scheme- Compliance with the National Building Regulations- Compliance with any other relevant municipal plans, policies, guidelines, etc	
Draft Conditions of Establishment	
Conclusion	

SUBMITTING THE PRE-APPLICATION

Once the planning motivation and supporting documentation is available, please submit an electronic copy to the Municipality for assessment.

Submissions can be emailed to:

Mrs Thea Jordan
jordant@umhlathuze.gov.za

Mr. Themba Mdumela
MdumelaT@umhlathuze.gov.za

Please do not submit hardcopy documents or pay an application fee until you are advised to do so by the Municipality.

SUBMITTING THE FORMAL APPLICATION:

1. The Municipality will inform you once the application is ready for formal submission. A quotation for the payment of application fees will be provided.
2. On the date of formal submission, the application must be accompanied by:
 - a. An application form, completed in block capitals or typewritten;
 - b. Written motivation;
 - c. Annexures as identified during this meeting; and
 - d. Relevant application fee.
3. **Four hardcopies** of each application must be submitted.
4. An electronic version of all documentation (word, shapefiles / .drg / .dwg / .dxf / .pdf / .jpg).

GENERAL COMMENTS / OBSERVATIONS:

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

Signed:

TOWN PLANNER

APPLICANT/CONSULTANT

Date: _____

Date: _____