



OFFICIAL USE:

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

Sir

**SINGLE OR COMBINED APPLICATIONS IN TERMS OF THE UMHLATHUZE SPATIAL  
PLANNING AND LAND USE MANAGEMENT BY-LAW**

**Land development activities which require municipal planning approval in terms of Section 27 of the uMhlathuze Spatial Planning and Land Use Management By-law:**

Application for municipal planning approval shall be submitted for the following land development activities, or combinations thereof –

**(\*mark applicable application/s)**

- ☐ application for an amendment of the land use scheme, including the zoning or rezoning of land;
- ☐ application for consent;
- ☐ township establishment;
- ☐ subdivision of land;
- ☐ consolidation of land;
- ☐ the notarial tying of adjacent properties;
- ☐ the permanent closure of a municipal road or a public place;
- ☐ the removal, amendment or suspension of a restrictive condition or a servitude;
- ☐ the correction of an error or non-material amendments relating to an existing municipal planning approval granted;
- ☐ material amendments to, cancellation or partial cancellation of an existing municipal planning approval granted / Amending General Plan;
- ☐ the approval of a land development application in phases;
- ☐ any land development activity in a traditional settlement area, excluding the erection of a household dwelling; and
- ☐ any other application provided for in the By-law.

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

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**PROPERTY DETAILS:**

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

.....

Physical Address of the property:.....

.....

Deed Number(s), Valid Lease Agreement(s) and date(s) [including registered servitudes]:.....

.....

**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:.....

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

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

Via: (mark preference)

- ☐ Post
- ☐ Telephone
- ☐ 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
- ☐ Four hardcopies of the planning motivation, including annexures
- ☐ A digital copy of the planning motivation, including annexures

### The Planning Motivation must address:

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"><li>- Location</li><li>- Reference to Title Deed / Valid Lease Agreement and SG Diagram / General Plan</li></ul>	
Reasons / Need for the application	
History relating to the application site, application submitted, or relevant previous approvals granted (if relevant)	
Impacts of the application (address each impact, if relevant, and attach relevant specialist reports): <ul style="list-style-type: none"><li>- Geotechnical conditions</li><li>- Access and Traffic Generation (if specialist study is attached, summarise impacts and recommendations in the planning motivation)</li><li>- Engineering Services<ul style="list-style-type: none"><li>• 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)</li><li>• Impact on Electrical Services (if specialist study is attached, summarise services requirements and impacts in the planning motivation. Address internal and bulk service impacts)</li><li>• Impact on Waste Management</li><li>• Other services</li></ul></li><li>- Aesthetics</li><li>- Environment, heritage and agricultural resources</li><li>- Access to community facilities (for large developments – address “Red Book Standards”)</li><li>- Socio-Economic Impacts (such as job creation, character of the area, etc.)</li><li>- Others (project specific)</li></ul>	
Compliance Matters (Describe how the application addresses these matters): <ul style="list-style-type: none"><li>- Compliance with National Legislation, Policies, etc.</li><li>- Compliance with the Municipality's IDP &amp; SDF 2022-2027 (available online at <a href="http://www.umhlathuze.gov.za">www.umhlathuze.gov.za</a> )</li><li>- Compliance with the Spatial Planning and Land Use Management Act (SPLUMA) Development Principles</li><li>- Compliance with the uMhlathuze Land Use Scheme (2021)</li><li>- Compliance with any other relevant municipal plans, policies, guidelines, etc.</li><li>- Compliance with the National Building Regulations and Building Standards Act (for developed sites – i.e. confirm that all structures have been approved and there are no internal or external deviations from the approved building plans)</li><li>- Compliance with Title Deed / Valid Lease Agreement Conditions</li></ul>	
Conclusion	

**Attachments to the Planning Motivation (all applications):**

- ☐ Recent written consent / power of attorney to act on behalf of the registered owner or owners, if the applicant is not the registered owner of the property, signed by the owner or person authorised to do so and witnessed by two witnesses.
- ☐ Resolution by the Board of Directors, members or trustees appointing a person to act or sign on their behalf (if the applicant is a company, close corporation or trust). Include document to provide proof of the names of directors / members / trustees.
- ☐ Copies of all the relevant Deed(s) / Valid Lease Agreement(s), including registered servitudes, if applicable.
- ☐ Current SG Diagram / General Plan applicable to the application site.
- ☐ Relevant plans and maps (*refer to Annexure A*)
- ☐ Consent / approval / comment from any other body which the Municipality may deem necessary, as determined during the pre-application meeting (*refer to Annexure B*).
- ☐ Specialist Studies which the Municipality may deem necessary, as determined during the pre-application meeting (*refer to Annexure C*).
- ☐ Proposed conditions of establishment (for subdivision applications).

## **ANNEXURE A**

### **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
- ☐ Site Development Plan (to scale) showing:
  - Erf / application site boundary and proposed subdivision boundary (if relevant);
  - Building lines applicable (refer to Title Deed, Valid Lease Agreement and Scheme requirements);
  - Existing and proposed buildings;
  - Bulk factors must be shown in the schedule, as per the requirements of the Scheme (zoning, FAR, coverage);
  - Parking and loading requirements (bays must be numbered and sizes in line with the requirements of the Scheme). Include parking requirements in the schedule;
  - Access to the site, including road names;
  - Total area of common or open space areas (if required as per the Scheme);
  - Contours of the site;
  - Stormwater Management (direction of flow, stormwater structures inside and outside the site boundary, method of discharge, i.e. surface runoff into road, or connection into stormwater manhole, hardened vs. permeable surfaces (also include in the schedule);
  - 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 Township Establishment, Subdivision and Consolidation of Land:**

- ☐ Layout Plan

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

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

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

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

## ANNEXURE B

### CHECKLIST FOR CONSENT / APPROVAL / COMMENT FROM ANY OTHER BODY WHICH THE MUNICIPALITY MAY DEEM NECESSARY, AS DETERMINED DURING THE PRE-APPLICATION PROCESS

1.	Written consent from the uMhlathuze Municipality's Infrastructure and Technical Services Department (Electrical), 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 Infrastructure and Technical Services Department (Civils), 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 and/or Servitude Owner	
8.	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)	
9.	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 Reform needs to be consulted in terms of the Labour Tenants Act.	
10.	Approval of the Amafa aKwaZulu-Natali Heritage Council in terms of the KwaZulu-Natal Heritage Act, 2008 (Act No. 4 of 2008) for alternation or demolition of any buildings or structures older than 60 years	
11.	Relevant approval of the Department of Mineral Resources in terms of the Mineral and Petroleum Resources Development Act, (Act No. 28 of 2002) where mineral rights are required	
12.	Approval of the KwaZulu-Natal Department of Transport in terms of the Provincial Roads Act, 2001 (Act No. 4 of 2001) where the activity affects a provincial road	
13.	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) where the activity affects a national road	
14.	Recent letter from the KwaZulu-Natal Land Claims Commissioner in terms of section 11(aA) of the Restitution of Land Right Act, 1994 (Act No. 22 of 1994)	
15.	Comment from the KwaZulu-Natal Department of Health for hospitals and clinics	
16.	Comment from the KwaZulu-Natal Department of Education for schools	
17.	Comment from the KwaZulu-Natal Department of Public Works for government buildings and extension to government buildings, including hospitals, clinics and schools	
18.	Is the property subject to existing mineral rights (as per the title deed / valid lease agreement) or does the application seek to establish a filling station? If yes, then the comment/approval from the Department of Mineral Resources should first be sought in terms of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002)	
19.	Comment from the Department of Water and Sanitation for any sandwinning and mining applications, applications involving the abstraction of water, development within 1:100 year floodline, etc.	
20.	Comment from the South African Civil Aviation Authority in cases where an airstrip is proposed or for cellular mast applications	
21.	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	
22.	Does the application affect servitudes registered in the Title Deed or Valid Lease Agreement of the property? If yes, the beneficiary of the servitude must be consulted (Eskom, Telkom, Propnet, Transnet, etc.)	
23.	Comment from the SG's Office for permanent closure of streets and public places	
24.	Comment from the KwaZulu-Natal Department of Transport for permanent closure of streets	
25.	Other (please specify)	



## ANNEXURE C

### CHECKLIST FOR SPECIALIST STUDIES TO BE SUBMITTED AS PART OF A MOTIVATION DOCUMENT, AS DETERMINED DURING THE PRE-APPLICATION PROCESS

1.	<p>Traffic Impact Assessment, including Site Traffic Assessment</p> <p><i>Note – Refer to requirements as set out in:</i>  <i>Traffic Impact Assessment (TIA) as per (TMH16 Version 1 Aug 2012)</i>  <i>Site Traffic Assessment (STA) as per (TMH16 Version 1 Aug 2012)</i></p> <p><u>Standard practice relating to Traffic Impact Assessments:</u>            1 - Set the assessment boundaries - Use TMH 16 as reference, thus from the development to the closest Class 3 Road intersection in both directions.            2 - Site plan and Site Traffic Assessment – address parking, access, delivery/truck movements and normal movements.            3 - Zoning – Assessment the impact of the existing zoning (existing traffic) and the proposed zoning (traffic expected as a result of the new development)            4 – Assess the traffic impact in terms of the “worst case scenario” (according to land uses under the relevant zoning) compared to the development proposed            5 – Propose mitigating measures at all intersections. Proposed development and Worst case assessment            6 – Assess public transport, traffic and pedestrian safety – propose walkways, speedhumps, laybys, shelters, etc.</p>	
2.	<p>Stormwater Management Plan</p> <p><i>Note:</i>            - A stormwater management plan must be submitted if a site is more than 60% hardened. Engineering Design Report to address requirements as set out in SANS 10400-R as well as the CSIR publication “Guidelines for Human Settlement Planning and Design (Red Book)”            - Clearly show hardened vs. permeable surfaces on the Site Development Plan in order to determine compliance with this provision.</p>	
3.	Geotechnical Assessment	
4.	Floodline determination	
5.	Engineering Report (Civil), including draft layout plans for internal services and proposed connections to bulk services (if available)	
6.	Engineering Report (Electrical), including draft layout plans for internal services and proposed connections to bulk services (if available)	
7.	Environmental Impact Assessment and Environmental Authorisation	
8.	Socio-economic or economic study / need and desirability report	
9.	Percolation test by an engineer if the applicant intends to use a VIP/Pit Latrine or soak away as a form of sewage disposal	
10.	Risk Assessment (for applications proposing above-ground fuel storage tanks, proposing or in close proximity to a major hazardous installations, gas pipeline, etc.)	