

HUMAN SETTLEMENTS

LAND DEVELOPMENT APPLICATION IN TERMS OF THE SPATIAL PLANNING LAND USE ACT, 2013 (ACT 16 OF 2013)

PART A: TYPES OF APPLICATIONS *(Please Mark the Appropriate Box with "X")*

APPLICATION	X	FEES
REZONING TO SUBDIVISIONAL AREA		
REZONING		
SUBDIVISION		
SUBDIVISION AND CONSOLIDATION		
CONSOLIDATION		
COUNCIL'S SPECIAL CONSENT (Except for Second Dwellings)		
AMENDMENT/DELETION OF CONDITIONS OF APPROVAL		
REMOVAL OF RESTRICTIVE TITLE CONDITIONS		
DEPARTURE		

PRE-CONSULTATION *(See Pre-consultation details under "GENERAL INFORMATION")*

Has the Application undergone Pre-consultation with the relevant department? If "YES" attach proof/record of such consultation.

YES	NO
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If "NO" please state the reason(s) below.

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SUBMISSION OF THE APPLICATION:

NB: All land development applications will first be submitted at 3rd floor Lillian Diedericks (office number 3 & 4) for screening and confirmation of application completeness, once application completeness has been confirmed the applicant will be required to submit at records as per normally, this will be conducted only from 08H00 to 12H00 daily.

NB: Incomplete applications applicants will be requested to correct their applications and no incomplete applications will be accepted.

Four (4) copies of the application must be submitted together with all the required information to:

The Executive Director: Human Settlements
Records Section
Ground Floor Lillian Diedericks
Govan Mbeki Avenue
PORT ELIZABETH
6000

FOR OFFICE USE ONLY

Date Received: _____ Received by: _____

Receipt No.: _____ File Ref.No: _____

PART B: DETAILS OF APPLICANT

Is the applicant the only registered owner of the property concerned?		YES	NO
If not, attach Power of Attorney/Company Resolution/ Trust Resolution from the registered owner(s) to the application. This is also applicable if the person who is applying is still in the process of obtaining the land unit and if the land unit is owned by a company or more than one person.			
Full Name(s) or Company Name:			
Contact Details:			
Email Address:			
Postal Address:			

PART C: OWNERSHIP DETAILS

Registered Owner: (If not the Applicant)			
Address:			
Phone Details:			
Email Address:			

PART D: PROPERTY DETAILS

Erf / Farm No:	Allotment Area:		
Current Zoning:	Size:		
Property Location: (Physical Address)			
Title Deed Number:			
Are there any restrictive conditions i.e. Title Deed Conditions etc?		YES	NO
If "YES", give details:			
Is the property bonded? (if "YES" Bond Holder's Consent must be attached)		YES	NO
Does the property fall under any NMBMM Spatial Policy Plan e.g. Local Spatial Development Framework (LSDF), Precinct Plan etc?		YES	NO
Specify if the proposal is in line with policy plan or not and, or reasons for deviation.			

<p>Is the present Zoning(s) of the property being utilised? How is the land currently being utilised?</p> <p>.....</p> <p>.....</p>	YES	NO
<p>Which uses and/or buildings are adjoining the property and what is the condition of such buildings?</p> <p>.....</p> <p>.....</p>		
<p>Are there any conservation – worthy <u>buildings/grave/rock engravings/archaeological findings</u> on the property (including those that have not been declared National Monuments)?</p> <p>If so, furnish details:</p> <p>.....</p> <p>.....</p>	YES	NO
<p>Is there any structure(s) or building(s) on the property older than 60 years?</p> <p>If “YES”, furnish details thereof and indicate their position on a site plan and also indicate if it is to be altered, destroyed, excavated or removed from its original position.</p> <p>.....</p> <p>.....</p>	YES	NO
<p>Are there any Physical Restrictions (such as steep slopes, unstable soil formations, swamps, etc.), which could affect the proposed development?</p> <p>If so, furnish details and state how the problem can be solved:</p> <p>.....</p> <p>.....</p>	YES	NO
<p>Is the subject property situated within 1000m from the high-water mark of the sea or tidal river?</p> <p>If so, furnish details:</p> <p>.....</p> <p>.....</p>	YES	NO
<p>Is any portion of the land unit situated in a flood-plain of a river under the 1 in 50 and, or 1 in 100 year flood-line or subject to any floods?</p> <p>If “YES”, furnish details:</p> <p>.....</p> <p>.....</p>	YES	NO
<p>Is the subdivision of Agricultural Land Act, 1970 (Act 70 of 1970), applicable to the application?</p> <p>If “YES” furnish details and, or attach any necessary approvals obtained in terms of that Act.</p> <p>.....</p> <p>.....</p>	YES	NO

Does the proposed development invoke any provisions of the National Environmental Management Act, 1998 (Act 107 of 1998)?	YES	NO
If "YES" furnish details and, or attach any necessary approvals obtained in terms of that Act.		
Is the Land unit situated within the boundaries of a Nature/Conservation Area?	YES	NO
If so, furnish details:		
Does the land unit abut on the <u>area of jurisdiction of another local authority</u> or does any other local authority have an interest in this application?	YES	NO
If so, state the name of the local authority and its interest in the application:		
Does the property abut on any National, Trunk, Main or Divisional Road or such proposed road?	YES	NO
Does the Land abut on, or is it affected by a railway line, station or an airport	YES	NO
If so, furnish details:		

PART E: APPLICATION DETAILS		
Brief description of the proposed development: A detailed motivation MUST be attached, as set out in the motivation guideline under " GENERAL INFORMATION ".		
Does the proposal involve the entire land unit?	YES	NO
If not, indicate the size of that portion of the land unit which is not involved and what it is being used for?		
Are there any developments (buildings, etc.) on the land unit?	YES	NO
If "YES", what is the nature and condition of these improvements?		
Will the proposed application give rise to more families or persons residing on the land unit than is presumably the case; if so, how many more?	YES	NO
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PART F: INFORMATION AND ATTACHMENTS INCLUDED
NB: ALL APPLICATION ATTACHMENTS SHOULD BE IN THIS CHRONOLOGICAL ORDER
(Attachments are determined by the Application Type as indicated in the Checklist)

ANNEXURE A - Detailed Motivation Report	YES	NO
ANNEXURE B - Locality Map	YES	NO
ANNEXURE C - Zoning Map	YES	NO
ANNEXURE D - Power of Attorney (If applicant is not the registered owner)	YES	NO
ANNEXURE E - Bondholders Consent	YES	NO
ANNEXURE F - Company/Trust Resolution	YES	NO
ANNEXURE G - Title Deed	YES	NO
ANNEXURE H - Proof of payment of application fee	YES	NO
ANNEXURE I - SG Diagram	YES	NO
ANNEXURE J - Site Development Plan	YES	NO
ANNEXURE K - Traffic Impact Assessment (TIA)	YES	NO
ANNEXURE L - Record of Decision (RoD)	YES	NO
ANNEXURE M - Proposed Subdivision / Consolidation Plan	YES	NO
ANNEXURE N - Administration/Application Fees	YES	NO
ANNEXURE O - Layout Plan and/ or Site Plan	YES	NO
ANNEXURE P - Other (Specify)	YES	NO

IF ANY OF THE DOCUMENTS REQUIRED TO BE SUBMITTED IS NOT ATTACHED, THE APPLICATION WILL NOT BE PROCESSED. GIVE REASONS WHERE THE ANSWER IS “NO”.

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PART G: DECLARATION BY THE APPLICANT

I hereby declare that the information submitted is correct.

Signature: _____ Date: _____

GENERAL INFORMATION

1. All applications **MUST** go through pre-consultation at the Land Use Management Division, 3rd Floor, Lillian Diedericks Building, Govan Mbeki, Port Elizabeth. Pre-consultation may be done through emails on the following address: lpadmin@mandelametro.gov.za
2. Unless the applicant requests otherwise, all correspondence regarding this application shall be in the language in which the Application Form has been designed.
3. An application will be deemed complete once all documents needed have been attached and the application accepted by the Municipality. However, should there be additional documentation deemed necessary during the application process, the applicant/owner may be requested to respond within the timeframes given by the Municipality.
4. If at anytime during the Administration Phase the applicant fails to act or provide the necessary information within the time frames required by the Municipality, the application will be deemed to be refused by the Municipal Planning Tribunal or Authorised Official.
5. If an application requires approval in terms of various types of legislation and, two or more of the application have to be advertised, the applicant must inform the Director: Administration accordingly so that all applications may be advertised and submitted for approval simultaneously.
6. Applicants must note that until such time that an approval has been granted in writing, any correspondence or discussions pertaining to the application must not be regarded as an indication that it will in fact be approved/refused. Such discussions do not bind the Municipality in any way.
7. The Municipal Planning Tribunal (MPT) or Authorised Official reserves the right to have an approval declared null and void if it was based on incorrect information supplied by the applicant. Applicants must therefore ensure that all information about restricting factors that could influence the application is provided.
8. Motivation Report **MUST** address the following but not limited to:
 - a. Development Principles and Norms & Standards as contemplated in Chapter 2 of SPLUMA;
 - b. consistency with the Spatial Development Framework Plan(s);
 - c. the public interest and the rights of all those affected;
 - d. constitutional transformation imperatives and the related duties of the state;
 - e. the facts and circumstances relevant to the application;
 - f. the respective rights and obligations of all affected;
 - g. the state and impact of engineering services, social infrastructure and open space requirements;
 - h. environmental impact (where applicable);
 - i. if the proposal is in accordance with the existing planning and the surrounding land uses of the area;
 - j. the influence of the proposal on the surrounding area;
 - k. the impact of the proposal in terms of heritage conservation;
 - l. the influence of the proposal on the traffic and/or parking of the area;
 - m. the influence of the proposal on surrounding facilities such as schools, open spaces and other community facilities if the application leads to an increase in the residents of the area;
 - n. the influence of the proposal on the existing character of the area and the rights of residents with regards to privacy, view, etc and
 - o. the provision of services.

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Compliance with Assessment Checklist	YES	NO
Objections Received:	YES	NO
Comments from the Ward Councillor	YES	NO
Applicant's Response to Objections:	YES	NO
Application to be referred to Municipal Planning Tribunals (MPT):	YES	NO

DECISION

In terms of Section 43 of SPLUMA the above application is hereby:	REFUSED	APPROVED
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Summary of the reasons for the decision:

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Authorised Official in terms of section 35 (2) of SPLUMA:

Name: _____

Signature: _____

Date: _____