

DEPARTMENT: Planning and Development
LAND DEVELOPMENT APPLICATION FORM
KOUGA LOCAL MUNICIPALITY

In terms of the Kouga Local Municipality Spatial Planning and Land Use Management By-Law

INSTRUCTIONS

Ref No

(to be completed by an official)

- Please complete form using block capitals and ticking appropriate boxes.
- This form is issued without prejudice and does not constitute acceptance of the application contemplated in Section 90 of the By-Laws.

FOR OFFICE USE ONLY

Date
Received

D	D	M	M	Y
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Received
by

File Ref
No.

SECTION A: APPLICANT DETAILS

First names

Surname

SACPLAN Reg No

Company/Trust Name

VAT No

Please complete with an X the preferred method of formal written communication

☐

Business Address

Town/City

Postal Code

☐

Email

Tel

Fax

Cell

SECTION B: OWNER DETAILS (compulsory if different from applicant)

First names			
Surname			
SACPLAN Reg No (If applicable)			
Company/Trust Name		VAT No	

Please complete with an X the preferred method of formal written communication

☐	Business Address			
	Town/City		Postal Code	
	Tel			
☐	Email		Fax	
			Cell	

SECTION C: SUBJECT PROPERTY DETAILS (in accordance with Title Deed)

Erf/Erven/Farm No					
Street Address					
Town/Suburb/Location					
Current Zoning					
Current Land Use					
Title Deed No					
Any restrictive title deed conditions affecting development on the property	<table><tr><td>Y</td><td>N</td></tr></table>	Y	N	If Yes, please specify	
Y	N				

Any unauthorized land use/building work/structures on the property?

Y	N
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If Yes, has the owner/operator been served with a notice to rectify?

Y	N	N/A
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SECTION D: APPLICATION TYPE

Has there been any previous related application?

Y	N
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If Yes, please specify

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(Mark all applications to be applied for with an X)

In terms of (see below) the Kouga Local Municipality Spatial Planning and Land Use Management By-Laws

- | | | |
|--------------------------|---|------------|
| ☐ | The adoption of a land use scheme | Section 24 |
| ☐ | The amendment of a land use scheme | Section 30 |
| ☐ | Any other application in terms of National legislation, Provincial Legislation, or Municipal By-Law | Section 57 |
| ☐ | The subdivision of a property | Section 59 |
| ☐ | Phasing of an approved subdivision plan | Section 60 |
| ☐ | Extension of validity of an existing approval | Section 64 |
| ☐ | The Rezoning of land | Section 68 |
| ☐ | The amendment, suspension or removal of restrictive Title Deed condition or a servitude | Section 69 |
| ☐ | The consolidation of land | Section 71 |
| ☐ | The permanent closure of a municipal road or a public place | Section 73 |
| ☐ | Consent in terms of the land use scheme | Section 74 |
| ☐ | Permanent departure from land use scheme provisions applicable to land | Section 76 |
| ☐ | Temporary departure from land use scheme provisions applicable to land | Section 76 |

Please give a short description of the scope of the project

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SECTION E: ADDITIONAL DOCUMENTS REQUIRED FOR DIFFERENT APPLICATIONS

(In terms of schedule 6 -13 of the Kouga Local Municipality By-Laws)

AMENDMENT OF AN EXISTING SCHEME OR LAND USE SCHEME BY THE REZONING OF LAND

☐	Copy of the diagram of every application property or, where such diagram is not available, a plot diagram to every piece of land being the subject of the application	☐	If the land is encumbered by a bond, the consent of the bondholder
☐	To scale drawing showing the proposed zoning of the property and properties in close proximity.	☐	Abutting owner's consent
☐	Site Development Plan	☐	Proof of payment
☐	Floodline certificate	☐	Proof of consent from Interested and Affected parties.
☐	Zoning plan or land use rights plan, in colour and on an appropriate scale, of the application surrounding properties	☐	Power of Attorney
☐	Certified copy of the title deed of relevant land	☐	Home Owner's Association consent/ approval stamp
		☐	Motivation

REMOVAL, AMENDMENT OR SUSPENSION OF A RESTRICTIVE OR OBSOLETE CONDITION, SERVITUDE OR RESERVATION REGISTERED AGAINST THE TITLE OF THE LAND

☐	Certified copy of the title deed of the land	☐	Certified copy of the notarial deed of servitude
☐	Copy of the diagram of every property concerned or, where such diagram is not available, a plot diagram to every piece of land concerned	☐	Locality plan on appropriate scale
☐	Copy of scheme map showing the existing zoning of the property and properties in close proximity (100m radius).	☐	Certified copy of the title deed of the land
☐	Description of all existing and proposed servitudes and services on the land	☐	Motivation
☐	Description of all existing and proposed servitudes and services on the land	☐	If the land is encumbered by a bond, the consent of the bondholder

PERMANENT CLOSURE OF A PUBLIC PLACE IF AN APPLICATION IS SUBMITTED

☐

To scale drawing showing the municipal road or part thereof to be closed or public place to be closed

☐

Copy of the approved conditions of establishment of the existing township

☐

Copy of the relevant general plan

☐

Layout plan in the scale approved by the Council

☐

A locality plan on an appropriate scale

☐

Motivation

SUBDIVISION OF ANY LAND

☐

Proposed Plan of Subdivision (including street names and numbers)

☐

The appropriate consent where required in terms of the Subdivision of Agricultural Land Act, 1970 (Act No. 70 of 1970)

☐

Certified copy of the title deed of the land

☐

Draft conditions of establishment for the proposed subdivision

☐

Copy of the diagram of every property concerned or, where such diagram is not available, a plot diagram to every piece of land concerned

☐

A copy of the appropriate zoning of the applicable land

☐

If the land is encumbered by a bond, the consent of the bondholder

☐

Motivation

☐

To scale layout showing:

☐

A locality plan on an appropriate scale

- Existing buildings and Erven adjoining the proposed subdivision
- Proposed subdivision with subdivision numbers designated by the SG's Office, width and length of Erven, Erf frontage (s), minimum subdivision size (s) for each Erf
- Contours and 1:100 year floodline (where the latter is applicable)
- High water mark of the sea and admiralty reserve
- Existing and proposed servitudes, servitudes which require deletion and unregistered services; and
- Engineering services

CONSOLIDATION OF ANY LAND

☐

Certified copy of the title deed of the land

☐

A locality plan on an appropriate scale

☐

Copy of the diagram of every property concerned or, where such diagram is not available, a plot diagram to every piece of land concerned

☐

Draft conditions of establishment for the proposed subdivision

☐

A copy of the appropriate zoning of the applicable land

☐

If the land is encumbered by a bond, the consent of the bondholder

☐

Motivation

☐

A layout plan in the scale approved by the Council

☐

To scale layout showing:

- Existing buildings and Erven adjoining the proposed consolidation
- Contours and 1:100 year floodline (where the latter is applicable)
- High water mark of the sea and admiralty reserve
- Existing and proposed servitudes, servitudes which require deletion and unregistered services; and
- Engineering services

APPLICATION OF THE AMENDMENT OR CANCELLATION IN WHOLE OR IN PART OF A SUBDIVISION PLAN

☐

Copies of the relevant sheet of the general plan

☐

If the land is encumbered by a bond, the consent of the bondholder

☐

Copies of a plan of the township showing the posed alteration or amendment or, if partial cancellation is applied for, the portion of the plan cancelled

☐

Copy of the title deed which is registered in the Deeds Office at the time when the application is submitted of the land affected by the alteration, amendment or total or partial cancellation

☐

Motivation

APPLICATION FOR DEPARTURES FROM PROVISIONS OF LAND USE SCHEME

(Clearly mark with an x the type of application below)

PERMANENT DEPARTURE

☐

OR TEMPORARY DEPARTURE

☐☐

Copy of the zoning certificate, including any notices published in terms of this By-law which has the purpose of changing the land use rights which may be applicable

☐

A copy of the title deed which is registered in the Deeds Office at the time when the application is submitted

☐

If the land is encumbered by a bond, the consent of the bondholder

☐

A power of attorney from the registered owner of the land if the applicant is not the registered owner

☐

A locality plan on an appropriate scale

☐

Motivation

All the attachments below should be provided in case of a building line relaxation

☐

Site Plan indicating clearly the position of the proposed structure and distance from the relevant boundary with affected areas marked in red

☐

In case of boundary/retaining walls the position is to be indicated on the site plan with a section and road facing elevation

☐

Floor Plan, preferable when change of usage

☐

Elevations that effect relaxation

AMENDMENT OR CANCELLATION IN WHOLE OR IN PART OF A SUBDIVISION PLAN

☐	Copies of the relevant sheet of the general plan	☐	Copies of a plan of the township showing the posed alteration or amendment or, if partial cancellation is applied for, the portion of the plan cancelled
☐	Certified copy of the title deed of the land	☐	If the land is encumbered by a bond, the consent of the bondholder
☐	Motivation		

APPLICATION FOR SPECIAL CONSENT OR APPROVAL REQUIRED IN TERMS OF A CONDITION OF TITLE, A CONDITION OF SUBDIVISION OR CONDITION OF AN EXISTING SCHEME OR LAND USE SCHEME

☐	Site Plan of the property concerned	☐	Certified copy of the title deed of relevant land
☐	Copy of the land use rights certificate on the applicable land	☐	Copy of the diagram of every application property or, where such diagram is not available, a plot diagram to every piece of land being the subject of the application
☐	A locality plan on an appropriate scale		
☐	If the land is encumbered by a bond, the consent of the bondholder	☐	Description of all existing and proposed servitudes and/or services on the applicable land
☐	A zoning plan or land use rights plan	☐	Motivation
☐	A land use plan		

Checklist (for the completion by the Applicant only)				
(Mark all attached documents with an x and give detail where applicable)				
YES	NO	N/A	ANNEXURE OR PAGE REFERENCE	DOCUMENT ATTACHED
				Comprehensive Motivation Report
				Alignment with applicable Spatial Development Framework
				Public participation report (record and minutes of meetings, copies of advertisement and notices etc.)
				Proof of community approval granted as a result of a community participation process conducted in terms of Customary Law and the procedures in terms of the Interim Protection of Informal Land Rights Act
				Power of Attorney (Board of Directors/Trustees resolution/Letters of Authority)

				Copy of Title Deed(s)
				Bond holders consent
				Cadastral information – S.G. diagram/General Plan Including Servitudes, lease areas etc.
				Status report from Surveyor General – street closure or closure of public place
				Topographic map/aerial map
				Locality Map
				Site Plan
				Zoning Map
				Zoning Certificate
				Land Use Map
				Special endorsement/proxy
				Home Owners Association consent
				Proposed Subdivision plan
				Proposed Consolidation plan
				Proposed Site Development Plan
				Mineral Rights Certificate (together with mineral right holders consent)
				Environmental Authorisation
				Heritage Authorisation
				Detail Engineering Services report (Bulk and Internal)
				Traffic Impact Study/Statement
				Geo-technical report
				Flood line assessment (1:50 and 1:100 years)
				Department of Agriculture consent (Subdivision of Agricultural Land)
				Two(2) sets of full colour documentation copies

SECTION F: DETAILS OF APPLICATION ((Mark with an x and give detail where applicable)

If space is insufficient, refer to section and page of the motivation report where the aspect is being addressed

Is the land unit currently developed (buildings etc.)?	YES	NO	If answered YES, what is the nature & condition of the developments/improvements?	
Is the land currently being used in line with its zoning?	YES	NO	If answered NO, what is the land used for/use of land?	
Is the property burdened by a bond?	YES	NO	If answered YES, attach the bondholder's consent form to the application.	
Has a similar application been submitted on the property in the past 5 years?	YES	NO	If answered YES, when and provide particulars of the authority reference numbers and decisions.	
Does the application and development proposal apply to the entire land unit?	YES	NO	If answered NO, indicate the size of the portion of the land to which the application/development applies, as well as what the remaining extent will be used for.	
Are there any restrictive conditions, servitudes, or other rights, applicable to the land unit in terms of the deed of transfer or S.G Diagram that should be removed, as it might have an influence on this application?	YES	NO	If answered YES, please provide detailed description.	
Are there any physical restrictions (e.g. steep inclines, unstable land formations, marshes, etc.) that might influence the intended development?	YES	NO	If answered YES, name full particulars and state how the restrictions will be solved (including sketches, designs and plans where applicable).	
Is any portion of the land unit in a flood plain of a river beneath the 1:50 or 1:100 year flood-line?	YES	NO	If answered YES, please provide detailed description.	

Is any portion of the land unit within 100m or 1000m of the high water-water mark of the sea or a tidal river?	YES	NO	If answered YES, please provide detailed description.	
Is any other approval that falls outside of this Act, necessary for the implementing of the intended development?	YES	NO	If answered YES, please provide detailed description.	
What arrangements will be made regarding the following services for the development? (Full Engineering Reports must be supplied, where applicable.)	Water Supply:			
	Electricity Supply:			
	Sewerage and Waste Water:			
	Storm Water:			
	Road Network:			

SECTION G: DECLARATION

I/we hereby wish to confirm the following:

1. That the information contained in this application form and accompanying 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 Planning law 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 (including any departures) required to enable 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/amendments/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 development management scheme, that I/we have consulted with the planning department with reference to the applicable area to ensure the correct application in terms of planning law is made. Notwithstanding submission of the departure application, in the case of unauthorized work, I/we acknowledge the municipality's right to exercise any option in terms of the Kouga Local Municipality Spatial Planning and Land Use Management By-Laws 2015.
6. That, as owner/applicant/developer, 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 Kouga Local Municipality Spatial Planning and Land Use By-Laws, 2015 must be adhered to.

Registered owner's signature		Date	
Full name			
Agent/Consultant's signature		Date	
Full name			
Professional Capacity		Applicants Ref	