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## LAND USE PLANNING APPLICATION FORM

In terms of Section 15 of the Swellendam By-law on Municipal Land Use Planning, 2015

Application on Erf/Farm: \_\_\_\_\_ Town / Area: \_\_\_\_\_

**KINDLY NOTE:** Please complete this form using BLOCK capitals and ticking the appropriate boxes.

### PART A: APPLICANT / AGENT DETAILS

First name(s)				
Surname				
South African Council for Planners (SACPLAN) registration number (if applicable)				
Company name (if applicable)				
Postal Address				Postal Code
Email				
Tel		Fax		Cell

### PART B: REGISTERED OWNER(S) DETAILS (If different from applicant)

Registered owner(s)				
Physical address				Postal code
E-mail				
Tel		Fax		Cell

### PART C: PROPERTY DETAILS (in accordance with title deed)

Property description [Erf/Erven/Portion(s) or Farm(s), allotment area.]				
Physical Address				
GPS Coordinates		Town/City		
Current Zoning		Extent	m <sup>2</sup> / ha	Are there existing buildings? Y N
Current Land Use				
Title Deed number and date	T			

Any restrictive conditions?	Y	N	If Yes, list condition(s)	
Are the restrictive conditions in favour of a third party(ies)?	Y	N	If Yes, list the party(ies)	
Is the property encumbered by a bond?	Y	N	If Yes, list bondholder(s)	
Any existing unauthorized buildings and/or land use on the subject property(ies)?	Y	N	If yes, is this application to legalize the building / land use?	Y N
Are there any pending court case(s) / order(s) relating to the subject property(ies)?	Y	N	Are there any land claim(s) registered on the subject property(ies)?	Y N

#### PART D: PRE-APPLICATION CONSULTATION

Has there been any pre-application consultation?	Y	N	If Yes, complete the information below and attach the minutes of the pre-application consultation.		
Official's name		Reference Number		Date of consultation	

#### PART E: LAND USE PLANNING APPLICATIONS IN TERMS OF SECTION 15 OF THE SWELLENDAM MUNICIPAL BY-LAW ON MUNICIPAL LAND USE PLANNING, 2015

Section	Type of application	Tick
Sect.15(2)(a)	Rezoning of land	
Sect.15(2)(b)	Permanent departure	
Sect.15(2)(c)	Temporary departure (Sect.15(2)(c))	
Sect.15(2)(d)	Subdivision of land and servitude/rental agreement	
Sect.15(2)(e)	Consolidation of land (Sect.15(2)(e))	
Sect.15(2)(f)	Removal, suspension and amendment of restrictive conditions	
Sect.15(2)(g)	Permission which is required by the zoning scheme (Sect.15(2)(g))	
Sect.15(2)(h)	Amendment, deletion or removal of conditions on existing approval	
Sect.15(2)(i)	Extension of the validity period of an approval	
Sect.15(2)(j)	Approval of an overlay zone as contemplated in the zoning scheme	
Sect.15(2)(k)	Amendment or cancellation of an approved subdivision plan or part thereof or a general plan or diagram	
Sect.15(2)(l)	Permission required in terms of a condition of approval	
Sect.15(2)(m)	Determination of a zoning	
Sect.15(2)(n)	Closure of a public place or part thereof	
Sect.15(2)(o)	Consent use contemplated in the zoning scheme	
Sect.15(2)(o)	Consent use to allow for an additional dwelling and a house shop in low income areas as contemplated in the zoning scheme	
Sect.15(2)(p)	Occasional use of land	
Sect.15(2)(q)	Disestablish a home owner's association	
Sect.15(2)(r)	Rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services	
Sect.15(2)(s)	Permission required for the reconstruction of an existing building that constitutes a non-conforming use	
Sect.24(1)	Exemption from sub-division and consolidation	

**Application fees that are paid to the Municipality are non-refundable. Application fees will be calculated by Swellendam Municipality and includes the cost of publishing and serving notice of an application.**

#### BANKING DETAILS

Name: Swellendam Municipality  
Bank: ABSA  
Branch no.: 632005  
Account no.: 2390560039

**PART F: DETAILS OF PROPOSAL****Brief description of proposed development / intent of application:**

**Please Note:** This application form must be accompanied by an appropriate Motivation Report and Plans (Regional Plan, Locality Plan, Site Development Plan and Sketch Plans – as applicable) Please refer to **Annexure A** for further details.

**PART G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE PLANNING APPLICATION  
 [section 15(2)(a) to (s) of the Swellendam Municipal By-law on Municipal Land Use Planning, 2015]**

**Complete the following checklist and attach all the information and documentation relevant to the proposal. Failure to submit all information and documentation required will result in the application being deemed incomplete. It will not be considered complete until all required information and documentation have been submitted.**

**Information and documentation required in terms of section 38(1) of said legislation**

Y	N	Power of attorney / Owner's consent if applicant is not owner		Y	N	Bondholder's consent (if applicable)
Y	N	Resolution or other proof that applicant is authorised to act on behalf of a juristic person		Y	N	Proof of registered ownership or any other relevant right held in the land concerned
Y	N	Written motivation		Y	N	S.G. diagram / General plan extract
Y	N	Locality plan		Y	N	Site development plan or conceptual layout plan
Y	N	Proposed subdivision plan		Y	N	Proof of agreement or permission for required servitude
Y	N	Proof of payment of application fees		Y	N	Full copy of the title deed
Y	N	Conveyancer's certificate		Y	N	Minutes of pre-application consultation meeting (if applicable)

**Supporting information and documentation:**

Y	N	N/A	Consolidation plan		Y	N	N/A	Land use plan / Zoning plan
Y	N	N/A	Street name and numbering plan		Y	N	N/A	1 : 50 / 1:100 Flood line determination (plan / report)
Y	N	N/A	Landscaping / Tree plan		Y	N	N/A	Home Owners' Association consent
Y	N	N/A	Abutting owner's consent		Y	N	N/A	Services Report or indication of all municipal services / registered servitudes
Y	N	N/A	Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD) (strikethrough irrelevant)		Y	N	N/A	Proof of failure of Home owner's association
Y	N	N/A	Copy of original approval and conditions of approval		Y	N	N/A	Any additional documents or information required as listed in the pre-application consultation form / minutes
Y	N	N/A	Proof of lawful use right		Y	N	N/A	Other (specify)
Y	N	N/A	Required number of documentation copies		Y	N	N/A	

**PART H: AUTHORISATION(S) IN TERMS OF OTHER LEGISLATION**

Y	N/A	National Heritage Resources Act, 1999 (Act 25 of 1999)		Y	N/A	Specific Environmental Management Act(s) (SEMA)
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Y	N/A	National Environmental Management Act, 1998 (Act 107 of 1998)				(e.g. Environmental Conservation Act, 1989 (Act 73 of 1989), National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004), National Environmental Integrated Coastal Management Act, 2008 (Act 24 of 2008), National Environmental Management: Waste Act, 2008 (Act 59 of 2008), National Water Act, 1998 (Act 36 of 1998) (strikethrough irrelevant)
Y	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)				
Y	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)				
Y	N/A	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations				
Y	N/A	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)		Y	N/A	Other (specify)
Y	N	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.				
Y	N	If required, do you want to follow an integrated application procedure in terms of section 44(1) of the Swellendam Municipal By-law on Municipal Land Use Planning, 2015? If yes, please attach motivation.				

**SECTION I: DECLARATION**

I hereby confirm the following:

- That the information contained in this application form and accompanying documentation is complete and correct.
- I'm aware that it is an offense in terms of section 86(1)(e) to supply particulars, information or answers knowing the particulars, information or answers to be false, incorrect or misleading or not believing them to be correct.
- I am properly authorized to make this application on behalf of the owner and (where applicable) that a copy of the relevant power of attorney or consent are attached hereto.
- Where an agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to the agent and that the owner will regularly consult with the agent in this regard.
- That this submission includes all necessary land use planning applications required to enable the development proposed herein.
- I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/suspension or amendment forms part of this submission.
- I am aware that development charges to the Municipality in respect of the provision and installation of external engineering services are payable by the applicant as a result of the proposed development.

Applicant's signature:		Date:	
Full name:			
Professional capacity:			
SACPLAN registration number:			

**FOR OFFICE USE ONLY**

Date received:	
Received by:	

## ANNEXURE A

### **MOTIVATION REPORT IN TERMS OF SECTION 65 OF THE SWELLENDAM BY-LAW ON MUNICIPAL LAND USE PLANNING, 2015**

A Motivation Report in relation to a requested development must demonstrate consideration of all the applicable legislation and planning guidelines and look to address the key land use issues. The following provides a basic guideline:

1. Consideration of the Land Development Principles referred to in section 42 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA) and Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA). How does the proposal address / contribute to:
  - a) Spatial justice
  - b) Spatial sustainability
  - c) Efficiency
  - d) Spatial resilience
  - e) Good administration
  
2. Consideration of Land Use Planning Documents. How does the proposal integrate / comply with:
  - a) The Swellendam Municipality's Integrated Development Plan
  - b) The Provincial Spatial Development Framework – where applicable
  - c) The Swellendam Municipality's Spatial Development Framework
  - d) The Swellendam Municipality: Bylaw on Municipal Land Use Planning
  - e) The Swellendam Municipality's Integrated Zoning Scheme Regulations
  
3. The overall Desirability of the proposal should be discussed under the following key headings:
  - a) Overall character of the surrounding area
  - b) Existing planning initiatives in the area
  - c) Location and accessibility of the property
  - d) Physical characteristics of the property
  - e) Overall potential of the property
  - f) Provision of services – how will the provision of water, sewage, electricity & solid waste be addressed?
  - g) Brief explanation of the construction process / phases of the proposal
  
4. Discussion of how the proposal will integrate with all other legislation (as applicable) and requirements, and in particular how it relates to: the environment, heritage, water rights, agriculture etc, etc.
  
5. Required Plans
  - a) Regional Plan – if applicable
  - b) Locality Plan
  - c) Site Plan
  - d) Site Development Plan
  - e) SG Diagram / General Plan
  - f) Elevation and Sketch Plans – if applicable
  - g) Subdivision / Consolidation Plans – if applicable