

LAND USE APPLICATION FORM

In terms of the provisions of the Nelson Mandela Bay Municipality Spatial Planning and Land Use Management By-Law, 2023.

PART A: APPLICANT'S DETAILS

First Name(s):	
Surname:	
South African Council of Planners (SACPLAN) Registration Number (if applicable):	
Company Name:	
Postal Address:	
Postal Code:	
Email Address:	
Telephone Number:	
Cell Phone Number:	

PART B: REGISTERED OWNER'S DETAILS

Only complete if owner is not applicant

Registered Owner(s):	
Registered Owner's Address:	
Postal Code:	
Email Address:	
Telephone Number:	
Cell Phone Number:	

PART C: PROPERTY DETAILS

Property Description: (Erf Number, Farm Description & Allotment Area)			
Physical Address:			
Town/Area:			
Current Zoning:			
Property Extent:			
Current Land Use (s):			
Are there existing buildings on the property?		YES	NO
Title Deed Number:		Date Registered:	
Are there any restrictive conditions applicable?		YES	NO
If yes, list the conditions:			
Are the restrictive conditions in favour of a third party (ies)?		YES	NO
If yes, list the party (ies):			
Is the property encumbered by a bond?		YES	NO
If yes, list the bondholder(s):			
Are there any existing unauthorised buildings and/or land use on the subject property(ies):		YES	NO
If yes, is this application to legalise the building / land use?			
Are there any pending court case(s) and/or orders in relation to the subject property (ies)?		YES	NO
Are there any land claim(s) registered on the subject property (ies)?		YES	NO

PART D: LAND USE PLANNING APPLICATION TYPE

In terms of Chapter 5 of the Nelson Mandela Bay Municipality By-Law application is made for the following:

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|---|--|
| 1. A rezoning of land including rezoning to the sub-division of land | |
| 2. Rezoning (which does not include sub-division of land) of land | |
| 3. A permanent departure from the development parameters of the Zoning Scheme | |
| 4. Temporary departure | |
| 5. A temporary use departure | |
| 6. Subdivision of land | |
| 7. Consolidation of land | |
| 8. Amendment, suspension or deletion of a restrictive title condition | |
| 9. A permission required in terms of the Zoning Scheme | |
| 10. Special Consent | |
| 11. An extension of the validity of an approval | |
| 12. Amendment or cancellation of an approved general plan | |
| 13. A determination of zoning | |
| 14. Closure of a public place or part thereof | |
| 15. Disestablishment of a homeowner's association | |
| 16. Other (Specify) | |



PART E: PREVIOUS LAND USE PLANNING APPLICATION TYPE

Has there been any previous related application?	Y	N
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1. A rezoning of land including rezoning to the sub-division of land	
2. Rezoning (which does not include sub-division of land) of land	
3. A permanent departure from the development parameters of the Zoning Scheme	
4. Temporary departure	
5. A temporary use departure	
6. Subdivision of land	
7. Consolidation of land	
8. Amendment, suspension or deletion of a restrictive title condition	
9. A permission required in terms of the Zoning Scheme	
10. Special Consent	
11. An extension of the validity of an approval	
12. Amendment or cancellation of an approved general plan	
13. A determination of zoning	
14. Closure of a public place or part thereof	
15. Disestablishment of a homeowner's association	
16. Other (Specify)	



PART F: ATTACHMENTS AND SUPPORTING DOCUMENTS

Information and documentation required in terms of Chapter 5 of the Nelson Mandela Bay Municipality

1. Power of attorney	Y	N	N/A
2. Company resolution or other proof that applicant is authorised to act on behalf of juristic person	Y	N	N/A
3. Written motivation and proposal statement	Y	N	N/A
4. Locality plan	Y	N	N/A
5. Proposed general plan	Y	N	N/A
6. Proof of payment of application fees	Y	N	N/A
7. Conveyancer's certificate	Y	N	N/A
8. Bondholder's consent	Y	N	N/A
9. Proof of registered ownership or any other relevant right held in the land concerned	Y	N	N/A
10. SG diagram and/or general plan	Y	N	N/A
11. Site development plan or conceptual layout plan	Y	N	N/A
12. Proof of agreement or permission for required servitude	Y	N	N/A
13. Full copy of the title deed	Y	N	N/A

Supporting documentation and information:

1. Consolidation Plan	Y	N	N/A
2. Street Name and numbering plan	Y	N	N/A
3. Landscaping and/or tree plan	Y	N	N/A
4. Abutting landowner's consent	Y	N	N/A
5. Environmental impact assessment (EIA)/ Heritage Impact (HIA)/ Traffic Impact (TIA) / Hazard Impact (HIA)	Y	N	N/A
6. Copy of original approval and conditions of approval	Y	N	N/A
7. Proof of lawful use right	Y	N	N/A
8. Land use plan and/or zoning plan	Y	N	N/A
9. Flood line determination and/or report	Y	N	N/A
10. Homeowner's Association consent	Y	N	N/A
11. Services report or indication of all municipal services and/or registered servitudes	Y	N	N/A
12. Proof of failure of Homeowner's Association	Y	N	N/A

PART G: AUTHORISATION IN TERMS OF OTHER LEGISLATION

National Heritage Resources Act, 1999 (25 of 1999)	Y	N	N/A
National Environmental Management Act, 1998 (107 of 1998)	Y	N	N/A
Sub-division of Agricultural Land Act, 1970 (70 of 1970)	Y	N	N/A
Spatial Planning and Land Use Management Act, 2013 (16 of 2013)	Y	N	N/A
Specific Environmental Management Act(s)	Y	N	N/A

PART H: EXTENT OF DEPARTURE

Building line encroachment	From		To		
Street	From		To		
Street	From		To		
Lateral	From		To		
Lateral	From		To		
Rear	From		To		
Permissible site coverage	From		To		
Maximum permissible floor area	From		To		
Maximum permissible floor factor ration	From		To		
Height restriction measured from natural ground level	From		To		
On-site parking/ loading bay requirements	from		To		
Other (please specify)					

NB: All applications for a departure must be accompanied by a site development plan at a scale of not less than 1 in 200 or, if the development proposed is so extensive as to require a smaller scale, to a scale of 1 in 5000).

PART I: WRITTEN MOTIVATION AND PROPOSAL STATEMENT

Motivation Report MUST address the following but not limited to:

1. development principles and norms & standards as contemplated in sections 7 and 8 of the Act;
2. consistency with the Spatial Development Framework Plan(s) and/or precinct plan(s);
3. the public interest and the rights of all those affected;
4. constitutional transformation imperatives and the related duties of the state;
5. the facts and circumstances relevant to the application;
6. the respective rights and obligations of all affected;
7. the state and impact of engineering services, social infrastructure and open space requirements;
8. environmental impact (where applicable);
9. if the proposal is in accordance with the existing planning and the surrounding land uses of the area;
10. the influence of the proposal on the surrounding area;
11. the impact of the proposal in terms of heritage conservation;
12. the influence of the proposal on the traffic and/or parking of the area;
13. 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;
14. the influence of the proposal on the existing character of the area and the rights of residents with regard to privacy, view, etc and the provision of services.

PART J: DECLARATION

I hereby wish to confirm the following:

1. That the information contained in this application form and accompanying documentation is complete and correct.
2. I am aware that it is an offence in terms of section 107 of the by-law 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.
3. I am properly authorised 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.
4. Where an agent is appointed to submit this application on the owners' behalf, it is accepted that correspondence from and notifications by the municipality in terms of this by-law will be sent only to the agent and that the owner will regularly consult with the agent in this regard.
5. That this submission includes all necessary land use planning applications required to enable the development proposed herein.
6. In confirm that the relevant title deed(s) have been read or attached conveyancer's certificate, and that there are no restrictive conditions which impact on this application, or alternatively an application for removal/suspension or amendment forms part of this submission.
7. I am aware that by lodging an application, the information in the application and obtained during the process, may be made available to the public.
8. I am aware that development charges to the municipality in respect of the provision and installation of bulk services are payable by the applicant as a result of the proposed development.

Applicant's signature

Date

Applicant's name

Professional capacity

SACPLAN Registration

No.:

FOR OFFICIAL USE ONLY

Date received:

Received by: