



Western Cape Government • Wes-Kaapse Regering • URhulumente weNtshona Koloni

PROVINCE OF THE WESTERN CAPE

PROVINSIE WES-KAAP

IPHONDO LENTSHONA KOLONI

**Provincial Gazette
Extraordinary**

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Provinsiale Koerant**

**Isongezelelo
kwiGazethi yePhondo**

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CONTENTS

INHOUD

IZIQUATHO

(*Copies are obtainable at Room M21, Provincial Legislature Building, 7 Wale Street, Cape Town 8001.)

(*Afskrifte is verkrygbaar by Kamer M21, Provinsiale Wetgewer-gebou, Waalstraat 7, Kaapstad 8001.)

(*Ushicilelo oLutsha lufumaneka kwigumbi M21, kwiSakhiwo sePhondo seNdlu yoWiso Mthetho, 7 Wale Street, eKapa 8001.)

The following draft Regulations are published for comment:

Die volgende Konsepregulasies word vir kommentaar gepubliseer:

Olu qulungo lweMigaqo elandelayo lupapashelwe izimvo zoluntu:

Provincial Notice

Provinsiale Kennisgewing

ISaziso sePhondo

34 Western Cape Land Use Planning Regulations, 2015: Draft Amendment, 2018 2

34 Wes-Kaapse Regulasies op Grondgebruikbeplanning, 2015: Konsepwysiging, 2018 18

34 IMigaqo yoCwangciso loSetyenziso loMhlaba yeNtshona Koloni, 2015: Izilungiso zoQulunqo, 2018 33

Any person or organisation wishing to comment on the draft Regulations is requested to submit the comments in writing before or on 6 April 2018—

Enige persoon of organisasie wat kommentaar oor die Konsepregulasies wil lewer, word versoek om die kommentaar skriftelik te lewer voor of op 6 April 2019—

Nabani na okanye umbutho onqwenela ukuvakalisa izimvo ngolu Qulunqo lweMigaqo uyacelwa ukuba afake izimvo zakhe, zibhaliwe, ngomhla okanye ungadlulanga umhla we-6 kwekaTshazimpuzi 2018. Izimvo mazifakwe ngolu hlobo lulandelayo—

- (a) by posting it to
For attention: Ms Chrizelle Kriel
Department of Environmental Affairs and
Development Planning
Directorate: Spatial Planning
Private Bag X9086
Cape Town 8000;
- (b) by hand delivery to:
For attention: Ms Chrizelle Kriel
Department of Environmental Affairs and
Development Planning
Directorate: Spatial Planning
16th Floor, Atterbury House
9 Riebeeck Street
Cape Town 8001;
- (c) by emailing it to:
Chrizelle.Kriel@westerncape.gov.za; or
- (d) by faxing it to:
For attention: Ms Chrizelle Kriel
Directorate: Spatial Planning
Fax: 021 483 4527.

- (a) deur dit te pos aan:
Vir aandag: Me Chrizelle Kriel
Departement van Omgewingsake en
Ontwikkelingsbeplanning
Direktoraat: Ruimtelike Beplanning
Privaatsak X9086
Kaapstad 8000;
- (b) deur dit per hand af te lewer by:
Vir aandag: Me Chrizelle Kriel
Departement van Omgewingsake en
Ontwikkelingsbeplanning
Direktoraat: Ruimtelike Beplanning
16de Verdieping, Atterbury-huis
Riebeeckstraat 9
Kaapstad 8001;
- (c) deur dit te e-pos na:
Chrizelle.Kriel@westerncape.gov.za; of
- (d) deur dit te faks na:
Vir aandag: Me Chrizelle Kriel
Direktoraat: Ruimtelike Beplanning
Faksnr.: 021 483 4527.

- (a) ngeposi:
Inggale kuNkz: Chrizelle Kriel
Department of Environmental Affairs and
Development Planning
Directorate: Spatial Planning
Private Bag X9086
Cape Town 8000;
- (b) ngesandla:
Kwingqalelo kaNkz. Chrizelle Kriel
ISEbe leMicimbi yokuSingqongileo
noPhuhliso loCwangciso
KuMgangatho we-16
KwiSakhiwo i-Atterbury House
9 Riebeeck Street
EKapa 8001;
- (c) nge-imeyile:
Chrizelle.Kriel@westerncape.gov.za; okanye
- (d) ngefeksi:
Inggale kuNkz: Chrizelle Kriel
Directorate: Spatial Planning
Inombolo yefeksi: 021 483 4527.

Copies of the draft Amendment Regulations are available on the following website:
<http://www.westerncape.gov.za/eadp>

Afskrifte van die Konsepregulasies is op die volgende webtuiste beskikbaar:
<http://www.westerncape.gov.za/eadp>

IiKopi zeZilungiso zoQulunqo lweMigaqo ziyafumaneka kule webhusayithi ilandelayo:
<http://www.westerncape.gov.za/eadp>

For enquiries contact Ms Chrizelle Kriel at tel. 021 483 0765, or by any of the abovementioned methods.

Vir navrae kontak me Chrizelle Kriel by tel. 021 483 0765 of deur van enige van die bogenoemde metodes gebruik te maak.

Ukubuzwa iinkcukacha qhakamshela noNkz. Chrizelle Kriel kulo mxeba 021 483 0765, okanye neziphi na iinkcukacha zonxibelelwano ezikhankanywe ngesantla.

PROVINCIAL NOTICE

The following Provincial Notice is published for comment.

ADV. B. GERBER,
DIRECTOR-GENERAL

Provincial Legislature Building,
Wale Street,
Cape Town.

PROVINSIALE KENNISGEWING

Die volgende Provinsiale Kennisgewing word vir kommentaar gepubliseer.

ADV. B. GERBER,
DIREKTEUR-GENERAAL

Provinsiale Wetgewer-gebou,
Waalstraat,
Kaaipstad.

ISAZISO SEPHONDO

Esi saziso silandelayo sipapashelwe ukunika izimvo.

ADV. B. GERBER,
UMLAWULI-JIKELELE

ISakhiwo sePhondo,
Wale Street,
eKapa.

P.N. 34/2018

6 March 2018

**WESTERN CAPE LAND USE PLANNING ACT, 2014 (ACT 3 OF 2014)
WESTERN CAPE LAND USE PLANNING REGULATIONS, 2015: DRAFT AMENDMENT,
2018**

The Provincial Minister of Local Government, Environmental Affairs and Development Planning, under section 76 of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014), intends to make the regulations set out in the Schedule.

SCHEDULE

Definition

1. In these regulations “the Regulations” means the Western Cape Land Use Planning Regulations, 2015, published under Provincial Notice 203/2015 of 26 June 2015.

Amendment of Arrangement of Regulations

2. The Arrangement of Regulations before regulation 1 of the Regulations is amended—
- (a) by the substitution for the reference to the heading to regulation 10 of the following item:
 - “10. Land development requiring provincial approval and exempted categories of land development”; and
 - (b) by the insertion after the reference to the heading to regulation 39 of the following item:
 - “39A. Adoption of single zoning scheme”.

Amendment of regulation 3 of the Regulations

3. Regulation 3 of the Regulations is amended—
- (a) by the substitution for paragraph (b) of subregulation (1) of the following paragraph:
 - “(b) two other representatives of the Department who have knowledge of, and experience in, land use planning, nominated by the Head of Department;”;
 - (b) by the substitution for paragraph (c) of subregulation (1) of the following paragraph:
 - “(c) three representatives of the Department who are registered planners, nominated by the Head of Department;”;
 - (c) by the substitution for paragraph (d) of subregulation (1) of the following paragraph:
 - “(d) two representatives of the provincial department responsible for environmental affairs who have knowledge of, and experience in, environmental management, nominated by the head of that department;”;
 - (d) by the substitution for paragraph (e) of subregulation (1) of the following paragraph:
 - “(e) a representative of each of the other provincial departments, nominated by each of the heads of those provincial departments;”;

- (e) by the substitution for paragraph (f) of subregulation (1) of the following paragraph:
 - “(f) two municipal representatives of each of the local, district and metropolitan municipalities, nominated by each municipality, of whom—
 - (i) one must be a registered planner; or
 - (ii) if a municipality does not have a registered planner, one must have knowledge of, and experience in, land use planning;”;
- (f) by the substitution for paragraph (g) of subregulation (1) of the following paragraph:
 - “(g) a representative of each national department responsible for local government, land affairs, urban and rural development, regional planning and development, environment, agriculture, housing, roads and public works, nominated by the heads of each of those national departments;”;
- (g) by the substitution for paragraph (j) of subregulation (1) of the following paragraph:
 - “(j) a representative of each neighbouring provincial government, nominated by each of the heads of department responsible for provincial planning in those provincial governments.”.

Amendment of regulation 4 of the Regulations

4. Regulation 4 of the Regulations is amended by the substitution for subregulation (2) of the following subregulation:

“(2)(a) The members of a provincial committee may submit written comments or representations on a draft provincial spatial development framework, draft amendment of a provincial spatial development framework or draft document related thereto on behalf of the organs of state, or the South African Local Government Association, that they represent, when requested to do so by the chairperson of the committee.

(b) If no comments are submitted by the due date, it will be accepted that the members of the provincial committee have no comments on the draft provincial spatial development framework, draft amendment of a provincial spatial development framework or draft document related thereto.”.

Amendment of regulation 5 of the Regulations

5. Regulation 5 of the Regulations is amended by the substitution for subregulation (2) of the following subregulation:

“(2) The provincial committee must meet at the times and places determined by the chairperson.”.

Amendment of regulation 8 of the Regulations

6. Regulation 8 of the Regulations is amended—

- (a) by the substitution for paragraph (b) of subregulation (1) of the following paragraph:
 - “(b) two other representatives of the Department who have knowledge of, and experience in, land use planning, one of whom must be a registered planner, nominated by the Head of Department;”;
- (b) by the substitution for paragraph (c) of subregulation (1) of the following paragraph:
 - “(c) a representative of the provincial department responsible for environmental affairs who has knowledge of, and experience in, environmental management, nominated by the head of that department;”;

- (c) by the substitution for paragraph (d) of subregulation (1) of the following paragraph:
 - “(d) a representative of each of the other provincial departments, nominated by each of the heads of the provincial departments;”;
- (d) by the substitution for paragraph (e) of subregulation (1) of the following paragraph:
 - “(e) a municipal representative who is a registered planner, of each municipality in the region to which the provincial regional spatial development framework will apply, nominated by each of those municipalities or, if a municipality does not have a registered planner, a municipal employee of that municipality who has knowledge of, and experience in, land use planning; and”;
- (e) by the substitution in subregulation (7) for subparagraph (i) of paragraph (c) of the following subparagraph:
 - “(i) at least three municipalities in the region to which the regional spatial development framework or amendment thereto will apply; or”.

Amendment of regulation 10 of the Regulations

7. Regulation 10 of the Regulations is amended—

- (a) by the substitution for paragraph (b) of subregulation (1) of the following paragraph:
 - “(b) proposed land development that utilises an area of 2000 m² or more of agricultural land that has been cultivated or irrigated during the 10-year period immediately preceding the proposed land development.”;
- (b) by the addition after paragraph (b) of subregulation (1) of the following paragraphs:
 - “(c) proposed land development that encompasses prospecting, mining or quarrying that utilises a footprint of one hectare or more of agricultural land; and
 - (d) proposed land development for any nuclear electricity generation facility.”;
- (c) by the addition after paragraph (c) of subregulation (2) of the following paragraph:
 - “(d) proposed land development for the establishment or expansion of a facility or infrastructure for the transmission and distribution of electricity from a renewable or non-renewable source regardless of the megawatts output, but excluding any sub- or switching station, that utilises an area of one hectare or more.”.

Amendment of regulation 11 of the Regulations

8. Regulation 11 of the Regulations is amended by the substitution for subregulation (4) of the following subregulation:

- “(4) The Head of Department must keep minutes of the proceedings of a pre-application consultation and a database of the applications received.”.

Amendment of regulation 12 of the Regulations

9. Regulation 12 of the Regulations is amended by the substitution for subregulation (7) of the following subregulation:

“(7) The owner concerned must obtain the correspondence and notifications contemplated in subregulation (6) from the agent, and the agent must inform the owner at all times.”.

Amendment of regulation 27 of the Regulations

10. The following regulation is substituted for regulation 27 of the Regulations:

“**27.** The Provincial Minister must, within 14 days of his or her decision on an appeal, notify the appellant, the applicant if the appellant is not the applicant and any person who has submitted comments on the appeal of the decision and the reasons therefor.”.

Insertion of regulation 39A

11. The following regulations are inserted in the Regulations after regulation 39:

“Adoption of single zoning scheme

39A. (1) When a municipality adopts a single zoning scheme contemplated in section 22(1) of the Act it must make provision for at least—

- (a) the transition of land that is zoned in terms of the previous zoning scheme to one of the use zones in the single zoning scheme, in a table listing the zoning transitions;
- (b) the transition of the use zones used in the previous zoning schemes to the use zones used in the single zoning scheme, including appropriate measures to regulate—
 - (i) the applicability of any condition of approval or validity period applicable to a land unit in terms of the zoning scheme immediately before the coming into effect of the single zoning scheme;
 - (ii) the status of any development parameters determined by conditions of approval contemplated in paragraph (i) that may be different from the development parameters applicable in terms of the single zoning scheme;
 - (iii) the recordal of any development rule, condition or parameter referred to in subparagraph (i) in the register contemplated in section 24(c) of the Act, together with any validity period applicable to the zoning in terms of the previous zoning scheme;
 - (iv) the transitioning of a zoning approved in terms of the previous zoning scheme that has been exercised within the validity period applicable to that zoning in terms of the previous zoning scheme, as determined in the table listing the zoning transitions;
 - (v) the lapsing of a zoning approved in terms of the previous zoning scheme, after the expiry of the validity period applicable to that zoning in terms of the previous zoning scheme;
 - (vi) the reversion of a zoning contemplated in subparagraph (v) that has lapsed to the use zone applicable to it in terms of the previous zoning scheme and the transitioning of that zoning as determined in the table listing the zoning transition.

(2) The official version of the zoning scheme map as contemplated in section 24(d) of the Act may be incorporated in and made part of the single zoning scheme, and publication of the zoning scheme in the *Provincial Gazette* constitutes notice of the approval of the zoning scheme map.

(3) The municipality must make provision for procedures to amend the zoning map when it is determined that the zoning of a land unit is incorrectly indicated on the zoning map.

(4) The municipality must make provision for the assessment and approval of a building plan application that was formally submitted and accepted—

- (a) with the purpose to act on an approval in terms of the previous zoning scheme; and
- (b) to determine a period after the commencement of the single zoning scheme within which such building plan applications must be submitted.”.

Substitution of Annexure B of the Regulations

12. The following Annexure is substituted for Annexure B of the Regulations:

“ANNEXURE B

LAND DEVELOPMENT APPLICATION FORM <i>(Section 53 of the Act and regulations 10 and 12)</i> EXTENSION OF VALIDITY PERIOD APPLICATION FORM <i>(Section 57 of the Act and regulation 28)</i>					
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING					
Address of Department <i>(To be completed by an official)</i>					
Reference number <i>(To be completed by an official)</i>					
<i>Complete this form by using BLOCK letters and by ticking the appropriate boxes.</i>					
PART A: APPLICATIONS IN TERMS OF THE ACT					
Land development <i>(Section 53(2) of the Act and regulations 10(4) and 12)</i>	Y	N	If yes, complete all parts, except part H, of this application form.		
Amendment of land development approval <i>(Section 53(2) of the Act and regulations 10(5) and 12)</i>	Y	N	If yes, complete all parts, except part H, of this application form.		
Extension of validity period <i>(Section 57(2) of the Act and regulation 28)</i>	Y	N	If yes, complete all parts, except part G, of this application form.		
PART B: APPLICANT DETAILS					
First name(s)					
Surname					
Company name <i>(If applicable)</i>					
Postal address				Postal code	
E-mail					
Tel.		Fax		Cell.	

PART C: DETAILS OF OWNER(S) <i>(If different from applicant)</i>										
Full name(s)										
Physical address(es)								Postal code		
E-mail										
Tel.				Fax				Cell.		
PART D: PROPERTY DETAILS <i>(In accordance with title deed)</i>										
Property description <i>(Number(s) of Erf/ Erven/Portion(s) or Farm(s))</i>										
Physical address								Town/City		
GPS coordinates <i>(Degrees, minutes and seconds)</i>		° ' "			S		° ' "			E
Current zoning				Extent	m ² /ha		Are there existing buildings?		Y	N
Current land use										
Title deed number and date		T								
Any restrictive conditions?		Y	N	If yes, list conditions						
Is the property encumbered by a bond?		Y	N	If yes, list bondholder(s)						

PART E: PRE-APPLICATION CONSULTATION (Regulation 11)					
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 F: APPLICATION FEE* (Annexure D)					
Land development application					R5000
Amendment of land development approval					R2000
Extension of validity period					R2000
Total application fee					
EXEMPTION FROM APPLICATION FEES** (Annexure D)					
The development is funded by a government grant.	Y	N	The applicant is an organ of state.	Y	N
<p>* The application fee does not include the costs for publication of a notice in the Provincial Gazette, media or the serving of notices contemplated in regulation 14, 16 or 28 because the applicant is liable for the costs of these notices.</p> <p>** If exempted from paying application fees, attach proof.</p>					
BANKING DETAILS (To be completed by an official)					
Name:	Department of Environmental Affairs and Development Planning				
Bank:					
Branch no.:					
Account no.:					
*** Fee reference: (Your specific fee reference number MUST be used as deposit reference when making a payment.)				
*** Kindly obtain a specific fee reference number from the Department.					
BANKING DETAILS OF APPLICANT (Regulation 35)					
The applicant must complete his or her banking details below for purposes of a refund of the application fees if the application is withdrawn and the application fees are not forfeited.					
Name:					
Bank:					
Branch no.:					
Account no.:					

PART G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND DEVELOPMENT APPLICATION OR AMENDMENT OF LAND DEVELOPMENT APPROVAL

(Regulation 12(2)(a) to (p)).

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 not being accepted.

Y	N	N/A	Bondholder's consent (if applicable)	Y	N	N/A	Plan indicating land development in the region or Province that is similar to land development applied for that will have a cumulative effect in the region or Province
Y	N	N/A	Power of attorney/Owner's consent if applicant is not owner	Y	N	N/A	Layout plan of existing utilisation of land, structures and activities
Y	N	N/A	Resolution or other proof that applicant is authorised to act on behalf of a juristic person	Y	N	N/A	Conceptual layout plan
Y	N	N/A	Proof of payment of fees	Y	N	N/A	List of other approvals that are required for the proposed land development and that have been applied for
Y	N	N/A	Locality plan	Y	N	N/A	Motivation for application
Y	N	N/A	Full copy of the title deed	Y	N	N/A	Assessment of effect on agriculture and related information or documentation
Y	N	N/A	Proof of existing zoning applicable	Y	N	N/A	Any additional documents or information as listed at the pre-application consultation
Y	N	N/A	Plan indicating the surrounding utilisation of land that will be affected	Y	N	N/A	Other <i>(Specify)</i>
Y	N	N/A	Plan indicating the surrounding zonings that will be effected				
Y	N	N/A	Copy of notice of original decision				

PART H: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR EXTENSION APPLICATION

Y	N	N/A	Copy of notification of original decision	Y	N	N/A	Extension motivation report
Y	N	N/A	Proof of payment of fees	Y	N	N/A	Other

PART I: AUTHORISATION(S) IN TERMS OF OTHER LEGISLATION

Y	N	N/A	National Heritage Resources Act, 1999 (Act 25 of 1999)	Y	N	N/A	By-law on Municipal Land Use Planning
Y	N	N/A	National Environmental Management Act, 1998 (Act 107 of 1998)	Y	N	N/A	Specific environmental management Act(s), for example, in the Environmental Conservation

Y	N	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)				Act, 1989 (Act 73 of 1989), National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004), National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008), National Environmental Management: Waste Act, 2008 (Act 59 of 2008), and the National Water Act, 1998 (Act 36 of 1998)	
Y	N	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)		Y	N	N/A	Other

PART J: DECLARATION

I hereby confirm that—

1. the information contained in this application form and the accompanying documentation are complete and correct;
2. I am aware that it is an offense in terms of section 74(1)(b) of the Act 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; and
4. where an agent is appointed to submit this application on the owner’s behalf, it is accepted that correspondence from and notifications by the Head of Department in terms of the Act and these regulations will be sent only to the agent and that the owner will regularly consult with the agent in this regard.

Applicant’s signature _____

Date

Full name

Professional capacity

FOR OFFICE USE ONLY

Date received:

Received by:

Departmental Stamp

”

Substitution of Annexure C of the Regulations

13. The following Annexure is substituted for Annexure C of the Regulations:

“ANNEXURE C

APPEAL FORM <i>(Section 56 of the Act and regulation 23)</i>
--

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Address of Department <i>(To be completed by an official)</i>				
Reference number <i>(To be completed by an official)</i>				
<i>Complete this form using BLOCK letters and ticking the appropriate boxes.</i>				
<i>Note:</i> <i>An appeal to the Provincial Minister must be submitted within 21 days of the date of notification of the decision.</i>				
PART A: APPEAL				
Are you appealing against the decision of the Head of Department?		Y	N	
Are you appealing against a condition of approval imposed by the Head of Department?		Y	N	If yes, list condition(s) in Part F
Are you are appealing because your rights have been affected by the failure of the Head of Department to decide on your application within the prescribed period?		Y	N	
Date of decision	DD/MM/YYYY	Date of notification	DD/MM/YYYY	
PART B: APPELLANT'S DETAILS				
First name(s)				
Surname				
Company or legal person's name <i>(If applicable)</i>				
Physical address				
Postal address <i>(If different from physical address)</i>			Postal code	

E-mail								
Tel.		Fax		Cell.				
PART C: APPELLANT'S PROPERTY DESCRIPTION (Property that is affected by proposed development)								
Property description <i>Number(s) of Erf/ Erven/Portion(s) or Farm(s)</i>				Town/City				
GPS coordinates (Degrees, minutes and seconds)	°	'	"	S	°	'	"	E
Physical address								
PART D: DESCRIPTION OF PROPERTY ON WHICH DEVELOPMENT IS TO TAKE PLACE								
Property description <i>Number(s) of Erf/ Erven/Portion(s) or Farm(s)</i>				Town/City				
Physical address								
PART E: APPEAL FROM AFFECTED PERSON(S)								
How were you notified of the decision that you are appealing against?	Newspaper	Y	N	<i>Provincial Gazette</i>	Y	N	Other (Specify)	
State* why the decision or conditions of approval or both affect your rights:								
* Statement may be attached.								

PART F: APPEAL MOTIVATION AND REASONS*

* *Appeal motivation and reasons may be attached.*

PART G: APPEAL FEE* (Annexure D)

Appeal	R0
Total appeal fee	R0

EXEMPTION FROM APPEAL FEES (Annexure D)**

The development is a community based project funded by a government grant.	Y	N	The applicant is an organ of state.	Y	N
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* *The appeal fee does not include the costs for giving notice in terms of regulation 23 because the appellant is liable for the costs of these notices.*
 ** *If exempted from paying appeal fees, attach proof.*

BANKING DETAILS (To be completed by an official)

Name: Department of Environmental Affairs and Development Planning

Bank:

Branch no.:

Account no.:

*** **Fee reference:**

*(Your specific fee reference number **MUST** be used as deposit reference when making a payment.)*

*** *Kindly obtain a specific fee reference number from the Department.*

BANKING DETAILS OF APPELLANT (Regulation 35)

The appellant must complete his or her banking details below for purposes of a refund of the appeal fees if the appeal is withdrawn and the appeal fees are not forfeited.

Name:

Bank:

Branch no.:

Account no.:

PART H: ATTACHMENTS AND SUPPORTING INFORMATION

Complete the following checklist and attach documents where applicable.

Y	N/A	Proof of notification of decision
Y	N/A	Copy of decision and conditions of approval
Y	N/A	Proof of payment of fees
Y	N/A	Statements
Y	N/A	Motivation and reasons for appeal
Y	N/A	Other (<i>Specify</i>)

PART I: DECLARATION

I hereby wish to confirm that—

1. the information contained in this form and accompanying documentation is complete and correct; and
2. I am aware that it is an offense in terms of section 74(1)(b) of the Act 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.

Appellant's signature

Date

Full name

FOR OFFICE USE ONLY

Date received:

Received by:

Departmental Stamp

”

WES-KAAPSE WET OP GRONDGEBRUIKBEPLANNING, 2014 (WET 3 VAN 2014)
WES-KAAPSE REGULASIES OP GRONDGEBRUIKBEPLANNING, 2015:
KONSEPWYSIGING 2018

Die Provinsiale Minister van Plaaslike Regering, Omgewingsake en Ontwikkelingsbeplanning, kragtens artikel 76 van die Wes-Kaapse Wet op Grondgebruikbeplanning, 2014 (Wet 3 van 2014), is van voorneme om die regulasies uiteengesit in die Bylae te maak.

BYLAE

Woordomskrywing

1. In hierdie regulasies beteken “die Regulasies” die Wes-Kaapse Regulasies op Grondgebruikbeplanning, 2015, gepubliseer onder Provinsiale Kennisgewing 203/2015 van 26 Junie 2015.

Wysiging van Indeling van Regulasies

2. Die Indeling van Regulasies voor regulasie 1 van die Regulasies word gewysig—
- (a) deur die verwysing na die opskrif van regulasie 10 deur die volgende item te vervang:
 - “10. Grondontwikkeling wat provinsiale goedkeuring benodig en vrygestelde kategorieë van grondontwikkeling”; en
 - (b) deur ná die verwysing na die opskrif van regulasie 39 die volgende item in te voeg:
 - “39A. Aanneming van enkele soneringskema”.

Wysiging van regulasie 3 van die Regulasies

3. Regulasie 3 van die Regulasies word gewysig—
- (a) deur paragraaf (b) van subregulasie (1) deur die volgende paragraaf te vervang:
 - “(b) twee ander verteenwoordigers van die Departement wat kennis en ondervinding van grondgebruikbeplanning het, benoem deur die Departementshoof;”;
 - (b) deur paragraaf (c) van subregulasie (1) deur die volgende paragraaf te vervang:
 - “(c) drie verteenwoordigers van die Departement wat geregistreerde beplanners is, benoem deur die Departementshoof;”;
 - (c) deur paragraaf (d) van subregulasie (1) deur die volgende paragraaf te vervang:
 - “(d) twee verteenwoordigers van die provinsiale departement verantwoordelik vir omgewingsake wat kennis en ondervinding van omgewingsbestuur het, benoem deur die hoof van daardie departement;”;
 - (d) deur paragraaf (e) van subregulasie (1) deur die volgende paragraaf te vervang:
 - “(e) ’n verteenwoordiger van elk van die ander provinsiale departemente, benoem deur elk van die hoofde van daardie provinsiale departemente;”;
 - (e) deur paragraaf (f) van subregulasie (1) deur die volgende paragraaf te vervang:
 - “(f) twee munisipale verteenwoordigers van elk van die plaaslike, distriks- en metropolitaanse munisipaliteite, benoem deur elke munisipaliteit, van wie—
 - (i) een ’n geregistreerde beplanner moet wees; of
 - (ii) indien ’n munisipaliteit nie ’n geregistreerde beplanner het nie, een kennis en ondervinding van grondgebruikbeplanning moet hê;”;
 - (f) deur paragraaf (g) van subregulasie (1) deur die volgende paragraaf te vervang:

- “(g) ’n verteenwoordiger van elke nasionale departement verantwoordelik vir plaaslike regering, grondsake, stedelike en landelike ontwikkeling, streeksbeplanning en -ontwikkeling, omgewingsake, landbou, behuising, paaie en openbare werke, benoem deur die hoofde van elk van daardie nasionale departemente;” en
- (g) deur paragraaf (j) van subregulasie (1) deur die volgende paragraaf te vervang:
- “(j) ’n verteenwoordiger van elke naburige provinsiale regering, benoem deur elk van die departementshoofde verantwoordelik vir provinsiale beplanning in daardie provinsiale regerings.”.

Wysiging van regulasie 4 van die Regulasies

4. Regulasie 4 van die Regulasies word gewysig deur subregulasie (2) deur die volgende subregulasie te vervang:

“(2)(a) Die lede van ’n provinsiale komitee kan wanneer hulle deur die voorsitter van die komitee versoek word, skriftelike kommentaar of versoë indien op ’n konsep- provinsiale ruimtelike ontwikkelingsraamwerk, konsepwysiging van ’n provinsiale ruimtelike ontwikkelingsraamwerk of konsepdokument wat daarmee verband hou, namens die staatsorgane, of die Suid-Afrikaanse Vereniging vir Plaaslike Regering, wat hulle verteenwoordig.

(b) Indien geen kommentaar teen die sperdatum ingedien is nie, sal daar aanvaar word dat die lede van die provinsiale komitee geen kommentaar het op die konsep- provinsiale ruimtelike ontwikkelingsraamwerk, konsepwysiging van ’n provinsiale ruimtelike ontwikkelingsraamwerk of konsepdokument wat daarmee verband hou nie.”.

Wysiging van regulasie 5 van die Regulasies

5. Regulasie 5 van die Regulasies word gewysig deur subregulasie (2) deur die volgende subregulasie te vervang:

“(2) Die provinsiale komitee moet op die tye en plekke vergader wat die voorsitter bepaal.”.

Wysiging van regulasie 8 van die Regulasies

6. Regulasie 8 van die Regulasies word gewysig—

- (a) deur paragraaf (b) van subregulasie (1) deur die volgende paragraaf te vervang:
- “(b) twee ander verteenwoordigers van die Departement wat kennis en ondervinding van grondgebruikbeplanning het, van wie een ’n geregistreerde beplanner moet wees, benoem deur die Departementshoof;”;
- (b) deur paragraaf (c) van subregulasie (1) deur die volgende paragraaf te vervang:
- “(c) ’n verteenwoordiger van die provinsiale departement verantwoordelik vir omgewingsake wat kennis en ondervinding van omgewingsbestuur het, benoem deur die hoof van daardie departement;”;
- (c) deur paragraaf (d) van subregulasie (1) deur die volgende paragraaf te vervang:
- “(d) ’n verteenwoordiger van elk van die ander provinsiale departemente, benoem deur elk van die hoofde van die provinsiale departemente;”;
- (d) deur paragraaf (e) van subregulasie (1) deur die volgende paragraaf te vervang:
- “(e) ’n munisipale verteenwoordiger wat ’n geregistreerde beplanner is, van elke munisipaliteit in die streek waarop die provinsiale streeks- ruimtelike ontwikkelingsraamwerk van toepassing sal wees, benoem deur elk van daardie munisipaliteite of, indien ’n munisipaliteit nie ’n geregistreerde beplanner het nie,

- 'n munisipale werknemer van daardie munisipaliteit wat kennis en ondervinding van grondgebruikbeplanning het; en"; en
- (e) deur in subregulasie (7) subparagraaf (i) van paragraaf (c) deur die volgende subparagraaf te vervang:
- “(i) minstens drie munisipaliteite in die streek waarop die streeks- ruimtelike ontwikkelingsraamwerk van toepassing sal wees; of”.

Wysiging van regulasie 10 van die regulasies

7. Regulasie 10 van die Regulasies word gewysig—
- (a) deur paragraaf (b) van subregulasie (1) deur die volgende paragraaf te vervang:
- “(b) voorgestelde grondontwikkeling wat 'n gebied van 2000 m² of meer landbougrond aanwend wat in die 10-jaartydperk onmiddellik voor die voorgestelde grondontwikkeling bewerk of besproei is.”;
- (b) deur ná paragraaf (b) van subparagraaf (1) die volgende paragraaf by te voeg:
- “(c) voorgestelde grondontwikkeling wat prospektering, mynwerk of klipgroefwerk insluit wat 'n voetspoor van een of meer hektaar landbougrond aanwend; en
- (d) voorgestelde grondontwikkeling vir enige kernkragopwekkingsfasiliteit.”; en
- (c) deur ná paragraaf (c) van subregulasie (2) die volgende paragraaf by te voeg:
- “(d) voorgestelde grondontwikkeling vir die oprigting of uitbreiding van 'n fasiliteit of infrastruktuur vir die leiding en verspreiding van elektrisiteit uit 'n hernubare of niehernubare bron ongeag die megawattuitset, maar uitgesonderd enige sub- of skakelstasie, wat 'n gebied van een of meer hektaar aanwend.”.

Wysiging van regulasie 11 van die Regulasies

8. Regulasie 11 van die Regulasies word gewysig deur subregulasie (4) deur die volgende subregulasie te vervang:
- “(4) Die Departementshoof moet notule hou van die verrigtinge van 'n konsultasie voor aansoek en 'n databasis byhou van die aansoeke wat ontvang word.”.

Wysiging van regulasie 12 van die Regulasies

9. Regulasie 12 van die Regulasies word gewysig deur subregulasie (7) deur die volgende subregulasie te vervang:
- “(7) Die betrokke eienaar moet die korrespondensie en kennisgewings beoog in subregulasie (6) van die agent bekom, en die agent moet die eienaar te alle tye op hoogte hou.”.

Wysiging van regulasie 27 van die Regulasies

10. Regulasie 27 van die Regulasies word deur die volgende regulasie vervang:
- “27. Die Provinsiale Minister moet, binne 14 dae vanaf sy of haar besluit oor 'n appèl, die appellan, die aansoeker indien die appellan nie die aansoeker is nie en enige persoon wat kommentaar op die appèl ingedien het, in kennis stel van die besluit en die redes daarvoor.”.

Invoeging van regulasie 39A

11. Die volgende regulasies word ná regulasie 39 in die Regulasies ingevoeg:

“Anneming van enkele soneringskema

39A. (1) Wanneer ’n munisipaliteit ’n enkele soneringskema beoog in artikel 22(1) van die Wet aanneem, moet die munisipaliteit voorsiening maak vir minstens—

- (a) die oorgang van grond wat ingevolge die vorige soneringskema gesoneer is, na een van die gebruiksones in die enkele soneringskema, in ’n tabel wat die oorgang van sonerings lys;
- (b) die oorgang van die gebruiksones gebruik in die vorige soneringskemas na die gebruiksones wat in die enkele soneringskema gebruik word, met inbegrip van gepaste maatreëls om die volgende te reguleer:
 - (i) die toepaslikheid van enige voorwaarde van goedkeuring of geldigheidstydperk van toepassing op ’n grondeenheid onmiddellik voor die inwerkingtreding van die enkele soneringskema;
 - (ii) die status van enige ontwikkelingsparameters bepaal deur voorwaardes van goedkeuring beoog in paragraaf (i) wat kan verskil van die ontwikkelingsparameters van toepassing ingevolge die enkele soneringskema;
 - (iii) die optekening van enige ontwikkelingsreël, voorwaarde of parameter bedoel in subparagraaf (i) in die register beoog in artikel 24(c) van die Wet, tesame met enige geldigheidstydperk van toepassing op die sonering ingevolge die vorige soneringskema;
 - (iv) die oorgang van ’n sonering goedgekeur ingevolge die vorige soneringskema wat uitgeoefen is binne die geldigheidstydperk van toepassing op daardie sonering ingevolge die vorige soneringskema, soos bepaal in die tabel wat die oorgang van sonerings lys;
 - (v) die verval van ’n sonering goedgekeur ingevolge die vorige soneringskema ná die verstryking van die geldigheidstydperk van toepassing op daardie sonering ingevolge die vorige soneringskema;
 - (vi) die terugkeer van ’n sonering beoog in paragraaf (v) wat verval het na die gebruiksones daarop van toepassing ingevolge die vorige soneringskema en die oorgang van daardie sonering soos bepaal in die tabel wat die sonerings-oorgange lys.

(2) Die amptelike weergawe van die soneringskemakaart soos beoog in artikel 24(d) van die Wet kan ingesluit word in en deel gemaak word van die enkele soneringskema, en publikasie van die soneringskema in die *Provinsiale Koerant* word geag kennisgewing van die goedkeuring van die soneringskaart te wees.

(3) Die munisipaliteit moet voorsiening maak vir prosedures om die soneringskaart te wysig wanneer daar bepaal is dat die sonering van ’n grondeenheid verkeerd aangedui word op die soneringskaart.

(4) Die munisipaliteit moet voorsiening maak vir die evaluering en goedkeuring van ’n bouplanaansoek wat formeel ingedien en aanvaar is—

- (a) met die doel om uitvoering te gee aan ’n goedkeuring ingevolge die vorige soneringskema; en
- (b) om ’n tydperk te bepaal ná die inwerkingtreding van die enkele soneringskema waarbinne sodanige bouplanaansoeke ingedien moet word.”

Vervanging van Aanhangsel B van die Regulasies

12. Aanhangsel B van die Regulasies word deur die volgende Aanhangsel vervang:

“AANHANGSEL B

AANSOEKVORM: GRONDONTWIKKELING

(Artikel 53 van die Wet en regulasies 10 en 12)

VORM VIR AANSOEK OM VERLENGING VAN GELDIGHEIDSTYDPERK

(Artikel 57 van die Wet en regulasie 28)

DEPARTEMENT VAN OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING

Adres van Departement <i>(Moet deur 'n amptenaar ingevul word)</i>				
Verwysingsnommer <i>(Moet deur 'n amptenaar ingevul word)</i>				
<i>Vul hierdie vorm in deur BLOKletters te gebruik en die gepaste blokkies te merk.</i>				
DEEL A: AANSOEKE INGEVOLGE DIE WET				
Grondontwikkeling <i>(Artikel 53(2) van die Wet en regulasies 10(4) en 12)</i>	J	N	Indien ja, vul alle dele van hierdie aansoekvorm in behalwe Deel H.	
Wysiging van goedkeuring van grondontwikkeling <i>(Artikel 53(2) van die Wet en regulasies 10(5) en 12)</i>	J	N	Indien ja, vul alle dele van hierdie aansoekvorm in behalwe Deel H.	
Verlenging van geldigheidstydperk <i>(Artikel 57(2) van die Wet en regulasie 28)</i>	J	N	Indien ja, vul alle dele van hierdie aansoekvorm in behalwe Deel G.	
DEEL B: BESONDERHEDE VAN AANSOEKER				
Voornaam/-name				
Van				
Naam van maatskappy <i>(Indien van toepassing)</i>				
Posadres				Pos- kode

E-pos					
Tel.		Faks.		Sel.	

DEEL C: BESONDERHEDE VAN EIENAAR(S) *(Indien dit van aansoeker verskil)*

Volle naam/name					
Fisiese adres(se)				Poskode	
E-pos					
Tel.		Faks.		Sel.	

DEEL D: BESONDERHEDE VAN EIENDOM *(Volgens titelakte)*

Beskrywing van eiendom <i>(Nommer(s) van Erf/Erwe/Gedeelte(s) of Plaas/Plase)</i>					
Fisiese adres				Dorp/Stad	
GPS-koördinate (Grade, minute en sekondes)	°	'	"	S	° ' " O
Huidige sonering		Omvang	m ² /ha	Is daar bestaande geboue?	J N
Huidige grondgebruik					
Nommer en datum van titelakte	T				
Enige beperkende voorwaardes?	J	N	Indien ja, noem voorwaardes		
Is die eiendom met 'n verband beswaar?	J	N	Indien ja, noem verbandhouer(s)		

DEEL E: KONSULTASIE VOOR AANSOEK (Regulasie 11)					
Was daar enige konsultasie voor aansoek?	J	N	Indien ja, vul die inligting hieronder in en heg die notule van die konsultasie voor aansoek aan.		
Amptenaar se naam		Verwysingsnommer		Datum van konsultasie	

DEEL F: AANSOEGELDE* (Aanhangsel D)	
Grondontwikkelingsaansoek	R5000
Wysiging van goedkeuring van grondontwikkeling	R2000
Verlenging van geldigheidstydperk	R2000
Totale aansoekgelde	

VRYSTELLING VAN AANSOEGELDE** (Aanhangsel D)					
Die ontwikkeling word met 'n staatstoekening befonds.	J	N	Die aansoeker is 'n staatsorgaan.	J	N

* Die aansoekgelde sluit nie die koste van publikasie van 'n kennisgewing in die Provinsiale Koerant en media of die betekening van kennisgewings beoog in regulasie 14, 16 of 28 in nie omdat die aansoeker vir die koste van hierdie kennisgewings aanspreeklik is.

** Indien vrygestel van betaling van gelde, heg bewys aan.

BANKBESONDERHEDE (Moet deur 'n amptenaar ingevul word)	
Naam:	Departement van Omgewingsake en Ontwikkelingsbeplanning
Bank:	
Taknommer:	
Rekeningnommer:	
*** Geldeverwysing:
	(U spesifieke geldeverwysingsnommer MOET as depositoverwysing gebruik word wanneer u 'n betaling doen.)
*** Verkry asb. 'n spesifieke geldeverwysingsnommer by die Departement.	

BANKBESONDERHEDE VAN AANSOEKER (Regulasie 35)

Die aansoeker moet sy of haar bankbesonderhede hieronder invul vir die terugbetaling van aansoekgelde indien die aansoek teruggetrek word en die aansoekgelde nie verbeur is nie.

Naam:

Bank:

Taknommer:

Rekeningnommer:

DEEL G: AANHEGSELS EN STAWENDE INLIGTING EN DOKUMENTE VIR AANSOEK OM GRONDONTWIKKELING OF WYSIGING VAN GOEDKEURING VAN GRONDONTWIKKELING
(Regulasie 12(2)(a) tot (p))

Vul die volgende kontrolelys in en heg alle inligting en dokumente vir die voorstel aan. Versuim om alle nodige inligting en dokumente in te dien, sal meebring dat die aansoek nie aanvaar word nie.

J	N	NvT	Toestemming van verbandhouer (indien van toepassing)	J	N	NvT	Plan wat soortgelyke grondontwikkeling aandui in die streek of Provinsie as waarvoor aansoek gedoen word en wat 'n kumulatiewe uitwerking in die streek of Provinsie sal hê
J	N	NvT	Volmag/Eienaar se toestemming, indien aansoeker nie eienaar is nie	J	N	NvT	Uitlegplan van bestaande aanwending van grond, strukture en aktiwiteite
J	N	NvT	Besluit of ander bewys dat aansoeker gemagtig is om namens 'n regs persoon op te tree	J	N	NvT	Konseptuele uitlegplan
J	N	NvT	Bewys van betaling van gelde	J	N	NvT	Lys van ander goedkeurings wat vereis word vir die voorgestelde grondontwikkeling en waarvoor reeds aansoek gedoen is
J	N	NvT	Liggingsplan	J	N	NvT	Motivering vir aansoek
J	N	NvT	Volledige afskrif van die titelakte	J	N	NvT	Evaluering van die uitwerking op landbou en verbandhoudende inligting of dokumente
J	N	NvT	Bewys van bestaande sonering van toepassing	J	N	NvT	Enige bykomende dokumente of inligting soos in die konsultasie voor aansoek genoem
J	N	NvT	Plan wat omliggende aanwending van grond wat geraak sal word aandui	J	N	NvT	Ander (<i>Spesifiseer</i>)
J	N	NvT	Plan wat omliggende sonerings wat geraak sal word aandui				
J	N	NvT	Afskrif van kennisgewing van oorspronklike besluit				

DEEL H: AANHEGSELS EN STAWENDE INLIGTING EN DOKUMENTE VIR AANSOEK OM VERLENGING									
J	N	NvT	Afskrif van kennisgewing van oorspronklike besluit		J	N	NvT	Motiveringsverslag vir verlenging	
J	N	NvT	Bewys van betaling van gelde		J	N	NvT	Ander	
DEEL I: MAGTIGING(S) INGEVOLGE ANDER WETGEWING									
J	N	NvT	Wet op Nasionale Erfenishulpbronne, 1999 (Wet 25 van 1999)		J	N	NvT	Verordening op Munisipale Grondgebruikbeplanning	
J	N	NvT	Wet op Nasionale Omgewingsbestuur, 1998 (Wet 107 van 1998)					Spesifieke omgewingsbestuurswet(te) (bv. Wet op Omgewingsbewaring, 1989 (Wet 73 van 1989), "National Environmental Management: Air Quality Act, 2004" (Wet 39 van 2004), "National Environmental Management: Integrated Coastal Management Act, 2008" (Wet 24 van 2008), "National Environmental Management: Waste Act, 2008" (Wet 59 van 2008), en die Nasionale Waterwet, 1998 (Wet 36 van 1998))	
J	N	NvT	Wet op Onderverdeling van Landbougrond, 1970 (Wet 70 van 1970)		J	N	NvT		
J	N	NvT	Wet op Ruimtelike Beplanning en Grondgebruikbestuur, 2013 (Wet 16 van 2013)		J	N	NvT	Ander	
DEEL J: VERKLARING									
<p>Ek bevestig hierby dat—</p> <ol style="list-style-type: none"> 1. die inligting vervat in hierdie aansoekvorm en die bygaande dokumentasie volledig en korrek is; 2. ek daarvan bewus is dat dit ingevolge artikel 74(1)(b) van die Wet 'n misdryf is om besonderhede, inligting of antwoorde te verstrek met die wete dat die besonderhede, inligting of antwoorde onwaar, foutief of misleidend is of indien ek nie van mening is dat dit korrek is nie; 3. ek behoorlik gemagtig is om hierdie aansoek namens die eienaar te doen en (waar van toepassing) dat 'n afskrif van die tersaaklike volmag of toestemming hierby aangeheg is; en 4. waar 'n agent aangestel is om hierdie aansoek namens die eienaar in te dien, daar aanvaar word dat korrespondensie van en kennisgewings deur die Departementshoof ingevolge die Wet en hierdie regulasies slegs aan die agent gestuur sal word en dat die eienaar gereeld in hierdie verband met die agent oorleg sal pleeg. 									

Aansoeker se handtekening	_____	Datum	
Volle naam			
Professionele hoedanigheid			

SLEGS VIR KANTOORGEBRUIK

Datum ontvang:	Ontvang deur:
_____	_____
<div style="border: 1px solid black; padding: 10px; width: fit-content; margin: 0 auto;">Departementele stempel</div>	

”

Vervanging van Aanhangsel C van die Regulasies

14. Aanhangsel C van die Regulasies word deur die volgende Aanhangsel vervang:

“AANHANGSEL C

APPÈLVORM <i>(Artikel 56 van die Wet en regulasie 23)</i>

DEPARTEMENT VAN OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING

Adres van Departement <i>(Moet deur 'n amptenaar ingevul word)</i>			
Verwysingsnommer <i>(Moet deur 'n amptenaar ingevul word)</i>			
<i>Vul hierdie vorm in deur BLOKletters te gebruik en die gepaste kassies te merk.</i>			
<i>Neem kennis: 'n Appèl na die Provinsiale Minister moet binne 21 dae vanaf die datum van registrasie van kennisgewing van die besluit ingedien word.</i>			
DEEL A: APPÈL			
Appelleer u teen die besluit van die Departementshoof?	J	N	
Appelleer u teen ('n) voorwaarde(s) van goedkeuring wat deur die Departementshoof opgelê is?	J	N	Indien ja, noem voorwaarde(s) in Deel F
Appelleer u omdat u regte aangetas is deur die Departementshoof se versuim om binne die voorgeskrewe tydperk oor u aansoek te besluit?	J	N	
Datum van besluit	DD/MM/JJJJ	Datum van kennisgewing	DD/MM/JJJJ
DEEL B: BESONDERHEDE VAN APPELLANT			
Voornaam/-name			
Van			
Naam van maatskappy of regspersoon <i>(Indien van toepassing)</i>			
Fisiese adres			
Posadres <i>(Indien dit van fisiese adres verskil)</i>		Poskode	

E-pos							
Tel.		Faks.		Sel.			
DEEL C: BESKRYWING VAN APPELLANT SE EIENDOM <i>(Eiendom wat deur voorgestelde ontwikkeling geraak word)</i>							
Beskrywing van eiendom <i>Nommer(s) van Erf/Erwe/ Gedeelte(s) of Plaas/Plase</i>				Dorp/Stad			
GPS-koördinate (Grade, minute en sekondes)	°	'	"	S	°	'	" O
Fisiese adres							
DEEL D: BESONDERHEDE VAN EIENDOM WAAROP ONTWIKKELING GAAN PLAASVIND							
<i>Nommer(s) van Erf/Erwe/ Gedeelte(s) of Plaas/Plase</i>				Dorp/Stad			
Fisiese adres							
DEEL E: APPÈL VAN GERAAKTE PERSOON/PERSONE							
Hoe is u in kennis gestel van die besluit waarteen u appelleer?	Koerant	J	N	<i>Provinsiale Koerant</i>	J	N	Ander <i>(Spesifiseer)</i>
Verklaar* waarom die besluit of voorwaardes van goedkeuring u regte aantast:							

* Verklarings kan aangeheg word.

DEEL F: MOTIVERING EN REDES VIR APPÈL*

* Motivering en redes vir appèl kan aangeheg word.

DEEL G: APPÈLGELDE* (Aanhangsel D)

Appèl R0

Totale appèlgelde*

VRYSTELLING VAN APPÈLGELDE (Aanhangsel D)**

Die ontwikkeling is 'n gemeenskapsgebaseerde projek wat deur 'n regeringstoekenning befonds word.	J	N	Die aansoeker is 'n staatsorgaan.	J	N
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* Die appèlgelde sluit nie die koste vir kennisgewing ingevolge regulasie 23 in nie omdat die appellant aanspreeklik is vir die koste van daardie kennisgewings.

** Indien vrygestel van die betaling van appèlgelde, heg bewys aan.

BANKBESONDERHEDE (Moet deur 'n amptenaar voltooi word)

Naam: Departement van Omgewingsake en Ontwikkelingsbeplanning

Bank:

Taknommer:

Rekeningnommer:

*** Geldeverwysing:

.....
(U spesifieke geldeverwysingsnommer **MOET** as depositoverwysing gebruik word wanneer u 'n betaling doen.)

***Verkry asb. 'n spesifieke geldeverwysingsnommer by die Departement.

BANKBESONDERHEDE VAN APPELLANT (Regulasie 35)

Die appellant moet sy of haar bankbesonderhede hieronder invul vir die terugbetaling van appèlgelde indien die aansoek teruggetrek word en die aansoekgelde nie verbeur is nie.

Naam:

Bank:

Taknommer:

Rekeningnommer:

DEEL H: AANHEGSELS EN STAWENDE INLIGTING

Vul die volgende kontrolelys in en heg dokumente aan waar van toepassing.

J	NvT	Bewys van kennisgewing van besluit
J	NvT	Afskrif van besluit en voorwaardes vir goedkeuring
J	NvT	Bewys van betaling van gelde
J	NvT	Verklarings
J	NvT	Motivering en redes vir appèl
J	NvT	Ander (<i>Spesifiseer</i>)

DEEL I: VERKLARING

Ek bevestig hierby dat—

1. die inligting vervat in hierdie vorm en bygaande dokumentasie volledig en korrek is; en
2. ek daarvan bewus is dat dit ingevolge artikel 74(1)(b) van die Wet 'n misdryf is om besonderhede, inligting of antwoorde te verskaf met die wete dat die besonderhede, inligting of antwoorde onwaar, foutief of misleidend is of indien ek nie van mening is dat dit korrek is nie.

Appellant se handtekening _____

Datum

Volle naam

SLEGS VIR KANTOORGEBRUIK

Datum ontvang:

Ontvang deur:

Departementele stempel

”

**UMTHETHO WENTSHONA KOLONI WOCWANGCISO LOSETYENZISO-MHLABA, 2014
(UMTHETHO WESI-3 WAMA-2014)
IMIGAQO YENTSHONA KOLONI YOCWANGCISO LOSETYENZISO-MHLABA, 2015:
ULUNGISO OLUYILWAYO, 2018**

UMphathiswa wePhondo woRhulumente weMimandla, iMicimbi yokuSingqongileyo noCwangciso loPhuhliso, phantsi kwecandelo 76 loMthetho weNtshona Koloni woCwangciso loSetyenziso-Mhlaba, 2014 (uMthetho wesi-3 wama-2014), uxhibe ukwenza imigaqo ethiwe thaca kwiShedyuli.

ISHEDYULI

Inkcazelo

1. Kule migaqo “iMigaqo” ithetha iMigaqo yeNtshona Koloni yoCwangciso loSetyenziso-Mhlaba, 2015, epapashwe phantsi kweSaziso sePhondo 203/2015 somhla wama-26 kuJuni 2015.

ULungiso loLungiselelo lweMigaqo

2. ULungiselelo lweMigaqo phambi komgaqo 1 weMigaqo luyalungiswa—

- (a) ngokubekwa endaweni yawo isikhokhelo kwisihloko somgaqo 10 womba olandelayo:
“10. Uphuhliso lomhlaba oludinga ulwamkelo liphondo kunye namacandelo akhululweyo ophuhliso lomhlaba”; kunye
- (b) ngokufakelwa emva kwesikhokhelo kwisihloko kumgaqo 39 walo mba ulandelayo:
“39A. Ulwamkelo lwesikim sobume bomhlaba”.

ULungiso lomgaqo 3 lweMigaqo

3. UMgaqo 3 weMigaqo uyalungiswa—

- (a) ngokubeka endaweni yomhlathi (b) womgaqwana (1) walo mhlathi ulandelayo:
“(b) abanye abameli ababini beSebe abanolwazi, kunye namava, kucwangciso loSetyenziso-mhlaba, banyulwa yiNtloko yeSebe;”;
- (b) ngokubeka endaweni yomhlathi (c) yomgaqwana (1) walo mhlathi ulandelayo:
“(c) abameli abathathu beSebe ababhaliswe njengabacwangcisi, abatyunjwe yiNtloko yeSebe;”;
- (c) ngokubeka endaweni yomhlathi (d) womgaqwana (1) walo mhlathi ulandelayo:
“(d) abameli ababini besebe lephondo abanoxanduva lemicimbi yokusingqongileyo abanolwazi, kunye namava, kulawulo lokusingqongileyo, abatyunjwe yintloko yeloo sebe;”;
- (d) ngokubeka endaweni yomhlathi (e) yomgaqwana (1) walo mhlathi ulandelayo:
“(e) ummeli wesebe ngalinye kwamanye amasebe ephondo, otyunjwe yintloko nganye kwiintloko zaloo masebe ephondo;”;
- (e) ngokubeka endaweni yomhlathi (f) yomgaqwana (1) walo mhlathi ulandelayo:
“(f) abameli ababini bakamasipala bomasipala ngamnye koomasipala bengingqi, Besithili nabesixeko, abatyunjwe ngumasipala ngamnye, oya kuthi—
(i) omnye kufuneka abe ngumcwangcisi obhalisiweyo; okanye

- (ii) ukuba umasipala akanaye umcwangcisi obhalisiweyo, omnye kufuneka abe nolwazi, namava, kucwangciso losetyenziso lomhlaba;”;
- (f) ngokubeka endaweni yomhlathi (g) yomgaqwana (1) walo mhlathi ulandelayo:
 - “(g) ummeli wesebe ngalinye lesizwe elinoxanduva lukamasipala, lemicimbi yomhlaba, lophuhliso lwedolophu nolwamaphandle, locwangciso lwengingqi nophuhliso, lokusingqongileyo, lolimo, lwezindlu, lweendlela nemisebenzi yoluntu, otyunjwe ziintloko zesebe ngalinye kuloo masebe esizwe;”;
- (g) nangokubekwa endaweni yomhlathi (j) yomgaqwana (1) walo mhlathi ulandelayo:
 - “(j) ummeli worhulumente ngamnye wephondo lobumelwane, otyunjwe yintloko nganye yeentloko zamasebe anoxanduva locwangciso lwephondo koorhulumente baloo masebe ephondo.”.

ULungiso lomgaqo 4 weMigaqo

4. UMgaqo 4 weMigaqo uyalungiswa ngokubekwa endaweni yawo umgaqwana (2) womgaqwana olandelayo:

“(2)(a) Amalungu ekomiti ephondo anakho ukungenisa uvakaliso zimvo abhaliweyo okanye iingcebiso ngesicwangciso-nkqubo esiyilwayo sophuhliso lomhlaba, ulungiso oluyilwayo lwesicwangciso-nkqubo sephondo somhlaba okanye uxwebhu oluyilwayo olunxulumeneyo ngoko egameni lwamasebe karhulumente okanye iSouth African Local Government Association abawameleyo, xa athe acelwa ukuba enenjalo ngusihlalo wekomiti.

(b) Ukuba ngaba akukho zivakaliso zimvo angenisiweyo ngomhla wongeniso lwawo, kuya kuthatyathwa njengokuba amalungu ekomiti yephondo engenawo nemvakaliso zimvo kwisicwangciso-nkqubo sephondo esiyilwayo sophuhliso lwesicwangciso somhlaba, solungiso oluyilwayo lwesicwangciso-nkqubo sephondo sophuhliso lwesicwangciso somhlaba okanye uxwebhu oluyilwayo olunxulumene noko.”.

ULungiso lomgaqo 5 weMigaqo

5. UMgaqo 5 weMigaqo iyalungiswa ngokubekwa endaweni yawo umgaqwana (2) womgaqwana olandelayo:

“(2) Ikomiti yephondo kufuneka ihlangane ngamaxesha neendawo ezimiselwe ngusihlalo.”.

ULungiso lomgaqo 8 weMigaqo

6. UMgaqo 8 weMigaqo iyalungiswa—

- (a) ngokubekwa endaweni yomhlathi (b) yomgaqwana (1) walo mhlathi ulandelayo:
 - “(b) abanye abameli ababini beSebe abanolwazi kunye namava, kucwangciso losetyenziso-mhlaba, omnye wabo kufuneka aba ngumcwangcisi obhalisiweyo, otyunjwe yiNtloko yeSebe;”;
- (b) ngokubekwa endaweni yomhlathi (c) yomgaqwana (1) walo mhlathi ulandelayo:
 - “(c) ummeli wesebe lephondo elinoxanduva lemicimbi yokusingqongileyo onolwazi, kunye namava, olawulo lokusingqongileyo otyunjwe yintloko yelo sebe;”;

- (c) ngokubekwa endaweni yomhlathi (d) yomgaqwana (1) walo mhlathi ulandelayo:
“(d) ummeli wephondo ngalinye lamanye amaphondo ephondo, otyunjwe yintloko nganye yeentloko zamasebe ephondo;”;
- (d) ngokubekwa endaweni yomhlathi (e) yomgaqwana (1) walo mhlathi ulandelayo:
“(e) ummeli womasipala ongumcwangciso obhalisiweyo, womasipala ngamnye kwingingqi apho isicwangciso-nkqubo sephondo sophuhliso lwengingqi locwangciso lwemhlaba siya kusetyenziswa khona, otyunjwe ngumasipala ngamnye kwabo masipala okanye, ukuba ngaba umasipala akanaye umcwangciso obhalisiweyo, umqeshwa kamasipala waloo masipala onolwazi, kunye namava, kucwangciso losetyenziso-mhlaba; kunye”; kunye
- (e) ngokubekwa endaweni yomgaqwana (7) womhlathana (i) womgaqwana (c) womgaqwana olandelayo:
“(i) malunga noomasipala abathathu kwingingqi apho isicwangciso-nkqubo sophuhliso lwengingqi lwesicwangciso somhlaba okanye ulungiso ngoko oluya kusetyenziswa apho; okanye”.

ULungiso lomgaqo 10 weMigaqo

7. UMgaqo 10 weMigaqo uyalungiswa—

- (a) ngokufakelwa endaweni yomhlathi (b) womgaqwana (1) womhlathi olandelayo:
“(b) uphuhliso lomhlaba olucetywayo olusebenzisa ummandla ongama-2000 m² okanye ngaphezulu komhlaba wolimo olinyiweyo okanye onkcnkceshelwe isithuba seminyaka eli-10 ngaphambi kophuhliso lomhlaba olucetywayo.”;
- (b) ngokufakela emva komhlathi (b) womgaqwana (1) wale mhlathi ilandelayo:
“(c) uphuhliso lomhlaba olucetywayo olubandakanya ulwambiwo lwezimbiwa okanye ikwari esebenzisa umhlaba ongangehektare enye okanye ngaphezulu kumhlaba wolimo; kunye
(d) nophuhliso lomhlaba ocetyiweyo owenzelwe iziko lokuvelisa nawuphi na umbane wenyukliyeri.”; kunye
- (c) nokufakelwa emva komhlathi (c) womgaqwana (2) womhlathi olandelayo:
“(d) uphuhliso lomhlaba olucetywayo ukulungiselela ukusekwa okanye ukwandiswa kweziko okanye kwesibonelelo ukulungiselela ukuthunyelwa nokunikezelwa kombane ovela kumthombo wamandla ahlaziyiweyo okanye ongahlaziywanga nokokuba ingakanani imveliso yee-megawathi kodwa kungabandakanywa isikhululwana okanye ukulayitwa kwaso, esisetyenziswa kummandla oyihektare enye okanye ezingaphezulu.”.

ULungiso lomgaqo 11 weMigaqo

8. UMgaqo 11 weMigaqo uyalungiswa ngokufakelwa komgaqwana (4) womgaqwana olandelayo:

- “(4) INTloko yeSebe kufuneka igcine imizuzu yeenkqubo zothethwano lwaphambi kokwenziwa kwesicelo kunye nesiseko seenkcukacha zolwazi zezicelo ezamkelweyo.”.

ULungiso lomgaqo 12 weMigaqo

9. UMgaqo 12 weMigaqo uyalungiswa ngokufakelwa komgaqwana (7) womgaqwana olandelayo:

“(7) Umnini ochaphazelekayo kufuneka afumane imbalelwano nezaziso eziqulunqwe kwicandelo lomgaqo (6) evela kumthengisi, yaye umthengisi unoxanduva lokwazisa umnini ngawo onke amaxesha.”.

ULungiso lomgaqo 27 weMigaqo

10. Umgaqo olandelayo kubekwa endaweni yawo umgaqo 27 weMigaqo:

“27. UMphathiswa wePhondo kufuneka, kwisithuba seentsuku ezili-14 zokwenza isigqibo sakhe kwisibheni, azise umbheni, umenzi wesicelo ukuba ngaba umbheni akanguye umenzi wesicelo kunye naye nawuphi na umntu ongenise uvakaliso zimvokwisibheni sesigqibo kunye nezigqibo ngoko.”.

Ukufakelwa komgaqo 39A

11. Imigaqo elandelayo ifakelwa kwiMigaqo emva komgaqo 39:

“Ulwamkelo lwesikim sobume bomhlaba

39A. (1) Akuba umasipala amkele isikim sobume bomhlaba esiqulathwe kwicandelo 22(1) loMthetho, kufuneka aguqulele ubume bomhlaba—

- (a) obuhambhelana nesciwangciso sangaphambili sobume bomhlaba lusetyenziswayo lwesikim sobume bomhlaba kwitheyibhile edwelise iinguqulelo zemo yomhlaba;
- (b) ngaphandle koguqulelo lokusetyenziswa bemo yomhlaba olusetyenziswe kwizicwangciso zangaphambili zemo yomhlaba ukuza kwimo yomhlaba olusetyenzisiweyo kwisicwangciso zemo yomhlaba—
 - (i) nawuphi na umqathango wolwamkelo okanye isithuba esamkelekileyo esisebenzayo kwiyunithi yomhlaba ngokuhambelana nesikim sobume bomhlaba esisebenzayo nje ngaphambili kokusebenza kwesikim sobume bomhlaba, uhlala usebenza yaye, ngokubhekisele kukumisela kwawo imida yophuhliso eyahlukileyo kwimida esebenzayo yophuhliso ehambelana nesikim esinye sobume bomhlaba, awuthatyathwa njengetyala koko kukusebenza okusemthethweni kodwa okungahambiselani nawo;
 - (ii) nawuphi na umthetho wophuhliso, umqathango okanye umda ekubhekiselelwe kuwo kumhlathana (i) kufuneka urekhodwe kwirejista equlathwe kwicandelo 24(c) loMthetho kunye nasiphi na isithuba esisemthethweni esisebenzayo kubuma bomhlaba ngokuhambelana nesciwangciso sangaphambili bemo yomhlaba;
 - (iii) ubume bomhlaba olwamkelweyo ngokuhambelana nesikim sangaphambili bemo yomhlaba esithi sasetyenziswa kwisithuba saso esisemthethweni esisebenza kulomo yomhlaba ngokuhambelana kwesikim sobume bomhlaba sangaphambili semo yomhlaba alunakuphelelwa lixesha yaye liyaguqulelwa njengoko kumiselwe kwitheyibhile edweliswa iinguqulelo zemo yomhlaba;
 - (iv) ubume bomhlaba lwamkelwe ngokuhambelana nesikim sangaphambili sesimo somhlaba esingasetyenziswanga luyaphelelwa emva kokuphela kwesithuba esisemthethweni esisebenzayo kolo ubume bomhlaba

ngokuhambelana nesikim sobume bomhlaba yaye siguqulelwa njengoko kumiselwe kwitheyibhile ekudweliswe iinguqulelo yobume bomhlaba;

- (v) xa ubume bomhlaba oluqulathwe kumhlathi (iv) luthe lwaphelelwa, ukucandwa kweyunithi yomhlaba kubuyela umva kusetyenziso sobume bomhlaba obusebenzayo kulo ngokuhambelana nesikim iguqulelwe njengoko kumiselwe kwitheyibhile ekudweliswe inguqulelo yesimo somhlaba.

(2) Inguqulelo esesikweni yemephu yesikim sobume somhlaba equlathwe kwicandelo 24(d) yoMthetho inakho ukubandakanywa ze yenziwe inxalenye yesicwangciso sesimo somhlaba, ze upapasho yesikim sobume bomhlaba kwi*Gazethi yePhondo* senze isaziso solwamkelo yesikim sobume bomhlaba.

(3) Umasipala kufuneka enze isibonelelo seenkqubo zokulungisa imephu yesikim sobume bomhlaba xa kumiselwe okokuba utshintsho besimo somhlaba kubonakaliswe ngokungafanelekanga kwimephu yokucanda.

(4) Umasipala kufuneka enze isibonelelo sovavanyo nolwamkelo lwesicelo sesicwangciso sokwakha ebesingeniswe ngokusesikweni ze samkelwa—

- (a) ngenjongo yokuqwalaselwa kolwamkelo ngokuhambelana nesikim sobume bomhlaba; kunye
(b) nokumisela isithuba emva kokuqaliswa isikim sobume bomhlaba ekufuneka izicelo zezicwangciso ezinjalo zokwakha zingeniswe.”.

Ukubeka endaweni yeSihlomelo B seMigaqo

12. ISihlomelo esilandelayo kubekwa endaweni yaso iSihlomelo B soMgaqo:

“ISIHLOMELO B**IFOMU YESICELO SOPHUHLISO LOMHLABA***(ICandelo 53 loMthetho nemigaqo 10 kunye ne-12)***UKWANDISWA KWESITHUBA ESISEMTHETHWENI SEFOMU YESICELO***(ICandelo 57 loMthetho nomgaqo 28)***ISEBE LEMICIMBI YOKUSINGQONGILEYO NOCWANGCISO LOPHUHLISO**

IDilesi yeSebe <i>(Mayizaliswe ngumsebenzi wesebe)</i>			
Inombolo yesalathiso <i>(Mayizaliswe ngumsebenzi wesebe)</i>			
<i>Zalisa le fomu ngokusebenzisa oNOBUMBA ABAKHULU nangokuphawula iibhokisi ezichanekileyo.</i>			
ISIQENDU A: IZICELO NGOKUHAMBELANA NOMTHETHO			
UPhuhliso lomhlaba <i>(ICandelo 53(2) loMthetho nemigaqo 10(5) kunye nowe-12)</i>	E	H	Ukuba ngu-ewe, zizalise zonke iziqendu ngaphandle kwesiqendu H, sale fomu yesicelo.
Ulungiso lolwamkelo lophuhliso lomhlaba <i>(ICandelo 53(2) loMthetho nemigaqo 10(4) kunye nowe-12)</i>	E	H	Ukuba ngu-ewe, zizalise zonke iziqendu ngaphandle kwesiqendu H, sale fomu yesicelo.
Ukwandiswa kwesithuba esisemthethweni <i>(ICandelo 53(2) loMthetho nemigaqo we-12)</i>	E	H	Ukuba ngu-ewe, zizalise zonke iziqendu ngaphandle kwesiqendu G, sale fomu yesicelo.
ISIQENDU B: IINKCUKACHA ZOMENZI WESICELO			
Amagama akho			
Ifani			
Igama lenkampani <i>(Ukuba kufanelekile)</i>			
Idilesi yeposi		Ikhowudi yeposi	
I-Imeyile			
Imfono-mfono		IFeksi	Iselula

ISIQENDU C: IINKCUKACHA ZOMNINI/ZABANINI NDAWO (<i>Ukuba zohlukile kwezo zomenzi sicelo</i>)									
Amagama onke									
Idilesi yendawo									
				Ikhowudi yeposi					
I-Imeyile									
Imfono-mfono				IFeksi			Iselula		
ISIQENDU D: IINKCUKACHA ZEPROPATI (<i>Ngokuhambelana netayitile</i>)									
Inkcazelo yepropati (<i>INombolo yeSiza/yeZiza/yeZahlulo okanye iFama</i>)									
Idilesi yendawo						Idolophu/iSixeko			
Ulungelelwaniso lweGPS (amaQondo, imizuzu nemizuzwana)		° ' "		S		° ' "		E	
Isimo somhlaba esikhoyo				Ubungakanani	m ² /ha	Ingaba kukho izakhiwo ezikhoyo		E	H
Usetyenziso lomhlaba oluqhubekayo									
Inombolo yetayitile nomhla		T							
Ingaba ikho na imiqathango yothintelo?		E	H	Ukuba ngu-ewe, dwelisa imiqathango					
Ingaba ipropati ithwelwe yimali-mboleko		E	H	Ukuba ngu-ewe, dwelisa ababolekisi ngemali					
ISIQENDU E: INDIBANO YOKUBONISANA PHAMBI KOKUFAKWA KWESICELO (<i>UMgaqo 11</i>)									
Ingaba bekukho indibano yokubonisana phambi kokufakwa kwesicelo?				E	H	Ukuba ngu-ewe, zalisa iinkcukacha ezingasezantsi uze uqhoboshele imizuzu yendibano yokubonisana yaphambi kokufakwa kwesicelo.			
Igama legosa		Inombolo yesalathiso					Umhla wendibano yokubonisana		

ISIQENDU F: UMRHUMO WESICELO* (ISihlomelo D)					
Isicelo sophuhliso lomhlaba				R5000	
Ukulungiswa kwemvume yophuhliso lomhlaba				R2000	
Ukongezwa kwesithuba sokusebenza esisemthethweni				R2000	
Uwonke umrhumo wesicelo					
UKUKHULULWA EKHULAWULENI UMRHUMO WESICELO** (ISihlomelo D)					
Uphuhliso luhlawulelwa ngemali ngenkxaso-mali karhulumente.	E	H	Umenzi wesicelo lisebe likarhulumente.	E	H
<p>* Umrhumo wesicelo awubandakanyi iindleko zokupapashwa kwesaziso kwiGazethi yePhondo, kumajelo eendaba okanye unikezelo lwezaziso eziqulathwe kumgaqo 14, 16 okanye 28 kuba umenzi wesicelo enoxanduva lweendleko lwezi zaziso.</p> <p>** Ukuba ukhululwe kwintlawulo yemirhumo yesicelo, qhoboshela ubungqina.</p>					
IINKCUKACHA ZEBHANKA (Mazizaliswe ligosa)					
Igama:	ISebe leMicimbi yokusiNgqongileyo noCwangciso loPhuhliso				
IBhanka:					
Inombolo yeSebe.:					
Inombolo ye-Akhawunti:					
*Isalathiso sentlawulo: (Inombolo yesalathiso ethe ngqo yesalathiso KUFUNeka isetyenziswe njengesalathiso sedipozithi xa kusenziwa intlawulo.)				
	*** Nceda ufumane inombolo yesalathiso ethe ngqo evela kwiSebe.				
IINKCUKACHA ZEBHANKA ZOMENZI WESICELO (uMgaqo 35)					
Umenzi wesicelo kufuneka azalise iinkcukacha zakhe zebhanka apha ngasezantsi ukulungiselela iinjongo zembuyekezo yemirhumo yesicelo ukuba ngaba isicelo sirhoxisiweyo yaye imirhumo yesicelo ayitshoni.					
Igama:					
IBhanka:					
Inombolo yeSebe.:					
Inombolo ye-Akhawunti:					

**ISIQENDU G: INGCACISO EQHOTYOSHELWEYO NEXHASAYO KUNYE NAMAXWEBHU
ALUNGISELELWE ISICELO SOPHUHLISO LOMHLABA OKANYE IZILUNGISO KWIMVUME
YOPHUHLISO LOMHLABA (uMgaqo 12(2)(a) ukuya ku-(p)).**

**Zalisa olu xwebhu loluhlu lohlolo ze uncamathisele yonke ingcaciso namaxwebhu afanelekileyo kwisindululo.
Ukusilela ukungenisa yonke ingcaciso namaxwebhu afunekayo kuya kukhokhelela ekubeni isicelo singamkelwa.**

E	H	Ayikho	Imvume yombolekisi-mali (ukuba ikho)	E	H	Ayikho	Iplani ebonisa uphuhliso lomhlaba kummandla okanye kwiPhondo ebufana nophuhliso lomhlaba ekungeniswe isicelo sayo eya kuba nempembelelo ekhulayo kummandla okanye kwiPhondo.
E	H	Ayikho	Igunya lokusayina /Imvume yoMnini ukuba ngaba umenzi wesicelo akanguye umnini	E	H	Ayikho	Iplani ebonakalisa ukusetyenziswa okuqhubekayo komhlaba, izakhiwo nemisebenzi
E	H	Ayikho	Isigqibo okanye obunye ubungqina bokokuba umenzi wesicelo ugunyazisiwe ukuba unegunya lomthetho lokumela inkampani	E	H	Ayikho	Iplani ebonakalisa uqikelelo lokucetywayo
E	H	Ayikho	Ubungqina bentlawulo yemirhumo	E	H	Ayikho	Uluhlu lwezinye iimvume ezifunekayo ezilungiselelwe uphuhliso lomhlaba ocetywayo nezo kufakwe isicelo ngazo
E	H	Ayikho	Iplani yendawo	E	H	Ayikho	Impembelelo yesicelo
E	H	Ayikho	Ikopi epheleleyo yetayitile	E	H	Ayikho	Uvavanyo lwempembelelo kulimo kunye nengcaciso enxulumene noko okanye amaxwebhu
E	H	Ayikho	Ubungqina boubume bomhlaba olwenziweyo olufanelekileyo	E	H	Ayikho	Amanye amaxwebhu angezelekileyo okanye ingcaciso njengoko idwelisiwe kwindibano yokubonisana
E	H	Ayikho	Iplani ebonisa ukusetyenziswa bezimo zomhlaba ezingqongileyo eziya kuchaphazeleke	E	H	Ayikho	Ezinye (Chaza)
E	H	Ayikho	Iplani ebonisa ukusetyenziswa komhlaba ongqongileyo oya kuchaphazeleka				
E	H	Ayikho	Ikopi yesaziso yesigqibp sokuqala				

**ISIQENDU H: AMAXWEBHU ANCANYATHISELWEYO NENGCACISO EXHASAYO NAMAXWEBHU
ALUNGISELELWE UIKWANDISWA KWESICELO**

E	H	Ayikho	Ikopi yesaziso sesigqibo sokuqala	E	H	Ayikho	Ukwandiswa kwengxelo yempembelelo
E	H	Ayikho	Ubungqina bentlawulo yemirhumo	E	H	Ayikho	Ezinye

ISIQENDU I: UGUNYAZISO NGOKUHAMBELANA NEMINYE IMITHETHO

E	H	Ayikho	National Heritage Resources Act, 1999 (uMthetho 25 we-1999)	E	H	Ayikho	UMthetho kaMasipala woCwangciso loSetyenziso-Mhlaba kaMasipala
E	H	Ayikho	National Environmental Management Act, 1998 (uMthetho 107 we-1998)				UMthetho othe ngqo wolawulo lokusingqongileyo, umzekelo iEnvironmental Conservation Act, 1989 (uMthetho 73 we-1989), iNational Environmental Management: Air Quality Act, 2004 (uMthetho 39 wama-2004), iNational Environmental Management: Integrated Coastal Management Act, 2008 (uMthetho 24 wama-2008), iNational Environmental Management: Waste Act, 2008 (uMthetho 59 wama-2008), kunye ne National Water Act, 1998 (uMthetho 36 we-1998)
E	H	Ayikho	Subdivision of Agricultural Land Act, 1970 (uMthetho 70 wama-1970)	E	H	Ayikho	
E	H	Ayikho	ISpatial Planning and Land Use Management Act, 2013 (uMthetho 16 wama-2013)	E	H	Ayikho	Omnye

ISIQENDU J: ISIFUNGO

Ndiyaqinisekisa ukuba—

1. ingcaciso equlathwe kolu xwebhu lwesicelo kunye namaxwebhu aqhotyoshelweyo iphelele yaye inyanisekile;
2. ndiyayazi into yokokuba kulityala ngokuhambelana necandelo 74(1)(b) loMthetho ukunikeza iinkcukacha, ingcaciso okanye iimpendulo ndisazi okokuba iinkcukacha, ingcaciso okanye iimpendulo aziyonyani, azichanekanga okanye ziyalahlekisa okanye endikholelwa ukuba azichanekanga,
3. ndigunyaziswe ngokupheleleyo okokuba ndenze esi sicelo egameni lomnini yaye (nalapho kufanelekileyo) ndifake ikopi yegunya lomthetho lokwenza oko okanye imvume encanyathiselwe apha; yaye apho kuqeshwe i-arhente okokuba ingenise esi sicelo egameni lomnini, iyamkeleka into yokokuba ingenise esi sicelo egameni lomnini, iyamkeleka into yokokuba imbalelwano kunye nezaziso ezisuka kwiNtloko yeSebe ngokuhambelana noMthetho yaye le migaqo iya kuthunyelwa kuphela kwi—arhente yaye umnini iya kuthethana rhoqo ne-arhente ngalo mba.

Utyikityo lomenzi wesicelo.

Umhla

Amagama apheleleyo

Isikhundla segosa

IZALISWA YI-OFFISI KUPHELA

Umhla esifike ngawo:

Sifikele ku:

Isitampu seSebe

Okubekwe endaweni yeSihlomelo C seMigaqo**13.** Esi Sihlomelo silandelayo sibekwe endaweni yeSihlomelo C seMigaqo:**“ISIHLOMELO C****IFOMU YESIBHENO***(ICandelo 56 loMthetho nomgaqo 23)***ISEBE LEMICIMBI YOKUSINGQONGILEYO NOCWANGCISO LOPHUHLISO****Idilesi yeSebe***(Mayizaliswe ngumsebenzi wesebe)***Inombolo yesalathiso***(Mayizaliswe ngumsebenzi wesebe)**Zalisa le fomu ngokusebenzisan ONOBUMBA ABAKHULU nangokufaka uphawu kwiibhokisi ezifanelekileyo.**Qaphela:**Isibheno kuMphathiswa wePhondo kufuneka singeniswe kwisithuba **seentsuku ezingama-21**zomhla wokwaziswa ngesigqibo.***ISIQENDU A: ISIBHENO**

Ingaba ubhena kwisigqibo seNtloko yeSebe?

E

H

Ingaba ubhena kumqathango wemvume obekwe yiNtloko yeSebe?

E

H

Ukuba ngu-ewe,
chaza
imiqathango
kwiSiqendu F

Ingaba ubhena kuba amalungelo akho echatshazelwe lusilelo lweNtloko yeSebe ekubeni yenze isigqibo ngesicelo sakho kwixesha elibekiweyo?				E	H			
Umhla wesigqibo	DD/MM/YYYY	Umhla wokwaziswa	DD/MM/YYYY					
ISIQENDU B: IINKCUKACHA ZOMFAKI-SIBHENO								
Amagama akho								
Ifani								
Igama lenkampani okanye lomntu womthetho (<i>Ukuba likhona</i>)								
Idilesi yendawo								
Idilesi yeposi (<i>ukuba yahlukile kwidiIesi yendawo</i>)					Ikhawudi yeposi			
I-imeyile								
Imfono-mfono			iFeksi			iSelula		
ISIQENDU C: INKCAZELO YEPROPATI YOMFAKI-SIBHENO (Ipropati echatshazelwe luphuhliso olucetywayo)								
Inkcazelo yepropati <i>iNombolo yeZiza/iZahlulo okanye ezeFama</i>					Idolophu/iSi xeko			
Ulungelelwaniso lweGPS (Amaqondo, imizuzu nemizuzwana)	°	'	"	S	°	'	"	E
Idilesi yendawo								

ISIQENDU D: INKCAZELO YEPROPATI EKUZA KWENZIWA KUYO UPHUHLISO

Inkcazelo yepropati <i>iNombolo yeZiza/iZahlulo okanye ezeFama</i>		Idolophu/iSi xeko	
Idilesi yendawo			

ISIQENDU E: ISIBHENO ESIVELA KUMNTU/KUBANTU ABACHAPHAZELEKAYO

Waziswe njani ngesigqibo ofake isibheno kuso?	Iphepha- ndaba	E	H	<i>IGazethi yePhondo</i>	E	H	Enye (Chaza)	
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Chaza* ukuba isigqibo okanye imiqathango yemvume okanye zombini ziwachaphazela njani amalungelo akho:

* Inkcazelo zingaqhotyoshelwa.

ISIQENDU F: IZIZATHU ZOKUFAKA ISIBHENO*

* Izizathu zokufaka isibheno zingaqhotyoshelwa

ISIQENDU G: INTLAWULO YESIBHENO* (ISihlomelo D)

Isibheno	R0
Imali yesibheno iyonke	R0

UKUKHULULWA KWINTLAWULO YOKUBHENA (ISihlomelo D)**

Uphuhliso olu yiprojekti yasekuhlaleni ehlawulelwa ngurhulumente.	E	H	Umfaki-sicelo liziko likarhulumente	E	H
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* Imali yesibheno ayibandakanyi iindleko zokuhambisa isaziso ngokomgaqo 23 ngoba umfaki-sicelo nguye onoxanduva lokuhlawula ezi ndleko zezi zaziso.

**Ukuba waphulelwe ukuba ungahlawuli imirhumo yesibheno, qhoboshela ubungqina

IINKCUKACHA ZEBHANKI (Mazizaliswe ngumsebenzi wesebe)

Igama: ISebe leMicimbi yokusiNgqongileyo noPhuhliso loCwangciso

IBhanka:

Inombolo yeSebe:

Inombolo
yeAkhawunti:

***** Isalathiso****seNtlawulo:**

(Inombolo yesalathiso somrhumo **KUFUNeka** isetyenziswe njengesalathiso sediphozithi xa uhlawula.)

*** Fumana inombolo yesalathiso somrhumo kwiSebe.

IINKCUKACHA ZEBHANKI ZOMFAKI-SIBHENO (UMgaqo 35)

Umfaki-sibheno kufuneka azalise iinkcukacha zakhe zebhanki apha ngezantsi ukulungiselela imbuyekazo yemali yesibheno ukuba isibheno sirhoxisiwe yaye imali yesibheno ayitshonanga.

Igama:

IBhanka:

Inombolo yeSebe:

Inombolo yeAkhawunti:

ISIQENDU H: AMAXWEBHU AQHOTYOSHELWEYO NEENKCUKACHA EZIXHASAYO

Zalisa olu ludwe lohlolo lulandelayo ze uqhoboshele ezinye iinkcukacha apho kuyimfuneko.

E	H	Ayikho	Ubugqina bokwaziswa ngesigqibo
E	H	Ayikho	Ikopi yesigqibo nemiqathango yemvume
E	H	Ayikho	Ubugqina bentlawulo yemirhumo
E	H	Ayikho	Iinkcazelo
E	H	Ayikho A	Izizathu zokufaka isibheno
E	H	Ayikho	Okunye (<i>Chaza</i>)

ISIQENDU I: ISIFUNGO

Ndiyaqinisekisa ukuba-

1. iinkcukacha eziqulathwe kule fomu namaxwebhu aqhotyeshelweyo ziphelele yaye zinyanisekile;
2. ndiyazi ukuba kulityala ngokwecandelo 74(1)(b) loMthetho ukunikeza iinkcukacha okanye iimpendulo ndisazi ukuba ezo nkcukacha okanye ezo mpendulo aziyonyani, azichanekanga okanye ziyalahlekisa okanye endikholelwa ukuba azichanekanga.

Utyikityo lomfaki-sibheno

Umhla

Igama nefani

IZALISWA YI-OFISI KUPHELA

Umhla esifakwe ngawo:

Sifikele ku:

Isitampu seSebe

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