
**LESEDI LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT
BY-LAW, 2015 – SCHEDULES**

APPLICATION REQUIREMENTS, APPLICATION FORMS AND NOTICES

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SCHEDULE 1:

MAPS AND ANNEXURES OF THE LAND USE SCHEME IN TERMS OF SECTION 19 AND 20

1. The zoning maps to this By-law shall be used in order to illustrate the provisions of the Land Use Scheme as required in terms of this By-law: provided that where another system was lawfully used in the preparation of a land use scheme, that system shall be used in every amendment scheme amending or extending such scheme, other than an land use or amendment scheme substituting such scheme.
2. Subject to the provisions of section 19 and 20 of this By-law the following documents shall be required for a Land Use Scheme:
 - (a) scheme clauses containing the provisions of the Land Use Scheme, including Annexures to the clauses;
 - (b) a scheme map depicting the zoning of every property in the municipal area, being a map of the area to which the scheme relates, drawn on one or more sheets;
 - (c) a key plan, being a plan showing the position of the area of a scheme map and, if the scheme map is drawn on more than one sheet, the division of that scheme map into sheets; and
3. A scheme map may indicate all matters relevant to a Land Use Scheme and it shall include in particular but not limited to:
 - (a) the scale and the true north of the area on each sheet;
 - (b) the boundaries and names of all townships, agricultural holdings and farms and the boundaries of the various erven, lots or portions into which they have been divided, if any;
 - (c) the position and names of all streets, roads, thoroughfares, squares and other open spaces;
 - (d) every railway reserve;
 - (e) cadastral information; and
 - (f) land uses zones as illustrated by the notations.
4. In indicating the position of the area of a scheme map, a key map shall indicate in particular:
 - (a) the scale and the numerical sequence of each sheet and the true north of the area on each sheet;
 - (b) the boundaries of the area to which the scheme relates and of the area of jurisdiction of the Municipality;
 - (c) the boundaries and names of all townships, agricultural holdings and farms;
 - (d) the position and names of all rivers, water courses, dams and lakes; and
 - (e) the route of every main road and every railway.
5. Subject to the provisions of paragraph 3 above all scheme maps where kept in custody by a Municipality in hard copy, shall be to a scale of:
 - (a) 1: 1 000 for all areas where townships exist with erven with a ruling size equal to or smaller than 500 m²;

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- (b) 1: 2 000 for all areas where townships exist with erven with a ruling size larger than 500 m²;
- (c) 1: 5 000 for all areas where on townships exist:
- provided that the Municipality may require that such maps be drawn to a scale of 1:2000 or such other scale as approved by the Municipality.
6. Where a map in respect of an amendment scheme is prepared, that map shall be to the same scale as that of the map of the approved scheme.
 7. Key plans shall be to a scale of 1:10 000, 1:20 000 or 1:50 000 or such other scale as approved by the Municipality.
 8. An Annexure to a scheme map to the scheme clauses may be used to:
 - (a) indicate in detail, the land use rights permitted and the conditions in respect of certain properties;
 - (b) indicate the properties contemplated in paragraph (1) above by means of a map accurately drawn.
 9. Every Annexure to a scheme map shall, as far as possible, be drawn on one sheet and, for the purposes.
 10. The scheme map and Annexures of an amendment scheme shall reflect only the matters relating to the particular amendment to be effected by such scheme.
 11. The scheme maps as may be determined by the Municipality may consist of an Annexures of:
 - (a) a draft land use scheme or amendment scheme
 - (b) an approved land use scheme or amendment scheme
 - (c) an adopted land use scheme or amendment scheme
 12. Zoning Certificate prepared by the Municipality, subject to the information being available and may include the following:
 - (a) primary uses;
 - (b) uses that can be obtained with consent use application;
 - (c) uses that can be obtained with written consent use applications
 - (d) density;
 - (e) coverage;
 - (f) height;
 - (g) floor area ratio;
 - (h) parking requirements
 - (i) building lines;
 - (j) approved consent use /written consent use permission land use rights;
 13. The zoning certificates shall be available to the public upon request during normal office hours.
 14. A zoning certificate is aimed at assisting the public to provide a summary of the zoning applicable to their property in terms of a land use scheme and does not grant or remove any land use rights.

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15. The owner is required to familiarize himself/herself with the content of the Land Use Scheme in operation applicable to his or her property and any relevant legislation and or any policies applicable within the Lesedi Local Municipality no representation by any official or documentation shall be regarded binding on the Municipality.

SCHEDULE 2:

LAND USE SCHEME REGISTER

1. A Land Use Scheme Register as contemplated in section 14(10) of this By-law may where applicable include the following:
 - (a) Date of application
 - (b) Name and contact details of applicant
 - (c) Type of Application
 - (d) Property Description
 - (e) Existing Zoning
 - (f) Square Metres Granted
 - (g) Density
 - (h) FAR
 - (i) Height (storeys/meters)
 - (j) Coverage
 - (k) Building Line
 - (l) Parking Requirements
 - (m) Amendment scheme no
 - (n) Annexure Number
 - (o) Item No
 - (p) Decision and date
 - (q) Date of proclamation
 - (r) Any other information, which in the opinion of the Municipality shall be required to assist land development in general; provided that (a) to (q), can be made available to the public but information in terms of (r) need not be made available.

SCHEDULE 3:

GENERAL APPLICATION FORM

TO BE SUBMITTED WITH ALL APPLICATIONS

APPLICANT DETAILS				
Please indicate the type of applicant :				
Individual	<input type="checkbox"/>	Legal Entity / Other	<input type="checkbox"/>	
Applicant Details: Individual				
Title				
Initial				
First Name(s)				
Surname				
Preferred Name				
ID Number				
Gender	Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
Applicant Details: Legal Entity / Other				
Name				
Registration number				
Representative name				
Postal Details of Applicant				
Physical Address (Work)				
Address Line 1 (street no)				
Address Line 2 (street name)				
Township		Postal Code		
Specify City				
Physical Address (Home)				
Address Line 1 (street no)				
Address Line 2 (street name)				
Township		Postal Code		
Specify City				
Applicant Postal Address Details				
Postal Type	PO Box Private Bag	<input type="checkbox"/>	Physical Address (Home) Physical Address (Work)	<input type="checkbox"/>
Postal Number				
Township		Postal Code		
Specify City				
Applicant Communication Details				
E-Mail Address				
Cell Phone				
Home Phone				
Work Phone				
Home fax				
Work fax				

Preferred Communication Type:	E-Mail		SMS	
OWNER DETAILS				
Please indicate the type of applicant :				
Individual	<input type="checkbox"/>	Legal Entity / Other	<input type="checkbox"/>	
Owner Details : Individual				
Title				
Initials				
First name				
Surname				
Preferred name				
ID Number				
Gender	Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
Owner Details: Legal Entity/other				
Name				
Registration number				
Representative name				
Postal Details of Owner				
Physical Address (Work)				
Address Line 1 (street no)				
Address Line 2 (street name)				
Township		Postal Code		
Specify City				
Physical Address (Home)				
Address Line 1(street no)				
Address Line 2 (street name)				
Township		Postal Code		
Specify City				
Owner Postal Address Details				
Postal Type	PO Box Private Bag	Physical Address (Home) Physical Address (Work)		
Postal Number				
Township		Postal Code		
City				
Communication Details				
E-Mail Address				
Cell Phone				
Home Phone				
Work Phone				
Home fax				
Work fax				

Preferred Communication Type	E-Mail		SMS	
Details of Owner's / Marital Status	Not Applicable	Married in Community of Property	Married out of Community of Property	
FOR OFFICIAL USE				
Receipt Amount				
Receipt Number				
Payment Date				
Application Form Date				

I, being the registered Owner / Applicant of the property/ties declare that the above information is correct and that the required documents are attached.

I hereby acknowledge that the Lesedi Local Municipality has the right to request additional information or documentation should it be deemed necessary to be able to make an informed decision.

I further hereby acknowledge that should not all the required documentation be submitted, the application shall not be considered.

SIGNATURE DATE:

SCHEDULE 4:

APPLICATION REQUIREMENT FOR A CONSENT USE APPLICATION IN TERMS OF SECTION 36

1. An applicant who wishes to apply in terms of section 36 for a consent use relating to his/her property shall apply to the Municipality in the form as set out in Schedule 3 and 5 and such application shall, in addition to the fees prescribed or determined, be accompanied by the documentation indicated in paragraph 3 below.
2. The applicant shall submit at least but not limited to the following documentation upon submission of the application:
 - (a) an original of the official receipt for the application fee; the application will not be processed before confirmation has been received of payment.
 - (b) a covering letter addressed to the Directorate spatial planning and land use management or its successor in title ;
 - (c) the completed and signed application form with the details of the applicant and owner as set out on Schedule 3 as well as the applicable application form relevant to the type of application;
 - (d) a power of attorney from the registered owner of the erf substantially, in the opinion of the Municipality, in accordance with Schedule 25 if he/she is not the registered owner.

The power of attorney must correspond with the registered Title Deed; provided that:

- (i) If a property changes hands while an application is being considered, the new owner must submit a power of attorney/letter indicating that he or she concurs with the application;
- (ii) If the new owner fails to submit a power of attorney/letter, the application will be regarded as incomplete in terms of section 80
- (iii) If the registered owner is a company, close corporation or trust, the applicant must submit a resolution of the company, close corporation or trust substantially, in the opinion of the Municipality, in accordance with this schedule stating the grounds on which the applicant is authorised to act on behalf of the company, close corporation or trust. Note that this resolution is not the same as the power of attorney.

A copy of the following must be attached:

- (aa) a copy of the CM 29 form in the case of a company;
 - (bb) a copy of the CK 1 or 2 forms in the case of a close corporation;
 - (cc) letter of appointment of trustees in the case of a trust.
 - (iv) Proof must be submitted if the owner is married in community of property, and his or her spouse must co-sign the power of attorney/application form.
- (e) If the property is encumbered by a bond, the bondholder's consent must be submitted
 - (f) The application form submitted in the opinion of the Municipality, will be in accordance with Schedule 3 and 5.
 - (g) The motivation memorandum with at least the following information:

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- (i) reference to the objective and principles contained in this By-law;
 - (ii) reference to the Municipal Spatial Development Framework and its components and any other policies, plans or frameworks with specific reference on how this application complies with it or deviated from it;
 - (iii) The need and desirability of the application
 - (iv) Discuss the application in terms of the Development Principles, norms and standards as referred to in Chapter 2 of the Act.
- (h) A locality, land-use and zoning plans substantially in accordance with (insert own example plans and numbers)
 - (i) A site plan, on a scale of 1:500 or as determined by the Municipality, indicating the layout of the proposed development, parking layout and landscaped areas must be submitted substantially in accordance with _____insert as an example.
 - (j) A copy if the title deed which is registered in the Deeds Office at the time when the application is submitted with, all the pages including the endorsement pages. A draft title deed is not acceptable; and
 - (k) All notarial deeds registered against the property as may be applicable.
 - (l) A copy of the Zoning Certificate. including any notices published in terms of this By-law which has the purpose of changing the land use rights which may be applicable

SCHEDULE 5:**CONSENT USE APPLICATION FORM IN TERMS OF THE LAND USE SCHEME READ WITH SECTION 36 OF THE BY-LAW****PROPERTY INFORMATION**

Complete this section for each property (make a separate copy for each property)

Township / Agricultural Holding / Farm	
Erf / Plot / Farm No	
Portion number	
Street name	
Street number	

TITLE DEED

Title Deed number	
Registered Owner	
Property Size (m ²)	
Bond (Yes/No)	
If yes specify Bond Account No	
Bondholder's Name	
Restrictive Title Deed Restrictions(Yes/No)	

CONSENT USE DETAILS

Land Use Scheme	
Present Zoning	
Present Height (Scheme)	
Present Density (Scheme)	
Present Coverage (Scheme)	
Present FAR	
Existing Development	
Application is for the purposes of:	
Describe activities indoors	
Describe activities outdoors	
Number of clients expected daily	

REQUIRED DOCUMENTS

Covering Letter		Power of Attorney		Bondholders Consent	
Company/Close Corporation/Trust resolution		Proof of Members of Company /Close Corporation/Trust		Proof of Marital Status of the Owner	
Motivating Memorandum		Locality Plan		Zoning Plan	
Zoning Certificate		Site Plan		Registered Title Deed	
Proposed Development Controls		Other			

SCHEDULE 6:

LOCAL NEWSPAPER AND SITE NOTICE IN TERMS OF SECTION 36 OF THE LESEDI LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2015 FOR A CONSENT USE

I,(full name), being the
*owner/ Applicant of *erf/erven/portion(s)

..... (complete description of property as set out in title deed) hereby give notice in terms of Section 36 (2) of the Lesedi Local Municipality Spatial Planning and Land Use Management By-law, 2015, that I/We Intend applying to the Lesedi Local Municipality for consent to use:

.....
(description of property),
..... also known as (street name and number) for the purposes of
..... (details of the zoning, application – nature and extent of e application required)

Particulars of the application will lie for inspection during normal office hours at the office of the [INSERT ADDRESS OF MUNICIPALITY] for a period of 28 days from -----
(date of publication of notice).

Any objection, with the grounds therefore and contact details, shall be lodged with or made in writing to the above address or at [P.O. BOX ADDRESS OF MUNICIPALITY] as well as with the under mentioned applicant within a period of 28 days from -----
----- (date of publication of notice).

Address of Applicant.

.....
.....
.....

SCHEDULE 7:

APPLICATION REQUIREMENTS FOR THE AMENDMENT OF LAND USE SCHEME (REZONING) IN TERMS OF SECTION 38 OF THE BY-LAW

1. An applicant who wishes to apply in terms of section 36 of this By-law for an change of land use rights relating to his/her property, shall apply to the Municipality in the form as set out in Schedule 3 and 8 to this By-law, and such application shall, in addition to the fees prescribed or determined, be accompanied by the maps and documents indicated in paragraph 2 below.
2. The applicant shall submit at least but not limited to the following documentation upon submission of the application:
 - (a) an original of the official receipt for the application fee; the application will not be processed before confirmation has been received of payment.
 - (b) a covering letter addressed to the Directorate responsible for spatial planning and land use management;
 - (c) the completed and signed application form with the details of the applicant and owner as set out on Schedule 3 as well as the applicable application form relevant to the type of application;
 - (d) a power of attorney from the registered owner of the erf substantially, in the opinion of the Municipality, in accordance with Schedule 25, if he/she is not the registered owner.

The power of attorney must correspond with the registered Title Deed; provided that:

- (i) If a property changes hands while an application is being considered, the new owner must submit a power of attorney/letter indicating that he or she concurs with the application, as submitted;
- (ii) If the new owner fails to submit a power of attorney/letter, the application will be regarded as incomplete in terms of section 80
- (iii) If the registered owner is a company, close corporation or trust, the applicant must submit a resolution of the company, close corporation or trust substantially, in the opinion of the Municipality, in accordance with this schedule read with Schedule 3 stating the grounds on which the applicant is authorised to act on behalf of the company, close corporation or trust. Note that this resolution is not the same as the power of attorney.
A copy of the following must be attached:
 - (aa) a copy of the CM 29 form in the case of a company;
 - (bb) a copy of the CK 1 or 2 forms in the case of a close corporation; and
 - (cc) letter of appointment of trustees in the case of a trust.
- (e) Proof must be submitted if the owner is married in community of property, and his or her spouse must co-sign the power of attorney/application form.
- (f) If the property is encumbered by a bond, the bondholder's consent must be submitted
- (g) A motivating memorandum with at least the following information:

-
- (i) reference to the objective and principles contained in this By-law;
 - (ii) reference to the Integrated Development Plan and Municipal Spatial Development Framework and its components and any other policies, plans or frameworks with specific reference on how this application complies with it or deviated from it;
 - (iii) the development context of the area and impact of the development on the surrounding properties and area;
 - (iv) if the development is a —listed activityll in terms of the National Environmental Management Amended Act, 2004 (Act no 8 of 2004), with specific reference to the Regulations promulgated under Section 24(5), the applicant must submit comments from the relevant provincial departments: Gauteng Rural Environment and Agricultural Development;
 - (v) if an Environmental Impact Assessment (EIA) process has been initiated, then specify:
 - (aa) date initiated;
 - (bb) name and details of environmental consultant;
 - (cc) what process has been initiated; and
 - (dd) relevant Provincial Reference number assigned.

And provide a copy of such report to the Department responsible for Environmental Planning or as the case may be to the Local Authority, to enable an informed decision by the Department responsible for Development Planning or as the case may be on the merits of the application.

- (h) an overlay of the above information to deliver a composite site sensitivity map, indicating high, high-medium, medium and low sensitivity areas;
 - (i) a responding development layout on the composite site sensitivity map;
 - (j) well motivated arguments, should the development layout not respond to site sensitivities, to ensure overall sustainability.
3. If the Environmental Impact Assessment (EIA) process is not relevant:
- (a) give a short, general overview / description of the site situation highlighting identified site sensitivities;
 - (i) indicate if the site is situated next to an existing open space resource; and
 - (ii) indicate how the proposed development respond to the open space resource with specific referral to levels, placing and functioning of building footprints, landscaping, and access.
4. indicate precisely what the proposed development controls are applied for, for example:
- (a) that the coverage be increased to 80%;
 - (b) that the height be increased from 1 storey to 2 storeys;
 - (c) that the floor area ratio be increased from 0,4 to 1,0 and
 - (d) that the zoning be amended from " Residential 1" to "Special" for the purposes of offices;
5. indicate the necessity (need) and desirability of the land development application with regard to:

-
- (a) the Land Use Scheme; and
 - (b) the future development of the area.
6. Discuss the application in terms of the Development Principles, norms and standards as referred to in Chapter 2 of the Act.
 7. A locality, land-use and zoning plans substantially in accordance with [examples];
 8. A site plan, on a scale of 1:500 or as determined by the Municipality, indicating the layout of the proposed development, parking layout and landscaped areas must be submitted substantially in accordance with [example];
 9. A copy of the title deed, which is registered in the Deeds Office at the time when the application is submitted, with all the pages including the endorsement pages. A draft title deed is not acceptable.
 10. All notarial deeds registered against the property as may be applicable.
 11. A copy of a Zoning certificate; including any notices published in terms of this By-law, which has the purpose of changing the land use rights, which may be applicable on the subdivision and or consolidation.
 12. The application must be advertised and proof submitted substantially, in the opinion of the Municipality, in accordance with section 38 (2) (a)-(j) and Schedules of this By-law.

SCHEDULE 8:**APPLICATION FORM AMENDMENT OF THE LAND USE SCHEME OF SECTION 38****NOTE: SCHEDULE 3 MUST BE SUBMITTED TOGETHER WITH SCHEDULE 8:**

Complete this section for each property (make a separate copy for each property)

Township / Agricultural Holding / Farm	
Erf / Plot / Farm No	
Portion number	
Street name	
Street number	

TITLE DEED

Title Deed number	
Registered Owner	
Property Size (m ²)	
Bond (Yes/No)	
If yes specify Bond Account No	
Bondholder's Name	
Restrictive Title Deed Restrictions(Yes/No)	

REZONING DETAILS

Land Use Scheme	
Present Zoning	
Present Height (Scheme)	
Present Density (Scheme)	
Present Coverage (Scheme)	
Present FAR	
Existing Development	
Amendment scheme number	Annexure number
Proposed Use Zone	
Proposed Primary Right	
Proposed density	
Proposed number of units/lettable rooms	
Proposed Height (storey/s)	
Proposed coverage (%)	
Proposed FAR	
Proposed Parking Ratio	

REQUIRED DOCUMENTS

Covering Letter	Power of Attorney	Bondholders Consent
Company/Close Corporation/Trust resolution	Proof of Members of Company /Close Corporation/Trust	Proof of Marital Status of the Owner
Motivating Memorandum	Locality Plan	Zoning Plan
Zoning Certificate	Site Plan	Registered Title Deed
List of names of adjacent properties	Proposed Development Controls	Traffic Impact Study

Market Related Study		Other			
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I, being the registered Owner / Applicant of the property/ties declare that the above information is correct and that the required documents are attached.

I hereby acknowledge that the [Insert Name] Local Municipality has the right to request additional information or documentation should it be deemed necessary to be able to make an informed decision.

I further hereby acknowledge that should not all the required documentation be submitted, the application shall not be considered.

SIGNATURE DATE:

SCHEDULE 9:

PROVINCIAL GAZETTE, NEWSPAPERS AND SITE NOTICE IN TERMS OF SECTION 38. OF THE LESEDI LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW FOR THE AMENDMENT OF THE LAND USE SCHEME

I, (full name),
being the *owner/ Applicant of *erf/erven/portion(s)
..... (complete description of property as set out in title deed) hereby give notice in terms of Section 38(2) of the [Name] Local Municipality Spatial Planning and Land Use Management By-law, 2015 that I have applied to the [Insert name] Local Municipality for a change of land use rights also known as rezoning of the property(ies) described above, situated at from to

This application contains the following proposals:

.....
.....
.....

Give –

- (a) A clear indication of all the proposals in the proposed amendment
- (b) A clear description of the property(ies) affected thereby
- (c) A summary of the existing or proposed zoning and the effect of the latter by clearly indicating the development parameters.

Any objection or comments, with the grounds therefore and contact details, shall be lodged within a period of 28 days from the first date on which the notice appeared, with or made in writing to: Municipality at:

.....
.....
.....
.....

Full particulars and plans (if any) may be inspected during normal office hours at the above-mentioned offices, for a period of 28 days from the date of first publication of the advertisement in the Provincial Gazette / newspaper ;

Closing date for any objections : Address of *owner/ applicant : (Physical as well as postal address)

.....
.....
.....

Telephone No: Dates on which notice will be published:

SCHEDULE 10:

APPLICATION REQUIREMENTS FOR TOWNSHIP ESTABLISHMENT IN TERMS OF SECTION 44

1. An applicant who wishes to apply in terms of section 44. (1) or an establishment of a township relating to his/her property, shall apply to the Municipality in the form as set out in Schedules 3, 11, 12 and 13, and such application shall, in addition to the fees prescribed or determined, be accompanied by the maps and documents indicated in paragraph 3 below.
2. The applicant must first ensure that he/she received approval for a Township Name from the Department responsible for Development Planning or as the case may be.
3. The applicant shall submit at least but not limited to the following documentation upon submission of the application:
 - (a) an original of the official receipt for the application fee; the application will not be processed before confirmation has been received of payment.
 - (b) a covering letter addressed to the Department responsible for Development Planning or its successor in title ;
 - (c) a power of attorney from the registered owner of the erf substantially, in the opinion of the Municipality, in accordance with Schdule 25, if he/she is not the registered owner.

The power of attorney must correspond with the registered Title Deed; provided that:

- (i) If a property changes hands while an application is being considered, the new owner must submit a power of attorney/letter indicating that he or she concurs with the application,
- (ii) If the new owner fails to submit a power of attorney/letter, the application will be regarded as incomplete in terms of section 81.
- (iii) If the registered owner is a company, close corporation or trust, the applicant must submit a resolution of the company, close corporation or trust substantially, in the opinion of the Municipality, in accordance with this schedule read with Schedule 3 stating the grounds on which the applicant is authorised to act on behalf of the company, close corporation or trust. Note that this resolution is not the same as the power of attorney.

A copy of the following must be attached:

- (aa) a copy of the CM 29 form in the case of a company;
 - (bb) a copy of the CK 1 or 2 forms in the case of a close corporation; and
 - (cc) letter of appointment of trustees in the case of a trust.
- (d) Proof must be submitted if the owner is married in community of property, and his or her spouse must co-sign the power of attorney/application form.
 - (e) If the property is encumbered by a bond, the bondholder's consent must be submitted
 - (f) a motivating memorandum with at least the following information:
 - (i) reference to the objective and principles contained in this By-law;

-
- (ii) reference to the Integrated Development Plan and Municipal Spatial Development Framework and its components and any other policies, plans or frameworks with specific reference on how this application complies with it or deviates from it;
 - (iii) the development context of the area and impact of the development on the surrounding properties and area. (If an application for additional business floor area is submitted, the applicant must report on the business and population density in support of his or her application).
 - (iv) Discuss the application in terms of the Development Principles, norms and standards as referred to in Chapter 2 of the Act.
 - (v) a comprehensive report containing the following:
 - (g) the need and desirability of the township;
 - (h) the design and use of the erven and streets in the township with special reference to:
 - (i) the nature of the application;
 - (ii) the situation of the township and its proposed uses in relation to the surrounding land and the influence which its establishment is likely to exercise on—
 - (aa) land situated within a distance of 1 km from its boundaries and vice versa; and
 - (bb) the provision of engineering services;
 - (iii) how the proposed township will be affected by—
 - (aa) topography;
 - (bb) geotechnical conditions;
 - (cc) existing and proposed transportation routes and systems;
 - (dd) pollution and other environmental factors; and
 - (ee) existing and proposed sewage disposal works;
 - (iv) how the proposed township will accord with the proposed development pattern of the area; and
 - (v) any other aspect necessary for the consideration of the application..
 - (i) a written certified copy or clear and legible photo-copy of the registered title deed of each portion of land or agricultural holding on which the township is to be established together with a type written certified copy, if the rights to minerals have been severed from the ownership of the land, of every certificate of cession of the rights to minerals;
 - (j) a certificate from a Conveyancer, indicating who the registered owner of the land is, the conditions of title or servitudes recorded in the title deed[s], how these conditions of title or servitudes affect the proposed land development, as well as the mortgage bond registered against the property. The report must indicate how to deal with such conditions or restrictions in the proposed conditions of establishment;

-
- (k) a certificate from a Land Surveyor indicating whether and how (which erven) the conditions of title or servitudes recorded in the title deed[s] affect the proposed land development;
 - (l) a Geo-technical report (including Geology) must classify the soil types, indicate risk classifications and recommended type of development;
 - (m) township Layout Plan that complies with the requirements as set out in Schedule 12
 - (n) a copy of the Zoning Certificate; including any notices published in terms of this By-law which has the purpose of changing the land use rights which may be applicable on the subdivision and or consolidation.
 - (o) a locality plan, ;
 - (p) the proposed statement of conditions
 - (q) Mineral Rights Holder Consent: In terms of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002) the mineral rights is held by the State. The Department of Minerals and Energy need to confirm this and grant consent for the establishment of the township. In exceptional cases where the mineral rights vests with another party, the following must be indicated:
 - (i) the name of the Mineral Rights holder, as well as contact details where applicable; and
 - (ii) the extent of the rights and the impact of such rights on the development. Any leases or sub-leases that may be applicable on the land and the implications of such leases on the development. The report must indicate how to deal with such conditions or restrictions.
 - (r) Traffic Impact Study as required;
 - (s) Retail Study if required;
 - (t) architectural drawings/ Draft Site Development Plans if required; and
 - (u) noise impact assessment if required.
 - (v) copy of the title deed which is registered in the Deeds Office at the time when the application is submitted with all the pages including the endorsement pages A draft title deed is not acceptable.
 - (w) All notarial deeds registered against the property as may be applicable
 - (x) The application must be advertised and proof submitted substantially, in the opinion of the Municipality, in accordance with Section 44 (3)
 - (y) The Municipality may require other documents, such as further copies of the plan of the proposed township, drawn to such scale as required, site plans and traffic impact studies, to be submitted in support of the application before the application is finalized.

SCHEDULE 11:**APPLICATION FORM FOR THE ESTABLISHMENT OF A TOWNSHIP IN TERMS OF SECTION 44****NOTE SCHEDULE 3 MUST BE SUBMITTED WITH SCHEDULE 11 AND SCHEDULE 12****PART A: PROPERTY INFORMATION**

Township / Agricultural Holding / Farm	
Erf / Plot / Farm No	
Portion number	
Street name	
Street number	

PART B: TITLE DEED

Title Deed number	
Registered Owner	
Property Size (m ²)	
Bond (Yes/No)	
If yes specify Bond Account No	
Bondholder's Name	
Restrictive Title Deed Restrictions(Yes/No)	

PART C : ZONING DETAILS

Land Use Scheme	
Present Zoning	
Present Height (Scheme)	
Present Density (Scheme)	
Present Coverage (Scheme)	
Present FAR	
Existing Development	

PART D: PROPOSED TOWNSHIP

Name and Extension of the proposed township							
Use zone no	Proposed use zone	Erf no	Average size m ²	Height	FAR	Coverage	Other development control measures (density)

PART E: GENERAL INFORMATION

Has the consent of the Department of Minerals and Energy as custodian of mineral rights been obtained?	Yes	No
Is the property situated within 3 km of a sewerage disposal works?	Yes	No
Name the local authority(s) that is situated within 10 km of the boundaries of the property		
Name the local authorities or authorized bodies that provide the following services:		

Water			
Electricity			
Sewerage			
Roads and stormwater			
Is the existing development (structures and land use) on the property described in the memorandum?		Yes	No
Is it required that the building(s) on the property be conserved in terms of the National Heritage Resource Act, Act 25 of 1999?		Yes	No
ENDOWMENT/DWELLING UNITS			
Does the layout plan provide for open spaces or parks according to section 25 of this By-law.		Yes	No
Motivate if answer is "no" above			
Provide the total number of dwelling units on all erven in the township			
MINING LAND			
If the land on proclaimed mining land has been reserved for township purposes, provide the Government Notice No.			
Has an application been made to the Mining Tribunal for its reservation for township purposes?		Yes	No
Is the property on proclaimed mining land?		Yes	No
ENVIRONMENTAL/BIOPHYSICAL SENSITIVITIES			
Is the development a "listed activity" in terms of the National Environmental Management Amended Act, 2004 (Act 8 of 2004), with specific reference to the regulations promulgated under section 24(5)?		Yes	No
If "Yes" above, Has an environmental impact assessment (EIA) process been initiated?		Yes	No
Indicate which process has been initiated	Basic	Yes	No
	Scoping	Yes	No
	None	Yes	No
Appointed environmental consultant	Name		
	Contact details		
Are two copies of the application regarding the above process attached to this application?		Yes	No
If the development is not a "listed activity" or if the above EIA process has not been initiated, have the on-site ecological issues been discussed in the memorandum?		Yes	No
Request permission to forward a copy of the application to external bodies		Yes	No

I, being the registered Owner / Applicant of the property/ties declare that the above information is correct and that the required documents are attached.

I hereby acknowledge that the [Insert Name] Local Municipality has the right to request additional information or documentation should it be deemed necessary to be able to make an informed decision.

I further hereby acknowledge that should not all the required documentation be submitted, the application shall not be considered.

SIGNATURE **DATE:**

SCHEDULE 12:

CHECKLIST FOR LAY-OUT PLANS FOR TOWNSHIP ESTABLISHMENT

No	Requirements of information to be provided	Yes	No
1	Prints of the plan of the proposed township		
2	Plan number; (Township name, extension / number of plan)		
3	Contour lines and values		
4	A bar scale		
5	The true north		
6	The name of the Municipality within whose area of jurisdiction the land on which the applicant proposes to establish the township is situated		
7	The boundaries of the proposed township		
8	The Property description as indicated in the „name reservation letter“		
9	Grid co-ordinates and a reference to the geodetic system used		
10	Existing buildings in the proposed township		
11	Adjoining existing and adjoining proposed streets and roads with their names;		
12	Adjoining proposed public streets/roads with their names and widths		
13	adjoining erven in existing townships or proposed townships in respect of which applications have been submitted or notice has been given in terms of section 16(4) or 16(5)		
14	Streets, squares and Open spaces (Private and Public) in the proposed township		
15	Adjoining erven in existing townships or proposed townships in respect of which applications have been submitted		
16	Water courses, railways, pipe lines, power lines, existing public roads and all servitudes in or abutting the proposed township		
17	Public roads in or abutting the proposed township		
18	All servitude in or abutting the proposed township		
19	Private „access“ erven (name and widths) in or abutting the proposed township		
20	A table indicating the total number of erven in the proposed township, the number of erven for specific purposes (proposed zoning) and their numbers, the minimum size of the erven, the ruling size of the erven, the minimum and maximum gradient of the streets, the total length of the streets within the township, the area of streets as a percentage of the total area of the township and the area of parks and open spaces, if any, as a percentage of the total area of the township		
21	A locality plan, as an inset on the plan of the township, accurately drawn to a scale of not less than 1:50 000 or such other scale which the Municipality, as the case may be, may approve indicating:		
21.1	The situation of the proposed township on the farm or agricultural holding		
21.2	The routes giving access to the nearest main road and the road network in the vicinity of the township		
21.3	The boundaries of the farm portion or agricultural holding on which the township is to be established		
21.4	the situation of existing sewage disposal works and the distance from the proposed township of such works, where such works are situated within 3 km of the boundaries of the township		
21.5	The boundaries of a demarcated noise zone		
21.6	A bar scale, in respect of the locality plan		
21.7	The true north		
22	The erven in the proposed township accurately drawn to a scale of 1:1 000, 1:1 250, 1:1 500, 1:2 000; 1:2 500 or 1: 5000 and numbered consecutively in each block		
23	In an enclosure, the names of the persons responsible for the contour surveys and the design of the township and a reference to the datum plan on which the contour values are based		
24	If the township is to be established on two or more farm portions or agricultural holdings, the boundaries and description of such farm portions or holdings		
25	Each registered servitude over the land in the proposed township with a reference to the purpose of the servitude, the notarial deed or approved diagram relating to such servitude and, where an alteration in the route of such servitude is contemplated, the proposed route		
26	The boundaries of the geological zones on dolomite as well as the certification thereof of the geologist (if applicable);		
27	The 1:50 year and 1:100 year flood line shall be certified on the layout plan		

It is hereby certified that in terms of the provisions of section 144 of the National Water Act, (Act 36 of 1998), the 1:50 and 1:100 year flood lines, are correctly indicated on the plan.

SIGNATURE

DATE:

SCHEDULE 13:

THE PROVINCIAL GAZETTE, NEWSPAPER AND SITE NOTICE IN TERMS OF SECTION 44. (3) OF THE [INSERT NAME] LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2015 FOR TOWNSHIP ESTABLISHMENT

**LESEDI LOCAL MUNICIPALITY
NOTICE OF APPLICATION FOR ESTABLISHMENT OF TOWNSHIP**

..... **EXTENSION**

I,.....
(full name),being the *owner/ Applicant of *erf/erven/portion(s).....
..... (complete description of property as set out in title deed) hereby give notice in terms of section 44 (3) in Lesedi Local Municipality Spatial Planning and Land Use Management By-law, 2015 , that an application to establish the township referred to in the Annexure hereto, has been submitted to the Lesedi Local Municipality.

Particulars of the application are open to inspection during normal office hours at the office of the Municipality at:

.....
.....
.....

for a period of 28 days from (the date of first publication of this notice).

Objections to or representations together with contact details in respect of the application must be lodged in writing and in duplicate with the Municipality at the above office or posted to him/her at [Address details of Municipality] within a period of 28days from (the date of first publication of this notice). Closing date for any objections :

Address of *owner/ applicant :(Physical as well as postal address)

.....
.....
.....

Telephone No: Dates on which notice will be published:

ANNEXURE

Name of township :..... Extension

Full name of applicant:..... Number of erven, proposed zoning and development control measures:

..... Description of land on which township is to be established:

..... Locality of proposed township:

The proposed township is situated

SCHEDULE 14:**APPLICATION REQUIREMENTS FOR AND APPLICATION FOR THE DIVISION OR PHASING OF AN APPROVED TOWNSHIP IN TERMS OF SECTION 49.**

1. An applicant who wishes to apply in terms of section 49 for a division or phasing of an approved township an establishment relating to his/her property, shall apply to the Municipality in the form as set out in Schedule 3, 14 and 15 to this By-law, and such application shall, in addition to the fees prescribed or determined, be accompanied by the maps and documents indicated in paragraph 3 below.
2. The applicant shall submit at least but not limited to the following documentation upon submission of the application:
 - (a) an original of the official receipt for the application fee; the application will not be processed before confirmation has been received of payment.
 - (b) a covering letter addressed to the Department responsible for Development Planning or its successor in title ;
 - (c) a power of attorney from the registered owner of the erf substantially, in the opinion of the Municipality, in accordance with Schedule xx, if he/she is not the registered owner.

The power of attorney must correspond with the registered Title Deed; provided that:

- (i) If a property changes hands while an application is being considered, the new owner must submit a power of attorney/letter indicating that he or she concurs with the application, as submitted;
- (ii) If the new owner fails to submit a power of attorney/letter, the application will be regarded as incomplete
- (iii) If the registered owner is a company, close corporation or trust, the applicant must submit a resolution of the company, close corporation or trust substantially, in the opinion of the Municipality, in accordance with this schedule read with Schedule 3 stating the grounds on which the applicant is authorised to act on behalf of the company, close corporation or trust. Note that this resolution is not the same as the power of attorney.

A copy of the following must be attached:

- (aa) a copy of the CM 29 form in the case of a company;
 - (bb) a copy of the CK 1 or 2 forms in the case of a close corporation; and
 - (cc) letter of appointment of trustees in the case of a trust.
- (d) Proof must be submitted if the owner is married in community of property, and his or her spouse must co-sign the power of attorney/application form.
 - (e) If the property is encumbered by a bond, the bondholder's consent must be submitted
 - (f) A motivating memorandum reasons for the division or phasing of a township and the manner in which it will be done clearly indicating the need and the desirability of the application as well as the the Development Principles, norms and standards as referred to in Chapter 2 of the Act.
 - (g) Approved conditions for the establishment of the township to be divided or phased together with the township lay-out plan;

-
- (h) A certificate from a Land Surveyor indicating whether and how (which erven) the conditions of title or servitudes recorded in the title deed[s] affect the proposed land development;
 - (i) A Geology Report must classify the soil types, indicate risk classifications and recommended type of development;
 - (j) Township Layout Plan that complies with the requirements as set out in Schedule xx; and
 - (k) The proposed revised statement of conditions of approval.
 - (l) A copy of the title deed which is registered in the Deeds Office at the time when the application is submitted with all the pages including the endorsement pages. A draft title deed is not acceptable.
 - (m) All notarial deeds registered against the property as may be applicable
3. The Municipality may require other documents, such as further copies of the plan of the proposed township, drawn to such scale as required, site plans and traffic impact studies, to be submitted in support of the application before the application is finalized.

SCHEDULE 15:

APPLICATION FORM FOR THE DIVISION OR PHASING OF AN APPROVED TOWNSHIP IN TERMS OF SECTION 49.

PART A: PROPERTY INFORMATION

Township / Agricultural Holding / Farm	
Erf / Plot / Farm No	
Portion number	
Street name	
Street number	

PART B: TITLE DEED

Title Deed number	
Registered Owner	
Property Size (m ²)	
Bond (Yes/No)	
If yes specify Bond Account No	
Bondholder's Name	
Restrictive Title Deed Restrictions(Yes/No)	

PART C: ZONING DETAILS

Land Use Scheme	
Present Zoning	
Present Height (Scheme)	
Present Density (Scheme)	
Present Coverage (Scheme)	
Present FAR	
Existing Development	

PART D: PROPOSED TOWNSHIP APPROVED THAT NEEDS TO BE DIVIDED:

Name and Extension of the proposed township							
Use zone no	Proposed use zone	Erf no	Average size m ²	Height	FAR	Coverage	Other development control measures (density)

1. Name and extension:

2. Date of approval of township to be divided:

3. Has extension of time in terms of section 18(10)(a) been granted?

Yes		No		Not applicable	
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4. Has the general plan of the township to be divided been approved by the Surveyor-General?

Yes		No	
-----	--	----	--

PART E: PROPOSED DIVIDED TOWNSHIP:

1. Division of township in separate townships, namely:

.....

2. APPROVED LAND USES

Details of approved land uses of the township to be divided

Use zone no	Proposed use zone	Erf no	Size m ²	Height	FAR	Coverage	Other development control measures (density)

3. PROPOSED LAND USES FOR SEPARATE TOWNSHIPS

Details of proposed land uses for township:

.....

Use zone no	Proposed use zone	Erf no	Average size m ²	Height	FAR	Coverage	Other development control measures (density)

(Complete a separate table for each new township.)

4. ENDOWMENT AND DWELLING-UNITS

Details of endowment and total number of dwelling units for separate townships

Township name	Is endowment payable?			Total number of dwelling units
	Yes	No	If "No", why not?	

I, being the Registered Owner / Applicant of the property/ties declare that the above information is correct and that the required documents are attached.

I hereby acknowledge that the [Insert Name] Local Municipality has the right to request additional information or documentation should it be deemed necessary to be able to make an informed decision.

I further hereby acknowledge that should not all the required documentation be submitted, the application shall not be considered.

SIGNATURE **DATE:**

SCHEDULE 16:**APPLICATION REQUIREMENTS FOR SUBDIVISION AND OR CONSOLIDATION OF AN ERF IN AN APPROVED TOWNSHIP IN TERMS OF SECTION 51.**

1. An applicant who wishes to apply in terms of section 51 for the subdivision or consolidation relating to his/her property shall apply to the Municipality in the form as set out in Schedules 3, 16 and 17, and such application shall, in addition to the fees prescribed or determined, be accompanied by the documentation indicated in paragraph 2 below.
2. The applicant shall submit at least but not limited to the following documentation upon submission of the application.
 - (a) an original of the official receipt for the application fee; the application will not be processed before confirmation has been received of payment.
 - (b) a covering letter addressed to the Department responsible for Development Planning or its successor in title ;
 - (c) the completed and signed application form with the details of the applicant and owner as set out on Schedule 3 as well as the applicable application form relevant to the type of application;
 - (d) a power of attorney from the registered owner of the erf substantially, in the opinion of the Municipality, in accordance with Schedule 25 , if he/she is not the registered owner.
 - (e) The power of attorney must correspond with the registered Title Deed; provided that:
 - (i) If a property changes hands while an application is being considered, the new owner must submit a power of attorney/letter indicating that he or she concurs with the application;
 - (ii) If the new owner fails to submit a power of attorney/letter, the application will be regarded as incomplete in terms of section 81
 - (iii) If the registered owner is a company, close corporation or trust, the applicant must submit a resolution of the company, close corporation or trust substantially, in the opinion of the Municipality, in accordance with this schedule read with Schedule 3 stating the grounds on which the applicant is authorised to act on behalf of the company, close corporation or trust. Note that this resolution is not the same as the power of attorney.

A copy of the following must be attached:
 - (aa) a copy of the CM 29 form in the case of a company;
 - (bb) a copy of the CK 1 or 2 forms in the case of a close corporation; and
 - (cc) letter of appointment of trustees in the case of a trust.
- (f) Proof must be submitted if the owner is married in community of property, and his or her spouse must co-sign the power of attorney/application form.
- (g) If the property is encumbered by a bond, the bondholder's consent must be submitted
- (h) the motivation memorandum indicating at least the necessary need and desirability of the application with regard to:
 - (i) the Land Use Scheme;
 - (ii) the future development of the area; and

-
- (iii) contain a thorough motivation, from a land use point of view, of the proposed subdivision or consolidation including, but not limited to, the need and desirability of the application.
 - (iv) Applications in terms of section 51 must in addition to the requirements as stipulated in this Schedule also include the following information:
 - (aa) the need and desirability of the division;
 - (bb) how the proposed division is affected by
 - 1. topography;
 - 2. geotechnical conditions;
 - 3. transportation routes and systems (existing and proposed);
 - 4. environmental factors such as pollution;
 - 5. existing and proposed sewage disposal works;
 - (cc) how the division will accord with the proposed development pattern of the area;
 - (dd) the provision made or to be made for the supply of water, electricity and sanitary services to each portion
 - (ee) any other aspect deemed to be necessary for the consideration of the application.
 - (v) a locality plan substantially in accordance with [example];
 - (i) copy of the title deed which is registered in the Deeds Office at the time when the application is submitted, with all the pages including the endorsement pages. A draft title deed is not acceptable;
 - (j) All notarial deeds registered against the property as may be applicable.
3. copy of the Zoning Certificate including any notices published in terms of this By-law which has the purpose of changing the land use rights which may be applicable on the subdivision and or consolidation.
4. A4 or A3 size copies of the subdivision and consolidation sketch plan(s) of the erf/erven in question must be submitted and shall be substantially, in the opinion of the Municipality, in accordance with the requirements set out in below of this document.
5. Note: Where the combined consolidation and subdivision results in a complex sketch plan that is not easily interpretable, the applicant is requested to submit separate plans showing the various stages of the combined consolidation and subdivision. This will facilitate the processing of the application.
- (a) the plan must be drawn in black on a white background;
 - (b) the plan must be drawn to a scale -
 - (i) not smaller than 1:500 for erven smaller than 2 000 m²;
 - (ii) not smaller than 1:1 000 for erven from 2 000 m² up to and including 3 000 m²; and
 - (iii) not smaller than 1:1 500 for erven larger than 3 000 m² but smaller than 10 000 m²;
- Provided that the Municipality may authorise another scale to be used.
- (c) the following information must be indicated on the consolidation and subdivision sketch plan(s) for applications in terms of this section:

-
- (i) the erf number(s);
 - (ii) the name of the township in which the erven are situated;
 - (iii) the erf numbers of adjoining erven, and the township(s) in which they are situated;
 - (iv) proposed consolidation and subdivision lines and existing or proposed servitude lines, if applicable Scale 1:200;
 - (v) north point (true north);
 - (vi) a legend identifying each proposed consolidated and subdivided portion by means of a figure;
 - (vii) the applicant's signature;
 - (viii) the dimensions of the erven;
 - (ix) the dimensions of each consolidated and subdivided portion;
 - (x) the size of the erven;
 - (xi) the size of each consolidated and subdivided portion;
 - (xii) the location and nature of every building on the erf and the distances between the buildings and the street boundaries, existing boundaries and the consolidation and subdivision line;
 - (xiii) the number of storeys in every existing building situated within 5,0 m of any proposed subdivision line;
 - (xiv) the direction, by means of small arrows, of the slope of the roof of every building situated immediately next to any proposed subdivision line;
 - (xv) the nature of any building fronting on and which is within 10,0 metres of the subdivision line;
 - (xvi) the purpose for which every room on the side of a building that fronts on any subdivision line is used;
 - (xvii) the position of every door and window in any wall facing any subdivision line;
 - (xviii) the approximate location of any existing overhead conductor or structure used for -
 - (aa) Telephone purposes; and
 - (bb) Electrical purposes
 - (xix) the approximate location, in the street reserve adjacent to the erf, of -
 - (aa) trees;
 - (bb) fire hydrants;
 - (cc) bus shelters;
 - (dd) storm-water catch pits; and
 - (ee) water connection points,.
 - (xx) if the cross slope of the street reserve or the slope of any proposed new access is more than 1:5, an insert on the sketch plan that indicates contours with intervals of 1,0 m;

-
- (aa) all buildings and structures or any portion of buildings and structures the applicant intends demolishing;
- (bb) all natural watercourses traversing the erf in question;
- (cc) the 1:50 and 1:100 year flood lines if the erf in question is situated in an area that is subject to flooding;
- (dd) existing drains on the erf, the street number and name;
- (d) Erven can only be consolidated if the application properties belong to the same owner and the application properties are located within the same township
- (e) Application in terms of this section must include at least the following information with regards to open space and environmental sensitivities:
- (i) Is the development a —listed activityll in terms of the National Environmental Management Amended Act, 2004 (Act no 8 of 2004), with specific reference to the Regulations promulgated under Section 24(5). The applicant must submit comments from the relevant provincial departments: North West Rural Environmental and Agriculture Development(READ)
- (ii) If relevant, has an Environmental Impact Assessment (EIA) process been initiated
Please Specify:
- (aa) date initiated,
- (aa) name and details of environmental consultant,
- (bb) what process has been initiated,
- (cc) relevant Provincial Reference number assigned
- Should an EIA Process be relevant, please forward 2 copies of such report to the Environmental Planning Department, to enable an informed decision by the Section on the merits of the application.
- (iii) Should the Environmental Impact Assessment (EIA) process not be relevant:
- Give a short, general overview / description of the site situation highlighting identified site sensitivities.
 - Is the site situated next to an existing open space resource?
 - If relevant, how does the proposed development respond to the open space resource? Refer to levels, placing and functioning of building footprints, landscaping, and access?
- (f) Requirements for the subdivision plan for applications lodged in terms of section 51:
- (i) contour lines, the values of which shall be based on the datum plane of national geodetic bench-marks based on sea-level as datum plane or, with the written approval of the authorized local authority concerned, on some other datum plane;
- (ii) the area of the land and distinctive numbers and areas of the portions;
- (iii) existing buildings on the land;
- (iv) roads, their names, widths and connections with existing streets or roads in adjoining areas;
- (v) water courses, railways, pipelines, power lines, existing public roads and all servitudes in or abutting to the land;
- (vi) by means of a distinctive notation, the sites proposed to be reserved for specific purposes;

-
- (vii) the name of the Municipality in whose area of jurisdiction the land is situated;
 - (viii) a locality plan, as an inset to the divisional plan, drawn on a scale of not less than 1:50000, showing -
 - (aa) the locality of the land with the principal topographical features of the land and its environs, its position in relation to surrounding farms, farm portions and agricultural holdings and portions of agricultural holdings;
 - (bb) the names and numbers of adjoining properties;
 - (cc) the routes, which provide access to the nearest main road and an indication of the road network in the vicinity of the land;
 - (dd) the boundaries of any demarcated noise zone; and
 - (ee) the bar scale in respect of the locality plan;
 - (ix) in an enclosure, the names of the persons responsible for the contour surveys and a reference of the datum plane on which the contour values are based;
 - (x) each registered servitude over the land with a reference to the notarial deed or approved diagram relating to such servitude and where an alteration in the route of such servitude is contemplated the proposed route;
 - (xi) grid co-ordinates and a reference to the geodetic system used;
 - (xii) if the land is subject to flooding, the 1:50 and 1: 100 year flood line or, if the land is not subject to flooding, a certificate by an engineer qualified to do so to the effect that the land is not so subject: Provided that the Municipality may at the written request of an applicant, waive compliance with this subparagraph; and
 - (xiii) a bar scale

SCHEDULE 17:**APPLICATION FORM FOR SUBDIVISION AND CONSOLIDATION OF ERF IN AN APPROVED TOWNSHIP / AND SUBDIVISION AND CONSOLIDATION OF ANY OTHER LAND IN TERMS OF SECTION 51 AND 53**

NOTE: SCHEDULE 3 NEED TO BE SUBMITTED WITH SCHEDULE 17

PART A: PROPERTY INFORMATION

Complete this section for each property (make a separate copy for each property)

Township / Agricultural Holding / Farm	
Erf / Plot / Farm No	
Portion number	
Street name	
Street number	

PART B: TITLE DEED

Title Deed number	
Registered Owner	
Property Size (m ²)	
Bond (Yes/No)	
If yes specify Bond Account No	
Bondholder's Name	
Restrictive Title Deed Restrictions(Yes/No)	

PART C: ZONING DETAILS

Land Use Scheme	
Present Zoning	
Present Height (Scheme)	
Present Density (Scheme)	
Present Coverage (Scheme)	
Present FAR	
Existing Development	

CONSOLIDATION / SUBDIVISION DETAILS OR SIMULTANEOUS

SUBDIVISION DETAILS				
Proposed Portion Description	Buildable Area (m ²)	Panhandle Area (m ²)	Panhandle Width (m)	Portion Area
CONSOLIDATION DETAILS				
Proposed Portion Description		Size (m ²)		

REQUIRED DOCUMENTS

Covering Letter		Power of Attorney		Bondholders Consent	
Company/Close Corporation/Trust resolution		Proof of Members of Company /Close Corporation/Trust		Proof of Marital Status of the Owner	
Motivating Memorandum		Locality Plan		Registered Title Deed	
Zoning Certificate		Subdivision and/or consolidation plans		Other	

I, being the registered Owner / Applicant of the property/ties declare that the above information is correct and that the required documents are attached.

I hereby acknowledge that the [Insert Name] Local Municipality has the right to request additional information or documentation should it be deemed necessary to be able to make an informed decision.

I further hereby acknowledge that should not all the required documentation be submitted, the application shall not be considered.

SIGNATURE **DATE:**

SCHEDULE 18:

OUTLINE OF LETTER FOR THE SUBDIVISION CONSOLIDATION OF AN ERF IN AN APPROVED TOWNSHIP OR THE SUBDIVISION AND CONSOLIDATION OF ANY OTHER LAND

TO: Adjoining land owner

I, (full name), being the *owner/ Applicant of

..... hereby gives notice, in terms of section 51 or 52 of the [Insert Name] Local Municipality Spatial Planning and Land Use Management By-law, 2015, that I have applied to the [Insert Name] Local Municipality for the subdivision of the land described below .

Describe subdivision / consolidation.....

Any objection or comments, with the grounds therefore and contact details, shall be lodged within a period of 28 days from the date of this letter to: [Insert name] Municipality at:

.....
.....
.....
.....

Full particulars and plans are attached hereto for inspection.

Closing date for any objections :

Address of *owner/ applicant :(Physical as well as postal address)

.....
.....
.....

Telephone No:

Date on which the letter was served:.....

Description of subdivision / consolidation

Number and area of proposed portions or consolidated portions:

Proposed Portion in extent approximatelym²

Proposed Remainder..... , in extent approximately m²

TOTALm²

SCHEDULE 19:**REQUIREMENTS FOR THE APPROVAL OF ALTERATION, AMENDMENT OR CANCELLATION OF A GENERAL PLAN**

1. An applicant who wish to apply for the application for the alteration, amendment of total or partial cancellation of a general plan shall at least but not limited to submit the following documentation:
 - (a) an original of the official receipt for the application fee; the application will not be processed before confirmation has been received of payment;
 - (b) copies of the relevant sheet of the general plan which may be reduced copies of the original;
 - (c) copies of a plan of the township showing the posed alteration or amendment or, if partial cancellation is applied for, the portion of the plan cancelled;
 - (d) a motivational memorandum stating the reasons plan of the township showing the posed alteration or amendment or, if partial cancellation is applied for, the portion of the plan cancelled;
 - (e) copy of the title deed which is registered in the Deeds Office at the time when the application is submitted of the land affected by the alteration, amendment or total or partial cancellation;
 - (f) if the property is encumbered by a bond, the bondholder's consent;
 - (g) The application must be advertised in the Provincial Gazette and Local News Papers as contemplated in Schedule 20 and proof thereof must be submitted.
2. The applicant shall submit after approval of the amendment, amendment or total or partial cancellation of the general plan of an approved township or a division of land:
 - (a) a certified copy of the altered, amended or totally or partially cancelled general plan;
 - (b) a statement indicating—
 - (i) the use of the land affected by such alteration, amendment or cancellation;
 - (ii) every condition imposed, amended or deleted in terms of section 18(19) of the By-law governing the use of the land contemplated in subparagraph (aa).

SCHEDULE 20:

THE PROVINCIAL GAZETTE, NEWSPAPERS IN TERMS OF SECTION 59 OF THE [INSERT NAME] LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2015 FOR THE ALTERATION / AMENDMENT OR PARTIAL CANCELLATION OF A GENERAL PLAN OF AN APPROVED TOWNSHIP

I, (full name), being the *owner/ Applicant of *erf/erven/portion(s) (complete description of property as set out in title deed) hereby give notice in terms of section 59 (2) (a) of the [Insert Name] Spatial Planning and Land Use Management By-Law, 2015 that an application for *alteration/amendment/total or partial cancellation of general plan of the known as has been submitted to the [Insert Name] Local Municipality.

The application together with the relevant plans, documents and information will lie for inspection during normal office hours at the Municipality, at , for a period of 28 days from (the date of first publication of this notice).

Objections to or representations together with contact details in respect of the application must be lodged with or made in writing to the Municipality at the above address or at (postal address) within a period of 28 days from

*Delete whichever does not apply.

Closing date for any objections :

Address of *owner/ applicant :(Physical as well as postal address)
.....
.....

Telephone No:

Dates on which notice will be published:

SCHEDULE 21:**APPLICATION REQUIREMENTS FOR THE AMENDMENT, SUSPENSION OR REMOVAL OF RESTRICTIVE OR OBSOLETE CONDITIONS OR OBLIGATIONS, SERVITUDES OR RESERVATIONS IN RESPECT OF LAND**

1. or suspension of a restrictive condition in the title deed relating to his/her property shall apply to the Municipality in the form as set out in Schedule 3, 21,22 and 23 and such application shall, in addition to the fees prescribed or determined, be accompanied by the documentation indicated in paragraph 2 below.
2. The applicant shall submit at least but not limited to the following documentation upon submission of the application:
 - (a) an original of the official receipt for the application fee; the application will not be processed before confirmation has been received of payment.
 - (b) a covering letter addressed to the Directorate responsible for spatial planning and land use management or its successor in title ;
 - (c) the completed and signed application form with the details of the applicant and owner as set out on Schedule 3 as well as the applicable application form relevant to the type of application;
 - (d) a power of attorney from the registered owner of the erf substantially, in the opinion of the Municipality, in accordance with Schedule 25, if he/she is not the registered owner.
 - (e) The power of attorney must correspond with the registered Title Deed; provided that:
 - (i) If a property changes hands while an application is being considered, the new owner must submit a power of attorney/letter indicating that he or she concurs with the application, as submitted, before the amendment scheme may be promulgated read with section 18(2)(i)(i) and section 45 of this By-law;
 - (ii) If the new owner fails to submit a power of attorney/letter, the application will be regarded as incomplete in terms of section 18(1)(e)
 - (iii) If the registered owner is a company, close corporation or trust, the applicant must submit a resolution of the company, close corporation or trust substantially, in the opinion of the Municipality, in accordance with this schedule read with Schedule 3 stating the grounds on which the applicant is authorised to act on behalf of the company, close corporation or trust. Note that this resolution is not the same as the power of attorney.
 - (f) A copy of the following must be attached:
 - (i) a copy of the CM 29 form in the case of a company;
 - (ii) a copy of the CK 1 or 2 forms in the case of a close corporation; and
 - (iii) letter of appointment of trustees in the case of a trust.
3. Proof must be submitted if the owner is married in community of property, and his or her spouse must co-sign the power of attorney/application form.
4. If the property is encumbered by a bond, the bondholder's consent must be submitted.
5. The application form submitted in the opinion of the Municipality, will be in accordance with Schedule 21;

-
6. The motivation memorandum with at least the following information:
 - (a) clearly indicate precisely which conditions are to be removed, amended or suspended; and.
 - (b) indicate the requirements in the Removal of Restrictions Act, 1967(act 84 of 1967) in terms of the motivation of the application and where required by the Municipality; the necessity (need) and desirability of the application with regard to:
 - (i) the Land Use Scheme;
 - (ii) the future development of the area; and
 - (iii) contain a thorough motivation, from a land use point of view, of the proposed removal / amendment of the conditions in the Title Deed including, but not restricted to, the need and desirability of the application.
 7. A locality plan – [municipality example];
 8. A copy if the title deed which is registered in the Deeds Office at the time when the application is submitted with, all the pages including the endorsement pages. A draft title deed is not acceptable; and
 9. All notarial deeds registered against the property as may be applicable
 10. A copy of the Zoning Certificate. including any notices published in terms of this By-law which has the purpose of changing the land use rights which may be applicable on the subdivision and or consolidation.
 11. The application must be advertised and proof submitted substantially, in the opinion of the Municipality, in accordance with section 18(1)(d) and schedule 12.

SCHEDULE 22:**APPLICATION FORM FOR THE AMENDMENT, SUSPENSION OR REMOVAL OF RESTRICTIVE OR OBSOLETE CONDITIONS OR OBLIGATIONS, SERVITUDES OR RESERVATIONS IN RESPECT OF LAND****NOTE: SCHEDULE 3 MUST BE SUBMITTED TOGETHER WITH SCHEDULE 22****PROPERTY INFORMATION**

Complete this section for each property (make a separate copy for each property)

Township / Agricultural Holding / Farm	
Erf / Plot / Farm No	
Portion number	
Street name	
Street number	

TITLE DEED

Title Deed number	
Registered Owner	
Property Size (m ²)	
Bond (Yes/No)	
If yes specify Bond Account No	
Bondholder's Name	
Restrictive Title Deed Restrictions(Yes/No)	

ZONING DETAILS

Land Use Scheme	
Present Zoning	
Present Height (Scheme)	
Present Density (Scheme)	
Present Coverage (Scheme)	
Present FAR	
Existing Development	
Proposed Development	
Proposed Use Zone	
Proposed Primary Right	
Proposed density	
Proposed number of units/ lettable rooms	
Proposed Height (storey/s)	
Proposed coverage (%)	
Proposed FAR	
Proposed Parking Ratio	

REMOVAL OF RESTRICTIONS IN TITLE DEED

Removal or suspension of conditions (According to the Title Deed)	
--	--

Amendment of condition/s				
Reason for Amendment or Removal of Condition/s				
Indicate whether the property/ties is/are situated in a conservation area or has/have been included in a register of properties worthy of conservation		Yes		No
Does the property have any endangered plant or animal species, which will be Specify		Yes		No

REQUIRED DOCUMENTS

Covering Letter		Power of Attorney		Bondholders Consent	
Company/Close Corporation/Trust resolution		Proof of Members of Company /Close Corporation/Trust		Proof of Marital Status of the Owner	
Motivating Memorandum		Locality Plan		List of names of adjacent properties	
Zoning Certificate		Registered Title Deed		Other	

I,.....being the registered Owner / Applicant of the property/ties declare that the above information is correct and that the required documents are attached.

I hereby acknowledge that the [Insert Name] Local Municipality has the right to request additional information or documentation should it be deemed necessary to be able to make an informed decision.

I further hereby acknowledge that should not all the required documentation be submitted, the application shall not be considered.

SIGNATURE DATE:

SCHEDULE 23:

THE PROVINCIAL GAZETTE, NEWSPAPERS AND SITE NOTICE IN TERMS OF TERMS OF SECTION 62 OF THE [Insert Name] LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2015 FOR THE FOR THE AMENDMENT, SUSPENSION OR REMOVAL OF RESTRICTIVE OR OBSOLETE CONDITIONS OR OBLIGATIONS, SERVITUDES OR RESERVATIONS IN RESPECT OF LAND

I/We, being the owner/Applicant hereby give notice in terms of section 62 of the [Insert Name] Spatial Planning and Land Use Management By-Law, 2015 that I/we have applied to the [Insert Name] Local Municipality for the removal / amendment or suspension of certain conditions contained in the Title Deed/Leasehold Title of (property description), which property is situated at
.....
.....

Any objection, with the grounds therefore and contact details, shall be lodged with or made in writing to: the Municipality at:
.....
.....
.....

From (the first date of the publication of the notice set out in section 18(1)(d) of the By-law referred to above) until (not less than 28 days after the date of first publication of the notice set out in section 18(1)(d)).

Full particulars and plans (if any) may be inspected during normal office hours at the above-mentioned office, for a period of 28 days after the publication of the advertisement in the Provincial Gazette/
..... newspapers
Closing date for any objections :
Address of *owner/ applicant :(Physical as well as postal address)
.....
.....
.....

Telephone No: Dates on which notice will be published:

SCHEDULE 24:**CONTRIBUTIONS PAYABLE AND PROVISIONS OF LAND FOR OPEN SPACES AND PARKS IN TERMS OF THIS BY LAW**

1. Determination of amount or contribution payable in respect of provision of open spaces (private open space or public open space) or parks.
2. Where, by virtue of or in terms of the provisions of this By-law an owner of land on which a land development application is approved (excluding a township establishment in terms of section xxx is required to pay an amount of money or a contribution to the Municipality in respect of the provision of open spaces or parks, such amount or contribution shall be determined substantially, in the opinion of the Municipality, in accordance with the formula—

$$\frac{(a - b) \times c \times e}{d}$$
 in which formula

“a” represents the number of residential units which may be erected on the land to which the application relates in terms of the approved application;

“b” represents the number of residential units which could have been erected on the land contemplated in paragraph (a) prior to the approval of the application;

“c” represents:

- (a) 24 m² where, in terms of the approved application, the land contemplated in paragraph (a) may be used for Residential 1 or 2 purposes or for purposes as may be determined by the Municipality from time to time, as the case may be;
- (b) 18 m² where, in terms of the approved application, the land contemplated in paragraph (a) may be used for Residential 3, 4 or 5 for purposes as may determined by the Municipality from time to time or as the case may be; (e.g. retirement village)

“d” represents the area of the land contemplated in paragraph (a) in m²;

“e” represents the site value of the land contemplated in paragraph 1

- (a) as reflected in the valuation roll or the supplementary valuation roll of the local authority; or
- (b) if the land is not reflected in the valuation roll or supplementary valuation roll of the Municipality, as determined by a valuer
 - (i) who is a member of the South African Institute of Valuers; or
 - (ii) as defined in the Local Government Property Rates Act, 2004.

3. Provision of Land for Open Spaces (private open space or public open space) or Parks including where a division of township application;

(a) Where, in terms of sections xx, the Municipality of an application to establish a township, imposes a condition requiring the applicant to provide land for open spaces or parks, the area of that land shall be determined substantially, in the opinion of the Municipality, in accordance with the formula:

$$a \times 24 \text{ m}^2 + b \times 18 \text{ m}^2$$
 in which formula

“a” represents the number of residential units which may be erected on land in the township which, in terms of the land use scheme concerned, is to be zoned —Residential 1 or —Residential 2 or as may be determined by the Municipality from time to time, as the case may be;

“b” represents the number of residential units which may be erected on land in the township

which, in terms of the town planning scheme concerned, is to be zoned —Residential 3’ —Residential 4 or —Residential 5 or as may be determined by the Municipality from time to time, as the case may be.

- (b) Any area of land in a proposed township which is subject to flooding by a 1:100 year flood shall be shown on the plan of the township as an open space or park if so required by the Municipality concerned and such area may at the request be protected by means of a servitude and shall be indicated in terms of a zoning for the purpose for which it is set aside.
- (c) If, in a proposed township, part of any area of land subject to flooding by a flood contemplated in paragraph (2) is less than 32 m measured from the centre of a water course, the area of land shown as an open space or park on the plan of the township shall be extended to measure 32 m from the centre of the water course.
- (d) The area of land to be provided for open spaces or parks in terms of paragraph (1), may not be reduced by the area of land to be shown as open spaces or parks in terms of paragraph (2) and (3); provided that the Municipality may give consent to reduce this requirement.

SCHEDULE 25:

EXAMPLE OF A POWER OF ATTORNEY

I/We,

.....

ID No: the undersigned, hereby nominate, constitute and appoint –

.....ID No:
.....

with the power of substitution to be my/our legal attorney(s) and agent(s) in my/our name, place and stead to apply for -

..... (type of application and property description)

at The [Insert Name] Local Municipality and in general to do everything to effect the application and to do whatever I/we would do if I/we were present in person and acting in the matter; and I/we hereby ratify, allow and confirm, and promise and agree to ratify, allow and confirm everything and anything my/our attorney(s) and agent(s) may do or may permit to be done legally in terms of this power of attorney.

Signed at on this day of20..... in the presence of the undersigned witnesses.

AS WITNESSES:

1.....
.....

2.....
..... AS REGISTERED OWNER

.....
Registered Owner (ID Number)

SCHEDULE 26:

EXAMPLE OF AFFIDAVIT

I, the undersigned, (full name and surname), hereby *make oath/affirm that the placard notice(s) as prescribed in terms of Section 18(1)(d)(ii) on Erf No, Township, was displayed and maintained in a conspicuous and to the public accessible place, for a period of 28 days from the first day the advertisements were advertised in local newspapers, viz from to, both dates inclusive.

SIGNED (SIGNATURE OF
APPLICANT) on at
.....

I hereby certify that the deponent acknowledges that *he/she was conversant with the contents of this statement and understood it, and that the deponent uttered the following words: "I swear that the contents of this statement are the truth and nothing but the truth, so help me God".

COMMISSIONER OF
OATHS:..... DATE:
.....

*Delete whichever is not applicable.