

SPONSORED CONTENT

Woodridge: balance, belonging, and a nurturing outdoor environment

Canoeing, archery, horse riding, trail running, mountain biking, rock climbing, camping, fishing, a host of traditional sporting codes and a myriad cultural activities are all part of the adventure that awaits at Woodridge.

The journey is filled with opportunities to learn from enhanced experiences and to produce a future generation of innovative problem-solvers.

With the added benefit of small classes and ample individual attention, pupils thrive in an environment where the emphasis is not on their last test result, but rather on nurturing children to become good citizens, who are respectful, can think independently and creatively, and make good decisions. As a result, a solid foundation is laid, creating a mindset for lifelong learning.

The 365-acre estate, set in the heart of the Eastern Cape countryside, lends itself beautifully to the philosophy of teaching in "classrooms" without walls by incorporating the outdoors into the curriculum.

With little to no homework given at the preparatory school level, afternoons are spent doing enriching extramurals, sport, and outdoor education activities, which form the cornerstone of the non-academic timetable. Pre-primary pupils are welcomed from as young as two years old and spend many hours soaking up the fresh air and leaving for home with their cups filled to the brim.

At the college, the facilities, teaching techniques, and curriculum are designed to provide pupils with the skills, attitudes, and knowledge they need to become global citizens.

At Woodridge, children learn to nurture their surroundings, all living things, and each other, while overcoming personal fears and developing self-discipline, responsibility, and leadership.

Similarly, pupils are encouraged to participate and explore music, arts, speech, and drama activities, which further develop their confidence and enable them to flourish both in the classroom, on the sports field, and in the great outdoors.

Through numerous community outreach

initiatives, pupils are taught to empathise with the less fortunate. The longest-running community service project dates back to 1973 with the establishment of the Woodridge Surf Lifesaving Club. To our knowledge, this is the only school-based surf lifesaving club in the world, and members currently perform voluntary duties at Main Beach, Cape St Francis, every Sunday during the summer terms.

Our diverse community includes boarders from grade 4 to 12 from all over SA and abroad. At the preparatory school, we have two residences for boys and girls, with the emphasis being on making it a homely environment with dedicated house parents looking after the needs of the children. The college boarding comprises four residences, with two for girls and two for boys.

Weekends can include a variety of activities, as well as Sunday school and chapel service for seniors, contributing to a well-rounded boarding experience. The spiritual well-being of our pupils, and particularly boarders, is of utmost importance, as the school is guided by Christian principles and values.

Woodridge caters for day pupils and borders, from grade 0-12. We are a proud member of ISASA (Independent Schools Association of Southern Africa) and the IEB (Independent Examinations Board), and are infinitely aware of the fundamental importance of the final matric exam results for aspiring students.

Knowing full well that universities, colleges, and trade schools build their acceptance models on these results, we work hand in hand with the IEB, which seeks to nurture problem-solving abilities and a heightened skillset, resulting in students who are well-equipped for the challenges of tertiary education and beyond.

Woodridge is more than a school, it's an experience. If you would like to go on an adventure with Woodridge, email admissions@woodridge.co.za, call 041-492-2395 or visit www.woodridge.co.za.

Bathurst Agricultural Show guarantees fun

TOTT REPORTER

Now is the time to get your entries ready for the Home and Garden and Photography and Art competitions at the Bathurst Agricultural Show from March 26-29. There are several great categories to inspire you! Email bas@thebas.co.za for catalogues and entry forms.

The Woody Cape wildlife auction features more than 140 lots of the finest buffalo and wildlife superior genetics to the market. Renowned auctioneer Brandon Leer wields the hammer at this prestigious event starting at midday on Saturday March 28. Potential bidders should register and view the catalogue on woodycapewildlife.co.za

Hobson & Co are hosts in the livestock arena. Hugh Ainslie from Bedford will be bringing along magnificent cattle. Action there includes the judging of lambs and cattle on Friday, the Elite Fat Stock and Kapater Sale, and a boerewors competition.

New to the show this year is an Antique & Collectible Auction hosted by 1825 Online Auctioneers which is part of the Traders Auction Group. A unique, over the top, highly professional auction. Viewing of all items is from Thursday onwards at the show. The auction will take place on Saturday afternoon.

The Cask & Cuisine Marquee — also new to the

show — features various wine, gin, champers and more tastings, and artisanal food to take home, from smoked meats, handmade cheeses to breads, olives, pestos and more. Chef Ray Hanekom-Barnard will be hosting a 150-seater al fresco dining experience where you can indulge in his expertly prepared offerings.

Stalls, as usual, steal the show. Hundreds of stalls will delight everyone from young to old: we guarantee something for everyone — every stall has been hand-picked to ensure everyone will have a good time.

From humungous tractors and agricultural equipment to clothing, home décor, seeds, lawnmowers, leather work, toys, hand made knives, quad bikes, treats, handbags and — oh dear! — too much to mention. And don't forget the

Food Court with over 30 food stalls: variety is no issue, plus there's live entertainment on the stage. There will be live music by well known bands, great hospitality and cold ones at Bulls Inn and The Ulysess Pub on Friday and Saturday evenings.

The Kidz Zone & Creche offers non-stop entertainment with a giant jenga, jumping castles, carnival games and art workshops as well as a creche so mom and dad can take a time out at The Cask & Cuisine Marquee.

The main arena will be on fire with a full programme of events brought to you by the Bathurst Riding Club.

The show jumping is always a huge crowd puller and connoisseurs will appreciate top dressage and showing.

The main arena will also be home to the Great Parade featuring classic cars, vintage tractors and bikes, as well as new cars and quad bikes.

The Western Mounted Games will be a massive attraction with demonstrations of horseback archery and barrel racing.

This guarantees to get the excitement levels on a whole new high. A first for the show and definitely not to be missed!

Keep updated at www.thebas.co.za and enquiries to bas@thebas.co.za.

Weekly updates right here in Talk of the Town!



Hundreds of stalls will delight everyone from young to old: we guarantee something for everyone - every stall has been hand-picked to ensure everyone will have a good time

NDLAMBE MUNICIPALITY PORT ALFRED



NOTICE: COMMUNITY PARTICIPATION

NOTICE: DRAFT HOUSE/SPAZA SHOP POLICY AND DRAFT OPERATIONAL POLICY FOR SUBMISSION OF LAND USE PLANNING APPLICATIONS.

Notice is hereby given in terms of Section 21A of the Municipal Systems Act, 2000 (No. 32 of 2000) that the local community is invited to submit representations/comments in connection with the promulgation of the House/Spaza Shop Policy and Operational Policy for Submission of Land Use Planning Applications.

Members of the public can access the document/policies under the Ndlambe Municipality website under the following link: <https://www.ndlambe.gov.za/notices/>

Furthermore, members of the public can access the document/policies for public inspection at the following municipal offices and libraries:

- Town Planning Office - Civic Centre, Cause Way Street, Port Alfred, 6170.
- The Municipal Manager's Office - 44 Campbell Street, Port Alfred, 6170.
- Kenton on Sea Municipal Offices - Kenton Road, Kenton on Sea, 6191.
- Alexandria Municipal Office - Voortrekker Street, Alexandria 6185.
- All Ndlambe Municipal Libraries

All representation/inputs/comments must be addressed to The Municipal Manager at P.O. Box 13, Port Alfred, 6170 or be emailed to townplanning@ndlambe.gov.za not later than **16h30 on Thursday, 05 March 2026**. Any person who cannot write may come during office hours to any of the above listed municipal offices, where a staff member of the municipality will assist that person to transcribe that person's comments or representations.

Enquires may be directed to the Town Planning Section, at 046 604 5520/5603 during office hours from 07h30 to 16h30.

NOTICE NUMBER: 17/2026

29 JANUARY 2025

ADV. R DUMEZWENI
MUNICIPAL MANAGER





NDLAMBE
LOCAL MUNICIPALITY
(EC 105)

OPERATIONAL POLICY FOR SUBMISSION OF LAND USE PLANNING APPLICATIONS 2025



TABLE OF CONTENTS

- 1. INTRODUCTION 3
- 2. PURPOSE OF THE POLICY 3
- 3. LEGISLATIVE FRAMEWORK 3
- 4. SUBMISSION OF LAND USE PLANNING APPLICATIONS..... 6
- 5. PUBLIC PARTICIPATION ON LAND USE PLANNING APPLICATIONS..... 10
- 6. GENERAL PROVISIONS FOR LAND USE PLANNING APPLICATIONS 14
- 7. OTHER LEGISLATIONS AND REGULATIONS 16
- 8. COMMENCEMENT DATE..... 16

1. INTRODUCTION

Ndlambe Municipality has developed guidelines for the submission of land use and development applications in terms of the Spatial Planning and Land Use Management Act, 2013 (SPLUMA) and the Ndlambe Municipality Spatial Planning and Land Use Management By-law, 2016 (By-law). The operational policy for submission of land use planning applications set out the basic submission requirements for land use planning applications compiled in terms of Section 184(1) of the By-law, ensuring that there is a uniform and standard approach when dealing with land use applications. The policy also ensures a consistent and standardized approach to handling land use planning applications, promoting clarity, efficiency, and transparency in the application process.

2. PURPOSE OF THE POLICY

Ndlambe Municipality has formulated the Operational Policy for Submission of Land Use Planning Applications to provide for uniform, appropriate and adequate land use application submission and advertising guidelines for land use and development applications. The purpose of the policy is to:

- 2.1 Outline the submission requirements for land use planning applications.
- 2.2 Establish guidelines for pre-consultation and pre-scrutiny processes in land use planning applications.
- 2.3 Outline clear procedures for conducting public participation in land use planning applications.

3. LEGISLATIVE FRAMEWORK

3.1 The Constitution of The Republic of South Africa, 1996

Municipal Planning is a legislative function assigned to municipalities in terms of Section 156 of the Constitution of the Republic of South Africa, read in conjunction with Part B of Schedule 4. This grants municipalities both executive authority and the right to administer planning matters as outlined in Section 155. The planning function operates within a defined legal framework designed to ensure that municipalities fulfill their developmentally oriented objectives in accordance with Sections 152 and 153 of the Constitution. Achieving these objectives requires balancing diverse and often competing social, economic, and environmental interests across national, provincial, regional, and local levels, while aligning public and private interests. All development must be sustainable and guided by legislative processes. Given the legalistic and complex nature of planning, property rights are managed through zoning, which indicates potential land uses, subject to evaluation and regulation through planning, environmental, and building approval processes. The rights and

responsibilities of property owners, along with the protection of public interest, are safeguarded through established procedures. It is within this context that the Operational Policy for the Submission of Land Use Planning Applications has been developed.

3.2 Spatial Planning and Land Use Management Act, 2013 (SPLUMA)

The Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) (SPLUMA) establishes the overarching legislative framework for spatial planning, land use management, and land development across South Africa. SPLUMA empowers municipalities with the authority to manage land use and development within their jurisdictions, in alignment with their constitutional mandate under Section 156 of the Constitution of the Republic of South Africa.

This Operational Policy for Submission of Land Use Planning Applications has been developed to give effect to the principles, procedures, and requirements set out in SPLUMA and its associated regulations. The policy seeks to ensure that land use applications are processed in a manner that upholds SPLUMA's core objectives. The policy provides detailed guidance on submission requirements, pre-consultation processes and public participation – all of which are designed to comply with SPLUMA's provisions. By aligning with SPLUMA, the policy ensures that land use planning applications contribute to coherent spatial development and support the long-term development objectives of the municipality.

3.3 Spatial Planning and Land Use Management Regulations, 2015

The Spatial Planning and Land Use Management Regulations, 2015 (SPLUM Regulations) provide the detailed procedural framework necessary to implement the provisions of the Spatial Planning and Land Use Management Act, 2013 (SPLUMA). These regulations set out the specific requirements, timeframes, and processes for land use applications, ensuring uniformity, legal certainty, and compliance with national planning principles. In terms of Regulations 14 of the SPLUM Regulations, *"a municipality must at least determine, amongst others, the following in terms of land development applications:*

- *The manner and format in which a land development and land use application must be submitted;*
- *Timeframes applicable to each component of the phases as outlined in Regulation 16;*
- *The level of participation required, and*
- *The manner and extent of intergovernmental participation as part of the land development application".*

This Operational Policy for Submission of Land Use Planning Applications is designed to align with and operationalize the SPLUM Regulations, guiding applicants through each stage of the land use application process. The policy incorporates the regulatory requirements to ensure that applications are processed lawfully, efficiently, and in a manner that upholds public interest and development objectives of the Municipality. It is within the above context that the Operational Policy for Submission of Land Use Planning Applications has been formulated.

3.4 Ndlambe Municipality Spatial Planning and Land Use Management By-Law, 2016

Section 184(1) of the By-law empowers the municipality to adopt policies, procedures, standards, and guidelines to facilitate the effective administration of the By-law, provided they are not inconsistent with the Spatial Planning and Land Use Management Act, 2013 (SPLUMA) and the By-law itself. This provision forms the legal foundation for the development of the Operational Policy for Submission of Land Use Planning Applications, enabling the municipality to streamline and regulate the application process while ensuring alignment with broader legislative requirements.

The policy functions as an administrative tool that translates legislative provisions into practical steps, offering clear guidance to applicants. It provides a structured framework for managing land use applications in accordance with the By-law. By adopting this policy under Section 184(1), the municipality enhances its ability to administer land use management effectively while providing certainty and predictability to applicants. The policy ensures that all land use decisions are made in a manner that balances development needs with spatial justice, environmental sustainability, and public interest considerations, reinforcing the municipality's broader developmental mandate.

3.5 Promotion of Administrative Justice Act, No 3 Of 2000 (Paja)

In accordance with Sections 3 and 4 of the Promotion of Administrative Justice Act (PAJA), all administrative actions that impact an individual or the public must be conducted in a procedurally fair manner. Where a land use planning application may significantly affect a person's rights or expectations, the process must ensure procedural fairness. With this understanding, the Operational Policy for Submission of Land Use Planning Applications has been developed to provide clear guidelines that ensure procedural fairness in processing of land use planning applications.

4. SUBMISSION OF LAND USE PLANNING APPLICATIONS

All land development applications must be submitted to the Municipality as the authority of first instance. It should be noted that any land development application submitted to the Municipality require any other authorization or consent in terms of any other legislation related to land use, such application should also be made, or such an authorization be obtained in terms of the specified legislation.

4.1 TYPES OF APPLICATIONS

The land use planning applications may include any of the following applications made in terms Section 57 of the Ndlambe Municipality Spatial Planning and Land Use Management By law, 2016.

Type of Application in terms of the By-law	
Subdivision of land	Section 57(a)
Phasing of subdivision	Section 57(b)
Amendment of an existing scheme or land use scheme by the rezoning of land, including rezoning to an overlay zone	Section 57(c)
Removal, Amendment or Suspension of a Restrictive or Obsolete Condition, Servitude or Reservation Registered Against the Title of the Land	Section 57(d)
Consolidation of land	Section 57(e)
Amendment or cancellation of a subdivision plan;	Section 57(f)
Permanent closure of any public place	Section 57(g)
Consent use	Section 57(h)
Development on communal land that will have a high impact on the traditional community concerned	Section 57(i)
Permanent or temporary departure from land use scheme	Section 57(j)
Extension of the period of validity of an approval	Section 57(k)
Exemption of a subdivision from the need for approval in terms of this By-Law as contemplated in section 66	Section 57(l)
Determination of a zoning as contemplated in section 181	Section 57(m)
Amendment, deletion or addition of conditions in respect of an existing approval granted or deemed to be granted in terms of section 54(9)	Section 57(n)

Approval of the constitution of an owners' association or an amendment of the constitution of the owners' association	Section 57(o)
Any other application provided for in this By-Law	Section 57(p)
Any other application which the Council may determine in terms of this By-Law and/ or	Section 57(q)
Any combination of the applications referred to in this section submitted simultaneously as one application.	Section 57(r)

4.2 Pre-Application Consultation

- 4.2.1 All land use planning applications lodged in terms of the By-law are subject to Pre-Consultation or Pre-Scrutiny Phase with the Municipality.
- 4.2.2 No application will be accepted by the Municipality if it has not gone through the Pre-Consultation or Pre-Scrutiny Phase.
- 4.2.3 Once a land use planning application has undergone a Pre-Consultation or Pre-Scrutiny Phase and the Municipality is satisfied that all the application documents required and the type of application lodged is correct, the applicant will be given a go ahead to make a formal hard copy submission of the land use planning application.
- 4.2.4 No land use planning application will be accepted by the Municipality if a go ahead to make a submission has not been granted.
- 4.2.5 The purpose of the pre-application consultation is to enable the Municipality to determine if the correct application is lodged and advise the applicant in relation to the documentation that is required for the application.
- 4.2.6 All Pre-Consultations will be conducted online and must be via email. No hard copies will be submitted as part of pre-consultation.
- 4.2.7 A Pre-Consultation must not be construed as an indication that the application will be approved.

4.3 Proposal Motivation

- 4.3.1 An application must be properly motivated in terms of the application criteria set out in Schedule 6 to Schedule 13 of the By-law. Motivations may include, but is not limited to the following information:
- a) **Background:** Any information of significance to the application, which may include site history, any previous negotiations, transactions or changing circumstances preceding the application, previous applications etc.

- b) Physical characteristics of the application premises and surrounding area:** Description of all physical characteristics of the subject premises, including topography, slopes, drainage, vegetation, floodplains and flood lines, unique ecological habitats and sensitive areas, any unstable soil formations, existing buildings and structures, access routes etc., as well as expert knowledge and opinion where problems are anticipated. The use of photographs is encouraged. It is furthermore strongly recommended that the surrounding area is assessed in the context of the specific application, to an extent that is acceptable and realistic.
- c) Development proposal:** Detailed description of all aspects of the proposed development, including any alternative schemes. The application should furthermore be supported by drawings, plans, sections, or elevations which can give an indication of the proposed built form, landscaping and public interface of the proposed development.
- d) Desirability:** The following considerations are amongst other things relevant to the assessment of the proposed land use to determine if it would be desirable and should therefore be properly motivated in an application. Please refer to Section 53(4) of the By-law.
- e) Policy compliance:** The application needs to highlight how the applications comply with the provisions of SPLUMA, By-law, the Municipal Spatial Development Framework, Land Use Scheme and other related Municipal Policies, Provincial and National key strategic policies.
- f) SPLUMA principles:** Discussion of the application in terms of the development principles, norms and standards as referred to in Chapter 2 of the Spatial Planning and Land Use Management Act, 2013 (SPLUMA).
- g)** In motivating applications for the removal, suspension or amendment of restrictive conditions, applicants must have regard to Section 69(5) of the By-law and Sections 42(1)(c) and 47 of the Spatial Planning and Land Use Management Act (2013).
- h)** Applicants are encouraged to include additional information in their motivation and may also justify their application with reference to other applicable and relevant legislation or policies, such as Provincial Spatial Development Framework (PSDF), National Environmental Management Act of 1998 (NEMA), Subdivision of Agricultural Land Act, 1970 (SALA), or the National Development Plan (NDP), etc.

4.4 Application Fees

- 4.4.1 An applicant must pay the application fees determined by the Municipality prior to submitting an application.
- 4.4.2 Application fees that are paid to the Municipality are non-refundable and proof of payment of the application fees must accompany the application.
- 4.4.3 Land use application fees are calculated in terms of the fee structure as approved by Council for each financial year.
- 4.4.4 The total fee payable for the application(s) is determined by the type(s) of application(s) being lodged.
- 4.4.5 Application fees for land use and development applications may only be paid once the Pre-Consultation or Pre-Scrutiny Phase of the application is complete and the Town Planning Office has granted permission for the application to be submitted.
- 4.4.6 Failure to pay the application fees in full may lead to the application not being accepted in terms of Section 87(b) of the By-law.

4.5 Communication Regarding Applications

- 4.5.1 In a case where the property owner is not the applicant and has designated an agent to submit an application to the municipality on their behalf through a signed power of attorney, the Municipality in particular the Town Planning Office will solely communicate with the appointed agent regarding the processing or status of the application.
- 4.5.2 The Town Planning Office will not liaise with the property owner and therefore, it is the responsibility of the appointed agent to provide regular updates to their client/property owner.

4.6 Hard Copy Submission

- 4.6.1 Hard copies of the land use planning application may only be submitted after the Municipality has granted permission, following the completion of the Pre-Consultation or Pre-Scrutiny Phase, and confirmation that the application can be submitted.
- 4.6.2 Applications must be submitted in the following format:
 - a) Applications must be accompanied by proof of payment. Applications without proof of payment will not be accepted. No screenshots of payments made will be accepted. If proof of payment is submitted later, the date of submission will be considered as the application date.
 - b) Two (2) A4 hard copies printed one sided.

- c) No bounded, stapled or punched applications will be permitted.
- d) Both A3 and A4 color copies of the Site Development Plans are to be submitted with the application.
- e) The land use application forms must not be altered or amended in anyway. Applications lodged with forms that have been amended or altered will not be accepted.
- f) Applications can be delivered at: 1 Causeway Road, Civic Centre/Town Hall, Town Planning Section, Port Alfred, 6170.

5. PUBLIC PARTICIPATION ON LAND USE PLANNING APPLICATIONS

5.1 Public Participation Procedure for Land Use Planning Application

- 5.1.1 Land use and development applications must go through an advertising or public participation process to notify a person whose rights or legitimate expectations may potentially be materially and adversely affected by a proposal.
- 5.1.2 The extent to which an application is advertised should depend on the type of application, the complexity of the application and the potential impact of the proposed development.
- 5.1.3 The minimum extent for such advertising will be indicated by the Municipality as guided by the By-law.
- 5.1.4 Notice of land use and development applications are made in terms of Section 92 of the By-law. Public participation is undertaken as guided by Section 93, 94 and 96 of the By Law.
- 5.1.5 Before the applicant conducts the advertising, this may only be done after the Municipality has drafted or vetted the notices and such notices are in accordance with the Municipality's standard letters and requirements.
- 5.1.6 No advertising or public participation may be conducted by the applicant without a directive from the Municipality.
- 5.1.7 The starting and closing date for comments and objections must be in accordance provisions of the By-law.
- 5.1.8 A separate notice of the application(s) must in all cases be served on each of the affected owners in accordance with the Municipality's prescribed standard notification letter, giving detailed notice of the relevant applications applied for as well as the time period allowed for submitting comments/objections and include relevant plans and further information, where applicable. Notified owners must sign for receipt of such notice and note the date of receipt thereof in cases where the applicant can serve a notice on such owners. In cases where the

applicant must forward notices by registered mail, necessary proof must be submitted. Once such notice has been served on the relevant owner(s), the applicant (or his/her representative) may discuss the application with the notified owner(s) and if the owner agrees to it, he/she can sign the prescribed Notice of no objection and the relevant plan(s), consenting to the application.

5.1.9 The Municipality shall provide the applicant with a complete list of names and addresses of people whose rights or legitimate expectations may potentially be materially and adversely affected, to be served notice on where the Municipality is legally obligated to cause such application to be advertised.

5.1.10 The Municipality may require that a new notice of an application be given if more than 18 months has lapsed since the first public notice of the application and if the application has not been considered by the Municipality.

5.1.11 The Municipality may, at any stage during the processing of the application:

- a) require notice of an application to be republished or to be served again; and
- b) an application to be resent to municipal departments for comment, if new information comes to its attention which is material to the consideration of the application.

5.1.12 In cases where an application is substantially amended, which leads to a more adverse impact, the Municipality must advise the applicant that such application will need to be re-advertised as a new or amended application after determining the extent of advertising of the new or amended application.

5.1.13 The applicant is responsible for covering all costs associated with publishing public notices and carrying out public participation through any additional methods required for the land use and development application.

5.1.14 The Municipality may also request the applicant to conduct other additional public participation methods in terms of Section 96 of the By-law.

5.2 Additional Methods of Public Participation

5.2.1 The Municipality may also request the applicant to conduct other additional public participation methods in terms of Section 96 of the By-law.

5.2.2 If the Municipality considers notice in accordance with Sections 93 or 94 of the By-law to be ineffective or the Municipality decides to give notice of any application in terms of the By-law, the Municipality may on its own initiative or on request require an applicant to follow one or more of the following methods to give additional public notice of an application:

- a) site notice
- b) to convene a meeting for the purpose of informing the affected members of the public of the application;
- c) to broadcast information regarding the application on a local radio station in a specified language;
- d) to hold an open day or public meeting to notify and inform the affected members of the public of the application;
- e) to publish the application on the Municipality's website for the duration of the period that the public may comment on the application; or
- f) to obtain letters of consent or objection to the application.

5.2.3 Where an applicant has given additional public notice of an application, the applicant must provide proof that the additional public notice has been given as required.

5.3 Standard Minimum Requirements for Displaying Site Notices

5.3.1 Where on-site display of notices is required, this is additional to any other form of advertising or public participation method that might be required, the following must be adhered to.

5.3.2 The size of at least 60cm x 42 cm on the frontage of the erf concerned or at any other conspicuous and easily accessible place on the erf, provided that:

- a) the notice must be displayed for a minimum of 30 days during the period that the public may comment on the application;
- b) the applicant must, within 21 days from the last day of display of the notice, submit to the Municipality – a sworn affidavit confirming the maintenance of the notice for the prescribed period; and at least two photos of the notice, one from nearby and one from across the street.
- c) Notice content must include the following information:
 - i) details of the applicant and the owner of the land unit (if different from the applicant);
 - ii) description and physical address of the land unit;
 - iii) the purpose of the application to which the notice relates;
 - iv) details of where and when particulars of the application of which notice is given are available for inspection;
 - v) an invitation to members of the public to lodge with the Municipality written comment or objection with reasons;

- vi) details of the procedure for a person to submit written comment or objection and the date by when it must be lodged (which may not be a date less than 30 days from the date of the notice); and
 - vii) a statement that no late comment or objection will be considered unless the Municipality Manager has agreed in writing.
- 5.3.3 Applicant/property owner exempts Council from any liability attributable directly or indirectly as a result of construction / placing on-site or removal of above notice or any damage incidental thereto resulting from these requirements.
- 5.3.4 The applicant will be responsible to display the notice as per the undertaking and provide the Municipality with photographic proof thereof, with the date displayed on the photograph, which must be taken on the commencement date of the advertising period.
- 5.3.5 The photograph must be kept on the application file for record purposes. All costs for the display of notices will have to be borne by the applicant.
- 5.3.6 It is the responsibility of the application to ensure that the site notice display is in good condition during the advertising period.

5.4 Submissions of Comments/Objections on Land Use Planning Applications

- 5.4.1 A person who has been invited to comment or object, or any person in response to a public invitation/notice to comment or object, may object, comment on or make representations about the application. This must be done in accordance with Section 98 of the By-law.
- 5.4.2 A person whose rights or legitimate expectations may potentially be materially and adversely affected must be given at least 30 days to comment or object to a proposal and the time period must be clearly indicated on the letter of notification.
- 5.4.3 The Municipality may advise/ notify any objector to resubmit proper/valid objections if the objections submitted do not meet the requirements of Section 98 of the By-law.
- 5.4.4 After the closing date, all comments and/or objections will be sent to the applicant, to response to the comments and/or objections received. The applicant may, within a period of 30 days from the date of the provision of the objections, comments, or representations, submit written reply thereto with the Municipality and must serve a copy thereof on all the parties that have submitted objections, comments, or representations.
- 5.4.5 If the applicant does not submit comments within the period of 30 days or additional time provided, the applicant is considered to have no comment.
- 5.4.6 Any objection, comment or representation that is received after the closing date for comments and/or objections, is deemed not to be valid and the Municipality will not accept any such objection, comment or representation.

5.5 Circulation of Land Use Planning Applications to Internal & External Stakeholders

- 5.5.1 Once an application has been received and confirmed complete, the Municipality will circulate the application to both internal and external stakeholders as part of public participation.
- 5.5.2 Internal stakeholders include departments within the Municipality, whereas external stakeholders include organizations or entities that are not part of the Municipality, however they might have an interest in or be affected by the application.
- 5.5.3 The Municipality may at any given time request the applicant to obtain consent or comments from other internal or external stakeholders and submit it to the Town Planning Office.

5.6 Requirements for Departure Applications

- 5.6.1 Applications submitted in terms of Section 76(1)(a) of the By-law must include neighbors' consent. During the Pre-Consultation or Pre-Scrutiny Phase, the Municipality will provide a list of neighbors from whom consent is required.
- 5.6.2 Applications for a departure to relax height restrictions under Section 76(1)(a) must include a height certificate issued by a registered Professional Land Surveyor. The certificate must specify the extent to which the proposed structures exceed the permitted height.
- 5.6.3 Simultaneous land development applications that include relaxation of building line(s) and relaxation of height restriction must be accompanied by neighbors' consent forms.

6. GENERAL PROVISIONS FOR ALL LAND USE PLANNING APPLICATIONS

- 6.1 No application will be accepted by the Town Planning Office if it has not gone through the Pre-Consultation or Pre-Scrutiny Phase.
- 6.2 Applications must be accompanied by the information required as outlined in Section 85 of the By-law. Failure to do so may lead to the application not being accepted in terms of Section 87 of the By-law.
- 6.3 Applications for subdivision of land zoned agriculture falling under the Subdivision of Agricultural Land Act (Act 70 of 1970) must be accompanied by a consent letter from the Department of Land Reform and Rural Development.
- 6.4 Applications for development of properties which fall within the 100m high water mark or have environmental constraints for example, Critical Biodiversity Areas, traversed by

watercourses, etc, must be accompanied by an Environmental Determination from the Eastern Cape Department of Economic Development, Environmental Affairs and Tourism (DEDEAT). In instances where the Department of Economic Development, Environmental Affairs and Tourism (DEDEAT) has issued an Environmental Determination indicating that an Environmental Authorization is required, the Municipality will not process any application unless the required Environmental Authorization has been obtained.

- 6.5 Applications abutting National, or District Roads must be accompanied by a letter of consent from the South African National Roads Agency SOC Ltd (SANRAL) or the Eastern Cape District Roads Department of Transport, respectively.
- 6.6 A Site Development Plan (SDP) compliant with Section 67 of the Ndlambe Integrated Land Use Scheme, 2019, must be submitted for applications lodged in terms of Section 68, 74 and 76 of the By-law. The Municipality may also advise the applicant in cases where a Site Development Plan is required for other types of applications.
- 6.7 All land development applications with a title deed referencing conditions in another title deed must include a copy of the referenced deed or a conveyancer's certificate verifying that the referenced deed contains no conditions that restrict or prohibit the proposed development.
- 6.8 The Municipality may require applicants to submit their application along with approvals issued in terms of other legislations (e.g., SANRAL approval or Environmental Authorization). These approvals must be included and be submitted as part of the application.
- 6.9 The applicant is responsible for obtaining any required approvals issued in terms of other legislations before submitting the application.
- 6.10 The Municipality may request additional information at any given time in terms of Section 89 of the By-law and in a case where the applicant fails to provide the information, the Municipality may refuse to accept or consider the application and close the application.
- 6.11 The provision of inaccurate, false or misleading information is an offence, in terms of Section 111 of the By-law, and therefore applicants must provide accurate information in their applications.

7. OTHER LEGISLATIONS AND REGULATIONS

The purpose of this policy is to establish clear guidelines for submission of land use planning applications. This policy is intended to complement and not replace, existing legislation or regulations. It must be read in conjunction with the applicable By-law, the Spatial Planning and Land Use Management Act (SPLUMA), the SPLUM Regulations, and all other relevant planning legislation and regulations.

8. COMMENCEMENT DATE

Unless otherwise specified, the commencement date of this policy will be the date of adoption by the Council, and shall remain in effect until it is reviewed, revoked, or amended by Council.