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Department:
Cooperative Governance and Traditional Affairs
PROVINCE OF KWAZULU-NATAL



DIRECTORATE:
LAND USE MANAGEMENT (LUM)
SUB-DIRECTORATE: Development Administration

Historic Applications

SPLUMA FORUM
25 August 2017



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Department:
Cooperative Governance and Traditional Affairs
PROVINCE OF KWAZULU-NATAL

- **Town Planning Ordinance Applications
(Ordinance 27/1949)**
- **Rationalisation of KZN Planning and Development
Laws Act (Act 2/2008)**
- **Less Formal Township Establishment Act
Applications (Act 113/1991)**
- **Development Facilitation Act (Act 67/1995)**

BACK TO BASICS: SERVING OUR COMMUNITIES BETTER





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PROVINCE OF KWAZULU-NATAL

TPO Applications

Item 10(1)(c)(ii) of Schedule 4 of the KZNPDA

- **Applications for township establishment In terms of section 12 of Ordinance not finalised before commencement of this Act**
- 10.(1) An application for the township establishment in terms of section 12 of the Ordinance
- (a) that was **lodged before 1 January 2003**;
- (b) that has not been finalised before the commencement of this Act; and
- (c) that has not been finalised due to the applicant having failed to
 - (i) submit information required for the completion of the application after having been requested in writing to do so; or
 - **(ii) comply with the conditions of approval,**
 - **must be treated as having been refused.**



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TPO Applications

Item 10(3) of Schedule 4 of the KZNPDA

- **Applications for township establishment In terms of section 12 of Ordinance not finalised before commencement of this Act**
- 10.(3) An application for the township establishment in terms of section 12 of the Ordinance
- (a) that was **lodged after 1 January 2003**; and
- (b) that has not been finalised before the commencement of this Act must be proceeded with as if this Act has not commenced.

From Cogta



To Municipality



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Department:
Cooperative Governance and Traditional Affairs
PROVINCE OF KWAZULU-NATAL

Rationalisation of KZN Planning and Development Laws

Section 45 of Chapter 8

- **Applications for township establishment In terms of section 12 of Ordinance not finalised before commencement of this Act**
- 45.(1) An application in terms of section 12(1) of the KwaZulu Land Affairs Act for township establishment
- (a) that was **lodged before 1 January 2002**;
- (b) that has not been finalised before the commencement of this Act; and
- (c) that has not been finalised-
 - (i) due to the applicant having failed to submit information required for the completion of the application after having been requested in writing to do so; or
 - (ii) due to the applicant having failed to comply with the conditions of approval,
 - **must be treated as having been refused.**

BACK TO BASICS: SERVING OUR COMMUNITIES BETTER





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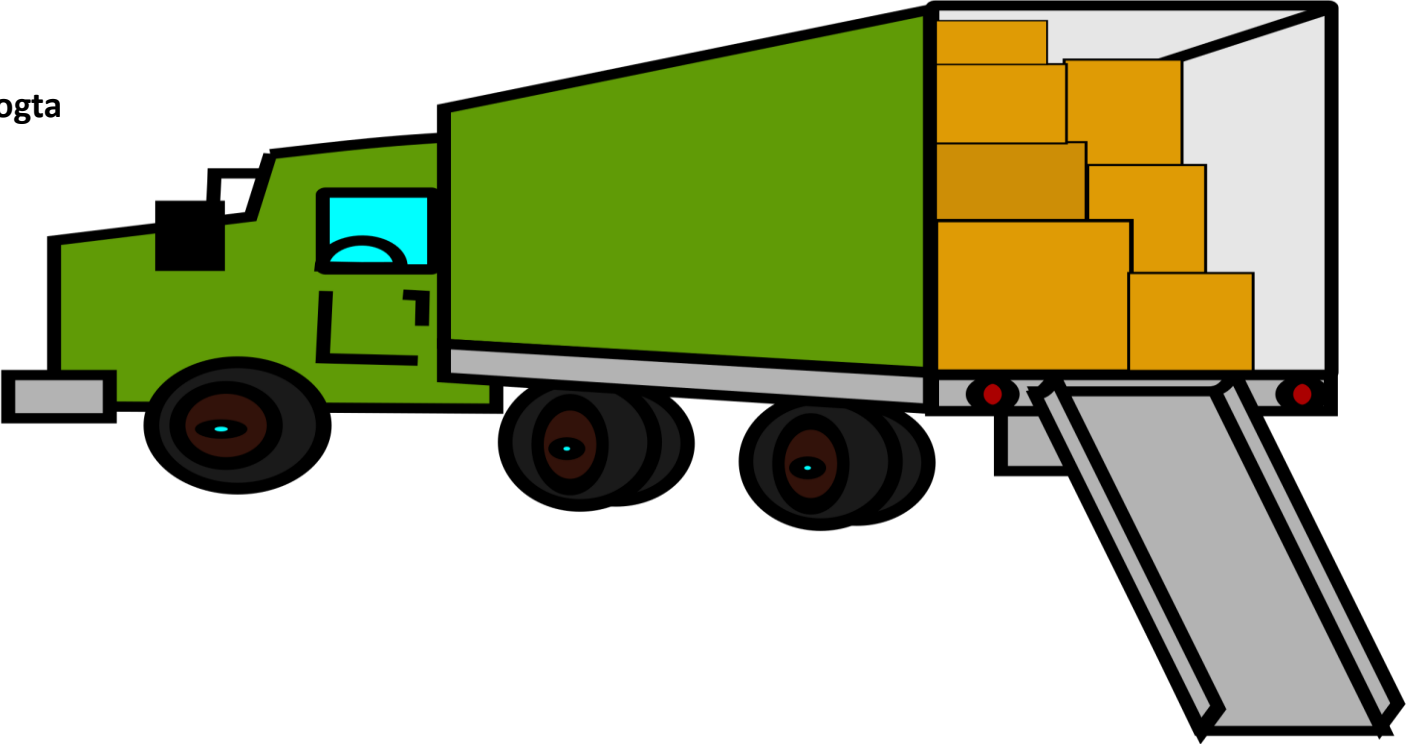
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PROVINCE OF KWAZULU-NATAL

Rationalisation of KZN Planning and Development Laws

Section 45 of Chapter 8

- **Applications for township establishment In terms of section 12 of Ordinance not finalised before commencement of this Act**
- 45.(3) An application in terms of section 12(1) of the KwaZulu Land Affairs Act for township establishment
- (a) that was **lodged after 1 January 2002;**
- (b) that has not been finalised before the commencement of this Act;
 - **must be proceeded with as if this act has not commenced.**

From Cogta



To Municipality



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LFTEA Applications

- **Applications for township establishment In terms of the Less Formal Township Establishment Act (Act 113/1991) must be concluded by COGTA by November 2017**
- **Applications not designated in the Prov. Gazette – COGTA**
- **Applications designated but no Conditions of Establishment and approved layout plan – municipality**
- **LFTEA application constructed and completed require section 28(1) certificate - municipality**



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DFA Applications

- **Applications approved In terms of the Development Facilitation Act (Act 67/1995)**
 - (a) all applications have been determined;
 - (b) Section 60 of SPLUMA determines that these applications be finalised by the municipality; and
- **Section 60(2)**
 - (b) DFA tribunal = municipality.
 - (c) Designated Official (DO) = municipal official.

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To Municipality



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THANK YOU