By-Law on Municipal Land Use Planning (Workflow)

SUBMISSION

Pre-application consultation **(Applicant and Muni)**

Pay application fees **(Applicant)**

Submit application(**Applicant)**

See addendum 1

Same day

Record of application **(Municipality)**

Is the application complete?

No — 14 days

14 days — Yes

Applicant to provide outstanding info **(Applicant)**

14 days

Requesting outstanding information **(Municipality)**

Confirmation of complete application **(Municipality)**

14 days

If applicant fails to provide outstanding info, Municipality may refuse to consider the application

30 days

May request additional information from applicant **(Municipality)**

30 days

Provide the Municipality with additional information **(Applicant)**

21 days

Acknowledge receipt or indicate failure to submit requested information.

Request further information **(Municipality)**

30 days

Provide the Municipality with further information **(Applicant)**

21 days

Types of applications that can be submitted in terms of Section 15 (2)

(a) Rezoning of land
(b) Permanent departure
(c) Temporary departure
(d) Subdivision of land
(e) Consolidation of land
(f) Removal, suspension or amendment of restrictive conditions
(g) Permission required in terms of the zoning scheme
(h) Amendment, deletion or imposition of condition in respect of an approval
(i) Extension of validity period of an approval
(j) Approval of an overlay zone
(k) An amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram
(l) Permission required in terms of condition of approval
(m) Determination of zoning
(n) Closure of public place or part thereof

Key	
Out of time appeal may be lodged within this time	
Direction	
Timeframe	21 days
Additional	
Questions	
Answers to questions	

ADVERTISING

Advertise: Public, Muni Departments, & Organs of state **(Applicant/Municipality)**

See addendum 1

60 days

Request applicant to submit additional public notice **(Municipality)**

Determined by Muni

Provide the Municipality with proof of additional notice **(Applicant)**

NB: The Municipality May request that notice be given again if more than 18 months have lapsed

Were comments, objections and representations received?

No — 60 days — 120 days

Yes — 14 days

Forward comments and other information to applicant **(Municipality)**

30 days

Determined by Muni

May request additional info from applicant **(Municipality)**

Acknowledge receipt/failure to submit **Municipality**

Before the 30 day period lapses

Apply for a 14 day extension to commenting period **(Applicant)**

Submit a written reply to comments received to the Municipality. **(Applicant)**

120 days

ASSESSMENT

120 days

Authorised Municipal employee to compile a planning assessment report **(Municipality)**

DECISION

Municipal Planning Tribunal Decision **(Municipality)**

Authorised employee decision **(Municipality)**

60 days

60 days

21 days

21 days

Notify applicant & objectors of decision and right to appeal **(Municipality)**

21 days

Were any appeals received?

No — Notify applicant to exercise decision **(Municipality)**

Yes

APPEAL PROCESS

APPEAL

Applicant appeal

Objector(s) appeal

Submit appeal (appeal form) and appeal fees to Municipality & submit notice and copies of appeal to any person who commented on the application. **(Applicant)**

Acknowledge Appeal (**valid/invalid**) **(Municipality)**

Submit proof of notice to Municipality **(Applicant)**

14 days

Comment on appeal **(Objector(s)/Affected person(s))**

21 days

14 days

Objector(s) & any affected person(s) may submit an appeal (appeal form) to Municipality **[Objector(s)/Affected person(s)]**

14 days

Acknowledge Appeal (**valid/invalid**) **(Municipality)**

Provide copy of appeal to applicant & notify applicant of suspension of decision **(Municipality)**

21 days

Comment on appeal **(Applicant)**

14 days

Request Provincial Minister to comment on appeal **(Municipality)**

60 days

Provide comments on appeal **(Provincial Minister)**

30 days

30 days if no comment was requested from Provincial Minister

30 days if no comment was requested from Provincial Minister

Authorised employee to draft appeal assessment report and submit **(Municipality)**

60 days

Appeal Authority to take decision **(Municipality)**

21 days

Notify applicant & any person who provided comments on the appeal decision **(Municipality)**

For applications relating to: **subdivision, consolidation, closure of public places and amendment, suspension or removal of restrictive conditions**, refer to the respective addendums