



The Developer's Tool: "The land preparation process in South Africa"

Blog

A key decision that needs to be made at the outset relates to the location and characteristics of the intended development site. Depending on the type of project, some or all of the following factors need to be taken into consideration:

- The location of the land may have to align with national and provincial strategic objectives as outlined in Spatial Development Frameworks and it may have to adhere to spatial targeting requirements.
- The location of the land may also have to align with local development objectives as outlined in the relevant Integrated Development Plan (IDP), specifically the Spatial Development Framework (SDF), Land Use Management Schemes, Precinct plans, Built Environment Performance Plan (BEPP) or any specific Sector Plans (e.g. Housing/ Human settlements, Water, Electricity Sector Plans).
- The potential for integrating the development into the existing settlement - access to transport, economic activities, amenities and services.
- The physical characteristics of the land, including the natural environment and ecology, topography, geology and soil conditions, natural drainage, plot size and shape, other landscape features such as existing buildings on site, light poles or overhanging power cables, etc. that need to be taken into consideration.
- The local context - whether the setting is rural, urban or peri-urban, the nature of the immediate surrounding environment, built environment and neighbourhoods, demographic characteristics, accessibility to amenities etc.
- Zoning and land use, land claims, servitudes, building lines, ownership and other legal aspects as well as adjacent property zoning and land use.
- Accessibility and linkages to transport infrastructure (roads, footpaths, pedestrian walkways, cycling lanes, etc.), storm water drainage systems, bulk service networks such as water pipelines, electricity powerlines and grids, sewer lines as well as their existing thresholds.
- The end-user characteristics/target market.
- Factoring the existing and/or future consumption of the development and/or end user in terms of water, electricity, sanitation, sewer etc.

Figure 1: Road map for servicing land for a developer



Land Development Process

It is crucial that one researches local requirements during this process, as there are a number of regulations around installing and operating electricity, sewer connections water and roads to a property. Regulations differ across the country.

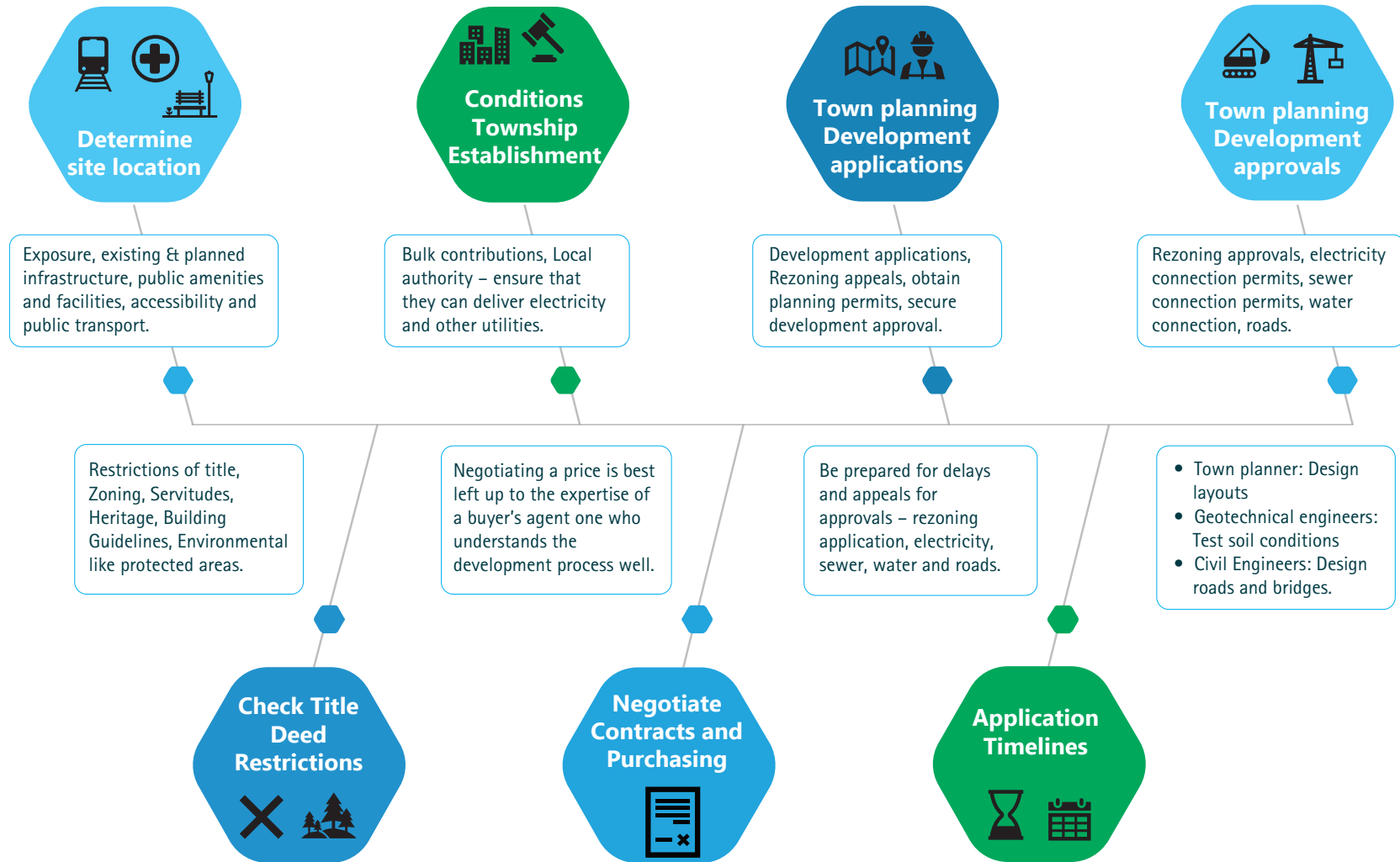


Figure 2: Land Development Process & Stakeholders



Land Development Process and Stakeholders

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Figure 3: Key stakeholders in the Land development process (Incl. governmental role players)

Phase	Project Team	Government
Determine site location	<ul style="list-style-type: none"> • Developer • Conveyancer • Civil Engineer • Town Planner • Geotechnical engineer 	<ul style="list-style-type: none"> • Local (Guided by the SDF, LUMS, IDP, BEPP)
Check Title Deed Restrictions	<ul style="list-style-type: none"> • Town Planner and • Conveyancer 	<ul style="list-style-type: none"> • Local • Provincial (Deeds Office).
Conditions of Township Establishment	<ul style="list-style-type: none"> • Town Planner 	<ul style="list-style-type: none"> • Local (SDF, LUMS and IDP guidelines)
Negotiate Contracts and Purchasing	<ul style="list-style-type: none"> • Conveyancer 	
Town planning Development applications	<ul style="list-style-type: none"> • Town Planner • Geotechnical engineer • Conveyancer • Civil Engineer 	<ul style="list-style-type: none"> • Appeals court • Provincial • Local
Application Timelines	<ul style="list-style-type: none"> • Town Planner • Geotechnical engineer • Conveyancer • Civil Engineer 	<ul style="list-style-type: none"> • Local • National • Provincial
Town planning Development approvals	<ul style="list-style-type: none"> • Town Planner • Geotechnical engineer • Civil Engineer 	<ul style="list-style-type: none"> • Local • Provincial

Figure 4: Examples of Governmental Stakeholder Involved in the Land Development Process

Phase	Project Team	Government	Specific departments
Determine site location	<ul style="list-style-type: none"> • Developer • Conveyancer • Civil Engineer • Town Planner • Geotechnical engineer 	<ul style="list-style-type: none"> • Local • SDF, IDP, BEPP Guidelines and land use scheme 	Project Team to obtain guidelines from the Spatial Planning and Land Use Management bylaws obtained from the Municipality's City Development Department
Check Title Deed Restrictions	<ul style="list-style-type: none"> • Town Planner and • Conveyancer 	<ul style="list-style-type: none"> • Local • Provincial Government (Deeds office) 	<p>Town Planner to follow Municipality's City Development Department bylaws for Land Use Scheme Regulations and Zoning Mapping</p> <p>Conveyancer to check for deed restriction in at the Deeds office</p>
Conditions of Township Establishment	<ul style="list-style-type: none"> • Town Planner 	<ul style="list-style-type: none"> • Local Government (SDF and IDP guidelines) 	Municipality's City Development Department
Negotiate Contracts and Purchasing	<ul style="list-style-type: none"> • Conveyancer 		
Town planning Development applications	<ul style="list-style-type: none"> • Town Planner • Conveyancer • Geotechnical engineer • Civil Engineer 	<ul style="list-style-type: none"> • Appeals court • Local • Provincial 	<p>Water and Sanitation: Municipality's Infrastructure Services Department (Civils)</p> <p>Sewer: Municipality's Infrastructure Services Department (Civils)</p> <p>Stormwater: Municipality's Infrastructure Services Department (Civils) Electricity: Electricity & Energy Services Department (provided by Eskom - powerline/ servitude)</p> <p>Roads: Municipality's Infrastructure Services Department (Civils)</p> <p>Access to rail infrastructure: Municipality's Infrastructure Services Department (Urban Roads and Rail)</p> <p>Telecommunications: OpenServe / Telkom</p> <p>Gas Pipeline: SASOL/Transnet</p>

Phase

Application Timelines

Project Team

- Town Planner
- Conveyancer
- Geotechnical engineer
- Civil Engineer

Government

- Local – Municipality has 30 day or further period to determine whether application is complete or to request further information
For incomplete Applicant has 90 Days to submit additional information required.
For complete Application Municipality evaluates the application and refers the application to the Municipal Planning Approval Authority within 90 days, or such further period. Site inspection - within 60 days.
Decision by the Municipal Planning Approval Authority - Municipality informs the applicant and stakeholders of the outcome of the planning application within 60 days provided that there are no appeals required.
- Provincial
- National

Specific departments

Environmental Impact Assessment Regulations: Department of Economic Development, Tourism and Environmental Affairs

Traffic Impact Assessment Regulations: KwaZulu-Natal Department of Transport and District Municipality

If the development will have an impact on a National Road: South African National Roads Agency

Deeds Office

Phase

Town planning
Development approvals

Project Team

- Town Planner
- Geotechnical engineer
- Civil Engineer

Government

- Local and
- Provincial

Specific departments

Municipality's Infrastructure Services Department (Civils)
Electricity & Energy Services Department
Municipality's Infrastructure Services Department (Urban Roads and Rail)
OpenServe / Telkom
SASOL/Transnet
KwaZulu-Natal Department of Transport and District Municipality