



STELLENBOSCH

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

www.stellenbosch.gov.za/planning-portal/

FOR ENQUIRIES CONTACT landuse.enquiries@stellenbosch.gov.za or 021- 808 8606

SUBMIT APPLICATION BY UPLOADING COMPLETED FORM AND RELEVANT INFO TO THE

Town Planning Application Management System (TPAMS)

[AFLA Portal \(stellenbosch.gov.za\) /](http://AFLA Portal (stellenbosch.gov.za) /)

<https://citymaps.stellenbosch.gov.za/aflaportal/home>

NOTE: In terms of section 69 of the Bylaw on Municipal Land Use Planning 2023 the Municipality may categorise applications for consideration by either an authorised employee or the Municipal Planning Tribunal (Categorisation Model for Decision-making July 2023). These land use applications are subject to prescribed administrative and public participation processes and depending on the type of application, *Land Use Application Form A or Form B* must be completed. *Land Use Application Form B* can be used if the application ONLY comprises of a permanent departure. If any other type of application is also required, *Land Use Application Form A* must be completed. *Land Use Application Form C* must be used if the application comprises of an application for permission either in terms of the zoning scheme or in terms of a condition of approval or in terms of the title deed.

LAND USE PLANNING APPLICATION FORM B

Section 15(2)(b) of the Municipal Bylaw on Land Use Planning 2023

Permanent departure from the development parameters of the zoning scheme

Complete this form using BLOCK letters and ticking the appropriate boxes

PART A: APPLICANT DETAILS

First name(s)	
Surname	
Company name (If applicable)	
Email Address	
Contact Number	

PART B: REGISTERED LANDOWNER(S) DETAILS (If different from applicant)

Registered owner(s) Name	
E-mail Address	
Contact Number	

PART C: PROPERTY DETAILS (in accordance with title deed)

Erf No		Suburb		Town	
Farm no		Farm Portion		Nearest Town	

Physical or Street Address		Property / Business / Farm known as	
Current Zoning			
Additional or Consent Uses			
Current activities			
Property Size / Extent	m ² / ha		Are there existing buildings? Y N
Title Deed number	T		
Is the building located within the historical core?	Y N	Is the building older than 60 years?	Y N
		Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) ¹	Y N
		If yes, indicate which section are triggered and attach relevant permit.	
Any existing unauthorized buildings and/or land use on the subject property(ies)?	Y N	If yes, is this application to legalise the building / land use ² ?	Y N
Are there any pending court case(s) / order(s) relating to the subject property(ies)?	Y N	Are there any land claim(s) registered on the subject property(ies)?	Y N
PART D: PRE-APPLICATION CONSULTATION AND OR SCRUTINY (Not compulsory)			
Has there been any pre-application consultation / scrutiny form submitted?	Y N	If yes, attach the minutes of the pre-application consultation or written feedback received.	
PART E: LAND USE PLANNING APPLICATIONS AND PAYMENT OF FEES			
APPLICATION IN TERMS OF SECTION 15 OF THE MUNICIPAL BYLAW ON LAND USE PLANNING 2023			
Type of application	Tick		
15(2)(b) a permanent departure from the development parameters of the zoning scheme			
DETAILS FOR INVOICE			
Name & Surname (party responsible for payment)			
Postal Address			
Vat Number (where applicable)			
<p>1. Application fees are per the Council Approved Tariffs. The complete application should first be submitted without the payment of any applicable application fees. Only when satisfied that a complete and accurate application has been submitted, will a proforma invoice be submitted to the applicant with payment instructions. Application fees that are paid to the Municipality are non-refundable as per the Tariff Rules. Once proof of payment is received, the application will be regarded as duly submitted.</p> <p>2. All indigent residents who are registered as such with the Municipality and <u>with proof submitted together</u> with application will be exempted from applicable fees for Permanent Departure applications including but not limited to building lines, coverage, parking. Contact: indigent.office@stellenbosch.gov.za or 021 808 8501 or 021 808 8579</p> <p>3. The applicant is liable for the cost of publishing and serving notice of an application. Additional fees may become applicable, and the applicant will be informed accordingly.</p>			

¹ All applications triggered by section 38(1)(a) - (e) in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999) may not be processed without a permit issued by the relevant department

² No application may be submitted to legalize unauthorised building work and or land use on the property if a notice has been served in terms of Section 87(2)(a), and until such time a Section 91 Compliance Certificate have been issued in terms of the Stellenbosch Land Use Planning By-law

BANKING DETAILS

Account Holder Name: Stellenbosch Municipality
 Bank: FIRST NATIONAL BANK (FNB)
 Branch no.: 210554
 Account no.: 62869253684
Payment reference: LU/_____ and ERF/FARM _____
Please use both the Land Use Application number and the Erf/Farm number indicated on the invoice as a reference when making EFT payment

PART F: DETAILS OF PROPOSAL *(Brief description of intent of development)*

(Large empty space for brief description of intent of development)

Name and Date of design guidelines (if applicable)

		Adjoining erf number				
Building line encroachment	Street		From	m	To	m
	Street		From	m	To	m
	Side		From	m	To	m
	Side		From	m	To	m
	Aggregate side		From	m	To	m
	Rear		From	m	To	m
Exceeding permissible site coverage / footprint			From	%	To	%
Exceeding maximum permitted bulk / floor factor / habitable rooms			From		To	
Exceeding height restriction			From	m	To	m
Exceeding maximum storey height			From	m	To	m

PART G: MOTIVATION FOR APPLICATION

Motivate why the departure is necessary for the development of the subject property, considering the impact the proposal has on the rights of the adjoining property(ies). When the section is completed and all the relevant documents are attached, it is not necessary to submit a separate report for motivation.

(Large empty space for motivation for application)

PART H: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE PLANNING APPLICATION

Complete the following checklist and attach all the information and documentation relevant to the proposal. Failure to submit all information and documentation required will result in the application being deemed incomplete.

Y	N	Power of attorney / Owner's consent if applicant is not owner	Y	N	Owners' association consent with signature on layout plan
Y	N	Resolution or other proof that applicant is authorised to act on behalf of a juristic person	Y	N	Consent form duly completed by abutting owner(s) with signature on layout plan
Y	N	Proof of registered ownership (Full copy of the title deed)	Y	N	
Y	N	Written feedback of pre-application scrutiny and Minutes of pre-application consultation meeting (if applicable)	Y	N	Written motivation pertaining to the need and desirability of the application
Y	N	Locality plan (A4 or A3 only) to scale	Y	N	Floor layout plan (A4 or A3 only) to scale

SECTION I: DECLARATION

I hereby wish to confirm the following:

1. That the information contained in this application form and accompanying documentation is complete and correct.
2. I'm aware that it is an offense in terms of section 86(1)(e) of said bylaw to supply particulars, information or answers knowing the particulars, information, or answers to be false, incorrect or misleading or not believing them to be correct.
3. I am properly authorized to make this application on behalf of the owner and that a copy of the relevant power of attorney or consent is attached hereto.
4. Where an agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to the agent and that the owner will regularly consult with the agent in this regard.
5. I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/suspension or amendment forms part of this submission.
6. I confirm that I have made known all information relating to possible Land / Restitution Claims against the application property.
7. It is the owner's responsibility to ensure that approval is not sought for a building or land use which will conflict with any applicable law.
8. The Municipality assesses an application on the information submitted and declarations made by the owner or on his behalf on the basis that it accepts the information so submitted and declarations so made to be correct, true, and accurate.
9. Approval granted by the Municipality on information or declarations that are incorrect, false, or misleading may be liable to be declared invalid and set aside which may render any building or development pursuant thereto illegal.
10. The Municipality will not be liable to the owner for any economic loss suffered in consequence of approval granted on incorrect, false, or misleading information or declarations being set aside.
11. Information and declarations include any information submitted or declarations made on behalf of the owner by a Competent Person/professional person including such information submitted or declarations made as to his or her qualification as a Competent person and/or registration as a professional.
12. A person who provides any information or certificate required in terms of Regulation A19 of the National Building Regulations and Building Standards Act No 103 of 1977 which he or she knows to be incomplete or false shall be guilty of an offence and shall be prosecuted accordingly.
13. A person who supplies particulars, information, or answers in a land use application in terms of the Stellenbosch Municipality Land Use Planning By-law knowing it to be incorrect, false, or misleading or not believing them to be correct shall be guilty of an offence and shall be prosecuted accordingly.
14. The Municipality will refer a complaint to the professional council or similar body with whom a Competent Person/professional person is registered if it has reason to believe that information submitted, or declaration/s made by such Competent Person/professional person is incorrect, false or misleading.
15. I am aware that by lodging an application, the information in the application and obtained during the process may be made available to the public.

Applicant's signature: _____

Date: _____

Full name: _____

Professional capacity: _____



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DECLARATION BY AFFECTED PARTY(IES) / PROPERTY OWNER(S)

Dear Sir / Madam

This letter serves to notify potentially affected parties of the application set out hereunder.

APPLICATION DETAILS				
Erf / Farm No.			Area	
Applicant / consultant			Contact No.	
Application type in terms of applicable planning legislation	<input type="checkbox"/>	Building Line Departure	<input type="checkbox"/>	Other Departures
	<input type="checkbox"/>	Consent Use	<input type="checkbox"/>	Amendment of Conditions
Detailed description of application				

Note to applicant:

Should the affected party / property owner not be prepared to sign this letter of no objection, you are advised to submit the application without their agreement so that the Directorate can formally advertise the matter via email or post.

DECLARATION BY AFFECTED PARTY(IES) / PROPERTY OWNER(S)

1. If signing on behalf of a company / trust, please attach written proof of authorisation to do so. If affected premises owned by more than one person (i.e., both husband and wife), all parties to sign.
2. By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.
3. Ensure the application detail section above is properly completed.
4. Ensure the plan specified below corresponds with the plan shown to and signed by you.

I / We, registered owner(s) of the under-mentioned premises, having been shown the subdivision / layout plan / building plans / proposal in respect of the aforementioned application and having signed, confirm that I / we understand the proposal as set out above and confirm that I / we **(please tick)**

<input type="checkbox"/>	have no objection	<input type="checkbox"/>	object for the reasons listed hereunder
Reasons for objection			
Owner signature			Date
Full name (capitals)			
Company name			
Erf / Farm No.			
Street address / Postal address			Postal code
Contact No.	Office / Home		Cell