STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
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)
https://citymaps.stellenbosch.gov.za/aflaportal/home

NOTE: *Land Use Application Form A* is the main application form for all types of land use activities. *Land Use Application Form B* can be used if the application comprises ONLY an application for a departure or for permission either in terms of the zoning scheme or in terms of a condition of approval or in terms of the title deed. If any other type of application is also required, *Land Use Application Form A* must be completed.

LAND USE APPLICATION FORM A

Section 15 of the Land Use Planning Bylaw (LUPB) and other relevant legislation

Complete form using BLOCK letters and ticking the appropriate boxes

PART A: APPLICANT DETAILS	
First name(s)	
Surname	
Company name *(if applicable)*	
Street or Postal Address	
Email Address	
Contact Number(s)	

PART B: REGISTERED LANDOWNER(S) DETAILS *(If different from applicant)*	
Registered owner(s) Name	
Street or Postal Address	
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	m² / ha			Are there existing buildings?	**Y** / **N**
Title Deed number	T				

	Y	**N**		**Y**	**N**
Any restrictions ito Conveyance's Certificate?			If yes, list condition(s) in motivation.		
Are the restrictive conditions in favour of a third party?			If yes, list the party(ies) in motivation.		
Is the property owned by Council?			If yes, attach a power of attorney signed by the Municipal Manager.		
Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999)[1]			If yes, indicate which section are triggered in motivation report and attach relevant permit.		
Located within the historical core or contains any heritage significant features?			Is the building older than 60 years?		
Does the property fall inside the urban edge?			Does the property fall within a Local Overlay Zone, i.e. Technopark or ATC?		
Does the property fall within the Urban or Rural Conservation Overlay Zone?			Does the property fall within the Scenic Route Overlay Zone?		
Are there any pending court case(s) / order(s) relating to the subject property(ies)?			Are there any land claim(s) registered on the subject property(ies)?		
Any existing unauthorized buildings and/or land use on the subject property(ies)?			If yes, is this application to legalise the building / land use[2]?		

Note: A contravention penalty is payable as condition of approval as per the approved Council Tariffs.

PART D: PRE-APPLICATION CONSULTATION			
Has there been any pre-application consultation ito Section 37 of the Land Use Planning Bylaw (LUPB)?	**Y**	**N**	If yes, attach the minutes / written feedback received.
Has there been any pre-application consultation ito Section 53 of the Land Use Planning Act (LUPA)?	**Y**	**N**	If yes, attach the minutes / written feedback received.

A pre-application consultation with the Municipality is compulsory for a rezoning to subdivisional area and any proposal that triggers the Inclusionary Zoning Policy. It is advised for any other land use application that involves enhanced land use rights in the Multi-Unit Residential, Mixed-Use and Agricultural & Rural zones. A pre-application consultation may be requested for any type of application by either the applicant or by the Municipality as deemed necessary.

[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

PART E: LAND USE APPLICATIONS AND PAYMENT OF FEES

APPLICATIONS IN TERMS OF SECTION 15 OF THE LAND USE PLANNING BYLAW		Number	Fee
15(2)(a)	rezoning of land		R11 200.00
15(2)(b)	a permanent departure from the development parameters of the zoning scheme		R2 800.00
15(2)(c)	a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning		R2 800.00
15(2)(d)	a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement		R5 650.00
15(2)(e)	a consolidation of land that is not exempted in terms of section 24		R5 650.00
15(2)(f)	a removal, suspension or amendment of restrictive conditions in respect of a land unit		R2 800.00
15(2)(g)	permission required in terms of the zoning scheme		R2 800.00
15(2)(h)	an amendment, deletion or imposition of conditions in respect of an existing approval		R5 650.00
15(2)(i)	an extension of the validity period of approval (*50% of current application fee)*		R……
15(2)(k)	an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram		R5 650.00
15(2)(l)	permission required in terms of a condition of approval		R2 800.00
15(2)(m)	a determination of a zoning		R11 200.00
15(2)(n)	a closure of a public place or part thereof		R5 650.00
15(2)(o)	a consent use contemplated in the zoning scheme		R2 800.00
15(2)(o)	a consent use for a house shop, home day care centre, day care centre		R 220.00
15(2)(p)	to disestablish a homeowners' association		R2 800.00
15(2)(q)	to rectify a failure by a homeowners' association to meet its obligations in respect of the control over or maintenance of services		R2 800.00
15(2)(r)	a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged		R5 650.00

OTHER APPLICATIONS	Number	Fee
Approval required in terms of the bylaw for street naming and numbering		R2 800.00
Consent / Permission required in terms of a title deed (includes planning permission in terms of the Advertising on Roads and Ribbon Development Act, Act 21 of 1940)		R2 800.00
Complexity fee – Per study / assessment		R4 520.00
TOTAL APPLICATION FEE PAYABLE	**R**	

DETAILS FOR INVOICE

Name & Surname (party responsible for payment)	
Street or Postal Address	
Vat Number (where applicable)	

1. ***Application fees are per the approved Council Tariffs. Application fees that are paid to the Municipality are non-refundable as per the Tariff Rules. Once an invoice is issued, the application is regarded as duly submitted.***
2. ***All indigent residents who are registered as such with the Municipality and with proof submitted together with application will be exempted from applicable fee as per the Tariff Rules. Contact: Indigent.office@stellenbosch.gov.za or 021 808 8501 or 021 808 8579.***
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.***

BANKING DETAILS

Account Holder Name:	Stellenbosch Municipality
Bank:	STANDARD BANK
Branch no.:	051001
Account no.:	242637280
Payment reference:	TP_____ and ERF/FARM _____

Please use both the TP reference number and the Erf/Farm number indicated in Section C as a reference when making EFT payment

PART F: DETAILS OF PROPOSAL *(Brief description of intent of development listing proposed land use activities. Full motivation report must be attached, addressing the desirability of the proposal, the criteria listed in Section 65 of the LUPB and, if applicable, motivation for site specific justification.)*

	Y	N
Is the proposal consistent / compliant with municipal **plans, policies and guidelines**, or any national or provincial policies (e.g., Western Cape Land Use Planning Guidelines: Rural Areas), restrictive title conditions, other legislation / authorisations?		
Is the proposal consistent with the Municipal Spatial Development Framework (**MSDF**)?		
Does the proposal require additional infrastructure / civil **engineering services** e.g., electricity; water; sewerage; road network etc.?		
Does the development proposal include the provision of **residential units**? The target market re: range in income bracket/ selling price or rental must be addressed in the motivation report.		
Does the proposal fall within a priority development area as defined in the MSDF where the provision of inclusionary housing is mandatory in terms of the **Inclusionary Zoning Policy**?		

HOA Constitution – Name & Date of approval, if applicable	
Design Guidelines – Name & Date of approval, if applicable	

Departure / Relaxation / Suspension	Zoning Scheme Development Parameter	Design Guideline Development Parameter	Restrictive Title Condition

		Adjoining erf number		**ZS / DG / RTC**		**Proposal**
Building line encroachment	Street		**From**	m	**To**	m
	Street		**From**	m	**To**	m
	Side / Common		**From**	m	**To**	m
	Side / Common		**From**	m	**To**	m
	Aggregate side		**From**	m	**To**	m
	Rear		**From**	m	**To**	m
Exceeding permissible 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
Exceeding maximum boundary wall height	Street		**From**	m	**To**	m
	Side / Rear		**From**	m	**To**	m
Relaxation of on-site parking / loading requirements			**From**	bays	**To**	bays

PART G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE 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.

Information and documentation required in terms of Section 38 of the LUPB

Y	N			Y	N	
		Power of attorney / Owner's consent if applicant is not owner				Proof of any other relevant right held in the land concerned
		Resolution or other proof that applicant is authorised to act on behalf of a juristic person				S.G. diagram / General plan extract (A4 or A3 only)
		Written motivation pertaining to the desirability and impact of the proposal				Site plan or conceptual layout plan (A4 or A3 only) to scale
		Locality plan (A4 or A3 only) to scale				Proof of agreement or permission for required servitude
		Proposed subdivision plan (A4 or A3 only) to scale				Proof of registered ownership **(Full copy of the title deed)**
		Conveyancer's certificate				Minutes or Written feedback of pre-application consultation (if applicable)
		Consolidation plan (A4 or A3 only) to scale				Land use plan / Zoning plan (A4 or A3 only) to scale
		Street name and numbering plan (A4 or A3 only) to scale				
		Landscaping / Tree plan (A4 or A3 only) to scale				1: 50 / 1:100 Flood line determination (plan / report) (A4 or A3 only) to scale
		Abutting owner's consent				Owners' Association consent
		Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD)				Civil Services Report or indication of all municipal services / registered servitudes
		Copy of original approval and conditions of approval				Proof of failure of owner's association
		Proof of lawful use right				Other (specify):

PART H: AUTHORISATION(S) SUBJECT TO OR BEING CONSIDERED IN TERMS OF OTHER LEGISLATION						
N	**Y**			**N**	**Y**	
		If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.		Specific Environmental Management Act(s) (SEMA) (e.g., Environmental Conservation Act, 1989 (Act 73 of 1989):		
						National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)
		Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)				National Environmental Management: Waste Act, 2008 (Act 59 of 2008)
		Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)				National Water Act, 1998 (Act 36 of 1998)
		Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations				Other (specify)
		Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)				
		Do you want to follow an integrated application procedure in terms of section 44(1) of the Stellenbosch Municipality Land Use Planning By-Law? If yes, attach motivation.				

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: _____