STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT
LAND USE MANAGEMENT
www.stellenbosch.gov.za/planning-portal/

The Executive Mayor of the Municipality is the Appeal Authority in respect of decisions of the Municipal Planning Tribunal (MPT) or an authorised employee and a failure of a decision-maker to decide on an application within the prescribed period as contemplated in **Section 79 of the LUPB**. A person whose rights are affected by a decision on an application made in terms of **Sections 15(2)(a) to (f), (h) to (k), (n), (o) or (r)** may appeal in writing to the Appeal Authority by submitting this form and relevant documentation to Landuse.Appeals@stellenbsoch.gov.za within 21 days of notification of the decision.

The Municipal Manager is the Appeal Authority in respect of decisions of a delegated official as determined by **Section 62 of the MSA**. A person whose rights are affected by a decision on an application made in terms of **Sections 15(2)(g), (l), (m), (p) or (q)** may appeal in writing to the Appeal Authority by submitting this form and relevant documentation to municipal.manager@stellenbsoch.gov.za and a copy to Landuse.Appeals@stellenbsoch.gov.za within 21 days of notification of the decision.

LAND USE PLANNING APPEAL FORM

Section 79 of the Municipal Land Use Planning Bylaw (LUPB)
Section 62 of the Local Government Municipal Systems Act (MSA)

Complete form using BLOCK letters and ticking the appropriate boxes

PART A: APPELLANT'S DETAILS *(Provide POA if submitted on behalf of applicant/objector/3rd party)*

First name(s)	
Surname	
Company name *(if applicable)*	
Postal Address	
Email Address	
Contact Number(s)	

PART B: APPELLANT'S PROPERTY DETAILS *(Property that is affected by proposed development application)*

Registered owner(s) Name					
E-mail Address					
Contact Number					
Erf No		Suburb		Town	
Farm no		Farm Portion		Nearest Town	
Physical or Street Address			Property / Business / Farm known as		

PART C: PROPERTY DETAILS OF PROPOSED LAND DEVELOPMENT APPLICATION UNDER CONSIDERATION					
Erf No		Suburb		Town	
Farm no		Farm Portion		Nearest Town	
Physical or Street Address			Property / Business / Farm known as		

PART D: APPEAL				
Complete the following checklist **[X]** and attach all the information and documentation relevant to the appeal. Failure to submit all information required will result in the appeal being deemed invalid.				
Application reference number	LU/		TP	
Are you appealing against the decision made by the authorised employee or MPT?		AUTHORISED EMPLOYEE		MUNICIPAL PLANNING TRIBUNAL (MPT)
Date of land use decision	DD/MM/YYYY		Attach a copy of the decision	
Date receiving notice of decision	DD/MM/YYYY		Attach proof of notification	
Is the appeal submitted within 21 days of notification of the decision?	Y	N		
Are you appealing in respect of the failure of a decision-maker to make a decision?	Y	N	If yes, provide facts that prove the failure in Part E	
Is your appeal based on and primarily concerned with the process followed prior to the authorised employee or MPT decision?	Y	N	If yes, specify in Part E	
Is your appeal based on and primarily concerned with the merits of the land development or land use application on which it is believed that the decision-maker erred in coming to the conclusion?	Y	N	If yes, specify in Part E	
Are you appealing against the decision in terms of S79 of the LUPB or S62 of the MSA?		S79 LUPB Sections 15(2)(a) to (f), (h) to (k), (n), (o) or (r)		S62 MSA Sections 15(2)(g), (l), (m), (p) or (q)
Is the appeal lodged against the whole decision or a part of the decision?	WHOLE	PART	If the appeal is lodged against a part of the decision, provide a description of the part in Part E	
Is the appeal lodged against a condition of approval?	Y	N	If yes, list relevant condition(s) and provide a description in Part E	
Does the appeal include the factual or legal findings that the appellant relies on?	Y	N	Specify in Part E	
Does the appeal indicate the relief sought by the appellant?	Y	N	Specify in Part E	
Is the appeal lodged by the applicant?	Y	N	If the appeal is submitted by the applicant in terms of S79 of the LUPB, submit proof of service of the notice on any person who commented on the application and any other person as the Municipality may determine within 14 days of the date of notification.	

NOTE: The owner/applicant must notify the Municipality in writing if he or she has withdrawn the power of attorney given to his or her former agent and confirm whether he or she will personally proceed with the appeal [Section 80(16)]. If a new agent is appointed to submit the appeal, the necessary power of attorney must be provided.

Is the appeal lodged in terms of S79 of the LUPB by a person other than the applicant?	Y	N	If yes, the Municipal Manager must give written notice of the appeal to the applicant within 14 days of receipt thereof.

PART E: APPEAL MOTIVATION AND REASONS (Appeal motivation, information and reasons to be attached)

PART F: PAYMENT OF FEES

Appeals submitted by applicant in terms of S79 of the LUPB	R 2 800.00
Appeals submitted by parties other than the applicant in terms of S79 of the LUPB	R 1 200.00
Appeals submitted in terms of S62 of the MSA	R0.00

DETAILS FOR INVOICE

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

BANKING DETAILS

Account Holder Name: Stellenbosch Municipality
Bank: STANDARD BANK
Branch no.: 051001
Account no.: 242637280
Payment reference: TP___ or LU__ 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 G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION

Complete the following checklist and attach all the information and documentation relevant to the appeal.

Y	N	Power of Attorney		Y	N	Proof of serving notice of appeal (applicant), if applicable
Y	N	Copy of decision		Y	N	Proof of payment of appeal fees, if applicable
Y	N	Proof of notification of decision		Y	N	Motivation and reasons for appeal

SECTION H: DECLARATION

I hereby wish to confirm the following:

1. *That the information contained in this appeal form and accompanying documentation is complete and correct.*
2. *I'm aware that it is an offense in terms of section 86(1) 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 authorised to lodge this appeal on behalf of the owner and that a copy of the relevant power of attorney or consent is attached hereto (if applicable).*
4. *Where an agent is appointed to submit this appeal on the appellants' 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 appellant will regularly consult with the agent in this regard.*
5. *I am aware that by lodging an appeal, the information in the appeal and obtained during the process may be made available to the public.*

Appellant's signature: _____ Date: _____

Full name: _____

Professional capacity: _____

FOR OFFICE USE ONLY

Date Received			
Application Reference		**LU/**	**TP**
Payment of Appeal Fee confirmed		Yes	No
Valid Appeal		Yes	No
Notes, if any:			
Checked by Principal Admin Officer		**Signature:**	**Date:**
Verified by Head Town Planning		**Signature:**	**Date:**
Acknowledged by MLUM		**Signature:**	**Date:**
Assigned to Senior Town Planner for assessment			