



# TOWN & SPATIAL PLANNING APPLICATION FORM (2023/2024)

(APPLICABLE FROM 1 JULY 2023 – 30 JUNE 2024)

Office address: 16 Paterson Street / PO Box 20 HERMANUS, 7200 Tel: 028 313 8900 Fax: 028 313 2093

- **TWO (2) HARD COPIES & AN ELECTRONIC COPY (PDF) OF THE COMPLETE APPLICATION MUST BE SUBMITTED. [SDP SEPARATE]**
- **IT IS IMPORTANT TO NOTE THAT THE DATE ON WHICH THE APPLICATION IS REGARDED AS COMPLETE TO PROCEED WITH THE PROCESSING THEREOF, WILL BE REGARDED AS THE OFFICIAL SUBMISSION DATE.**

Please complete this form using **BLOCK** capitals and ticking the appropriate boxes

## SECTION A: APPLICANT DETAILS

First name(s)					
Surname					
Company name (If applicable)					
Postal Address <u>ONLY</u>					
Postal code		E-mail			
Tel		Fax		Cell	

## SECTION B: OWNER DETAILS (compulsory)

Registered owner					
Postal Address					
Postal code		E-mail			
Tel		Fax		Cell	

## SECTION C: PROPERTY DETAILS

Erf / Portion and Farm no.			Area			
Street Address						
Current Zoning		Extent	m <sup>2</sup> /ha	Are there existing buildings?	Y	N
Title Deed number & date	T					
Any restrictive conditions?	Y	N	If yes, please specify			
Is property encumbered by a bond?	Y	N	If yes, Bondholder?			
Any existing unauthorized building work / structures on the subject premises?	Y	N	If so, has owner been served with a notice?	Y	N	

**PLEASE TAKE NOTE OF THE FOLLOWING:**

THE MUNICIPALITY IS LEGALLY IN A POSITION TO REFUSE THE APPLICATION IF THE PROPERTY/S FORM PART OF A HOMEOWNER'S ASSOCIATION, MANAGEMENT AGENCY, BODY CORPORATION, OR ALIKE OF WHICH YOU ARE A COMPULSORY MEMBER, WHETHER IN TERMS OF ITS CONSTITUTION OR OTHERWISE IF THE WRITTEN CONSENT OF SUCH BODY NOT ACCOMPANY THE APPLICATION.

## SECTION D: TYPE OF APPLICATION BEING SUBMITTED IN TERMS OF SECTION 16 OF THE OVERSTRAND MUNICIPALITY BY-LAW ON MUNICIPAL LAND USE PLANNING AND APPLICATION TARIFFS PAYABLE.

Has there been any previous related application(s)?	Y	N	If yes, reference/application no.		<b>FEE PAID</b>
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*All tariffs (except the appeal deposit tariff) include VAT and are valid from 1 July 2023 to 30 June 2024*

Rezoning – Section 16(2)(a)	Erven 150m <sup>2</sup> and smaller	R779.00	R
	Erven <b>between</b> 150m <sup>2</sup> and 400m <sup>2</sup>	R1274.00	R
	Erven <b>between</b> 400m <sup>2</sup> and 5000m <sup>2</sup>	R8511.00	R
	Erven <b>larger</b> than 5000m <sup>2</sup>	R9746.00	R
Departure – Section 16(2)(b) – Permanent departure from the provisions of the Land Use Scheme	Erven 150m <sup>2</sup> and smaller	R293.00	R
	Erven <b>between</b> 150m <sup>2</sup> and 400m <sup>2</sup>	R648.00	R
	Erven <b>larger</b> than 400m <sup>2</sup>	R3700.00	R
Departure – Section 16(2)(c) – Departure to use land on a temporary basis for which no provision is made in the Land Use Scheme	Erven 150m <sup>2</sup> and smaller	R293.00	R
	Erven <b>between</b> 150m <sup>2</sup> and 400m <sup>2</sup>	R648.00	R
	Erven <b>larger</b> than 400m <sup>2</sup>	R3700.00	R

Subdivision –Section 16(2)(d) a subdivision of land including the registration of a new servitude or lease agreement that is not exempted in terms of section 26	Up to 5 erven	R5000.00	R
	6 – 10 erven	R8511.00	R
	More than 10	R8511.00	R
	Additional per erf after 10	R128.00	R
Consolidation of land–Section 16(2)(e) that is not exempted in terms of Section 26	Erven 150m <sup>2</sup> and <b>smaller</b>	R322.00	R
	Erven <b>between</b> 150m <sup>2</sup> and 400m <sup>2</sup>	R649.00	R
	Erven <b>larger</b> than 400m <sup>2</sup>	R3699.00	R
Relaxation of Title Deed <i>(when combined with departure application only the highest fee applies)</i>	Erven 150m <sup>2</sup> and <b>smaller</b>	R332.00	R
	Erven 400m <sup>2</sup> and <b>smaller</b>	R648.00	R
	Erven <b>larger</b> than 400m <sup>2</sup>	R3684.00	R
Amendment, suspension or deletion of restrictive conditions in respect of a land unit – Section 16(2)(f)	Erven 150m <sup>2</sup> and <b>smaller</b>	R344.00	R
	Erven <b>between</b> 150m <sup>2</sup> and 400m <sup>2</sup>	R689.00	R
	Erven <b>larger</b> than 400m <sup>2</sup>	R5240.00	R
Permission required in terms of the Land Use Scheme – Section 16(2)(g)	Erven 150m <sup>2</sup> and <b>smaller</b>	R293.00	R
	Erven <b>between</b> 150m <sup>2</sup> and 400m <sup>2</sup>	R648.00	R
	Erven <b>larger</b> than 400m <sup>2</sup>	R3700.00	R
Amendment, deletion or additional conditions in respect of an existing approval – Section 16(2)(h)		R2794.00	R
Extension of the period of validity of an approval –Section 16(2)(i)		R930.00	R
Phasing, amendment or cancellation of a plan of subdivision or a part thereof, including a General Plan or diagram – Section 16(2)(k)		R2692.00	R
A permission required in terms of the conditions of approval – Section 16(2)(l) <i>(Amendment of Site Development Plan (SDP), Constitution / Architectural Guidelines)</i>		R2692.00	R
Zoning determination– Section 16(2)(m)	Erven 150m <sup>2</sup> and <b>smaller</b>	R779.00	R
	Erven between 150m <sup>2</sup> and 400m <sup>2</sup>	R2449.00	R
	Erven <b>larger</b> than 400m <sup>2</sup>	R3700.00	R
Closure of a public place or part thereof – Section 16(2)(n) <i>[not applicable if combined with rezoning application]</i>	Erven 150m <sup>2</sup> and <b>smaller</b>	R779.00	R
	Erven <b>between</b> 150m <sup>2</sup> and 400m <sup>2</sup>	R1274.00	R
	Erven <b>between</b> 400m <sup>2</sup> and 5000m <sup>2</sup>	R8511.00	R
	Erven <b>larger</b> than 5000m <sup>2</sup>	R9746.00	R
Consent use provided for in the zoning scheme – Section 16(2)(o)	Erven 150m <sup>2</sup> and <b>smaller</b>	R293.00	R
	Erven <b>between</b> 150m <sup>2</sup> and 400m <sup>2</sup>	R779.00	R
	Erven <b>larger</b> than 400m <sup>2</sup>	R3700.00	R
Permission in terms of Land Use Scheme including permission for the reconstruction of an existing building that constitutes a non–conforming use – Section 16(2)(p)	Erven 150m <sup>2</sup> and <b>smaller</b>	R293.00	R
	Erven <b>between</b> 150m <sup>2</sup> and 400m <sup>2</sup>	R648.00	R
	Erven <b>larger</b> than 400m <sup>2</sup>	R3700.00	R
Permission required in terms of condition(s) of approval		R2974.00	R
Determination of an administrative penalty – Section 90.(5) <i>[*Administrative Penalty Addendum to be completed together with application form.]</i>		To be determined.	
Deviation / amendment of SDF/Sectoral Plans – Municipal Systems Act, Act 32 of 2000		R3501.00	R
Disestablishment of Homeowners Association (HOA)		R3700.00	R
Exemption of subdivision / consolidation - Section 26 of the By-Law		R147.00	R
Search fee		R372.00	R

**SUBTOTAL APPLICATION FEE:** R

**ADVERTISING FEES** (All prices include VAT and are valid from 1 July 2023 to 30 June 2024)

**NOTES:**

*On the Town Planner's discretion placing of advertisements for any other application(s), except the ones listed below, can be required. Site notice for ROR applications to be displayed on the erf/erven according to Section 50.(1)(a) & (2) of the Overstrand Municipality By-Law.*

<b>INTERESTED AND AFFECTED PARTIES</b>	Registered Letters: >10: Applicant to pay according to SAPO rates	Applicant to be informed.	
	<b>ADVERTISEMENT IN NEWSPAPERS</b>		
	Rezoning, Subdivision (≥2 erven), etc.	Local Newspaper	R5179.00 R
	Removal / Amendment of Title Deed Restrictions	Local Newspaper & Provincial Gazette	R10358.00 R
	Placing of Final Notice (Removal of Title Deed Restrictions)	Provincial Gazette	R1464.00 R
<b>SUBTOTAL ADVERTISING FEE</b>			R

**TOTAL APPLICATION FEE:** R

Your attention is hereby drawn to Section 40.(1), (2) and (3) of the Overstrand Municipality Amendment By-law on Municipal Land Use Planning, 2020, which is quoted as follows:

- (1) "An applicant must pay the application fees determined by the Municipality prior to submitting an application in terms of this By-law;
- (2) Application fees that are paid to the Municipality are **non-refundable** and proof of payment of the application fees must accompany the application.
- (3) If an applicant wishes to retract the application and the said application has never been advertised, the advertising fees may be refunded to the applicant on request."

BANKING DETAILS		METHOD OF PAYMENT	
NAME	Overstrand Municipality	(1) Electronic transfer (EFT)	X
BANK	NEDBANK	(2) Payment at municipal office	X
BRANCH CODE	198765	<b>KINDLY INCLUDE THE REQUESTED REFERENCE NUMBER ON ALL INTERNET PAYMENTS, AND ATTACH PROOF OF PAYMENT TO THE APPLICATION.</b>	
ACCOUNT NO.	1190136678		
PAYMENT REFERENCE	E.g., Erf123HermanusADVERT (Erf number, suburb and APPL or ADV) E.g., RCAL123/456DEPARTURE (Farm number, portion and APPL or ADV)		

### SECTION E: DETAILS OF APPLICATION

DEPARTURE / CONSENT / AMENDMENT / REZONING REQUIRED:									
Y	N	Building line encroachment	STREET	From		m	To		m
			STREET	From		m	To		m
			SIDE / LATERAL	From		m	To		m
			SIDE / LATERAL	From		m	To		m
			REAR	From		m	To		m
Y	N	Exceeding permissible site coverage			From		%	To	%
Y	N	Erection of special / accessory buildings (please specify)					Extent		m <sup>2</sup>
Y	N	Other / temporary uses (please specify)					Extent		m <sup>2</sup>
Y	N	Rezoning		From:			To:		

BRIEF DESCRIPTION OF PROPOSED DEVELOPMENT / INTENT OF APPLICATION:									

### SECTION F: LIST OF ATTACHMENTS & SUPPORTING INFORMATION

Y	N	Power of Attorney / Owner's consent if applicant is not owner	✓		Y	N	Approved building plan(s) / Approval letter(s) of previous application(s)	✓
Y	N	Trust Resolution (if applicable)	✓		Y	N	Parking Layout	✓
Y	N	List of board of active directors/members/trustees' resolution (if applicable)	✓		Y	N	Homeowner's Association consent (if applicable)	✓
Y	N	Bondholder's consent (if applicable)	✓		Y	N	SG diagram	✓
Y	N	Copy of Title Deed	✓		Y	N	GLS report (if applicable)	✓
Y	N	Conveyance's certificate (if applicable) (Annexure A)	✓		Y	N	Heritage Western Cape approval (if applicable)	✓
Y	N	Motivation report / Letter (Annexure A & B)	✓		Y	N	1:50 / 1:100 Flood line certificate	✓
Y	N	Locality plan (Annexure A)	✓		Y	N	Land Use Plan / Zoning Map (if applicable)	✓
Y	N	Proposed Subdivision Plan / Consolidation Plan / Phasing Plan (Annexure A)	✓		Y	N	Copy of Environmental Impact Assessment / Heritage Impact Assessment / Traffic Impact Assessment / Traffic Impact Statement / Record of Decision	✓
Y	N	X2 sets of to-scale Site development/building plans indicating all structures, building lines & elevations indicating proposal (A4 or A3) (Annexure A)	✓		Y	N	List of Title deed conditions to be removed/amended	✓
Y	N	Other (Specify)						

\*\* (Please note that in terms of the National Environmental Management Act, 1998 any change in land use may be subject to an Environmental Assessment)

## SECTION G: DECLARATION

I / we hereby wish to confirm the following:

1. That the information contained in this application form and accompanying documentation is complete and correct.
2. That I/we am/are properly authorized to make this application on behalf of the owner and (where applicable) that copies of such full relevant Powers of Attorney/Consent are attached hereto.
- 3. Where a consultant/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 consultant/agent and that the owner will regularly consult with the consultant/agent in this regard.**
4. That, as owner/applicant/developer, I'm/we're aware of the state of existing bulk services provision and infrastructure availability in the subject area and that any development contributions might be payable in respect of the development herein proposed (if applicable).
- 5. I'm aware that it is an offense in terms of Section 84.(1)(e) 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 and in doing so can lead to criminal proceedings of a fine or imprisonment or both.**
6. 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.
7. That the removal of a title deed restriction will be evaluated by the Municipality in relation to a proposed land use application or development as set out in a detailed and comprehensive motivation.
8. In terms of **section 13, read with section 18 of the Protection of Personal Information Act** and **sections 46.(1)(b); 46.(3)(a) and (b); 46.(4); 47.; 48.; 49. and 50. of the Municipal Land Use Planning by-law**, I accept and consent that my personal information disclosed in this application, may be collected and disclosed by the Overstrand Municipality for purposes of complying with the requirements of public participation.

Registered owner's signature

Date

Full name

Agent / Consultant's signature

Date

Full name

Professional capacity

- ✚ If application is made by a person/s other than registered owner (e.g., Consultant / Agent), full power of attorney and signatures of both parties above are required & also to be signed by two witnesses.
- ✚ If property is owned by more than one person, signature of each owner is required. Where the property is owned by a company / trust / other juristic person, a copy of the board of directors / members / trustees' resolution is required.
  - ✚ The names of all signatories must also be indicated in printed letters.

The following Annexures are attached for your information.

**Please DO NOT SUBMIT these Annexures with the application form.**

Annexure A: Application Submission and Procedural requirements  
Annexure B: Motivational Report Guidelines  
Annexure C: Planning Principles  
Annexure D: Application Submission Checklist

The following Annexures are available on request or  
can be downloaded from our website:  
(<https://www.overstrand.gov.za/en/documents/town-planning>)

Annexure E: Categorization of Applications  
Annexure F: Conveyance Certificate (Template)  
Annexure G: Grounds of Appeal