

## APPLICATION SUBMISSION AND PROCEDURAL REQUIREMENTS

### DEAR PROSPECTIVE APPLICANT

The following pages set out the basic submission requirements for town planning applications. It is important that your application is prepared according to the Municipality's standards. Failure to do this, or where submissions are incomplete, may result in delays and prevent the efficient processing of your application.

It is therefore also recommended that prospective applicants contact the relevant Town Planner before they submit an application, for more information and specific application related advice, guidelines and submission requirements.

### 1. BASIC APPLICATION PROCEDURE

Refer to Chapter V – Application Procedures of the Overstrand Municipality Amendment By-Law, 2020 for the procedural steps or stages of the land use planning applications.

In an effort to prevent delays and ensure the success of your application, prospective applicants are advised to pre-consult with the relevant local planning office in order to discuss the merit of their proposal and obtain proper information on the application procedure to be followed, relevant planning frameworks, policies, by-laws, regulations and other requirements, as well as any likely application / advertisement / notice fees payable and the relevant application forms, before an application is prepared or submitted.

#### ***INCORRECT AND INCOMPLETE APPLICATIONS SHALL BE RETURNED IMMEDIATELY SINCE THESE APPLICATIONS CAUSE DELAYS.***

Application documentation and supporting information should be accurate and prepared and submitted strictly in accordance with these requirements, failure of adherence to which may delay the processing of your application. In terms of Section 43 of the Overstrand Municipality By-Law on Municipal Land Use Planning, incorrect and incomplete applications are regarded as invalid and not processed until complete and/or corrected or any outstanding information/fees are received.

Where an applicant can prove that a body is satisfied with a plan or proposal by means of, for example, an endorsement on the plan or a letter from such a body, the body will not necessarily be approached again for comments. Prior liaison with interested and affected bodies is strongly recommended, and applications can be expedited in this way.

Once submitted and captured, you'll receive written acknowledgement of receipt of your application within **14 days** from the date of submission. Should Municipality consider your application incomplete or require any further information/documentation/fees to enable its consideration, this will also be requested in writing within such 14-day period, whereupon you are required to submit the outstanding information/documentation/fees within **30 days**.

Unless the applicant requests otherwise, all correspondence regarding this application shall be in the language in which the application form has been completed. Note that until a written letter of approval is received, any correspondence or discussion regarding your application should not be construed as an indication that it will in fact be approved and is not binding on Municipality in any way.

### 2. SUPPORTING INFORMATION AND DOCUMENTATION

Section 39 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning sets out the information which must accompany the application. **Annexure C** lists the minimum supporting information and documentation required to enable Municipality to assess specific planning applications. However, as this is only a guideline, please consult with the relevant town planning office as there may be site specific or additional/unique requirements relating to your proposal in order to satisfy administrative requirements and expedite circulation of your application to other departments and commenting parties.

### 3. APPLICATION & ADVERTISING FEES

Application and advertising fees are set on an annual basis by the Municipality for each financial year (i.e. from 1 July to 30 June the next year) and must be paid in full at submission, failing which, the application will not be processed. Application and advertising fees, as well as the Overstrand Municipality's bank account details can be found on the application form. Kindly note, in terms of Section 40 of the Overstrand Municipality By-Law on Municipal Land Use Planning, withdrawal or cancellation of an application may result in forfeiture of

part or all of the application and advertising fees paid. If the applicant retracts the application and the said application has never been advertised, the advertising fees may be refunded to the applicant on request. Also, the fees are not refundable in case of a refusal.

Municipality pays the postage fees of up to 10 registered mail letters which are sent to Interested and Affected Parties. The applicant will be liable to pay the postage fees for the remainder of the registered mail letters. The applicant will be informed of these fees only within a few weeks after the registered mail has been posted. **PLEASE NOTE THAT APPLICATION FEES ARE SEPARATE TO BULK SERVICE LEVIES WHICH COULD FORM PART OF MUNICIPALITY'S CONDITIONS OF APPROVAL FOR CERTAIN APPLICATIONS. REFER TO ANNEXURE F.**

#### 4. MOTIVATIONAL REPORT/LETTER

This motivation letter which explains your proposal, will be sent to Interested and Affected Parties and therefore it is necessary that it be properly motivated. Minor applications may only require motivation by means of a paragraph or two in a cover letter. Refer to **Annexure B** for complex applications that require a clear explanation of the concepts and detail involved and the desirability thereof in a separate detailed motivation report.

#### 5. PLANS

##### Locality Plan

All applications must be accompanied by one copy (or more, if there has been no liaison with other bodies) of a locality plan in size A4 or A3, preferably on a scale of 1:10 000 (if not possible, a scale of more or less the same size). The plan must indicate the following details, where applicable:

1. the scale, True North, legend and the title "Locality Plan";
2. erf boundaries with erf or farm numbers thereon;
3. size and location of the relevant portion;
4. street names and the location of existing buildings on the relevant land unit and on immediately adjacent units;
5. roads with an indication of whether they are main, trunk, national or provincial roads;
6. local authority boundaries, nearest towns, etc.;
7. any physical restrictions on the land unit or surrounding land units which may affect the application;
8. other relevant information as may be required.

##### Site Plan

All applications must be accompanied by one copy (or more, if there has been no liaison with other bodies) of a site plan in size A4 or A3, preferably on a scale of 1:10 000 (if not possible, a scale of more or less the same size). The plan must indicate the following details:

1. True North
2. building lines
3. existing structures
4. proposed structures
5. area in extent
6. floor space
7. coverage
8. height
9. parking layout (if applicable)

##### Land Use Plan

The rezoning and consent application must be accompanied by one copy of a land use plan on the same scale as the extract from the zoning plan. The plan must indicate the following:

1. the scale, True North, legend and the title "Land use Plan";
2. all land uses situated adjacent to the relevant land unit within a radius of at least 100m;
3. complete Key for plan to show all land uses.

##### Layout Plan

All applications for rezoning to subdivisional area and applications where detailed information is important for approval of the application (e.g. Rezoning for hypermarkets, holiday resorts, group housing, industrial subdivisions, etc.) must be accompanied by at least one copy (or more, if there has been no liaison with other bodies) of a layout plan in size A3 or A4 (preferable as small as possible) on one of the following scales: 1:200, 1:500, 1:1 000, 1:2 000 or 1:2 500, which indicate the following:

## ANNEXURE A

1. the scale, True North, legend and the title "Layout Plan", as well as the number of the plan (amendments to the plan must have subsequent numbers);
2. contours with differences in height between 1m and 5m to beyond the layout boundary;
3. all areas steeper than 1:4;
4. 1: 50/1:100 year flood line, if applicable;
5. other physical restrictions that may affect the layout (e.g. cliffs, swamps, dunes, etc.);
6. existing buildings on the land unit and on immediately adjacent land units;
7. layout of roads on adjacent land units.

### Subdivision plan

When a subdivision plan is required, such a plan must be legible and where applicable include the following;

1. The scale, True North, legend and the title "Subdivision Plan";
2. The location of the proposed land units;
3. The proposed zonings in respect of the proposed land units (indicated in accordance with the notation schedule of the relevant zoning scheme);
4. All existing structures on the property and abutting properties;
5. The proposed public places and the land needed for public purposes;
6. The existing access points;
7. All servitudes;
8. Contours with at least a one-meter interval or such other interval as may be approved by the Municipality;
9. The street furniture;
10. The lamp, electricity and telephone posts;
11. The electricity transformers and mini-substations;
12. The storm-water channels and catch pits;
13. The sewerage lines and connection points;
14. Any significant natural features;
15. 1:50 / 100 year flood line (if applicable);
16. All distances and areas to scale; and –
17. Other relevant information as may be required.

### Consolidation plan

When a consolidation plan is required, such a plan must be legible and where applicable include the following:

1. The scale, True North, legend and the title "Consolidation Plan";
2. The proposed consolidation in respect of the proposed land units;
3. All existing structures on the properties;
4. The existing access points;
5. All servitudes;
6. The sewerage lines and connection points;
7. Any significant natural features; and –
8. All distances and areas to scale.

### Site development plan

When a site development plan is required, such a plan must be legible and where applicable include the following;

1. Existing bio-physical characteristics of the property;
2. Existing and proposed cadastral boundaries;
3. The layout of the property indicating the use of different portions of the property;
4. The position, use and extent of buildings;
5. Architectural and landscape design guidelines;
6. Sketch plans and elevations of proposed structures including information about their external appearance;
7. Cross sections of the site and buildings on site;
8. The alignment and general specification of vehicle access, roads, parking areas, loading areas and pedestrian footpaths;
9. The position and extent of private, public and communal open space;
10. Typical details of fencing or walls around the perimeter of the land unit and within the property;
11. Electricity supply and external lighting proposals;
12. Provisions for the management of stormwater, and disposal of sewage and refuse;
13. Water supply;
14. External signage details;
15. General landscaping proposals including vegetation to be preserved, vegetation to be removed, vegetation to be planted, external paving, and measures for stabilizing outdoor areas where applicable;
16. The phasing of the development;
17. The proposed development in relation to existing and finished ground levels, including excavation, cut and fill;
18. Statistical information about the extent of the proposed development, floor area allocations and parking supply; and
19. Any other details as may reasonably be required by the Council such as co-ordinates;

Street naming and numbering plan

When a street name and numbering plan is required, such a plan must be legible and were applicable include the following;

1. The scale, True North, legend and the title "Street name and Numbering Plan";
2. The location of the proposed land units;
3. The proposed street names and numbers in respect of the proposed land units;
4. All existing structures on the property and abutting properties;
5. The proposed public places and the land needed for public purposes;
6. The existing access points;
7. All servitudes;
8. 1:50 / 1:100 year flood line, if applicable;
9. The street furniture;
10. The lamp, electricity and telephone posts;
11. The electricity transformers and mini-substations;
12. The storm-water channels and catch pits;
13. The sewerage lines and connection points;
14. Any significant natural features; and –
15. All distances and areas to scale.

## 6. ENVIRONMENTAL IMPACT STUDY IN ACCORDANCE WITH ACT 107 OF 1998

Please take note that in terms of the National Environmental Management Act, Act 107 of 1998 any change in land use may be subject to environmental assessment. Your application for such assessment must be addressed to the Department of Environmental Affairs and Development Planning, Private Bag X9086, **CAPE TOWN**, 8000 of which a copy must be attached.

## 7. CES REPORT

A Civil Engineering Report must be submitted with the following applications:

- Subdivisions - more than 4 erven;
- Residential Units or Flats more than 4 units, and
- **All rezonings.**

CES – (T) (021) 880-0435 / (F) (021) 880-0389 / [ces@gls.co.za](mailto:ces@gls.co.za)

## 8. TRAFFIC IMPACT ASSESSMENT / REPORT

Please take note that a Traffic Impact Assessment/Study may be requested if so required.

## 9. HERITAGE

Please take note that in terms of the National Heritage Resources Act 1999, the scale of developments, structures with historical significance or in a conservation zone will have to obtain approval from Heritage Western Cape before commencing with a proposed development. The Heritage survey as formally adopted by the Municipality can be used to identify erven with structures which are considered to have Historical significance.

## 10. CONVEYANCE'S CERTIFICATE

When evaluating an application, a Municipal Official may require a Conveyance's certificate. The Conveyance's certificate must clearly identify and describe any applicable restrictions and their implications. The cost of obtaining such a certificate is borne by the property owner or developer. A detailed deeds search of the property, which includes checking not only the last deed of transfer but tracing it back to the original pivot deed. The certificate must clearly identify and quote any relevant restrictive conditions form in the title deed and conclude with a statement as to whether they may prohibit the proposed development.

## 11. GENERAL

Should any additional information be required by Municipal Departments to consider an application, such information will be requested from the applicant.