



**ERF 1772 STANFORD
&
REMAINDER OF PORTION 13 OF THE FARM
RIVERSIDE 644 CALEDON**

APPLICATION FOR SUBDIVISION, CONSOLIDATION,
REZONING, CONSENT USE, PHASING PLAN OF SUBDIVISION,
EXEMPTION FOR RIGHT OF WAY SERVITUDE, ALLOCATION
OF STREET NAMES, APPROVAL OF THE ARCHITECTURAL
DESIGN GUIDELINES AND ESTABLISHMENT OF AN OWNER'S
ASSOCIATION AND APPROVAL OF CONSTITUTION.

Application prepared for:

**SEBUMO TUDE GUEST SERVICES AND MORE (PTY) LTD &
BONNYBRAE PROPERTY HOLDINGS (PTY) LTD**

Application prepared by:
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Author

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Submitted

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Amended August 2022



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OVERSTRAND MUNICIPALITY APPLICATION FORM

 Municipaliteit • U-Maxipala • Municipality OVERSTRAND	TOWN & SPATIAL PLANNING APPLICATION FORM (2021/2022) (APPLICABLE FROM 1 JULY 2021 – 30 JUNE 2022)
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16 Paterson Street / PO Box 20
HERMANUS, 7200
 Tel: 028 313 8900 Fax: 028 313 2093

Please complete this form using BLOCK capitals and ticking the appropriate boxes	Application number (To be completed by an official)
THREE (3) HARD COPIES OF THE APPLICATION MUST BE SUBMITTED TO THE ABOVE ADDRESS. 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.	For Official Use Only Initial Submission Date <hr/> Official Submission Date

SECTION A : APPLICANT DETAILS

First name(s)	THIAN				
Surname	JANSEN				
Company name (if applicable)	WRAP PROJECT OFFICE				
Postal Address <u>ONLY</u>	P O BOX 1247, HERMANUS				
Postal code	7200	E-mail	ADMIN@WRAPGROUP.CO.ZA		
Tel	028 313 1411	Fax		Cell	082 951 7868

SECTION B: OWNER DETAILS (compulsory)

Registered owner	SEBUMO TUDE GUEST SERVICES AND MORE (PTY)		BONNYBRAE PROPERTY HOLDINGS (PTY) LTD		
Postal Address	P O BOX 123 STANFORD		P O BOX 2140 RIVONIA		
Postal code	7210	2128	E-mail	HHADELKANTOR@GMAIL.COM ALASDAIR@MAED.CO.UK	
Tel		Fax		Cell	072 141 2375 00 44 773 260174

SECTION C : PROPERTY DETAILS

Erf / Portion and Farm no.	ERF 1772 STANFORD	REMAINDER PORTION 13 OF THE FARM RIVERSIDE 644 CALEDON	Area	STANFORD		
Street Address	R326					
Current Zoning	AGRICULTURAL ZONE 1: AGRICULTURAL (AGR2)	Extent	3,3306HA	282.1367HA	Are there existing buildings?	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>
Title Deed number & date	T	23937/2016	110767/2002			
Any restrictive conditions?	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	If Yes, please specify				
Is property encumbered by a bond?	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	If Yes, Bondholder?				
Any existing unauthorized building work / structures on the subject premises?	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	If so, has owner been served with a notice?			Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	

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 <input type="checkbox"/> N <input checked="" type="checkbox"/>	If yes, reference/application no.		FEES PAID
<i>All tariffs (except the appeal deposit tariff) include VAT and are valid from 1 July 2021 to 30 June 2022</i>				
X	Rezoning – Section 16(2)(a)	Erven 150m ² and smaller	R703.00	R
		Erven between 150m ² and 400m ²	R1 150.00	R
		Erven between 400m ² and 5000m ²	R7683.00	R
		Erven larger than 5000m ²	R8798.00	R8798.00



APPLICATION FORM

	Departure – Section 16(2)(b) – Permanent departure from the provisions of the zoning scheme	Erven 150m ² and smaller Erven between 150m ² and 400m ² Erven larger than 400m ²	R264.00 R585.00 R3341.00	R R R
	Departure –Section 16(2)(c) – Departure to use land on a temporary basis for which no provision is made in the zoning scheme	Erven 150m ² and smaller Erven between 150m ² and 400m ² Erven larger than 400m ²	R264.00 R585.00 R3341.00	R R R
X	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 6 – 10 erven More than 10 Additional per erf after 10	R4514.00 R7683.00 R7683.00 R116.00	R R R7683.00 R10556.00
X	Consolidation of land–Section 16(2)(e) that is not exempted in terms of section 26	Erven 150m ² and smaller Erven between 150m ² and 400m ² Erven larger than 400m ²	R291.00 R586.00 R3340.00	R R R3340.00
	Relaxation of Title Deed <i>(if combined with departure application only the highest fee applies)</i>	Erven 150m ² and smaller Erven 400m ² and smaller Erven larger than 400m ²	R300.00 R585.00 R3325.00	R R R
	Amendment, suspension or deletion of restrictive conditions in respect of a land unit – Section 16(2)(f)	Erven 150m ² and smaller Erven between 150m ² and 400m ² Erven larger than 400m ²	R311.00 R622.00 R4730.00	R R R
	Permission required in terms of the zoning scheme – Section 16(2)(g)	Erven 150m ² and smaller Erven between 150m ² and 400m ² Erven larger than 400m ²	R264.00 R585.00 R3341.00	R R R
	Amendment, deletion or additional conditions in respect of an existing approval – Section 16(2)(h)		R2685.00	R
	Extension of the period of validity of an approval –Section 16(2)(i)		R839.00	R
	An approval of an overlay zone as provided in the land use scheme – Section 16(2)(j)		R3341.00	R
X	Phasing, amendment or cancellation of a plan of subdivision or a part thereof, including a General Plan or diagram – Section 16(2)(k)		R2431.00	R2431.00
	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>		R2431.00	R
	Zoning determination– Section 16(2)(m)	Erven 150m ² and smaller Erven between 150m ² and 400m ² Erven larger than 400m ²	R703.00 R5512.00 R7683.00	R R R
	Closure of a public place or part thereof – Section 16(2)(n)		R7683.00	R
X	Consent use provided for in the zoning scheme – Section 16(2)(o)	Erven 150m ² and smaller Erven between 150m ² and 400m ² Erven larger than 400m ²	R264.00 R703.00 R3341.00	R R R3341.00
	A permission required for the reconstruction of an existing building that constitutes a non – conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building – Section 16(2)(p)		-	R
	Determination of an administrative penalty – Section 16(2)(q)		To be determined.	
	Appeal – Section 78.(2)	Erven 150m ² and smaller Erven between 150m ² and 400m ² Erven larger than 400m ²	R331.00 R621.00 R3351.00	R R R
	Amendment of SDF/Sectoral Plans – Municipal Systems Act, Act 32 of 2000		R3161.00	R
	Disestablishment of Homeowners Association (HOA)		R3341.00	R
X	Exemption of subdivisions and consolidations i.t.o Section 26 of the By-Law		R133.00	R133.00
	Search fee		R336.00	R
	Section 30.(2) Certificate / Clearance		R1981.00	R
	Zoning Certificate – 21 days to issue		R336.00	R
	Zoning Certificate – Non-Profit Organisation (NPO)		No charge	-

SUBTOTAL APPLICATION FEE: R36 282.00

ADVERTISING FEES (All prices include VAT and are valid from 1 July 2021 to 30 June 2022)

*** Placing of advertisements for all other applications can be required by the Town Planner at his/her discretion.

*** 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.

INTERESTED AND AFFECTED PARTIES	Registered Letters: >10 : Applicant to pay according to SAPO rates	T.B.A.	R
ADVERTISEMENT IN NEWSPAPERS	Rezoning, Subdivision (≥2 erven), etc.	Local Newspaper	R4676.00
	Removal or Title Deed Restrictions	Local Newspaper & Provincial Gazette	R9351.00
	Placing of Final Notice (Removal of Title Deed Restrictions)	Provincial Gazette	R1322.00

SUBTOTAL ADVERTISING FEE: R4,676.00

TOTAL APPLICATION FEE: R40,958.00



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."

METHOD OF PAYMENT

Table with 2 columns: Method of payment (Electronic transfer (EFT), Payment at municipal office) and Yes/No columns for 'If yes, is proof of payment attached?'.

BANKING DETAILS

Form fields for Name (Overstrand Municipality), Bank (NEDBANK), Branch Code (198765), Account no. (1190136678), and Payment reference (Erf number, suburb and APPL or ADV / Farm number, portion and APPL or ADV). Includes a note: * KINDLY INCLUDE THE REQUESTED REFERENCE NUMBER ON ALL INTERNET PAYMENTS, AND ATTACH PROOF OF PAYMENT TO THE APPLICATION.

SECTION E : DETAILS OF APPLICATION

Table for departure/consent/amendment/rezoning required. Columns include Y/N, Building line encroachment (Street, Side, Rear), Exceeding permissible site coverage, Erection of special/accessory buildings, Other/temporary uses, and Rezoning (From: AGRICULTURAL ZONE I - AGRICULTURE (AGR2) TO: SUBDIVISIONAL AREA ZONE (SA)).

Brief description of proposed development / intent of application

- 1. SUBDIVISION OF ERF 1772 STANFORD INTO PORTION A, ±94 M² AND THE REMAINDER OF ERF 1772 STANFORD, ±33212 M² IN TERMS OF SECTION 16(2)(D) OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
2. SUBDIVISION OF THE REMAINDER OF PORTION 13 OF THE FARM RIVERSIDE 644 CALEDON INTO PORTION B, ±1909 M² AND THE REMAINDER OF THE REMINDER OF PORTION 13 OF THE FARM RIVERSIDE 644 CALEDON, ±281.9458 HA IN TERMS OF SECTION 16(2)(D) OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
3. CONSOLIDATION OF PORTION B, ±1909 M² AND THE REMAINDER OF ERF 1772 STANFORD, ±33212M² IN TERMS OF SECTION 16(2)(E) OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
4. CONSOLIDATION OF THE PORTION A, ±94M² AND THE REMAINDER OF THE REMAINDER OF PORTION 13 OF THE FARM RIVERSIDE 644 CALEDON, ±281,9458 HA IN TERMS OF SECTION 16(2)(E) OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
5. REZONING OF THE CONSOLIDATED ERF 1772 FROM AGRICULTURAL ZONE 1 – AGRICULTURE (AGR2) TO SUBDIVISIONAL AREA ZONE (SA) IN TERMS OF SECTION 16(2)(E) OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
6. SUBDIVISION OF THE CONSOLIDATED ERF 1772 STANFORD INTO NINETY-ONE (91) GENERAL RESIDENTIAL ZONE 1: TOWN HOUSING (GR1) ERVEN, FIVE (5) OPEN SPACE ZONE 2: PRIVATE OPEN SPACE (OS3) ERVEN AND THREE (3) TRANSPORT ZONE 2: ROAD AND PARKING (TR2) ERVEN IN TERMS OF SECTION 16(2)(D) OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
7. CONSENT USE TO ALLOW A "RECREATIONAL FACILITY" ON ERF 92 (OPEN SPACE) OF THE PROPOSED DEVELOPMENT IN TERMS OF SECTION 16(2)(O) OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
8. CONSENT USE TO ALLOW A "DAY CARE CENTRE" ON ERF 92 (OPEN SPACE) OF THE PROPOSED DEVELOPMENT IN TERMS OF SECTION 16(2)(O) OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
9. EXEMPTION OF THE REGISTRATION OF A RIGHT OF WAY SERVITUDE OVER ERF 78 IN FAVOUR OF ERVEN 23 AND 77 IN TERMS OF SECTION 26(1)(H)(V) OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.



- 10. PHASING PLAN OF SUBDIVISION IN TERMS OF SECTION 16(2)(K) OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
- 11. ALLOCATION OF STREET NAMES IN TERMS OF SECTION 96 OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
- 12. APPROVAL OF THE ARCHITECTURAL DESIGN GUIDELINES.
- 13. ESTABLISHMENT OF AN OWNER'S ASSOCIATION AND APPROVAL OF CONSTITUTION IN TERMS OF SECTION 31 OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.

SECTION F : LIST OF ATTACHMENTS & SUPPORTING INFORMATION : REQUIRED (R) / SUBMITTED (S)

R		S	R		S
Y	N	Power of Attorney / Owner's consent if applicant is not owner	Y	N	Approved building plans / Approval letter(s) of previous application(s)
Y	N	Trust Resolution (if applicable)	Y	N	Parking Layout
Y	N	Copy of the board of active directors / members / trustees resolution (if applicable)	Y	N	Home Owner's Association consent (if applicable)
Y	N	Bondholder's consent (if applicable)	Y	N	SG diagram
Y	N	Copy of Title Deed	Y	N	CES @ 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	To-scale building plans & elevations indicating proposal (A4 or A3) (Annexure A)	Y	N	List of Title deed conditions to be removed/amended
Y	N	Site development plan (indicating all structures & building lines) (Annexure A)	Other (Specify) –		
			<ul style="list-style-type: none"> • ARCHITECTURAL DESIGN GUIDELINES, • HOMEOWNERS' CONSTITUTION • ELECTRICITY REPORT • CIVIL SERVICES REPORT 		Y

***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:

- That the information contained in this application form and accompanying documentation is complete and correct.
- 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.
- 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.**
- 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).
- 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.**
- 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.
- 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.
- 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 **FEBRUARY 2022 AND AMENDED AUGUST 2022**

Full name **THIAN JANSEN**

Professional capacity **PROFESSIONAL TOWN PLANNER (A/2858/2019)**



APPLICATION FORM

If application is made by person other than registered owner (eg. Consultant / Agent), full power of attorney and both signatures above are required. 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 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:
(www.overstrand.gov.za/Document/TownPlanning)

- Annexure E : Categorization of Applications
- Annexure F : Development Contribution Fees (2021/2022)
- Annexure G : Conveyance Certificate (Template)
- Annexure H : Grounds of Appeal

FOR OFFICE USE ONLY

Date received	<input type="text"/>	Received by	<input type="text"/>
Receipt no.	<input type="text"/>		
Date application complete	<input type="text"/>		