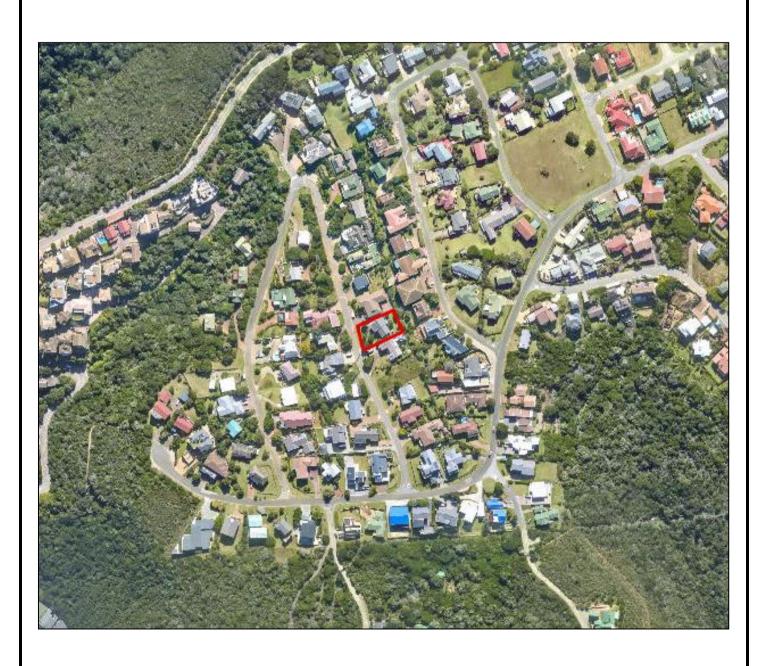




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PROPOSED PERMANENT DEPARTURE, & ADMINISTRATOR'S CONSENT FOR D. J DU PLESSIS

ERF 229, 14 SKUINSBANK STREET, HEROLDS BAY (UPPER)
GEORGE MUNICIPALITY & DIVISION



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REF: 573/G24

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- 1. Power of Attorney
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- 4. Conveyancer's Certificate
- 5. Locality plan
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Aerial images:

https://gis.elsenburg.com/apps/cfm/#https://gis.george.gov.za/portal/apps/webappviewer/index.html?id=0283eccf869641e0a4362cb099290fcahttps://www.google.com/earth/

Ref: 573/G24

Authors of this report:

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A/1477/2011

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C/9531/2021

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PROPOSED PERMANENT DEPARTURE, & ADMINISTRATOR'S CONSENT: ERF 229, 14 SKUINSBANK STREET, HEROLDS BAY (UPPER) GEORGE MUNICIPALITY & DIVISION

Ref: 573/G24

1. APPLICATION OVERVIEW

1.1 BACKGROUND INFORMATION

Erf 229 Herolds Bay is a developed residential property located in Herolds Bay (Upper). When the existing dwelling house was constructed more than 24 years ago, it was incorrectly positioned on the property, resulting in encroachment of the title deed and zoning scheme building lines. The impact of this was only recently realized by the property owner.

What is needed to rectify the matter is now being addressed by the property owner with some additions and alterations proposed by a prospective new property owner. This application includes the related permanent departures and Administrator's Consent.

Marlize de Bruyn Planning was appointed to address the land use requirements so that the owner can obtain approval for the updated building plans for Erf 229 Herolds Bay. The power of attorney attached as **Annexure 1** to this report.

1.2 PROPERTY DETAILS

The table includes relevant information regarding Erf 229 Herolds Bay.

Property Description:	Erf 229 Herolds Bay
Physical Address:	14 Skuinsbank Street, Upper
Owner:	D.J du Plessis
Title Deed No:	T24/1988 (Annexure 2)
Size of the property:	736m ²
SG Diagram / General Plan	8442/1974 (Annexure 3)
Zoning	Single Residential Zone I

The attached conveyancer's certificate (*Annexure 4*) confirms that the title deed contains no restrictive conditions except for paragraph B(6)(b) which is addressed through this land use application.

1.3 APPLICATION

This land use application for Erf 229 Herolds Bay entails the following:

- Permanent departure in terms of Section 15(2)(b) of the George Municipality: Land Use Planning Bylaw (2023) for the relaxation of the northern side building line from 2.00m to 0.00m for the existing deck, stairs and dwelling.
- Administrators consent in terms of Section 39(4) of the Western Cape Land Use Planning Act, 2014
 (Act 3 of 2014) for condition B(6)(b) in T24/1988 for the relaxation of the northern side building line
 from 1.5m to 0.00m for the existing deck.

2. CONTEXTUAL INFORMATION

2.1. LOCALITY

Erf 229 Herolds Bay is a residential property along Skuinsbank Street in Herolds Bay upper. The property is developed and abutted by residential properties to the north, east, and south, and Skuinsbank Street to the west. A locality plan is attached hereto as **Annexure 5**.

2.2. ZONING & LAND USE

Erf 229 Herolds Bay is zoned Single Residential Zone I and developed accordingly with a dwelling house and outbuilding thereon. The zoning and the land use of the property will not change following this application.



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2.3. CHARACTER OF THE PROPERTY & AREA

Erf 229 Herolds Bay is a residential property of 736m² that overlooks Herolds Bay and the ocean to the far west / southwest. There are no registered servitudes over the property and access to the property is via a single driveway from Skuinsbank Street.

The house is relatively centrally positioned east-west on the property. The property has a relatively steep slope downward from northeast to southwest that ensures the beautiful views from the southwest facing porch of the house.







3. DEVELOPMENT PROPOSAL

Erf 229 Herolds Bay is a developed residential property in Herolds Bay Upper. The property overlooks the the ocean to the far southwest and abuts Skuinsbank Street on its western boundary. The property is 736m² in extent and has a relatively steep slope as described earlier.

The dwelling house was incorrectly placed on the property, more than 24 years ago and wraparound decking was added to the dwelling with external stairs. The wooden southwestern deck (±35m²) on the first floor and the deck (±45m²) on the north and northeastern sides of the house was added. The prospective property owner proposes to extend the decks within the boundaries of the property as well as some minor additions and alterations. See the building plans attached hereto as **Annexure 6** for the detail. which will the relevant comply with development parameters.

The southwestern deck complies with the relevant development

ORIGINAL BUILDING PLAN

AS BUILT PLAN

SKUINSBANK STR

Ref: 573/G24

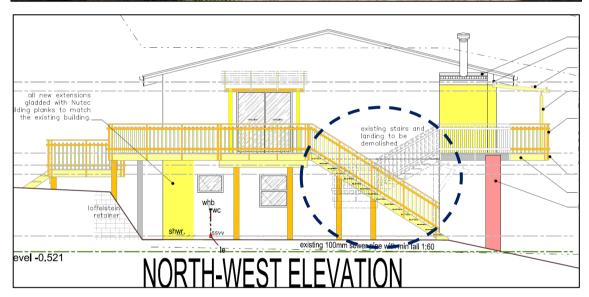
parameters. The north and northeastern deck, however, does not comply with the relevant 2.00m side building line. The deck is on the first floor and was built to be 0.00m from the northwestern side boundary, requiring building line relaxation in terms of the zoning scheme and Administrators Consent for the building lines included in the title deed.

The site plan and floor plans are attached hereto as **Annexure 6**.

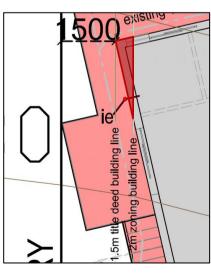
3.1. PERMANENT DEPARTURE

The proposed building line relaxation will not change the character or impact of the property as the wraparound deck has been on the property for more than 20 years. The stairs and landing on the northwestern side of the dwelling house providing access to and from the western deck on the streetside of the dwelling house, is proposed to be removed and replaced by stairs leading to the small deck on the northern leading to the dining area inside the house. The following shows the stairs and landing to be removed. The northwestern elevation of the attached building plans shows this proposed change – extract to follow.





The deck in front of the door leading to the dining area, is 0.00m from the northwestern side boundary. It is 1.985m deep and 2.995m wide. It is linked with a 0.917m wide walkway to the wooden deck on the northeastern side of the dining area. The zoning scheme impedes a side building line of 2.00m for Erf 229 Herolds Bay. The most northeastern corner of the dwelling house encroaches the 2.00m side boundary building line with 0.5m which equates to an area of $\pm 0.375 \text{m}^2$ (x2 for double storey = 0.75m^2). See snip from the building plan (Annexure 6) below indicating the encroachment of the dwelling house on the 2.0m side boundary building line marked in red due to incorrect positioning when the house was constructed more than 24 years ago



3.2. ADMINISTRATOR'S CONSENT

The title deed determines in Par. B(6)(b) of the title deed that Erf 229 Herolds Bay is subject to a 5m street building line, a 3m rear building line, and 1.5m building lines on its side boundaries. These title deed building lines differ from that of the zoning scheme. The condition is however written so that the Administrator can consent together with the local authority to the relaxation thereof. The Municipality is now the Administrator for this purpose as determined by the Western Cape Land Use Planning Act (2014).

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The Administrator's consent is thus also required for the encroachment of the deck and stairs on the northeastern side boundary to 0.00m.

The image below shows the deck of the dwelling house in relation to the zoning scheme and title deed building lines on Erf 229 Herolds Bay. Also see the building plans attached hereto as *Annexure* 6.



3. STATUTORY INFORMANTS

The criteria for the consideration of land use applications as per the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SLPUMA), the Western Cape Land Use Planning Act, (Act 3 of 2014) (LUPA) and the George Municipality: By-law on Municipal Land Use Planning (2023) builds on each other. SLPUMA introduced legislative and procedural changes to the management of land use planning in South Africa. The Western Cape Province followed with LUPA and thereafter George Municipality with the Municipal Land Use Planning By-law (2023). What is relevant to this land use application is discussed in the paragraphs to follow.

3.3. Spatial Planning & Land Use Management Act, 2013 (Spluma)

Section 7 of this Act sets out the five development principles that are applicable to spatial planning, land development and land use management and section 42 of SPLUMA then refers to the factors that must be considered by a municipal tribunal when considering a land use planning application, which include but are not limited to:

- Five SPLUMA development principles;
- Public interest;
- Constitutional transformation;
- Respective rights and obligations of all those affected;
- State and impact of engineering services, social infrastructure and open space requirements;
- Compliance with environmental legislation.

Relevant aspects not addressed in the earlier paragraphs of this motivation report, are addressed below:

3.1.1. Five Development Principles

The five development principles of SPLUMA, namely spatial justice, spatial sustainability, efficiency, spatial resilience, and good administration are not all directly relevant to this land use application.

<u>Spatial justice</u> as described in Section 7(a) of SPLUMA is not relevant to this land use application.

<u>Spatial sustainability</u> as described in Section 7(b) of SPLUMA is relevant as an existing developed property is to be rezoned to reflect the character of the property with the subsequent use of the property for a second dwelling purposes. This will make it accessible to the public.

- Prime and unique agricultural land is not affected by this land use application.
- Environmental aspects are not affected by this land use application.
- The effective and equitable functioning of land markets are not affected by this land use application.
- The provision of infrastructure and social services not affected by this land use application.

Efficiency as described in Section 7(c) of SPLUMA is not fully relevant to this land use application.

Spatial resilience as described in Section 7(d) of SPLUMA is not fully relevant to this land use application.

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<u>Good Administration</u> as described in Section 7(e) of SPLUMA indicates the responsibilities of all involved in any land use matter.

The paragraphs above show that the land use application for Erf 229 Herolds Bay supports the relevant development principles of SPLUMA.

3.1.2. Municipal engineering services, access, & traffic

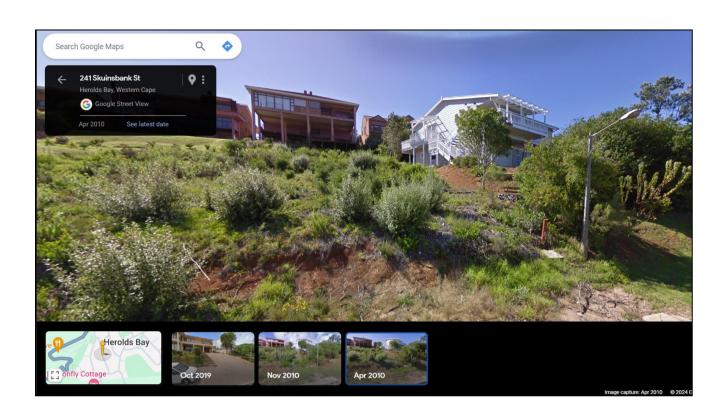
Access to the property will remain as it is. The provision of infrastructure and services is not affected by this land use application.

3.1.3. Public interest

The public interest of this land use application is regarded as limited as the deck and dwelling house are longstanding. The encroaching deck is much lower lying than all the properties abutting to the rear and cannot impede on any views. The house on Erf 230 (north abutting) is faced to the west and has little to no visual concern from the encroaching section of deck. This property was also only developed when the deck and stairs forming the subject of this land use application, was already present. The encroaching section of the deck is mostly a walkway to link the front and back decks with each other and have minimal impact on surrounding neighbours. Due to the topography of the area, the encroaching section of deck cannot impede on any surrounding property owners' views and maintains appropriate distances from existing dwellings. The impeding section of the dwelling house is only a corner and basically only the walls as visible from the site plan attached to this report.



The following image is dated April 2010 from Google Street View. It shows that the subject section of the dwelling house is existing with the dwelling house on Erf 230 Herolds Bay not yet developed.



Comments provided on the updated building plan as submitted to the Building Control Section, is as follows:

Refer to departmental comments.

Proposed deck to comply with building lines.

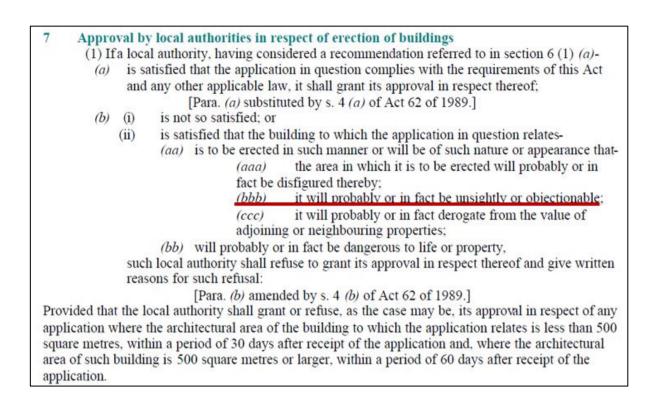
The application has been assessed in terms of section 7 of the NBR and is refused for the following reasons: Section 7(1)(b)(ii)(aa)(bbb): Is objectionable.

The applicant should therefore consult with the affected property owner/s and discuss the design proposal and address the concerns of the neighboring property owners.

Proof of the agreement reach between to two property owners to be submitted for consideration.

The existing deck, in this position for more than 20 years, cannot comply with the building lines. For it to comply with the building lines, the entire house must be moved which is not possible. See the description earlier in this report.

It is noted that the building plan submitted for Erf 229 Herolds Bay was assessed in terms of Section 7 of the National Building Regulations and Standards Act, 1977) with specific reference to Section 7(1)(b)(ii)(aa)(bbb):



The Building Control Section finds the deck on the northwestern side of the dwelling house to be 'objectionable'. When looking at the area and the photos of the dwelling house of Erf 229 Herolds Bay as well as past photos, we cannot agree with this statement – that the deck and stairs are 'objectionable'. According to the Oxford Dictionary, objectionable is described as follows:



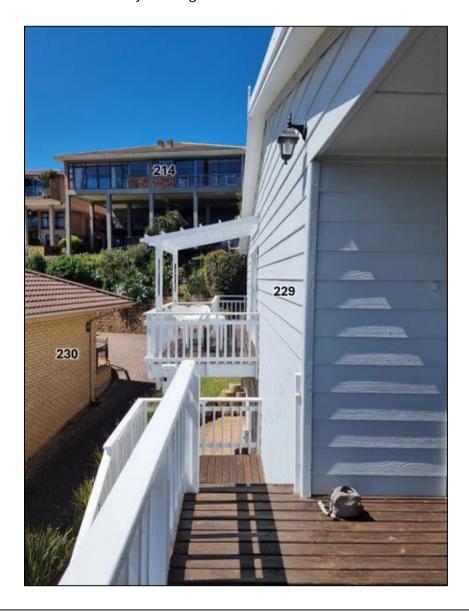
We cannot agree that the deck and stairs are offensive. It is further stated by the Building Control Section that the applicant (property owner) should consult with the affected owner/s and discuss the design proposal and address the concerns of the neighbouring property owners. Proof of the agreement reached between the two property owners to be submitted for consideration.

With the public participation process to follow for this land use application, the owner of Erf 230 Herolds Bay will be specifically contacted. It is presumed at this point in time that the Building Control Section comments with this property owner in mind. Vehicular access to the rear of Erf 230 Herolds Bay is provided on its southeastern boundary it shares with Erf 229 Herolds Bay.

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From photography it can also be seen that the small windows from Erf 230 Herolds Bay faces Erf 229 Herolds Bay on this southeastern side of the dwelling house as well as a garage. The dwelling house on the subject property is also positioned higher than the neighbouring dwelling house of Erf 230 Herolds Bay.

It is also believed that the owners of Erf 214 Herolds Bay, located behind Erf 229 Herolds Bay towards the northeast, is not affected by the deck stairs and corner of the dwelling house due to the difference in topography. Below is a recent photo taken from the deck in question towards Erf 214 Herolds Bay. The 2010 Google Street View photo included earlier in this report also shows how Erf 214 Herolds Bay cannot be impacted by this small deck and stairs of Erf 229 Herolds Bay as well as the small corner of the house encroaching the 2.0m side boundary building line.



3.4. WESTERN CAPE LAND USE PLANNING ACT, 2014 (LUPA)

LUPA requires that local municipalities consider the following when deciding on land use applications:

- Applicable spatial development frameworks;
- Applicable structure plans;
- Land use planning principles referred to in Chapter VI (Section 59) which is an expansion of the five development principles of SPLUMA;
- Desirability of the proposed land use; and
- Guidelines that may be issued by the Provincial Minister regarding the desirability of proposed land use.

Section 19(1) and (2) of LUPA refers to **consistency** and **compliance** of a land use proposal regarding spatial development frameworks or structure plans. Considering the aim of this land use application for Erf 229 Herolds Bay, it was found to be consistent with the George Municipal Spatial Development Framework (GMSDF) as well as the Herolds Bay Local Spatial Development Framework (HB LSDF) as discussed later in this motivation report.

3.5. GEORGE MUNICIPALITY: LAND USE PLANNING BY-LAW, 2023

The general criteria for the consideration of applications in terms of this By-law are included in Section 65 which, inter alia, includes:

- Desirability of the proposed utilisation of land;
- Impact of the proposed development on municipal engineering services;
- Integrated development plan, including the municipal spatial development framework, the applicable local spatial development framework and/or local structure plans;
- Relevant municipal policies;
- Western Cape Provincial Spatial Development Framework;
- Section 42 of SPLUMA (public interest, constitutionality);
- Land use planning principles transposed from LUPA; and
- Provisions of the applicable zoning scheme.

The above is addressed elsewhere in this motivation report as relevant.

3.6. George Integrated Zoning Scheme By-Law, 2023 (Gizs)

Erf 229 Herolds Bay is zoned Single Residential Zone I (dwelling house) in terms of the George Integrated Zoning Scheme By-law (GIZS) (2023). The zoning and land use will not change. The proposed development will comply with the relevant development parameters as per the zoning scheme with the exception of the northeastern side building line that is proposed to be relaxed from 2.00m to 0.00m for the existing deck of the dwelling house as described and discussed earlier in this report.

4. Spatial Planning Informants

Spatial development frameworks and guideline documents are critical considerations during land use applications as they provide a structured and informed approach to managing land resources. The Western Cape Provincial Spatial Development Framework (2014), the George Municipality Spatial Development Framework (2023), the HEROLDS BAY Local Spatial Development Framework (2015) and the Western Cape Land Use Planning Guidelines Rural Areas (2019) all work together to offer a comprehensive framework to assist decision-makers, planners, and stakeholders in making well-informed decisions about land use applications. What is relevant to this land use application is discussed in the paragraphs to follow.

4.3. GEORGE MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK, 2023

Erf 229 Herolds Bay is not addressed specifically in the GMSDF (2023). It is in Herolds Bay Upper, a residential neighbourhood of the greater Herolds Bay. The GMSDF refers to the Herolds Bay Local Spatial Development Framework (HB LSDF) (2015) in which study area the subject property is located.

No conflict was found between the GMSDF and the proposed departure and administrator's consent on this property as proposed. Therefore, this application is consistent with the GMSDF as required in terms of Section 19 of the Land Use Planning Act, 2014 (LUPA).

4.3.1. Herolds Bay Local Spatial Development Framework, 2015

Erf 229 Herolds Bay is located in the residential neighbourhood of Herolds Bay Upper as indicated in the HB LSDF. According to the HB LSDF, the property is indicated as residential. No guidelines or specific objectives exist for this area.

Herolds Bay is a unique coastal suburb characterized by a diverse blend of architectural styles and residential offerings. It harmonizes various living environments, making it a sought-after destination for a range of residents and visitors. Herolds Bay features large luxury holiday homes, particularly in Herolds Bay (Upper) and in between, with modern designs and lavish amenities. These homes significantly enhance the area's reputation as an exclusive holiday destination.

Luxury golf estates offer a lifestyle of leisure and elegance with high-end facilities, including top-tier golf courses and related amenities. Coastal village houses, primarily in Herolds Bay (Lower) along the beach, retain a traditional and charming aesthetic with architectural styles reflecting the coastal heritage. These houses contribute to a village-like ambiance, fostering a sense of community and continuity with the past.

High-density areas, mostly in Herolds Bay (Lower), provide more compact residential types and accommodate a diverse population, including permanent residents and seasonal visitors, with housing types ranging between apartments to townhouses to very small SRZI. The high-density areas contribute to the dynamic and vibrant character of Herolds Bay.

Green spaces interspersed throughout Herolds Bay provide ecological and recreational value, including parks, natural reserves, and landscaped gardens. These areas offer a respite from the built environment, supporting a healthy lifestyle through opportunities for outdoor activities and preserving the natural beauty of the coastline.

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In summary, Herolds Bay is characterized by a varying tapestry of residential options, from luxurious holiday homes and golf estates to cozy coastal houses and high-density areas. This diverse mix, along with abundant green spaces, creates a unique and appealing environment catering to a wide range of preferences and lifestyles.

Considering the foregoing paragraphs and the nature of the proposed development of Erf 229 Herolds Bay, we found no conflict with the HB LSDF.

5. NEED & DESIRABILITY

Need and desirability is the balancing of various factors from a land use perspective.

Need depends on the nature of a development proposal and is based on the principle of sustainability. This motivation report has shown that the proposed departure and administrator's consent on Erf 229 Herolds Bay responds to the character of the area and has no negative impact on surrounding properties. Most importantly it will fulfil the need for the property owners to authorise their home on Erf 229 Herolds Bay to ensure everything on the property is compliant with relevant legislation in order before selling the property to potential future owners.

Desirability, from a planning perspective, is defined as the degree of acceptability of a proposed development on a property. The relevant factors include the physical characteristics of the property, existing planning in the area, character of the area, the locality and accessibility of the property as well as the provision of services.

Physical characteristics of the properties

The physical characteristics of Erf 229 Herolds Bay are not affected by this application.

Existing planning in the area

This land use application is not found to be in conflict with the George Municipal Spatial Development Framework (GMSDF) or the Herolds Bay Local Spatial Development Framework.

Character of the area

As discussed, and shown earlier in this motivation report, the dwelling house with the minor additions and alterations are not believed to have a negative impact on the character of the area. It has been in this position for more than 20 years.

Provision of services

The infrastructure and services to Erf 229 Herolds Bay are not affected by this application.

Economic impact

No negative economic impact is expected.

Direct impact on surrounding properties

The impact on neighbouring properties is discussed in paragraph 3.1.4.

It is our view that the need and desirability of the Administrator's Consent and permanent departure for Erf 229 Herolds Bay, shows no negative impacts.

6. CONCLUDING

This land use application for Erf 229 Herolds Bay involves authorising a deck, walkway and stairs (with alteration to the stairs) on the first floor which encroach on the side building line as impeded by the zoning scheme and title deed respectively. The northeastern corner of the dwelling house also encroaches this 2.0m side boundary building line.

We believe that as the deck, stairs and corner of the dwelling house is longstanding and as the character of the dwelling house cannot be regarded as offensive, it does not have any negative impact on surrounding property owners. The current owner wishes to ensure that building plans are up to date together with additions and alteration proposed by the prospective owner.

From this report, it is our opinion that this land use application is reasonable and appropriate considering all that is relevant from a land use and character perspective.

MARLIZE DE BRUYN Pr. Pln

June 2024

LOCALITY PLAN









ERF 229 14 SKUINSBANK STREET, HEROLDS BAY (UPPER)

GEORGE MUNICIPALITY & DIVISION

For scale refer to figured dimensions. Measurements always to be checked by Professional Land Surveyor.

Power of Attorney

I, Dionisius Johann du Plessis (420807 5016 001), the registered owner of Erf 229, George Municipality & Division hereby authorises Denise Janse van Rensburg & Marlize de Bruyn from Marlize de Bruyn Planning to submit the required land use application for the property in terms of Section 15(2) of the George Municipality: Land Use Planning By-law, 2023 for the property.

Signed at Pretoria on the 27/05/2024₀₂₄

J du Plessis

Witness

Opgestel deur my,

TRANSPORTBESORGER

HOFMEYR N.

Van en Voorletters.

24 : 88

Transportakte

Hierhy word bekendgemaak:

DAT

JOHANNES HENDRIK VAN DER VYVFR

KRISTO STOFFERG

voor my, Registrateur van Aktes

verskyn het te

KAAPSTAD

hy, die genoemde komparant synde behoorlik daartoe gemagtig deur 'n volmag aan hom verleen deur

MOIRA SCHULTZ

Identiteitsnommer 390906 0009 007 GETROUD BUITE GEMEENSKAP VAN GOED

- BLANKE GROEP -

gedateer die

10de

dag van

NOVEMBER

1987

, en geteken

e GEORGE

2. / Fn

En genoemde Komparant het verklaar dat sy Prinsipaal voormeld die hierinvermelde eiendom aan die hiernavermelde Transportnemer op 3 OKTOBER 1987 verkoop het;

en dat hy in sy voornoemde hoedanigheid hierby in volkome en vrye eiendom sedeer en transporteer aan en ten gunste van

DIONISIUS JOHANN DU PLESSIS
Identiteitsnommer 420807 5016 001
GETROUD BUITE GEMEENSKAP VAN GOED

- BLANKE GROEP -

sy Erfgename, Eksekuteurs, Administrateurs of Regverkrygendes:

ERF 229 HEROLD'S BAY in die Plaaslike Gebied van HEROLD'S BAY Afdeling van George

GROOT: 736 (SEWEHONDERD SES EN DERTIG) vierkante meter

OORSPRONKLIK OORGEDRA kragtens Transportakte Nr. 36239/1979 met Algemene Plan Nr. T.P. 9297 wat daarop betrekking het en

GEHOU kragtens Transportakte Nr. T 33537/1982.

- A. ONDERHEWIG aan die voorwaardes waarna verwys word in Transportakte Nr. 2525/1974 gedateer 4 Februarie 1974.
- B. ONDERHEWIG VERDER aan die volgende voorwaardes vervat in gemelde Transportakte Nr. 36239/1979 gedateer 4 Desember 1979, opgelê deur die Administrateur in terme van Ordonnansie Nr. 33 van 1934 by die goedkeuring van Herold's Bay Dorp Uitbreiding Nr. 1, naamlik:-

3. / "1. Alle

- "1. Alle woorde en uitdrukkings wat in die volgende voorwaardes gebesig word, het dieselfde betekenisse as wat daaraan geheg word by die regulasies afgekondig by Provinsiale Kennisgewing Nr. 623 van 14 Augustus 1970.
- 2. Ingeval 'n darpsaanlegskema of enige gedeelte daarvan op hierdie erf van toepassing is of daarop van toepassing gemaak word, sal enige bepalings daarvan wat meer beperkend is as enige voorwaardes van eiendomsreg wat op hierdie erf van toepassing is voorkeur geniet. Enige bepaling van hierdie voorwaardes moet nie opgevat word as sou dit die bepalings van Artikel 146 van Ordonnansie Nr. 15 van 1952, soos gewysig, vervang nie.
- 3. Geen gebou op hierdie erf mag gebruik word of van gebruik verander word vir 'n ander doel as wat volgens hierdie voorwaardes toegelaat word nie.
- 4. Die eienaar van hierdie erf is verplig om sonder betaling van vergoeding toe te laat dat elektrisiteits-, telefoon- of televisie-kabels of -drade en hoof- en/of ander waterpype en die rioolvuil en dreinering, insluitende stormwater van enige ander erf of erwe, binne of buite hierdie dorp, oor hierdie erf gevoer word indien dit deur die plaaslike of 'n ander statutêre owerheid nodig geag word, en wel op die wyse en plek wat van tyd tot tyd redelikerwys vereis word. Dit sluit die reg op toegang te alle redelike tye tot die eiendom in met die doel om enige werke met betrekking tot bogenoemde aan te lê, te wysig, te verwyder of te inspekteer.
- 5. Die eienaar van hierdie erf is verplig om sonder vergoeding op die erf die materiaal te ontvang of uitgrawings op die erf toe te laat al na vereis word, sodat die volle breedte van die straat gebruik kan word en die wal veilig en behoorlik skuins gemaak kan word omrede van die verskil tussen die hoogte van die straat soos finaal aangelê en die erf tensy hy verkies om steunmure te bou tot genoeë van en binne 'n tydperk wat die plaaslike owerheid bepaal.
- 6. (a) Hierdie erf mag alleenlik gebruik word vir die oprigting daarop van een woning of ander geboue vir die doeleindes wat die Administrateur van tyd tot tyd, na oorleg met die Dorpekommissie en die plaaslike owerheid, goedkeur, met dien verstande dat, indien die erf in die gebied van 'n dorps-aanlegskema ingesluit is, die plaaslike owerheid enige ander geboue wat deur die skema toegelaat word, kan toelaat onderworpe aan die voorwaardes en beperkings wat in die skema betaal word.

- (b) Geen gebou of struktuur of enige gedeelte daarvan, behalwe grensmure en heinings, mag behalwe met die toestemming van die Administrateur nader as 5 meter van die straatlyn wat 'n grens van hierdie erf uitmaak, asook nie binne 3 meter van die agtergrens of 1,5 meter van die sygrens gemeen aan enige aangrensende erf opgerig word nie, met dien verstande dat met die toestemming van die plaaslike owerheid -
 - (i) n buitegebou wat uitsluitend vir die stalling van motorvoertuie gebruik word en hoogstens 3 meter hoog is, gemeet van die vloer van die buitegebou tot by die muurplaat daarvan, binne sodanige sy- en agterruimtes opgerig mag word, en enige ander buitegebou van dieselfde hoogte binne die agterruimte en syruimte opgerig mag word vir 'n afstand van 12 meter gemeet van die agtergrens van die erf, met dien verstande dat in geval van 'n hoekerf die afstand van 12 meter gemeet moet word van die punt wat die verste is van die strate wat die erf begrens:
 - (ii) in buitegebou ingevolge subparagraaf (i) slegs nader aan in sygrens of agtergrens van in perseel as die afstand hierbo voorgeskryf, opgerig mag word indien geen vensters of deure in enige muur, wat op sodanige grens front, aangebring word nie.
- (c) By die konsolidasie van hierdie erf of enige gedeelte daarvan met enige aangrensende erf wat onderworpe is aan dieselfde voorwaardes as dié wat hierin uiteengesit word, is hierdie voorwaardes op die gekonsolideerde eiendom van toepassing asof dit een erf is.
- (d) Ingeval hierdie erf onderverdeel word, is elke onderverdeelde gedeelte, uitgesonderd n gedeelte afgesny vir pad- of derglike doeleindes, onderworpe aan die voorwaardes hierin uiteengesit asof dit die oorspronklike erf is.

Weshalwe.../5

TRANSPORTGEWER

voorheen op genoemde eiendom gehad het en gevolglik ook erken dat TRANSPORTGEWER geheel en al van die besit daarvan onthef en nie meer daartoe geregtig is nie en dat, kragtens hierdie akte, bogenoemde

TRANSPORTNEMER

sy Erfgename, Eksekuteurs, Administrateurs of Regverkrygendes tans en voortaan daartoe geregtig is, ooreenkomstig plaaslike gebruik, behoudens die regte van die Staat en ten slotte erken hy dat die hele Koopsom ten bedrae van R 137 500,00 (EENHONDERD SEWE EN DERTIGDUISEND VYFHONDERD RAND) behoorlik betaal of verseker is.

Ten bewyse waarvan ek, genoemde Registrateur van Aktes tesame met die Komparant hierdie Akte onderteken en dit met die ampseël bekragtig het.

Aldus gedoen en verly op die kantoor van die Registrateur van Aktes

te KAAPSTAD op 4 \\ In my teenwoordigheid,	1987.
Registrateur van Aktes	q.q.
1. Hereregte Kwitaneie Nr	· ·
R 2. Belasting Uitklaring Sertifikaat uitgereik deur (i)	
geldig tot (ii) geldig tot	
Nagesien: 12. *Skrap wat nie van toepassing is nie.	

CONVEYANCER'S CERTIFICATE

1. I the undersigned, MARCO VAN DER WALT (LPC 101905), in my capacity as conveyancer and attorney practising at Frances Schröter Attorneys Inc. in George, certify that a search was conducted in the Deeds Registry, Cape Town, regarding the following property (including both current and earlier title deeds / pivot deeds / deeds of transfer):

ERF 229 HEROLD'S BAY

In the Municipality and Division of George Province of the Western Cape

MEASURING: 736 (SEVEN HUNDRED AND THIRTY SIX) Square Metres

Held by Deed of Transfer Number T24988/2024.

- 2. The aforementioned property is registered in the names of Johannes Louis Botha (ID: 6511065016081) and Jacoba Hester Botha (ID: 6501210025087).
- 3. The following developmental/restrictive title conditions were observed in deeds of transfer T24/1988, and carried forward in T24988/2024:
 - "B(6)(b) Geen gebou of struktuur of enige ander gedeelte daarvan, behalwe grensmure en heinings, mag, behalwe met die toestemming van die Administrateur, nader as 5 meter van die straatlyn wat 'n grens van hierdie erf uitmaak, asook nie binne 3 meter van die agtergrens of 1.5 meter van die sygrens gemeen aan enige aangrensende erf opgerig word nie, met dien verstande dat die toestemming van die plaaslike owerheid ... "
- 4. The owner of the property now seeks:
 - 4.1. <u>Permanent departure</u> in terms of Section 15(2)(b) of the George Municipality: Land Use Planning By-law (2023) for the relaxation of the northern side building line from 2.00m to 0.00m for the existing deck, stairs and dwelling on the property; and
 - 4.2. Administrator's consent in terms of section 29(4) of the Western Cape Land Use Planning Act, Act 3 of 2014, for title condition B(6)(b) of tile deed T24988/2024 for the relaxation of the northern side building line from 1.5m to 0.00m for the existing deck on the property;

as more elaborated in the accompanying application.

- 5. There are no further restrictive, title or other conditions, to the best of my knowledge, registered against such property, or contained in the title deed, prohibiting the departures and consent(s) applied for in respect of the existing structure(s) on the property.
- 6. There are no bonds currently registered over the property.

DATED and **SIGNED** at **GEORGE** on the **5TH** day of **JUNE 2024**.

PER: MARCO VAN DER WALT

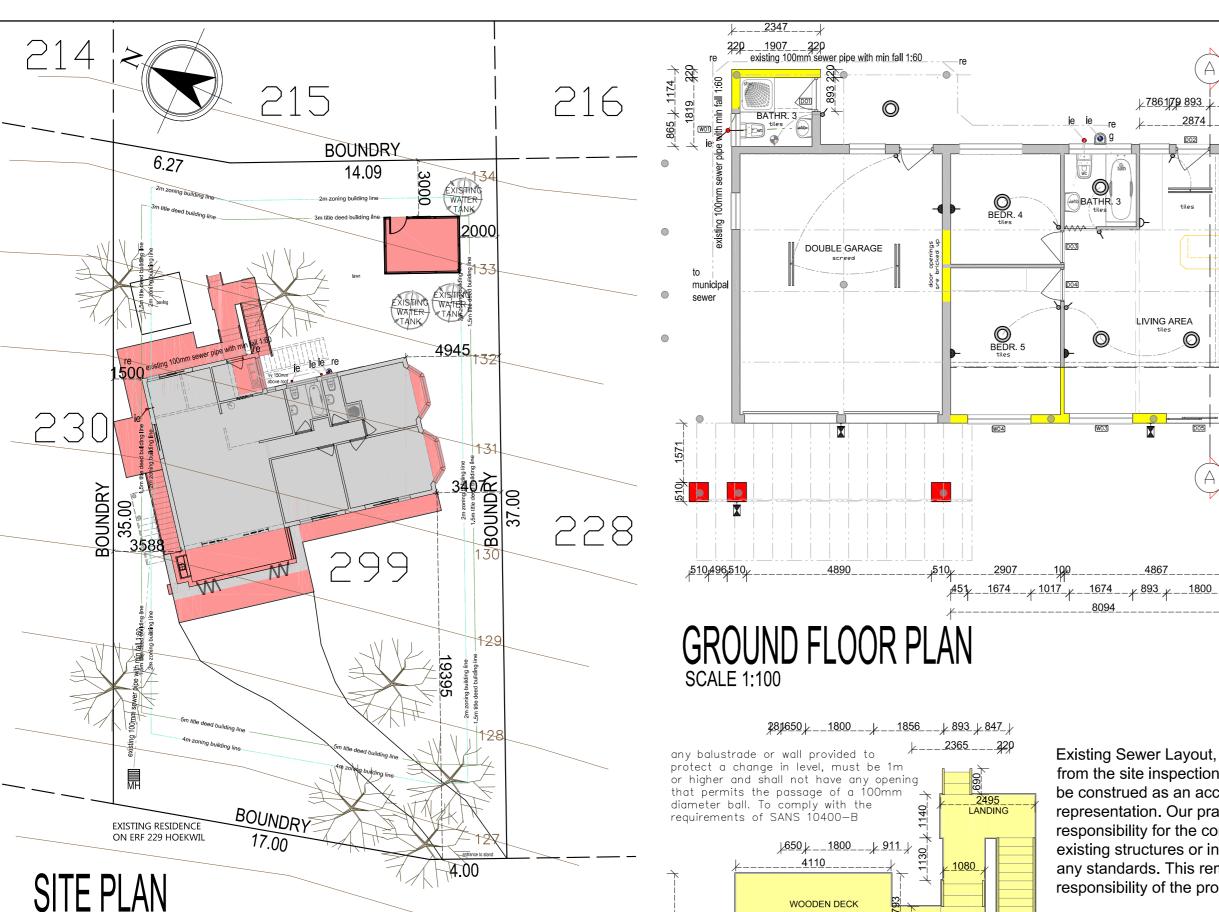
Adelo

CONVEYANCER (LPC: 101905)

FRANCES SCHRÖTER ATTORNEYS INC.

SUITE H, WINDSOR PARK

3 VARING AVENUE, GEORGE



ABBREVIATIONS:

SCALE 1:200

whb - wash hand basin wc - water closet

ur urinal

sh - shower bath - bath

sink - sink

pb - preparation bowl

 dish washer wm - washing machine

g - gully

vv - ventilation valve

ie - inspection eye re - rodding eye

ce - cleaning eye

ssvv - stub stack vent valve

vp - 110mm dia ventilation pipe

The following pipes supplied with appliances:

whb - 50mm dia upvc waste pipe wc - 110mm dia upvc sewer pipe

ur - 50mm dia upvc waste pipe sh - 50mm dia upvc waste pipe

bath- 50mm dia upvc waste pipe sink- 50mm dia upvc waste pipe

pb - 50mm dia upvc waste pipe wm - 50mm dia upvc waste pipe

minimum 1:40 falls.

dw - 50mm dia upvc waste pipe 110mm dia upvc sewer pipes to be laid with

GENERAL DRAINAGE NOTES

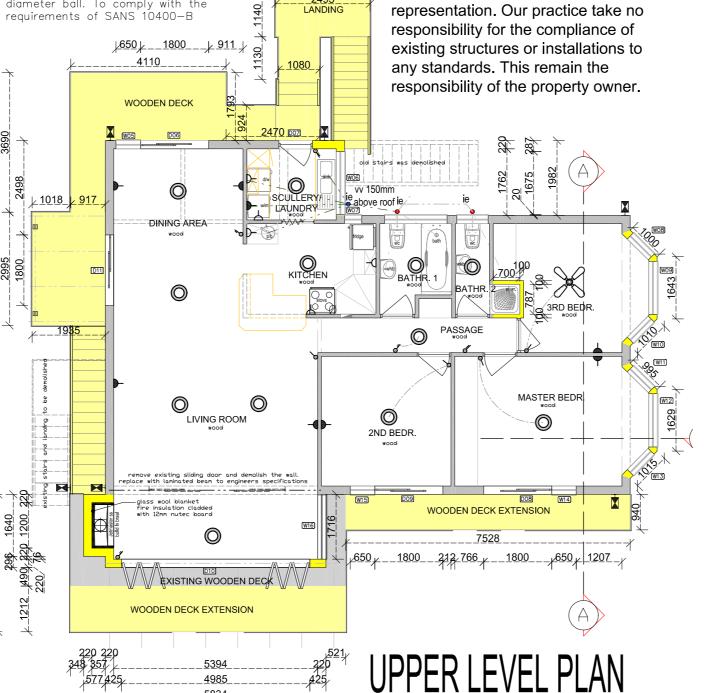
- 1. The drainage is a one pipe system.
- 2. Vent valves to all waste fittings.
- 3. OVP's to be carried up to 1800mm above and opening within 6m thereof.
- 4. All soil and waste fittings to be accessible along their entire length.
- 5. All sanitary fixtures to have self-cleaning traps.
- 6. Soil drain to have min 1:60 fall.
- 7. Soil drain to be min. 300mm below ground level or 100mm if covered by a concrete slab.
- 8. All soil drains under the building to be in straight runs under reinforced slab/surrounded with 300mm concrete with IEs at both ends.
- 9. IE's to be provided at all bends and junctions.
- 10.Rodding eyes, Inspections chambers or Manholes to be provided at the following:
- a) At all changes in grandient,
- b) At intervals exceeding 25m,
- c) Within 1,5m of sewer connection,
- d) At highest point,
- e) At change of direction exceeding 45 deg.
- 11. Water seal depth max 100mm and min. 50mm for soil pipes and 40mm for waste pipes.

110mm dia upvc sewer pipes to be laid with minimum 1:40 falls

50mm dia upvc waste pipes to be laid with minimum 1:40 falls

2874 LIVING AREA

Existing Sewer Layout, as perceived from the site inspection - and cannot be construed as an accurate any standards. This remain the WOODEN DECK



SCALE 1:100

5834

7280_

AREAS

Site	737.30
Existing Dwelling LL	86.26
Existing Dwelling UL	112.01
TOTAL EXISTING	198.27
Existing Wooden Deck Area	5.42
Addition LL	16.23
Addition UL	18.54
TOTAL NEW	34.77
New Deck	45.44
Wooden Hut	12.00
TOTAL DWELLING	233.04
TOTAL DECKING	50.86

LIGHTING Watt QTY

New Deck	40.4
Wooden Hut	12.00
TOTAL DWELLING	233.04
TOTAL DECKING	50.86
Total Far Total Coverage	0.40 23.5%

2.5W	0	0W	
3W	0	0W	
4.5W	20	86W	
12W	13	156W	
30W	0	0W	
36W	0	0W	
		241.50W	
	Total Sq		
225.41 × 5W/m			1127.05
l	_ights	1	
17:00	-	22:00	5hours
2 × 7 × 5	=	1820h.a	
0.23W	×	1820h.a	
=	= 425.88kWh.a		
Allo			
	9		

Symbol	Name	Count
×	Ceiling Fan with light	1
0	Ceiling light	18
X	Lantern Light	9
	Open Flouresc ent	3
@	Inside Wall Light	1
_	caddie_elec_SSO 1 GANG LOW LEVEL	13
Ь	caddie_elec_SSO 1 GANG HIGH LEVEL	8
6	caddie_elec_SP 1 WAY SWITCH	11
ď	caddie_elec_SP 1 WAY 2 LEVER SWITCH(1)	3
ď	caddie_elec_SP 1 WAY 3 LEVER SWITCH(2)	2
	DB box	1

NATURAL ENVIRONMENTAL CONTROL

					-
AREA	LL	GLAZING ELEMENTS			
ZONE	4	TOTALS			
CONDUCTANCE (u-value)	1.40	135.00	Max	91.80	COMPLY
SOLAR HEAT GAIN (SHG)	0.13	12.54	Max	11.34	COMPLY
INTERIOR SQM BEDR	96,43	38.84			
TOTAL SQM OF WINDOWS	19.95	23.73			
TOTAL SQM OF DOORS	3.78	23./3			

NATURAL ENVIRONMENTAL CONTROL

AREA	UL	Gl	LAZING E	LEMENTS		
ZONE	4			TOTALS		
CONDUCTANCE (u-value)	1.40	166.82	Max	121.15	COMPLY	
SOLAR HEAT GAIN (SHG)	0.13	15.49	Max	12.24	COMPLY	
INTERIOR SQM BEDR	119.16	17.87				
TOTAL SQM OF WINDOWS	19.63	45.22				
TOTAL SQM OF DOORS	25.59	45,22				

BULL VCCEMBIA

KUUF ASSEMBLI					
Direction of heat	irection of heat flow: Up				
Item	Description	Description			
Roof Sheeting	Existing Big Six A	Existing Big Six Asbestos Roof Sheets			
Thermal Insulation	135mm Flexible fik	3.46			
Suspended Ceiling	Gypsum Plasterbo	0.05			
Roof Airspace	100 to 300mm, nor	0.15			
Indoor Air Film	Still Air	0.11			
		Total:	3.77		
		Required:	3.70		

AS BUILT

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SOUTH AFRICAN COUNCIL FOR THE ACHITECTURAL PROFESSION MARIUS SMITH Pr.Snr.Arch.T - ST0609

ALL STAIRS ACCORDING TO SANS 10400 - M: RISERS MAX 200mm TREADS MIN 250mm HANDRAIL @ 900mm HEIGHT

BALUSTRADES MAX 100mm CENTRES HEAD HEIGHT VERTICAL FROM STAIR NOSE 2,1m MIN ALL FLOORS IN ANY LAUNDRY, KITCHEN, SHOWER ROOM, BATHROOM ROOM CONTAINING A TOILET PAN OR URINAL ARE IN ACCORDANCE WITH

THE DETAILED REQUIREMENTS OF SANS 10400-J ROOF FIXINGS TO COMPLY WITH SANS 10400-B & THE DETAILED

OPC REQUIRED UNDERNEATH ALL WINDOWS

Carport / Open Patio (if any)to remain open as per building plan Sanitary fittings discharging to a gully to discharge over that gully as per Part P of SANS 10400 (4.21).

Prainage installation to comply with SANS 10400 Part P.

Drainage installations under building work must be installed in terms of Part P of SANS 10400 (4.19.4). Drainage installations under building work must be protected in terms of Part P of SANS 10400 (4.22.2).

ALL MATERIALS USED MUST COMPLY TO SABS SPECIFICATIONS.
ALL BUILDING WORK, SEWERAGE & ELECTRICAL WORK MUST COMPLY
TO SABS BUILDING REGULATIONS.

AT NO TIME MUST BE SCALED FROM ANY DRAWINGS, USE ONLY DIMENSIONS GIVEN. CONTRACTOR MUST BRING ALL DISCREPANCIES UNDER THE ATTENTION OF M SMITH ARCHITECTURAL GROUP.

NO CHANGES MAY BE MADE TO THE BUILDING (ADDING ON OR LEAVING OUT) WITHOUT THE WRITTEN APPROVAL OF M SMITH ARCHITECTURAL GROUP.

KEVIOIONO			
No.	Date	Name	Description
	•		

SACAP REG. NO.: ST0609

M SMITH

ARCHITECTURAL GROUP

UNIT 2 FAIRVIEW OFFICE PARK 1st STREET EASTERN EXT. GEORGE GARDEN ROUTE

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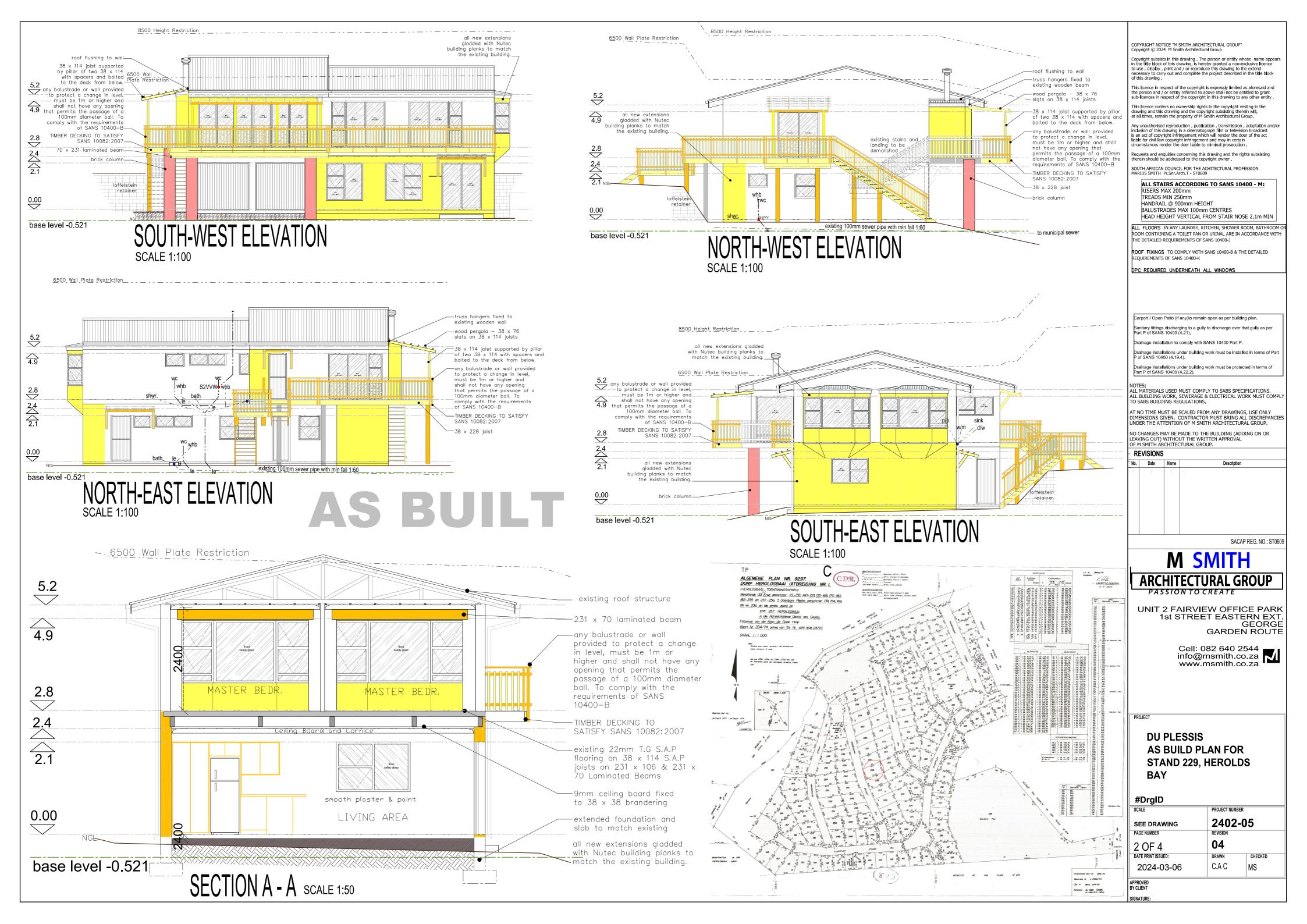
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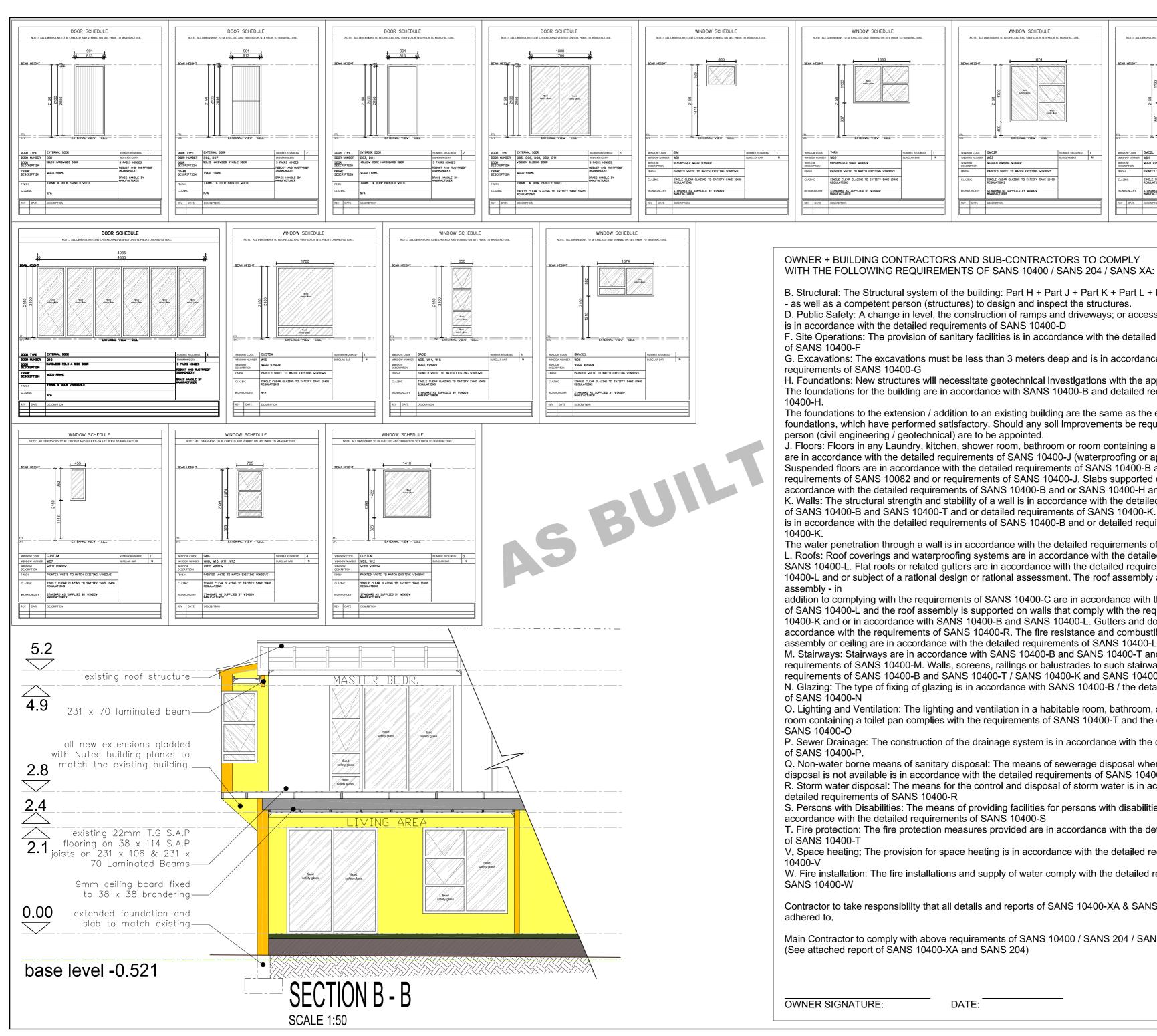
DU PLESSIS AS BUILD PLAN FOR STAND 229, HEROLDS BAY

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OWNER + BUILDING CONTRACTORS AND SUB-CONTRACTORS TO COMPLY

- B. Structural: The Structural system of the building: Part H + Part J + Part K + Part L + Part M + Part N - as well as a competent person (structures) to design and inspect the structures.
- D. Public Safety: A change in level, the construction of ramps and driveways; or access to swimming pools is in accordance with the detailed requirements of SANS 10400-D
- F. Site Operations: The provision of sanitary facilities is in accordance with the detailed requirements
- G. Excavations: The excavations must be less than 3 meters deep and is in accordance with the detailed
- H. Foundations: New structures will necessitate geotechnical investigations with the applicable rules. The foundations for the building are in accordance with SANS 10400-B and detailed requirements of SANS

The foundations to the extension / addition to an existing building are the same as the existing foundations, which have performed satisfactory. Should any soil improvements be required - a competent person (civil engineering / geotechnical) are to be appointed.

J. Floors: Floors in any Laundry, kitchen, shower room, bathroom or room containing a toilet pan or urinal are in accordance with the detailed requirements of SANS 10400-J (waterproofing or applicable areas). Suspended floors are in accordance with the detailed requirements of SANS 10400-B and SANS 10400-T and or requirements of SANS 10082 and or requirements of SANS 10400-J. Slabs supported on the ground are in accordance with the detailed requirements of SANS 10400-B and or SANS 10400-H and or SANS 10400-J K. Walls: The structural strength and stability of a wall is in accordance with the detailed requirements

of SANS 10400-B and SANS 10400-T and or detailed requirements of SANS 10400-K. The roof fixing to the wall is in accordance with the detailed requirements of SANS 10400-B and or detailed requirements of SANS

The water penetration through a wall is in accordance with the detailed requirements of SANS 10400-K. L. Roofs: Roof coverings and waterproofing systems are in accordance with the detailed requirements of SANS 10400-L. Flat roofs or related gutters are in accordance with the detailed requirements of SANS 10400-L and or subject of a rational design or rational assessment. The roof assembly and any ceiling

addition to complying with the requirements of SANS 10400-C are in accordance with the detailed requirements of SANS 10400-L and the roof assembly is supported on walls that comply with the requirements of SANS 10400-K and or in accordance with SANS 10400-B and SANS 10400-L. Gutters and downpipes are sized in accordance with the requirements of SANS 10400-R. The fire resistance and combustibility of the roof assembly or ceiling are in accordance with the detailed requirements of SANS 10400-L and or SANS 10400-T M. Stairways: Stairways are in accordance with SANS 10400-B and SANS 10400-T and or: the detailed requirements of SANS 10400-M. Walls, screens, railings or balustrades to such stairway are accordance with requirements of SANS 10400-B and SANS 10400-T / SANS 10400-K and SANS 10400-T.

N. Glazing: The type of fixing of glazing is in accordance with SANS 10400-B / the detailed requirements

- O. Lighting and Ventilation: The lighting and ventilation in a habitable room, bathroom, shower room and room containing a toilet pan complies with the requirements of SANS 10400-T and the detailed requirements of
- P. Sewer Drainage: The construction of the drainage system is in accordance with the detailed requirements
- Q. Non-water borne means of sanitary disposal: The means of sewerage disposal where water-borne sewerage disposal is not available is in accordance with the detailed requirements of SANS 10400-Q
- R, Storm water disposal; The means for the control and disposal of storm water is in accordance with the
- S. Persons with Disabilities: The means of providing facilities for persons with disabilities is in accordance with the detailed requirements of SANS 10400-S
- T. Fire protection: The fire protection measures provided are in accordance with the detailed requirements
- V. Space heating: The provision for space heating is in accordance with the detailed requirements of SANS
- W. Fire installation: The fire installations and supply of water comply with the detailed requirements of

Contractor to take responsibility that all details and reports of SANS 10400-XA & SANS 204 and it will be

Main Contractor to comply with above requirements of SANS 10400 / SANS 204 / SANS 10400-XA (See attached report of SANS 10400-XA and SANS 204)

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Med salaty dass

SINGLE CLEAR GLAZING TO SATISFY SANS REGULATIONS

STANDARD AS SUPPLIED BY VINDOW MANUFACTURER

ALL STAIRS ACCORDING TO SANS 10400 - M:

TREADS MIN 250mm HANDRAIL @ 900mm HEIGHT BALUSTRADES MAX 100mm CENTRES

HEAD HEIGHT VERTICAL FROM STAIR NOSE 2,1m MIN

ROOM CONTAINING A TOILET PAN OR URINAL ARE IN ACCORDANCE WITH THE DETAILED REQUIREMENTS OF SANS 10400-J ROOF FIXINGS TO COMPLY WITH SANS 10400-B & THE DETAILED

DPC REQUIRED UNDERNEATH ALL WINDOWS

Carport / Open Patio (if any)to remain open as per building pla Sanitary fittings discharging to a gully to discharge over that gully as per Part P of SANS 10400 (4,21).

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NO CHANGES MAY BE MADE TO THE BUILDING (ADDING ON OR

No.	Date	Name	Description

SACAP REG. NO.: ST0609

M SMITH ARCHITECTURAL GROUP

PASSION TO CREATE

UNIT 2 FAIRVIEW OFFICE PARK 1st STREET EASTERN EXT. GEORGE GARDEN ROUTE

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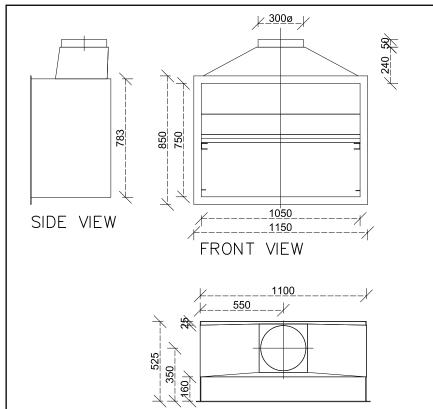
PROJECT

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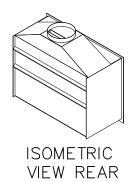
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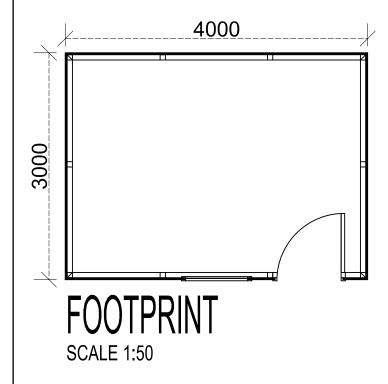
TOP VIEW

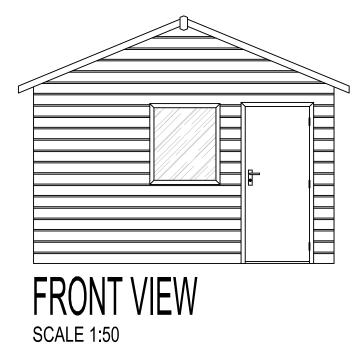


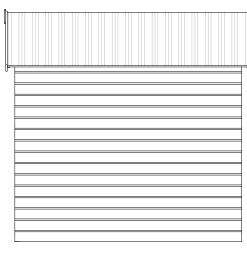


JETMASTER DETAIL

SCALE 1:25







SIDE VIEW **SCALE 1:50**

ALL STAIRS ACCORDING TO SANS 10400 - M: RISERS MAX 200mm

KISEKS MAX ZUUMM TIREADS MIN 250mm HANDRAIL ® 900mm HEIGHT BALUSTRADES MAX 100mm CENTRES HEAD HEIGHT VERTICAL FROM STAIR NOSE 2,1m MIN ALL FLOORS IN ANY LAUNDRY, KITCHEN, SHOWER ROOM, BATHROOM

ROOM CONTAINING A TOILET PAN OR URINAL ARE IN ACCORDANCE WIT THE DETAILED REQUIREMENTS OF SANS 10400-J ROOF FIXINGS TO COMPLY WITH SANS 10400-B & THE DETAILED REQUIREMENTS OF SANS 10400-K

PC REQUIRED UNDERNEATH ALL WINDOW

AT NO TIME MUST BE SCALED FROM ANY DRAWINGS, USE ONLY DIMENSIONS GIVEN. CONTRACTOR MUST BRING ALL DISCREPAI UNDER THE ATTENTION OF M SMITH ARCHITECTURAL GROUP.

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REVISIONS

No.	Date	Name	Description
-			

SACAP REG. NO.: ST0609

M SMITH ARCHITECTURAL GROUP

UNIT 2 FAIRVIEW OFFICE PARK 1st STREET EASTERN EXT GEORGE GARDEN ROUTE

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DU PLESSIS AS BUILD PLAN FOR STAND 229, HEROLDS

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