KNYSNA LOCAL MUNICIPALITY

Notice is hereby given of a

KNYSNA MUNICIPAL PLANNING TRIBUNAL MEETING

to be held on

Tuesday, 24 February 2026

at

09:00

Sedgefield Boardroom

to consider the following items:

MUNICIPAL OFFICES
KNYSNA **ADMINISTRATOR**

A G E N D A

Chairperson: R Smit
Members: J Grobler
J Samson-Swartz
Z van Rooyen
N Perring
L Mniki
R Daames
M Nzuzo
M Musekene
L Goya

TABLE OF CONTENTS

1.	**OPENING AND WELCOME**	
2.	**ATTENDANCE**	
2.1	MEMBERS: PRESENT	
2.2	MEMBERS: ABSENT WITH LEAVE	
2.3	MEMBERS: ABSENT WITHOUT LEAVE	
2.4	COUNCILLORS PRESENT	
2.5	OFFICIALS PRESENT	
2.6	MEMBERS OF THE PUBLIC PRESENT	
3.	**ORDER OF PROCEEDINGS**	
3.1	CONFLICT OF INTEREST	
3.2	POINTS IN *LIMINE*	
3.3	CONSIDERATION OF *LOCUS STANDI*	
3.4	TIME ALLOCATION FOR ORAL PRESENTATIONS	
4.	**NOTING OF RULES OF ORDER**	
4.1	CONFIRMATION BY MEMBERS IN TERMS OF RULE 6.3	
5.	**REFERRED ITEMS**	
5.1	PORTION 58 OF THE FARM 185, KNYSNA: CONSENT USE & DEPARTURE(S)	
5.2	ERF 1049, SEDGEFIELD: ADMINISTRATIVE PENALTY	
5.3	PORTION 48 OF THE FARM 183, KNYSNA: ADMINISTRATIVE PENALTY	
5.4	ERF 671, SEDGEFIELD: ADMINISTRATIVE PENALTY	
5.5	ERF 21351, KNYSNA: ADMINISTRATIVE PENALTY	
5.6	ERF 3146, KNYSNA: ADMINISTRATIVE PENALTY	
6.	**NEW ITEMS**	
6.1	ERF 57 BUFFALO BAY – PERMANENT DEPARTURE, ADMINISTRATOR'S CONSENT, AMENDMENT OF CONDITIONS OF APPROVAL	Pg. 1-51
6.2	ERF 12665 KNYSNA – DEPARTURE & ADMINISTRATOR'S CONSENT	Pg. 52-117
6.3	ERF 414 BRENTON – DEPARTURE & ADMINISTRATOR'S CONSENT	Pg. 118-207
6.4	ERF 2739 SEDGEFIELD – ADMINISTRATIVE PENALTY	Pg. 208-232
6.5	ERF 622 BRENTON – ADMINISTRATIVE PENALTY	Pg. 233-254
6.6	ERF 5375 KNYSNA – ADMINISTRATIVE PENALTY	Pg. 255-283
6.7	ERF 533 BRENTON – ADMINISTRATIVE PENALTY	Pg. 284-305
6.8	PORTION 22 OF FARM 183 – ADMINISTRATIVE PENALTY	Pg. 306-332
6.9	ERF 3613 KNYSNA – ADMINISTRATIVE PENALTY	Pg. 333-354
6.10	ERF 11215 KNYSNA – ADMINISTRATIVE PENALTY	Pg. 355-403
6.11	ERF 21440 KNYSNA – ADMINISTRATIVE PENALTY	Pg. 404-443
6.12	ERF 3673 SEDGEFIELD – ADMINISTRATIVE PENALTY	Pg. 444-490
6.13	PORTION 36 OF FARM 182 - ADMINISTRATIVE PENALTY	Pg. 491-527
6.14	ERF 5354 KNYSNA – ADMINISTRATIVE PENALTY	Pg. 528-561

6.15	ERF 723 BRENTON – ADMINISTRATIVE PENALTY	Pg. 562-592
6.16	ERF 16571 KNYSNA – ADMINISTRATIVE PENALTY	Pg. 593-627
6.17	ERF 17839 KNYSNA – ADMINISTRATIVE PENALTY	Pg. 628-664
7.	**CLOSURE**	

AGENDA

1. Opening and Welcome

2. Attendance (as per attendance register)

   2.1 Members: Present
   2.2 Members: Absent with Leave
   2.3 Members: Absent Without Leave
   2.4 Councilors Present
   2.5 Officials Present
   2.6 Members of the Audit Committee Present
   2.7 Members of the Public Present

3. Order of Proceedings

   3.1 Conflict of Interest
   3.2 Points in *Limine*
   3.3 Consideration of *Locus Standi*
   3.4 Time Allocation for Oral Presentations

4. Noting of Rules of Order

   4.1 Confirmation by Members in terms of Rule 6.3.

5. Referred Items

6. New Items

-oOo-

For item 5. “*REFERRED ITEMS*”

(5.1 to 5.6)

please see agenda of the meeting
dated 09 February 2026

ITEM TO:
Municipal Planning Tribunal

APPLICATION NO.	3403
REPORT AUTHOR	S Sitinga
JOB TITLE	Town Planner
SACPLAN REG. NO.	A/2695/2018
TELEPHONE NO.	044-302-6276
APPLICATION DATE	12 February 2025

LAND USE PLANNING REPORT
ADMINISTRATOR'S CONSENT, AMENDMENT OF CONDITIONS OF APPROVAL & DEPARTURE(S) : ERF 57, BUFFALO BAY

PART B: APPLICANT DETAILS	
Name & Surname	***Marike Vreken***
Company name	***Marike Vreken Town Planners***
SACPLAN registration number	***1101***
Registered owner(s)	***Bella Sea View Properties (Pty) Ltd***
PART C: PROPERTY DETAILS	
Property description	***Erf 57, Buffalo Bay in the Municipality of Knysna, Western Cape***
Property Extent (m^2)	***550***
Physical address	***57 Sand Street***
Area/Town	***Buffalo Bay***
Current zoning	***Single Residential Zone I***
Applicable zoning scheme	***Knysna Zoning Scheme By-law (2020)***
Current land use	***Dwelling house***
Are there existing buildings on the property?	***Yes, dwelling house.***
Title Deed number & date	***T21160/2024***
Any restrictive title conditions applicable?	***Yes***
Any third-party conditions applicable?	***None***
Any unauthorised land use/building work	***None***
Bondholder's Consent	***Not Applicable***

1. APPLICATION DESCRIPTION

The application is for the following:

1.1. The Administrator's Consent as contemplated in restrictive title condition D.(6)(b) contained in deed of title numbered T21130/2024 in respect of Erf 57 Buffalo Bay to allow the relaxation of the prescribed building lines.

1.2. The amendment of conditions of approval in terms of Section 15(2)(h) of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021) as specified in notice of decision dated 17 September 2007 and numbered 2(c), 2(d) and 2(k), in respect of Erf 57, Buffalo Bay.

1.3. The permanent departures in terms of Section 15(2)(b) of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021) from the development parameters of "dwelling house" of the Knysna Zoning Scheme By-law (2020), in respect of Erf 57 Buffalo Bay, to allow for the following:

1.3.1. the relaxation of the maximum permissible coverage from 50% to 58%.

1.3.2. the relaxation of the prescribed northern lateral building line from 2.0m to 1.61m to allow for additions to the dwelling house.

1.3.3. the relaxation of the prescribed eastern street building line from 4.5m to 3.27m and 1.82 respectively to allow for additions to the dwelling house.

1.3.4. the relaxation of the prescribed southern street building line from 4.5m to 1.62m,1.42m and 0m respectively, to allow additions and conversions to the dwelling house.

1.3.5. the relaxation of the prescribed western lateral building line from 2.0m to 0m to allow conversions to the existing dwelling house.

2. BACKGROUND

2.1. Erf 57 Buffalo Bay is located at 57 Sand Street and is zoned for single residential purposes with an existing dwelling house. The current landowner wishes to enclose the existing stoep to extend the existing living room with further additions including a pergola and the conversion of the existing garage into habitable space.

2.2. The subject property obtained approval for departures to relax the southern street and western lateral building line on 17 September 2007. This approval was subject to a number of conditions including a limit on the permissible coverage, that the stoep may not be enclosed, and that the garage may not be used for habitable space.

2.3. The applicant states that the coverage – in terms of previously approved building plans – was incorrectly calculated and adds up to 58% instead of 50%. The proposal is not to increase the existing coverage but to maintain this coverage.

2.4. In order to realise the current proposal, application is made to delete these conditions of approval and apply to relax the development parameters to the property as specified in the Knysna Zoning Scheme By-law (2020).

2.5. The applicant also proposes the registration of a private right of way servitude that allows for access across the cadastral boundary between the subject property and the neighbouring property to the rear of the property for vehicular access and parking.

2.6. It is also noted that the landowner lodged building plans for additions to the existing dwelling house which were approved and has since been completed. These additions are compliant with the development parameters of the zoning scheme.

2.7. This application received a valid objection during the mandatory public consultation period and, therefore, is submitted to the Knysna Municipal Planning Tribunal for consideration.

3. PRE-APPLICATION CONSULTATION

The application served at a pre-application consultation meeting on 03 October 2024.

4. SUMMARY OF APPLICANT'S MOTIVATION

The applicant's motivation can be summarised as follows:

4.1. The applicant argues that the application can be considered desirable as it is not in conflict with spatial planning policies and will not have a negative impact on the character of the area. It is stated that it will not have an impact on existing municipal infrastructure and will make use of existing service connections.

4.2. It is also argued that the building work will not cause obstruction of views and would be compatible with the character of the area. The applicant further argues that the proposal will allow the use of the site's full potential and contribute to the upgrade of an existing settlement.

4.3. The applicant also indicated that the proposal has support from a number of surrounding property owners and is of the opinion that it will not impact on the rights of any of the property owners in the area.

4.4. The conversion of the existing garage into a habitable space ("games room") is to allow for indoor recreational space and is to be used when its residents and family members are on vacation. The garage is an existing approved building and addition to the existing dwelling house.

4.5. The applicant argues that the relaxation of the coverage will not entail additional buildings but will keep with the existing while the relaxation of the eastern street building line will allow for an enlarged living room space.

4.6. The applicant argued the administrator's consent to relax the prescribed building lines in the title deed on several grounds as well as motivated the application in terms of the development principles as contained in the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) and the Western Cape: Land Use Planning Act, 2014 (Act No. 3 of 2014). The full arguments are set out in their motivating memorandum attached to their application.

5. PUBLIC PARTICIPATION

Method of Advertising				Date Published	Closing Date
	Yes	No	N/A		
Press	☐	☐	☒		
Gazette	☐	☒	☐		
Notices	☒	☐	☐	**04 March 2025**	**04 April 2025**
Ward Councillor	☒	☐	☐		
Site Notice	☐	☒	☐		
Community Organisations	☐	☒	☐		
Public Meeting	☐	☒	☐		
Third Parties	☐	☒	☐		

Total Valid Comments	**1 (one)**		Total comments and petitions refused		**0**
Valid Petitions	Y☐	N☒	No of signatures	**None**	

Community organisation(s) response	Y☐	N☐	N/A☒	Ward Councillor response	Y☐	N☒	N/A☐
Was public participation undertaken in accordance with section 45- 49 of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021)						Y☒	N☐

5.1. **Summary of Comments Received during Public Participation**

A single objection from a neighbouring property owner (Erf 86, Buffalo Bay) was lodged against the application and can be summarised as follows:

5.1.1. The additions to the dwelling house in relation to the relaxation of the southern street building line may be used to build structures within the relaxed building line while the proposed pergola will obstruct the neighbour's view of the ocean.

5.1.2. It is argued that the relaxations have significant implications in that it is a violation of the legal property boundaries and the obstruction of sea views which will have an impact on the value of the neigbour's property.

5.1.3. The objector argues that the applicant can preserve his existing property and enhance the value thereof without the applications as lodged. It is said that the relaxations as proposed will only be of benefit to the applicant and their claim that surrounding property owners will not be negatively affected is false and incorrect.

5.1.4. The objector argues that the "inflated social benefit and public interest arguments" do not hold water and is for the benefit of the applicant only.

5.2. **Summary of Comments from Departments/Organs of State**

Name	Date Received	Summary of Comments	Recommendation
Infrastructure Services	16 May 2025	▪ *From the plans it appears if the driveway is partially on the neighbour's erf. Is there a servitude registered for this? The exemption as argued on Plan 3 is not relevant due to the issue here is not in relation to subdivisions and consolidations, as per Sect. 24 of the By-law.* ▪ *Professional to review capacity of the existing septic tank for increase load.*	**Positive**

Name	Date Received	Summary of Comments	Recommendation
	04 September 2025	▪ *The comments from the applicant (p.5 & 6) are accepted and must be completed at building plan submission or at the latest at occupation approval as per BCO. (Letter Ref: Pr2461b08, dated 02 June 2025).*	
Building Control	06 March 2025	*The inspection was conducted on 05 March 2025. The application that was submitted for approval corresponds with the structures on site. Also note that all the building work is already complete.*	**Comment**

5.3. **Summary of Applicant's Reply to Comments**

The applicant's reply in correspondence dated 02 June 2025, can be summarised as follows:

5.3.1. In response to the objector's statement that the building violates property boundaries, the applicant states that the existing dwelling house has approved building plans with an occupation certificate.

5.3.2. Furthermore, the future conversion of buildings within the prescribed building line space will require a new application and the objection to the future use of the building is not considered a valid objection.

5.3.3. The applicant disagrees that the proposed pergola will obstruct the view of the objector. The pergola is an open structure on the eastern side of the dwelling house, will not encroach onto the road reserve space, and would, therefore, not impact on views.

5.3.4. The applicant also states that the existing garage does not encroach the property boundary and it is noted that the additions to the house will not be visible to the objector.

5.3.5. In relation to the obstruction of sea views and its impact on property values, the applicant argues that this impact is not quantified and should be determined by a professional valuer. The existing dwelling house is a single storey dwelling and not a double storey dwelling (which is permissible) and would have a greater impact on views of the sea.

5.3.6. The applicant argues that the refusal of the application will not make any changes to the appearance and position of the buildings. The application is essentially to make internal conversions of the existing building.

5.3.7. On the comments made by the Municipality's Infrastructure Directorate, the applicant states that the driveway is shared between the owners of Erf 56 and Erf 57 with both owners agreeing to a right of way servitude in favour of each other. The applicant also confirms that the existing dwelling house has been built in accordance with its approved building plan.

6. PROPOSAL ASSESSMENT

6.1. Application History

The subject property obtained planning approval for the relaxation of various building lines in 2007 which allowed for the current garage on the southern street building line. This approval also imposed a condition limiting the coverage on the property to 50% while the enclosing of the patio was prohibited. These matters are now under consideration in this application.

6.2. Considerations in terms of SPLUMA

6.2.1. The applicant argues the application in terms of the development principles as contained in the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) (or "SPLUMA") and primarily considers the application to be consistent with these principles.

6.2.2. The applicant's arguments can largely be agreed with insofar as the proposal is for additions on a property within an urban settlement and will make optimal use of the available land in relation to the proposed additions. The application as presented does not hold adverse findings in the context of the development principles in SPLUMA.

6.3. Consistency with SDF, IDP and applicable Policies

6.3.1. The proposed additions to the existing dwelling house are considered as being aligned with the overarching spatial planning policies and objectives of the Municipality, as per the applicant.

6.3.2. Also, in agreement with the applicant, the nature and scale of the building work have limited bearing on the strategic and spatial policy objectives of the Municipality. However, it is important to consider whether the additions will detract from the overall residential amenity of the local area and contribute to the established form of its local environment. In this regard, it is noted that the proposal building work entails conversion of existing approved buildings and will largely maintain the existing coverage. There is thus no indication that the proposal will detract from the residential amenity of the local area.

6.4. Impact on Municipal Engineering Services

6.4.1. The subject property is an existing serviced site and will make use of existing connections with no additional capacity required. However, the Infrastructure Services directorate requires that the landowner confirms the capacity of the septic tank on the submission of building plans by an appropriately qualified person. In their response, the applicant has agreed to this being made a condition of approval to the application.

6.4.2. The key issue in terms of infrastructure in this application is legal access to the subject property. The applicant proposes a shared servitude right of way in favour of the subject property and the neighbouring property (Erf 56, Buffalo Bay). This is an existing access point without any legal standing, hence the applicant's proposal to register a servitude.

6.4.3. This access point allows access to both Erf 56 and Erf 57 to parking and garaging at the rear of the property. The applicant states that both landowners have agreed to the registration of servitude with the Municipality's Infrastructure directorate requesting that the access/servitude be secured prior to the submission and consideration of building plans.

6.5. **Outcomes of Investigations/Applications i.t.o. other Legislation**

Not applicable.

6.6. **Zoning Considerations**

The application does not entail a change in land use and thus there are no further considerations in this regard.

6.7. **Desirability of the Proposal**

6.7.1. The application is primarily the conversion of existing approved buildings/spaces (i.e. garage) into a habitable space (i.e. family games room) with further additions in the eastern street and northern lateral building lines. This means that the existing dwelling and coverage will largely be maintained.

6.7.2. To realise the proposed building work, the application entails the deletion of conditions of approval from the notice of decision issued in 2007 for the relaxation of several building lines. The key considerations in terms of a deletion of a condition are what the intent and purpose of the condition was at the time it was imposed, and how circumstances have changed since its imposition.

6.7.3. It can only be inferred that the condition regarding the maximum permissible coverage was confirmation of the maximum permissible coverage as the applicable zoning scheme at the time had coverage set at 50%. The condition regarding the enclosing of the stoep was imposed as it would count to the coverage of the property and have it potentially exceed the maximum permitted, while the condition of the use of the garage was to ensure appropriate garaging of vehicles on the premises.

6.7.4. The size of the subject property is 550m² and has two street frontages, limiting the available space for buildings within the prescribed building lines. The relaxation of the prescribed building lines may, therefore, be considered more favourably for this reason, provided that the proposed relaxations of building lines will not detract from the streetscape and character of the surrounding area. A similar argument can be posed with regard to the relaxation of the maximum permissible coverage which the applicant has indeed presented.

6.7.5. With regard to the conversion of the garaging space, the applicant argues that the parking requirement of the zoning scheme (i.e. minimum of two [2] bays) can be maintained on the site with access secured by the shared access with the neighbouring property. Importantly, the conversion will be within the existing footprint of the existing dwelling house, and it is anticipated that its impact on the surrounding area will be minimal.

6.7.6. It is also alleged that the coverage was incorrectly calculated on previous plans and that the existing approved buildings are already exceeding the maximum permissible coverage of 50%. Should this be true, the exceeded coverage (at 58%) is *functus officio*, i.e. final and cannot be reversed.

6.7.7. Be that as it may, the relaxation of the maximum permissible coverage can be considered favourably due to the character of the area where the established built form of the area is compact as a cause of the smaller than usual erven size found in Buffalo Bay. Landowners have made optimal use of the smaller erven which has created a dense or compact urban form. The proposal would thus be consistent with this character.

6.8. **Considerations to the Administrator's Consent**

6.8.1. The application includes the "*Administrator's*" consent to relax the building lines as prescribed in the title deed to the property. Condition D.(6)(b) of the deed states that the "Administrator" – which in terms of the Spatial Planning and Land Use Management Act is the Municipality – may consent to the relaxation of the title deed's building lines.

6.8.2. The applicant has argued the relaxation of the title deed buildings lines in terms of the rights and the beneficiaries of those rights. A key argument is that the zoning scheme grants similar rights and that adequate control can be exercised in terms of the Zoning Scheme and Planning By-laws and that the intent and purpose of the restrictive title conditions can still be maintained within this regulatory regime.

6.8.3. This argument can largely be agreed with, and it is further acknowledged that the consent as contemplated in the title deed would not completely remove this real right, but it will remain and may be allowed for the same reasons as set out in the preceding sections of this report. Importantly, there is no indication that the application and proposal as presented will detract from the established character of the area as envisaged at the establishment of the township but will allow for modest improvements that keep pace with modern needs.

6.9. **Assessment of Comments**

6.9.1. It is held that the applicant has adequately responded to the comments of the Municipality's Infrastructure Services directorate. Their requirements regarding the right of way access, and the capacity of the septic tank can be imposed as conditions should the application be approved.

6.9.2. The applicant has also responded satisfactorily to the objections made by the objector in that it was found that the existing dwelling house and additions would have no meaningful impact on the views of the objector. The conversion of the garage to the games room is within an existing approved building and the line of buildings on the southern street-front will remain as is. In addition, the pergola and additions to the eastern street building line will not be in the view of the objector as observed from their property along Sand Street.

6.9.3. Lastly, it is noted that the application does not propose any encroachment of cadastral boundaries and any future changes to the site may require the submission and consideration of a planning application. Furthermore, and in response to the previous alleged incorrect measurements on the property, it is advised that detailed and certified surveyed plan setting out all buildings on the property be prepared at the submission of building plans to confirm compliance with any conditions of approval and the parameters and regulations contained in the zoning scheme by-law.

7. RECOMMENDATION

It is recommended:

7.1. That, **Approval be Granted**, for the Administrator's Consent as contemplated in restrictive title condition D.(6)(b) contained in deed of title numbered T21130/2024 in respect of Erf 57 Buffalo Bay to allow the relaxation of the prescribed building lines.

7.2. That, **Approval be Granted**, in terms of Section 60 of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021) for the deletion of conditions of approval 2(c), 2(d) and 2(k) as specified in the notice of decision dated 17 September 2007, in respect of Erf 57, Buffalo Bay.

7.3. That, **Approval be Granted**, in terms of Section 60 of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021) for the departures from the development parameters of "dwelling house" of the Knysna Zoning Scheme By-law (2020), in respect of Erf 57, Buffalo Bay, to allow for the following:

7.3.1. the relaxation of the maximum permissible coverage from 50% to 58%.

7.3.2. the relaxation of the prescribed northern lateral building line from 2.0m to 1.61m to allow for additions to the dwelling house (pergola).

7.3.3. the relaxation of the prescribed eastern street building line from 4.5m to 3.27m and 1.82m to allow for additions to the dwelling house (i.e. living room extension and pergola, respectively).

7.3.4. the relaxation of the prescribed southern street building line from 4.5m to 1.62m, 1.42m and 0m to allow for additions to the dwelling house (i.e. laundry room, pergola and games room, respectively).

7.3.5. the relaxation of the prescribed western lateral building line from 2.0m to 0m to allow for the conversion of the existing building (i.e. the garage to games room).

8. CONDITIONS OF APPROVAL IMPOSED IN TERMS OF THE PLANNING BY-LAW

The above approval(s) is subject to the following conditions imposed in terms of Section 66 of the Knysna Municipality By-law Spatial Planning and Land Use Management (2021):

8.1. The relaxation of the building lines as contemplated in the Knysna Zoning Scheme By-law (2020) shall generally be in accordance with the plan numbered "*J005-LA-002-Rev5*" dated 25 April 2024.

8.2. The applicant/landowner shall register a servitude right of way in favour of Erf 56, and Erf 57 Buffalo Bay to the extent as shown on the plan numbered "*J005-LA-002-Rev5*" dated 25 April 2024, prior to the submission of building plans.

8.3. The applicant/landowner shall submit a detailed surveyed plan prepared by a registered professional indicating the position of buildings and structures on the site and submit at the submission of building plans.

8.4. The applicant/landowner shall provide confirmation of the capacity of the existing septic, to the satisfaction of the Director: Infrastructure Services, at the submission of building plans.

9. REASONS FOR RECOMMENDATION

The reasons for above recommendation are as follows:

(i) The application is for the conversion of existing approved buildings/spaces (i.e. the garage) into habitable space (i.e. family games room) with further additions to the existing dwelling house within the street building line space. This means that the existing coverage will largely be maintained.

(ii) The relaxation of the prescribed building lines as contained in the deed of title was found to be justified as the proposal does not present evidence that it will detract from the established character of the area at the establishment of the township but will allow for modest improvements that keep pace with modern needs and the evolving character of the area.

(iii) The size of the property is 550m² and has two street frontages limiting the available space for buildings within the prescribed building line. Furthermore, the Buffalo Bay township has smaller than normal erven that compelled landowners to make optimal use of properties and resulted in a compact form to its established character. The relaxation of the building lines as prescribed by the zoning scheme and the relaxation of the maximum permissible coverage were thus considered in this context.

(iv) Considering the objections lodged against the application, it was found that the building work and conversion would not have a meaningful impact on the views of the objector. The conversion of the garage to the games room is within the existing footprint and the line of buildings on the southern street-front will remain as is. In addition, the pergola on the eastern street building line will not be in view of the objector as observed from Sand Street towards the sea in an easterly direction.

10. SUPPORTING APPLICATION DOCUMENTS

ANNEXURE A – *Applicant's Motivating Memorandum*

ANNEXURE B – *Locality Plan*

ANNEXURE C – *Copy of Title Deed(s)*

ANNEXURE D – *Power of Attorney & Company resolution*

ANNEXURE E – *Notice of Decision dated September 2007 & Approved Building Plans*

ANNEXURE F – *Signed servitude agreement*

ANNEXURE G – *Plan proposal*

ANNEXURE H – *Mailing List and notices*

ANNEXURE I – *Objection to the application*

ANNEXURE J – *Municipal departmental comments*

ANNEXURE K – *Applicant's response to objection and comments*

Administrator's Consent, Deletion of condition of approval & Departure(s): Erf 57, Buffalo Bay			
Author Name: ***Sinovuyo Sitinga*** Date: ***17/02/2026***		Author Signature:	
Registered planner name: ***Shaun Madumbo*** SACPLAN registration number: ***A/1510/2012*** Date: ***17/02/2026***		Registered Planner Signature:	
Decision Maker: Municipal Planning Tribunal			
APPROVED	APPROVED CONDITIONALLY	APPROVED IN PART	REFUSED



ERF 57 BUFFELO BAY
KNYSNA

LOCALITY

Projection: Transverse Mercator
Centre Lon: 22°58'23" E
Centre Lat: 34°05'10" S
Created: 10/14/2024
Scale: 1:1500

Stored: Y:\GIS\Appointed Projects\Pr2461 - Buffalo Bay Erf 57\Buffalo Bay Erf 57.map

Marike Vreken
Stads & Omgewingsbeplanners
Urban & Environmental Planners
21 Trotter Street, P.O. Box 2180
KNYSNA, 6570
☎(044) 382 0420
(086) 459 2987
e-mail: info@vreken.co.za
web: www.vreken.co.za

1382

Logan - Martin Inc
P O Box 6
Knysna
6570

Prepared by me

CONVEYANCER
FLORIS ALBERTUS HANEKOM
LPCM 90928

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R 12 800 000 00	R 4 303 00
Reason for exemption	Category Exemption.....	Exemption i t o. Sec/Reg..... Act/Proc.....

DATA / VERIFY
17 -04- 2024
LINDA NCAPAI

T 000021163 / 2024

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

FLORIS ALBERTUS HANEKOM , LPCM 90928

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said appearer being duly authorised thereto by a Power of Attorney which said Power of Attorney was signed at KNYSNA on 28 March 2024 granted to him/her by

DATA / CAPTURE
17 -04- 2024
BELINDA GONCALVES

VERA ELIZABETH BOOYSEN
Identity Number [redacted]
Married out of community of property

Herein represented by GERALD ARTHUR LOGAN duly authorised hereto by virtue of a Special Power of Attorney signed at KNYSNA on 21 September 2023

Lexis® Convey 18.2.18.1

And the appearer declared that his/her said principal had, on 4 March 2024, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

BELLA SEA VIEW PROPERTIES PROPRIETARY LIMITED
Registration Number 2024/101648/07

or its Successors in Title or assigns, in full and free property

ERF 57 BUFFALO BAY
IN THE MUNICIPALITY AND DIVISION OF KNYSNA
PROVINCE OF THE WESTERN CAPE

IN EXTENT 550 (FIVE HUNDRED AND FIFTY) Square metres

FIRST TRANSFERRED by Deed of Transfer No.T36285/1979 with General Plan No. TP9939 relating thereto and held by Deed of Transfer No.T127363/2004

A. **SUBJECT** to the conditions referred to in Deed of Grant No T41/1948.

B. **SUBJECT** to the following conditions contained in Deed of Grant No T41/1948, namely:

(1) .....

(2) .....

(3) .....

(4) .....

(5) Die grondbriefnemer, sy opvolgers-in-titel of regverkrygendes moet voldoende voorsorgmaatreëls tref om die ontstaan van waaisand op die grond te voorkom.

Indien daar ten spyte van sodanige voorsorgmaatreëls nogtans waaisand op die grond ontstaan, sal die grondbriefnemer, sy opvolgers-in-titel of regverkrygendes verplig wees om sodanige waaisand op eie koste te herwin tot bevrediging van die Departement van Bosbou.

Indien die grondbriefnemer, sy opvolgers-in-titel of regverkrygendes sou versuim om betyds stappe te doen om enige waaisand wat op die grond mag ontstaan tot bevrediging van die Departement van Bosbou te herwin, sal genoemde Departement die reg hê om die nodige herwinningswerk self te doen of te laat doen en om die koste daaraan verbonde van die grondbriefnemer, sy opvolgers-in-titel of regverkrygendes te verhaal."

C. .....

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D. **SUBJECT** to the following conditions contained in Deed of Transfer No T36285/1979, imposed by the Administrator of the Province of the Cape of Good Hope in terms of Ordinance No 33 of 1934 when approving the establishment of BUFFALO BAY TOWNSHIP, namely:-

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 dorpsaanlegskema 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 bebruik 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 ander televisiekabels 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 rederlikerwys vereis word. Dit sluit die reg op toegan te alle redelike tye tot die eiendom in met die doel om enige werke met betrekking tot bogenoemde aan te lê, te wysig, te verander 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 Dorpsaanlegskema ingesluit is, die Plaaslik Owerheid enige ander geboue wat deur die skema toegelaat word, kan toelaat onderworpe aan die voorwaardes en beperkings wat in die skema bepaal word.

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(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 buitegeboue 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 ingeval van 'n hoekerf die afstand van 12 meter gemeet word van die punt wat die verste is van die strate wat die erf begrens;

(ii) 'n Buitegebou ingevolge subparagraaf (i) slegs nader aan 'n sygrens of agtergrens van 'n perseel as die afstand hierbo voorgeskryf, opgerig mag word indien geen vensters of deur 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 die wat hierin uiteengesit word, is hierdie voorwaardes op die gekonsolideerde eiendom van toepassing asof dit een erf is.

(d) Ingeval hierdie erf onderverdeeld 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."

Lexis® Convey 18.2.18.1

WHEREFORE the said Appearer, renouncing all rights and title which the said

VERA ELIZABETH BOOYSEN, Married as aforesaid

heretofore had to the premises, did in consequence also acknowledge her to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

BELLA SEA VIEW PROPERTIES PROPRIETARY LIMITED
Registration Number 2024/101648/07

or its Successors in Title or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R12 800 000,00 (TWELVE MILLION EIGHT HUNDRED THOUSAND RAND) .

IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on 15 APR 2024

q.q.

In my presence

REGISTRAR OF DEEDS

SPECIAL POWER OF ATTORNEY

I/~~We~~ Gerhard Gouws [redacted]

the undersigned,

do hereby nominate, constitute and appoint
THE AUTHORISED AGENTS OF MARIKE VREKEN TOWN & REGIONAL PLANNERS CC and duly authorised employees of Marike Vreken Town Planners CC
with power of Substitution to be *my/our lawful representatives in *my/our application for:

PERMANENT DEPARTURE, AMENDMENT OF CONDITIONS OF APPROVAL & ADMINISTRATOR'S CONSENT

on

BUFFALO BAY ERF 57

In addition to apply for such amendments of any zoning schemes / structure plans / Removal of Title Deed Restrictions as may be deemed necessary and to make other necessary application and further to represent *me/us at any inquiry in relation to the abovementioned matters and generally do whatever may be necessary or desirable to procure the approval of the application, by virtue of those present and whatever our said representative have to date done herein.

Signed at George on this 17 day of September 2024

SIGNED:

In the ~~presence~~ of the undersigned witnesses:

AS WITNESSES:

1.

2.

BELLA SEA VIEW PROPERTIES (PTY)LTD (NO 2024/101648/07)

(Name of Company, Partnership, Trust or Close Corporation)

RESOLUTION

Resolution passed at the meeting of the Shareholders/ Partners/ Trustees/ Members held in George on the 17 day of September 2024.

Resolved that Gerhard Gouws in his/ her capacity as Director, be and is hereby authorised to do whatever may be necessary to give effect to this resolution and to enter into and to sign such documents necessary to proceed with the applications as specified hereunder on behalf of the Company/ Partnership/ Trust/ Close Corporation with such modification as he/ she in his/ her sole discretion shall deem fit, his/ her signature to be conclusive proof that the documents which bear it are authorised in terms hereof.

DESCRIPTION OF PROPERTY:

BUFFALO BAY ERF 57

NATURE OF APPLICATION:

PERMANENT DEPARTURE, AMENDMENT OF CONDITIONS OF APPROVAL & ADMINISTRATOR'S CONSENT

SIGNATURE OF SHAREHOLDERS/ PARTNERS/ TRUSTEES/ MEMBERS:

NAME:	SIGNATURE:
Gerhard Gouws	
Elsabé Gouws	

P HEYDENRYCH
57 BB

Tel: 044-3026330
Fax: 044-3026338

17 September 2007

REGISTERED MAIL

Mr R D Joubert
P O Box 50
KNYSNA
6570

Sir

PROPOSED BUILDING LINE RELAXATION: ERF 57 BUFFELS BAY

Your application dated 19 March 2007 refers.

Please be advised that the following decision was taken in respect of the above mentioned application:

1. That the Director: IEM (Region A1) be advised that the Knysna Municipality has no objection to the relaxation of the southern street building line from 4,5m to 0m and the western lateral building line from 2m to 0m on Erf 57 Buffalo Bay, in terms of Clause D(6)(b) of Deed of Transfer T127363/2004;

2. That, subject to a relaxation of the title deed condition D(6)(b) of Deed of Transfer T127363/2004 by the Director: IEM (Region A1), the departure application BE GRANTED in terms of Section 15 of the Land Use Planning Ordinance (No. 15 of 1985) for the relaxation of southern street building line from 4,5m to 0m and the western lateral building line from 2m to 0m as depicted on the attached Drawings No.: DB-75 BB-(01-03) Rev 1 dated 05 December 2006, subject to the following conditions:

    a) The building line relaxation only applies to the proposed garage and domestic worker's quarters, as applied for, and no other structures;
    b) All materials are to match those of the main dwelling;
    c) The stoep may not be enclosed at any time;
    d) The maximum amount of coverage allowable on the erf is limited 50%. The northern lateral building line is limited to 2m from the property boundary;
    e) Only one access is to be allowed onto the property, to the satisfaction of the Director: Technical Services;
    f) The placement of the septic tanks is to be to the satisfaction of the Building Control Officer;
    g) Demolition of structures is to be to the satisfaction of the Building Control Officer;

18/09/07.

h) Not more than one kitchen is to be allowed within the structure. Any additional kitchen is considered to be an additional dwelling unit. If the dwelling is found to contain an additional kitchen the Council reserves the right to take whatever action it deems necessary to rectify the situation;
i) The height of the garage may not be higher than 3m, measured from the finished floor level to the wall plate;
j) The proposed garage may at no time be used for human habitation, and the Knysna Municipality reserves the right to withdraw this approval and require removal of the structures at the owner's cost, should this at any time be found to be the case. This condition is to be brought to the attention of all future owners;
k) The garage may not be converted / used as a studio, study or place of business, and the Knysna Municipality reserves the right to withdraw this approval and require removal of the structures at the owner's cost, should this at any time be found to be the case. This condition is to be brought to the attention of all future owners;
l) Normal building plan approval in terms of the National Building Regulations shall be obtained prior to construction.

3. That the departure application BE REFUSED in terms of Section 15 of the Land Use Planning Ordinance (No. 15 of 1985) for the relaxation of the northern lateral building line from 2m to 0m for additions to the house on Erf 57 Buffalo Bay as depicted on the attached Drawings No.: DB-75 BB-(01-03) Rev 1 dated 05 December 2006, for the following reasons:

a) The building line relaxation is no longer applicable as the additions are behind the building line.

The above decision was taken by the Chief Town Planner under delegation granted by resolution of Knysna Local Municipal Council on 22 June 2004.

Your attention is further drawn to the provisions of Section 44 of the Land Use Planning Ordinance, 1985 (Ord No. 15 of 1985), in terms of which you have an alternative right of appeal, you must lodge such motivated appeal in writing to be received by the relevant authorities within **twenty-one (21) days** of date of registration of this letter.

This appeal should be addressed to:

The Director: Land Development Management
Department of Environmental Affairs and Development Planning
Chief Directorate: Development Planning
Private Bag X9086
CAPE TOWN
8000

A copy of the appeal must be served on Council simultaneously.

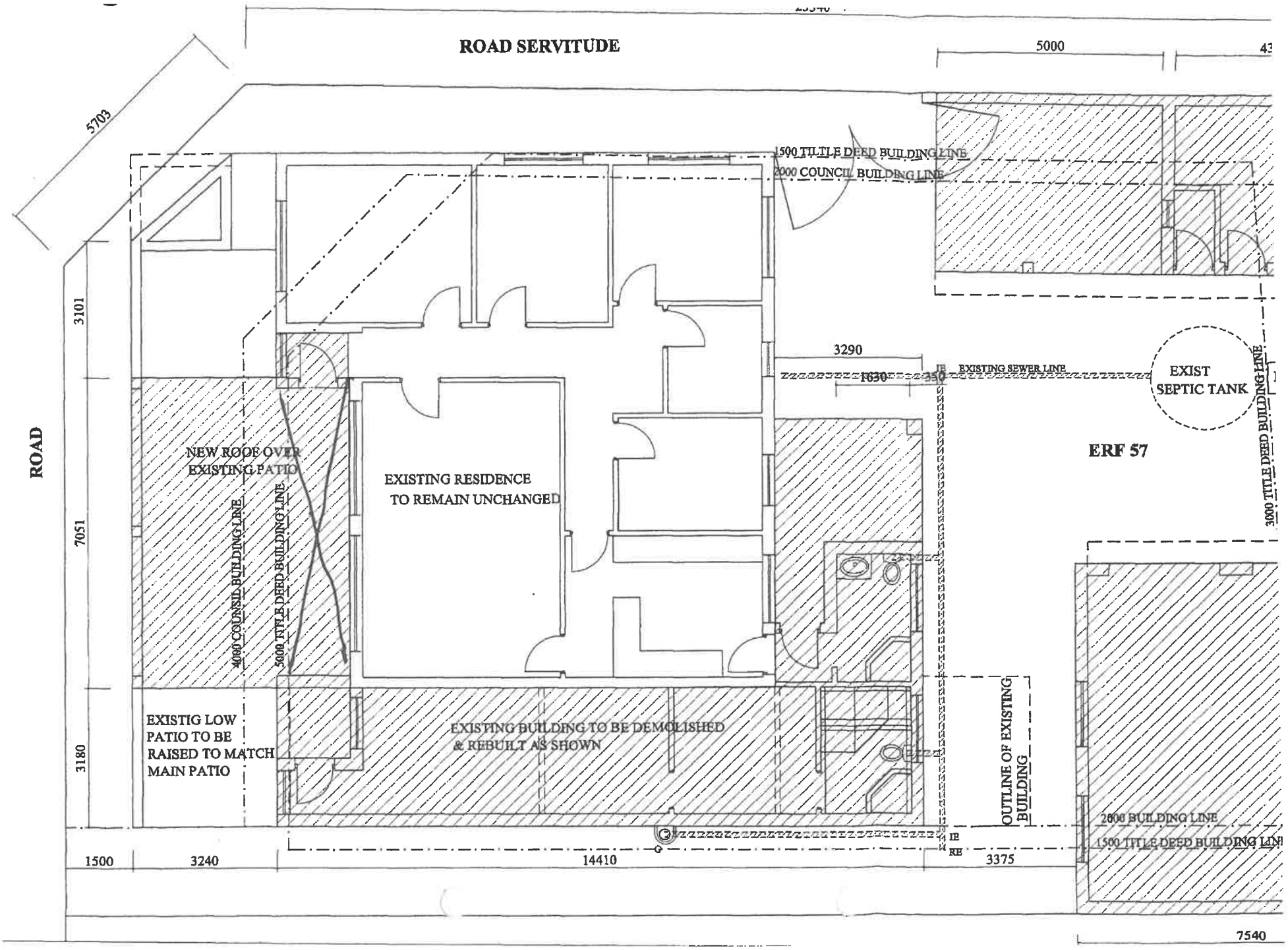
In addition, your attention is drawn to the provisions of Section 16 and /or Section 27 of Ordinance No 15 of 1985, regarding the lapsing of unutilised land use approvals (2 years in terms of Departures and Rezonings, 5 years in respect of subdivision).

Yours faithfully,



E J HILL
CHIEF TOWN PLANNER

cc: Director: Corporate Services
Director: Finance
Director: Technical Services
Director: Community Services
TEE
BCO


ROAD SERVITUDE
5000
5703
1500 TITLE DEED BUILDING LINE
2000 COUNCIL BUILDING LINE
3101
3290
1630
IE
EXISTING SEWER LINE
EXIST
SEPTIC TANK
ROAD
NEW ROOF OVER
EXISTING PATIO
EXISTING RESIDENCE
TO REMAIN UNCHANGED
ERF 57
7051
4000 COUNSIL BUILDING LINE
5000 TITLE DEED BUILDING LINE
3000 TITLE DEED BUILDING LINE
EXISTIG LOW
PATIO TO BE
RAISED TO MATCH
MAIN PATIO
EXISTING BUILDING TO BE DEMOLISHED
& REBUILT AS SHOWN
OUTLINE OF EXISTING
BUILDING
3180
2000 BUILDING LINE
1500 TITLE DEED BUILDING LINE
IE
RE
1500
3240
14410
3375
7540

Herewith do I Gerhard Gouws, duly authorised representative of Bella Sea View Porperties (Pty)Ltd, owner of Buffalo Bay Erf 57 confirm, that I agree to the registration of a new right of way servitude, accross Erf 57, in favour of the owner of Buffalo Bay Erf 56, as indicated by the figure eghjkf.

Signed: _____

Date: 08/10/2024

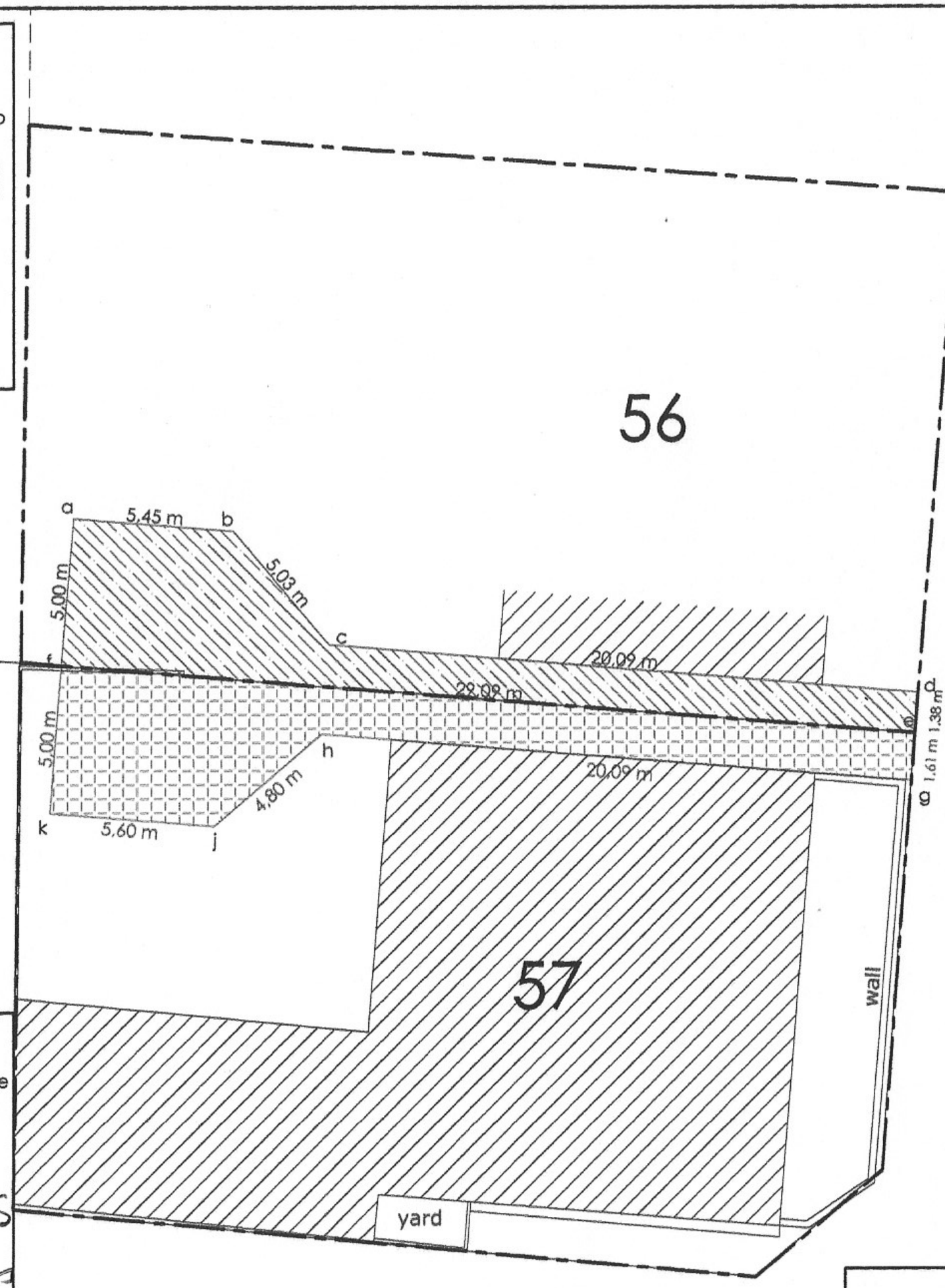
44

58

Herewith do we, Adriaan Johannes De Villiers and Susan De Villiers, registered owners of Buffalo Bay Erf 56 confirm that we agree to the registration of a new right of way servitude, accross Erf 56, in favour of the owner of Buffalo Bay Erf 57, as indicated bythe figure abcdef.

Signed: _____

Date: 8/10/24



SCALE 1:250

Graphic Scale
5m 0 5m

PLAN 3

BUFFALO BAY ERVEN 56 & 57

PROPOSED RIGHT OF WAY SERWITUDE

NOTES

1. Sizes and dimensions are approximate and subject to final survey
2. The Figure abcdef represents a right of way servitude area (±67m²) over Erf 56, in favour of Erf 57.
3. The Figure eghjkf represents a right of way servitude area (±72m²) over Erf 57, in favour of Erf 56.
4. The registration of the right of way servitudes is exempted in terms of Secrion 24(1)(f)(iv) of the Knysna Municipality's Land Use Planning Bylaw (2021).

DRAWN:	MV	CHECKED:	MV
PLAN NO:	Pr2461-BB56&57row		
PLAN DATE:	07 October 2024		
STORED:	z:\drawings\App\Pr2461\Pr2461-BB56&57row		

COPY RIGHT:

This Plan may not be copied or amended without the written consent of M Vreken

MUNICIPAL MANAGER

DATE: _____

Marike Vreken
URBAN & ENVIRONMENTAL PLANNERS
STADS & OMGEWINGSBEPLANNERS

21 Trotter Street, PO Box 2180
KNYSNA 6570

(044) 382 0420
086 459 2987
e-mail: marike@vreken.co.za
www.vreken.co.za

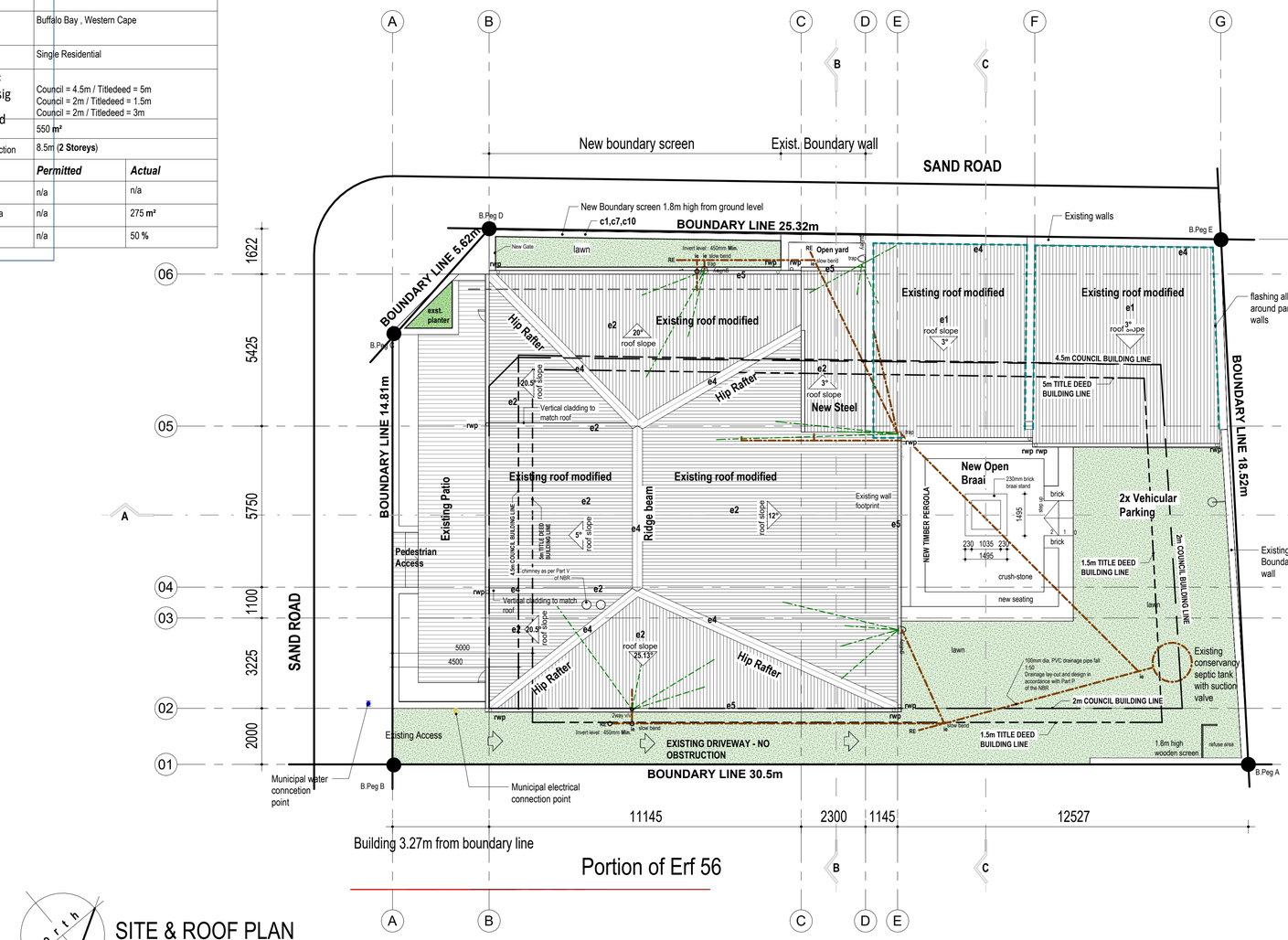
100_LEGEND OF MATERIALS

a	FNDTS
a1	REFER TO STRUCTURAL ENGINEER'S DETAILS FOR SIZE AND DEPTH OF FOOTINGS, COLUMNS & RETAINING WALLS.
a2	Provide Vertical tanking at all retaining walls, basements & level changes. POLYGLASS torch-on waterproofing membrane system fixed in accordance with manufacturer's specification. 2024/38424
b	FLOORS
b1	Concrete surface bed (min 100 mm - to Engineers Specification) on RHINO A UV 1200 GAUGE 250 micron, on min 150mm good clean hard core consolidated & treated with ant poison. Hard core fill to be compacted in layers to engineer's specification. Waterproofing membrane to be laid on surface bed and up walls to TDC to allow for floor drains with min 1:100 fall. Provide 25mm thick vertical Lambdaboard insulation, or similar and approved, up and over foundations up to surface bed and underfloor heating to be laid on surface bed in areas indicated for heating to designated areas, only where indicated, and as per specialist detail.
b2	Structural slab, supports and beams to Eng. spec. All bathroom / shower floors to be cast 85mm lower than general TOC to allow for floor drains with min 1:100 fall. Exposed slabs to be waterproofed with heavy duty torch-on waterproofing, or similar and approved, cementitious waterpro building space below slab or ground scree g space below slab. Both to be finish to spec by specialist, SANS10400-XA: Wate ecifications as per paint specialist, approved by architect.
b3	RC staircase to Architect's and engineer's detail. Where stairs are over or adjacent to interior spaces, the stair surface, risers, treads & sides should be screeded to fall & waterproofed by specialist.
b4	All threshold waterproofing, cementitious waterproofing on aluminium base outwards and torch on waterproofing from angle 1m inwards in accordance to specialist detail: Waterproofing details and specifications as per waterproofing specialist, approved by architect and client.
b5	New Selected Hardwood Decking as per spec. by specialist on concrete deck with screed to fall.
b6	Existing Timber Flooring to be repaired and replaced with matching timber where necessary, sanded and sealed to spec. and by specialist. Sample to be provided for approval. (Internal)
b7	New Timber Flooring to match existing timber grain / colour / pattern, sanded and sealed to spec. and by specialist. Sample to be provided for approval. (Internal)
b8	New cut to size klompie paver tile glued to spec on substrate, grouted to spec and approved by architect. Sample to be provided for approval. Where klompie paver occurs, then tile glued to spec on screed to falls, grouted to spec and approved by architect. All klompie paver boarders on terraces to have concrete base foundations. All klompies: Deep mechanical cleaning and sealing of klompies with matt sealant. Sample to be provided for approval.
b9	New power or hand floated (to be confirmed) good quality concrete 100mm thick 30MPa. Provide Ref 193 Steel Mesh in screed. Joint Lines @ appox 3.5 x 3.5 (Cut lines 20-30mm deep x 2.3mm wide). All as per engineer's spec. Sample of good quality matt sealant for approval by Architect.
b10	New crusher stone min. 50mm thickness over weed cover membrane on compacted fill with slight fall to drain. Colour to be confirmed and sample approved.
b11	New selected tiles 01 (Kitchen, scullery, laundry and bathrooms) on resiflex waterproofing to floor laid to min 1:100 fall as shown, with setting out points shown on site by architect. Grouting joint widths and colour to be confirmed by Architect. All floor and wall joints to line up.
b12	New selected tiles 02 on resiflex waterproofing to floor laid to min 1:100 fall as shown, with setting out points shown on site by architect. Grouting joint widths and colour to be confirmed by Architect. All floor and wall joints to line up.
b13	New pavers to spec. on dpc overlapping layers on poisoned river sand on well compacted soil. Samples to be approved by architect and client.
c	WALLS
c1	External: New clay stock bricks, jointed cement lime mix plaster to match existing and to spec, and prepared for Tyrolean textured wall finish, as per Architect's specified finish and approved sample. Apply two coats of Midas Fibreforce to all exposed horizontal surfaces, followed by two (2) coats of specified colour, Tinted to colour spec. A mottled appearance should be obtained. All new bricks to be wet before laid. GUNDLE AT BRICKGRIP DPC 250 micron under all walls and cills, brickforce every 6 courses. NOTE: Pigmented colour in waterproofed admixture to be confirmed by architect and specialist.
c1,c2	
c2	Internal: Clay stock bricks, flush jointed cement lime mix plaster to match existing and to spec. Apply primer to spec to all surfaces, followed by two (2) coats of specified colour, to be confirmed. All new bricks to be wet before laid. GUNDLE AT BRICKGRIP DPC 250 micron under all walls and cills, brickforce every 6 courses. NOTE: Colour and spec to be confirmed by architect and client.
c3	Retaining wall by Structural Engineer.
c4	RC Ring beam by Structural Engineer.
c5	Skirting, 100mm high pointed joint in plastered wall. Prepared and painted with darker tint as rest of wall, to match floor finish. Sample to be approved by architect.
c6	Existing brick walls to be repaired as per specialist spec, where necessary, and painted to spec. to match other
c7	Cementitious Waterproofing on sloped plaster to top of boundary & parapet walls, painted to spec.
c8	Balustrades & Handrails: Refer to Architects detail. To comply with SANS10400D. 1m High from FFL with no opening that permits the passage of a 100mm ball.
c9	New Timber screens clad on treated timber posts, as per spec. and by specialist.
c10	Paint: plaster to receive approved undercoat & textured paint, Midas Midamite Medium or similar approved. Colour tbc by Arch. Coastal regions to receive waterproofing layer as per approved specification.
c11	New selected tiles 01 (Kitchen, scullery, laundry and bathrooms) on resiflex waterproofing to smooth plastered walls, with setting out points shown on site by architect. Grouting joints and colour TBC. All floor and wall joints to line up. Soft joints colour to match grout. All to Approval of Architect.
c12	New selected tiles 02 (Laundry) on resiflex waterproofing to smooth plastered walls, with setting out points shown on site by architect. Grouting joints and colour TBC. All floor and wall joints to line up. Soft joints colour to match grout. All to Approval of Architect.
c13	New cut to size klompie brick tile glued to spec on plastered walls, grouted to spec and approved by architect. Joint lines to line up. Sample to be provided for approval.
d	CEILING
d1	Ceiling Insulation Provide 1x 100mm Isoboard rigid insulation, fixed under purlins. Fixing to be by specialist & approved by Arch. (Note: If 2x 50mm Isoboards are fixed, then it should be done with a deviding slipsheet, by specialist). Provide ALUBUBBLE 1983, or similar and approved, insulation over purlins under sheeting, and to drain into gutters, install according to manufacturers specification. To comply with SABS 1381 part.1&6 and SANS10400-XA.
d2	9.5mm RHINOBOARD (Internal) ceiling board by approved specialist fixed to underside of roof structure. DONN ceiling trim shadowline detail between wall & RHINOBOARD ceiling. Ensure corner and bulkhead details are allowed for, with adequate joints, to be taped, skimmed and then fully skimmed and painted, by specialist.
d3	12.5mm RHINOBOARD (External) moisture resistant ceiling board by approved specialist fixed to underside of roof structure. Allow shadowline detail between wall & ceiling. (Refer to drawings direction of ceilings) Joints taped, first skimmed over taped joints and then fully skim plastered and painted to match walls.
d4	Plaster to underside of concrete slabs, staircases & concrete beams. Plaster & paint finish to match walls; NOT skimmed. All soffits to receive drip joint to Arch. Detail.
d5	Acoustic concealed grid ceiling (Internal) inlay: Gyptone Big Line 6 with all necessary hang equipment and edgings to accommodate a plaster ceiling connection and shadow line trim, all by specialist.
d6	Timber pergola laths and structure, treated to spec, by specialist and installed to spec., with robust fixings for coastal conditions.
e	ROOF - Roof Structure to Engineer / Specialist design and to be approved by Architect
e1	Existing roof to be left as. Repair to match where necessary. All by specialist
e2	Double & or Mono Pitch (See drawings for pitch) metal sheet roof consisting of concealed fix profile 0.53mm COLORBOND ULTRA AZ200 sheeting. Colour to be confirmed by Architect. Fasteners to be Class 4 and installed according to manufacturer's specification. Sheets to overlap at joints by specialist. Roof structure by eng. Shop drawings to be submitted to Architect for approval.
e3	Double & or Mono Pitch (See drawings for pitch) metal sheet roof consisting of concealed fix profile (thickness to be confirmed) painted sheeting. Finish to be confirmed by Architect. Fasteners to be Class 4 and installed per manufacturer's specification. Sheets to overlap at joints by specialist. Roof structure by Eng. Shop drawings to be submitted to Architect for approval.
e4	Sheet Metal Roof Flashing to be manufactured from 0.55mm COLORBOND G300 flashing feed, painted as per specialist, color to match roof sheeting. 10 x 150 Nutec Fascia board painted same as wall. Shop drawings to be submitted to Architect for approval.
e5	Seemless pre-coated aluminium "Ogee" gutters and rectangular downpipes, all to match roof colour. Colour to be confirmed by Architect. Sizes TBC by engineer/specialist & approved by Architect.
e6	Masonry Construction Chimney / Stainless or Black coated Steel Turbo Cowl with flue pipes, to be confirmed. Cowl and flue by specialist, refer to Architect's detail. All chimneys to comply with 'SANS 10400 Part V'. Note: All flue pipes to be insulated as per specialist where exposed to flammable material - ie. Ceilings etc.
f	DOORS & WINDOWS - Glazing to comply with SANS10400 Part N.
f1	All new doors, windows and external shutters to be powder coated Aluminium. Refer to door and window schedules. Colour to be confirmed by Architect.
f2	Existing steel windows and doors, including glazing and ironmongery, to be repaired / replaced to spec., where necessary.
f3	Sloped plastered & waterproof cill, with built in dpc & drip to Architect's detail & painted to spec.
f4	Cavities for Pocket windows & doors, Cavity depth to be min 100mm deeper than slider length. Cavity walls to be bagged & primed with black flintcoat full height & width (all walls) Discrepancy max. 20mm over entire length/height/width. Cavity floors to be sealed with Resiflex both sides of angle & min 2 brick courses all around.

SCHEDULE OF RIGHTS

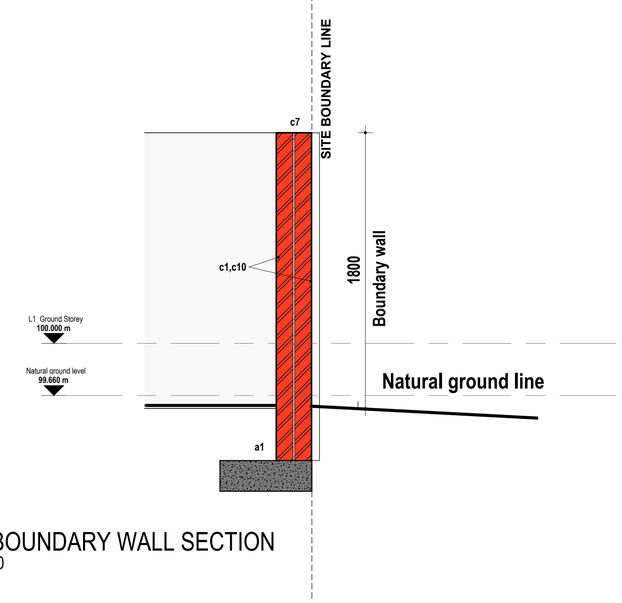
Erf Nr:	57	
Street Adress:	Buffalo Bay , Western Cape	
Zoning:	Single Residential	
Building Lines: On Street: Sides: Back:	Council = 4.5m / Titledeed = 5m Council = 2m / Titledeed = 1.5m Council = 2m / Titledeed = 3m	
Erf Area:	550 m²	
Height Restriction	8.5m (**2 Storeys**)	
	Permitted	***Actual***
Bulk @	n/a	n/a
Coverage Area	n/a	275 m²
Coverage	n/a	50 %

Knysna Municipality
KNYSNA MUNISIPALITEIT PLAN No 2024/38424
SOEGEKEUR/APPROVED
Volgens die NBR WET No 103 van 1977 soos gewysig
According to NBR Act No 103 of 1977 as amended
SIGNED DATE: 2024-10-05





SITE & ROOF PLAN
SCALE 1:100



SITE BOUNDARY WALL SECTION
Scale 1:20

ABBREVIATION LEGEND

AFFL	Above Finished Floor Level
b	bath
bd	bidet
bc	broom cupboard
bo	beam over
BOC	Bottom Of Concrete
bic	Built in cupboard
c st	combustion stove
cu	Condenser Unit
db	Distrubution Board
fbo	fullbore outlet
fz	freezer
dpc	damp proof course
dw	dishwasher
ej	expansion joint
fd	floor drain
fr	fridge
FFL	finished floor level
gh	gas hob
hp	Heat Pump
GL	Ground Level
hwb	hand wash basin
lo	lintel over (measured from FFL)
mic	microwave
ms	matt sinking
mv	Mechanical Ventilation
ov	built-in oven
ox	Overhead Extractor
pb	preparation bowl
rl	rooflight over
rwp	rain water pipe
s	sink
shr	shower
so	slab over (measured from FFL)
st	stove
su	Splitter Unit
td	tumble dryer
t	trough
tbc	to be confirmed
TOC	Top Of Concrete
vc	vanity cupboard
vs	vanity shelf
wc	water closet
wm	washing machine
wt	worktop

DRAINAGE & PIPING

ie	inspection eye
g	gulley
gt	garden tap
g+t	gulley & tap
re	rodding eye
ss	soil stack
wp	waste pipe
sp	soil pipe
vp	ventilation pipe
mh	manhole
vv	vent valve

All waste & soil pipes to have a minimum fall of 1:60 and to be concrete encased when below surface beds

- 100mmØ uPVC soil pipe
- 50mmØ uPVC waste pipe
- 40mmØ uPVC ventilation pipe
- 1100 uPVC rwdp to minimum fall of 1:100
- 15-20mmØ Class2 Copper Gas piping

general notes:

No amendments or alteration are to be made in the specifications of labour and material documents. Full set of the latest drawings to be in the site office at all times. JBCC 6.2 May 2018 applies "The contractor shall keep a representative competent to administer and control the works continuously on the site during the execution of the works."
The contractor and sub-contractors shall insure their workmen in terms of the *COID Act of 1997* and shall indemnify the employer from any claim there under. Contractor and site practice to comply with Occupational Health and Safety Act, No.85 of 1993.

Building to be set out by a registered Land Surveyor.
Final levels of buildings to be confirmed with architect.
Contractor to make adjustments on UFFL to allow for floor finish as specified to get to final FFL as on drawings. All external concrete slabs to step lower than unfinished ground level at door thresholds.

Room Areas indicated on floor plans are internal floor areas and do not account for walls and therefore will not correlate with the Gross Building Areas.

All existing trees and vegetation to be protected against any damage.

All specified brand name materials to be in strict accordance with manufactures specifications & details. Shop drawings to be presented to architect for approval before ANY SPECIALIST installation can commence. All materials, finishes and glazing to conform to SANS & SABS approved, wherever applicable.

SUPERVISION BY ARCHITECT
The architect is not expected to carry out continuous supervision: his inspections are for the benefit of the employer, not the contractor and do not relieve the latter of any of his contractual obligations. In the event of any matter arising which the contractor considers of such importance that the architect must be consulted, every reasonable attempt shall be made by the contractor to communicate with him before proceeding with the point at issue. It must, however, be borne in mind that the architect is employed to ensure correct compliance with the terms of this drawing, proper building procedures in accordance with the best traditions of the various trades and adequate finishes as specified and to his satisfaction. The architect is thus in no way responsible for any act or omission on the part of the contractor, which may result in any patent or latent defects in materials of workmanship, breach or neglect of any local regulations. The contractor therefore remains at all times responsible for any such neglect, deviation or wrong act, whether the same be discovered before or after the final certificate, or any other certificate, is approved.

DRAINAGE

STORMWATER
Stormwater & surface sw layout to engineer's detail

WET SERVICES
ALL DRAINAGE MUST COMPLY WITH THE NATIONAL BUILDING REGULATIONS PART P. AND SABS 0400. Sewerage lines and water reticulation strictly according to SANS10252/1 and 1025/2/2.
ALL DRAINAGE PIPES passing under through buildings or any building structures are to comply with NBR with RE's installed at ingress and egress points of drains under such buildings or structures. Rodding Eye (RE) at all Soil Pipe branches and change of directions. RE's to be positioned to allow maximum 25m rodding distance. RE at the highest point of any drain.
ALL DRAIN & DISCHARGE PIPES installed within buildings shall be accessed by means of a screwed or bottled airtight cover. Provide ALPRO tiled (or respective finish) . Removable access panels/covers to all baths(except free-standing) and vertical pipe stacks or ducts - covers to be approved by Architect prior to installation.
ALL VENTILATION PIPE installations must comply to NBR regarding positioning. All soil/stack/vent and waste pipes to be PVC and concealed into walls. All soil pipes in ground to be pvc as specified on drawings.

All drainage pipes to be accessible. Water reticulation pipes to be brought in on level 400mm above FFL in close proximity of fittings as shown. Allow for 1x water point to all private gardens and over every gully. Final positions will be shown on detail layout drawings. Hot water geysers in positions shown and must comply with SABS 0254. 75mm deep waterseal 'P'-trap or resealing type 'P'-trap to all waste fittings. Waste pipes to be accessible along their entire lengths. Inspection eye (IE) at all Pipe junctions. IE's within 1200mm of upper extremities of branch drains. Anti-siphon/Anti-vac bottle traps and vent valves to all pipes exceeding 1200mm drops at traps and invert levels and if required for the one pipe systems.

POSITION OF ALL PIPE LINES ON SITE TO BE MARKED OUT AND CONFIRMED BY ARCHITECT BEFORE ANY DIGGING COMMENCES

Architect: C Malan
Pr Arch 21016
Date: 2024.05.21

Client
Date: 2024.05.21

No.	Description	Date
1	SK1 Issue to client and council submission	2024.05.21
2	Revised issue to council	2024.06.11
3	Revised issue to council following amendment letter dated 2024.08.28: Pergola removed and building lines indicated. Ex. garage shown	2024.09.05
4	Adjustments made to front terrace and coverage	2024.09.12
5	Adjustments made according to survey and council requirements	2024.09.20

issue status
FOR LOCAL AUTHORITY APPROVAL

notes

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company

SOLVATION ARCHITECTS INTERIORS
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M: +27(0)82 903 6907 // E: cm@solvation.co.za
Mobi Med Trading (Pty) Ltd t/a Solvation Architects (Reg no. 2015/174575/07 & VAT no. 4670295890)

project title
Bella Sea View Properties (Pty) Ltd
Alterations
ERF 57 - Buffalo Bay, Western Cape

drawing title
SITE INFO & ROOF PLAN + AREA DIAGRAM

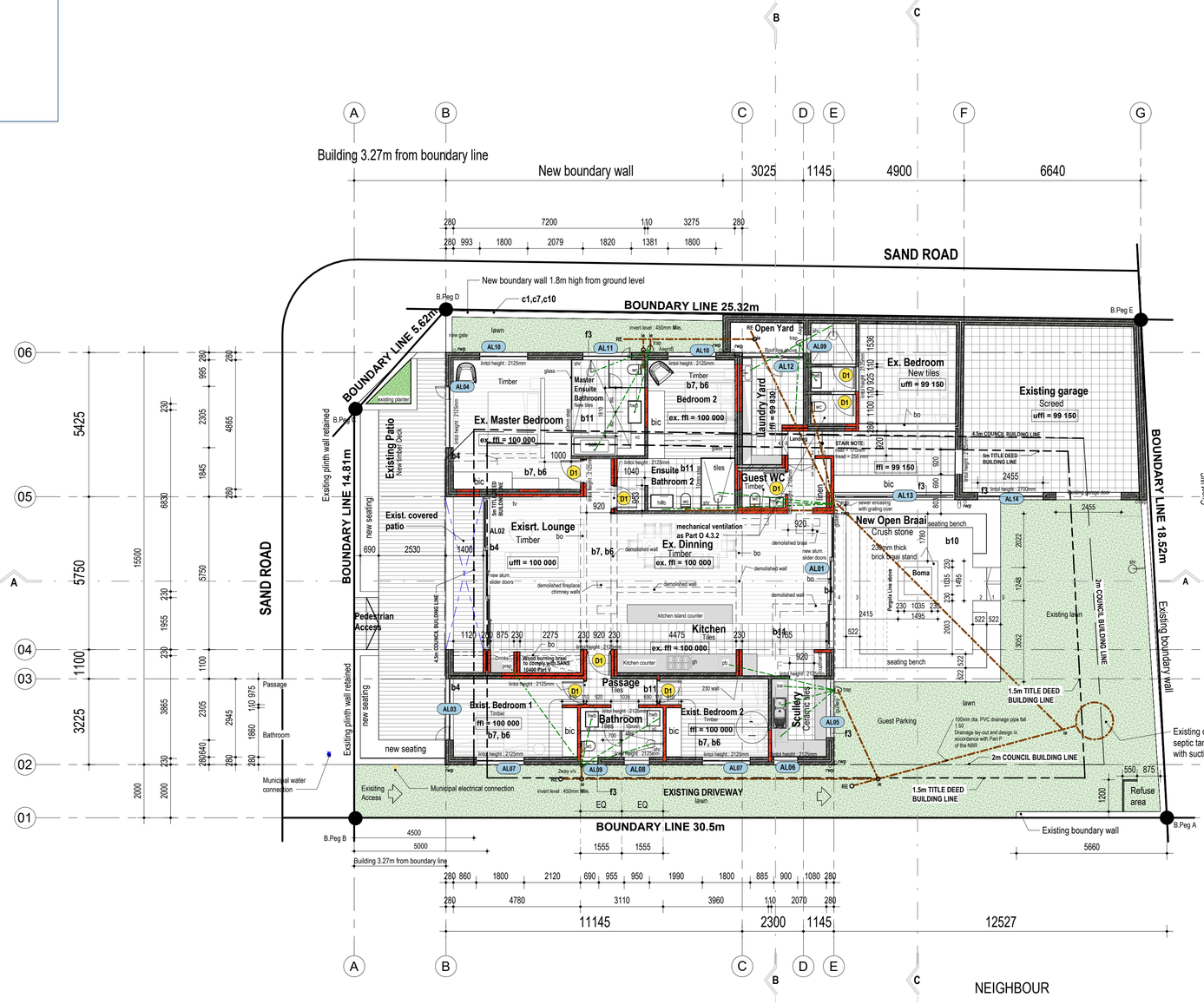
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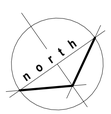
2024/09/20 13:25:06

100_LEGEND OF MATERIALS

a	FNDTS
a1	REFER TO STRUCTURAL ENGINEER'S DETAIL FOUNDATION DRAWINGS FOR SIZE AND DEPTH OF FOOTINGS,
a2	Provide Vertical tanking at all retaining walls, basements & level changes. POLYGLASS torch-on waterproofing membrane system fixed in accordance with manufacturers spec.
b	KNYSNA MUNISIPALITEIT PLAN No 2024/38424
b1	Concrete surface bed (min 100 mm - to Engineers Specification), on GUNDLE AT USB GREEN 250 micron, on min 1 GOEDGEKEUR/APPROVED treated with ant poison. Hard core fill to be compacted in layers to engineer's specification. All bathroom / shower floors to be cast 85mm lower than general TOC to allow for floor drains with min 1:100 fall. Lambdaboard insulation, or similar and approved, up and over foundations up to surface bed and wall membrane. Install underfloor electric floor heating to bathroom floors as per specification. Provide insulation as per SANS 10400-XA
b2	Structural slab, supports and beams to Eng. spec. All bathroom / shower floors to be cast 85mm lower than general TOC to allow for floor drains with min 1:100 fall. Exposed slabs to be waterproofed with heavy duty torch-on waterproofing, or similar and approved, by specialist & internal building space below slab or cementitious water ding space below slab. Both to be applied on top of s th finish to spec [adhere to approved by archit d specifications as per SANS 10400-XA
b3	RC staircase to Ar s detail. Where stairs are over or adjacent to interior spaces, the stair surface, risers, treads & sides should be screeded to fall & waterproofed by specialist.
b4	All threshold waterproofing, cementitious waterproofing on aluminium base outwards and torch on waterproofing from angle 1m inwards in accordance to specialist detail. Waterproofing details and specifications as per waterproofing specialist, approved by architect and client
b5	New Selected Hardwood Decking as per spec. by specialist on concrete deck with screed to fall.
b6	Existing Timber Flooring to be repaired and replaced with matching timber where necessary, sanded and sealed to spec. and by specialist. Sample to be provided for approval. (Internal)
b7	New Timber Flooring to match existing timber grain / colour / pattern, sanded and sealed to spec. and by specialist. Sample to be provided for approval. (Internal)
b8	New cut to size klompie paver tile glued to spec on substrate, grouted to spec and approved by architect. Sample to be provided for approval. Where klompie paver occurs, then tile glued to spec on screed to falls, grouted to spec and approved by architect. All klompie paver boarders on terraces to have concrete base foundations. All klompies: Deep mechanical cleaning and sealing of klompies with matt sealant. Sample to be provided for approval.
b9	New power or hand floated (to be confirmed) good quality concrete 100mm thick 30MPa. Provide Ref 193 Steel Mesh in screed. Joint Lines @ appox 3.5 x 3.5 (Cut lines 20-30mm deep x 2.3mm wide). All as per engineer's spec. Sample of good quality matt sealant for approval by Architect.
b10	New crusher stone min. 50mm thickness over weed cover membrane on compacted fill with slight fall to drain. Colour to be confirmed and sample approved
b11	New selected tiles 01 (Kitchen, scullery, laundry and bathrooms) on resiflex waterproofing to floor laid to min 1:100 fall as shown, with setting out points shown on site by architect. Grouting joint widths and colour to be confirmed by Architect. All floor and wall joints to line up.
b12	New selected tiles 02 on resiflex waterproofing to floor laid to min 1:100 fall as shown, with setting out points shown on site by architect. Grouting joint widths and colour to be confirmed by Architect. All floor and wall joints to line up.
b13	New pavers to spec. on dpc overlapping layers on poisoned river sand on well compacted soil. Samples to be approved by architect and client.
c	WALLS
c1	External: New clay stock bricks, jointed cement lime mix plaster to match existing and to spec, and prepared for Tyrolean textured wall finish, as per Architect's specified finish and approved sample. Apply two coats of Midas Fibreforce to all exposed horizontal surfaces, followed by two (2) coats of specified colour, Tinted to colour spec. A mottled appearance should be obtained. All new bricks to be wet before laid. GUNDLE AT BRICKGRIP DPC 250 micron under all walls and cills, brickforce every 6 courses. NOTE: Pigmented colour in waterproofed admixture to be confirmed by architect and specialist
c1.c2	
c2	Internal: Clay stock bricks, flush jointed cement lime mix plaster to match existing and to spec. Apply primer to spec to all surfaces, followed by two (2) coats of specified colour, to be confirmed. All new bricks to be wet before laid. GUNDLE AT BRICKGRIP DPC 250 micron under all walls and cills, brickforce every 6 courses. NOTE: Colour and spec to be confirmed by architect and client.
c3	Retaining wall by Structural Engineer.
c4	RC Ring beam by Structural Engineer.
c5	Skirting, 100mm high pointed joint in plastered wall. Prepared and painted with darker tint as rest of wall, to match floor finish. Sample to be approved by architect.
c6	Existing brick walls to be repaired as per specialist spec, where necessary, and painted to spec. to match other
c7	Cementitious Waterproofing on sloped plaster to top of boundary & parapet walls, painted to spec.
c8	Balustrades & Handrails: Refer to Architects detail. To comply with SANS10400D. 1m High from FFL with no opening that permits the passage of a 100mm ball.
c9	New Timber screens clad on treated timber posts, as per spec. and by specialist.
c10	Paint: plaster to receive approved undercoat & textured paint, Midas Midamite Medium or similar approved. Colour tbc by Arch. Coastal regions to receive waterproofing layer as per approved specification.
c11	New selected tiles 01 (Kitchen, scullery, laundry and bathrooms) on resiflex waterproofing to smooth plastered walls, with setting out points shown on site by architect. Grouting joints and colour TBC. All floor and wall joints to line up. Soft joints colour to match grout. All to Approval of Architect.
c12	New selected tiles 02 (Laundry) on resiflex waterproofing to smooth plastered walls, with setting out points shown on site by architect. Grouting joints and colour TBC. All floor and wall joints to line up. Soft joints colour to match grout. All to Approval of Architect.
c13	New cut to size klompie brick tile glued to spec on plastered walls, grouted to spec and approved by architect. Joint lines to line up. Sample to be provided for approval.
d	CEILING
d1	Ceiling Insulation Provide 1x 100mm Isoboard rigid insulation, fixed under purlins. Fixing to be by specialist & approved by Arch. (Note: If 2x 50mm Isoboards are fixed, then it should be done with a deviding slipsheet, by specialist). Provide ALUBUBBLE 1983, or similar and approved, insulation over purlins under sheeting, and to drain into gutters, install according to manufacturers specification. To comply with SABS 1381 part 1&6 and SANS10400-XA.
d2	9.5mm RHINOBOARD (Internal) ceiling board by approved specialist fixed to underside of roof structure. DONN ceiling trim shadowline detail between wall & RHINOBOARD ceiling. Ensure corner and bulkhead details are allowed for, with adequate joints, to be taped, skimmed and then fully skimmed and painted, by specialist.
d3	12.5mm RHINOBOARD (External) moisture resistant ceiling board by approved specialist fixed to underside of roof structure. Allow shadowline detail between wall & ceiling. (Refer to drawings direction of ceilings) Joints taped, first skimmed over taped joints and then fully skim plastered and painted to match walls.
d4	Plaster to underside of concrete slabs, staircases & concrete beams. Plaster & paint finish to match walls; NOT skimmed. All soffits to receive drip joint to Arch. Detail.
d5	Acoustic concealed grid ceiling (Internal) inlay: Gyptone Big Line 6 with all necessary hang equipment and edgings to accommodate a plaster ceiling connection and shadow line trim, all by specialist.
d6	Timber pergola laths and structure, treated to spec, by specialist and installed to spec., with robust fixings for coastal conditions.
e	ROOF - Roof Structure to Engineer / Specialist design and to be approved by Architect
e1	Existing roof to be left as. Repair to match where necessary. All by specialist
e2	Double & or Mono Pitch (See drawings for pitch) metal sheet roof consisting of concealed fix profile 0.53mm COLORBOND ULTRA AZ200 sheeting. Colour to be confirmed by Architect. Fasteners to be Class 4 and installed according to manufacturer's specification. Sheets to overlap at joints by specialist. Roof structure by eng. Shop drawings to be submitted to Architect for approval.
e3	Double & or Mono Pitch (See drawings for pitch) metal sheet roof consisting of concealed fix profile (thickness to be confirmed) painted sheeting. Finish to be confirmed by Architect. Fasteners to be Class 4 and installed per manufacturer's specification. Sheets to overlap at joints by specialist. Roof structure by Eng. Shop drawings to be submitted to Architect for approval.
e4	Sheet Metal Roof Flashing to be manufactured from 0.55mm COLORBOND G300 flashing feed, painted as per specialist, color to match roof sheeting. 10 x 150 Nutec Fascia board painted same as wall. Shop drawings to be submitted to Architect for approval.
e5	Seemless pre-coated aluminium "Ogee" gutters and rectangular downpipes, all to match roof colour. Colour to be confirmed by Architect. Sizes TBC by engineer/specialist & approved by Architect.
e6	Masonry Construction Chimney / Stainless or Black coated Steel Turbo Cowl with flue pipes, to be confirmed. Cowl and flue by specialist, refer to Architect's detail. All chimneys to comply with 'SANS 10400 Part V'. Note: All flue pipes to be insulated as per specialist where exposed to flammable material - ie. Ceilings etc.
f	DOORS & WINDOWS - Glazing to comply with SANS10400 Part N.
f1	All new doors, windows and external shutters to be powder coated Aluminium. Refer to door and window schedules. Colour to be confirmed by Architect.
f2	Existing steel windows and doors, including glazing and ironmongery, to be repaired / replaced to spec., where necessary.
f3	Sloped plastered & waterproof cill, with built in dpc & drip to Architect's detail & painted to spec.
f4	Cavities for Pocket windows & doors, Cavity depth to be min 100mm deeper than slider length. Cavity walls to be bagged & primed with black flintcoat full height & width (all walls) Discrepancy max. 20mm over entire length/height/width. Cavity floors to be sealed with Resiflex both sides of angle & min 2 brick courses all around.

KNYSNA MUNISIPALITEIT
GOEDGEKEUR/APPROVED
Volgens die NBR - Wet No 103 van 1977 soos gewysig
According to NBR - Act No 103 of 1977 as amended
SIGNED: DATE: 2024-05-05





Ground Floor plan

Scale 1:100

ABBREVIATION LEGEND

AFFL	Above Finished Floor Level
b	bath
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Architect: C Malan
Pr Arch 21016
Date: 2024.05.21

Client
Date: 2024.05.21

No.	Description	Date
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4	Adjustments made to front terrace and coverage	2024.09.12
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issue status

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company

SOLVATION ARCHITECTS INTERIORS
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Professional Architects (*Practice number PM0099582*)
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M: +27(0)82 903 6907 // E: cm@solvation.co.za
Mobi Med Trading (Pty) Ltd t/a Solvation Architects (*Reg no. 2015/774575/07 & VAT no. 4670295890*)

project title

Bella Sea View Properties (Pty) Ltd
Alterations
ERF 57 - Buffalo Bay, Western Cape

drawing title

GROUND FLOOR PLAN

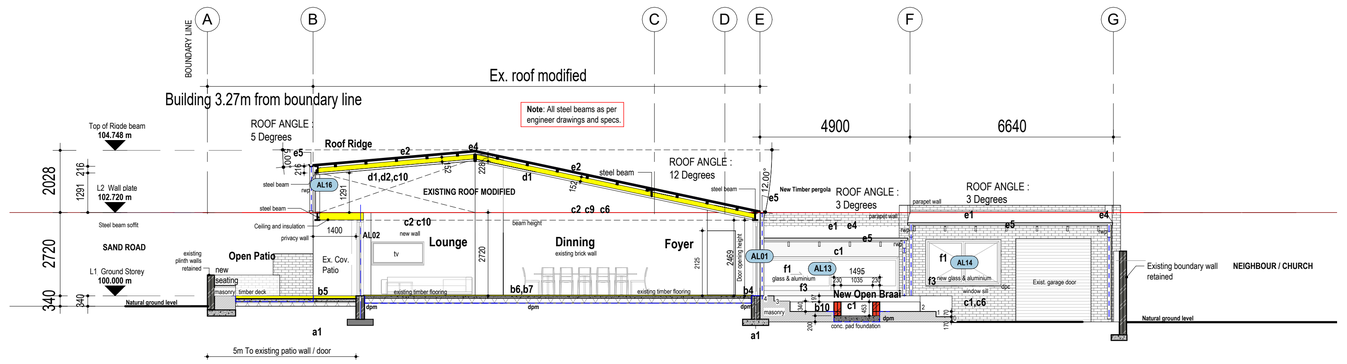
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100_LEGEND OF MATERIALS

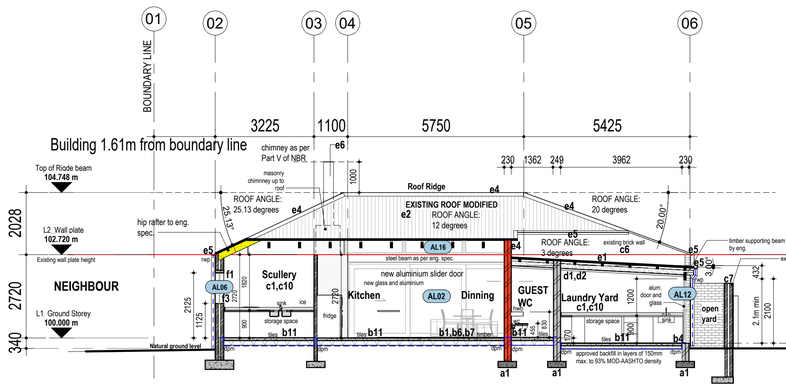
a	FNDTS
a1	REFER TO STRUCTURAL ENGINEER'S DETAILS FOR SIZE AND DEPTH OF FOOTINGS, COLUMNS & RETAINING WALLS.
a2	Provide Vertical tanking at all retaining walls, basements & level changes. POLYGLASS torch-on waterproofing membrane system fixed in accordance with manufacturer's specification. 2024/38424
b	FLOORS
b1	Concrete surface bed (min 100 mm - to Engineers Specification) on DURO A on USB GREEN 250 micron, on min 150mm good, clean hard compactable, pre-treated with ant poison. Hard core fill to be compacted in layers to engineer's specification. Waterproofing membrane to be laid over surface bed and up walls to DPC. Provide 110mm uPVC SWPipes at 1:100 fall to DC to allow for roof drains with min 1:100 fall. Provide 25mm thick vertical Lambdaboard insulation, or similar and approved, up and over foundations on to surface bed and under slab to form a thermal break between slab and walls where heating to designated areas, only where indicated, and as per specialist detail.
b2	Structural slab, supports and beams to Eng. spec. All bathroom / shower floors to be cast 85mm lower than general TOC to allow for floor drains with min 1:100 fall. Exposed slabs to be waterproofed with heavy duty torch-on waterproofing, or similar and approved, cementitious waterproofing to the underside of building space below slab or adopted screed to the top of space below slab. Both to be SANS10400-XA. Water inish to spec by specialist, approved by architect. verifications as per plant specialist. 2024-10-05
b3	RC staircase to Architect s and engineer s detail. Where stairs are over or adjacent to interior spaces, the stair surface, risers, treads & sides should be screeded to fall & waterproofed by specialist
b4	All threshold waterproofing, cementitious waterproofing on aluminium base outwards and torch on waterproofing from angle 1m inwards in accordance to specialist detail. Waterproofing details and specifications as per waterproofing specialist, approved by architect and client.
b5	New Selected Hardwood Decking as per spec. by specialist on concrete deck with screed to fall.
b6	Existing Timber Flooring to be repaired and replaced with matching timber where necessary, sanded and sealed to spec. and by specialist. Sample to be provided for approval. (Internal)
b7	New Timber Flooring to match existing timber grain / colour / pattern, sanded and sealed to spec, and by specialist. Sample to be provided for approval. (Internal)
b8	New cut to size klompie paver tile glued to spec on substrate, grouted to spec and approved by architect. Sample to be provided for approval. Where klompie paver occurs, then tile glued to spec on screed to falls, grouted to spec and approved by architect. All klompie paver boarders on terraces to have concrete base foundations. All klompies: Deep mechanical cleaning and sealing of klompies with matt sealant. Sample to be provided for approval.
b9	New power or hand floated (to be confirmed) good quality concrete 100mm thick 30MPa. Provide Ref 193 Steel Mesh in screed. Joint Lines @ appox 3.5 x 3.5 (Cut lines 20-30mm deep x 2.3mm wide). All as per engineer's spec. Sample of good quality matt sealant for approval by Architect.
b10	New crusher stone min. 50mm thickness over weed cover membrane on compacted fill with slight fall to drain. Colour to be confirmed and sample approved
b11	New selected tiles 01 (Kitchen, scullery, laundry and bathrooms) on resiflex waterproofing to floor laid to min 1:100 fall as shown, with setting out points shown on site by architect. Grouting joint widths and colour to be confirmed by Architect. All floor and wall joints to line up.
b12	New selected tiles 02 on resiflex waterproofing to floor laid to min 1:100 fall as shown, with setting out points shown on site by architect. Grouting joint widths and colour to be confirmed by Architect. All floor and wall joints to line up.
b13	New pavers to spec. on dpc overlapping layers on poisoned river sand on well compacted soil. Samples to be approved by architect and client.
c	WALLS
c1	External: New clay stock bricks, jointed cement lime mix plaster to match existing and to spec, and prepared for Tyrolean textured wall finish, as per Architect's specified finish and approved sample. Apply two coats of Midas Fibrefroce to all exposed horizontal surfaces, followed by two (2) coats of specified colour. Tinted to colour spec. A mottled appearance should be obtained. All new bricks to be wet before laid. GUNDLE AT BRICKGRIP DPC 250 micron under all walls and cills, brickforce every 6 courses. NOTE: Pigmented colour in waterproofed admixture to be confirmed by architect and specialist.
c1.c 2	
c2	Internal: Clay stock bricks, flush jointed cement lime mix plaster to match existing and to spec. Apply primer to spec to all surfaces, followed by two (2) coats of specified colour, to be confirmed. All new bricks to be wet before laid. GUNDLE AT BRICKGRIP DPC 250 micron under all walls and cills, brickforce every 6 courses. NOTE: Colour and spec to be confirmed by architect and client.
c3	Retaining wall by Structural Engineer.
c4	RC Ring beam by Structural Engineer.
c5	Skirting, 100mm high pointed joint in plastered wall. Prepared and painted with darker tint as rest of wall, to match floor finish. Sample to be approved by architect.
c6	Existing brick walls to be repaired as per specialist spec, where necessary, and painted to spec. to match other
c7	Cementitious Waterproofing on sloped plaster to top of boundary & parapet walls, painted to spec.
c8	Balustrades & Handrails: Refer to Architects detail. To comply with SANS10400D. 1m High from FFL with no opening that permits the passage of a 100mm ball.
c9	New Timber screens clad on treated timber posts, as per spec. and by specialist.
c10	Paint: plaster to receive approved undercoat & textured paint. Midas Midamite Medium or similar approved. Colour tbc by Arch. Coastal regions to receive waterproofing layer as per approved specification.
c11	New selected tiles 01 (Kitchen, scullery, laundry and bathrooms) on resiflex waterproofing to smooth plastered walls, with setting out points shown on site by architect. Grouting joints and colour TBC. All floor and wall joints to line up. Soft joints colour to match grout. All to Approval of Architect.
c12	New selected tiles 02 (Laundry) on resiflex waterproofing to smooth plastered walls, with setting out points shown on site by architect. Grouting joints and colour TBC. All floor and wall joints to line up. Soft joints colour to match grout. All to Approval of Architect.
c13	New cut to size klompie brick tile glued to spec on plastered walls, grouted to spec and approved by architect. Joint lines to line up. Sample to be provided for approval.
d	CEILING
d1	Ceiling Insulation Provide 1x 100mm Isoboard rigid insulation, fixed under purlins. Fixing to be by specialist & approved by Arch. (Note: If 2x 50mm Isoboards are fixed, then it should be done with a deviding slipsheet, by specialist). Provide ALUBUBBLE 1983, or similar and approved, insulation over purlins under sheeting, and to drain into gutters, install according to manufacturers specification. To comply with SABS 1381 part 1&6 and SANS10400-XA.
d2	9.5mm RHINOBOARD (Internal) ceiling board by approved specialist fixed to underside of roof structure. DONN ceiling trim shadowline detail between wall & RHINOBOARD ceiling. Ensure corner and bulkhead details are allowed for, with adequate joints, to be taped, skimmed and then fully skimmed and painted, by specialist.
d3	12.5mm RHINOBOARD (External) moisture resistant ceiling board by approved specialist fixed to underside of roof structure. Allow shadowline detail between wall & ceiling. (Refer to drawings direction of ceilings) Joints taped, first skimmed over taped joints and then fully skim plastered and painted to match walls.
d4	Plaster to underside of concrete slabs, staircases & concrete beams. Plaster & paint finish to match walls; NOT skimmed. All soffits to receive drip joint to Arch. Detail.
d5	Acoustic concealed grid ceiling (Internal) inlay: Gyptone Big Line 6 with all necessary hang equipment and edgings to accommodate a plaster ceiling connection and shadow line trim, all by specialist.
d6	Timber pergola laths and structure, treated to spec, by specialist and installed to spec., with robust fixings for coastal conditions.
e	ROOF - Roof Structure to Engineer / Specialist design and to be approved by Architect
e1	Existing roof to be left as. Repair to match where necessary. All by specialist
e2	Double & or Mono Pitch (See drawings for pitch) metal sheet roof consisting of concealed fix profile 0.53mm COLORBOND ULTRA AZ200 sheeting. Colour to be confirmed by Architect. Fasteners to be Class 4 and installed according to manufacturer's specification. Sheets to overlap at joints by specialist. Roof structure by eng. Shop drawings to be submitted to Architect for approval.
e3	Double & or Mono Pitch (See drawings for pitch) metal sheet roof consisting of concealed fix profile (thickness to be confirmed) painted sheeting. Finish to be confirmed by Architect. Fasteners to be Class 4 and installed per manufacturer's specification. Sheets to overlap at joints by specialist. Roof structure by Eng. Shop drawings to be submitted to Architect for approval.
e4	Sheet Metal Roof Flashing to be manufactured from 0.55mm COLORBOND G300 flashing feed, painted as per specialist, color to match roof sheeting. 10 x 150 Nutec Fascia board painted same as wall. Shop drawings to be submitted to Architect for approval.
e5	Seemless pre-coated aluminium "Ogee" gutters and rectangular downpipes, all to match roof colour. Colour to be confirmed by Architect. Sizes TBC by engineer/specialist & approved by Architect.
e6	Masonry Construction Chimney / Stainless or Black coated Steel Turbo Cowl with flue pipes, to be confirmed. Cowl and flue by specialist, refer to Architect's detail. All chimneys to comply with 'SANS 10400 Part V'. Note: All flue pipes to be insulated as per specialist where exposed to flammable material - ie. Ceilings etc.
f	DOORS & WINDOWS - Glazing to comply with SANS10400 Part N.
f1	All new doors, windows and external shutters to be powder coated Aluminium. Refer to door and window schedules. Colour to be confirmed by Architect.
f2	Existing steel windows and doors, including glazing and ironmongery, to be repaired / replaced to spec., where necessary.
f3	Sloped plastered & waterproof cill, with built in dpc & drip to Architect's detail & painted to spec.
f4	Cavities for Pocket windows & doors, Cavity depth to be min 100mm deeper than slider length. Cavity walls to be bagged & primed with black flintcoat full height & width (all walls) Discrepancy max. 20mm over entire length/height/width. Cavity floors to be sealed with Resiflex both sides of angle & min 2 brick courses all around.

Knysna Municipality
KNYSNA MUNISIPALITEIT PLAN No 2024/38424
GOEDGEKEUR/APPROVED
Voldoen die NBR : WET No. 103 van 1977 soos gewysig
According to NBR: Act No.103 of 1977 as amended
SIGNED: DATE:



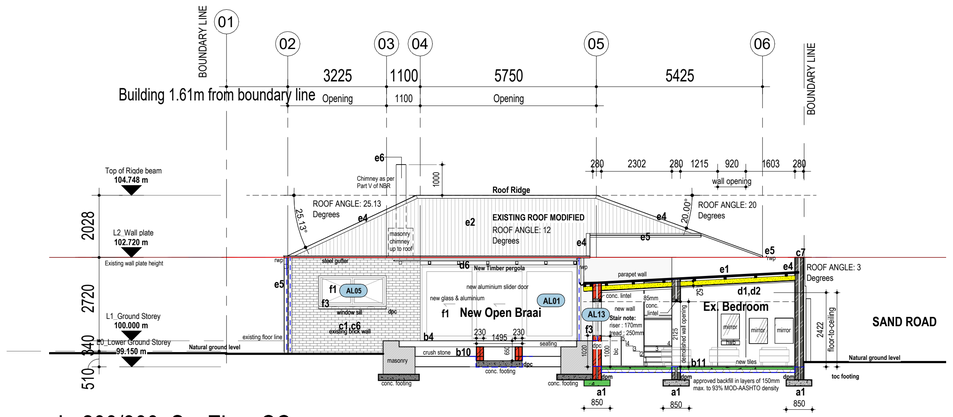
L_200/300_SecElev_AA

Scale 1 : 100



L_200/300_SecElev_BB

Scale 1 : 100



L_200/300_SecElev_CC

Scale 1 : 100

ABBREVIATION LEGEND

AFFL	Above Finished Floor Level
b	bath
bd	bidet
bc	broom cupboard
bo	beam over
BOC	Bottom Of Concrete
bic	Built in cupboard
c st	combustion stove
cu	Condenser Unit
db	Distrubution Board
fbo	fullbore outlet
fz	freezer
dpc	damp proof course
dw	dishwasher
ej	expansion joint
fd	floor drain
fr	fridge
FFL	finished floor level
gh	gas hob
hp	Heat Pump
GL	Ground Level
hwb	hand wash basin
lo	lintel over (measured from FFL)
mic	microwave
ms	matt sinking
mv	Mechanical Ventilation
ov	built-in oven
ox	Overhead Extractor
pb	preparation bowl
rl	rooflight over
rwp	rain water pipe
s	sink
shr	shower
so	slab over (measured from FFL)
st	stove
su	Splitter Unit
td	tumble dryer
t	trough
tbc	to be confirmed
TOC	Top Of Concrete
vc	vanity cupboard
vs	vanity shelf
wc	water closet
wm	washing machine
wt	worktop

DRAINAGE & PIPING

ie	inspection eye
g	gulley
gt	garden tap
g+t	gulley & tap
re	rodding eye
ss	soil stack
wp	waste pipe
sp	soil pipe
vp	ventilation pipe
mh	manhole
vv	vent valve

All waste & soil pipes to have a minimum fall of 1:60 and to be concrete encased when below surface beds

- 100mmØ uPVC soil pipe
- 50mmØ uPVC waste pipe
- 40mmØ uPVC ventilation pipe
- 110Ø uPVC rwdp to minimum fall of 1:100
- 15-20mmØ Class2 Copper Gas piping

general notes:

No amendments or alteration are to be made in the specifications of labour and material documents. Full set of the latest drawings to be in the site office at all times. JBCC 6.2 May 2018 applies "The contractor shall keep a representative competent to administer and control the works continuously on the site during the execution of the works."
The contractor and sub-contractors shall insure their workmen in terms of the *COID Act of 1997* and shall indemnify the employer from any claim there under. Contractor and site practice to comply with Occupational Health and Safety Act, No.85 of 1993.

Building to be set out by a registered Land Surveyor.
Final levels of buildings to be confirmed with architect.
Contractor to make adjustments on UFFL to allow for floor finish as specified to get to final FFL as on drawings. All external concrete slabs to step lower than unfinished ground level at door thresholds.

Room Areas indicated on floor plans are internal floor areas and do not account for walls and therefore will not correlate with the Gross Building Areas.

All existing trees and vegetation to be protected against any damage.

All specified brand name materials to be in strict accordance with manufactures specifications & details. Shop drawings to be presented to architect for approval before ANY SPECIALIST installation can commence. All materials, finishes and glazing to conform to SANS & SABS approved, wherever applicable.

SUPERVISION BY ARCHITECT
The architect is not expected to carry out continuous supervision: his inspections are for the benefit of the employer, not the contractor and do not relieve the latter of any of his contractual obligations. In the event of any matter arising which the contractor considers of such importance that the architect must be consulted, every reasonable attempt shall be made by the contractor to communicate with him before proceeding with the point at issue. It must, however, be borne in mind that the architect is employed to ensure correct compliance with the terms of this drawing, proper building procedures in accordance with the best traditions of the various trades and adequate finishes as specified and to his satisfaction. The architect is thus in no way responsible for any act or omission on the part of the contractor, which may result in any patent or latent defects in materials of workmanship, breach or neglect of any local regulations. The contractor therefore remains at all times responsible for any such neglect, deviation or wrong act, whether the same be discovered before or after the final certificate, or any other certificate, is approved.

Architect: C Malan
Pr Arch 21016
Date: 2024.05.21

Client
Date: 2024.05.21

No.	Description	Date
1	SK1 Issue to client and council submission	2024.05.21
2	Revised issue to council	2024.06.11
3	Revised issue to council following amendment letter dated 2024.08.28: Pergola removed and building lines indicated. Ex. garage shown	2024.09.05
4	Adjustments made to front terrace and coverage	2024.09.12
5	Adjustments made according to survey and council requirements	2024.09.20

issue status

FOR LOCAL AUTHORITY APPROVAL

notes

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company

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Mobi Med Trading (Pty) Ltd t/a Solvation Architects (Reg no. 2015/114573/07 & VAT no. 4670295890)

project title

Bella Sea View Properties (Pty) Ltd
Alterations
ERF 57 - Buffalo Bay, Western Cape

drawing title

SECTIONS

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Knysna Municipality

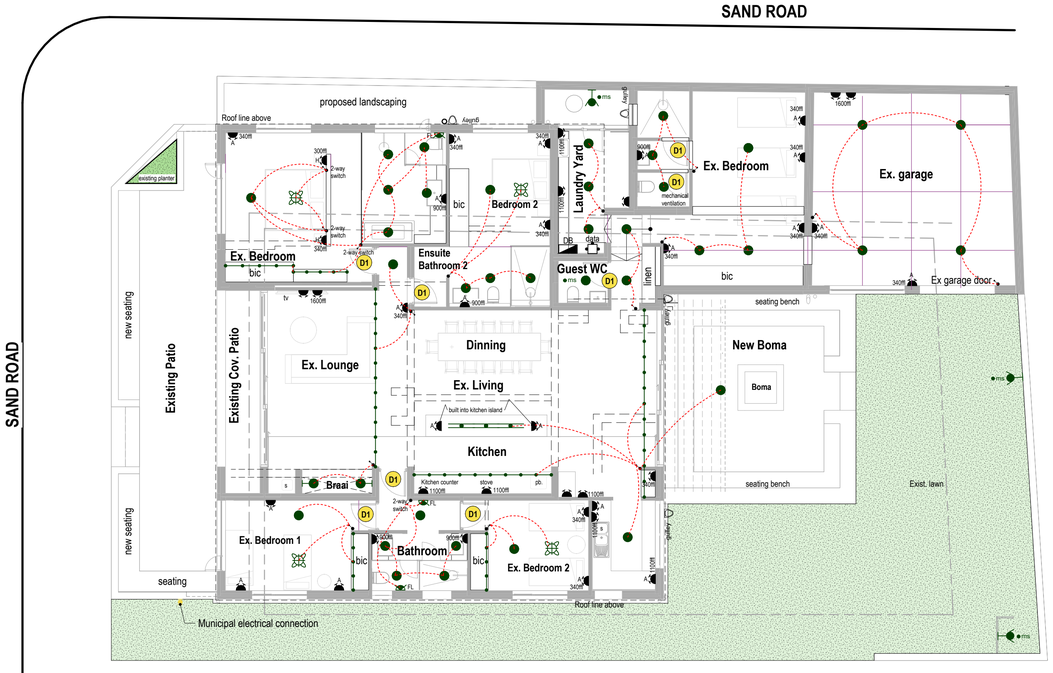
KNYSNA MUNISIPALITEIT PLAN No 2024/38424

GOEDGEKEUR/APPROVED

Volgens die NBR. WET No 103 van 1977 soos gewysig

According to NBR. ACT No 103 of 1977 as amended

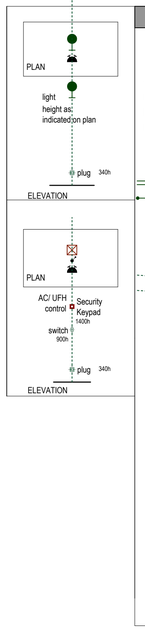
SIGNED: DATE: 2024-10-05



north

Electrical plan

Scale 1:100



ELECTRICAL LEGEND

- Recessed LED down lighter - Internal
- Recessed LED down lighter - External
- Surface mounted ceiling light
- Pendant/Chandelier light point
- Wall mounted light point - Internal **(height as indicated)**
- Wall mounted light point - Watertight/External **(height as indicated)**
- Watertight pool light **(by Pool Specialist)** - Colour to be approved by Architect
- Wall mounted Footlight 510h or as indicated on drawing
- Directional Truss spot LED
- Track lighting with LED spots
- LED Strip Light as per schedule
- Watertight LED Deck Light
- Watertight LED spike light on armor cable
- Ceiling mounted fan
- Manual light switch, 900h
- Dimmer light circuit
- 2 Way light circuit
- Stove / oven isolator switch 1100h
- Ceiling Mounted Motion Switch
- Day/night switch positioned out of sight & painted to Spec, colour of wall
- Double 15 amp plug, **(340h or as indicated on drawings)**
- Double 15 amp floor plug
- Watertight 15 amp plug, **(340h or as indicated on drawings)**
- Computer 15 amp double plug+ data connection point, **(340h or as indicated on drawings)**
- Wall mounted Remote, **(900h or as indicated on drawings)**
- Wall mounted underfloor heating control unit 900h
- Shaver socket outlet, **(1400h or as indicated on drawings)**
- Geyser connection point
- Outlet for electrical point **(Purpose specified on plan)**
- Distribution board
- TEL Telephone point, **(1400h or as indicated on drawings)**
- INT Intercom point, **(handset 900h and AV 1400h or as indicated on drawings)**
- Wifi Router connection point **(340h or as indicated on drawings. Specialist to confirm conduit sizes and circuit layout, all network points to be connected throughout house**
- Irrigation control box, **(1400h or as indicated on drawings)**
- DSTV satellite dish, final position to be approved by Architect
- 1240 Indicated Height above Finished Floor Level

PLUG CONFIGURATION

A. Single socket RSA combination (4x4 - 4 Module): 1x 3-pin & 1x 2-pin

B. Double socket RSA combination (8 Module): 2x 3-pin & 2x 2-pin

C. Single socket RSA combination (6 Module): 1x 3-pin & 2x 2-pin & Dual USB

D. Double socket RSA combination (1x 4x4 - 6 Module & 1x 4x4 - 4 Module): 2x 3-pin (6 Mod.) & 1x 3-pin + 1x 2-pin (4 Mod.)

E. Double socket RSA combination (1x 2x4 - Oven isolator switch & 1x 4x4 - 6 Module): 1x 3-pin & 2x 2-pin

F. Single socket RSA combination (6 Module): 1x 3-pin & 2x 2-pin & 1x TV point

G. All general bedroom headboards - Double socket RSA combination (1x 4x4 - 4 Module & 1x 4x4 - 4 Module): Light / Fan switches (4 Mod.) & Dual USB & 2-pin (4 Mod.)

H. Main bedroom headboard - Double socket RSA combination (1x 4x4 - 4 Module & 1x 4x4 - 4 Module): Light / Fan switches (4 Mod.) & Dual USB & 2-pin (4 Mod.)

J. **Above**: Single socket RSA combination (1x 4x4 - 6 Module): F Type TV point & 1x Single USB & 1x 3-pin (4 Mod.)

Below: Double socket RSA combination (8 Module): 2x 3-pin & 2x 2-pin

2 x 32mm dia conduit

Bc dm rate or as per detail 2 ways

ALL TV POINTS TO CONNECT BACK TO SOUND MAIN BOX

NOTE:
1. USB = Neutral and live connections
2. Single USB = 1 Module & Dual USB = 2 Modules
3. If a Shuko 2-pin or multistandard socket is specified then provide for blanks and installation at later stage
4. 2x4 Switches installed vertically

ELECTRICAL INSTALLATION SPECIFICATION

The electrical contractor is to calculate the total load required and allow therefore in the installation (where applicable 3 Phase connection to be provided)

The existing electrical council connection, the required connection and the electrical loads as calculated are to be submitted to architect before any work begins.

To be carried out in strict accordance with plans issued by architect or electrical consultant and all applicable by-laws and regulations. All conduits to be laid in concrete surface bed, concrete slabs and roof construction and built into walls where necessary. Conduits must be fixed to the switches and socket casings with two lock nuts.

Plugs and switch height refer to legend . ALL TO LINE UP VERTICALLY and HORIZONTALLY.

Make allowance for taking delivery, storing and erecting all the fittings. No electrical conduit may penetrate through any water or damp proofing. All switches, plugs and cover plates to be of same colour and make, unless otherwise specified.

Positions for Electrical points to be marked out on site and approved by Architect before commencing with electrical installation

Refer to Mentis plaster mesh spec. for cut walls. Overlap cut lines with 150mm both sides of cutlines

No chasing of walls after plastering will be allowed, any affected wall to be completely re-finished at the electrical contractors account.

EARTHING
Any additional and new installation must be properly earthed per standard regulations including all hot and cold water pipes. Earth leakage unit to be provided.

LIGHTNING PROTECTION (WHERE SPECIFIED)
Lightning protection by specialist to incorporate air termination conductor runs, down conductor bonding and earth terminations - all in accordance with SABS code 03 (1985). Conduits to be provided to avoid surface mountings - layout to be submitted to architect for approval prior installation.

TELEPHONE POINTS
The electrician must make arrangements with Telkom and third parties to ensure the most convenient points for telephone incoming lines and boxes are established. This should be confirmed with Architect. 25mm Conduiting to be taken from this point to telephone boards and points in positions indicated on plans fitted with switch boxes and coverplates to confirmed heights. Draw wires are to be left in the conduiting and clearly marked. Provide cover plates to 100 x 75 telephone outlets.

INTERCOM POINTS
Provide intercom points and connect in series with 25mm diameter conduits. Draw-wires and draw-boxes to be provided. Position confirmed with Architect.

T.V. CONNECTIONS
For aerial and satellite dishes only provide 25mm diameter conduit from switchboxes (confirm position), with cover plates linked together to central point from which conduit must lead to aerial outlet box. Position of aerial and dish to be confirmed with architect.

ELECTRICAL SWITCH AND PLUGS
ALL switch gear & plug heights TO BE CONFIRMED
All conduits to be 19mm (to be confirmed with and put in writing by specialist).
Switch gear and covers to be used in conjunction with home automation.
Multi-gang surround to be used behind beds and where needed.

GEYSERS / HOT WATER SYSTEMS
Geysers to be installed according to manufacturer's specification.
All geysers are to be installed in series. The installation needs to accommodate loadsharing.
All warm water systems to be designed by specialist. If a ringmain is required, the layout should be designed, drawn and specified by specialist for approval by architect. A plantroom layout should accompany this drawing / specification. This includes the suggested specification for the swimming pool.

SWITCH GEAR
Legrand Arteor, colour and sample to be approved by Architect before order is placed.

DISTRIBUTION BOARDS
All cable clusters to be grouped, colour marked and labelled to architect's satisfaction.

general notes:

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The contractor and sub-contractors shall insure their workmen in terms of the *COID Act of 1997* and shall indemnify the employer from any claim there under. Contractor and site practice to comply with Occupational Health and Safety Act, No.85 of 1993.

Building to be set out by a registered Land Surveyor.
Final levels of buildings to be confirmed with architect.
Contractor to make adjustments on UFFL to allow for floor finish as specified to get to final FFL as on drawings. All external concrete slabs to step lower than unfinished ground level at door thresholds.

Room Areas indicated on floor plans are internal floor areas and do not account for walls and therefore will not correlate with the Gross Building Areas.

All existing trees and vegetation to be protected against any damage.

All specified brand name materials to be in strict accordance with manufactures specifications & details. Shop drawings to be presented to architect for approval before ANY SPECIALIST installation can commence. All materials, finishes and glazing to conform to SANS & SABS approved, wherever applicable.

SUPERVISION BY ARCHITECT
The architect is not expected to carry out continuous supervision; his inspections are for the benefit of the employer, not the contractor and do not relieve the latter of any of his contractual obligations. In the event of any matter arising which the contractor considers of such importance that the architect must be consulted, every reasonable attempt shall be made by the contractor to communicate with him before proceeding with the point at issue. It must, however, be borne in mind that the architect is employed to ensure correct compliance with the terms of this drawing, proper building procedures in accordance with the best traditions of the various trades and adequate finishes as specified and to his satisfaction. The architect is thus in no way responsible for any act or omission on the part of the contractor, which may result in any patent or latent defects in materials of workmanship, breach or neglect of any local regulations. The contractor therefore remains at all times responsible for any such neglect, deviation or wrong act, whether the same be discovered before or after the final certificate, or any other certificate, is approved.

Architect: C Malan
Pr Arch 21016
Date: 2024.05.21

Client
Date: 2024.05.21

No.	Description	Date
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issue status

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company

SOLVATION ARCHITECTS INTERIORS
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Professional Architects (*Practice number PM1000502*)
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M: +27(0)82 903 6907 // E: cm@solvation.co.za
Mobi Med Trading (Pty) Ltd t/a Solvation Architects (*Reg no. 2015/714575/07 & VAT no. 4670295890*)

project title

Bella Sea View Properties (Pty) Ltd
Alterations
ERF 57 - Buffalo Bay, Western Cape

drawing title

ELECTRICAL PLAN

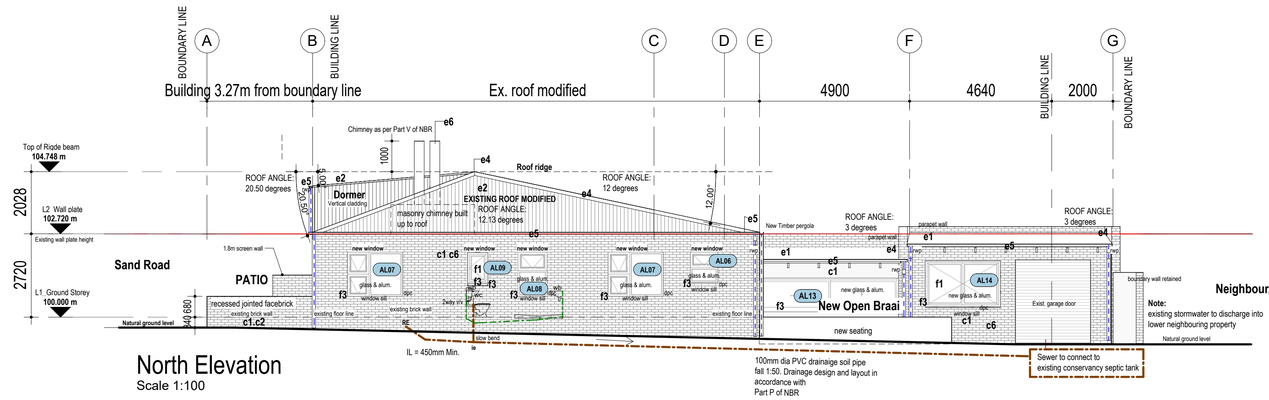
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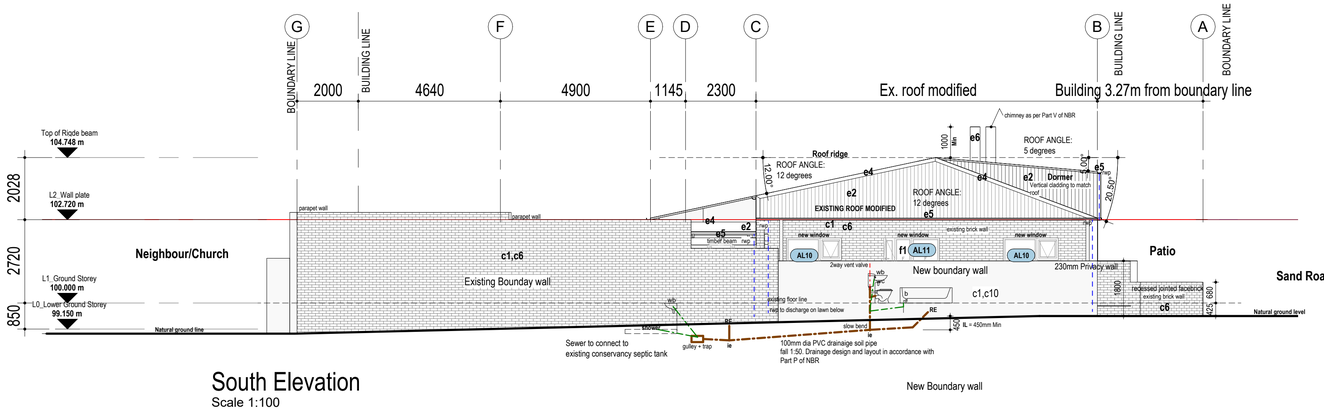
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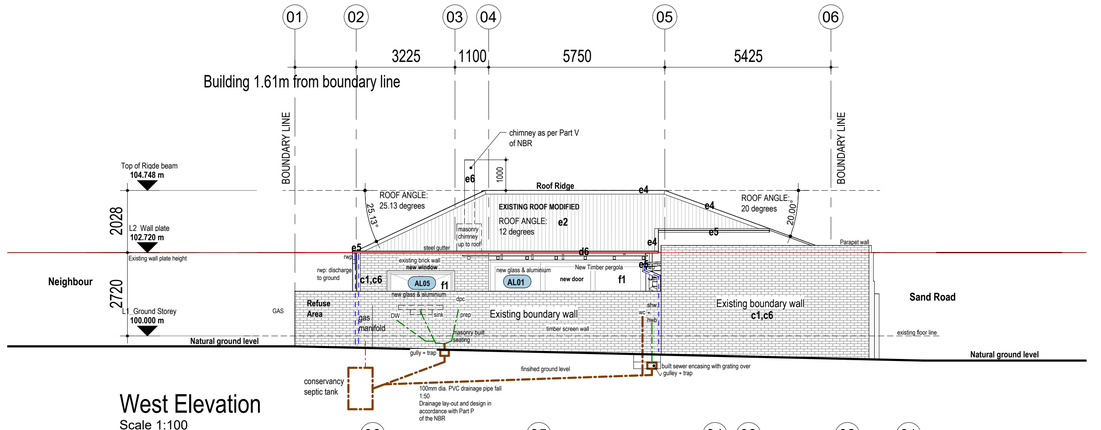
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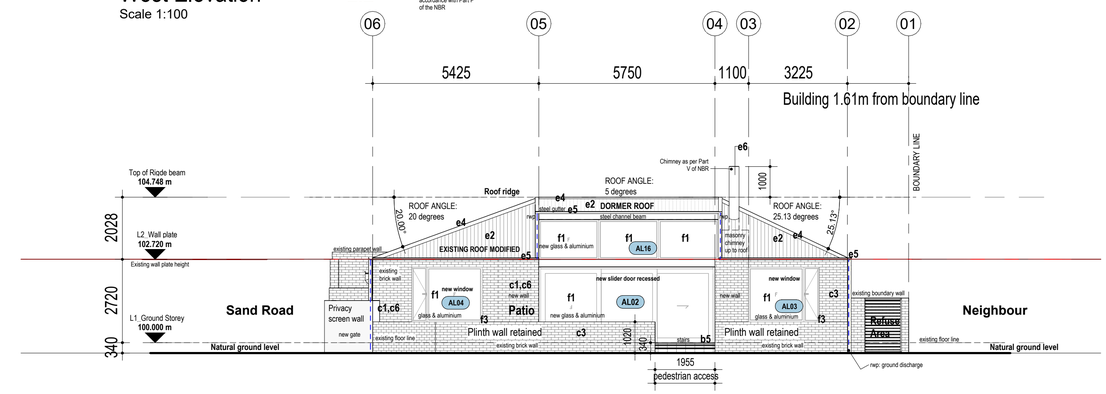
a	FNDTS
a1	REFER TO STRUCTURAL ENGINEER'S DETAIL FOUNDATION DRAWINGS FOR SIZE AND DEPTH OF FOOTINGS, COLUMNS & RETAINING WALLS.
a2	Provide Vertical tanking at all retaining walls, basements & level changes.
b	FLOORS
b1	Concrete surface bed (min 100 mm USB GREEN 250 micron, on min 150mm good, clean hard core consolidated fill treated with [illegible] specification. All bedroom shower floors to be laid to fall to floor channel trap grid. TOC to allow for floor drains with min 1:100 fall. Provide 25mm thick vertical Lambdaboard around perimeter of surface bed. Provide underfloor heating to surface bed and wall connections, to all habitable rooms. Provide underfloor heating to designated areas, only where indicated, and as per specialist detail.
b2	Structural slab, supports and beams to Eng. spec. All bathroom / shower floors to be cast 85mm lower than general TOC to allow for floor drains with min 1:100 fall. Exposed slabs to b[illegible] savy duty torch-on waterproofing, or similar and approv[illegible] nal building space below slab or cementitious water[illegible] ding space below slab. Both to be applied to top of s[illegible] ith finish to specification to SANS10400-B]. W[illegible] d specifications as per paint specialist, approved by architect and client.
b3	RC staircase to Architect's and Engineer's detail. Where stairs are over or adjacent to interior spaces, the stair surface, risers, treads & sides should be screeded to fall & waterproofed by specialist
b4	All threshold waterproofing, cementitious waterproofing on aluminium base outwards and torch on waterproofing from angle 1m inwards in accordance to specialist detail. Waterproofing details and specifications as per waterproofing specialist, approved by architect and client
b5	New Selected Hardwood Decking as per spec. by specialist on concrete deck with screed to fall.
b6	Existing Timber Flooring to be repaired and replaced with matching timber where necessary, sanded and sealed to spec. and by specialist. Sample to be provided for approval. (Internal)
b7	New Timber Flooring to match existing timber grain / colour / pattern, sanded and sealed to spec. and by specialist. Sample to be provided for approval. (Internal)
b8	New cut to size klompie paver tile glued to spec on substrate, grouted to spec and approved by architect. Sample to be provided for approval. Where klompie paver occurs, then tile glued to spec on screed to falls, grouted to spec and approved by architect. All klompie paver boarders on terraces to have concrete base foundations. All klompies: Deep mechanical cleaning and sealing of klompies with matt sealant. Sample to be provided for approval.
b9	New power or hand floated (to be confirmed) good quality concrete 100mm thick 30MPa. Provide Ref 193 Steel Mesh in screed. Joint Lines @ appox 3.5 x 3.5 (Cut lines 20-30mm deep x 2.3mm wide). All as per engineer's spec. Sample of good quality matt sealant for approval by Architect.
b10	New crusher stone min. 50mm thickness over weed cover membrane on compacted fill with slight fall to drain. Colour to be confirmed and sample approved
b11	New selected tiles 01 (Kitchen, scullery, laundry and bathrooms) on resiflex waterproofing to floor laid to min 1:100 fall as shown, with setting out points shown on site by architect. Grouting joint widths and colour to be confirmed by Architect. All floor and wall joints to line up.
b12	New selected tiles 02 on resiflex waterproofing to floor laid to min 1:100 fall as shown, with setting out points shown on site by architect. Grouting joint widths and colour to be confirmed by Architect. All floor and wall joints to line up.
b13	New pavers to spec. on dpc overlapping layers on poisoned river sand on well compacted soil. Samples to be approved by architect and client.
c	WALLS
c1	External: New clay stock bricks, jointed cement lime mix plaster to match existing and to spec, and prepared for Tyrolean textured wall finish, as per Architect's specified finish and approved sample. Apply two coats of Midas Fibreforce to all exposed horizontal surfaces, followed by two (2) coats of specified colour, Tinted to colour spec. A mottled appearance should be obtained. All new bricks to be wet before laid. GUNDLE AT BRICKSKRIP DPC 250 micron under all walls and cills, brickforce every 6 courses. NOTE: Pigmented colour in waterproofed admixture to be confirmed by architect and specialist.
c1.c 2	
c2	Internal: Clay stock bricks, flush jointed cement lime mix plaster to match existing and to spec. Apply primer to spec to all surfaces, followed by two (2) coats of specified colour, to be confirmed. All new bricks to be wet before laid. GUNDLE AT BRICKSKRIP DPC 250 micron under all walls and cills, brickforce every 6 courses. NOTE: Colour and spec to be confirmed by architect and client.
c3	Retaining wall by Structural Engineer.
c4	RC Ring beam by Structural Engineer.
c5	Skirting, 100mm high pointed joint in plastered wall. Prepared and painted with darker tint as rest of wall, to match floor finish. Sample to be approved by architect.
c6	Existing brick walls to be repaired as per specialist spec, where necessary, and painted to spec. to match other
c7	Cementitious Waterproofing on sloped plaster to top of boundary & parapet walls, painted to spec.
c8	Balustrades & Handrails: Refer to Architects detail. To comply with SANS10400D. 1m High from FFL with no opening that permits the passage of a 100mm ball.
c9	New Timber screens clad on treated timber posts, as per spec. and by specialist.
c10	Paint: plaster to receive approved undercoat & textured paint, Midas Midamite Medium or similar approved. Colour tbc by Arch. Coastal regions to receive waterproofing layer as per approved specification.
c11	New selected tiles 01 (Kitchen, scullery, laundry and bathrooms) on resiflex waterproofing to smooth plastered walls, with setting out points shown on site by architect. Grouting joints and colour TBC. All floor and wall joints to line up. Soft joints colour to match grout. All to Approval of Architect.
c12	New selected tiles 02 (Laundry) on resiflex waterproofing to smooth plastered walls, with setting out points shown on site by architect. Grouting joints and colour TBC. All floor and wall joints to line up. Soft joints colour to match grout. All to Approval of Architect.
c13	New cut to size klompie brick tile glued to spec on plastered walls, grouted to spec and approved by architect. Joint lines to line up. Sample to be provided for approval.
d	CEILING
d1	Ceiling Insulation Provide 1x 100mm Isoboard rigid insulation, fixed under purlins. Fixing to be by specialist & approved by Arch. (Note: If 2x 50mm Isoboards are fixed, then it should be done with a dividing slipsheet, by specialist). Provide ALUBUBBLE 1983, or similar and approved, insulation over purlins under sheeting, and to drain into gutters, install according to manufacturers specification. To comply with SABS 1381 part 1&6 and SANS10400-XA.
d2	9.5mm RHINOBOARD (Internal) ceiling board by approved specialist fixed to underside of roof structure. DONN ceiling trim shadowline detail between wall & RHINOBOARD ceiling. Ensure corner and bulkhead details are allowed for, with adequate joints, to be taped, skimmed and then fully skimmed and painted, by specialist.
d3	12.5mm RHINOBOARD (External) moisture resistant ceiling board by approved specialist fixed to underside of roof structure. Allow shadowline detail between wall & ceiling. (Refer to drawings direction of ceilings) Joints taped, first skimmed over taped joints and then fully skim plastered and painted to match walls.
d4	Plaster to underside of concrete slabs, staircases & concrete beams. Plaster & paint finish to match walls; NOT skimmed. All soffits to receive drip joint to Arch. Detail
d5	Acoustic concealed grid ceiling (Internal) inlay: Gyptone Big Line 6 with all necessary hang equipment and edgings to accommodate a plaster ceiling connection and shadow line trim, all by specialist.
d6	Timber pergola laths and structure, treated to spec, by specialist and installed to spec., with robust fixings for coastal conditions.
e	ROOF - Roof Structure to Engineer / Specialist design and to be approved by Architect
e1	Existing roof to be left as. Repair to match where necessary. All by specialist
e2	Double & or Mono Pitch (See drawings for pitch) metal sheet roof consisting of concealed fix profile 0.53mm COLORBOND ULTRA AZ200 sheeting. Colour to be confirmed by Architect. Fasteners to be Class 4 and installed according to manufacturer's specification. Sheets to overlap at joints by specialist. Roof structure by eng. Shop drawings to be submitted to Architect for approval.
e3	Double & or Mono Pitch (See drawings for pitch) metal sheet roof consisting of concealed fix profile (thickness to be confirmed) painted sheeting. Finish to be confirmed by Architect. Fasteners to be Class 4 and installed per manufacturer's specification. Sheets to overlap at joints by specialist. Roof structure by Eng. Shop drawings to be submitted to Architect for approval.
e4	Sheet Metal Roof Flashing to be manufactured from 0.55mm COLORBOND G300 flashing feed, painted as per specialist, color to match roof sheeting. 10 x 150 Nutec Fascia board painted same as wall. Shop drawings to be submitted to Architect for approval.
e5	Seemless pre-coated aluminium "Ogee" gutters and rectangular downpipes, all to match roof colour. Colour to be confirmed by Architect. Sizes TBC by engineer/specialist & approved by Architect
e6	Masonry Construction Chimney / Stainless or Black coated Steel Turbo Cowl with flue pipes, to be confirmed. Cowl and flue by specialist, refer to Architect's detail. All chimneys to comply with 'SANS 10400 Part V'. Note: All flue pipes to be insulated as per specialist where exposed to flammable material - ie. Ceilings etc.
f	DOORS & WINDOWS - Glazing to comply with SANS10400 Part N.
f1	All new doors, windows and external shutters to be powder coated Aluminium. Refer to door and window schedules. Colour to be confirmed by Architect.
f2	Existing steel windows and doors, including glazing and ironmongery, to be repaired / replaced to spec., where necessary.
f3	Sloped plastered & waterproof cill, with built in dpc & drip to Architect's detail & painted to spec.
f4	Cavities for Pocket windows & doors, Cavity depth to be min 100mm deeper than slider length. Cavity walls to be bagged & primed with black flintcoat full height & width (all walls) Discrepancy max. 20mm over entire length/height/width. Cavity floors to be sealed with Resiflex both sides of angle & min 2 brick courses all around.

Knysna Municipality
GOEDGEKEUR/APPROVED
KNYSNA MUNISIPALITEIT PLAN NO 2024/38424
Volgens die NBR: WET No 103 van 1977 soos gewysig
According to NBR: ACT No 103 of 1977 as amended
SIGNED: DATE: 2024-10-05









ABBREVIATION LEGEND

AFFL	Above Finished Floor Level
b	bath
bd	bidet
bc	broom cupboard
bo	beam over
BOC	Bottom Of Concrete
bic	Built in cupboard
c st	combustion stove
cu	Condenser Unit
db	Distrubution Board
fbo	fulbore outlet
fz	freezer
dpc	damp proof course
dw	dishwasher
ej	expansion joint
fd	floor drain
fr	fridge
FFL	finished floor level
gh	gas hob
hp	Heat Pump
GL	Ground Level
hwb	hand wash basin
lo	lintel over (measured from FFL)
mic	microwave
ms	matt sinking
mv	Mechanical Ventilation
ov	built-in oven
ox	Overhead Extractor
pb	preparation bowl
rl	rooflight over
rwp	rain water pipe
s	sink
shr	shower
so	slab over (measured from FFL)
st	stove
su	Splitter Unit
td	tumble dryer
t	trough
tbc	to be confirmed
TOC	Top Of Concrete
vc	vanity cupboard
vs	vanity shelf
wc	water closet
wm	washing machine
wt	worktop

DRAINAGE & PIPING

ie	inspection eye
g	gulley
gt	garden tap
g+t	gulley & tap
re	rodding eye
ss	soil stack
wp	waste pipe
sp	soil pipe
vp	ventilation pipe
mh	manhole
vv	vent valve

All waste & soil pipes to have a minimum fall of 1:60 and to be concrete encased when below surface beds

- 100mmØ uPVC soil pipe
- 50mmØ uPVC waste pipe
- 40mmØ uPVC ventilation pipe
- 110Ø uPVC rwdp to minimum fall of 1:100
- 15-20mmØ Class2 Copper Gas piping

general notes:

No amendments or alteration are to be made in the specifications of labour and material documents. Full set of the latest drawings to be in the site office at all times. JBCC 6.2 May 2018 applies "The contractor shall keep a representative competent to administer and control the works continuously on the site during the execution of the works."
The contractor and sub-contractors shall insure their workmen in terms of the *COID Act of 1997* and shall indemnify the employer from any claim there under. Contractor and site practice to comply with Occupational Health and Safety Act, No.85 of 1993.

Building to be set out by a registered Land Surveyor.
Final levels of buildings to be confirmed with architect
Contractor to make adjustments on UFFL to allow for floor finish as specified to get to final FFL as on drawings. All external concrete slabs to step lower than unfinished ground level at door thresholds.

Room Areas indicated on floor plans are internal floor areas and do not account for walls and therefore will not correlate with the Gross Building Areas.

All existing trees and vegetation to be protected against any damage.

All specified brand name materials to be in strict accordance with manufactures specifications & details. Shop drawings to be presented to architect for approval before ANY SPECIALIST installation can commence. All materials, finishes and glazing to conform to SANS & SABS approved, wherever applicable.

SUPERVISION BY ARCHITECT
The architect is not expected to carry out continuous supervision: his inspections are for the benefit of the employer, not the contractor and do not relieve the latter of any of his contractual obligations. In the event of any matter arising which the contractor considers of such importance that the architect must be consulted, every reasonable attempt shall be made by the contractor to communicate with him before proceeding with the point at issue. It must, however, be borne in mind that the architect is employed to ensure correct compliance with the terms of this drawing, proper building procedures in accordance with the best traditions of the various trades and adequate finishes as specified and to his satisfaction. The architect is thus in no way responsible for any act or omission on the part of the contractor, which may result in any patent or latent defects in materials of workmanship, breach or neglect of any local regulations. The contractor therefore remains at all times responsible for any such neglect, deviation or wrong act, whether the same be discovered before or after the final certificate, or any other certificate, is approved.

DRAINAGE

STORMWATER
Stormwater & surface sw layout to engineer's detail

WET SERVICES
ALL DRAINAGE MUST COMPLY WITH THE NATIONAL BUILDING REGULATIONS PART P. AND SABS 0400. Sewerage lines and water reticulation strictly according to SANS10252/1 and 1252/2.
ALL DRAINAGE PIPES passing under through buildings or any building structures are to comply with NBR with RE's installed at ingress and egress points of drains under such buildings or structures. Rodding Eye (RE) at all Soil Pipe branches and change of directions. RE's to be positioned to allow maximum 25m rodding distance. RE at the highest point of any drain.
ALL DRAIN & DISCHARGE PIPES installed within buildings shall be accessed by means of a screwed or bottled airtight cover. Provide ALPRO tiled (or respective finish) . Removable access panels/covers to all baths(except free-standing) and vertical pipe stacks or ducts - covers to be approved by Architect prior to installation.
ALL VENTILATION PIPE installations must comply to NBR regarding positioning. All soil/stack/vent and waste pipes to be PVC and concealed into walls. All soil pipes in ground to be pvc as specified on drawings.

All drainage pipes to be accessible. Water reticulation pipes to be brought in on level 400mm above FFL in close proximity of fittings as shown. Allow for 1x water point to all private gardens and over every gully. Final positions will be shown on detail layout drawings. Hot water geysers in positions shown and must comply with SABS 0254. 75mm deep waterseal 'P'-trap or resealing type 'P'-trap to all waste fittings. Waste pipes to be accessible along their entire lengths. Inspection eye (IE) at all Pipe junctions. IE's within 1200mm of upper extremities of branch drains. Anti-siphon/Anti-vac bottle traps and vent valves to all pipes exceeding 1200mm drops at traps and invert levels and if required for the one pipe systems.

POSITION OF ALL PIPE LINES ON SITE TO BE MARKED OUT AND CONFIRMED BY ARCHITECT BEFORE ANY DIGGING COMMENCES

Architect: C Malan
Pr Arch 21016
Date: 2024.05.21

Client
Date: 2024.05.21

No.	Description	Date
1	SK1 Issue to client and council submission	2024.05.21
2	Revised issue to council	2024.06.11
3	Revised issue to council following amendment letter dated 2024.08.28: Pergola removed and building lines indicated. Ex. garage shown	2024.09.05
4	Adjustments made to front terrace and coverage	2024.09.12
5	Adjustments made according to survey and council requirements	2024.09.20

issue status

FOR LOCAL AUTHORITY APPROVAL

notes

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company

SOLVATION ARCHITECTS INTERIORS
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Professional Architects (*Practice number PM1009502*)
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M: +27(0)82 903 6907 // E: cm@solvation.co.za
Mob Med Trading (Pty) Ltd t/a Solvation Architects (*Reg no. 2015/114575/07 & VAT no. 4670295890*)

project title

Bella Sea View Properties (Pty) Ltd
Alterations
ERF 57 - Buffalo Bay, Western Cape

drawing title

ELEVATIONS

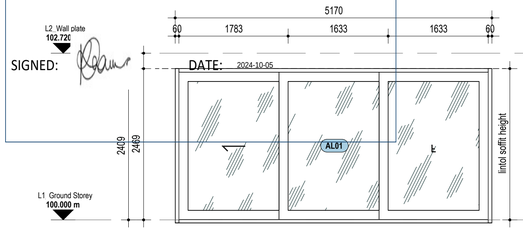
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Knysna Municipality
KNYSNA MUNISIPALITEIT PLAN No. 2024/38424
GOEDGEKEUR/APPROVED
Volgens die Tak WET No 103 van 1977 Soos gewysig
According to NBR, ACT No 103 of 1977 as amended
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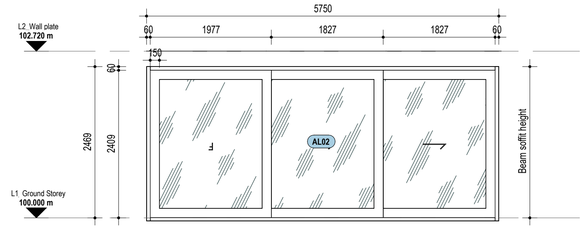
AL01 - Aluminium Slider Door

No.	Description	Qty.	Sizes Height	Sizes Width	Location	Frame	Leaves	Glazing	Ironmongery Handles	Ironmongery Hinges	Ironmongery Locks	Notes
AL01	Powder coated aluminium framed slider door	1	2469mm	5170mm	Entrance foyer	Powder coated aluminium	Powder coated to match frame	3.2	4.6	n/a	4.7	1.3 | 2.1 | 3.2 | 4.4



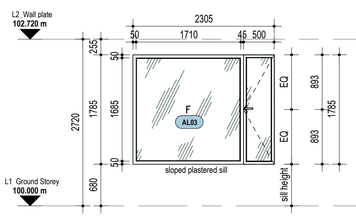
AL02 - Aluminium Slider Door

No.	Description	Qty.	Sizes Height	Sizes Width	Location	Frame	Leaves	Glazing	Ironmongery Handles	Ironmongery Hinges	Ironmongery Locks	Notes
AL02	Powder coated aluminium framed slider door	1	2469mm	5750mm	Lounge	Powder coated aluminium	Powder coated to match frame	3.2	4.6	n/a	4.7	1.3 | 2.1 | 3.2 | 4.4



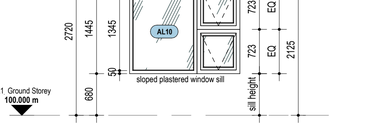
AL03 - Aluminium Window

No.	Description	Qty.	Sizes Height	Sizes Width	Location	Frame	Leaves	Glazing	Ironmongery Handles	Ironmongery Hinges	Ironmongery Locks	Notes
AL03	Powder coated aluminium framed window	1	1785mm	2305mm	Girls' Bedroom	Powder coated aluminium	Powder coated to match frame	3.2	By Manufacturer	As per supplier	n/a	2.3 | 2.4



AL04 - Aluminium Window

No.	Description	Qty.	Sizes Height	Sizes Width	Location	Frame	Leaves	Glazing	Ironmongery Handles	Ironmongery Hinges	Ironmongery Locks	Notes
AL04	Powder coated aluminium framed window	1	1785mm	2305mm	Master bedroom	Powder coated aluminium	Powder coated to match frame	3.2	By Manufacturer	As per supplier	n/a	2.3 | 2.4



AL05 - Aluminium Window

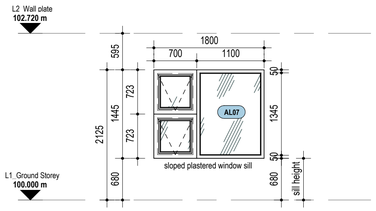
No.	Description	Qty.	Sizes Height	Sizes Width	Location	Frame	Leaves	Glazing	Ironmongery Handles	Ironmongery Hinges	Ironmongery Locks	Notes
AL05	Powder coated aluminium framed window	1	1015	2236mm	Scullery	Powder coated aluminium	Powder coated to match frame	3.2	By Manufacturer	As per supplier	n/a	2.3 | 2.4

AL06 - Aluminium Window

No.	Description	Qty.	Sizes Height	Sizes Width	Location	Frame	Leaves	Glazing	Ironmongery Handles	Ironmongery Hinges	Ironmongery Locks	Notes
AL06	Powder coated aluminium framed window	1	1000mm	900mm	Scullery	Powder coated aluminium	Powder coated to match frame	3.2	By Manufacturer	As per supplier	n/a	2.3 | 2.4

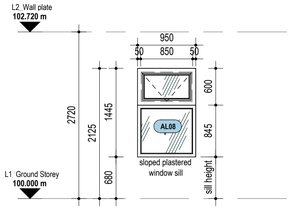
AL07 - Aluminium Window

No.	Description	Qty.	Sizes Height	Sizes Width	Location	Frame	Leaves	Glazing	Ironmongery Handles	Ironmongery Hinges	Ironmongery Locks	Notes
AL07	Powder coated aluminium framed window	2	1445mm	1800mm	Girls' Bedrooms	Powder coated aluminium	Powder coated to match frame	3.2	By Manufacturer	As per supplier	n/a	2.3 | 2.4



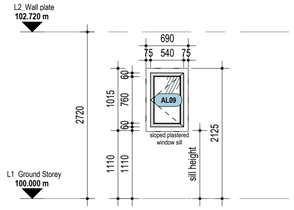
AL08 - Aluminium Window

No.	Description	Qty.	Sizes Height	Sizes Width	Location	Frame	Leaves	Glazing	Ironmongery Handles	Ironmongery Hinges	Ironmongery Locks	Notes
AL08	Powder coated aluminium framed window	1	1445mm	950mm	Girls bathroom	Powder coated aluminium	Powder coated aluminium	3.2	By Manufacturer	As per supplier	As per notes	2.3 | 2.4



AL09 - Aluminium Window

No.	Description	Qty.	Sizes Height	Sizes Width	Location	Frame	Leaves	Glazing	Ironmongery Handles	Ironmongery Hinges	Ironmongery Locks	Notes
AL09	Powder coated aluminium framed window	2	1015mm	690mm	Water closets	Powder coated aluminium	Powder coated aluminium	3.2	By Manufacturer	As per supplier	n/a	2.3 | 2.4

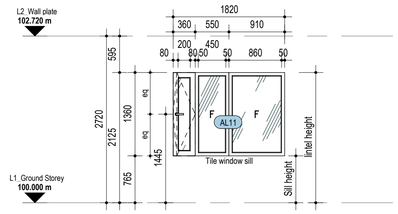


AL10 - Aluminium Window

No.	Description	Qty.	Sizes Height	Sizes Width	Location	Frame	Leaves	Glazing	Ironmongery Handles	Ironmongery Hinges	Ironmongery Locks	Notes
AL10	Powder coated aluminium framed window	2	1445mm	1800mm	Master Bedr. & Bedroom 2	Powder coated aluminium	Powder coated to match frame	3.2	By Manufacturer	As per supplier	n/a	2.3 | 2.4

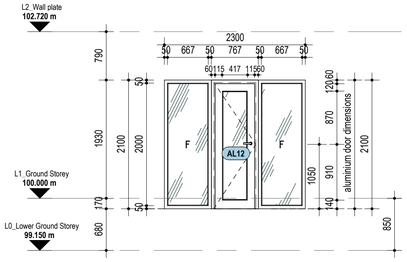
AL11 - Aluminium Window

No.	Description	Qty.	Sizes Height	Sizes Width	Location	Frame	Leaves	Glazing	Ironmongery Handles	Ironmongery Hinges	Ironmongery Locks	Notes
AL11	Powder coated aluminium framed window	1	1360mm	1820mm	Master Ensuite bathroom	Powder coated aluminium	Powder coated to match frame	3.2	By Manufacturer	As per supplier	n/a	2.3 | 2.4



AL12 - Aluminium Window & Door

No.	Description	Qty.	Sizes Height	Sizes Width	Location	Frame	Leaves	Glazing	Ironmongery Handles	Ironmongery Hinges	Ironmongery Locks	Notes
AL12	Powder coated aluminium framed window & door	1	2100mm	2300mm	Laundry	Powder coated aluminium	Powder coated to match frame	3.2	4.3	4.1	4.5	2.3 | 2.4 | 4.2



500_ALUMINIUM DOOR AND WINDOW...

1	FRAMES
1.1	Single Sliding Alu/glass door/window: 60x75p/c aluminium track/frame (cavity=100mm W)
1.2	Double Sliding Alu/glass door/window: 60x144 p/c aluminium double track/frame (cavity=175mm W)
1.3	Triple Sliding Alu/glass door/window: 60x220 p/c aluminium triple track/frame (cavity = 250mm W)
1.4	Four Sliding Alu/glass door/window: 60x290 p/c aluminium four track/frame (cavity = 330mm W)
1.5	Swing door frame / window frame: 60x90mm p/c aluminium frame for glass door / window / shutter
1.6	Tilt & Turn Aluminium 52x60mm - p/c frame (Hardware by ROTO Germany)
1.7	GMS / Aluminium slider frame - TBC
2	STILES
2.1	150x60mm heavy duty aluminium style
2.2	80x60mm heavy duty aluminium style
2.3	50x45mm aluminium window styles all round
2.4	20mm square p/c aluminium beading - neoprene closures
3	LEAF
3.1	Glass: Single glazing 6.5mm laminated safety glass (sg) with uPVC interlayer, clear glass to comply with SABS0400 NBR Part N
3.2	Glass: Double glazing with min 12mm air gap - Intruderpr/ufe laminated safety glass inside and out.
3.3	Aluminium Shutter: Louvres to be 19x85mm rounded heavy duty blades (mega "tube" section) as per Alutech specification, or similar approved with max. unsupported span of 2100mm. Colour TBC. Provide Insect mesh (clear glass fibre net) where indicated (clear glass fibre net)on inside to Arch. approved sample
3.4	Profiled metal sheeting: sheeting as per e1. on steel subframe to detail
3.5	Etched Glass Vinyl: GRAFITACK TR101 (Silver) or similar approved. Applied by specialist
4	IRONMONGERY
4.1	Anca or QS4415 3mm thick s/s hinges Length is door specific Cylinder lock s/s lock set QS8555 150kg hinges with backing plate, spacer & s/s screws for swing doors. GHI hinges for folding doors.
4.2	Spartan Flushbolts for swing doors and GHI double throw for folding doors.
4.3	Savi Euro Fox handle for swing doors. Colour = St/Steel
4.4	Heavy duty Rollers with stainless steel bearings to Specialist spec. & Arch. approval.
4.5	Door Locks. Locks and Cylinder lock st/steel lock set QS8555. Lock to be aligned vertically with door handle. Make provision for automatic closing gear where indicated. Specification to be approved by architect before installation.
4.6	Slider Handles: To all be Aluminium full length bar handle unless indicated otherwise - colour to match frames, to be approved by architect.
4.7	Slider Locks: Internal Modified flushbolt lock as per Alutech specification, or similar approved. No external locking/unlocking mechanism unless indicated on drawing. To be discussed with Architect
4.8	Recessed Handle 150h, colour to match door/window finish.
5	OTHER
5.1	Balustrading to later detail - Handrail @ 1000mm AFFL-applicable where internal & external level difference is greater than 1000mm.
5.2	Cables extended throughout opening as indicated on plan. To be position between window & shutter (Tilt & Turn) or outside Aluminium shutter (Cavity sliders) - applicable where internal & external level difference is greater than 1000mm
5.3	Aluminium horizontal sectional up & over garage door to Specialist specification. Design to be approved by Architect.
5.4	Door stops QS 4421 30mm diam (round with rubber) Sample to be approved & position confirmed by Arch.
5.5	Door hooks - s/s heavy duty - Savi Euro cabin hooks
5.6	Door Closer to spec. Sample to be approved by Architect.
5.7	Cavity Closer by specialist, colour to match door/window frame.
5.8	Door - wall latch, st/steel, fixed with st/steel fasteners all by specialist. Sample to be approved & position confirmed by Architect.

general notes:

No amendments or alteration are to be made in the specifications of labour and material documents. Full set of the latest drawings to be in the site office at all times. JBCC 6.2 May 2018 applies "The contractor shall keep a representative competent to administer and control the works continuously on the site during the execution of the works."
The contractor and sub-contractors shall insure their workmen in terms of the *COID Act of 1997* and shall indemnify the employer from any claim there under. Contractor and site practice to comply with Occupational Health and Safety Act, No.85 of 1993.

Building to be set out by a registered Land Surveyor.
Final levels of buildings to be confirmed with architect.
Contractor to make adjustments on UFFL to allow for floor finish as specified to get to final FFL as on drawings. All external concrete slabs to step lower than unfinished ground level at door thresholds.

Room Areas indicated on floor plans are internal floor areas and do not account for walls and therefore will not correlate with the Gross Building Areas.

All existing trees and vegetation to be protected against any damage.

All specified brand name materials to be in strict accordance with manufactures specifications & details. Shop drawings to be presented to architect for approval before ANY SPECIALIST installation can commence. All materials, finishes and glazing to conform to SANS & SABS approved, wherever applicable.

SUPERVISION BY ARCHITECT
The architect is not expected to carry out continuous supervision; his inspections are for the benefit of the employer, not the contractor and do not relieve the latter of any of his contractual obligations. In the event of any matter arising which the contractor considers of such importance that the architect must be consulted, every reasonable attempt shall be made by the contractor to communicate with him before proceeding with the point at issue. It must, however, be borne in mind that the architect is employed to ensure correct compliance with the terms of this drawing, proper building procedures in accordance with the best traditions of the various trades and adequate finishes as specified and to his satisfaction. The architect is thus in no way responsible for any act or omission on the part of the contractor, which may result in any patent or latent defects in materials of workmanship, breach or neglect of any local regulations. The contractor therefore remains at all times responsible for any such neglect, deviation or wrong act, whether the same be discovered before or after the final certificate, or any other certificate, is approved.

ALUMINIUM DOOR AND WINDOW NOTES

All Doors & windows comply with SANS 204:2011 (4.3.5.1 b) "have an external shading device such as a shutter...
1.) is capable of restricting at least 80% of summer sun radiation and
2.) if adjustable, is readily operated either manually, mechanically or electronically by the building occupants." Aluminium shutters to all doors + windows fitted externally.

Powder coated Aluminium colour all frames and stiles to be confirmed in writing and approved by architect & client. Specification on aluminium, powdercoating, fixing methods and installation protection to be approved by architect before manufacturing / installation. Dimensions does not include plaster thickness in openings and exact sizes need to be confirmed on site prior to manufacturing. Shop drawings to be approved by Architect

GENERAL NOTES
- All glazing exceeding 1m² in size or less than 500mm above FFL to be SABS approved safety glass
- We recommend the aluminium/glass be designed to accommodate 2000Pa wind load however it remains the responsibility of the contractor to adhere to the SANS and AAAMSA regulations.
- Glass max pane size : 3.6 x 2.4
- All doors and windows to be of highest quality including neoprene closures drip channel all around and draft excluders, rattle free and weather proof.
- All windows and doors to have 20mm square p/c aluminium beading as per 2.4.
- All door & window handles to be 900mm AFFL to handle centre unless otherwise indicated.
- Threshold detail to be done to approval by Architect. (Refer to**D4**)
- All cavities to be closed both sides of frame as per specialist. (Refer to**S.7**)
- Drip Joint flashing to be provided at all exposed external frames.
- All frames to be sealed with polyurethane, colour to match aluminium.
- All locks to be master keyed. Keyed alike zoning to be confirmed by Architect
- All sliding door/window track guides to be s/s
- All Aluminium to be protected during construction. No Aluminium paint patch to be accepted. Scratched frame, etc will be replaced at contractors cost.
- All Views taken from Exterior.
- If timber floor finish abuts frame, 15x15 Alum angles are to be inserted on edge, colour to match frame.

Please note: A sample set of ironmongery should be provided on site on doors for approval by architect & client before installing all doors. If specialist installer has regularly found problems with ironmongery specifications, ITO durability / quality / rust or any other, then the architect should be informed immediately and alternative specification should be agreed upon.

KEY / LOCK & HANDLE - LEGEND

Int = Internal
Ex = External
CL = Cylinder Lock
LL = Leaver Lock
MFB = Modified Flush Bolt - Interior only
RH = Recessed Handle - Confirm Position & Height
SH = Slider Handle
TL = Thumb Lock
THD = Threshold Detail

Architect: C Malan
Pr Arch 21016
Date: 2024.05.21

Client
Date: 2024.05.21

No.	Description	Date
1	SK1 Issue to client and council submission	2024.05.21
2	Revised issue to council	2024.06.11
3	Revised issue to council following amendment letter dated 2024.08.28: Pergola removed and building lines indicated. Ex. garage shown	2024.09.05
4	Adjustments made to front terrace and coverage	2024.09.12
5	Adjustments made according to survey and council requirements	2024.09.20

issue status

FOR LOCAL AUTHORITY APPROVAL

notes

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company

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project title

Bella Sea View Properties (Pty) Ltd
Alterations
ERF 57 - Buffalo Bay, Western Cape

drawing title

SCHEDULES - WINDOWS & DOORS

scale @ A1:	proj. no:	dwg.no:	rev.no:
As indicated	Jo55	LA_006	5
date: 05/14/24 drawn: T.L			

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Knysna Municipality

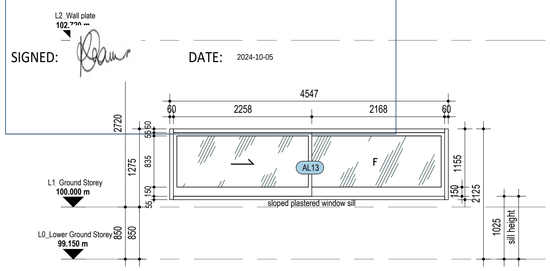
KNYSNA MUNISIPALITEIT PLAN No. 2024/38424
GOEDGEKEUR/APPROVED

Voldens die NBR: WET No 103 van 1977 Soos gewysig
According to NBR: ACT No 103 of 1977 as amended

SIGNED: DATE: 2024-10-05

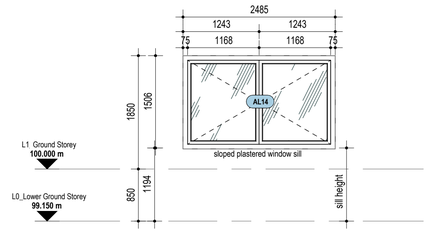
AL13 - Aluminium Window

No.	Description	Qty.	Sizes Height	Sizes Width	Location	Frame	Leaves	Glazing	Ironmongery Handles	Ironmongery Hinges	Ironmongery Locks	Notes
AL13	Powder coated aluminium framed slider	1	1155mm	4547mm	Ex. Bedroom	Powder coated aluminium	Powder coated to match frame	3.2	4.6	n/a	4.7	1.2 | 2.1 | 2.4 | 4.4



AL14 - Aluminium Window

No.	Description	Qty.	Sizes Height	Sizes Width	Location	Frame	Leaves	Glazing	Ironmongery Handles	Ironmongery Hinges	Ironmongery Locks	Notes
AL14	Powder coated aluminium framed window	1	1506mm	2485mm	Ex. Garage	Powder coated aluminium	Powder coated to match frame	3.2	By Manufacturer	As per supplier	n/a	2.3 | 2.4



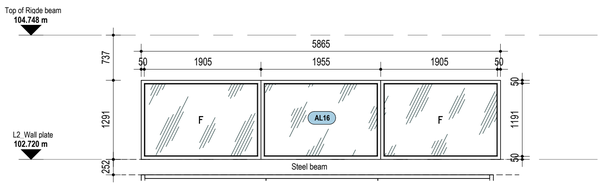
AL15 - OMITTED

No.	Description	Qty.	Sizes Height	Sizes Width	Location	Frame	Leaves	Glazing	Ironmongery Handles	Ironmongery Hinges	Ironmongery Locks	Notes
AL14	Powder coated aluminium framed slider door	1	2700mm	2455mm	Tv & Games Room	Powder coated aluminium	Powder coated to match frame	3.2	4.6	n/a	4.7	1.2 | 3.2 | 4.4

EXISTING GARAGE DOOR RETAINED

AL16 - Aluminium Window

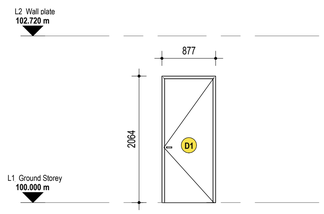
No.	Description	Qty.	Sizes Height	Sizes Width	Location	Frame	Leaves	Glazing	Ironmongery Handles	Ironmongery Hinges	Ironmongery Locks	Notes
AL13	Powder coated aluminium framed window	1	1291mm	5865mm	Dormer	Powder coated aluminium	Powder coated to match frame	3.2	n/a	n/a	n/a	2.3 | 2.4

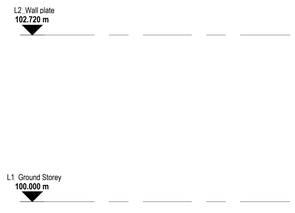


D1 - Timber Door

No.	Description	Qty.	Sizes Height	Sizes Width	Location	Frame	Leaves	Glazing	Ironmongery Handles	Ironmongery Hinges	Ironmongery Locks	Notes
D1	PAR wooden framed timber door	8	2064mm	877mm	Interior	1.1	2.1	n/a	3.3	3.1	3.4	3.2

TIMBER DOOR NOTES TO APPLY





500_ALUMINIUM DOOR AND WINDOW...

1	FRAMES
1.1	Single Sliding Alu/glass door/window: 60x75p/c aluminium track/frame (cavity= 100mm W)
1.2	Double Sliding Alu/glass door/window: 60x144 p/c aluminium double track/frame (cavity=175mm W)
1.3	Triple Sliding Alu/glass door/window: 60x220 p/c aluminium triple track/frame (cavity = 292mm W)
1.4	Four Sliding Alu/glass door/window: 60x290 p/c aluminium four track/frame (cavity = 330mm W)
1.5	Swing door frame / window frame: 60x90mm p/c aluminium frame for glass door / window / shutter
1.6	Tilt & Turn Aluminium 52x60mm - p/c frame (Hardware by ROTO Germany)
1.7	GMS / Aluminium slider frame - TBC
2	STILES
2.1	150x60mm heavy duty aluminium style
2.2	80x60mm heavy duty aluminium style
2.3	50x45mm aluminium window styles all round
2.4	20mm square p/c aluminium beading - neoprene closures
3	LEAF
3.1	Glass: Single glazing 6.5mm laminated safety glass (sg) with uPVC interlayer, clear glass to comply with SABS0400 NBR Part N
3.2	Glass: Double glazing with min 12mm air gap - Intruderprufe laminated safety glass inside and out.
3.3	Aluminium Shutter: Louvres to be 19x85mm rounded heavy duty blades (mega "tube" section) as per Alutech specification, or similar approved with max. unsupported span of 2100mm. Colour TBC. Provide Insect mesh (clear glass fibre net) where indicated (clear glass fibre net)on inside to Arch. approved sample
3.4	Profiled metal sheeting: sheeting as per e1. on steel subframe to detail
3.5	Etched Glass Vinyl: GRAFITACK TR101 (Silver) or similar approved. Applied by specialist
4	IRONMONGERY
4.1	Anca or QS4415 3mm thick s/s hinges Length is door specific Cylinder lock s/s lock set QS8555 150kg hinges with backing plate, spacer & s/s screws for swing doors. GHI hinges for folding doors.
4.2	Spartan Flushbolts for swing doors and GHI double throw for folding doors.
4.3	Savi Euro Fox handle for swing doors. Colour = St/Steel
4.4	Heavy duty Rollers with stainless steel bearings to Specialist spec. & Arch. approval.
4.5	Door Locks. Locks and Cylinder lock st/steel lock set QS8555. Lock to be aligned vertically with door handle. Make provision for automatic closing gear where indicated. Specification to be approved by architect before installation.
4.6	Slider Handles: To all be Aluminium full length bar handle unless indicated otherwise - colour to match frames, to be approved by architect.
4.7	Slider Locks: Internal Modified flushbolt lock as per Alutech specification, or similar approved. No external locking/unlocking mechanism unless indicated on drawing. To be discussed with Architect
4.8	Recessed Handle 150h, colour to match door/window finish.
5	OTHER
5.1	Balustrading to later detail - Handrail @ 1000mm AFFL-applicable where internal & external level difference is greater than 1000mm.
5.2	Cables extended throughout opening as indicated on plan. To be position between window & shutter (Tilt & Turn) or outside Aluminium shutter (Cavity sliders) - applicable where internal & external level difference is greater than 1000mm
5.3	Aluminium horizontal sectional up & over garage door to Specialist specification. Design to be approved by Architect.
5.4	Door stops QS 4421 30mm diam (round with rubber) Sample to be approved & position confirmed by Arch.
5.5	Door hooks - s/s heavy duty - Savi Euro cabin hooks
5.6	Door Closer to spec. Sample to be approved by Architect.
5.7	Cavity Closer by specialist, colour to match door/window frame.
5.8	Door - wall latch, st/steel, fixed with st/steel fasteners all by specialist. Sample to be approved & position confirmed by Architect.

ALUMINIUM DOOR AND WINDOW NOTES

All Doors & windows comply with SANS 204:2011 (4.3.5.1 b) "have an external shading device such as a shutter....
1.) is capable of restricting at least 80% of summer sun radiation and
2.) if adjustable, is readily operated either manually, mechanically or electronically by the building occupants." Aluminium shutters to all doors + windows fitted externally.

Powder coated Aluminium colour all frames and stiles to be confirmed in writing and approved by architect & client. Specification on aluminium, powdercoating, fixing methods and installation protection to be approved by architect before manufacturing / installation. Dimensions does not include plaster thickness in openings and exact sizes need to be confirmed on site prior to manufacturing. Shop drawings to be approved by Architect

GENERAL NOTES

- All glazing exceeding 1m² in size or less than 500mm above FFL to be SABS approved safety glass
- We recommend the aluminium/glass be designed to accommodate 2000Pa wind load however it remains the responsibility of the contractor to adhere to the SANS and AAAMSA regulations.
- Glass max pane size : 3.6 x 2.4
- All doors and windows to be of highest quality including neoprene closures drip channel all around and draft excluders, rattle free and weather proof.
- All windows and doors to have 20mm square p/c aluminium beading as per 2.4.
- All door & window handles to be 900mm AFFL to handle centre unless otherwise indicated.
- Threshold detail to be done to approval by Architect. (Refer to**D4**)
- All cavities to be closed both sides of frame as per specialist. (Refer to**S.7**)
- Drip Joint flashing to be provided at all exposed external frames.
- All frames to be sealed with polyurethane, colour to match aluminium.
- All locks to be master keyed. Keyed alike zoning to be confirmed by Architect
- All sliding door/window track guides to be s/s
- All Aluminium to be protected during construction. No Aluminium paint patch to be accepted. Scratched frame, etc will be replaced at contractors cost.
- All Views taken from Exterior
- If timber floor finish abuts frame, 15x15 Alum angles are to be inserted on edge, colour to match frame

Please note: A sample set of ironmongery should be provided on site on doors for approval by architect & client before installing all doors. If specialist installer has regularly found problems with ironmongery specifications/s, ITO durability / quality / rust or any other, then the architect should be informed immediately and alternative specification should be agreed upon.

TIMBER DOOR NOTES

1. FRAME

1.1 94 x 69mm PAR **Hardwood** frame prepared to architects satisfaction. Prepared for paintwork & painted. **Finish TBC**
1.2 94 x 69mm PAR **Solid Oak** frame prepared to architects satisfaction. Monocoat finish to match vertical planks on door surface. **Finish TBC**

2. LEAF

2.1 Brace & ledge door with Engineered Timber Flooring Panels on both sides. Planks in vertical direction. Vertical joint lines equally spaced with horizontal joint lines staggered. No cut joints. **Finish TBC**
2.2 Brace & ledge door with Supawood boarding on both sides, with 25mm vertical grooves equally spaced. Prepared for paintwork & painted. **Finish TBC**
2.3 Solid Oak Timber door with Monocoat finish. **Finish TBC**

3. IRONMONGERY

3.1 Anca 150kg hinges for swing doors. GHI hinges for folding doors.
3.2 Spartan Flushbolts for swing doors and GHI double throw for folding doors.
3.3 Savi Euro Fox handle for swing doors.
3.4 1 Pair of locks per door. Locks and cylinders Savi Euro or Cisa. Lock to be aligned vertically with door handle.

4. OTHER

4.1 Door Stops - QS 4421 30mm diam (round with rubber) TBC by Architect.
4.2 Door Closer to spec. Sample to be approved by Architect.

All locks to be master keyed - to be discussed and confirmed by client & Architect. Keyed alike zoning to be confirmed by Architect
All door & window handles to be 900mm AFFL unless otherwise indicated.
Opening direction to be determined by orientation on plans.

KEY / LOCK & HANDLE - LEGEND

Int = Internal
Ex = External
CL = Cylinder Lock
LL = Leaver Lock
MFB = Modified Flush Bolt - Interior only
RH = Recessed Handle - Confirm Position & Height
SH = Slider Handle
TL = Thumb Lock
THD = Threshold Detail

Architect: C Malan
Pr Arch 21016
Date: 2024.05.21

Client
Date: 2024.05.21

No.	Description	Date
1	SK1 Issue to client and council submission	2024.05.21
2	Revised issue to council	2024.06.11
3	Revised issue to council following amendment letter dated 2024.08.26. Pergola removed and building lines indicated. Ex. garage shown	2024.09.05
4	Adjustments made to front terrace and coverage	2024.09.12
5	Adjustments made according to survey and council requirements	2024.09.20

issue status

FOR LOCAL AUTHORITY APPROVAL

notes

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company

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Mobi Med Trading (Pty) Ltd t/a Solvation Architects (*Reg no. 2015/714575/07 & VAT no. 4670295890*)

project title

Bella Sea View Properties (Pty) Ltd
Alterations
ERF 57 - Buffalo Bay, Western Cape

drawing title

SCHEDULES - WINDOWS & DOORS

scale @ A1:	proj. no:	dwg.no:	rev.no:
As indicated	Jo55	LA_008	5
date: 05/21/24 | drawn: Author			

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PROJECT	New residential dwelling
CLIMATIC ZONE Knysna Municipality	4
WET ROOM AREA (m²)	
GOEDGEKEURD/APPROVED Ground Storey	311

KNYSNA MUNISIPALITEIT/MUNICIPALITY No 2024/38424

Volgens die NBR: WET No 103 van 1977 soos gewysig

FENESTRATION CALCULATION: Ground Storey

SIGNED: DATE: 2024-10-05

window/ door	height	width	area	shading device	orientation	window/door type	U-value proposed	U-value allowed	SHGC proposed	SHGC allowed
	m	*m*	*m²*	*yes/no*			*W/m².K*			
AD01	2.20	5.20	11.44	y	W	t/b aluminium - single clear glass	5,2	5,2	0,66	0,66
AL04	1.10	4.60	5.06	y	N	t/b aluminium - single clear glass	5,2	5,2	0,66	0,66
AL13	1.40	2.40	3.36	y	N	t/b aluminium - single clear glass	5,2	5,2	0,66	0,66
AD05	2.70	2.40	6.48	y	N	t/b aluminium - single clear glass	5,2	5,2	0,66	0,66
AL17	1.00	6.00	6.00	n	E	t/b aluminium - single tinted glass	5,2	5,2	0,49	0,49
AL11	1.30	1.80	2.34	n	S	t/b aluminium - single clear glass	5,2	5,2	0,66	Any solution
AL03	1.30	1.80	2.34	n	S	t/b aluminium - single clear glass	5,2	5,2	0,66	Any solution
AL12	1.30	1.80	2.34	n	S	t/b aluminium - single clear glass	5,2	5,2	0,66	Any solution
AD03	2.10	2.80	5.88	y	E	t/b aluminium - single clear glass	5,2	5,2	0,66	0,66
AD02	2.40	5.80	13.92	y	E	t/b aluminium - single clear glass	5,2	5,2	0,66	0,66
AD04	2.10	2.40	5.04	y	E	t/b aluminium - single clear glass	5,2	5,2	0,66	0,66
AL06	1.40	1.80	2.52	n	N	t/b aluminium - single tinted glass	5,2	5,2	0,49	0,49
AL17	1.00	0.60	0.60	n	N	t/b aluminium - single tinted glass	5,2	5,2	0,49	0,49
W131	1.40	1.20	1.68	n	N	t/b aluminium - single tinted glass	5,2	5,2	0,49	0,49
AL07	1.40	1.80	2.52	n	N	t/b aluminium - single tinted glass	5,2	5,2	0,49	0,49
AL08	0.90	0.90	0.81	n	N	t/b aluminium - single tinted glass	5,2	5,2	0,49	0,49
AL05	1.00	2.20	2.20	n	W	t/b aluminium - single tinted glass	5,2	5,2	0,49	0,49

TOTAL WINDOW AREA (m²) **74.53**

PERCENTAGE FOR STOREY *23.96%*

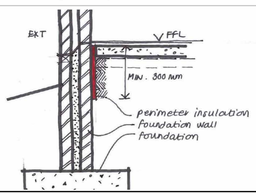
ROOF ASSEMBLY

Roof Type 1: Sloped metal roof

Roof Composition	*R-Value*	
	down	*up*
Outdoor air film	0.03	0.03
Metal roof sheeting	0.00	0.00
Sisalation reflective mem.	0.66	0.77
Roof air space	0.00	0.00
70mm Isoboard	2.92	
Gyproc Rhinoboard 6,4mm	0.03	
Indoor air film	0.16	0.11
TOTAL	3.80	**3.86**
REQUIRED MIN. TOTAL	-	3.70

FLOOR ASSEMBLY

Floor Type 1: Concrete surface bed

Description	*Value*
30mm thick high-density EPS IsoBoard insulation	1.25
	
TOTAL	**1.25**
REQUIRE MIN. TOTAL	1.00

GENERAL NOTES & SPECIFICATIONS

HOT WATER

A minimum of 50% by volume of the annual average hot water heating requirement shall be provided by means other than electrical resistance heating, including, but not limited to, solar heating, heat pumps, heat recovery from other systems or processes. The solar heating systems shall comply with SANS 1307 & SANS 10106, based on the thermal performance determined in accordance with the provisions of SANS 6211-1 & SANS 6211-2. The installation thereof shall comply with SANS 10254. Hot water usage shall be minimised & the system maintained in accordance with the requirements given in SANS 10252-1.

INSTALLATION OF PIPES

All exposed pipes to and from the hot water cylinders and central heating systems shall be insulated with pipe insulation material with a minimum R-value of 1,0 for pipes with a diameter less than 80mm and a minimum R-value of 1,5 for pipes with a diameter of greater than 80mm.

INSULATION

All insulation shall: 1. Be protected against the effects of weather and sunlight; 2. Be able to withstand the temperatures within the piping; and 3. Achieve the minimum total R-value as stipulated above. Hot water vessels and tanks shall be insulated with a material achieving a minimum R-value of 2,0. Insulation on vessels, tanks and piping containing cooling water shall be protected by a vapour barrier on the outside of the insulation. The piping insulation requirements do not apply to space heating water piping: a. Located within the space being heated where the piping is to provide the heating to that space; or b. Encased within a concrete floor sab or within masonry. These pipes shall comply with SANS 10252-1. Piping to be insulated includes all flow and return piping, cold water supply piping within 1m of the connection to the heating or cooling system and pressure relief piping within 1m of the connection to the heating or cooling system. Where possible, lengths of pipe runs should be minimised.

general notes:

No amendments or alteration are to be made in the specifications of labour and material documents. Full set of the latest drawings to be in the site office at all times. JBCC 6.2 May 2018 applies "The contractor shall keep a representative competent to administer and control the works continuously on the site during the execution of the works."
The contractor and sub-contractors shall insure their workmen in terms of the *COID Act of 1997* and shall indemnify the employer from any claim there under. Contractor and site practice to comply with Occupational Health and Safety Act, No.85 of 1993.

Building to be set out by a registered Land Surveyor.
Final levels of buildings to be confirmed with architect.
Contractor to make adjustments on UFFL to allow for floor finish as specified to get to final FFL as on drawings. All external concrete slabs to step lower than unfinished ground level at door thresholds.

Room Areas indicated on floor plans are internal floor areas and do not account for walls and therefore will not correlate with the Gross Building Areas.

All existing trees and vegetation to be protected against any damage.

All specified brand name materials to be in strict accordance with manufactures specifications & details. Shop drawings to be presented to architect for approval before ANY SPECIALIST installation can commence. All materials, finishes and glazing to conform to SANS & SABS approved, wherever applicable.

SUPERVISION BY ARCHITECT
The architect is not expected to carry out continuous supervision; his inspections are for the benefit of the employer, not the contractor and do not relieve the latter of any of his contractual obligations. In the event of any matter arising which the contractor considers of such importance that the architect must be consulted, every reasonable attempt shall be made by the contractor to communicate with him before proceeding with the point at issue. It must, however, be borne in mind that the architect is employed to ensure correct compliance with the terms of this drawing, proper building procedures in accordance with the best traditions of the various trades and adequate finishes as specified and to his satisfaction. The architect is thus in no way responsible for any act or omission on the part of the contractor, which may result in any patent or latent defects in materials of workmanship, breach or neglect of any local regulations. The contractor therefore remains at all times responsible for any such neglect, deviation or wrong act, whether the same be discovered before or after the final certificate, or any other certificate, is approved.

Architect: C Malan
Pr Arch 21016
Date: 2024.05.21

Client
Date: 2024.05.21

No.	Description	Date
1	SK1 Issue to client and council submission	2024.05.21
2	Revised issue to council	2024.06.11
3	Revised issue to council following amendment letter dated 2024.08.28: Pergola removed and building lines indicated. Ex. garage shown	2024.09.05
4	Adjustments made to front terrace and coverage	2024.09.12
5	Adjustments made according to survey and council requirements	2024.09.20

issue status

FOR LOCAL AUTHORITY APPROVAL

notes

The design on this drawing remains the property of the Solvation Architects, and could be utilised for any marketing purposes, **Copyright Reserved** All dimensions to be checked on site before any work is put in hand, **ANY DISCREPANCY** between all drawings should immediately be brought to the attention of the client / representative and resolved before work commences. This drawing is to be read in conjunction with **SPECIFICATION OF MATERIAL & LABOUR** for this project. **Site instructions take preference over legend of materials.**

company

SOLVATION ARCHITECTS INTERIORS
Cillié Malan - Director & Professional Architect (PrArch 21016)
Professional Architects (***Practice number PM10000502***)
La Gratitude Herehuis, 55 Dorp Str, Stellenbosch, Western Cape, South Africa
M: +27(0)82 903 6907 // E: cm@solvation.co.za
Moti Med-Trading (Pty) Ltd t/a Solvation Architects (*Reg no. 2015/214575/07 & VAT no. 4670295890*)

project title

Bella Sea View Properties (Pty) Ltd
Alterations
ERF 57 - Buffalo Bay, Western Cape

drawing title

SANS COMPLIANCE

scale @ A1:		proj. no:	dwg.no:	rev.no:
date: 05/16/24	drawn: Author	Jo55	LA_007	5

Knysna
Municipality Munisipaliteit uMasipala
inclusive • innovative • inspired

Collab. Ref. 23b5965
File Ref.: 57 BB
App No: 3403
JH Smit
Tel: 044-302 6318

Via Electronic Mail

2025-03-04

Buffelsbaai Erf 86 BK
[redacted]
BLOEMFONTEIN
9310
Email: [redacted]

Dear Sir/Madam,

PROPOSED DEPARTURE, ADMINISTRATORS CONSENT & AMENDMETN OF CONDITIONS OF APPROVAL: ERF 57, BUFFALO BAY

Notice is hereby given in terms of Section 15 of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021) that the abovementioned application has been received from:

Applicant's Name:	Bella Sea View Properties (Pty) Ltd
Contact Person:	c/o Marike Vreken Town Planners
Email:	info@vreken.co.za
Reference number:	Application number 3403
Property Description:	Erf 57, Buffalo Bay
Physical Address :	57 Sand Street, Buffalo Bay, Knysna

Nature of application:

(i) Application for a **Permanent Departure** in terms of **Section 15(2)(b)** of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021) to allow the following:

a) A relaxation of the prescribed northern lateral building line from 2m to 1.61m to allow a portion of the existing building;
b) A relaxation of the prescribed northern lateral building line from 2m to 1.61m to allow the proposed pergola;
c) A relaxation of the prescribed eastern street building line from 4.5m to 3.27m to allow the new extension to the living room (within the coverage of the existing roof);
d) A relaxation of the prescribed eastern street building line from 4.5m to 1.82m to allow the proposed pergola;
e) A relaxation of the prescribed southern street building line from 4.5m to 1.427m to allow the new laundry room;
f) A relaxation of the prescribed southern street building line from 4.5m to 1.622m to allow the proposed pergola;

g) A relaxation of the prescribed southern street building line from 4.5m to 0m to allow the conversion of the garage to a games room;
h) A relaxation of the prescribed western lateral building line from 2m to 0m to allow the conversion of the garage to a games room.

(ii) A **Permanent Departure** in terms of **Section 15(2)(b)** of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021) for the relaxation of the prescribed maximum coverage from 50% to 58.2%.

(iii) An **Amendment of Conditions of Approval** in terms of **Section 15(2)(h)** of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021) to omit conditions 2(c), 2(d) and 2(k) to allow an enclosure of the stoep, a coverage of more than 50%, departure from the 2m property boundary, and the conversion of the existing garage into a games room.

(iv) Application for the **Administrator's Consent** as contemplated in restrictive title condition numbered D(6)(b) in the Title Deed numbered T21160/2024 in respect of Erf 57, Buffalo Bay, to allow the proposed laundry room, the extension of the living room and the conversion of the garage to a games room within the restrictive title deed street building lines.

(v) The **Registration of Servitudes** for the private right of way is exempted from a formal subdivision application. Confirmation is required for the following exempted subdivisions in terms of **Section 24(1)(f)(iv)** of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021):

a) The subdivision to allow for the registration of (1x) private right of way servitude area (±67m^2) over Erf 56 in favour of Erf 57, indicated as figure abcdef;
b) The subdivision to allow for the registration of (1x) private right of way servitude area (±72m^2) over Erf 57 in favour of Erf 56, indicated as figure eghjkf.

A full copy of the application is available for inspection on the municipal website:
https://www.knysna.gov.za/do-business/planning-development/current-land-use-applications/

Members of the public are invited to submit written comments, together with the reasons therefore in terms of Section 15 of the Knysna Spatial Planning and Land Use Management By-Law (2021). Comments must be addressed to the Municipal Manager and submitted via email at knysna@knysna.gov.za and ssitinga@knysna.gov.za on or before **4 April 2025,** quoting your name, address, electronic contact details and telephone number, interest in the application and reasons for comment. The municipality may refuse to accept comments received after the closing date. Persons who cannot write may contact the Town Planning Office during office hours, where the responsible official will assist you in putting your comments in writing.

Telephonic enquiries may be made during office hours to Sinovuyo Sitinga at 044-302 6276 or via email ssitinga@knysna.gov.za .

Yours faithfully,

JH SMIT
MANAGER: LAND USE MANAGEMENT
/lb

Telephonic enquiries may be made during office hours to Sinovuyo Sitinga at 044-302 6276 or via email ssitinga@knysna.gov.za .

Yours faithfully,



JH SMIT
MANAGER: LAND USE MANAGEMENT
/lb

MAILING LIST FOR ERF 57 BUFFALO BAY

56	AJ DE VILLIERS	Via electronic mail
55	FANUS BOTHA TRUST	Via electronic mail
90	MUNICIPALITY	
89	JDEV STEGMANN	Via electronic mail
88	BOS & SEE TRUST	Via electronic mail
87	CG TROSKIE	Via electronic mail
86	BUFFELSBAAI ERF 86 BK	Via electronic mail
58	NG KERK KNYSNA	Via electronic mail
44	MUNICIPALITY	

120 Years
Claude Reid

SINCE **1902** SEDERT

ATTORNEYS• NOTARIES• CONVEYANCERS• BABUELEDI
PROKUREURS• NOTARISSE• AKTE-UITMAKERS• BABUELEDI

Address / Adres
Claude Reid Gebou
St Andrew Straat 165
BLOEMFONTEIN
9301

Claude Reid Building
165 St Andrew Street
BLOEMFONTEIN
9301

P.O. Box / Posbus 277
P.O. Box / Posbus 1105
BLOEMFONTEIN
9300

Docex / Dx 14
BLOEMFONTEIN

Telephone / Telefoon
[redacted]

Fax / Faks
086 543 3298 (Deeds • Litigation)
051 – 448 5195 (Collections • General)

E-mail Address / Adres
[redacted]

Web Address / Adres
www.claudereid.co.za

VAT / BTW Reg No
[redacted]

Claude Reid Incorporated Nr.1995/008602/21
Claude Reid Ingelyf No. 1995/008602/21

Please quote ref. Meld asb. verw.:
Enquiries / Navrae: Marinda Bolt
Our Ons JM DE VILLIERS/MB/WG0303
Your U

2025-03-12

THE MUNICIPAL MANAGER
AND
MANAGER : LAND USE MANAGEMENT
KNYSNA MUNICIPALITY
P O BOX 21
KNYSNA
6570

FOR ATTENTION J H SMIT

Email: *knysna@knysna.gov.za*
ssitinga@knysna.gov.za

Dear Sir/Madam

FORMAL OBJECTION TO PROPOSED DEPARTURE, ADMINISTRATORS CONSENT & AMENDMENT OF TITLE CONDITIONS OF : ERF 57 BUFFALO BAY

We confirm that we are acting herein on behalf of the members of the Buffelsbaai 86 BK from whom we received an instruction to lodge a formal objection regarding the application of Bella Sea View Properties (Pty) Ltd as set out in your letter/email to our client dated the 4th of March 2025.

Our client formally objects to the relaxation of the southern street building lines on Erf 57, Buffalo Bay, Knysna. After having studied the accompanying documentation it has come to our client's attention that a structure is being/was developed in violation of the established property boundaries, hereby infringing upon our client's rights and contravening Municipality Regulations.

Referring to your letter, dated 4 March 2025:

- ***Point (i)e: Relaxation of southern street building line from 4,5m to 1.427m:***
  We formally object to this relaxation for the new laundry room, as in the future this relaxation may be used to build structures within the relaxed building line, for reasons that will be explained below.

- ***Point (i)f: Relaxation of southern street building line from4.5m to 1.622m:***
  We formally object to this relaxation for the new pergola, as this structure will obstruct our view of the ocean and land in the distance. In the future this relaxation can also be used to build structures within the relaxed building line, for reasons that will be explained below.

- ***Point (i)g: Relaxation of the southern street building line from 4.5m to 0m:***
  We do acknowledge that a structure (garage) has already been built that encroaches the property line. However, we formally object to this relaxation, as in future this relaxation may be used to build structures within the relaxed building line, for reasons that will be explained below.

The reason our client objects to these relaxations in question has significant implications, including but not limited to:

- *Violation of legal property boundaries*
- *Obstructing our already limited view of the ocean and land in the distance from our front yard and deck.*
- *The obstruction of our view of the ocean will also have a direct impact on the resale and marketing value of our client's property.*
- *The applicant can preserve his existing property and enhance the value thereof without removal, suspension or amendment of the restrictive conditions.*
- *The relaxation in question will only serve the applicant and will be for the exclusive benefit and convenience of the applicant only.*

The claim by the applicant that no property owner will be negatively affected by the removal of the restrictive title conditions is false and factually incorrect.

The inflated social benefit and public interest arguments do not really hold water and are simply an attempt to promote the applicant's own interest and agenda.

Our client as a concerned property owner hereby requests that the Municipality decline this application, specifically the relaxation of the Southern Boundary Line for permanent departure in terms of Section 15(2)(b) of the Knysna Municipality Bylaw on Spatial and Land Use Management (2021), but rather enforce compliance with the Bylaws.

Please notify us as well as our client in writing regarding the outcome of the applicant's application.

Yours faithfully

CLAUDE REID INC.

PER : J DE VILLIERS

KNYSNA
Municipality
Munisipaliteit
uMasipala

LAND USE APPLICATION DEPARTMENT COMMENTS

Erf Number: 210057000
Application Type: Departure;Removal of Restrictions;Amendment of Conditions of Approval
Application Number: 3403
Application Date: 2025-02-12

Department	Comment Requested (T=Yes / F=No)	Comment Received
Corporate Services	F	
Legal Services	F	
Financial Services	F	
Community Services	F	
Fire Services	F	
Traffic	F	
Waste Removal	F	
Infrastructure Services	T	--oOo-- Fri May 16 2025 13:23:06 GMT+0200 (South Africa Standard Time) Comment by JOYAN: Condition of Approval: Manager: Public Works from the Plans it appears as if the driveway is partially on the neighbor's erf. Is there a servitude registered for this? the exemption as argued on Plan 3 is not relevant due the issue here is not in relation to subdivisions and consolidations, as per Section.24 of the By-law. Manager: Water and Sanitation Professional to review capacity of existing Septic Tank for increase load Acting Manager: Electrical & Mechanical No objection Senior Manager: Project Management Office No objection --oOo-- Thu Sep 04 2025 09:04:34 GMT+0200 (South Africa Standard Time) Additional Comment by SASSM: Manager Roads and Storm Water / Public Works: The comments from the applicant (p.5 & 6) are accepted and must be completed at building plan submission or at latest at occupation approval as per BCO. (Letter Ref: Pr2461b08 , dated 2 June 2025) Manager Water and Sewer: Supported Manager Electro-Technical: No objection
Infrastructure Services Roads	F	
Infrastructure Services Sewer	F	
Electro Technical	F	
Housing	F	
Environmental Services	F	

Please address all correspondence to the Municipal Manager and quote the above reference
P O Box 21 • Knysna • 6570 • Tel: 044 302 6300 • Fax: 044 302 6333 • E-mail: knysna@knysna.gov.za

KNYSNA
Municipality
Munisipaliteit
uMasipala

Department	Comment Requested (T=Yes / F=No)	Comment Received
Building Control	T	--oOo-- Thu Mar 06 2025 15:47:36 GMT+0200 (South Africa Standard Time) Comment by WILLIAMSZ: the inspection was conducted on 05 March 2025. The application that was submitted for approval correspond with the structures on site. also note that all the building work is already completed.
Aesthetics Committee	F	
Street Naming Committee	F	

KNYSNA
Municipality
Munisipaliteit
uMasipala

LAND USE APPLICATION DEPARTMENT COMMENTS

Erf Number: 210057000
Application Type: Departure;Removal of Restrictions;Amendment of Conditions of Approval
Application Number: 3403
Application Date: 2025-02-12

Department	Comment Requested (T=Yes / F=No)	Comment Received
Corporate Services	F	
Legal Services	F	
Financial Services	F	
Community Services	F	
Fire Services	F	
Traffic	F	
Waste Removal	F	
Infrastructure Services	T	--oOo-- Fri May 16 2025 13:23:06 GMT+0200 (South Africa Standard Time) Comment by JOYAN: Condition of Approval: Manager: Public Works from the Plans it appears as if the driveway is partially on the neighbor's erf. Is there a servitude registered for this? the exemption as argued on Plan 3 is not relevant due the issue here is not in relation to subdivisions and consolidations, as per Section.24 of the By-law. Manager: Water and Sanitation Professional to review capacity of existing Septic Tank for increase load Acting Manager: Electrical & Mechanical No objection Senior Manager: Project Management Office No objection
Infrastructure Services Roads	F	
Infrastructure Services Sewer	F	
Electro Technical	F	
Housing	F	
Environmental Services	F	
Building Control	T	--oOo-- Thu Mar 06 2025 15:47:36 GMT+0200 (South Africa Standard Time) Comment by WILLIAMSZ: the inspection was conducted on 05 March 2025. The application that was submitted for approval correspond with the structures on site. also note that all the building work is already completed.
Aesthetics Committee	F	
Street Naming Committee	F	

Please address all correspondence to the Municipal Manager and quote the above reference
P O Box 21 • Knysna • 6570 • Tel: 044 302 6300 • Fax: 044 302 6333 • E-mail: knysna@knysna.gov.za

Marike Vreken Town Planners CC
21 Trotter Street | P.O. Box 2180 | KNYSNA | 6570
044 382 0420 | 044 382 0438
info@vreken.co.za | www.vreken.co.za

Our Ref: Pr2461b08 2 June 2025
Your Ref: Application No 3403

BY E-MAIL: ssitinga@knysna.gov.za
smadumbo@knysna.gov.za

The Municipal Manager
Knysna Municipality
P.O. Box 21
Knysna
6570

FOR ATTENTION: MS SINOVUYO SITINGA

Dear Madam,

BUFFALO BAY ERF 57 – PERMANENT DEPARTURE, ADMINISTRATIVE CONSENT & AMENDMENT OF CONDITIONS OF APPROVAL

Our application of for permanent Departure, an Administrative Consent and amendment of conditions of approval, dated 18 October 2024, refers.

(i) The application was submitted on 18 October 2024, and the municipality requested additional information. Additional information was submitted on 11 November 2024.

(ii) The municipality then on 28 November 2024, the municipality indicated that the application is incomplete, and that an application for an administrative penalty must be submitted. On 4 December, the applicant argued with the municipality, motivating why an application for an administrative penalty is not necessary and why the application should proceed. We were informed that the matter will be investigated. We followed this up with a written motivation on 10 December.

(iii) On 20 January 2025, the applicant was informed by the municipality, they still await our response on the "incomplete" application, which was submitted on 10 December 2024. This office resubmitted the information.

(iv) After numerous follow ups during January, this office was informed on 12 February 2025, that the application will be accepted, and that it is agreed that no application for an administrative penalty is required.

(v) The applicant obtained the surrounding neighbours' written consent, and submitted these consent forms to the municipality on 19 February, and requested confirmation that sufficient neighbours consented and that no external circulation will be required. The main

reason why the applicant made the effort to obtain the written consents, was to expedite the "red tape" process.

(vi) On 3 March only, the applicant was informed to obtain two additional consents, but that simultaneously, that the municipality has already informed the additional I&AP, and that the closing date for comments will be on **4 April 2025**.

(vii) On 7 April, the writer started following up with the municipality, to confirm whether any comments were received, and requested that the comments be forwarded to this firm for a response. The comments were received on 26 May 2025.

(viii) Section 55(1) of the Knysna Municipal Planning Bylaw states that "…*Copies of all comments submitted to the municipality…….must be given to the applicant* ***within 14 days after the closing date*** *for public comment together with a notice informing the applicant of his or her rights in terms of this section…*" the objection of Claude Reid Attorneys, is dated 12 March 2025, and the closing date for comments was on 4 April. Hence copies of these documents had to be submitted to the applicant for a response by 18 April, and we only received these documents by 26 May 2025 – **more than 5 weeks late**? This administrative action **is not in compliance with Sections 59(4)(a) and 59(4)(h) of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014)**.

(ix) We hope that the municipality will now do its upmost to comply with the prescribed time frames for decision making, as our client would like to do the alterations as planned before the December 2025 holidays.

Herewith our response to the comments and objections received:

1. Letter from Claude Reid Attorneys, dated 12 March 2025

The objector did not provide a Resolution and / or Power of Attorney, as the case may be, in terms of which he is in fact mandated to lodge an objection on behalf of Buffelsbaai 86 BK. Just on this basis, this objection should be regarded as invalid. However, we will respond to the objections raised:

1.1. Comment: A structure is being / was developed in violation of the established property boundaries, hereby infringing on our client's rights and contravening Municipal regulations.

Response: *The dwelling house as is, has valid, approved building plans, with an occupation certificate. The building as it stands on Erf 57 Buffalo Bay, is a lawful, non-conforming building. Section 14(1)(a) of the Knysna Municipal Land Use Planning Bylaw states: "…. A non-conforming use does not constitute an offence in terms of this by-law…." Therefore, this statement from the objector is incorrect, and it should be disregarded.*

1.2. Comment: We object to the relaxation for the new laundry room, as in future this relaxation may be used to build structures within the relaxed building line.

Response: *We disagree with this statement, as an approval for the laundry room is only for a laundry room, and no other use. This is the very reason why an application is lodged to change the use of the lawful garage over the building line, to a games*

room. Should the laundry room change in future, it will require a new application. This is not a valid objection, and not a valid reason for refusal.

1.3. Comment: We object to the relaxation for the pergola, as this will obstruct our view of the ocean and land in the distance. In the future, this relaxation, can also be used to build structures within the relaxed building line.

Response: *(i) We disagree with this statement, as an approval for the pergola is only for a pergola, and no other use. Refer to response under Par 1.2 above.*

(ii) With regard to the view, we disagree with this statement. The proposed pergola is an open structure (not enclosed), on the eastern side of the applicant's dwelling house. The objector's view is into the southern walls of the building, and along Sand Street towards the ocean. The pergola will not encroach over the property boundary into the road reserve (the objector's view), and therefore there is no impact on the view. The figure below shows the view as seen from the objector's property.



FIGURE 1: VIEW FROM OBJECTOR'S HOUSE

1.4. Comment: We acknowledge that there is already a structure that encroaches the property line, and object to the relaxation for southern building line, as in future this relaxation, can also be used to build structures within the relaxed building line.

Response: *(i) The garage does not encroach the property boundary. The objector's statement is incorrect.*

(ii) We disagree with the statement that the relaxation can be used for something else in future. Refer to response under Par 1.2 above. Note that the southern building line relaxation is to convert an existing open yard into a laundry room. This will have no impact on the objector, as there is already a solid wall on the property boundary. There will be no extensions to the existing dwelling on the Sand Street boundary side that will be visible to the objector.

1.5. Comment: Violation to property boundaries.

Response: There is no encroachment over any property boundary. This statement is incorrect, and not a valid objection, or reason for refusal.

1.6. Comment: Obstruction of our view, of the ocean will also have a direct impact on the resale and marketing value of our client's property.

Response: This is an unsubstantiated statement. The impact on the view should be quantified, and then a monetary value of the quantified loss of the view, should be determined by a professional, registered property valuer. Refer to response under Par 1.3, and refer to figure 1: - the pergola is an open structure that will not be visible from the objector's property, and no impact on the objector's view.

The objector should also take note of the fact that the dwelling on Erf 57 is a single storey dwelling, and that the applicant has a primary land use right to construct a double storey house, to a height of 8,5m – which will have a much bigger impact on the objector's view, than an open pergola that is not visible from the objector's property.

1.7. Comment: The applicant can preserve his exiting property and enhance the value thereof without removal, suspension or amendment of the restrictive conditions.

Response: This statement is incorrect. The Administrator's consent is only required to allow the change of use of those structures that already encroach the title deed building lines. The applicant could however, extend the building in a vertical direction, without any permissions than building plan approval but that will have a much bigger effect / impact on the surrounding properties, than converting the use of existing structures, and adding a pergola to the eastern side of the building, which is not visible from the objector's property.

1.8. Comment: The relaxation in question will only serve the applicant and will be for the exclusive benefit and convenience of the applicant only.

Response: This is an unsubstantiated statement. The fact that all other surrounding property owners granted written permission to the proposal, defeats this statement from the objector.

1.9. Comment: Our client requests that the Municipality decline this application, specifically the relaxation of the southern building line.

Response: This statement holds no water. A refusal to the relaxation of the southern building line, will not change anything to the view or rights of the objector, nor to the position of the existing building. The appearance of the building will remain the same, as the relaxation of the building line is to allow the conversion of the garage into a games room, and the conversion of a laundry yard (on the boundary) into a laundry. These are insignificant changes to the existing structure. There will be no openings in the walls on the southern property boundary. The figure below shows the existing dwelling's southern elevation, with the existing structures on the property boundary. The proposed building line relaxation will have no change

in this elevation at all. Figure 3 below, shows an extract of the existing approved building plan for Erf 57, indicating the existing structure on the 0m building line.



FIGURE 2: APPLICATION AREA'S SOUTHERN ELEVATION

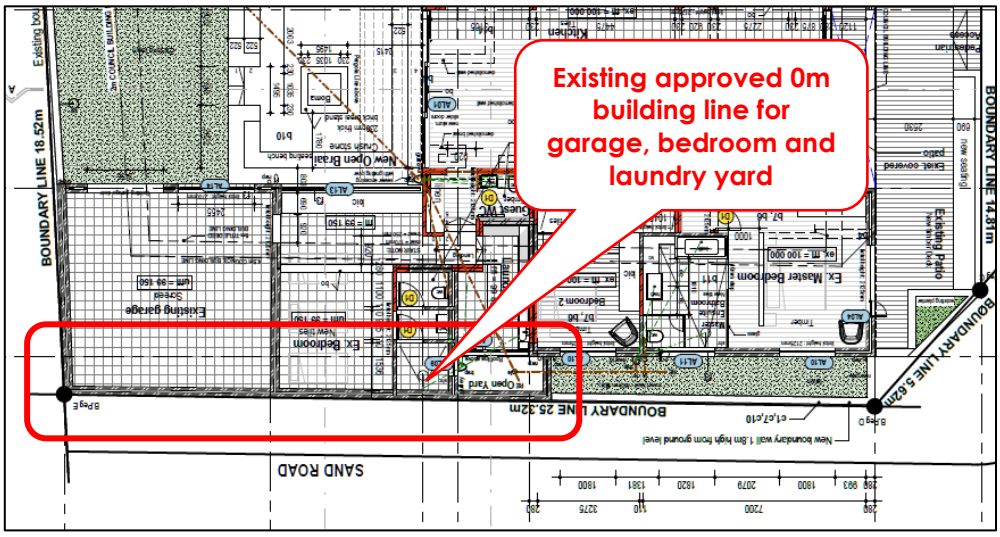


FIGURE 3: EXTRACT FROM CURRENT APPROVED BUILDING PLANS FOR ERF 57

2. Internal Municipal Comments from Infrastructure Services: Public Works, dated 16 May 2025

Note that the comments from the Technical Services Directorate was almost 6x weeks late. These delays result in the municipality's non-compliance with LUPA and the Municipal Land Use Planning Bylaw.

2.1. Comment: from the Plans it appears as if the driveway is partially on the neighbour's erf. Is there a servitude registered for this? the exemption as argued on Plan 3 is not relevant due the issue here is not in relation to subdivisions and consolidations, as per Section 24 of the By-law.

Response: The driveway is indeed shared between the owners of Erven 56 & 57 (refer Par 4.1 of the motivation report). Both owners agreed to the registration of the right

of wat servitude in favour of each other, to secure each other's access. Also refer to Annexure C of the motivation report. Approval of the servitude diagram for registration in the SG's Office, is exempted from a formal land development application.

2.2. Comment: From the Plans it appears as if the driveway is partially on the neighbour's erf. Is there a servitude registered for this? the exemption as argued on Plan 3 is not relevant due the issue here is not in relation to subdivisions and consolidations, as per Section 24 of the By-law.

Response: The driveway is indeed shared between the owners of Erven 56 & 57 (refer Par 4.1 of the motivation report). Both owners agreed to the registration of the right of wat servitude in favour of each other, to secure each other's access. Also refer to Annexure C of the motivation report. Approval of the servitude diagram for registration in the SG's Office, is exempted from a formal land development application.

3. Internal Municipal Comments from Infrastructure Services: Water & Sanitation, dated 16 May 2025

3.1. Comment: Professional to review capacity of existing Septic Tank for increase load.

Response: Noted & Accepted – this can be imposed as a condition of approval.

4. Internal Municipal Comments from Infrastructure Services: Electrical & Mechanical, dated 16 May 2025

4.1. Comment: No objection.

Response: No objection noted.

5. Internal Municipal Comments from Infrastructure Services: Senior Manager: Project Management Office, dated 16 May 2025

5.1. Comment: No objection.

Response: No objection noted.

6. Internal Municipal Comments from Building Control Department, dated 16 May 2025

6.1. Comment: The inspection was conducted on 05 March 2025. The application that was submitted for approval correspond with the structures on site. Also note that all the building work is already completed.

Response: The building work that has been completed, is the building work in accordance with the current approved building plan.

7. Conclusion

From the above response, it can be concluded that:

7.1. The objection from Claude Reid Attorneys is not accompanied by a Power of Attorney and Company Resolution, hence there is no proof that this firm is acting on behalf of the owner of Erf 86. For this reason, the objection should be disregarded.

7.2. There are existing approved building plans for the current dwelling on Erf 57, with approval for the existing structure on the 0m southern street building line (copy attached).

7.3. The objection relates to a fear of impact on Erf 86's seaview, which is weak. No additional construction will happen on the southern side of the dwelling, hence no impact on Erf 86's seaview.

7.4. The objector is concerned that the building line relaxation for the conversion of the garage into a games room, and the conversion of the laundry yard into an enclosed laundry room will grant a "blanket approval" for future use changes. This is not the case; hence these objections are also irrelevant.

7.5. There are no valid points raised in the objection that could result in the refusal of the application.

We trust that the above response will enable you to make an informed recommendation to the Municipal Planning Tribunal for a decision. Please do not hesitate to contact the writer if you require any additional information in this regard.

We also trust that the municipality will now finalise this application in accordance with the prescribed timelines, so that the applicant can finish construction before the 2025 December holidays.

Kind regards,



MARIKE VREKEN
Pr. Pln A/1101/1999 M SAPI 10233

CC: **gbgouws@gmail.com**

ITEM TO:
Municipal Planning Tribunal

APPLICATION NO.	~~3403~~ 3760
REPORT AUTHOR	S Sitinga
JOB TITLE	Town Planner
SACPLAN REG. NO.	A/2695/2018
TELEPHONE NO.	044-302-6276
APPLICATION DATE	12 February 2025

LAND USE PLANNING REPORT
ADMINISTRATOR'S CONSENT & DEPARTURE(S) : ERF 12665, KNYSNA

PART B: APPLICANT DETAILS	
Name & Surname	***Lundikazi Khupiso***
Company name	***Planning Space (Pty) Ltd***
SACPLAN registration number	***C/9271/2020***
Registered owner(s)	***Bronwyn Maree***
PART C: PROPERTY DETAILS	
Property description	***Erf 12665, Knysna in the Municipality and Division of Knysna, Western Cape***
Property Extent (m^2)	***1,837***
Physical address	***50 Milkwood Drive, Upper Old Place***
Area/Town	***Knysna***
Current zoning	***Single Residential Zone I***
Applicable zoning scheme	***Knysna Zoning Scheme By-law (2020)***
Current land use	***Dwelling house***
Are there existing buildings on the property?	***Yes, dwelling house.***
Title Deed number & date	***T104194/2002***
Any restrictive title conditions applicable?	***Yes***
Any third party conditions applicable?	***None***
Any unauthorised land use/building work	***Yes***
Bondholder's Consent	***Not Applicable***

1. APPLICATION DESCRIPTION

The application is for the following:

1.1. The Administrator's Consent as contemplated in restrictive title condition C.I.4.(d) contained in deed of title numbered T1041194/2002 in respect of Erf 12665, Knysna to allow for the relaxation of the prescribed building lines.

1.2. The permanent departures in terms of Section 15(2)(b) of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021) from the development parameters of "dwelling house" of the Knysna Zoning Scheme By-law (2020), in respect of Erf 12665, Knysna, to allow for the following:

1.2.1. the relaxation of the maximum permissible height from 8.5m to 8.8m to allow the existing carport.

1.2.2. the relaxation of the maximum permissible height from 8.5m to 9.6m to allow for the existing dwelling house.

1.2.3. the relaxation of the maximum permissible number of storeys from two (2) to three (3) storeys.

1.2.4. the relaxation of the street building line from 4.5m to 0m to allow for the existing carport.

2. BACKGROUND

2.1. The subject property is located 50 Milkwood Drive, Upper Old Place and is zoned for single residential purposes in terms of the Knysna Zoning Scheme (2020) and was the consolidation of Erf 2369 and Erf 2370.

2.2. It appears that over several years (since 1995) the landowner has made additions to the existing approved dwelling house without prior written approval of the Municipality. These include the carport which straddles the property boundary and an additional (third) storey.) The applicant has lodged an application for the determination of an administrative penalty which was considered and decided on by the Municipal Planning Tribunal in 2025.

2.3. This application serves to regularise the existing unauthorised building work which the applicant describes as "historical," being the carport with the street building line, the additional (third storey) and the height of the dwelling house.

2.4. Furthermore, the landowner has also secured a lease agreement with the Municipality for the lease of a portion of the road reserve to allow for the existing carport that straddles the property boundary.

2.5. The municipal directorate of Infrastructure Services objected to the carport straddling the property boundary into the adjacent road reserve and, according to the categorisation of applications, in such circumstance, the application must be considered by the Municipal Planning Tribunal.

3. PRE-APPLICATION CONSULTATION

There was no pre-application consultation meeting regarding this application.

4. SUMMARY OF APPLICANT'S MOTIVATION

The applicant's motivation can be summarised as follows:

4.1. The applicant argues that the subject property has a very steep slope with a gradient of approximately 1:2.86 or 35%. This necessitated the position of the carport along the street boundary as the most accessible position. Furthermore, the steep slope severely limits the available land for development.

4.2. The applicant states that the proposal will have minimal impact on neighbouring properties and will not change the character of the area. The dwelling house is not visible from Milkwood Drive with the lower floor located below the approved dwelling.

4.3. The carport within the street building line and straddling the property boundary is argued to have no detrimental effects on the neighbouring properties with similar arrangements found in the area. The carport is designed in such a manner that it is aligned with the road.

4.4. It is also argued that the "transgressing" buildings do not cause visual disturbances or nuisances and do not negatively impact the streetscape or the character of the area.

4.5. The applicant has also argued the application in the context of the principles contained in the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) and is of the opinion that the proposal aligns with these development principles.

4.6. Regarding the restrictive title condition, the applicant argues that the condition was imposed at a time when there was no other means of regulatory control. The Zoning Scheme By-law now exercises the same control and the purpose of the restrictive condition is considered "redundant."

5. PUBLIC PARTICIPATION

Method of Advertising				Date Published	Closing Date
	Yes	No	N/A		
Press	☐	☐	☒		

Gazette	☐	☒	☐		
Notices	☒	☐	☐	**11 September 2024**	**14 October 2024**
Ward Councillor	☒	☐	☐		
Site Notice	☐	☒	☐		
Community Organisations	☐	☒	☐		
Public Meeting	☐	☒	☐		
Third Parties	☐	☒	☐		

Total Valid Comments	**None**			Total comments and petitions refused			**0**
Valid Petitions	**Y☐**		**N☒**	No of signatures		**None**	
Community organisation(s) response	**Y☐**	**N☐**	**N/A☒**	Ward Councillor response	**Y☐**	**N☐**	**N/A☒**
Was public participation undertaken in accordance with section 45- 49 of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021)						**Y☒**	**N☐**

5.1. **Summary of Comments Received during Public Participation**

There were no public objections lodged against the application.

5.2. **Summary of Comments from Departments/Organs of State**

Name	Date Received	Summary of Comments	Recommendation
Infrastructure Services	14 October 2024	▪ *Boundary sewer manhole must be installed.* ▪ *Shade port in the road reserve is not supported.*	**Negative**
	01 September 2025	▪ *Comment holds as lease agreements are reviewed annually.*	**Negative**

5.3. **Summary of Applicant's Reply to Comments**

The applicant's reply can be summarised as follows:

5.3.1. The applicant questions why a boundary sewer manhole must be installed on the property when the applications submitted are for departures to allow the existing structures.

5.3.2. On the issue of the carport straddling the property boundary and into the adjacent road reserve, the applicant argues that the application is not to permit the carport within the road reserve space as it has already been decided and agreed upon in terms of a lease agreement with Council. The lease agreement includes the use of the road reserve for a carport.

6. PROPOSAL ASSESSMENT

6.1. Application History

There is no planning application history which has a bearing on the application at hand. It is noted that the subject property was formed by the consolidation of Erf 2370 and Erf 2369.

6.2. Considerations in terms of SPLUMA

6.2.1. The applicant has argued the application in terms of the development principles of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) (or "SPLUMA") and is of the opinion that, in terms of the principle of "spatial sustainability," the existing building work will not cause any negative detrimental impact on natural assets and is considered the efficient use of land in the context of the principle of "spatial efficiency."

6.2.2. Due to the nature and scale of the building work on the subject property, it is not wholly possible to consider the application in the context of all the principles of SPLUMA. What can be agreed to is that the development of land should be sustainable and make best use of the available land. On a broader scale, the application was not found to be inconsistent with the development principles of SPLUMA.

6.3. Consistency with SDF, IDP and applicable Policies

6.3.1. The applicant rightly argues that the subject property is within an established residential area within the urban edge as demarcated in the spatial development framework (or "SDF"). At this high level, the application is not in conflict with the SDF.

6.3.2. Similar to the considerations under SPLUMA, the Municipality's spatial planning policy and objectives have limited bearing on the application, except that an application of this nature should contribute to the residential/land use amenity of the area and have no adverse impact on municipal services and infrastructure. In this regard the existing building work can be considered as common appurtenance and additions to a conventional dwelling house while the Infrastructure Services directorate objected to the existing carport.

6.4. **Impact on Municipal Engineering Services**

Following on the above, the Infrastructure Services expressed a valid concern regarding the carport within the road reserve space. The applicant countered, however, that Council gave permission by entering into a lease agreement to allow for the carport in the road reserve and that the application is not to allow for the carport in the road reserve space. It is thus argued that Council in its wisdom has considered the impact of the carport on the road reserve space and found its location to be justifiable. Furthermore, the lease agreement stipulates that the lessor (the Municipality) may re-claim the land with prior notice should it be required.

6.5. **Outcomes of Investigations/Applications i.t.o. other Legislation**

Not applicable.

6.6. **Zoning Considerations**

Not applicable.

6.7. **Desirability of the Proposal**

6.7.1. The landowner made unauthorised additions to the number of storeys on the subject property and now wishes to regularise the existing dwelling house of three storeys. The zoning scheme allows the consideration of a third storey provided that the height of the dwelling house does not exceed 8.5m and the additional (third) storey is located at the bottom of the slope. The applicant has shown compliance with the latter but cannot do the same in terms of the former, hence the application to allow the relaxation of the maximum permissible height.

6.7.2. Regarding the relaxation of the height of 8.5m it is found that the property's steep slope (of 35%) can prove challenging in building an appropriately scaled dwelling. Furthermore, the relaxation of the height of the dwelling house can be considered marginal and its existing height has shown to not detract from the character of the area and appears as a single-level house from the street-front due to the property's steep fall.

6.7.3. Similarly, the height of the carport exceeding the maximum is not considered excessive as the steep slope has made practical and reasonable vehicular access to the property challenging. In essence, there are limited options in securing appropriate access to the subject property. For this reason, the relaxation of the maximum height pertaining to the carport in the street building, as well as the relaxation of the street building line to allow the same carport, can be supported.

6.7.4. The additional storey can also be supported on the basis of the steep slope which can be considered excessive in the context of constructing a suitable dwelling house. Third storey dwelling houses are not uncommon in Knysna and are found throughout in areas with significant steep slopes. The site conditions, therefore, support the favourable consideration of the third storey and would maintain the intent of the zoning scheme's allowance for a third storey.

The desirability of the application can further be assessed in terms of the following criteria:

Assessment Criteria	Y	N	N/A
Has the motivation of the applicant been considered in the assessment of the application?	☒	☐	☐
Will the proposal have a negative impact on the character of the surrounding area in terms of form, density, and aesthetics?	☐	☒	☐
Does the proposal affect the residential amenity of the adjacent landowners negatively in terms of sunlight, privacy, views, and general enjoyment?	☐	☒	☐
Will the intended building proposal affect the adjacent land uses negatively?	☐	☒	☐
Will the proposal and/or building work have a negative effect on the architectural character of the streetscape?	☐	☒	☐
Will the proposal and/or building work have an impact on the municipal bulk services network?	☐	☒	☐
Does the proposal cause a negative impact on vehicular and pedestrian movement on the public street(s), including vehicle sight distances?	☐	☒	☐
Are there adequate on-site parking (including loading bays, where applicable) in accordance with the provisions of the Zoning Scheme By-law?	☒	☐	☐
Does the property have adequate and suitable vehicle access and egress in accordance with the provisions of the Zoning Scheme By-law?	☒	☐	☐
Will the proposal affect the natural and/or open space system negatively, including resulting in the removal of indigenous/protected trees on the site and/or road reserve?	☐	☒	☐
Does the proposal have any negative impact on heritage resources?	☐	☒	☐
Will the proposal and/or building work affect the surrounding property values negatively?	☐	☒	☐
Will the proposal cause or result in a nuisance and or disturbance to adjacent and surrounding landowners?	☐	☒	☐
Will the approval of the application cause or set a negative precedent?	☐	☒	☐

6.8. **Considerations to the Administrator's Consent**

6.8.1. The title deed to the property has a restrictive title condition which places limits on the space around buildings. A 4.72m street, 3.15m rear, and 1.57m lateral building line applies with the restrictive title condition allowing the Municipality to consider the relaxation thereof.

6.8.2. These prescribed building line spaces are more restrictive than those specified in the zoning scheme (i.e. 4.5m street, 2.0m rear and lateral building lines). The applicant argues that these restrictions were imposed at a time prior to the existence of zoning schemes and is now considered "redundant."

6.8.3. Indeed, the building line spaces of the title deed serve a similar purpose to that of the zoning scheme and the same considerations that apply to the relaxation of the zoning scheme building lines may apply in considering the relaxation of the title deed's building lines.

6.8.4. In the restrictive title condition, only the 4.72m street building line applies to the carport on the street boundary. In order to ensure vehicular access to the property, it is considered that the relaxation of this restrictive title condition is appropriate and justified and thus can be supported.

6.8.5. It is also important to note that the relaxation of the applicable restrictive title condition does not mean the complete removal of the condition, but an allowance in respect of the particular circumstances to the property. The restrictive title condition, as a real right, will remain.

6.9. **Assessment of Comments**

6.9.1. The Infrastructure Services directorate is not in support of the carport encroaching on the road reserve space. In response, the applicant argued that Council has given its permission and allowed for the carport within the road reserve space by entering into a lease agreement.

6.9.2. In such cases, Council considers the impact on the road reserve space and allows encroachments onto the road reserve space where it is found justifiable. From a planning perspective, the encroachment appears necessary to ensure vehicular access to the subject property. It is further noted that upon the expiry of the lease or its termination, the landowner will be required to restore the land to its original condition. Therefore, it is held that the encroachment onto the road reserve space is not necessarily a matter for consideration in terms of the Planning By-law but rather in terms of the lease agreement already entered into.

7. RECOMMENDATION

It is recommended:

7.1. That, **Approval be Granted**, for the Administrator's Consent as contemplated in restrictive title condition C.I.4.(d) contained in deed of title T104194/2002 in respect of Erf 12665, Knysna to allow for the relaxation of the prescribed building lines.

7.2. That, **Approval be Granted**, in terms of Section 60 of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021) for the permanent departures from the development parameters of "dwelling house" of the Knysna Zoning Scheme By-law (2020), in respect of Erf 12665, Knysna, to allow for the following as shown on plan numbered "*2207-A2-101*" dated September 2023:

7.2.1. the relaxation of the maximum permissible height from 8.5m to 8.8m to allow for the existing carport.

7.2.2. the relaxation of the maximum permissible height from 8.5m to 9.6m to allow for the existing dwelling house.

7.2.3. the relaxation of the maximum permissible number of storeys from two (2) to three (3) storeys.

7.2.4. the relaxation of the street building line from 4.5m to 0m to allow for the existing carport.

8. CONDITIONS OF APPROVAL IMPOSED IN TERMS OF THE PLANNING BY-LAW

The above approval(s) is subject to the following conditions imposed in terms of Section 66 of the Knysna Municipality By-law Spatial Planning and Land Use Management (2021):

8.1. The relaxation of the street building line shall generally be in accordance with the plan numbered "*2207-A2-101*" dated September 2023.

8.2. The carport shall remain open on at least three (3) sides and shall not be enclosed without prior written approval from the Municipality in terms of the Planning By-law.

9. REASONS FOR RECOMMENDATION

The reasons for above recommendation are as follows:

(i) The Infrastructure Services directorate of the Municipality is not in support of the carport encroaching on the road reserve space adjacent to the subject property. However, Council, by means of a lease agreement, agreed to the lease of the land to allow for the carport within the road reserve space. It is held that the encroachment onto the road reserve space is not necessarily a matter for consideration in terms of the Planning By-law but rather in terms of a lease agreement already entered into.

(ii) The consent to allow the relaxation of the building line prescribed in the title deed is deemed necessary to ensure vehicular access to a property that is encumbered by a steep slope; the relaxation of this restrictive title condition is thus considered appropriate and justified.

(iii) The relaxation of the maximum permissible height of the dwelling house is considered marginal and appropriate in the context of the steep slope measuring around 35%. The existing dwelling house has shown to not detract from the character of the area and appears as a single-level house from the street-front due to the property's steep fall.

(iv) Similarly, the height of the carport exceeding the prescribed maximum is not considered excessive as the steep slope has made practical and reasonable vehicular access to the property challenging with limited options to secure appropriate access.

(v) The additional (third) storey is also supported on the grounds of the significant steep slope and is suitable for the site conditions.

10. SUPPORTING APPLICATION DOCUMENTS

ANNEXURE A – *Applicant's Motivating Memorandum*

ANNEXURE B – *Locality Plan*

ANNEXURE C – *Power of Attorney*

ANNEXURE D – *Copy of Title Deed*

ANNEXURE E – *SG Diagram*

ANNEXURE F – *Lease agreement with Municipality*

ANNEXURE G – *Site Plan & Elevations*

ANNEXURE H – *Approved building plans*

ANNEXURE I – *Mailing List and Public Notice*

ANNEXURE J – *Comments from Municipal department(s)*

ANNEXURE K – *Applicant's response to comment(s)*

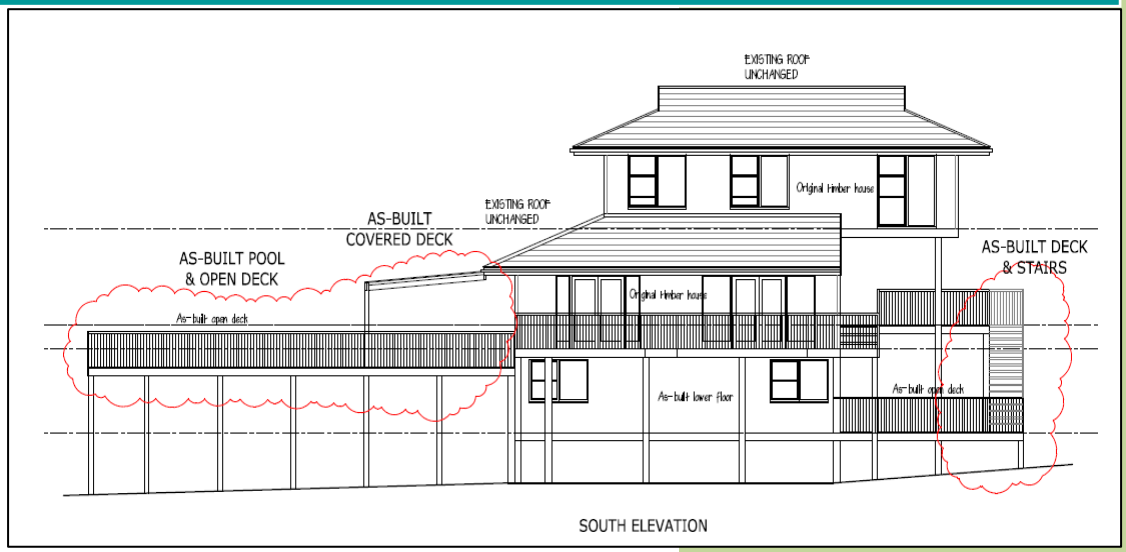
Administrator's Consent & Departure(s): Erf 12665, Knysna	
Author Name: ***Sinovuyo Sitinga*** Date: ***17/02/2026***	Author Signature:
Registered planner name: ***Shaun Madumbo*** SACPLAN registration number: ***A/1510/2012*** Date: ***17/02/2026***	Registered Planner Signature:
Decision Maker: Municipal Planning Tribunal	

APPROVED	APPROVED CONDITIONALLY	APPROVED IN PART	REFUSED

`

ERF 12665 KNYSNA

DEPARTURE AND REMOVAL OF TITLE DEED RESTRICTIVE CONDITIONS



Planning Space

Town and Regional Planners

www.planningspace.co.za

8/1/2024

TABLE OF CONTENTS

1. INTRODUCTION 1

2. BACKGROUND 2

3. PROPERTY INFORMATION 2

3.1 LOCALITY 2

3.2 BIO-PHYSICAL SITE CONDITIONS 3

3.2.1 Topography 3

3.2.2 Vegetation 3

3.3 PROPERTY DETAIL 4

4. PROPOSAL 4

4.1 DEPARTURE 5

4.1.1 Dwelling House 5

4.1.2 Carport 6

4.2 ADMINISTRATOR'S CONSENT 8

5. FACTORS TO CONSIDER 9

5.1 EXISTING STRUCTURES 9

5.2 TOPOGRAPHY OF THE PROPERTY 9

5.3 COMPLIANCE WITH THE ZONING SCHEME BY-LAW AND TITLE DEED DEVELOPMENT PARAMETERS 10

5.4 LEASE AGREEMENT 12

5.5 TITLE DEED CONDITIONS 12

5.6 ANTICIPATED IMPACTS 13

5.7 COMPATIBILITY WITH THE KNYSNA SPATIAL DEVELOPMENT FRAMEWORK 15

5.8 COMPATIBILITY WITH SPLUMA DEVELOPMENT PRINCIPLES 15

5.8.1 Spatial Justice 15

5.8.2 Spatial Sustainability 15

5.8.3 Spatial Efficiency 16

5.8.4 Spatial Resilience and Good Administration 16

6. CONCLUSION 16

LIST OF PLANS

Diagram 1: Locality Plan

Diagram 2: Aerial Photo

Diagram 3: Zoning Map

Diagram 4: Site Plan and Elevations

LIST OF ANNEXURES:

Annexure A: Power of Attorney and Company Resolution

Annexure B: Certificate of Consolidated Title

Annexure C: SG Diagram

Annexure D: Lease Agreement

Annexure E: Approved Building Plans

INFORMATION REQUIRED IN TERMS OF SECTION 38. OF THE BY-LAW			
COMPULSORY INFORMATION AND DOCUMENTATION REQUIRED			
	ADMINISTRATOR' S CONSENT	DEPARTURE	ANNEXURE REFERENCE
Completed & signed application form	√	√	T2
Power of Attorney / Owner's consent (1)	√	√	Annexure A
Resolution (2)	√	√	Annexure A
Proof of registered ownership (3)	√	√	Annexure B
Bondholder's consent (if any)	√	√	N/A
Written motivation (4)	√	√	Main document
S.G. diagram / Extract of the general plan	√	√	Annexures C
Locality plan	√	√	Diagram 1
SDP / conceptual layout plan	√	√	Diagram 4
Subdivision plan [incl street name(s) &no]	–	–	Not required
Proof of payment of application fees	√	√	Attached
Copy of title deed	√	√	Annexure B
Conveyancer certificate (7)	√	√	Not required
Minutes of pre-application meeting (8)	√	√	Not available
Zoning plan	–	–	Diagram 3
Phasing plan	–	–	No Phasing required
Consolidation plan	–	–	Not required
Proof of lawful use right	–	–	Not required
Proof of failure of HOA (9)	–	–	Not required
Copy of original approval letter (s)	–	–	Not required
ADDITIONAL INFORMATION			
Lease Agreement	√	√	Annexure D
Approved Building Plans	√	√	Annexure E

1. INTRODUCTION

Bronwyn Maree, the owner of Erf 12665 Knysna has appointed **Planning Space Pty Ltd** to prepare and submit the following applications in terms of Section 15 (2) and Chapter IV of the Knysna Spatial Planning and Land Use Management By-Law 2021:

i. Section 15 (2) (d): Application for a departure from the provisions of the Knysna Zoning Scheme By-Law for:

   a) A building line relaxation along the street boundary from 4.5m to 0m in order to allow an existing carport as indicated on the Site Plan Nr. A2-103 dated Sept 2023 attached as Diagram 4.

   b) A height relaxation from 8.5m to 8.8m in order to allow the existing carport that is situated on the street building line as indicated on the Site Plan Nr. A2-103 dated Sept 2023 attached as Diagram 4.

   c) A height relaxation from the permitted 8.5m to 9.6m in order to allow the existing dwelling house as indicated on the Site Plan Nr. A2-103 dated Sept 2023 attached as Diagram 4.

   d) A height relaxation from a two-storey height limitation to three storeys to allow the unauthorised lower floor below the existing approved dwelling house which exceeds the 8.5m height restriction as indicated on the Site Plan Nr. A2-103 dated Sept 2023 attached as Diagram 4.

ii. Section 15 (2) (f): Administrator's consent to relax Title Deed Restrictive C I 4 (d) to allow the relaxation of the street building line from 4.5m to 0m in order to permit the existing carport.

2. BACKGROUND

Erf 12665 Knysna was created in 2002 when Erven 2369 and 2370 were consolidated into one stand. This property is part of the single residential properties situated in the Upper Old Place area. Building Plans for the existing house on site (originally situated on Erf 2370) were submitted and approved in 1994 (see Annexure E1).

Through the years, the owner undertook some renovations without obtaining Building Plan approval or authorisation from the Local Authority.

The owner's husband has recently passed away and the widow intends to sell the property. Realising that she could not locate Building Plans for all the structures, she appointed an Architect to assist. It was then revealed that there were several unauthorised structures on the property (of which some do not comply with the Zoning Scheme restrictions), as well as encroachments over Council land. The owner would like to submit Building Plans to legalise all the existing structures on the property before she puts her house on the market.

The owner has recently obtained a Lease Agreement from the Council to rectify the encroachment of the carport over the road reserve.

This application serves the primary purpose of initiating the requisite procedures to legalise the existing unauthorised structures. For a detailed overview of the requests being made to the Council, please refer to paragraph 4 of this motivational memorandum.

3. PROPERTY INFORMATION

3.1 LOCALITY

Erf 12665 Knysna is situated at number 50 Milkwood Drive in Upper Old Place, Knysna as can be seen from the attached Diagram 1: Locality Plan.

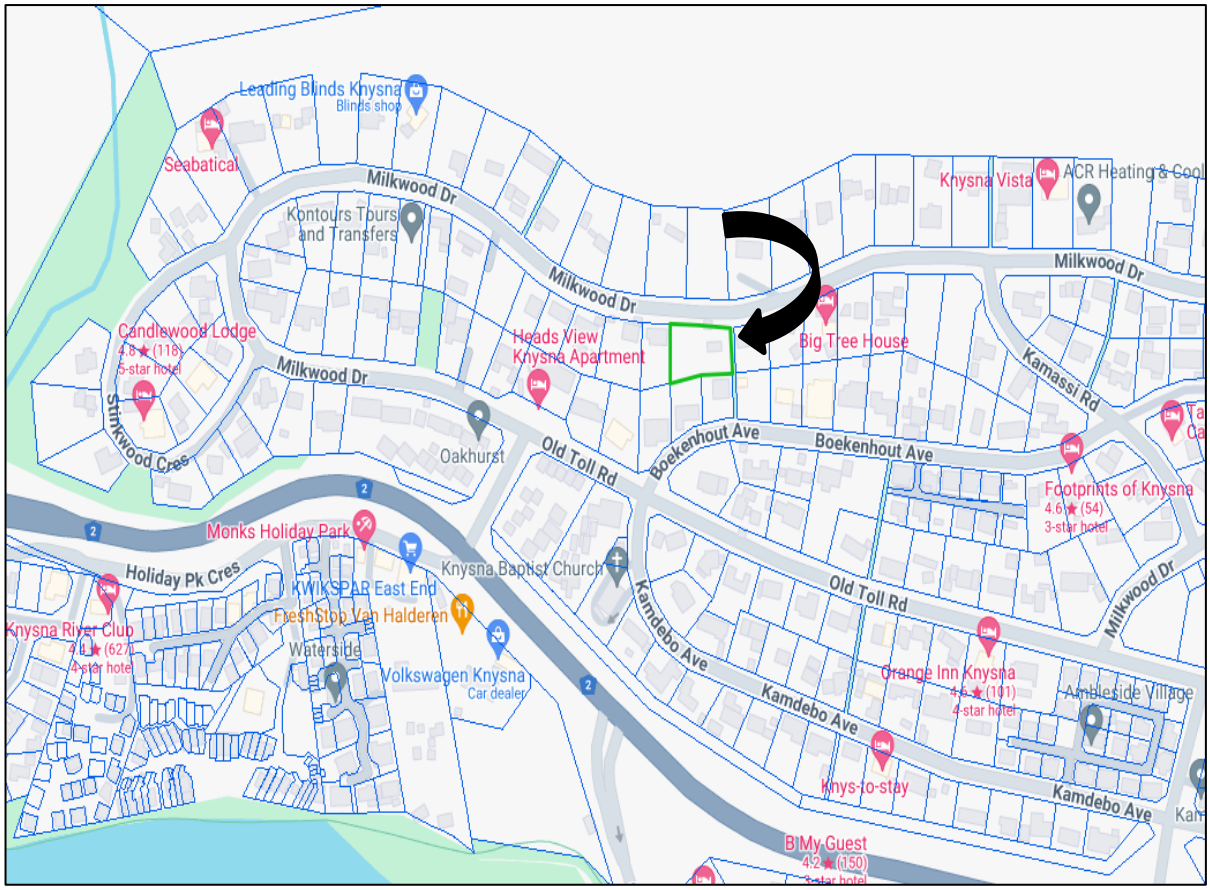


Figure 1: Extract indicating the locality of the subject property.

3.2 BIO-PHYSICAL SITE CONDITIONS

3.2.1 Topography

- The site has a steep gradient of about 35% sloping away from Milkwood Drive. The steepness of the site necessitates this application.

3.2.2 Vegetation

- On-site, there is existing natural vegetation and a lush, landscaped garden that will be kept and remain untouched. Concerning vegetation, there are no relevant considerations for the proposed application as there are no extensions of the existing footprint planned.
- The site has no conservation value and does not have a corridor function.

3.3 PROPERTY DETAIL

Title Deed Description	Erf 12265, in the Municipality & Division of Knysna, Western Cape
21 Digit code	C03900050001266500000
Title Deed Number	T104194/2002
S.G./GP Diagram Nr	SG 4396/2002
Title Deed Restrictions	Condition C I 4 (d)
Property Size	1837m^2
Property Owner	Bronwyn Maree
Bonds	None
Land Use	Residential
Zoning	Single Residential Zone I

4. PROPOSAL

On-site, there is an existing three-storey dwelling, a carport, a swimming pool, and decks. The available set of Building Plans that were approved in 1994 was only for a double-storey house with decks. However, the owner erected a carport without Building Plan approval at the same time as the house was constructed and later made alterations by adding a lower floor below the approved double-storey structure and installing a swimming pool, and additional decks without obtaining the necessary Building Plan approval from the Local Authority.

The owner intends to obtain approved Building Plans for these unauthorised structures. Some of these structures do not comply with the building lines and height restrictions specified in the current governing Zoning Scheme By-Law, necessitating a departure application.

The Title Deed includes a restrictive condition concerning building lines. To align with the Title Deed requirements, it is necessary to relax Condition C I 4 (d).

Detailed information regarding the required town planning applications is provided in paragraphs 4.1 and 4.2. The purpose of this application is to secure the appropriate land use rights and approvals before submitting revised Building Plans to the Building Control Office.

Additionally, a separate application has been made to the Council for the determination of contravention levies.

4.1 DEPARTURE

4.1.1 Dwelling House

The existing dwelling house was built in 1995 and is situated within the building lines. It does not encroach on any side/rear and street building lines. However, it exceeds the maximum permitted height of 8.5 meters outlined in the Zoning Scheme By-Law. Although Building Plans were initially submitted and approved for a double-storey wooden log home, it was constructed higher than the approved height, resulting in non-compliance with the current governing By-Law. Essentially the house is exactly the same as what was approved on the Building Plan, but the original building footprint was more to the east and slightly set into the slope, requiring some excavation. It appears that at the time the builder opted to not excavate the steep slope but to rather construct the wooden house on stilts, which at the time was regarded as a more suitable construction method for the steep slopes. For the past 29 years, the owner was not aware of this height deviation. The owner now wishes to rectify this historic encroachment.

In 2003, the owners added an additional bedroom below the existing double-storey unit, without submitting Building Plans. A small section of this room (±1m) overlaps with the double-storey section of the house above and is therefore regarded as a third-storey. The By-Law specifies that the height of a dwelling house at most 8.5 metres above natural ground level directly below a given point of the building with a maximum of 2 storeys; provided that a departure from the 2-storey limit may be considered due to the slope of the site; provided further that the 8.5m restriction is maintained and that the additional storey is added to the building on the lower side of the slope.

In this instance, the additional storey was added below the approved dwelling house, at the bottom of the slope but the existing house historically fails to comply with the allowed height limitation of 8.5m and measures about 9.5m at this point where the 3 storeys intersect.

Therefore, a departure from the provisions of the Knysna Zoning Scheme By-Law is being submitted to the Council for:

- A height relaxation from 8.5m to 9.6m in order to allow the existing dwelling house as indicated on the Site Plan Nr. A2-103 dated Sept 2023 attached as Diagram 4.

- A height relaxation from a two-storey height limitation to three storeys to allow the lower floor below the existing approved dwelling house which exceeds the 8.5m height restriction as indicated on the Site Plan Nr. A2-103 dated Sept 2023 attached as Diagram 4

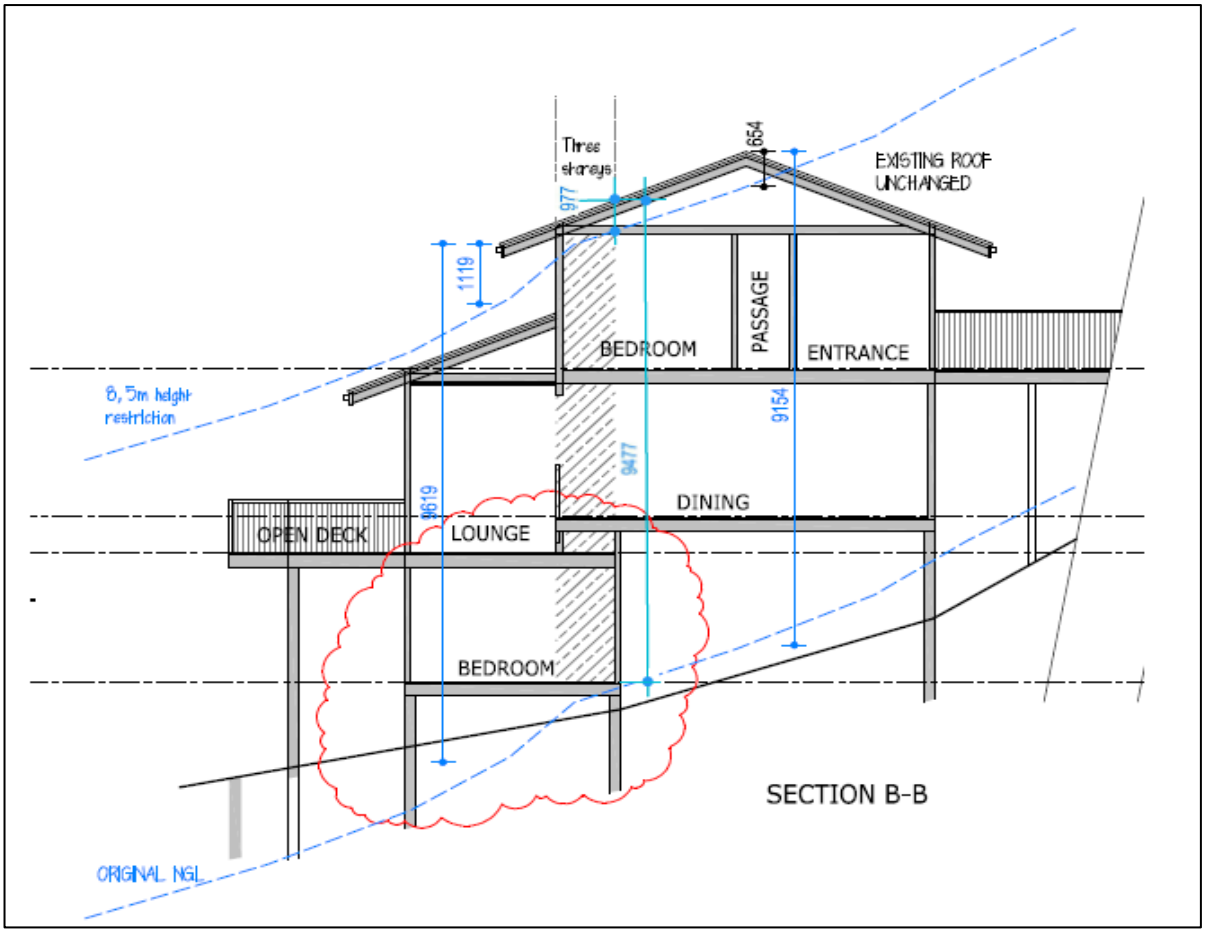


Figure 2: Section B-B.

4.1.2 Carport

There is an existing carport on Erf 12665 which serves as the only parking area for the property since 1995. The carport consists of a 6mx6m wooden deck on stilts with a shade port measuring 2.3m above.

For ease of access, the carport was constructed at the same height as the road surface of Milkwood Drive. From Milkwood Drive, the land falls away drastically to the south, resulting in the southern side of the carport to measures 8.857m above the natural ground level.

The carport was positioned close to Milkwood Drive road surface, where the slope is more agreeable, leaving enough space for safe sight distances, but limiting the need for a long constructed driveway. This resulted in an encroachment of the boundary line of the property as well as the street building lines prescribed in the Zoning Scheme. There are copies of historical correspondence with the municipality where the owners at the time requested permission to park on the road reserve as the site is too steep

to access by car. The owner has recently entered into a formal lease agreement with the Knysna Municipality to use a portion of the Council's land for access and carport purposes (refer to Annexure D).

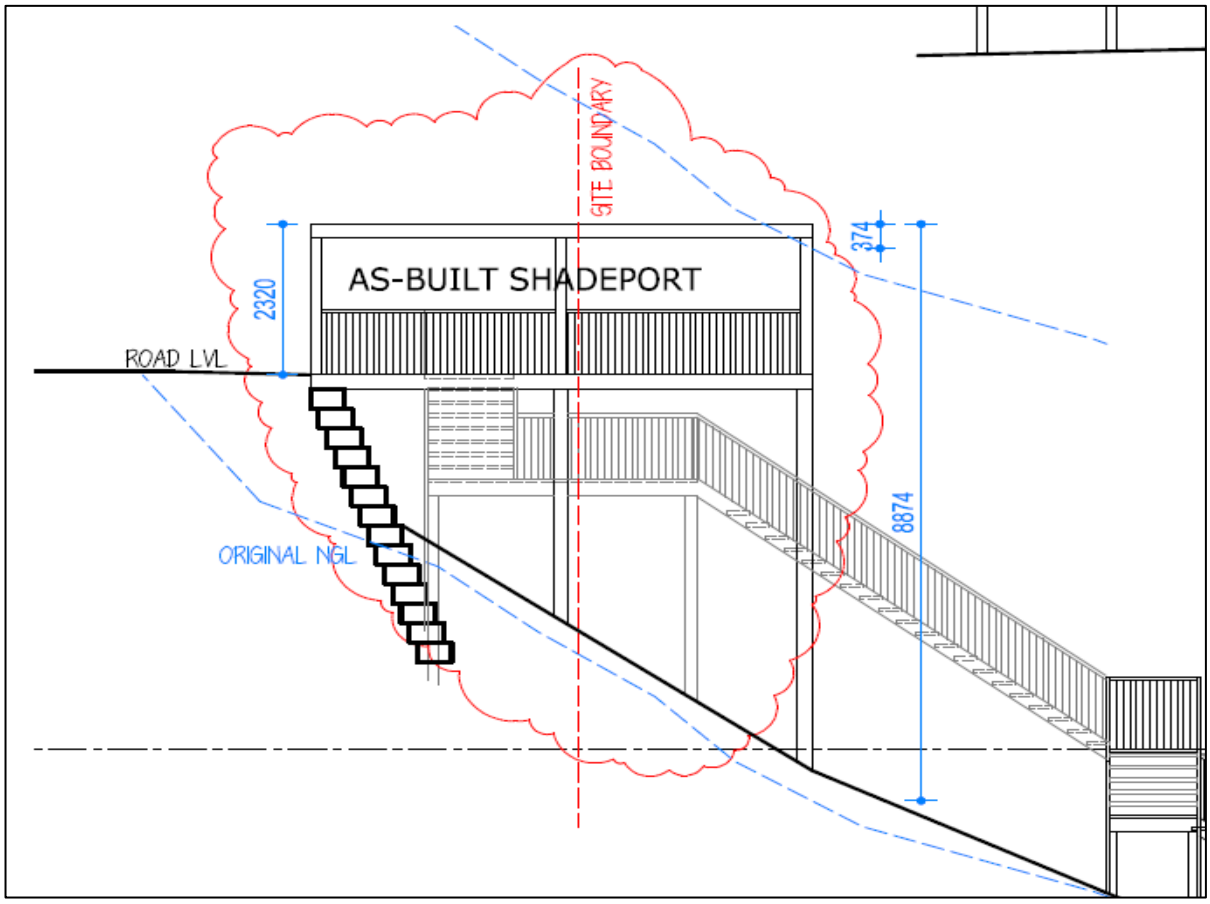


Figure 3: Extract illustrating the encroaching carport (see Site Plan).

Section 21 of the Knysna Zoning Scheme By-Law stipulates that "*for land units exceeding 650m², a garage or **carport** may not be closer than 4,5 metres from the street boundary, notwithstanding the street building line; a garage or **carport** may be erected within the street boundary building line if, in the opinion of the Municipality, compliance with the street boundary building line is not practical due to steep slopes of the ground between the road and the property concerned. The Municipality must determine the street boundary building line in such a case*".

Due to the steep slope between Milkwood Drive and Erf 12665 Knysna, complying with the street building line and height limits is impractical, resulting in the carport encroaching and exceeding the height restriction of 8.5m. Access for Erf 12665 can only be gained through Milkwood Drive which is its current access point.

Thus, a request is being submitted to the Council to deviate from the Knysna Zoning Scheme By-Law as follows:

- Relax the street building line from 4.5m to 0m to accommodate the existing encroaching carport as indicated on the Site Plan Nr. A2-103 dated Sept 2023 attached as Diagram 4.

- Relax the height restriction from 8.5m to 8.8m to authorise the as-built carport as indicated on the Site Plan Nr. A2-103 dated Sept 2023 attached as Diagram 4.

4.2 ADMINISTRATOR'S CONSENT

Certain additional building restrictions apply to Erf 12665 Knysna as a result of conditions incorporated into the relevant Title Deed.

Condition C I 4 (d) relates to building lines. This condition may be relaxed with consent from the Administrator, which is now the Knysna Municipality. All the existing structures comply with this restrictive Title Deed condition except for the existing carport that transgresses over the street building line.

To permit the existing encroaching carport as discussed above, the administrator's consent to relax Condition C I 4 (d) is requested in order to allow the relaxation of the street building line from 4.5m to 0m.

(d) no building or structure or any portion thereof except boundary walls and fences shall be erected nearer than 4,72 metres to the street line which forms a boundary of this erf, nor within 3,15 metres of the rear or 1,57 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the local authority, an outbuilding not exceeding 3,05 metres in height measured from the floor to the wall plate and no portion of which will be used for human habitation, may be erected within the above prescribed rear space. On consolidation of any two or more erven, this condition shall apply to the consolidated area as one erf;

Figure 4: Extract indicating the restrictive Title Deed Condition.

5. FACTORS TO CONSIDER

5.1 EXISTING STRUCTURES

Building Plans were originally submitted and approved for the existing dwelling house in 1995. However, the house was constructed in a different position from what was approved, leading to non-compliance with height restrictions. The deviation from the approved plans resulted in a height discrepancy of only 1.1m. The carport has been constructed without approved Building Plans and encroaches over the boundary line and permitted heights. These encroachments went undetected for almost 30 years.

Through the years, the owner made alterations to the structure without obtaining further Building Plan approval. The third storey is the only addition that does not comply with Zoning Scheme parameters.

The as-built swimming pool and additional decks adhere to the provisions outlined in the Knysna Zoning Scheme By-Law but require formal Building Plan approval.

It should be noted that all existing structures serve residential purposes within a property zoned as Single Residential Zone I.

5.2 TOPOGRAPHY OF THE PROPERTY

Erf 12665 measures 1837m² in size and is bordered by only one street (Milkwood Drive). The property's size is sufficient enough to accommodate the existing dwelling house and ancillary structures. However, like many other properties on Milkwood Drive, the property has a very steep slope with a gradient of approximately 1: 2.86 or 35%. This topography necessitated the position of the carport along the street boundary, as it is the only accessible boundary. Additionally, the steep slope severely limits available developable land.



Figure 5: Topography.

5.3 COMPLIANCE WITH THE ZONING SCHEME BY-LAW AND TITLE DEED DEVELOPMENT PARAMETERS

The only departure sought from the Zoning Scheme pertains to relaxing the street building line, height and storey restrictions to accommodate the existing dwelling house and carport. All other unauthorised structures on the property require Building Plan approval.

PARAMETER	KNYSNA ZONING SCHEME BY-LAW		TITLE DEED	COMPLIANCE
BUILDING LINES	Street	4.5m	4.72m	The proposal does not comply with the street building line and the application includes a relaxation of the street building line and the administrator's consent to relax Title Deed Condition C I 4 (d) which relates to building lines.
	Lateral	2m	1.57m	The proposal complies with both the Zoning Scheme By-Law and Title Deed building lines.
	Rear	2m	3.15m	The proposal complies with both the Zoning Scheme By-Law and Title Deed building lines.
HEIGHT	Main dwelling: 8.5m			The existing dwelling house exceeds the height restriction of 8.5m and two-storey limitation. This application includes height relaxation.

	Carport: 8.5m	The existing carport exceeds the height restriction of 8.5m. The proposal includes height relaxation for this structure.
COVERAGE	50%	All the existing structures comply with the coverage requirements stipulated in the Planning By-Law, and only 14% of the property is developed.

ACCESS		
Single entrance or exit way	Minimum: 2.7m Maximum: 4.0m	On site, there is an existing access point which is situated on Milkwood Drive. The entrance and exit points both measure 6m in width.
Combined entrance and exit way	Minimum: 5m Maximum: 8m	
PARKING	2 bays per dwelling	There is an existing carport on site which accommodates 2 cars (refer to Diagram 4). Therefore, the parking bays have been provided sufficiently as per the requirements of the Zoning Scheme By-Law.

5.4 LEASE AGREEMENT

In October 2023, an application was submitted to the Knysna Municipality to lease Council land for positioning a portion of a carport and accessing Erf 12665, which is steep and can only be accessed via Milkwood Drive.

The application was processed and recently approval was granted. A lease agreement between the owner of Erf 12665 and the Knysna Municipality has been fully executed. The leased area will only be utilised for access and carport purposes, as detailed in the Lease Agreement (refer to Annexure D).

The carport can only feasibly be located along Milkwood Drive due to the steep terrain.

5.5 TITLE DEED CONDITIONS

The Title Deed conditions date back to the early 1950s. At the time, the conditions of the township establishment had to be included in the Title Deed as it was the only statutory control mechanism available. Today, the older neighbourhoods in towns and cities are restricted by two sets of legally binding but often conflicting parameters. For example, the Zoning Scheme stipulates that "*notwithstanding the street building line; a garage or carport may be erected within the street boundary building line if, in the opinion of the Municipality, compliance with the street boundary building line is not practical due to steep slopes of the ground between the road and the property concerned"* while the Title deed prohibits positioning of carports on street building lines even if the slope is steep. The Zoning Scheme By-Law permits certain structures within building lines, while the Title deed conditions do not. This is not in the public interest as it often causes confusion among the public and also creates an unnecessary administrative burden for the Local Authority. With the introduction of the Zoning Scheme Regulations in 1992 and the current regulating Knysna Zoning Scheme By-Law, the need for this type of land use control has become redundant.

The relaxation of the restrictive Title Deed condition will not remove all the rights enjoyed by the Upper Old Place property owners. The property will still be restricted in terms of the other conditions contained in the Title Deed, as well as the provisions of the Knysna Zoning Scheme By-Law.

The existing encroaching carport serves as the only parking space for the property and parking space is a requirement in terms of the Zoning Scheme By-Law hence the relaxation of Condition C I 4 (d) is required.

5.6 ANTICIPATED IMPACTS

It is believed that the proposal will have minimal impact on neighbouring properties and will not change the area's character. The dwelling house is not visible from Milkwood Drive, the only street bordering Erf 12665, and its lower floor is situated below the approved dwelling. The lower floor is considered a third storey and screened by vegetation from the view of adjoining Erven 2368, 2371, 2342, and 2341. Thus, the height relaxation for the dwelling is not expected to affect neighbouring property views.

The existing carport has no detrimental effects on neighbouring properties and does not change the area's character, as many properties on Milkwood Drive have similar setups where access is directly from the street into a garage or carport that is either on council land or within the building line. The carport is designed in such a way that it is aligned with the road and, due to the slope of the land, slightly exceeds the permitted height limitation of 8.5m on the southern side, From the road the structure appears to be 2.3m in height. It is not visible from adjacent properties; it can only be seen by passersby on Milkwood Road. Although the carport conflicts with the Title Deed, such structures are allowed in terms of the Zoning Scheme By-Law if the slope of the land limits development and authorisation is granted by the Local Authority. The proposal includes an authorisation for this encroaching carport.

The transgressing structures do not cause visual disturbances or nuisances, and they do not negatively impact the streetscape or the character of the area.

The carport has not caused any environmental impact.



Figures 6 & 7: Pictures indicating similar access and parking setups in Milkwood Drive.

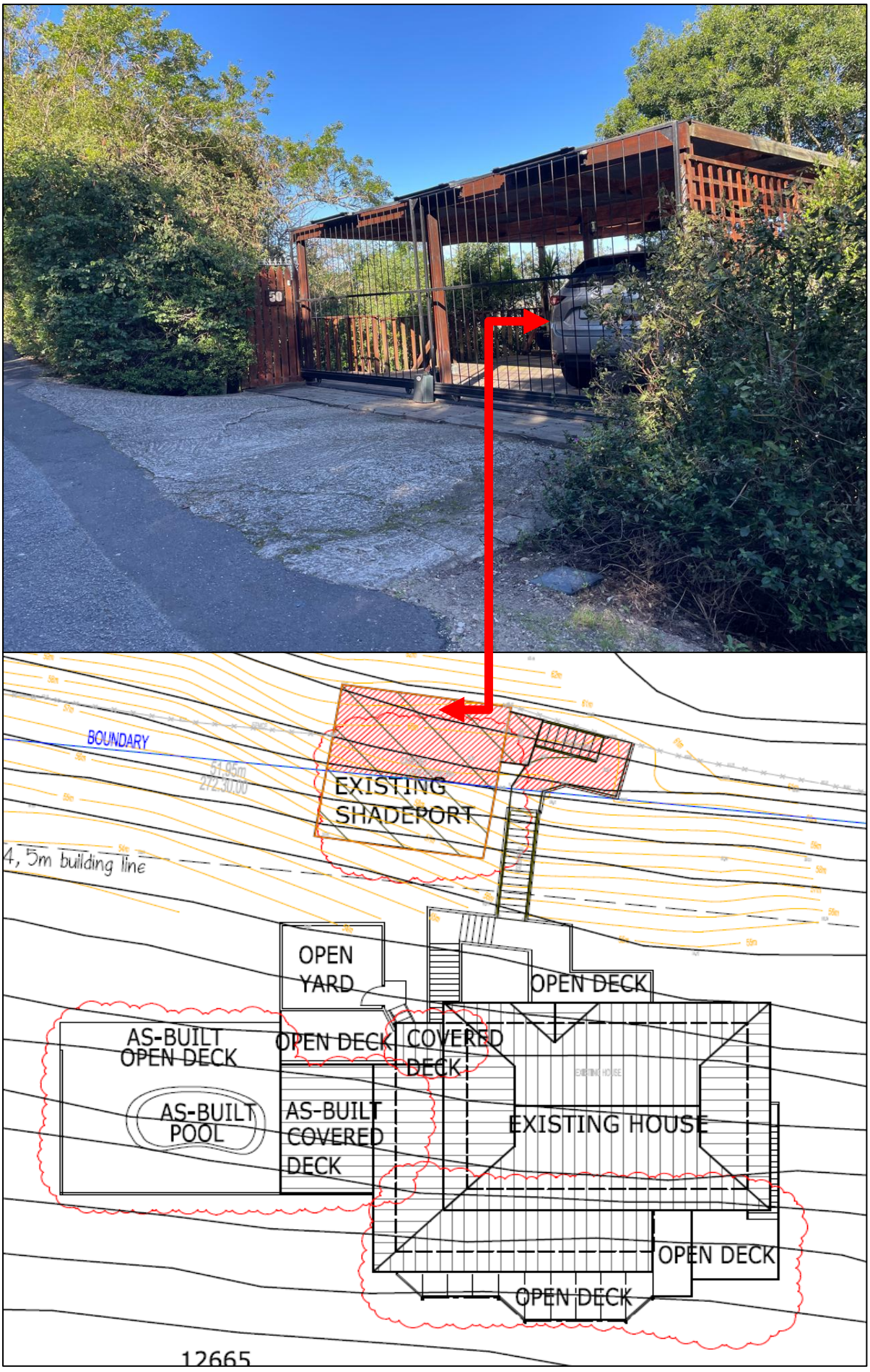


Figure 8: Encroaching carport.

5.7 COMPATIBILITY WITH THE KNYSNA SPATIAL DEVELOPMENT FRAMEWORK

The property is located within the designated urban area of Knysna, which falls under the residential development zone. The property's utilisation aligns with the guidelines outlined in the Knysna Spatial Development Framework, which governs the overall planning and development of the area. It is important to note that departure applications, such as the one under consideration, are not specifically addressed in the Spatial Planning documents. Each departure application is evaluated based on its unique circumstances and merits, considering the specific characteristics of the site. This approach acknowledges the site-specific nature of such applications and ensures that each case is thoroughly assessed on its individual strengths and considerations.

5.8 COMPATIBILITY WITH SPLUMA DEVELOPMENT PRINCIPLES

In considering the application, the decision-maker needs to be guided by the DEVELOPMENT PRINCIPLES contained in (Chapter II) of the Spatial Planning and Land Use Management Act 2013 (Act no 16 of 2013) SPLUMA and Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA).

SPLUMA is a framework law, which means that the law provides broad principles for a set of provincial laws that will regulate planning. It does therefore not have much relevance to individual departure applications that are mostly site-specific. Section 7 of the Act describes a set of development principles that need to be considered when evaluating any development application.

These principles include the following:

5.8.1 Spatial Justice

The principle of spatial justice requires that past spatial and other development imbalances must be redressed through improved access to and use of land. The proposal cannot directly contribute to spatial reform. These matters are best addressed through Spatial Development Frameworks and, Zoning Schemes and other management systems.

5.8.2 Spatial Sustainability

The proposal supports this principle of spatial sustainability in the sense that it would not cause any negative detrimental impact on natural assets.

5.8.3 Spatial Efficiency

The proposal supports the efficient use of existing resources and infrastructure where decision-making procedures are designed to minimise negative financial, social, economic, or environmental impacts. The positive consideration of the proposed applications will contribute to the efficient use of serviced urban land with minimal negative impact.

5.8.4 Spatial Resilience and Good Administration

The proposal supports the principle of good governance and administration by submitting the required town planning application for the authorisation of the existing encroaching structures which are in conflict with the Zoning Scheme By-Law. Additionally, updated Building Plans will be submitted to the Building Control Office after obtaining the necessary land use permissions.

6. CONCLUSION

Council is humbly requested to consider the following proposed applications:

i. Section 15 (2) (d): Application for a Departure from the provisions of the Knysna Zoning Scheme By-Law for building line and height relaxations in order to allow the existing encroaching dwelling house and carport.

ii. Section 15 (2) (f): Administrator's consent to relax Title Deed Restrictive C I 4 (d) which relates to building lines.

The rationale for approving the proposal can be summarised as follows:

- The application is to rectify historical encroachments. Most of the encroachments such as the house and carport have been existing since 1995. The owner did not receive any instruction from the municipality to rectify or demolish the deviations but has only recently been made aware of the situation and wants to be lawful.

- There are no significant societal or environmental reasons justifying the refusal of the requested departure and the subsequent demolition of the house and carport.
- Relaxing the restrictive Title Deed Condition will not change the property's land use or the area's character, nor will it adversely affect the public, given the proposal's residential nature.

- The proposal will not impact the views of neighbouring properties, as the encroaching structures are screened by existing vegetation and are not visible due to the slope of the land.

- The third storey is positioned below the approved dwelling house and only about a meter of the structure overlaps with the double-storey section of the house while most of the lower level can be regarded as a double-storey.

- The placement of the carport along Milkwood Drive is the most feasible option due to factors such as steep slopes and access considerations.

- The position of the carport on municipal land has been endorsed by the Council in the form of a Lease Agreement.

- The proposal aligns with the development principles outlined in Section 7 of SPLUMA.

- The proposal is not in conflict with the Knysna Spatial Development Framework.

SPECIAL POWER OF ATTORNEY

I, the undersigned ....BRONWYN MAREE.....
duly authorized, do hereby nominate, constitute and appoint Lizemarie Botha/ Lundikazi Khuphiso of the firm **PLANNING SPACE**, with power of substitution to be my lawful agent, in my name, place and stead to make application, as described below, to the relevant Authorities and to sign all application forms, documents and other papers as may be required in such application.

DESCRIPTION OF PROPERTY

Erf 12665, Knysna

NATURE OF APPLICATION

Departure, Removal of Restrictive Conditions and Related Applications

SIGNED AT...KNYSNA.....**THIS**...2ND... **DAY OF** .....JULY.....**2024**

.....BMaree.....

OWNER/ AUTHORISED AGENT

WITNESSES

1. .....

2. .....

1521

SEELREG
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VIR ENDOSSEMENTE KYK BLADSY
FOR ENDORSEMENTS SEE PAGE 9

Prepared by me,

CONVEYANCER
A D CALLAGHAN

T 104194/2002

CERTIFICATE OF CONSOLIDATED TITLE

Issued under the provisions of Section Forty of the Deeds Registries Act, 1937 (No. 47 of 1937)

WHEREAS

BRONWYN MAREE
Identity Number : [redacted]
Married out of Community of Property

has applied for the issue to her of a Certificate of Consolidated Title under the provisions of Section Forty of the Deeds Registries Act, 1937, and

2 / .....

WHEREAS she is the registered owner of:

1. **ERF 2369 KNYSNA in the Municipality and Division of Knysna, Province of the Western Cape;**

   HELD by Deed of Transfer No.T55338/2002

2. **ERF 2370 KNYSNA in the Municipality and Division of Knysna, Province of the Western Cape;**

   HELD by Deed of Transfer No.T43216/1993

which have been consolidated into the land hereinafter described;

NOW THEREFORE, in pursuance of the provisions of the said Act, I, the Registrar of Deeds at CAPE TOWN, do hereby certify that the said

BRONWYN MAREE
Identity Number : [redacted]
Married out of Community of Property

her Heirs, Executors, Administrators or Assigns:

is the registered owner of:

ERF 12665 KNYSNA in the Municipality and Division of Knysna, Province of the Western Cape;

IN EXTENT: 1 837 (One Thousand Eight Hundred and Thirty Seven) Square Metres

as will appear from the annexed Diagram No.4396/2002.

INSOFAR as the figure marked AfDE on Diagram No.4396/2002 is concerned:-

3 / .....

A. **SUBJECT** to the conditions referred to in Deed of Transfer No. T9037/1952 and Deed of Transfer No.T16304/1952.

B. **SUBJECT FURTHER** to the reservation in favour of the State of the rights to mines of gold, silver and precious stones mentioned in Section 4 of the Proclamation of Sir John Cradock dated 6th August 1813.

C. **SUBJECT FURTHER** to the following conditions mentioned in the said Deed of Transfer No.T20251/1975, namely:-

I. Imposed by the Administrator of the Province of the Cape of Good Hope in terms of Ordinance 33 of 1934 when approving the establishment of Knysna Township Extension No. 2, namely:-

"1. Any words and expressions used in the following conditions shall have the same meaning as may have been assigned to them by the regulations published under Provincial Administration Notice No.401 dated 17th October 1935 and in the memorandum which accompanied the said regulations.

2. The owner of this erf shall, without compensation, be obliged to allow electricity and water mains and the sewage and drainage including stormwater of any other erf or erven within or without this subdivision to be conveyed across this erf, if deemed necessary by the local authority and in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time in order to construct, maintain, alter, remove or inspect any sewer, manhole, channel, or other works pertaining thereto.

3. The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation on the erf as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority.

4. This erf shall be subject to the following further conditions provided especially that where in the opinion of the Administrator after consultation with the Townships Board and the Local Authority it is expedient that the restriction in any such condition should at any time be suspended or relaxed, he may authorise the necessary suspension or relaxation subject to compliance with such conditions as he may impose:

(a) It shall not be subdivided;

(b) It shall be used only for the purpose of erecting thereon one dwelling together with such outbuildings as are ordinarily required to be used therewith;

4/.....

(c) not more than half the area thereof shall be built upon;

(d) no building or structure or any portion thereof except boundary walls and fences shall be erected nearer than 4,72 metres to the street line which forms a boundary of this erf, nor within 3,15 metres of the rear or 1,57 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the local authority, an outbuilding not exceeding 3,05 metres in height measured from the floor to the wall plate and no portion of which will be used for human habitation, may be erected within the above prescribed rear space. On consolidation of any two or more erven, this condition shall apply to the consolidated area as one erf;

(e) In the event of the provisions of a Town Planning Scheme being made applicable to this erf, which provisions are more restrictive than the provisions contained in the above, then the provisions of such scheme shall apply.

II. Imposed by the Transferors therein for the benefit of themselves and their successors in title as defined in conditions hereunder, namely:-

"1. All buildings erected on this erf shall be constructed of brick, stone, concrete, or such other material as the Transferors may at their entire discretion and in writing permit.

2. The transferee shall not keep on the erf any live goat, pig, ox, cow, bull, sheep or donkey, without the written permission of the transferors first had and obtained.

3. The transferee shall not erect any corrugated iron fence or screen on this property without the permission of the transferors first had and obtained.

4. The property hereby transferred shall not be used for the burial of night soil.

5. No offensive, unhealthy or dangerous trade as defined in the Cape Municipal Ordinance or any amending ordinance shall be carried on on any erf in the Township.

6. The Transferors shall not be liable to contribute to the costs of erecting or maintaining any boundary fence on the property hereby transferred.

7. The property hereby transferred shall not be used for camping or as a caravan site, except with the written permission of the Transferors first had and obtained.

8. The Transferors shall not be bound or obliged to subject any one or other of the remaining erven in the Township to conditions the same or similar to those herein imposed, and no claim shall lie against the Transferors by the Transferee in respect of any such variation of conditions.

9. The conditions as set out herein shall be without prejudice to and in addition to any regulations which may already have been passed or which may hereafter be passed by any competent Local Authority.

5/.....

10. The term "Transferors or their successors in title" shall mean the aforementioned transferors as the registered owners of the land remaining registered in their names as follows:-

By Doreen de Vos (born Stroebel) married out of community of property to Dirk de Vos, one-fifth (1/5th) share by Certificate of Consolidated Title No.T15249/1957; and one-twentieth (1/20th) share by Deed of Transfer No.T2639/1972; by Dirk de Vos, one-fifth (1/5th) share by Certificate of Consolidated Title No.T15249/1957; by Jon Gavin Stroebel, one-eighth (1/8th) share by Deed of Transfer No.T32733/1974; by Alistair Beric Stroebel, one eighth (1/8th) share by Deed of Transfer No.T32733/1974; by Estate Theodore Stroebel, one-twentieth (1/20th) share by Deed of Transfer No.T2639/1972, by Estate Kenneth Stroebel, one-twentieth (1/20th) share by Deed of Transfer No.T2639/1972 and one-fifth (1/5th) share by Certificate of Consolidated Title No.T15249/1957 and their successors in title thereto excluding the owner of any subdivision of the land so held which may be alienated and transferred by the said Transferors subsequent to 16th April 1968 being the date of the sale of the land hereby transferred.

(the lastmentioned date was the date of the original sale of the land).

INSOFAR as the figure fBCD on Diagram No.4396/2002 is concerned:-

A. **SUBJECT** to the conditions referred to in Deed of Transfer No. T9037/1952 and Deed of Transfer No.T16304/1952.

B. **SUBJECT FURTHER** to the reservation in favour of the State of the rights to mines of gold, silver and precious stones mentioned in Section 4 of the Proclamation of Sir John Cradock dated 6th August 1813.

C. **SUBJECT FURTHER** to the following conditions contained in the said Deed of Transfer No.T42059/1974 imposed by the Administrator of the Province of the Cape of Good Hope in terms of Ordinance No.33/1934 when approving the establishment of Knysna Township Extension No. 2, namely:-

"1. Any words and expressions used in the following conditions shall have the same meaning as may have been assigned to them by the regulations published under Provincial Administration Notice No.401 dated 17th October 1935, and in the memorandum which accompanied the said regulations.

6/.....

2. The owner of this erf shall, without compensation, be obliged to allow electricity and water mains and the sewage and drainage including stormwater of any other erf or erven within or without this subdivision to be conveyed across this erf, if deemed necessary by the local authority and in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time in order to construct, alter, remove or inspect any sewer, manhole, channel, or other works pertaining thereto.

3. The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation on the erf as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority.

4. This erf shall be subject to the following further conditions provided especially that where in the opinion of the Administrator after consultation with the Townships Board and the Local Authority it is expedient that the restriction in any such condition should at any time be suspended or relaxed, he may authorise the necessary suspension or relaxation subject to compliance with such conditions as he may impose:

   (a) It shall not be subdivided;

   (b) It shall be used only for the purpose of erecting thereon one dwelling together with such outbuildings as are ordinarily required to be used therewith;

   (c) not more than half the area thereof shall be built upon;

   (d) no building or structure or any portion thereof except boundary walls and fences shall be erected nearer than 4,72 metres to the street line which forms a boundary of this erf, nor within 3,15 metres of the rear or 1,57 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the local authority, an outbuilding not exceeding 3,05 metres in height measured from the floor to the wall plate and no portion of which will be used for human habitation, may be erected within the above prescribed rear space. On consolidation of any two or more erven, this condition shall apply to the consolidated area as one erf;

   (e) In the event of the provisions of a Town Planning Scheme being made applicable to this erf, which provisions are more restrictive than the provisions contained in the above, then the provisions of such scheme shall apply.

D. **SUBJECT FURTHER** to the following special conditions contained in Deed of transfer No.T42059/974 imposed by the Transferors therein for the benefit of themselves and their successors in title as defined in condition 10 hereunder:-

7/.....

"1. All buildings erected on this erf shall be constructed of brick, stone, concrete, or such other material as the Transferors may at their entire discretion and in writing permit.

2. The Transferees shall not keep on the erf any live goat, pig, ox, cow, bull, sheep or donkey, without the written permission of the Transferors first had and obtained.

3. The Transferees shall not erect any corrugated iron fence or screen on this property without the permission of the Transferors first had and obtained.

4. The property hereby transferred shall not be used for the burial of night soil.

5. No offensive, unhealthy or dangerous trade as defined in the Cape Municipal Ordinance or any amending ordinance shall be carried on on any erf in the Township.

6. The Transferors shall not be liable to contribute to the costs of erecting or maintaining any boundary fence on the property hereby transferred.

7. The property hereby transferred shall not be used for camping or as a caravan site, except with the written permission of the Transferors first had and obtained.

8. The Transferors shall not be bound or obliged to subject any one or other of the remaining erven in the Township to conditions the same or similar to those herein imposed, and no claim shall lie against the Transferors by the Transferee in respect of any such variation of conditions.

9. The conditions as set out herein shall be without prejudice to and in addition to any regulations which may already have been passed or which may hereafter be passed by any competent Local Authority.

10. The term "Transferors or their successors in title" shall mean the aforementioned Transferors as the registered owner of the land remaining registered in their names as follows:-

By Doreen de Vos (born Stroebel) married out of community of property to Dirk de Vos, one-fifth (1/5th) share by Certificate of Consolidated Title No.T15249/1957; and one-twentieth (1/20th) share by Deed of Transfer No.T2639/1972; by Dirk de Vos, one-fifth (1/5th) share by Certificate of Consolidated Title No.T15249/1957; by Jon Gavin Stroebel, one-eighth (1/8th) share by Deed of Transfer No.T32733/1974; by Alistair Beric Stroebel, one eighth (1/8th) share by Deed of Transfer No.T32733/1974; by Estate Theodore Stroebel, one-twentieth (1/20th) share by Deed of Transfer No.T2639/1972, by Estate Kenneth Stroebel, one-twentieth (1/20th) share by Deed of Transfer No.T2639/1972 and one-fifth (1/5th) share by Certificate of Consolidated Title No.T15249/1957 and their successors in title thereto excluding the owner of any subdivision of the land so held which may be alienated and transferred by the said Transferors subsequent to 17th January 1969 being the date of the sale of the land hereby transferred."

8 / .....

AND that by virtue of these presents the said

BRONWYN MAREE
Identity Number : [redacted]
Married out of Community of Property

her Heirs, Executors, Administrators or Assigns, now are and henceforth shall be entitled thereto conformably to local custom, the State, however, reserving its rights;

IN WITNESS WHEREOF I, the said Registrar, have subscribed to these presents and have caused the seal of office to be affixed thereto.

THUS DONE AND EXECUTED at the Office of the Registrar of Deeds at CAPE TOWN on this 4th **day of** December **in the Year of our Lord, Two Thousand and Two (2002).**

Dabuschagne
.....
REGISTRAR OF DEEDS

Registered in the

Register Book Folio

Clerk in Charge

lg 9.

BC 000045605 / 2023 (1)

GEKANSELLEER
CANCELLED

REGISTRATEUR/REGISTRAR

11 2023

11 DEC 2023

ARTIKEL 40(5) WET 47 VAN 1937 SECTION ACT 47 OF 1937

VERBIND MORTGAGED

B 38832/1993

VIR FOR R 15000,00

BC 000076031 * 2002

2002 -12- 04

REGISTRATEUR/REGISTRAR

BC 000045606 / 2023 (2)

GEKANSELLEER
CANCELLED

REGISTRATEUR/REGISTRAR

11 DEC 2023

ARTIKEL 40(5) WET 47 VAN 1937 SECTION ACT 47 OF 1937

VERBIND MORTGAGED

B 87552/1994

VIR FOR R 175 000,00

BC 000076032 * 2002

2002 -12- 04

REGISTRATEUR/REGISTRAR

L.A. DALVIE & ASSOCIATES

Attorneys, Conveyancers, Administrators of Estates

In Association with **FOURIE BASSON &VELDTMAN**

Unit 1,
Rabat Village,
Vangate City,
Athlone, 7764
Deeds Office Box1521

P. O. Box 189,
Gatesville,
7766

Tel : [redacted]
Fax
Email : ladalvie@mweb.co.za
Docex 14 Athlone

Your reference	**Our reference**	**Date**
N/A	ZG/NA/M1154/2023	10TH JANUARY 2024

BRONWYN MAREE

Dear Sir & Madam

RE: BOND CANCELLATION : B MAREE / ABSA BANK
PROPERTY : ERF 12665 KNYSNA

We refer to the above and enclose herewith the following documents:-

- Original Deed of Transfer Number T104194/2002;

We await your acknowledgement of receipt of the original Title Deed within 14 days of date of this letter, failing which we shall assume that the original Title Deed was successfully delivered and received by your offices and we shall then proceed to close our file herein.

L.A. DALVIE & ASSOCIATES

PER:
Z.GAFFOOR

Kindly acknowledge safe receipt hereof by emailing a signed copy of this document to [redacted]

RECEIVED BY: BRONWYN MAREE

DATE: 16 JANUARY 2024

SIGNATURE: BMaree

REGISTRATION COPY

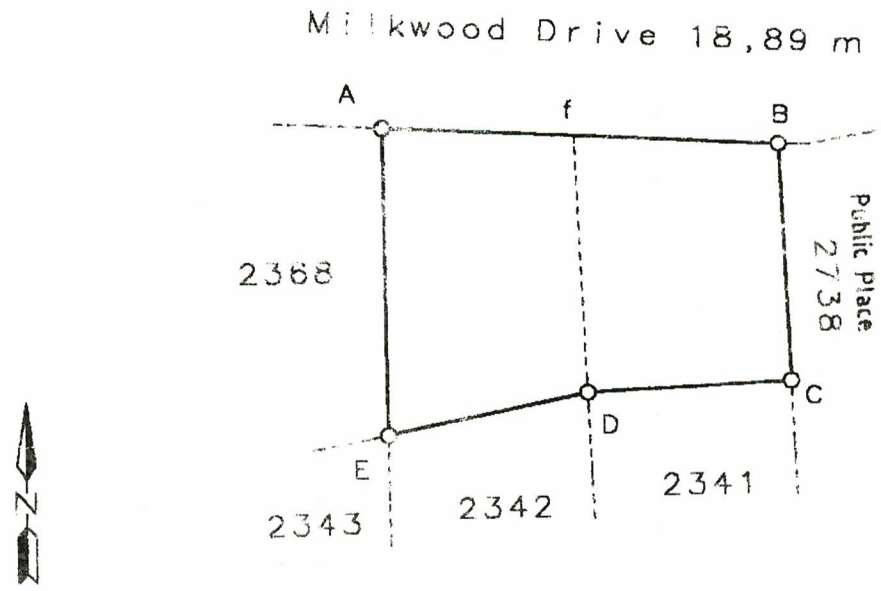
S.G. No.
4396/2002
Approved

for Surveyor-General
2002-10-08

Components:

1. The figure A f D E represents Erf 2369 Knysna vide S.G. diagram No. 3455/1974 annexed to D/T 1975- -20251

2. The figure f B C D represents Erf 2370 Knysna vide S. G. Diagram No. 6277/1974 annexed to D/T 1974- -42059



Scale 1 :1 000

The figure A B C D E
represents **1 837 square metres** of land being

ERF 12665 KNYSNA
and comprises the properties specified above

situate in Knysna Township Extension No. 2, in the Municipality and Administrative District of Knysna, Province of the Western Cape.

Compiled in September 2002
by me

Professional Land Surveyor
M.D. de Bruyn PLS 0134

This diagram is annexed to No. 104194/2002 dated i.f.o. Registrar of Deeds	The original diagrams are as specified above	File No. S/4587/29/4 Compiled Gen. Plan T.P. 1393 LD Comp. AM-1AA/X34(704)

Knysna
Municipality Munisipaliteit uMasipala
inclusive • innovative • inspired

Collab Ref.:
File No.: 7/1/2/5
N Mndebela

04 June 2024

Bronwyn Maree
[redacted]
KNYSNA
Email: [redacted]

Dear Mrs. Maree,

LEASING OF MUNICIPAL LAND, A PORTION OF ERF 2714, KNYSNA

The above matter refers.

We advise that your application to lease a portion of Erf 2714, Knysna has been approved.

Based on the valuation dated 13 February 2024, the rental amount for the portion of Erf 2714, Knysna is [redacted] per month with 8% escalation.

The lease agreement will be for a period of 9 years 11 months commencing on 1 July 2024.

Attached herein please find the lease agreement for your signature.

Should you have any queries regarding this matter, kindly contact our Head of Properties Ms. Nonhlanhla Mndebela at 044 302 6476.

Yours faithfully

MR. S. MALEPENG
ACTING MUNICIPAL MANAGER
/Sn

KNYSNA
Municipality Munisipaliteit uMasipala

AGREEMENT OF LEASE ENTERED INTO BY AND BETWEEN

KNYSNA MUNICIPALITY
(Herein represented by **Setloane Malepeng**, identity number [redacted] in his capacity as **Acting Municipal Manager**, he being duly authorised thereto):
(Hereinafter referred to as the LESSOR)

AND

BRONWYN MAREE,
(identity number [redacted]
she being duly authorised thereto

(Hereinafter referred to as the LESSEE)

WHEREAS the LESSOR has agreed to lease the PROPERTY situated on **a Portion Erf 2714, Knysna** (± **37** Square Meters as indicated in red on the attached diagram "A") to the LESSEE and the LESSEE is prepared to rent the PROPERTY from the LESSOR;

AND WHEREAS the LESSOR and the LESSEE have reached agreement as to the terms upon which the PROPERTY shall be let, subject to such terms being reduced to writing;

SG

ML LK

NOW THEREFORE IT IS HEREBY AGREED AS FOLLOWS:

1

LEASE AND DURATION

1.1 The LESSOR hereby lets, and the LESSEE hereby hires, the PROPERTY for a period of **9 Years 11 months** commencing on the **1 July 2024** and ending on the **31 May 2034**, notwithstanding the date of the signing of this agreement.

2

THE RENT

The rent payable by the LESSEE to the LESSOR under this lease shall be the sum of [redacted] with an annual escalation of 8%.

3

USE

The LESSEE shall not be entitled to utilize the PROPERTY for any use other than as **Access to the property and Carport.**

4

RATES AND TAXES, ELECTRICITY AND MAINTENANCE

The LESSEE shall be liable for:

4.1 Payment of all municipal service charges i.e in respect of refuse removal, sewerage etc. or any other service charges raised by the LESSOR;

THE LESSOR'S OBLIGATIONS

4.1.1 any maintenance and/or renovations as the leasing of the premises is "*voetstoots*";

4.1.2 use its reasonable efforts to prevent any blockage of any sewerage or water pipes or drains in or used in connection with the leased premises and shall remove at its cost any obstruction or blockage which occurs in the Leased premises during the operation of the lease;

SG
ML LK

4.1.3 not permit the accumulation of domestic refuse in or outside the leased premises, save in the refuse bins;

4.1.4 shall not do, or cause or allow to be done, anything which shall or might have the effect of vitiating the fire or other insurance now or hereafter affected by the lessor on the PROPERTY or of increasing the premiums payable in respect thereof. Should such premium be increased as 'n consequence of any act, or omission by the LESSEE, the amount of the increase shall be paid by the lessee to the lessor on demand;

4.1.5 shall comply with all legislation including but not limited to Municipal By-laws for the whole term of the lease, failure to do so will result in the cancellation of the lease agreement; and

4.1.6 shall follow the Town Planning processes regarding the **carport**.

5

THE LESSOR'S OBLIGATIONS

The responsibility of the LESSOR for maintenance of the property shall be limited to the following:

5.1 The repairs of any major structural defects of the sewerage and water system, excluding any blockages, tap leaks and other defects caused by normal wear and tear and have not been caused by the LESSEE, provided that such repairs are necessary to ensure that the property is habitable.

6

LESSEE NOT TO CREATE A NUISANCE

During the currency of this lease, the lessee shall not do, or cause or allow to be done, anything which is or may be a nuisance or annoyance to anyone.

S.G

ML

7

FAILURE TO MAINTAIN

Should the LESSEE fail to maintain the PROPERTY properly in terms of this clause, the LESSOR shall have the right to notify the LESSEE in writing to rectify such failure within 14 (FOURTEEN) days and if the LESSEE should thereafter still fail to respond, the LESSOR shall be entitled to undertake such maintenance and to recover the costs thereof from the LESSEE which costs shall be payable on demand. In addition to the rights contained in this clause, the LESSOR shall, in case of failure to maintain, have the normal rights of cancellation as provided for in this agreement.

8

INDEMNIFICATION

The LESSOR will not be responsible for any damage, loss or injury sustained by the LESSEE, his family members, visitors or occupants of the property at any time caused as a result of any defect in the dwelling or outbuildings during the operation of this lease beyond the liability imposed on the LESSOR by operation of section 61 of Act 68 of 2008 and the LESSEE indemnifies the LESSOR against any claim resulting from such damage, loss or injury.

8.1 The LESSOR will not be responsible for any damage, loss or injury sustained by the LESSEE, its employees, persons acting under its control, its members or any person making use of its facilitiesat any time caused as a result of any negligent act or omission of the LESSEE, its employees persons acting under its control, its members or any person making use of its facilities and the LESSEE indemnifies the LESSOR against any claim resulting from such damage, loss or injury.

8.2 Notwithstanding the above, the LESSOR shall not be liable for damages caused by death or personal injury of the LESSEE or any persons referred to above, unless such damage is the result of an act or omission on the part of the LESSOR.

9

REGULATIONS AND BY-LAWS

The LESSEE shall not contravene or permit any contravention of any statutes, legislation, proclamation or by-laws or any township or title deed condition applying to or affecting the PROPERTY, the contents of which the LESSEE acknowledges that he is acquainted with.

SG

ML CK

INSPECTION

10.1 The LESSOR shall be entitled, personally or by way of an agent at all reasonable times to inspect the PROPERTY, both externally and internally. In the event of any damages found during these inspections, the LESSEE shall effect repairs within **21 (twenty-one)** days from date of notification of such. And the LESSEE shall be obliged during the last two months of this lease to grant access to all potential purchasers and/or LESSEES to view the PROPERTY externally as well as internally.

10.2 The LESSEE further acknowledges that the PROPERTY is leased as it stands on the day of the lease becomes effective, without any guarantees given by the LESSOR by implication or otherwise.

MISCELLANEOUS

10.3 It is an express condition of this agreement that the LESSOR shall, depending on demand, have the right at any time during the term of this Lease agreement to retake possession of the whole or portion of the PROPERTY as the case maybe, should it be required for State or Municipal purpose. Should the Lessor exercise this right, the LESSOR shall;

10.3.1 inform the LESSEE by written notification 3 (three) months in advance of its intention to exercise such right;

10.3.2 be liable to compensate the LESSEE on a pro rata basis for improvements effected on the PROPERTY with the LESSOR'S approval (The pro rata amount of compensation to be determined by the LESSOR).

10.4 The LESSEE shall without compensation be obliged to allow electricity cables, wires, mains and/or other water pipes, sewerage and drainage including storm water of any other erf or erven inside or outside the PROPERTY to be conveyed across the leased property if deemed necessary by the LESSOR and in such a manner and position as may from time to time be reasonably required. This shall include the right of access of constructing, altering, removing or inspecting any works in connection with the above. It is agreed that these provisions in this paragraph shall not be considered as repossessions of a portion of the property as provided for in paragraph 12.1.

SH SG ML LK

11

CANCELLATION

Should the LESSEE fail to pay any rent on its due date, or commit a breach of any of the other terms of this lease, the LESSOR shall have the right forthwith and without any further notice to the LESSEE,

11.1 to cancel this lease and to eject or have ejected from the PROPERTY the LESSEE or any other person occupying the PROPERTY without prejudice to the LESSOR'S rights to claim unpaid rent together with interest thereon at a rate of 15,5% (FIFTEEN COMMA FIVE PERCENT) per annum calculated from the date on which such rent became payable to the date of payment thereof, including collection commission of 10% (TEN PERCENT) on such arrears and any damages the LESSOR may have sustained consequent upon any such failure or breach ;

ALTERNATIVELY

11.2 to claim payment of the rent payable or to become payable in terms of this lease, without prejudice to the LESSOR'S rights to recover damages to the PROPERTY or damages caused as a result of the failure or breach by the LESSEE as well as any other monies that are outstanding. Should the LESSEE remain in occupation of the PROPERTY after the above cancellation of the lease, or should a dispute arise as to the cancellation of the lease the LESSEE shall be not be entitled to withhold rental due to such dispute or cancellation and shall be liable to pay the monthly rent as stipulated herein.

12

DELIVERY ON EXPIRATION OF LEASE

The property will revert to the Knysna Municipality when the lease expires.

13

INDULGENCE BY LESSOR

No relaxation or any indulgence, or any postponement granted by the LESSOR to the LESSEE with regard to any matter contained in this lease or with regard to the payment of rent shall be construed as being a waiver of any of the LESSOR'S rights in terms of this lease, nor shall such relaxation, indulgence of postponement operate as an *estoppel* against the LESSOR.

14

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DISPUTE RESOLUTION

14.1 The parties hereby consent that they will first endeavour to resolve any dispute arising as a result of this agreement by mutual consent. The parties will delegate their senior officials to try and resolve such dispute. If such dispute is not resolved within 14(fourteen) days after the date of the mutual discussions, then the provisions as laid out below shall apply.

14.2 The parties hereby consent, in terms of section 45 of the Magistrate's Courts Act, No 32 of 1944, to the jurisdiction of a magistrate's court in respect of any action or proceeding arising directly or indirectly out of this agreement or the cancellation thereof. This consent is without prejudice to the right of a party to proceed in any other court of competent jurisdiction or by way of arbitration.

14.3 Any dispute which may arise between the parties relating to the interpretation, effect or termination of this agreement or to their rights or obligations in terms hereof shall be submitted for arbitration if any party to the dispute so requires. In such an event the following provisions shall apply:

14.3.1 The party which elects to make use of arbitration shall give notice of his election to the other party prior to or within 10 (TEN) days after the institution of proceedings.

14.3.2 The arbitration shall be conducted –

14.3.2.1 At Knysna, Western Cape Province;

14.3.2.2 in accordance with the formalities and procedures to be settled by the arbitrator;

14.3.2.3 in accordance with the formalities and procedures to be settled by the arbitrator;

14.3.2.4 as soon as reasonably possible with a view to its being completed within 30 (THIRTY) days after the appointment of the arbitrator;

14.3.2.5 save as provided for to the contrary herein, in accordance with the provisions of the Arbitration Act, 1965, or such other legislation as may be enacted in its stead from time to time.

14.3.3 The arbitrator shall be a practising or retired attorney or advocate who has had not less than 10 (TEN) years' experience in practise. He shall be appointed by

SG LK MLB

agreement between the parties to the dispute, and failing such agreement within 7 (SEVEN) days after the date upon which the arbitration is demanded, by the President of the Law Society of the Cape of Good Hope, or his nominee.

14.3.4 The arbitrator shall be entitled –

14.3.4.1 to require or dispense with pleadings or discovery of documents:

14.3.4.2 to depart the strict rules of the law of evidence to such extent and in such manner as he may in his sole discretion determine;

14.3.4.3 to investigate or cause to be investigated any matter, fact or thing which he considers necessary or desirable in connection with the dispute and for that purpose shall have the widest powers of investigating all the books and records of any of the parties to this agreement whether or not that party is a party to the dispute, and the right to make copies or take extracts therefrom and the right to have them produced or delivered at any reasonable place required by him for the aforesaid purposes;

14.3.4.4 to interview and question under oath any of the parties;

14.3.4.5 to decide the dispute according to what he considers just and equitable in the circumstances;

14.3.4.6 to make such award, including an award for specific performance, an interdict, damages or a penalty or otherwise as he in his sole discretion may deem fit and appropriate.

14.4 Any award that may be made by the arbitrator –

14.4.1 shall be final and binding;

14.4.2 will be carried into effect; and

14.4.3 may be made an order of the Western Cape High Court (Cape Town) or the Magistrates Court for the district of Knysna to whose jurisdiction the parties hereby submit.

14.4.4 Should any party take legal proceedings against another arising directly or indirectly out of this agreement or the cancellation thereof, the successful party shall be entitled

SM SG ML LK

to recover costs on the scale as between attorney and client from the other party.

15

DOMICILIUM CITANDI ET EXECUTANDI

As *domicilium citandi et executandi (the address for delivery of notices and court documents)* the LESSEE chooses the address at **50 Milkwood Drive, Upper Old Place, Knysna, 6570** and the LESSOR at **Municipal Buildings, 5 Clyde Street, Knysna**. Any notice by the LESSOR to the LESSEE in connection with this lease, addressed to the LESSEE and posted to such *domicilium* shall be deemed to have been received by the LESSEE on the day after the day upon which it was posted, and *vice versa*.

16

COSTS OF LEGAL ACTION

In the event of the LESSOR and LESSEE being engaged in litigation regarding the lease, cancellation of enforcement thereof or any claim pertaining thereto, the party being ordered by any court to pay the costs of such litigation, shall be obliged to pay the successful party's costs on a scale as between attorney and client, including such collection commission or other charges as any representative of either party being awarded a costs order may in law be entitled to charge.

17

JURISDICTION

The parties hereby consent to the jurisdiction of the Magistrates Court for the institution of any action resulting from this lease, however the LESSOR reserves the right to institute action in any other competent court of law.

18

NON-VARIATION

This agreement contains all the conditions of the lease and no agreement at variance with any term of this lease, or addendum or supplement to this agreement or cancellation hereof, or waiver by any party of its rights or any aspect hereof, inclusive of this clause, shall be binding upon the parties unless contained in a written document signed by the LESSOR and the LESSEE.

SM SG
ML BM LK

SIGNED AT Knysna ON THIS DAY OF 02 July 2024

AS WITNESSES:

1. _____

2. _____

_____
LESSEE **(Bronwyn Maree)**

SIGNED AT **KNYSNA** ON THIS DAY OF 26th June 2024

AS WITNESSES

1. _____

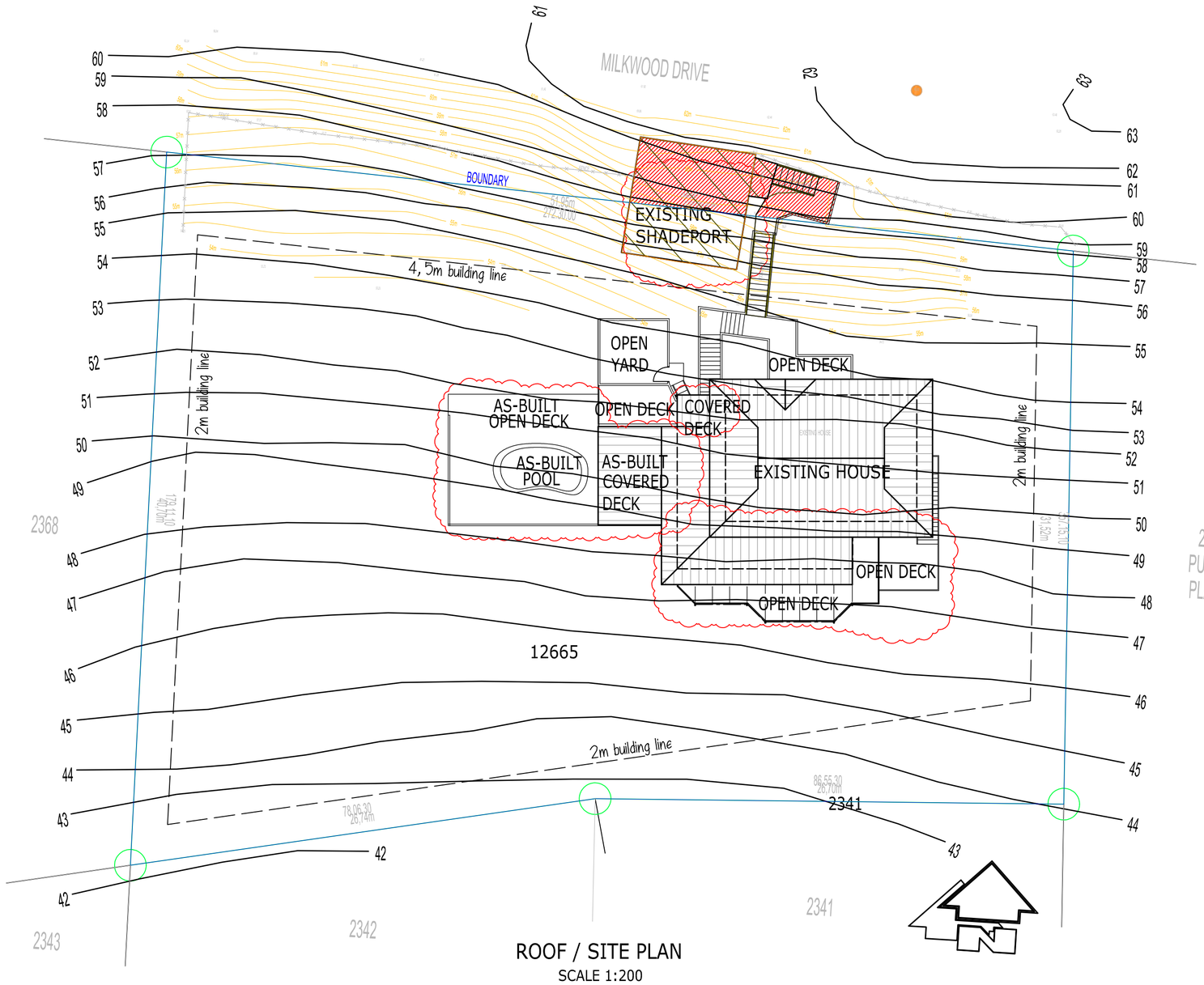
2. _____

_____
LESSOR **(Municipal Manager)**

Diagram "A"



SG.
ML UK



ROOF / SITE PLAN
SCALE 1:200

	Original house under roof (sq m)	AS-BUILT areas under roof (sq m)	Total Area under roof (sq m)	Open decks >1m above ngl (sqm)
Shadeport at road lvl	-	36	36	-
First Floor	78	-	78	-
Ground Floor	79	30	109	105
Lower Floor	-	52	52	12
Totals	157	118	275	117

SITE AREA (sq m)
1837
Coverage (sq m)
Actual = 262 (14% of site area)

AMANDA CLOETE-DAVIDSON
PROFESSIONAL SENIOR ARCHITECTURAL TECHNOLOGIST
SACAP REG. ST1161

PO Box 849 Knysna 6570
tel: 082 770 5865
email: amanda.knysna@gmail.com

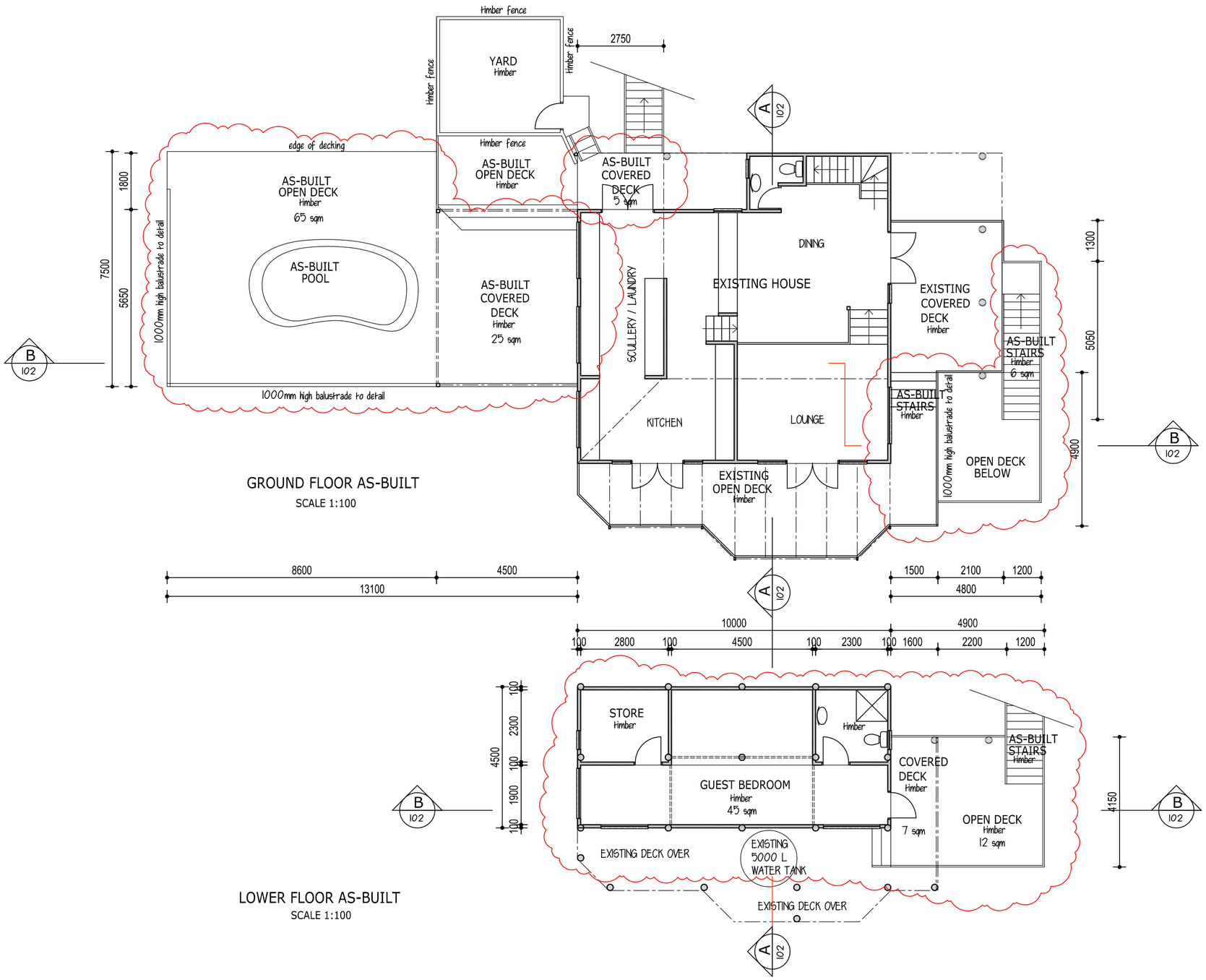
AS-BUILT PLANS FOR
MRS B. MAREE

ERF 12665 KNYSNA HEIGHTS

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DWG No. A2-101
IN PROGRESS
SCALE 1:200
DATE: SEPT 2023

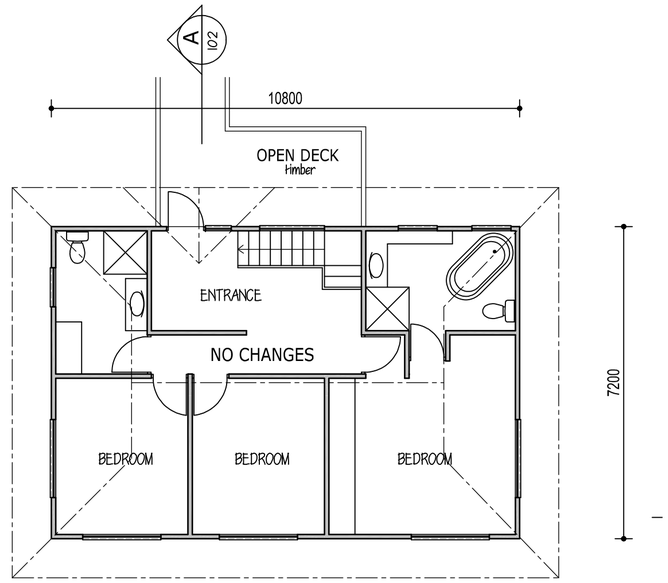
OWNER'S SIGNATURE

ARCHITECTURAL PROFESSIONAL'S SIGNATURE

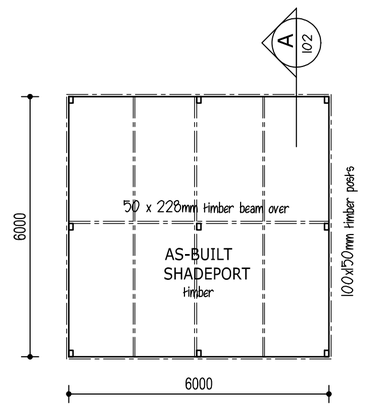


GROUND FLOOR AS-BUILT
SCALE 1:100

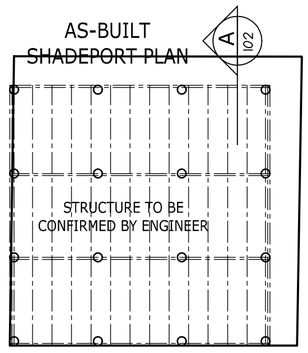
LOWER FLOOR AS-BUILT
SCALE 1:100



FIRST FLOOR AS-BUILT
SCALE 1:100



AS-BUILT
SHADEPORT PLAN



AS-BUILT SHADEPORT
SUPPORT STRUCTURE

AMANDA CLOETE-DAVIDSON
PROFESSIONAL SENIOR ARCHITECTURAL TECHNOLOGIST
SACAP REG. ST1161

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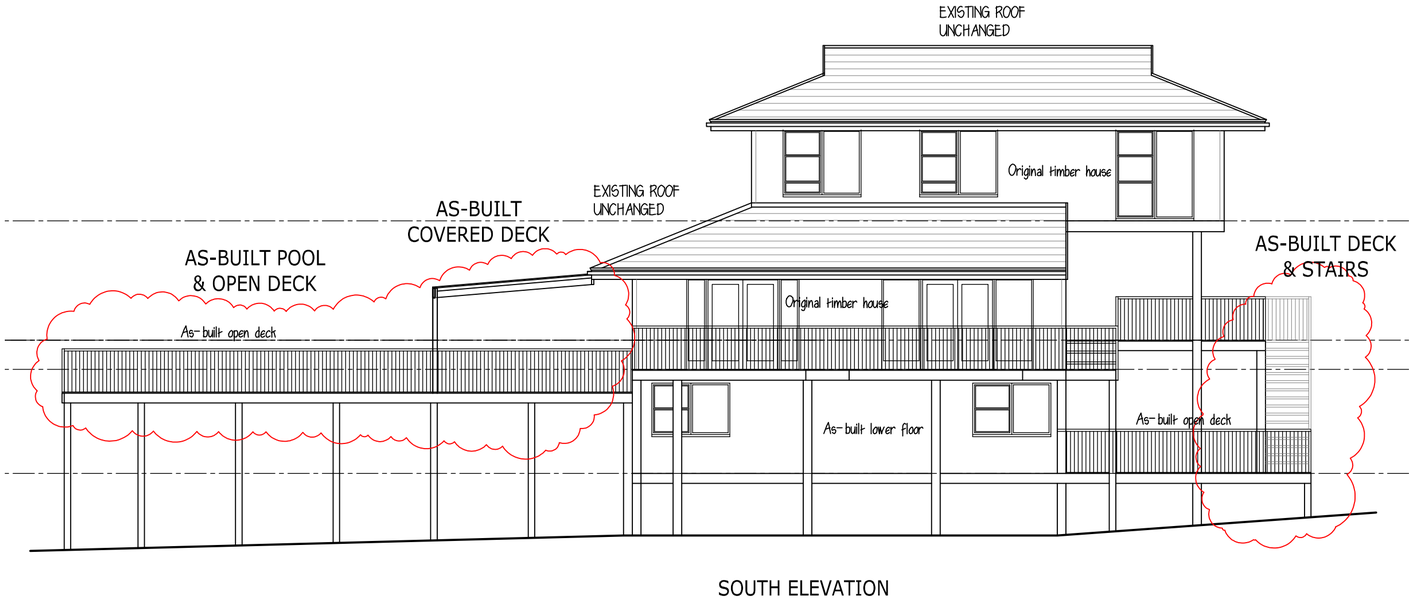
AS-BUILT PLANS FOR
MRS B. MAREE

ERF 12665 KNYSNA HEIGHTS

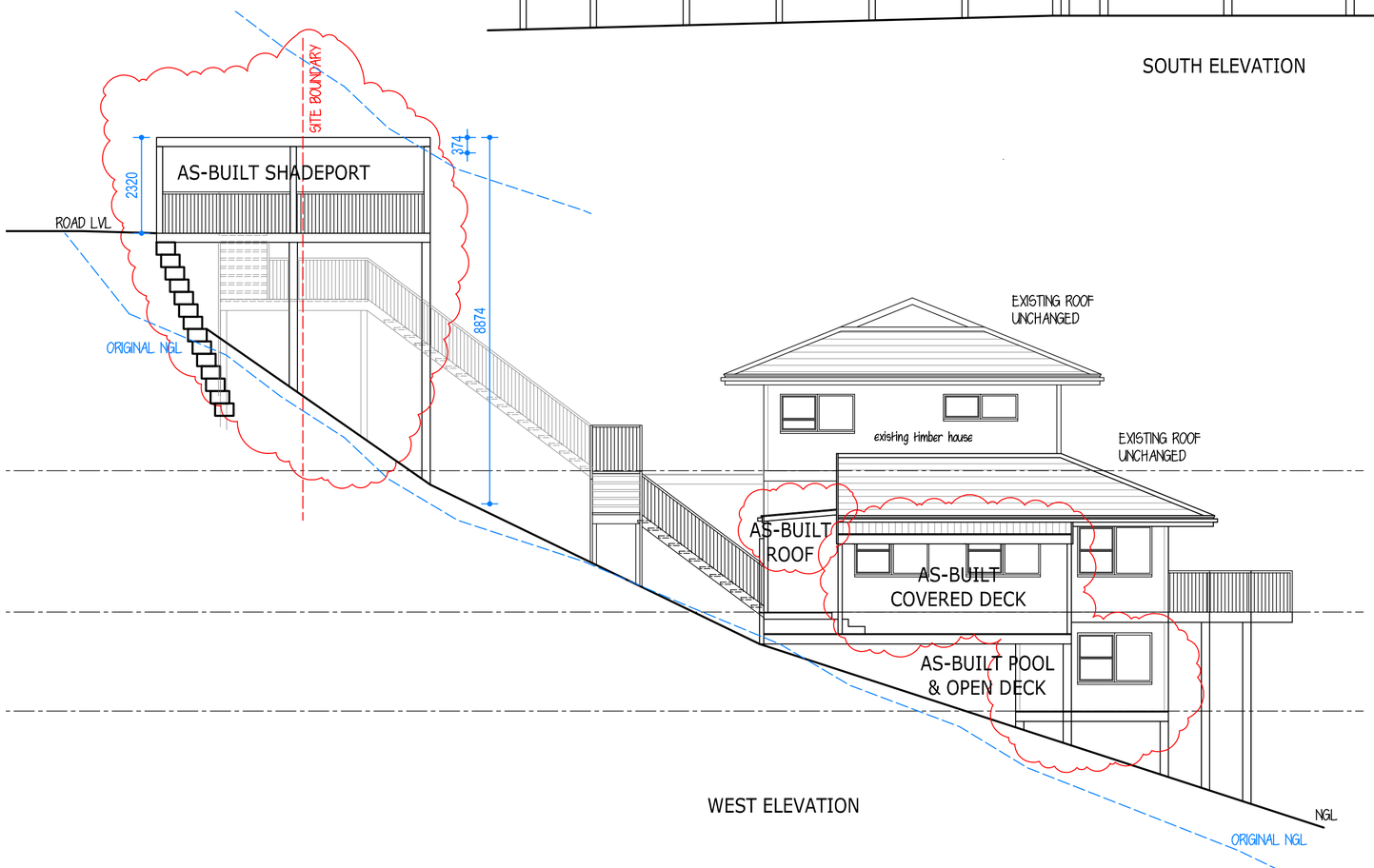
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DWG No. A2-101
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SCALE 1:100 1:250
DATE: SEPT 2023

OWNER'S
SIGNATURE

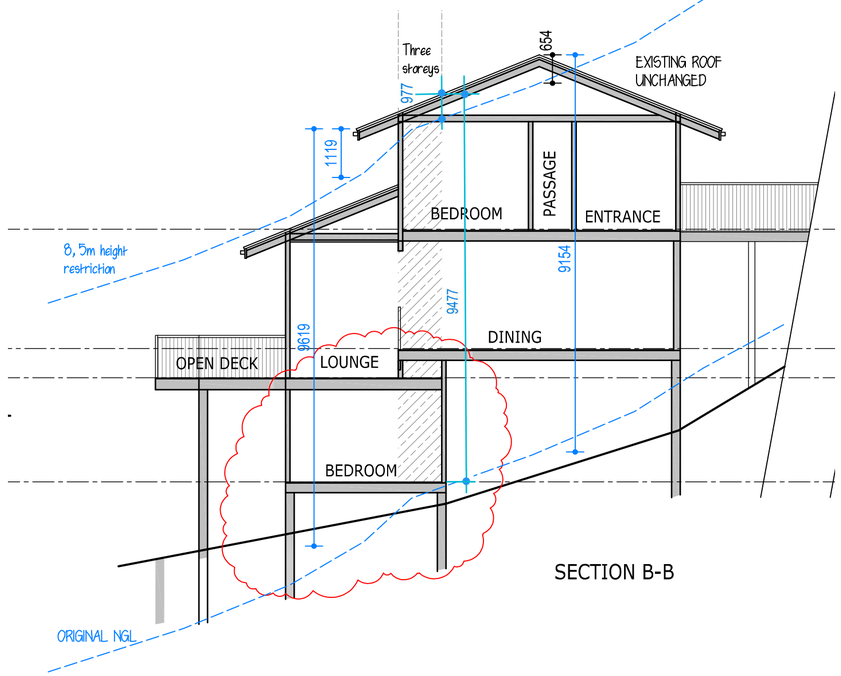
ARCHITECTURAL
PROFESSIONAL'S
SIGNATURE



SOUTH ELEVATION



WEST ELEVATION



SECTION B-B

AMANDA CLOETE-DAVIDSON
PROFESSIONAL SENIOR ARCHITECTURAL TECHNOLOGIST
SACAP REG. ST1161

PO Box 849 Knysna 6570
tel: 082 770 5865
email: amanda.knysna@gmail.com

AS-BUILT PLANS FOR MRS B. MAREE

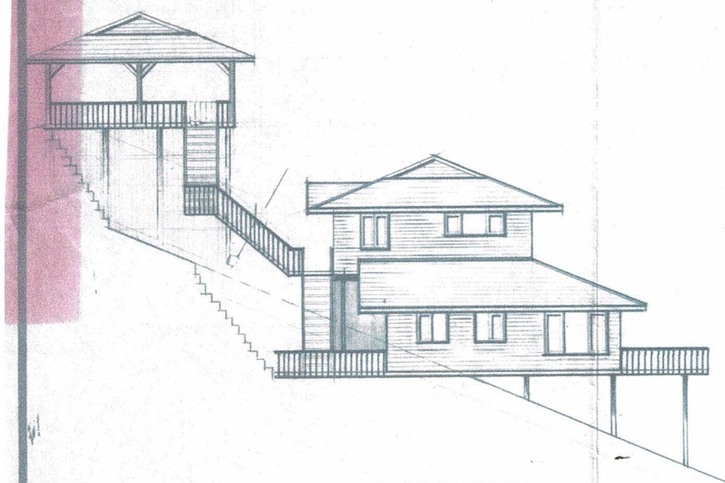
ERF 12665 KNYSNA HEIGHTS

PROJECT No.: 2207
DWG No. A2 - 103
IN PROGRESS
SCALE 1:100
DATE: SEPT 2023

OWNER'S SIGNATURE

ARCHITECTURAL PROFESSIONAL'S SIGNATURE

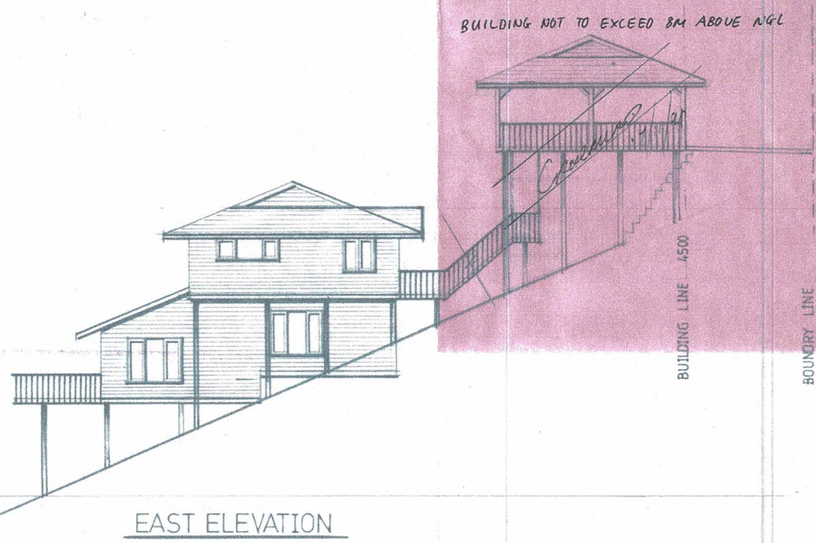
HOUSE MAREE



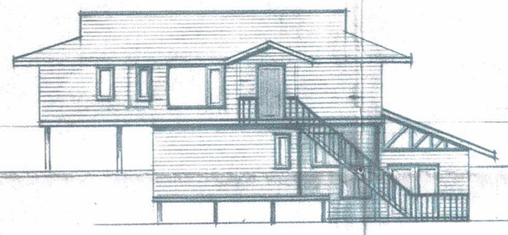
WEST ELEVATION



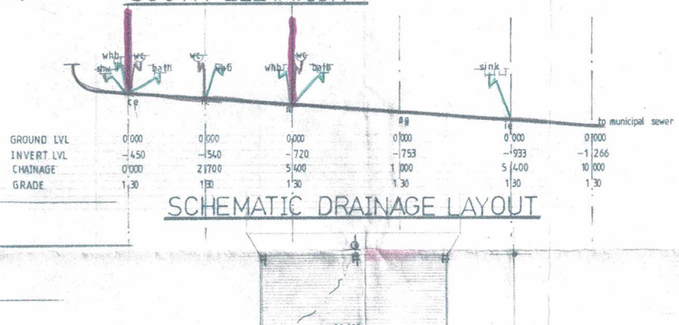
SOUTH ELEVATION



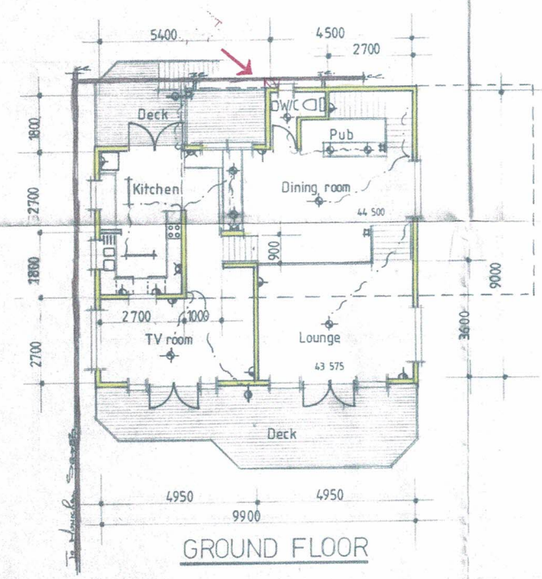
EAST ELEVATION



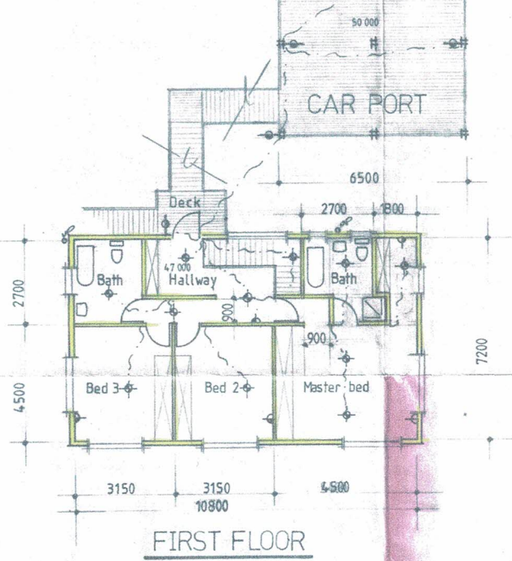
NORTH ELEVATION



SCHEMATIC DRAINAGE LAYOUT



GROUND FLOOR



FIRST FLOOR

CAR PORT	42,25 m²
FIRST FLOOR	77,76 m²
GROUND FLOOR	79,38 m²
DECK	40,22 m²
TOTAL AREA	239,61m²

SPECIFICATION

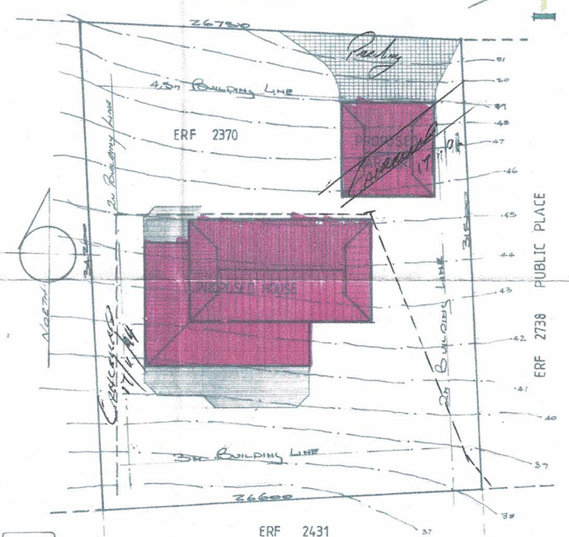
ROOF
Concrete tile on GANGNAIL trusses to specialist detail
pine ceiling fixed to under side of trusses insulation laid over ceiling
rafters over lounge & kitchen exposed
pine t&g ceiling through out
PVC gutters & down pipes

WALLS
All walls 110X38 pine stud framing lined externally with 1/2 log cladding
lined internally to owners specification
insulation in all cavities
windows & doors RUTHERFORD or similar approved.
ALL WALL FRAMING TO SPECILIST DETAIL

FIRST FLOOR
Pine t&g flooring on ply sub floor on 205X38 pine joists on 205 X 76 pine bearers designed to specialist details
pine ceiling to underside of joists insulation between joists.

GROUND FLOOR
Pine t&g flooring on ply sub floor on 205X38 pine joist on 205 X 76 bearers supported by 200ϕ poles on 600X600 concrete pads.
DESIGN TO SPEC. DETAILS

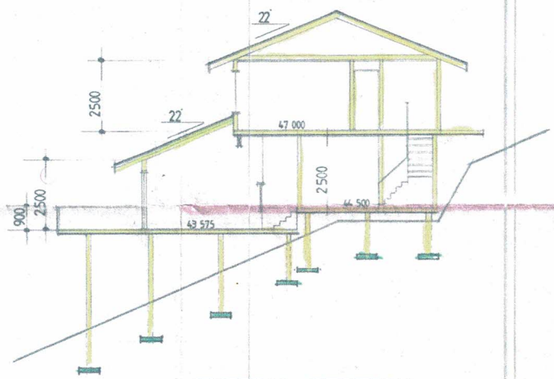
DECKS
Pine decking on 205X38 joists
hand railin to comply with NBR
stairs to comply to NBR specs
ALL TIMBER COMPONENTS PRESERVATIVE TREATED TO SABS SPECS.



SITE PLAN

See annexed site plan.

BUILDING NOT TO EXCEED 8m ABOVE NGL



TYPICAL SECTION

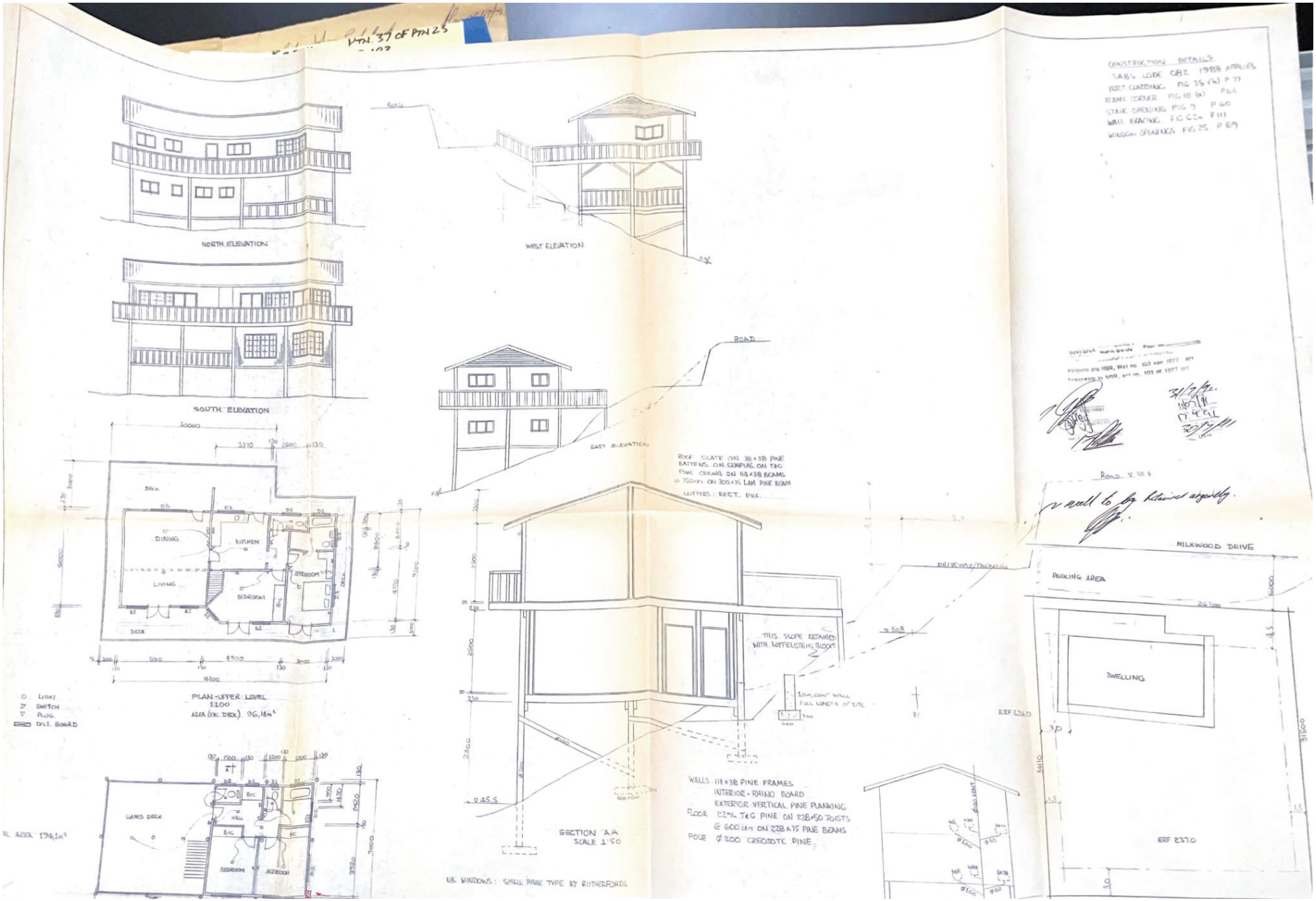
ALL BUILDING WORK TO COMPLY WITH NBR 082
THIS DRAWING IS FOR APPROVAL PURPOSES ONLY
All Drawings to comply to NBR.

PROPOSED HOUSE ON ERF 2370
EXT N° 2 KNYSNA
FOR Mr B MAREE

KNYSNA MUNISIPALITEIT / MUNICIPALITY PLAN No. 297/94
GOEDGEKEUR / APPROVED
Volgens die NBR, Wet No. 103 van 1977, soos gewysig
Accordance NBR, Act No. 103 of 1977 as ammended
BOU / TE — 17/11/94 DATE
HEALTH INSPECTOR — 2/11/94 DATE
TOWN ELECTRICAL ENGINEER — 4/11/94 DATE
TOWN PLANNER — 2/11/94 DATE

DRWN GM CORNAH
DATE 10/10/94
SCALE 1/100 1/200

PO BOX 1214
KNYSNA


NORTH ELEVATION
WEST ELEVATION
SOUTH ELEVATION
EAST ELEVATION
ROAD
CONSTRUCTION DETAILS
SABS CODE 082 1988 APPLIES
ROOF CLADDING FIG 35 (4) P 77
FRAME CORNER FIG 18 (a) P 65
STAIR OPENINGS FIG 9 P 60
WALL BRACING FIG C2.4 P 111
WINDOW OPENINGS FIG 25 P 69
Road V. 55 4
well to be kerbed asphalt.
MILKWOOD DRIVE
PARKING AREA
DRIVEWAY/PARKING
DWELLING
ERF 2370
ERF 2360
DINING
KITCHEN
LIVING
BEDROOM
BEDROOM
DECK
PLAN - UPPER LEVEL
1:100
AREA (EXC. DECK) 96,14m²
O LIGHT
SWITCH
PLUG
DIST. BOARD
GAMES DECK
BEDROOM
BEDROOM
BEDROOM
BEDROOM
BL AREA 134,1m²
ROOF: SLATE ON 38x38 PINE BATTENS ON CORPLAS ON T&G PINE CEILING ON 114x38 BEAMS @ 750 c/cs ON 300x75 LAM PINE BEAM
GUTTERS: RECT. PVC.
THIS SLOPE RETAINED WITH LOFFELSTEIN BLOCKS
10m CONC WALL FULL LENGTH OF SITE
SECTION AA
SCALE 1:50
WALLS: 114x38 PINE FRAMES
INTERIOR - RHINO BOARD
EXTERIOR: VERTICAL PINE PLANKING
FLOOR: 22mm T&G PINE ON 228x50 JOISTS @ 600 c/cs ON 228x75 PINE BEAMS
POLE: Ø 300 CREOSOTE PINE
NB. WINDOWS: SMALL PANE TYPE BY RUTHERFORDS

Collab. Ref.
File Ref.: 12665 Kny
JH Smit
Tel: 044-302 6318

Knysna
Municipality Munisipaliteit uMasipala
inclusive • innovative • inspired

Via Electronic Mail

2024-09-11

RB Naysmith
[redacted]
7979
Email: [redacted]

Dear Sir/Madam,

PROPOSED DEPARTURE & ADMINISTRATOR'S CONSENT: ERF 12665, KNYSNA

Notice is hereby given in terms of Section 15 of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021) that the abovementioned application has been received from:

Applicant's Name:	Bronwyn Maree
Contact Person:	c/o Planning Space (Pty) Ltd
Email:	lundi@planningspace.co.za
Reference number:	Application number 3260
Property Description:	Erf 12665, Knysna
Physical Address:	50 Milkwood Drive, Upper Old Place, Knysna
Nature of application:	

(i) Application for a **Departure** in terms of **Section 15(2)(b)** of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021) for the following:
   a) for the relaxation of the street building line from 4,5m to 0m in order to allow an existing carport as indicated on the Site Plan numbered "*A2-103*" dated Sept 2023;
   b) for the height relaxation from 8,5m to 8,8m in order to allow the existing carport that is situated on the street building line;
   c) for the height relaxation from the permitted 8,5m to 9,6m in order to allow the existing dwelling house;
   d) for the height relaxation from a two-storey height limitation to three storeys to allow the unauthorized lower floor below the existing approved dwelling house which exceeds the 8,5m height restriction;

(ii) Application for an **Administrator's Consent** for the relaxation of condition C.1.4(d) in the title deed (T104194/2002) of Erf 12665, Knysna, to allow the relaxation of the street building line from 4,5m to 0m in order to permit the existing carport.

A full copy of the application is available for inspection on the municipal website:
https://www.knysna.gov.za/do-business/planning-development/current-land-use-applications/

Members of the public are invited to submit written comments, together with the reasons therefore in terms of Section 15 of the Knysna Spatial Planning and Land Use Management By-Law (2021). Comments must be addressed to the Acting Municipal Manager and submitted via email at knysna@knysna.gov.za and ssitinga@knysna.gov.za on or before **14 October 2024,** quoting your name, address, electronic contact details and telephone number, interest in the application and reasons for comment. The municipality may refuse to accept comments received after the closing date. Persons who cannot write may contact the Town Planning Office during office hours, where the responsible official will assist you in putting your comments in writing.

Telephonic enquiries may be made during office hours to Sinovuyo Sitinga at 044-302 6276 or via email ssitinga@knysna.gov.za.

Yours faithfully,

JH SMIT
MANAGER: LAND USE MANAGEMENT
/lb

MAILING LIST FOR ERF 12665 KNYSNA

2318	RB NAYSMITH	Via electronic mail
2319	IC NAPIER	Via electronic mail
2320	DD & JA PELSER	Via electronic mail
5195	S LANGE	Via electronic mail
2322	WAGSTAFF MELANIE ANN	Via electronic mail
2367	MM & WG RAUTENBACH	Via electronic mail
2368	W & L VAN ZYL	Via electronic mail
2371	JH DU PLESSIS & NT D'OLIVIERA	Via electronic mail
2738	CM CROLY	Via registered mail
2372	GLEN MOLLER CC	Via electronic mail
2373	GLEN MOLLER CC	Via electronic mail
2343	AMALFI FAMILY TRUST	Via electronic mail
2342	DC WATSON	Via electronic mail
2341	NW JOUBERT & J SMALL	Via electronic mail
2340	SM & LAA LE CHAT	Via electronic mail
2339	E & JA MORRIS	Via electronic mail

KNYSNA
Municipality
Munisipaliteit
uMasipala

LAND USE APPLICATION DEPARTMENT COMMENTS

Erf Number: 112665000
Application Type: Departure;Removal of Restrictions
Application Number: 3260
Application Date: 2024-08-20

Department	Comment Requested (T=Yes / F=No)	Comment Received
Corporate Services	T	--oOo-- Thu Oct 17 2024 08:51:50 GMT+0200 (South Africa Standard Time) System: No comments received from department
Legal Services	F	
Financial Services	F	
Community Services	F	
Fire Services	F	
Traffic	F	
Waste Removal	F	
Infrastructure Services	T	--oOo-- Mon Oct 14 2024 12:13:31 GMT+0200 (South Africa Standard Time) Comment by SASSM: * Boundary sewer manhole must be installed. * Shade port in the road reserve is not supported.
Infrastructure Services Roads	F	
Infrastructure Services Sewer	F	
Electro Technical	F	
Housing	F	
Environmental Services	F	
Building Control	F	
Aesthetics Committee	F	
Street Naming Committee	F	

Please address all correspondence to the Municipal Manager and quote the above reference
P O Box 21 • Knysna • 6570 • Tel: 044 302 6300 • Fax: 044 302 6333 • E-mail: knysna@knysna.gov.za

KNYSNA
Municipality
Munisipaliteit
uMasipala

LAND USE APPLICATION DEPARTMENT COMMENTS

Erf Number: 112665000
Application Type: Departure;Removal of Restrictions
Application Number: 3260
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Corporate Services	T	--oOo-- Thu Oct 17 2024 08:51:50 GMT+0200 (South Africa Standard Time) System: No comments received from department
Legal Services	F	
Financial Services	F	
Community Services	F	
Fire Services	F	
Traffic	F	
Waste Removal	F	
Infrastructure Services	T	--oOo-- Mon Oct 14 2024 12:13:31 GMT+0200 (South Africa Standard Time) Comment by SASSM: * Boundary sewer manhole must be installed. * Shade port in the road reserve is not supported. --oOo-- Mon Sep 01 2025 12:14:46 GMT+0200 (South Africa Standard Time) Additional Comment by JOYAN: Manager Roads, Transport, Storm Water & Building Maintenance: Comment holds as lease agreements are reviewed annually. Manager Water & Wastewater Services: No objection
Infrastructure Services Roads	F	
Infrastructure Services Sewer	F	
Electro Technical	F	
Housing	F	
Environmental Services	F	
Building Control	F	
Aesthetics Committee	F	
Street Naming Committee	F	

Please address all correspondence to the Municipal Manager and quote the above reference
P O Box 21 • Knysna • 6570 • Tel: 044 302 6300 • Fax: 044 302 6333 • E-mail: knysna@knysna.gov.za

DEPARTURE & SDP APPROVAL APPLICATIONS ON ERF 12665 KNYSNA

PLANNING SPACE

RESPONSE TO COMMENTS AND OBJECTIONS RECEIVED 18 OCTOBER 2024

INFRASTRUCTURE SERVICES DATED 14 OCTOBER 2024

COMMENT	RESPONSE
Boundary sewer manhole must be installed.	It is unclear why a boundary sewer manhole must be installed on the property when the applications submitted are for departures to allow existing structures.
Shade port in the road reserve is not supported.	The application submitted is not to permit the shade port in the road reserve as this application has already been decided upon and the comment is thus not relevant. The shade port in the road has already been agreed to by Council and a signed Lease Agreement is in place. The agreement includes the use of the road reserve for carport purposes.

ITEM TO:
Municipal Planning Tribunal

APPLICATION NO.	2728
REPORT AUTHOR	S Phungula
JOB TITLE	Town Planner
SACPLAN REG. NO.	A/3220/2022
TELEPHONE NO.	044-302-6339
APPLICATION DATE	26 June 2024

LAND USE PLANNING REPORT
ADMINISTRATOR'S CONSENT & PERMANENT DEPARTURE(S): ERF 414, BRENTON

PART B: APPLICANT DETAILS	
Name & Surname	***Seretse Mthembu***
Company name	***Seretse Mthembu Urban and Regional Planners***
SACPLAN registration number	***A/2510/2015***
Registered owner(s)	***Andries Willem van Zyl***
PART C: PROPERTY DETAILS	
Property description	***Erf 414 Brenton in the Municipality and Division of Knysna, Province of the Western Cape***
Property Extent (m^2)	***1,143m²***
Physical address	***414 Dolphin Avenue***
Area/Town	***Brenton***
Current zoning	***Single Residential Zone I***
Applicable zoning scheme	***Knysna Zoning Scheme By-law (2020)***
Current land use	***Dwelling house***
Are there existing buildings on the property?	***Yes, a dwelling house***
Title Deed number & date	***T1748/2018***
Any restrictive title conditions applicable?	***Yes***
Any third party conditions applicable?	***None***
Any unauthorised land use/building work	***Yes***
Bondholder's Consent	***Not Applicable***

1. APPLICATION DESCRIPTION

The applications are for the following:

1.1. The Administrator's Consent as contemplated in restrictive title condition C.7 applicable to Deed of Title numbered T1748/2018 in respect of Erf 414, Brenton, to allow the relaxation of the prescribed building lines as shown on plan numbered "2301-A2-125" dated October 2023.

1.2. The departure in terms of Section 15(2)(b) of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021) for the following on Erf 414, Brenton, a shown on plan numbered "2301-A2-125" dated October 2023:

1.2.1. the relaxation of the street building line from 4.5m to 0m in order to all for the proposed retaining walls.

1.2.2. the relaxation of the south-western lateral building line from 2.0m to 0m in order to allow for an as-built retaining wall;

1.2.3. the relaxation of the maximum permissible height of the retaining walls from 2.0m 2.475m.

2. BACKGROUND

2.1. This item was considered at the Municipal Planning Tribunal sitting held on 29 April 2025. Following extensive deliberations, the matter was deferred and referred back pending the submission of additional information regarding the methodology applied by the engineer in preparing the stormwater management plan, as well as the undertaking of an in loco inspection by the Tribunal.

2.2. The previous house on the subject property burned down during the fires of 2017 after which it was sold to the current landowner. Building plan approval for a new dwelling house was subsequently obtained and completed.

2.3. It appears that the landowner built a platform with a retaining wall thereafter without the necessary permission, with the wall collapsing following heavy rain in 2023. The landowner now wishes to regularise the retaining wall and obtain the requisite approval in terms of the Planning By-law and the National Building Regulations and Building Standards Act, 1977 (Act No. 107 of 1977).

3. PRE-APPLICATION CONSULTATION

The application was not tabled at a pre-application consultation meeting.

4. SUMMARY OF APPLICANT'S MOTIVATION

The applicant's motivation can be summarised as follows:

4.1. The applicant states that the existing and proposed retaining wall is considered important in order to maintain the structural integrity of the existing building work and to reclaim the steep portions of the property for living purposes. The applicant also alleges that without the retaining walls, further collapse may be caused.

4.2. The impact of the retaining walls are considered minimal by the applicant for the reason that the retaining wall on the street side is lower than the street level. The as-built retaining walls are at the rear of the property and are hidden from the street and would have no negative aesthetic impact. The bulk of the retaining wall on the street falls below the natural ground level and thus significantly reduces its visibility.

4.3. The Administrator's consent regarding the restrictive title condition C.7 was argued in the context of Section 33(4) of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021). The applicant argues that there exists no financial or other right in favour of a third party which stands to the affected by the relaxation of the street building line.

4.4. Furthermore, the applicant states that there are no personal benefits that accrue to the holder of the right, given that the restriction confers no such right on any third parties. It is also argued that the relaxation of the title deed building line will have no impact on any other potential holder of rights in the surrounding area.

5. PUBLIC PARTICIPATION

Method of Advertising				Date Published	Closing Date
	Yes	No	N/A		
Press	☒	☐	☒		
Gazette	☐	☒	☐		
Notices	☒	☐	☐	**19 July 2024**	**23 August 2024**
Ward Councillor	☒	☐	☐	**11 July 2024**	**16 August 2024**
Site Notice	☐	☒	☐		
Community Organisations	☐	☒	☐		

Public Meeting	☐	☒	☐					
Third Parties	☐	☒	☐					
Total Valid Comments	**3 (three)**			Total comments and petitions refused			**0**	
Valid Petitions	**Y☐**		**N☒**	No of signatures		**Not applicable**		
Community organisation(s) response	**Y☐**	**N☒**	**N/A☐**	Ward Councillor response	**Y☐**	**N☒**	**N/A☐**	
Was public participation undertaken in accordance with sections 45- 49 of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021)							**Y☒**	**N☐**

5.1. Summary of Comments Received during Public Participation

Comments and objections to the application were from the following:

01	Sven Liedberg (24 July 2024)	Support
02	Pavlina Papadakis (08 August 2024)	Objection
03	Petri de Bruin (15 August 2024)	Objection

The following summarised public comments and objections were received against the application:

5.1.1. Both objectors raise the issue of the landowner failing to lodge the necessary applications with the Municipality prior to the construction of the existing wall.

5.1.2. Secondly, the flow of storm-water from the retaining walls is also a concern, in addition to causing erosion and compromising the structural integrity of the walls. In this regard, the objectors demand that the structural integrity of the walls be certified by a registered engineer and that consideration be of storm-water flow to the neighbouring properties.

5.1.3. The objectors express concern about the retaining walls' impact on the movement of wildlife and wildlife corridors in the "Brenton-on-Lake" area.

5.1.4. An objector (De Bruin) also needs confirmation that the proposed new retaining wall on the street side is located on the subject property and not on the municipal road reserve.

5.1.5. The objector on Erf 404, Brenton (Papadakis), also refutes the claim that their building work caused or is related to the subsidence experienced at the existing retaining wall on their common boundary with the applicant.

5.2. Summary of Comments from Departments/Organs of State

Name	Date Received	Summary of Comments	Recommendation
Infrastructure Services	06 August 2024	*No objection. Subject to the relaxation being limited to the indicated footprint*	**Positive**
Building Control	30 June 2024	*A building plan application is to be submitted for the as-built structures.*	**Comment**

5.3. Summary of Applicant's Reply to Comments

The applicant's reply can be summarised as follows:

5.3.1. The applicant acknowledges that building plan approval in terms of the National Building Regulations was not obtained for the existing retaining structure, but does state that its construction was supervised by a structural engineer with the view of submitting the necessary certification to the Municipality. The applicant contends that the existing wall was constructed as an emergency measure to replace an existing wall that collapsed. The applicant provided a certificate of completion from the structural engineer certifying the integrity of the existing retaining wall, noting that the existing wall was built with the advice of the engineer to ensure its integrity up until formal approval is obtained.

5.3.2. The applicant has highlighted that no negative comments or objections relating to stormwater management were submitted by the Directorate: Infrastructure Services in response to this application. He further states that comprehensive and detailed stormwater-related comments are anticipated to be addressed during the building plan evaluation phase.

5.3.3. Regarding storm-water flow to the neighbouring properties, the applicant argues that appropriate measures will be taken to mitigate the risk of excessive storm-water run-off. It is said that the retaining walls are meant to prevent a possible landslide and in no way create additional volume of velocity of storm-water. The applicant also argues that the Municipality's Building Control department will consider and evaluate the retaining walls' impact of storm-water on the neighbouring properties as part of the process for building plan approval.

5.3.4. The applicant says that they are aware of the conservation status of the area and support efforts in this regard, however, it is argued that it is unrealistic to expect the property owner to neglect his responsibility to ensure the structural integrity of improvements within the boundary of his property. The applicant argues that ample space in the area remains for the free movement of animals.

5.3.5. The applicant responded by stating that, in terms of applicable legislation, property owners are legally required to exercise a duty of care to prevent foreseeable harm to others, including neighboring properties, and acknowledged that failure to do so could result in legal consequences. They further noted that, in accordance with the Environmental Impact Assessment Regulations (Listing Notices 1 to 3), no listed activities applicable to the current application have been triggered.

5.3.6. Other issues the applicant responded to include the request of an objector for a surveyed plan to show whether the proposed retaining wall is on the applicant's property, and the history of the building work on the subject property.

6. PROPOSAL ASSESSMENT

6.1. Application History

There is no application history that has a bearing on the application at hand.

6.2. Considerations in terms of SPLUMA

The principles of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) has limited bearing on the application for the relaxation of building lines on a residential property. It may be argued that the proposal would allow for the more optimal use of the land in the context of SPLUMA's principles of "efficiency" and "spatial sustainability." In agreement with the applicant, it can be argued that the application as posed would not be inconsistent with SPLUMA principles.

6.3. Consistency with SDF, IDP, and applicable Policies

The proposal is not foreseen to have a bearing on the spatial objectives or guidelines of the Municipality's spatial planning policy as detailed in the municipal spatial development framework. The application does not entail a change in use and would not alter the residential character of the area in any meaningful way. The relaxation of the building lines and the retaining walls is found not to be inconsistent with planning policy.

6.4. Impact on Municipal Engineering Services

The proposal does not affect municipal bulk infrastructure or services in a meaningful way.

6.5. Outcomes of Investigations/Applications i.t.o. other Legislation

There are no other investigations or applications in terms of other legislation regarding the current proposal.

6.6. Zoning Considerations

The application does not entail a change in use and, therefore, there is no zoning considerations applicable.

6.7. Desirability of the Proposal

6.2.1. From the submissions and statements from the applicant and objectors, it appears that the landowner constructed a raised platform around the existing dwelling house somewhere in 2022 or 2023. This raised platform was supported by a rudimentary retaining wall which was not shown on the approved plan while plan approval was also not obtained. There is no evidence to suggest that this 'rudimentary retaining wall' construction was overseen by a structural engineer as it appears to have been held back by "vibracrete" walling.

6.2.2. Following heavy rains in 2023, this 'retaining wall' seemingly collapsed with the landowner now compelled to construct a safer retaining wall with greater structural integrity while at the same time allowing for additional space for vehicles and parking on the raised platform.

6.2.3. Retaining walls and structures serve a specific function and in this case it serve to hold back the raised platform created around the existing dwelling house which is located on sloping land. This is a common structural element on properties in such circumstances. Therefore, from this perspective, a retaining wall and structures can be considered desirable, as it allows for usable space on this land.

6.2.4. However, it may have a significant impact on the neighbouring properties. In this case the applicant failed to obtain the necessary permission for the construction of the existing retaining wall which may have contributed to negative impacts on the neighbouring properties in the form of storm-water run-off. This negative impact may have been avoided if the applicant had followed due process in the construction of the retaining wall.

6.2.5. The design of the retaining walls incorporates permeable Sholin blocks, which assist in slowing down surface runoff and reducing erosion risks. The applicant has also committed to installing a 100mm stormwater pipe connection to the municipal system if deemed necessary, thereby mitigating potential impacts on neighbouring properties.

6.2.6. The proposed and existing retaining walls are considered desirable due to their placement and minimal visual impact. Positioned below the street level and natural ground level, especially along Tuna Avenue, the walls are largely concealed from public view. This reduces their prominence in the streetscape, ensuring they are not intrusive to neighbouring properties or the general public, while still serving the functional needs of the property owner.

6.2.7. The absence of stormwater-related objections from the Directorate: Infrastructure Services may be accepted as an indication that the position, design, proposed measures, and materials of both the as-built and proposed retaining structures are not considered to pose significant concerns at this stage. The applicant has further confirmed that detailed stormwater considerations will be addressed during the building plan approval phase, thereby ensuring compliance with Municipal Building Control requirements and standards.

6.8. Considerations to the Removal of Restrictive Title Conditions

6.8.1. The application also entails the Administrator's consent for the relaxation of the restrictive title condition which specifies a street building line of 4.72m and lateral building lines of 1.57m. The restrictive title condition C.(7) states that no building or structure, except with the consent of the Administrator, can be built within these spaces.

6.8.2. The applicant has motivated for this consent within the framework set by Section 33(4) of the Planning By-law and argues that this consent would not deprive any beneficiary of a right conferred by the restrictive title condition.

6.8.3. However, with the restrictive title condition being in favour of the entire township, any relaxation of its prescribed building line would diminish the right of space on the common boundary between properties.

6.8.4. The key question thus is whether the relaxation of the restrictive title condition would constitute unnecessary deprivation of this right. Herein the applicant argues that the consent to allow the building line relaxation "*will invariably have no impact on the public's beneficial use and*

enjoyment of the surrounding area." This statement fails to address the cumulative impacts of the structure on the immediate neighbouring properties.

6.9. Assessment of Comments

6.9.1.The objectors expressed concerns primarily about the construction of the retaining walls without prior municipal approval and questioned their compliance with building regulations. They raised issues regarding the potential negative impact on stormwater drainage, particularly the risk of increased runoff or erosion affecting adjacent properties, particularly Erf 405. Additionally, they highlighted possible safety and structural integrity issues due to the steep nature of the site and the absence of approved plans. Environmental concerns were also noted, specifically the potential disruption to natural wildlife movement and alteration of the landscape.

6.9.2. While the objectors concerns are valid, it would be more effective if the focus remained on technical and regulatory issues rather than personal disputes. Including more concrete evidence and professional assessments would bolster the argument, and providing a more detailed technical analysis of stormwater impacts would further strengthen the case. A clearer connection between the existing and proposed retaining structures and their potential impact on both the local environment and neighbouring properties would strengthen the overall argument.

6.9.3. The applicant has largely addressed the objectors' concerns. While acknowledging that the retaining walls were initially constructed without approved plans. The applicant explains that the current application seeks to rectify this and confirms that the work was carried out under the supervision of a registered Engineer, with a compliance certificate to be issued upon approval. The design incorporates permeable Sholin blocks to reduce runoff, and the applicant has committed to preventing stormwater nuisance to neighbouring properties, including the option to connect to municipal drainage if required. Structural safety has also been considered, with emergency construction recommended by the Engineer to prevent damage from erosion. Although environmental impact was addressed to some extent; citing the wall's location within property boundaries and available wildlife movement space along Dolphin Avenue.

6.9.4. Furthermore, highlighted that there were no triggers in terms of Environmental Impact Assessment regulations therefore, no formal environmental study is necessary. The applicant acknowledges the legal obligation of all property owners to exercise a duty of care by acting with reasonable caution and diligence to prevent foreseeable harm to others, including neighbouring properties. This duty is taken seriously, and all actions undertaken, particularly those relating to the retaining

walls should comply with this responsibility to avoid any potential civil or criminal liability.

6.9.5. The applicant has proposed several mitigation measures in response to comments received. These include constructing the retaining walls using permeable Sholin blocks to reduce surface runoff and prevent erosion and committing to installing the suggested 100 mm diameter pipe to connect to the municipal stormwater system if required. Construction was supervised by a registered structural Engineer, who further certified the structural integrity of the retainers. The applicant has also committed to taking all reasonable steps to prevent stormwater nuisance to the neighbouring property (Erf 405) and confirmed that stormwater management will be reviewed during the building plan phase to ensure full compliance with municipal requirements.

7. RECOMMENDATION

It is recommended:

7.1. That, **Approval be Granted**, for the Administrator's Consent as specified in restrictive title condition C.(7) set forth in the Deed of Title numbered T1748/2018 in respect of Erf 414, Brenton, to allow for the relaxation of the lateral and street building line as shown on plan numbered *"2301-A2-100"* dated September 2023.

7.2. That, **Approval be Granted**, in terms of Section 60 of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021) for the following relaxations from the development parameters of a "dwelling house" of the Knysna Zoning Scheme By-law (2020), on Erf 414, Brenton, and as shown on plan numbered *"2301-A2-100"* dated September 2023:

7.2.1. the relaxation of the street building line from 4.5m to 0m in order to all for the proposed retaining wall.

7.2.2. the relaxation of the western lateral building line from 2.0m to 0m to allow for the existing retaining wall;

7.2.3. the relaxation of the maximum permissible height of a retaining wall above natural ground level from 2.0m to 2.475m to allow for the existing retaining wall.

8. CONDITIONS OF APPROVAL IMPOSED IN TERMS OF THE PLANNING BY-LAW

The above approval(s) is subject to the following conditions imposed in terms of Section 66 of the Knysna Municipality By-law Spatial Planning and Land Use Management (2021):

8.1. Building lines shall be in accordance with the site development plan numbered "2301-A2-125" dated October 2023. Any future alterations or extensions of any structure on this erf shall comply with the parameters for "Single Residential Zone I."

8.2. Approval shall be subject to the submission of a detailed stormwater management plan as part of the building plan approval process.

9. REASONS FOR RECOMMENDATION

The reasons for above recommendation are as follows:

(i) The applicant acknowledges that the existing retaining walls were built without prior approval but is now taking steps to regularise them through the formal approval process. Construction was supervised by a registered structural Engineer, and a compliance certificate will be issued upon approval, ensuring adherence to Section 14(2A) of the National Building Regulations.

(ii) The retaining walls are designed using permeable Sholin blocks to reduce surface runoff and erosion. Additionally, the applicant has committed to installing a 100mm stormwater pipe connection to the municipal system, if required, to mitigate any potential impact on neighbouring properties.

(iii) The existing retaining walls were constructed as an emergency response measure to replace a deteriorating vibacrete wall and prevent further erosion caused by heavy rainfall and the site's steep slope, thereby proactively reducing the risk of damage to neighbouring properties.

(iv) The retaining walls are designed to sit below natural ground level to minimise visual impact. The proposed wall is located within the property boundaries and does not obstruct wildlife movement along the road reserve.

10. MATTERS FOR NOTING:

The applicant is advised and informed of the following:

10.1. This approval applies to the Departure(s) and Administrator's Consent as outlined above and may not be construed as authority to depart from any other legal prescriptions.

11. SUPPORTING APPLICATION DOCUMENTS

ANNEXURE A – *Request to amend application*

ANNEXURE B – *Applicant's Motivating Memorandum*

ANNEXURE C – *Locality Plan*

ANNEXURE D – *Power of Attorney*

ANNEXURE E – *Site Development Plan*

ANNEXURE F – *Copy of Title Deed(s)*

ANNEXURE G – *Engineer's Certificate*

ANNEXURE H – *Copy of notices and mailing list*

ANNEXURE I – *Departments Comments*

ANNEXURE J – Public Comments

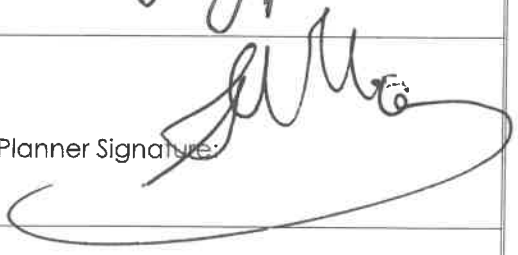
ANNEXURE K – *Applicant's Response to Comments*

ANNEXURE L – Engineer's Statement _Response to Objections

ANNEXURE M – *Storm Water Management Plan*

ANNEXURE N – Technical Service's Comment on Storm Water Management Plan

ANNEXURE M – *Photo module*

Administrator' Consent & Departure(s): Erf 414, Brenton			
Author Name: ***Sihle Phungula*** Date: 16/02/2026		Author Signature: 	
Registered planner name: ***Shaun Madumbo*** SACPLAN registration number: ***A/1510/2012*** Date: 16/02/2026		Registered Planner Signature: 	
Decision Maker: Municipal Planning Tribunal			
APPROVED	APPROVED CONDITIONALLY	APPROVED IN PART	REFUSED

Seretse Mthembu Urban & Regional Planning
Urban Planners & Development Facilitators
No. 1 Fourth Street, Dinangwe
Concordia East
KNYSNA
6570
Cell: [redacted]
E-mail: [redacted]
Tax No: [redacted]

7 April 2025

Ref: 414 Bre

The Manager: Land Use Management
Knysna Municipality
PO Box 21
KNYSNA
6570

Attention: Mr S Phungula

ERF 414 BRENTON: PROPOSED AMENDMENT OF APPLICATION

1. Reference is made to the following:

   1.1. The recent withdrawal of the above application from the agenda of the 25th of March 2025 Tribunal meeting communicated to us on the 18th of March 2025 via e-mail from Mr Enrico Campher (see **Annexure A**).
   1.2. The clarification e-mail received on the 4th of April 2025 in respect of the Town Planning office's decision to withdraw the item from the agenda (see **Annexure B**).

2. According to **Annexure B**, the Town Planning office identified an error / omission on the motivation report which should be addressed prior to the application item serving at the tribunal meeting. The explanation given by the Town Planning office is, in simple terms, as follows:

   2.1. The list of application descriptions under Paragraph 1.2 of the motivation report does not include an application for the relaxation of the street building line and also does not argue the relaxation of same.
   2.2. The application motivation does not speak to the relaxation of the street building line (despite this departure being referenced in the application form). To address this, the Town Planning office advised that the application motivation is amended accordingly.

3. To address the deficiencies outlined above, we would like to supplement the list of application descriptions under Paragraph 1.2 of the original application motivation (Memorandum REV 5 – **Annexure C**) by the addition of the following description:

   3.1. "*Application is made in terms of terms of Section 15(2)(b) of the Knysna Municipality's Spatial Planning and Land Use Management By-law (2021), for a departure from the building line parameters applicable to Single Residential Zone I properties in order to allow a 0m street building line in lieu of 4,5m for an as-built retaining wall as indicated on Drawing No. A2 – 125 prepared by Amanda Cloete-Davidson Senior Architectural Technologist dated October 2023, attached as Annexure D.*"

4. The above description is included in the original application form submitted earlier with the subject application (see **Annexure D** – Application form). The exclusion of this aspect of the application in the original motivation report was as a result of an error of which we seek to address by this submission.

5. The retaining wall within 0m of the street boundary along Dolphin Avenue to which the proposed supplementary application description refers is heavily refenced in the objection letters from both objectors i.e. Petri de Bruin and Pavlina Papadakis, the surrounding property owners (in some instances, representatives).

6. The proposed retaining wall is to replace the existing precast concrete wall (which also serves as a retaining wall) and is required to create a level platform along the road for driveway widening and to create an additional parking space. The retaining wall has the following characteristics:

    6.1. The wall is to be assembled from sholin blocks which are designed to be permeable and to slow down sheet flow during rainfall.
    6.2. The wall is also designed to fall below natural ground level to minimise visual intrusion from the streetscape.
    6.3. The wall is meant to prevent excessive erosion and to mitigate against potential damage to neighbouring properties due to soil erosion and excessive sheet flow.
    6.4. The proposed retaining wall does not constitute a paved surface and as such is less likely to crease excessive stormwater due to it being impervious to stormwater during rainfall.

7. Going through the street retaining wall-specific objections relating to the Dolphin Avenue street boundary, the following key concerns have been noted:

    7.1. The potential damage caused by the resultant washing away of sand and soil onto neighbouring properties.
    7.2. The wildlife corridors and trails between Dolphin Avenue and the boundary of Erf 414 which, by changing the natural landscape with retaining walls will force the bushbuck into the road which will lead to possible accidents and loss of wildlife.

8. We would like to add the following responses which are specific to the aspects of the objections relating to the street retaining wall:

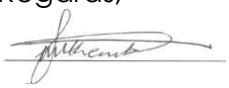
    8.1. No negative stormwater-related comments/objections were submitted by the Directorate: Infrastructure Services relating to this application. Comprehensives comments are expected to be made during the building plan evaluation process.
    8.2. According to legislation every property owner is obliged to exercise "duty of care" to ensure that property owners act with reasonable caution and diligence to avoid foreseeable harm to others e.g. the surrounding properties. It is incumbent upon the property owner to see to it that "duty of care" is exercised to avoid civil or criminal liability.
    8.3. According to the Environmental Impact Assessment Regulations Listing Notice 1 – 3 published under GN R983 in GG 38282 of 4 December 2014 [with effect

from 8 December 2014], no listed activities have been identified that have a bearing on the application under discussion.

9. Given that the proposed retaining walls has evidently been extensively covered in the submissions from both objectors, we consider it as being legitimate expectation to see the application at the upcoming tribunal meeting in April.

10. We trust that you will find this is in order and that we have adequately addressed the deficiencies identified in the original motivation report. Otherwise please feel free to contact us if further information is required.

Regards,



Seretse Mthembu
Town Planner
083 583 4132

ERF 414 BRENTON



Memorandum in support of an application for:

A permanent departure from building line parameters contemplated in the zoning scheme by-law

and

The request for Administrator's Consent in respect of as-built retaining structures on site in terms of the relevant provisions in the deed of transfer

Prepared by:

Seretse Mthembu (Pr. Plan A/2210/2015)

On behalf of:

Mr Andries Willem van Zyl (the property owner)

Date: **March 2024**

Contents

1. APPLICATION OVERVIEW 2
1.1. BACKGROUND 2
1.2. THE APPLICATION 3
1.3. THE APPLICANT 4
2. PURPOSE OF THE APPLICATION 4
3. THE SUBJECT PROPERTY 4
4. THE DEVELOPMENT PROPOSAL 6
4.1. Proposal Particulars 6
4.2. Current and proposed zoning 6
4.3. The implication of the title deed restrictions 7
4.4. Current and proposed land uses 7
4.5. Parking and access 7
4.6. Engineering services 8
4.7. Environmental and Heritage Considerations 8
5. THE MOTIVATION 8
5.1. NEED AND DESIRABILITY OF THE PROPOSAL 8
5.2. COMPLIANCE WITH SECTION 38 THE SPATIAL PLANNIG AND LAND USE MANAGEMENT BY-LAW, 2021 9
5.3. COMPLIANCE WITH THE CHAPTER 2 PRINCIPLES OF SPLUMA (Spatial Planning and Land Use Management Act, No.16 of 2013) 9
5.4. COMPLIANCE WITH THE KNYSNA SPATIAL DEVELOPMENT FRAMEWORK, 2020 10
5.5. IMPLICATIONS OF SECTION 33(4) OF THE KNYSNA PLANNING BY-LAW 10
6. OVERVIEW / CONCLUSION 12

List of Annexures

Annexure A: Power of Attorney
Annexure B: Title Deed
Annexure C: General Plan
Annexure D: Site Plan
Annexure E: Application Form
Annexure F: Lower Retaining Wall Height
Annexure G: Engineer's Certificate
Annexure H: Locality Map

List of tables

Table 1: Property particulars 6
Table 2: Zoning table 7
Table 3: Building lines table 7
Table 5: The rear retaining wall viewed from the lower garden at the rear of the main dwelling 9

1. APPLICATION OVERVIEW

1.1. BACKGROUND

The previous house on the property was burnt in the Knysna Fires of June 2017. The property was cleared and subsequently purchased by Andries van Zyl on 24th October 2017. After attaining approval of plans by the Knysna Municipality, Mr van Zyl built a new home on the footprint of the burnt house. Temporary occupation was granted and Mr van Zyl's family moved into the house.

Due to the extremely prolonged and heavy rain we during 2023, as well as the neighbouring property being developed, the existing retaining wall on the north-western boundary began to fail. Since living in the house, Mr van Zyl has also realized that the parking is insufficient due to the steep slope of the property.



Figure 1: Failing retaining wall

In order to fix the problem of the failing retaining wall as quickly as possible, the owner consulted an engineer and started building a new retaining block wall, allowing additional space at the top of the newly retained area in order to accommodate vehicular access to the north-eastern side of the house for additional parking.



Figure 2: New retaining wall viewed from the lower garden

As there were no plans submitted to the Knysna Municipality prior to building the retaining block wall, Mr van Zyl remained unaware of the height restrictions pertaining to retaining walls or the regulations pertaining to such structures. These structures, as it have become clear, do encroach on the building lines as set out in the Knysna Municipality Zoning Scheme By-law of 2020. Subsequently, and almost by chance, the property owner was advised of the need for approved building plans that should precede the construction of retaining walls and other structures being erected. The property owner promptly appointed Ms Amanda Davidson to prepare and submit all the required applications in order to obtain land use and building plan approvals in respect of the as-built structures on site. The power of attorney in this regard is attached as **Annexure A – Power of Attorney**.

This proposal is, basically, to legalize the existing retaining wall and to apply for a further relaxation of the street building line for a new retaining wall. The relaxation of the building line also necessitates an application for the Administrator's Consent as there are title deed building line restrictions that are affected by the proposal. An application for the determination of a contravention penalty shall be submitted separately but simultaneously with the current application.

1.2. THE APPLICATION

Essentially application is made for the following:

- Application is made in terms of terms of Section 15(2)(b) of the Knysna Municipality's Spatial Planning and Land Use Management By-law (2021), for a departure from the building line parameters applicable to Single Residential Zone I properties in order to allow a 0m south-western lateral building line in lieu of 2m for an as-built retaining wall as indicated on **Drawing No. A2 – 125 prepared by Amanda Cloete-Davidson Senior Architectural Technologist dated October 2023, attached as Annexure D.**

- Application is made in terms of terms of Section 15(2)(b) of the Knysna Municipality's Spatial Planning and Land Use Management By-law (2021), for a departure from the height restriction applicable to retaining structures as

governed by Section 26(a) of the Knysna Zoning Scheme By-law (2020) in order to allow the 2,475m high as-built retaining wall (north-eastern retaining wall) in lieu of the prescribed 2m as indicated on **Drawing No. A2 – 100 prepared by Amanda Cloete-Davidson Senior Architectural Technologist dated October 2023, attached as Annexure F.**

- Application is made in terms of terms of Section 15(2)(b) of the Knysna Municipality's Spatial Planning and Land Use Management By-law (2021), for a departure from the height restriction applicable to building lines as governed by Section 26(a) and 26(b) of the Knysna Zoning Scheme By-law (2020) in order to allow the 2,475m high as-built retaining wall (north-eastern retaining wall) which is in variance with Section 26(b) as there is no provision made for a two meter wide level area between the lower 2m above NGL and the remainder of the wall above the 2m as indicated on **Drawing No. A2 – 100 prepared by Amanda Cloete-Davidson Senior Architectural Technologist dated October 2023, attached as Annexure F**

- Application is also made in terms of Clause C.7 set forth in Deed of Transfer No. T1748/2018 for the Consent of the Administrator in order to allow a 0m street building line in lieu of 4,72m for a new retaining wall as indicated on **Drawing No. A2 – 125 prepared by Amanda Cloete-Davidson Senior Architectural Technologist dated October 2023, attached as Annexure D**.

- Application is also made in terms of Clause C.7 set forth in Deed of Transfer No. T1748/2018 for the Consent of the Administrator in order to allow a 0m north-eastern lateral building line in lieu of 1,57m for the as-built retaining wall as indicated on **Drawing No. A2 – 125 prepared by Amanda Cloete-Davidson Senior Architectural Technologist dated October 2023, attached as Annexure D**.

A second aspect of this application (dealing with the administrative penalty) has already been submitted and already being processed by the town planning department.

A copy of a completed application form is attached as **Annexure E**.

1.3. THE APPLICANT

This application is submitted by Seretse Mthembu Urban and Regional Planners ("the agent") on behalf of Mr Andries Willem van Zyl (the "registered owner") as per Power of Attorney attached as **Annexure A**.

2. PURPOSE OF THE APPLICATION

The purpose of this report is to provide all pertinent factors for the attention of the local authority in order to obtain retrospective development approval for as-built retaining structures.

3. THE SUBJECT PROPERTY

- Erf 414 Brenton is a Single Residential I zoned property situated at No. 414 Tuna Avenue, Brenton-on-Lake (see **Annexure H – Locality Map**).

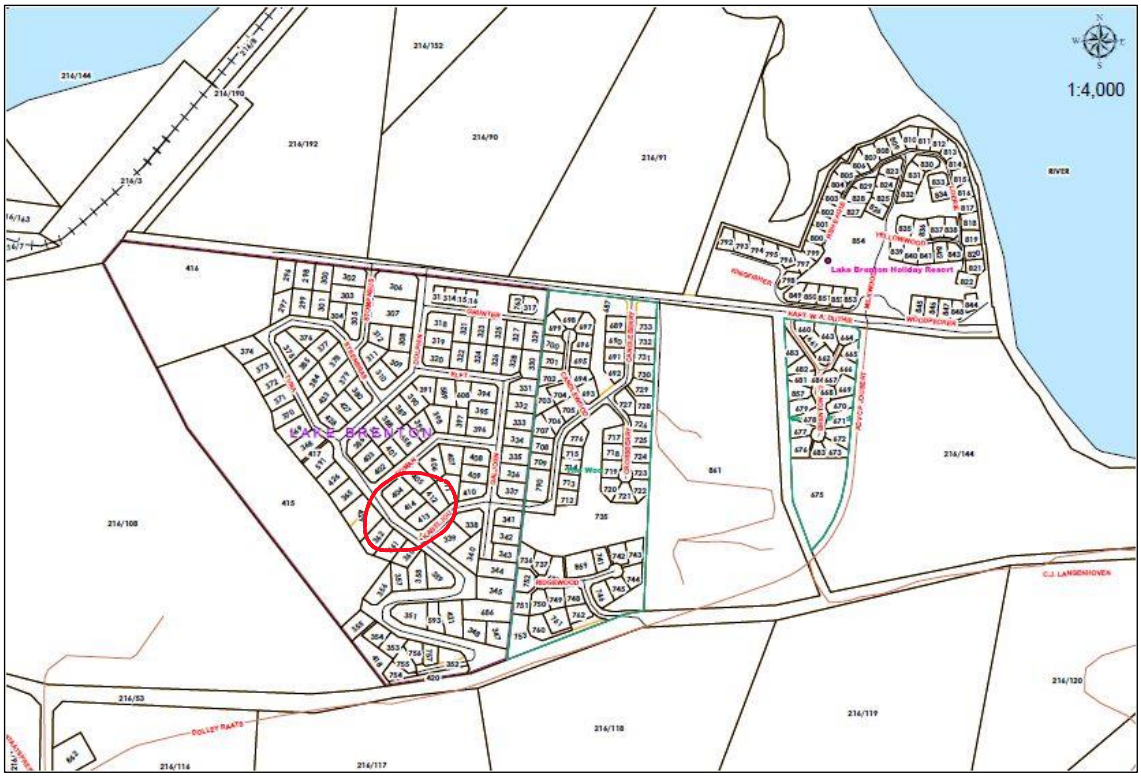
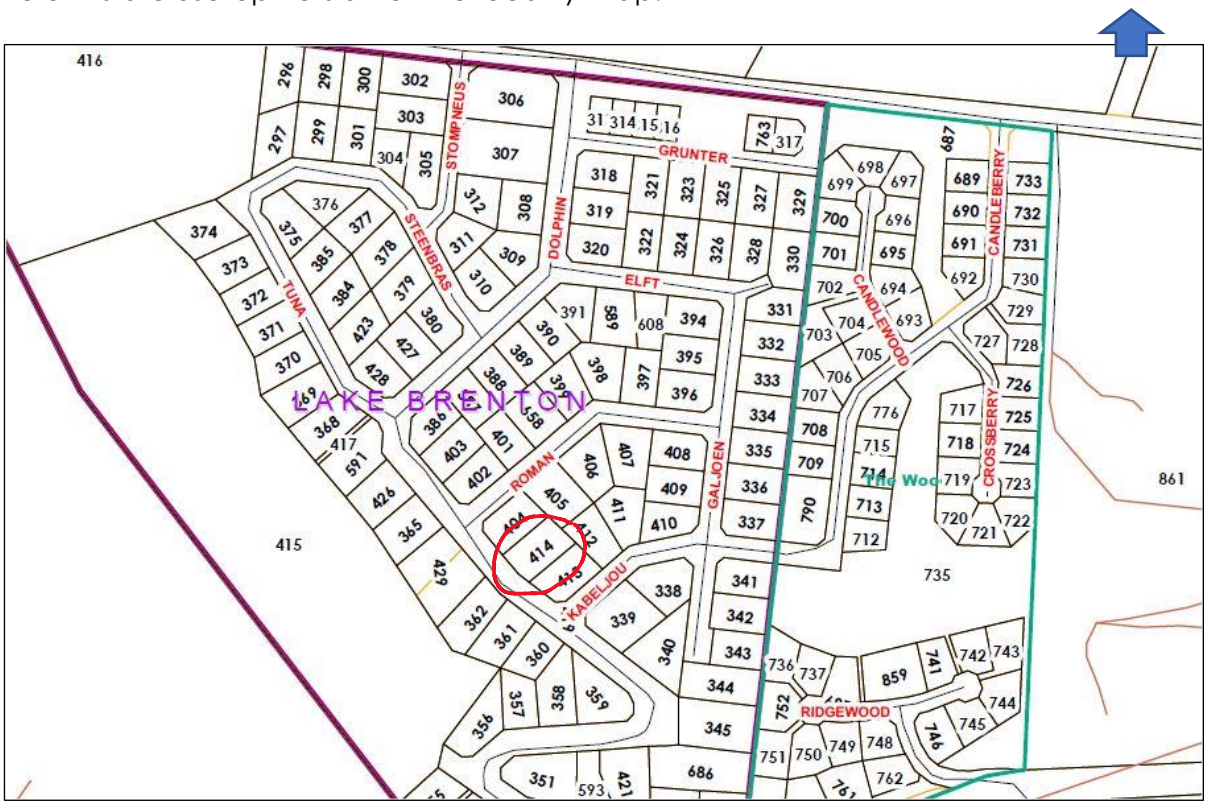


Figure 3: Site Locality

- Below is a close-up version of the locality map.



- The table below provides a snap shot of the basic particulars of the subject property.

Cadastral Description	Erf 414 Brenton, situate in the Municipality and Division

	of Knysna, Province of the Western Cape
Location	No. 414 Tuna Avenue, Brenton-on-Lake (**Annexure D – Locality Map**)
Vehicular & pedestrian access	From Tuna Avenue, Brenton-on-Lake
Property size	1143 m²
Ownership	Andries Willem van Zyl. The property is not encumbered by a bond.
Title deed number	T1748/2018 (**Annexure E**)
Title deed restrictions	Clause C.7 which prohibits structures within 4,72m of the street boundary
Bondholder	N/A
General Plan No.	S. G. No. T.P. 7122 (**Annexure C**)
S. G. Diagram No.	N/A
Zoning	Single Residential Zone I
Land use	Residential

Table 1: Property particulars

4. THE DEVELOPMENT PROPOSAL

4.1. Proposal Particulars

- This proposal is, basically, to legalize the as-built retaining wall at the rear of the existing dwelling house and to apply for a further relaxation of the street building line for a new retaining wall.
- The relaxation of the building line also necessitates an application for the Administrator's Consent as there are title deed building line restrictions that are affected by the proposal.
- An application for the determination of a contravention penalty shall be submitted separately but simultaneously with the current application.
- The plans indicating the proposed development is attached as **Annexure D** and **F**.

4.2. Current and proposed zoning

- The property is currently zoned "single residential zone I" and there is currently no proposal for zoning change.
- The "single residential zone I" land use details are as per the following table:

SINGLE RESIDENTIAL ZONES		
Zoning	Primary Use	Consent Use
The objective of this zone is to provide for residential development where the predominant type of accommodation is a dwelling house for a single family, where each dwelling has its own land unit, and adequate outdoor space. Limited employment and additional accommodation opportunities are possible as primary or consent uses, provided that the dominant use of the	Dwelling house	Crèche Guest house (>2 rooms) Home care facility House shop Second dwelling unit >60m²

property remains residential, and impacts of employment and additional accommodation uses do not adversely affect the quality and character of the surrounding residential environment.		

Table 2: Zoning table

- Given that the property is currently developed a per the primary rights being that of a dwelling house, the applicable building lines are as follows:

Erf size		**Building lines**	
	Street	**Side**	**Rear**
Greater than 500 m2	4,5m	2m	2m

Table 3: Building lines table

- The retaining walls for which approval is sought transgress the above zoning parameters

4.3. The implication of the title deed restrictions

- The condition to which the application for Administrator's consent relates, reads as follows:

  "*No building or structure or any portion thereof except boundary walls and fences shall, except with the consent of the Administrator, be erected nearer than 4,72 metres to the street line which form a boundary of this erf, nor within 3,15 metres of the rear or 1,57 metres of the lateral boundary common to any adjoining erf, provided that…*"

- According to the above condition, the as-built retaining structure along the lateral boundary and proposed one along Tuna Avenue cannot be allowed without the express consent of the Administrator, hence the application for administrator's consent.
- The motivation for the erection of the retaining structures in question is presented in the relevant succeeding paragraphs.

4.4. Current and proposed land uses

- The property is currently developed with the main dwelling and used as such for residential purposes.
- No additional land uses are being proposed.

4.5. Parking and access

- Ample parking for two vehicles is available on-site at the rear end of the existing main dwelling.
- Additional parking for two vehicles shall be made possible by the erection of the new retaining wall along the Tuna Avenue street boundary.
- It is to be noted, however, that no additional parking is necessitated by the current proposal.

4.6. Engineering services

- The property is sufficiently provided with water and electricity for the extent and intensity of the existing uses on site.
- These services are provided by the municipality.
- Stormwater runoff is disposed of directly into an existing on-street management system with disposes run-off into a series of carefully designed stormwater culverts.
- Should the requirement for the upgrading of these services in order to accommodate the future development on the property arise, it is proposed that these requirements be discussed on an as-and-when basis.
- Other than the retaining walls and staircase there is no additional physical development being presented that offends the applicable zoning scheme parameters.
- No additional stormwater discharge is envisaged as part of the current proposal.

4.7. Environmental and Heritage Considerations

- The site falls within the Garden Route Critical Biodiversity Area.
- However, the site is already developed and heavily disturbed and thus no longer has any fauna or flora of any conservation value.
- It has no historical buildings or artefacts of any historical or heritage value.
- The building line relaxations does not trigger any listed activities in terms of the current NEMA EIA Regulations.
- The Erf is not located within a 100-year flood line.

5. THE MOTIVATION

5.1. NEED AND DESIRABILITY OF THE PROPOSAL

- The proposed building line departure is required in order to secure the continued existence of the as-built retaining walls and to facilitate the erection of a new retaining structure on the property.
- These retaining walls are extremely important for the property owner in order to maintain the structural integrity of existing building work as well as for the purposes of reclaiming some of the (otherwise) very steep portions of the yard for living purposes.
- The retaining walls' desirability on the surrounding area can not be exaggerated as these serve the general purpose of curbing soil erosion and soil creep.
- Without the retaining walls the disturbed ground could potentially end up on the street and might end up upsetting the area's stormwater management system, besides being a nuisance.
- It is thus the considered view that the retaining walls are warranted and should thus be retained.
- It is to be noted, also, that the structural integrity of the existing retaining structures is not in question. A copy of the Engineer's Certification of works is attached as **Annexure G**.
- The impact of the retaining walls can be considered to be minimal. This is due, in part, to the fact that the slope of the property is such that the new retaining walls along the street boundary are situated at a level that is lower that the street's finished floor level.

- These walls are also facing away from the main dwelling - away from the street.
- The as-built walls are also at the rear of the existing main dwelling and are essentially hidden from the street. They have no negative aesthetic impact, so to speak.
- It is important to note, also, that the bulk of the proposed retaining structure along Tuna Avenue falls below the natural ground level. This significantly reduces its visibility and enhances its desirability to its owner without being too intrusive to the surrounding property owners and the general public as to be considered an eyesore.
- 

Table 4: The rear retaining wall viewed from the lower garden at the rear of the main dwelling

5.2. COMPLIANCE WITH SECTION 38 THE SPATIAL PLANNIG AND LAND USE MANAGEMENT BY-LAW, 2021

- Every effort has been expended in trying to comply with the above section and assurance is hereby given that the application is complete and therefore could be processed for a decision.
- It is also noted that this report and supporting documentation constitute a third submission due to a significant number of deficiencies that have been noted with the previous submission.
- This application is therefore considered to be complete.

5.3. COMPLIANCE WITH THE CHAPTER 2 PRINCIPLES OF SPLUMA (Spatial Planning and Land Use Management Act, No.16 of 2013)

- The principles referred to in this topic are basically Spatial justice, Spatial Sustainability, Efficiency, Spatial Resilience and Good Governance.
- On multiple occasions it has dawned to a substantial number of planning practitioners that the application of the above broad national principles on small scale residential proposals is not the simplest of tasks.
- That being the case it regarded to be extremely important that these principles are applied, challenging as the task may be, to remind all development practitioners of the planning focus of the past which led to fragmentation, segregation and sprawl and to appreciate the new paradigm which focusses on the above principles.

- Without denigrating the importance of the rest of the principles it is our view that the principle of efficiency has a direct bearing on the subject proposal e.g. the proposal allows the property owner to utilise the existing space to its full potential thus improving its value and contributing positively to the sustainability of the residential markets.
- Our overall view therefore is that the proposal is aligned with the SPLUMA principles and should thus be supported.

5.4. COMPLIANCE WITH THE KNYSNA SPATIAL DEVELOPMENT FRAMEWORK, 2020

- SPLUMA makes it mandatory that future development within the, for example, Knysna Municipal area be consistent with the spatial development 2020 and be by extension be aligned with its policy guidelines.
- The scale of the current proposal means it is quiet a challenge to pin-point the exact areas where the needs of the property owner and the broader policy proposals of the spatial development framework intersects.
- However, with the broader objective of the SDF being the improvement of the general quality of life within and beyond the boundaries of the Knysna Municipality it could be concluded that the current proposal and the objectives of the SDF are in alignment.

5.5. IMPLICATIONS OF SECTION 33(4) OF THE KNYSNA PLANNING BY-LAW

According the planning by-law, when the municipality considers the removal, suspension or amendment of a restrictive condition, the municipality must have regard to the following:

a) The financial or other value of the rights in terms of the restrictive condition enjoyed by a person or entity, irrespective of whether these rights are personal or vest in the person as the owner of a dominant tenement.

The restriction for which the administrator's consent is requested in respect of its relaxation does not constitute a right as it does not confer on the owner of the subject property (or any other property) any financial or other value of rights to be enjoyed. There are neither real nor personal rights conferred on any surrounding property owner or members of the public which stand to be affected if the restriction in question is relaxed. In other words, the subject property is not subservient to any other hence the absence of a dominant tenement. Therefore, demonstrably, there exists no financial or other value right in favour of a third party which stands to be affected by the relaxation of the 5m street building line.

b) The personal benefits which accrue to the holder of rights in terms of the restrictive condition

There are no personal benefits *per se* that accrue to the holder any right given that the restriction in question confers no such upon any third parties. The restriction for which the relaxation is requested applies only to the street boundary that does not form a common boundary between the subject property and its adjoining properties. The portion of the wall along the

common boundary with Erf 404 Brenton is already in place and thus far there is no indication from the adjoining owner to the effect that there are any rights that are being violated. Therefore, there are neither real nor personal rights affected that any of the adjoining property owners stand to forfeit due to the relaxation of the condition in question.

c) The personal benefits which will accrue to the person seeking the removal, suspension or amendment of the restrictive condition if it is amended, suspended or removed

Apart from the effect of the relaxation of the condition in question being the continued existence of the portion of the retaining wall over the building line, there are no other rights which will accrue to the owner (being the party seeking the relaxation of the condition in question).

d) The social benefit of the restrictive condition remaining in place in its existing form

As indicated in the preceding paragraphs, the condition for which relaxation is required governs the distance within which a building can be erected from the street and lateral boundaries. There is some social benefits that maybe derived from keeping buildings a certain distance away from the street or lateral boundaries. For example, the portion of land between the existing building and the street maybe use for the installation of services in instances where outline infrastructure services do not exist – and need to be retrofitted. The space may sometimes be used for the widening of a road in instances where such requirement is deemed inevitable due to an upward change in the existing class of road. In this particular case, however, engineering services are already place and there seems to be no indication that the class or road will change in the foreseeable future. No information could found to that effect. In other words, the prospects of the strip of land between the main dwelling and Tuna Avenue and the strip of land ground between the retaining wall and Erf 404 Brenton being subject to expropriation in the foreseeable future remain grim.

e) The social benefit of the removal, suspension or amendment of the restrictive condition

There is no social benefit that will be realised due to the rationale advanced in paragraph (d) above. The relaxation of the condition in question stands to benefit only the property owner as the only party whose real rights are affected by the condition.

f) Whether the removal, suspension or amendment of the restrictive condition will completely remove all rights enjoyed by the beneficiary or only some of those rights

In the absence of any beneficiary who derives direct benefit to the condition being kept in its original form, our position is that that relaxation will have no impact or any other potential holder of rights in the surrounding area. The

restriction also does not specify the manner in which any real or personal rights shall be handled when the property owner wishes to bequeath the property, as the case may be. Therefore, the relaxation will have no impact with regard to the observation of the above statement.

g) Whether the removal would be in the public interest

Given that the condition in question does not demonstrably have a direct impact on what might be considered public interest, our view is that it relaxation will invariably have no impact on the public's beneficial use and enjoyment of the surrounding area. This is due to the fact that the condition only affects the property owner by virtue of it not being in a boundary shared by another property owner. The portion of the wall along the common boundary between the subject property and Erf 404 Brenton is beneficial to both properties and has no demonstrable negative impact on the adjoining property owner or member of the public in general.

It is noted that, whilst this application is neither for removal, suspension or amendment of the title deed restriction in question, the Administrator is urged to take the above factors into account. This is due to the fact that there appears to be no specific guidelines that need to be observed when conducting an assessment of an application that arises from a title deed condition. We are therefore confident that the proposed development, when assessed in terms of the above guidelines, does not lack desirability and could be supported.

6. OVERVIEW / CONCLUSION

The motivation for both as-built and the new retaining wall is highlighted in the introductory paragraphs of this memorandum as being the sudden collapse of the existing main retaining structure due to new developments in the area and the impact of heavy rains on the loose sediment. The highest retaining wall on the rear of the main dwelling is already in place and was constructed under the supervision of a qualified engineer. A certificate to that effect is attached as **Annexure G**.

As has been highlighted, the hazardous situation created by the collapse of collapse of the main retaining structure and the ignorance of the owner in respect of the regulations governing the erection of retaining structures led to the structure being constructed without prior observance of the regulations. As a result, the wall is higher than the 2m prescribed maximum and is not terraced as per the regulations. It is therefore one of the objectives of this application to seek a condonation of the existing structures partly because the existence prevents further downhill and all due the presence of an an engineer's certificate.

It is to be noted that the visual impact of both the proposed and the existing retaining walls is mitigated by the fact that:

- the retaining wall on the street frontage is below the natural gound level and is hardly noticeable from the street, and

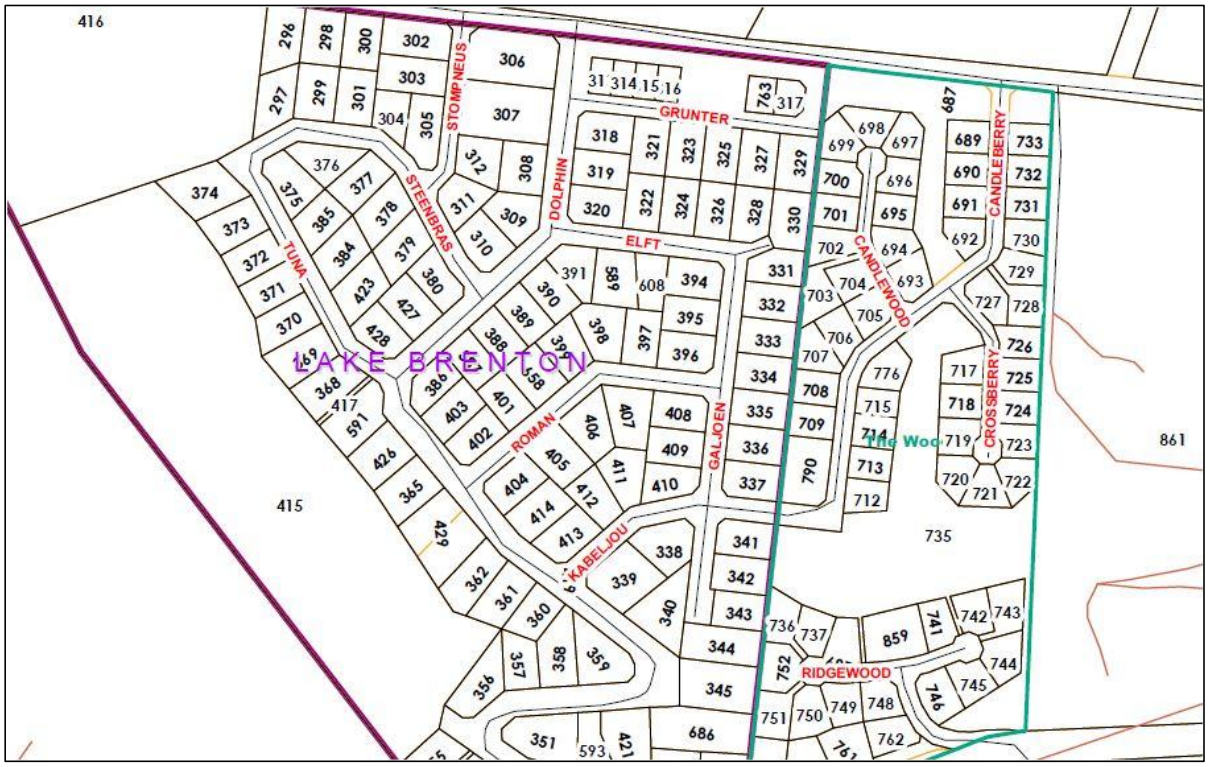
- the retaining wall north east of the main dwelling is in the rear and thus shielded from
  the streetscape by the main dwelling.

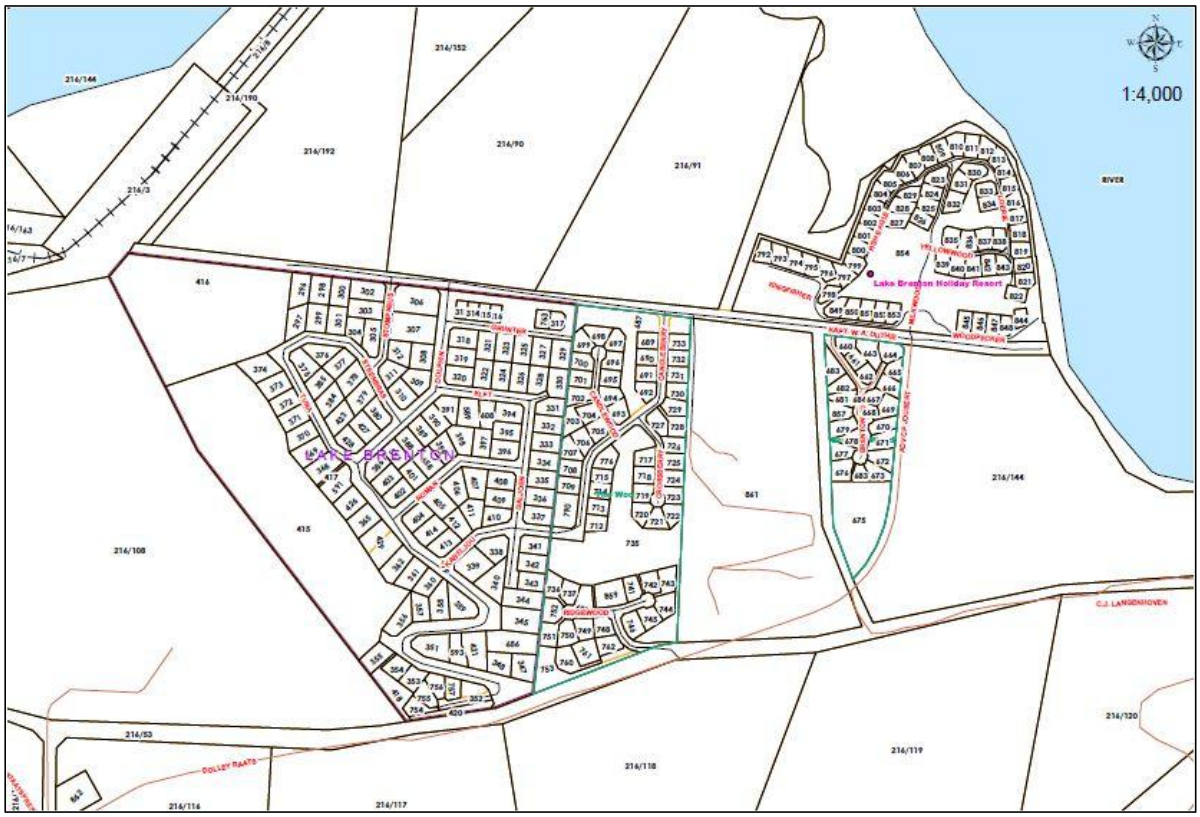
We are of the view that these structures are not obtrusive and therefore worth condoning due to the merits highlighted above.

The owner and I appreciate that building plan approval is not a mere formality and his hasty construction in contravention of the by-law was in order to preserve the existing platform on his property, the existing retaining structure of which was failing due to the excessive rainfall in 2023. It makes sense to apply for the relaxation of the street building line in the same application.

No municipal services will be affected and the proposal is in line with the special planning guidelines at all tiers of government. It is our considered view, therefore, that the proposal does not lack desirability and could therefore be supported.

ERF 414 BRENTON
LOCALITY MAP





SPECIAL POWER OF ATTORNEY

I, ANDRIES WILLEM VAN ZYL (Identity Number [redacted]),

the registered owners of the under-mentioned property, do hereby nominate, constitute and appoint **Seretse Mthembu (ID No. [redacted])** with power of substitution to be our lawful representative in our name, place and stead to make any necessary Town Planning applications in order to obtain local authority approvals in respect of **ERF 414 BRENTON**, including the following:

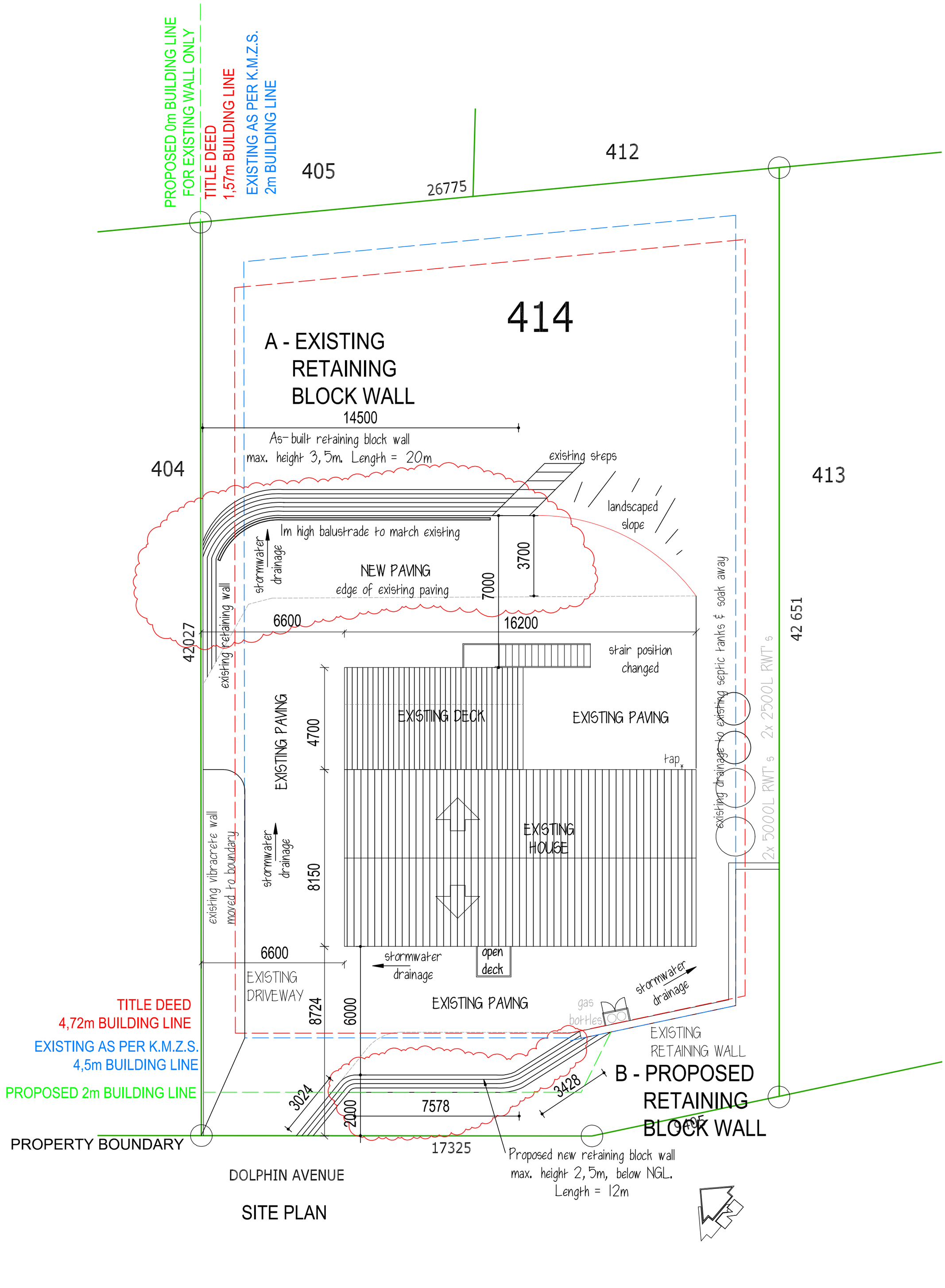
(a) to make any other necessary applications and further to represent me/us in any enquiry or inspection and hearing in relation to the aforementioned matters and generally do whatever may be necessary or desirable to procure Land Use Management approvals, authorisations and related matters on the said land;
(b) to alter and amend the application(s) as may be required from time to time, or to withdraw it;
(c) and generally for effecting the purposes aforementioned, to do or cause to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes as we might or could do if personally present and acting herein - hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever our representative shall lawfully do or cause to be done, by virtue of these presents and whatever our said representatives have to date done herein.

SIGNATURE 1_____**ON THIS, THE** 20 **DAY OF** March. **2024**

In the presence of the under-signed witnesses.
AS WITNESSES:

1. .....

2. .....



AMANDA CLOETE-DAVIDSON
PROFESSIONAL SENIOR ARCHITECTURAL TECHNOLOGIST
SACAP REG. ST1161

PO Box 849 Knysna 6570
tel: 082 770 5865
email: amanda.knysna@gmail.com

PROPOSED & AS-BUILT
RETAINING WALLS
FOR MR A. VAN ZYL
ERF 414 BRENTON-ON-LAKE

PROJECT No.: 2301
DWG No. A2-125
SCALE 1:125
DATE: OCT 2023

DEON BOSHOFF
ATTORNEYS
Attorneys & Conveyancers

DEED OF TRANSFER

ANDRIES WILLEM VAN ZYL

ERF 414 BRENTON ON LAKE

T1748/2018

Vowles Callaghan & Boshoff Inc
24 Queen Street
Knysna
6571

Vowles Callaghan & Boshoff Ingelyf
Queenstraat 24
Knysna
6570

Prepared by me

CONVEYANCER
~~Carl Christiaan Burger~~
RONÈL ELS

Fee endorsement		
	Amount	
Purchase price/Value	R 470 000 00	R 580,00
Mortgage capital Amount	R	R
Reason for exemption	Cat	Exempt i.t.o section Act

T 000001748 / 2018

DEED OF TRANSFER

DATA / CAPTURE
23 JAN 2018
YOLANDI OLIVIER

BE IT HEREBY MADE KNOWN THAT

RONÈL ELS

appeared before me, the Registrar of Deeds at Cape Town, the said appearer, being duly authorised thereto by a power of attorney granted to him by

LORNA EDITH WATT
Identity Number [redacted]
Unmarried

signed at KNYSNA on 5 DECEMBER 2017

DATA / VERIFY
24 JAN 2018
MARLYN BARLOW

And the appearer declared that:

Whereas the Transferor had truly and legally sold the undermentioned property on 24 October 2017 by Private Treaty

Now therefore the Appearer on behalf of the Transferor, did by these presents, cede and transfer to and on behalf of

ANDRIES WILLEM VAN ZYL
Identity Number [redacted]
Married out of Community of Property

his heirs, executors, administrators or assigns, in full and free property

ERF 414 BRENTON, IN THE MUNICIPALITY AND DIVISION OF KNYSNA, PROVINCE OF THE WESTERN CAPE

IN EXTENT 1143 (ONE THOUSAND ONE HUNDRED AND FORTY THREE) SQUARE METRES

FIRST TRANSFERRED BY DEED OF TRANSFER NO T13581/1976 WITH GENERAL PLAN T.P. 7122 RELATING THERETO AND HELD BY DEED OF TRANSFER NO T44887/1982

A. **SUBJECT** to the conditions referred to in Deed of Transfer No T13581/1976.

B. **ENTITLED** to the rights conferred by the following special conditions mentioned in Certificate of Partition Title, No. T8082/1928 providing for certain rights of access, use of roads and right of way in favour of the proprietors for the time being of Belvidere, held under Certificate of Partition Title, No. T8083/1928, and in favour of proprietors for the time being of the property hereby conveyed, namely –

"(a) The proprietors of Belvidere and their successors in title shall have access to BRENTON by and along the whole course of the farm annexed to the Amended Grant thereof dated 30th March 1914 (the commencement and termination of the said line or road being marked P and Q respectively) and from the termination of that road to the river at or near the picnic place by the existing path (the termination of the said Road and the termination of the said path at the Picnic Place being marked Q and R respectively the said road and path being similarly marked and lettered on the diagram hereto annexed);

(b) That if the proprietors of BRENTON or any of their successors in title construct a road or use a road for traffic to any point on the Knysna River below the Picnic Place, the Proprietors of Belvidere and their successors in title shall be entitled to the use thereof and if it do not connect with any line of road mentioned in clause "A" aforesaid to a right of way from the line mentioned in clause "a" aforesaid to a right of way from the line mentioned in clause "a" to the same.

(c) That the proprietors of BRENTON and their successors in title shall have a right of way by the line or road marked on the diagram annexed to the grant aforesaid to where it joins with the existing public road at or near ASHFORD (the commencement and termination of the said road over which the right of way operates being marked P and O respectively, or with any public road to be hereafter proclaimed in lieu of the said public road or of which the public have the use in lieu thereof provided that the proprietor for the time being (i.e. the proprietor for the time being of Belvidere) may require the proprietor of BRENTON for the time being to exercise such right of way by a line deviating as may from time to time mutually be agreed upon along the whole or any part of such line nor more than Nine hundred and forty-four comma five eight (944,58) metres on either side thereof."

(The Grant dated 30th March 1914 and referred to in condition (a) above is Knysna Freeholds Volume 3 No 5).

C. SUBJECT FURTHER to the following conditions contained in the said Deed of Transfer No. T13581/1976 imposed by the Administrator of the Province of the Cape of Good Hope in terms of Ordinance 33 of 1934 when approving of the establishment of Lake Brenton Township:-

1. Any words and expressions used in the following conditions shall have the same meaning as may have been assigned to them by the regulations published under Provincial Notice No. 383 dated 13th June, 1958.

2. In the event of a Town Planning Scheme or any portion thereof applying or being made applicable to this erf, any provisions thereof which are more restrictive than any conditions of title applicable to this erf shall take precedence. Furthermore, nothing in these conditions shall be construed as overriding the provisions of Section 146 of Ordinance No. 15 of 1952, as amended.

3. The owner of this erf shall, without compensation be obliged to allow electricity cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater of any other erf or erven inside or outside this township to be conveyed across this erf, if deemed necessary by the local authority and in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above.

4. The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority.

5. No building on this erf shall be used or converted to use for any purpose other than that permitted in terms of these conditions.

6. This erf shall be used solely for the purpose of erecting thereon one dwelling or other buildings for such purpose as the Administrator may, from time to time after reference to the Townships Board and the Local Authority, approve, provided that if the erf is included within the area of a Town Planning Scheme, the local authority may permit such other buildings as are permitted by the scheme subject to the conditions and restrictions stipulated by the scheme.

7. No building or structure or any portion thereof except boundary walls and fences shall, except with the consent of the Administrator, be erected nearer than 4,72 metres to the street line which form a boundary of this erf, nor within 3,15 metres of the rear or 1,57 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the local authority-

   (i) an outbuilding used solely for the housing of motor vehicles and not exceeding 3,05 metres in height, measured from the ground floor of the outbuildings to the wall-plate thereof, may be erected within such side and rear spaces, and any other outbuilding of the same height may be erected within the rear space and side space for a distance of 11,02 metres measured from the rear boundary of the erf, provided that in the case of a corner erf the distance of 11,02 metres shall be measured from the point furthest from the streets abutting the erf;

   (ii) an outbuilding in terms of sub-paragraph (i) may only be erected nearer to a lateral or rear boundary of a site than the above prescribed spaces, if no windows or doors are inserted in any wall facing such boundary.

8. On consolidation of this erf or any portion thereof with any abutting erf which is subject to the same conditions as herein set forth these conditions shall apply to the consolidated holding as if it was one erf.

9. In the event of this erf being subdivided each subdivided portion, other than any portion deducted for road or similar purposes, shall be subject to the conditions herein set forth as if it were the original erf."

WHEREFORE the appearer, renouncing all the right and title the said

LORNA EDITH WATT, Unmarried

heretofore had to the premises, did, in consequence also acknowledge her to be entirely dispossessed of, and disentitled to, the same; and that, by virtue of these presents, the said

ANDRIES WILLEM VAN ZYL, Married as aforesaid

his heirs, executors, administrators or assigns, now is and henceforth shall be entitled thereto, conformably to local customs; the State, however, reserving its rights, and finally acknowledging that the purchase price is the amount of R 470 000.00 (Four Hundred and Seventy Thousand Rand).

IN WITNESS WHEREOF I, the said Registrar, together with the appearer, have subscribed to these presents, and have caused the seal of office to be affixed thereto.

THUS SIGNED, EXECUTED AND SEALED at the Office of the Registrar of Deeds at Cape Town on 22 JAN 2018

In my presence

Registrar of Deeds

Signature of appearer *q.q.*

Annexure D
(normative)

Form 4 referenced in the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977)

FORM 4
CERTIFICATE OF COMPLETION OF SECTION 14(2A) OF THE ACT
(To be completed upon the completion of the construction, erection or installation of the structural system, the fire protection system, fire installation system or energy usage or any other as required by the Local Authority. No alterations or qualifications are permitted.)

I, REIN HOFMEYR (Name of professional)

Address: 1 JONKER STREET, INDUSTRIAL AREA, KNYSNA, 6571

Cell No: 082 886 3395

E-mail: hofmeyr@hofmeyrassociates.co.za

Of HOFMEYR & ASSOCIATES
(Name of practice, partnership, association, company or incorporated body)

Certified that for the following project:

Erf/Holding/Portion No: 414

Township/Agricultural holding/Farm name: LAKE BRENTON

Street address: DOLPHON AVENUE

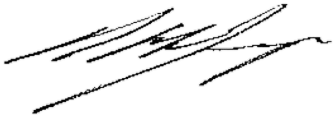
Application / Approval / Case No:

Nature of project: Retaining walls

(Insert proposed new building(s), or building alteration, building addition, re-erection of building, and refurbishment of building or structural repair to existing building, as relevant.)

- ☒ the structural system
- ☐ the fire protection system
- ☐ the fire installation system
- ☐ energy usage
- ☐ other (specify)

for which I have taken responsibility in Form 2 has, to the best of my knowledge, been designed and constructed ☒/erected ☒/installed ☒in accordance with the application in respect of which approval was granted in terms of section 7 of the Act and that it satisfies the requirements of the National Building Regulations.

Signature of Professional:  Date: 14 Feb 2024

Registration Council: ECSA

Category of Registration: Professional Engineer

Registration Number: 890277/1

1 JONKER STREET, KNYSNA,
INDUSTRIAL,
hofmeyr@hofmeyrassociates.co.za

P.O BOX 1009
KNYSNA, 6570
TEL (044) 382 0996

HOFMEYR & ASSOCIATES
CONSULTING ENGINEERS, KNYSNA

Ref: 18/34

20th April 2023

Andries Van Zyl
Email: andries@avzplumbling.co.za ; andires013@gmail.com

RE: HOUSE VAN ZYL – RETAINING WALL - ERF 414, BRENTON ON LAKE, KNYSNA

Subsequent to my site inspection with you on Tuesday 18th April 2023, I understand that you have been stopped from further construction.

The foundation has now been cast but this bank is in a very unstable situation, particularly if we get some rain.

To reduce the risk of collapse of the bank, I recommend that you construct 6 – 8 courses of blocks on the foundations and then wait until your plans are approved before progressing further with the wall.

Please take some photographs for me when you have done this.

Yours faithfully,

Rein Hofmeyr
Pr. Eng. 890277/1

Knysna
Municipality Munisipaliteit uMasipala
inclusive • innovative • inspired

Collab. Ref. 18753771
File Ref.: 414 Bre
JH Smit
Tel: 044-302 6318

Via Electronic Mail

2024-07-19

SG Doig
[redacted]
KNYSNA
6571
Email: [redacted]

Dear Sir/Madam,

PROPOSED DEPARTURE & REMOVAL OF RESTRICTIONS: ERF 414, BRENTON

Notice is hereby given in terms of Section 15 of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021) that the abovementioned application has been received from:

Applicant's Name:	Andries W. van Zyl
Contact Person:	c/o Seretse Mthembu
Email:	seretsem@gmail.com
Reference number:	Application number 3121
Property Description:	Erf 414, Brenton
Physical Address:	414 Dolphin Avenue, Brenton on Lake

Nature of application:

(i) Application for a **Departure** in terms of **Section 15(2)(b)** of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021) for the following:
   a) The relaxation of the south-western lateral building line from 2m to 0m in order to allow for an as-built retaining wall;
   b) The relaxation of the height restriction applicable to retaining walls from 2m to 2,475m in order to allow for the as-built retaining wall (north-eastern retaining wall); and
   c) The relaxations of the height restriction from 2m to 2,475m in order to allow the for the as-built retaining wall (north-eastern retaining wall) and as shown on plan number "*2301-A2-125*" dated October 2023.

(ii) Application for the **Administrator's Consent** as imposed in terms of condition C.7 applicable to Title Deed T1748/2018 in terms of **Section 15(2)(f)** of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021) in order to allow a 0m street building line in lieu of 4.72m for a new retaining wall; and

(iii) Application for the **Administrator's Consent** as imposed in terms of condition C.7 applicable to Title Deed T1748/2018 in terms of **Section 15(2)(f)** of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021) in order to allow a 0m north-eastern lateral building line in lieu of 1.57m for the as-built retaining wall.

A full copy of the application is available for inspection on the municipal website:
https://www.knysna.gov.za/do-business/planning-development/current-land-use-applications/

Members of the public are invited to submit written comments, together with the reasons therefore in terms of Section 15 of the Knysna Spatial Planning and Land Use Management By-Law (2021). Comments must be addressed to the Municipal Manager and submitted via email at knysna@knysna.gov.za and sphungula@knysna.gov.za on or before **19 August 2024,** quoting your name, address, electronic contact details and telephone number, interest in the application and reasons for comment. The municipality may refuse to accept comments received after the closing date. Persons who cannot write may contact the Town Planning Office during office hours, where the responsible official will assist you in putting your comments in writing.

Telephonic enquiries may be made during office hours to Sihle Phungula at 044-302 6318 or via email sphungula@knysna.gov.za.

Yours faithfully,

JH SMIT
MANAGER: LAND USE MANAGEMENT
/lb

MAILING LIST FOR ERF 414 BRENTON

404	SC DOIG	Via electronic mail
405	AM BRUWER	Via electronic mail
412	IS & AJ RETIEF	Via electronic mail
413	SAZ LIEDBERG	Via electronic mail
594	F SMIT	Via electronic mail
429	AJ EDEN	Via electronic mail
362	JP SWART	Via electronic mail
361	DA & BE WADE	Via electronic mail

KNYSNA
Municipality
Munisipaliteit
uMasipala

LAND USE APPLICATION DEPARTMENT COMMENTS

Erf Number: 300414000
Application Type: Departure;Removal of Restrictions
Application Number: 3121
Application Date: 2024-06-26

Department	Comment Requested (T=Yes / F=No)	Comment Received
Corporate Services	F	
Legal Services	F	
Financial Services	F	
Community Services	F	
Fire Services	F	
Traffic	F	
Waste Removal	F	
Infrastructure Services	T	--oOo-- Tue Aug 06 2024 14:44:39 GMT+0200 (South Africa Standard Time) Comment by SASSM: No objection subject to the relaxation being limited to the indicated footprint.
Infrastructure Services Roads	F	
Infrastructure Services Sewer	F	
Electro Technical	F	
Housing	F	
Environmental Services	F	
Building Control	T	--oOo-- Sun Jun 30 2024 09:39:42 GMT+0200 (South Africa Standard Time) Comment by DAAMESR: A building plan application is to be submitted for the as-built structures.
Aesthetics Committee	F	
Street Naming Committee	F	

Sihle Phungula

From: Sven Liedberg [redacted]
Sent: Wednesday, 24 July 2024 11:22
To: Sihle Phungula
Cc: Knysna Municipality
Subject: 1875371 414 Bre

Follow Up Flag: Follow up
Flag Status: Flagged

Your documentation : Proposed Departure & Removal of Restrictions Erf 414 , dated 2024/07/19 refers.

COMMENTS SAZ LIEDBERG : 413 Dolphin avenue, Lake Brenton, email [redacted] next door neighbour to erf 414 I have no objection to the approval of the proposed departure, on the contrary I support the application and would like to see it to be approved without un-necessary delays.

Yours faithfully.
Sven Liedberg

Tutuzelwa Tsese

Colab No.:

File No.: 18/5/1

From: Picca [redacted]
Sent: Thursday, 15 August 2024 12:27
To: planning
Cc: Knysna Municipality; Sihle Phungula
Subject: Building proposal Erf 414 Dolphin & 405 Roman Ave.
Attachments: Power of Attorney AM Bruwer & P de Bruin 2024.pdf; Erf 405 & Eft 414 Lake Brenton..pptx

To the Municipal Manager

Good day

I, Petri de Bruin acting as tenant , caretaker and acting in AM Bruwer's best interest of Erf 405 Roman Ave, Brenton on Lake, Knysna Municipality.

I have power of attorney for AM Bruwer owner of 405 Roman Ave, Lake Brenton, Knysna. Please see doc attached, should you have any queries, please contact me immediately.

Herewith our comment and concerns regarding Notice in terms of Section15 of Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021), related to the PROPOSED DEPARTURE & REMOVAL OF RESTRICTION: ERF 414, BRENTON; COLLAB. REF 1875371, submitted by Andries W van Zyl.

Before the following is not provided, we hereby object to the land use application attached.

1. Regarding the retaining wall build facing 405. My concern is that the retaining wall was built by homeowner, Mr van Zyl without any engineering plans or permissions in place. I insist on A Certificate of Compliance, provided by an architect, engineer or surveyor, providing a certification that the works have been completed in compliance with Building and Planning Regulations, and/or with any Planning Permission granted.
2. Clear indication and approval of the storm water and drainage provisions made as per the municipal by-laws, as the property slopes towards AM Bruwer's property and soil has been displaced against the wall already. See attached photos indicating visible water drainage pipes. I request that Mr. van Zyl make use of a100mm diameter pipe too the road to connect with the municipal drainage or the road to stop the water flowing down onto my property, due to the slope.
3. Regarding the retaining wall Mr. van Zyl requests permission to build on Dolphin Ave, I request a land surveyor establish that the retaining wall will be on Mr. van Zyl's property and not on Municipal property. The height from ground level. Lake Brenton is a conservation area, and the wildlife needs to be protected and have space to move through.

Kind regards, vriendelike groete.

Picca de Bruin
Cell: [redacted]
Email: [redacted]

MUNISIPALITEIT / MUNICIPALITY
KNYSNA
2024 -08- 15
Action: S. Madumko
CC: Mr. P+D L. Bailey
H Smit

Prepared by me

Conveyancer
BRYONY LINDIWE MATTHEE

GENERAL POWER OF ATTORNEY

KNOW ALL MEN WHOM IT MAY CONCERN:

That I the undersigned,

ANNA MAGDALENA BRUWER
(Identity Number: [redacted]

do hereby nominate, constitute and appoint

PETRI DE BRUIN
(Identity Number: [redacted]

to be my Agent(s) for managing and transacting my business in THE REPUBLIC OF SOUTH AFRICA with full power and authority for me and in my name and for my account and benefit to ask, demand, sue for, recover and receive all debts or sums of money, goods, effects and things whatsoever which now are or hereafter may become due, owing, payable or belong to me,

AND to adjust, settle, compromise and submit to arbitration all accounts, debts, claims, demands, disputes and matters which may subsist or arise between me and any person, persons Company(ies), Corporation(s) or body(ies) whatsoever and for the purpose of arbitration to make the necessary appointments and sign and execute the necessary appointments and sign and execute the necessary acts and instruments in that behalf,

AND to let, either on lease or otherwise, and also to improve, alter, or otherwise deal with any stands, houses or other property belonging to me or with which I am entitled to deal,

AND to collect and receive rents, and, if necessary, cancel any lease or other tenancy and take all legal proceedings for ejectment or otherwise in connection with such lease or other tenancy, or the cancellation thereof,

AND to open and operate any account with a Financial Institution and to overdraw such account; to draw, sign and endorse cheques; to draw, accept and endorse bills of exchange and promissory notes; to negotiate and to withdraw securities and to sign receipts therefor; to establish credits for others; to guarantee payment of any liability or indebtedness of others; to bind me as surety "in solidum" and as co-principal debtor and under renunciation of the benefits of division and exercise.

AND to buy or sell movable or immovable property (including Stands) and also Claims and other Mining Rights of all kinds and in connection with any purchase or sale to make the necessary Declaration as to the truth of the amount of the purchase price; to receive or to make and give, as the case may be, the necessary contracts or acts and deeds of transfer or leases of and relating to any immovable or leasehold property, stands, claims or mining rights or mining tiles in due customary form according to the local laws and usages.

AND to invest any money in my/our hands on Mortgage of movable, immovable or leasehold property and from time to time to vary or alter such investments should it be deemed necessary or expedient to do so, and to consent to the modification of all or any of the terms, or to the cancellation of any Bond or Bonds and to cede the same or any interest thereunder to any person or persons acquiring same.

AND to take up money under security of property movable or immovable and to appear before any Registrar of Deeds, or any official with like duties and powers, or any Magistrate, Notary Public or other competent authority, and to make and execute all such Mortgage Bonds or other Securities as may be requisite or necessary in that behalf or to secure debts due by me/us before the passing of such Bonds or that may become due thereafter under obligation of my/our persons and property of every description.

AND to waive any rights that I may have or be or become entitled to as usufructuary(ies) in respect of any property in favour of the holder or holders of any bond or bonds thereover.

AND to commence, and prosecute and to defend, compound and abandon all actions, suits, claims and demands and proceedings in regard to me or my property or in relation to my affairs in or before any Court or other body of persons in the Republic of South Africa and in any Territory or Country anywhere in the world.

AND to suffer judgment or decree to be given against me in any of such proceedings by default as my said Attorney shall deem fit.

AND to attend all meetings of Creditors of any person or persons, Company or Companies, Syndicate or Syndicates, indebted to me whether in insolvency or otherwise and to prove my claim at any such meeting or meetings and to vote for the election of a Trustee or Trustees or to consent to the assignment of the Estate of any of my Debtors to sign the necessary deeds and to vote for the election of any Assignee or Assignees, and also to vote on all questions submitted to any such meeting of Creditors and generally to exercise all rights attaching to me as Creditor.

AND to attend meetings of persons interested in any Estate, Testate or Intestate, with which I may be concerned as nest of kin, heir, legatee, creditor or otherwise, to vote for the appointment of any Executor or Executors Dative or do whatever may be required to prove my/our claim, and to act for me in all matters pertaining to such Estate.

AND make application in my name for shares in any Company or Syndicate, to receive such shares as may be allowed to me and to sign any Memorandum and Articles of Association and other documents requiring the signature of Shareholders.

AND to appear in persons or by proxy at the Meetings of Shareholders of any Company or Syndicate in which I may hold a share or shares and to vote thereat on my behalf.

AND to buy, sell, and exchange Script or Shares and to sign the necessary transfers and documents to pass title thereto.

AND further to give and grant receipts, releases or other effectual discharges for any sum of money or thing recovered on my/our behalf, which receipt whether given in my name or in the name of my Attorney shall exonerate the person or persons paying such moneys from seeing to the application thereof.

AND for me and in my name to enter into Partnership, dissolve or liquidate any Partnership and to sell or transfer any Partnership property and to represent me in all matters relating to any Company or Companies that may at any time hereafter be registered or incorporated in the Republic of South Africa.

AND to sign or execute and Deed or Instrument in writing as effectually as I might or could do if personally present.

AND to choose "domicilium citandi et executandi" AND GENERALLY to do, execute and suffer any such act, deed, matter or thing whatsoever, as the said Attorney may deem necessary or expedient in or about my concerns, HEREBY GIVING and GRANTING to the said Attorney power to appoint a substitute or substitutes, and the same at pleasure to displace or remove and appoint another or others, hereby ratifying and agreeing to ratify whatsoever shall be done or suffered by virtue of these presents.

AND without in any way restricting or limiting the aforementioned general powers and authorities, I do hereby specially authorise my said Attorney and Agent to do all or any of the following acts, matters and things in relation to any Company or Companies in the Republic of South Africa.

1. To sign and subscribe my name to the Memorandum and Articles of Association of any such Company or Companies as a member thereof, and to undertake to purchase from such Company or Companies and subscribe to the Memorandum of Association of all or any of such Company or Companies for such number of shares in the Share Capital of the Company or Companies as a member thereof, and to undertake to purchase from such Company or Companies shares in the Share Capital of the Company or Companies as my said Attorney and Agent may deem fit

2. In my/our name and on my behalf and in respect of all or any of such Company or Companies to sign, execute and deliver and cause to be lodged with the Registrar of Companies or other competent official, a consent in writing to act as a Director on the Board of Directors of any such Company or Companies and in terms of the Companies Act 1973, of the Republic of South Africa

3 If so deemed necessary and in lieu and instead of subscribing the Memorandum of Association of any such Company or Companies, in my/our name and on my/our behalf to sign, execute and deliver and lodge with the Registrar of Companies aforesaid a contract in my/our name and on my behalf to take from and pay unto any such Company or Companies such number of shares in the Share Capital of the Company concerned as will be necessary to qualify me/us as a Director(s) in terms of the Companies Act 1973, of the Republic of South Africa.

4 Upon my/our being named as a Director or proposed Director in any Prospectus or statement in lieu of Prospectus to be lodged by any such Company or Companies, to

sign and execute such Prospectus or statement in lieu of Prospectus in my name and on my/our behalf.

5. SPECIAL PROVISIONS

None

Thus done and signed at KNYSNA on 5th March 2020 in the presence of the undersigned witnesses

AS WITNESSES:

1. _____

2. _____

ANNA MAGDALENA BRUWER

CHRISTOPHER VAN ZYL
9/5/8/2 Karreed (A15)
Commissioner of Oaths
Ex Officio
Kommissaris van Eed
Signature/Handtekening
Sanlam Senior Financial Adviser
P.O. Box 1263 KNYSNA 6570
Datum 5 March 2020 Date

Boundary between erf 405 Roman Ave and erf 414 Dolphin Ave. L
Indicating the slope and water drainage provided currently.





Collab No.:

File No.: 15/2/5/1

Tutuzelwa Tsese

From: Pavlina Papadakis <[redacted]>
Sent: Thursday, 08 August 2024 12:00
To: planning; Knysna Municipality; Sihle Phungula
Cc: Steuart Doig
Subject: Re: Application for Departure No.3121; Erf 414 Brenton on Lake, Knysna Municipality,
Attachments: 18 April 2023.jpg; 18 February 2022.jpg; February 2022.jpg; July 2024 now.jpg; 30 August 2023.jpg; Objections and evidence related to Erf 414.pdf

To the Municipal Manager

Good day

I trust our email finds you well.

We, Pavlina Papadakis and Steuart Doig, the owners of Erf 404 Dolphin Ave, Brenton on Lake, Knysna Municipality, hereby formally comment and palace on record our concerns to Notice in terms of Section15 of Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021), related to the PROPOSED DEPARTURE & REMOVAL OF RESTRICTION: ERF 414, BRENTON; COLLAB. REF 1875371.

Attached please find our concerns related to the Existing Retaining Walls and the proposed New Retaining Wall along Dolphin Avenue.

Attached please find pictures with accurate dates for cross reference.

Recorded conversations can be provided on request.

Should there be any further information or forms to be completed and submitted from our side, please do not hesitate to contact us.

Warm regards

P Papadakis and S Doig

Owners of Erf 404, Dolphin Avenue, Brenton on Lake

MUNISIPALITEIT / MUNICIPALITY
KNYSNA
2024 -08- 12
Action: S. Phungula
CC: Dir. Res, H. Smit
L Bailey

Comments and evidence related to Erf 414

Attention: The Municipal Manager

8th August 2023

To whom it may concern:

We, Pavlina Papadakis and Steuart Doig, the owners of Erf 404 Dolphin Ave, Brenton on Lake, Knysna Municipality, hereby formally comment and palace on record our concerns to Notice in terms of Section15 of Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021), related to the PROPOSED DEPARTURE & REMOVAL OF RESTRICTION: ERF 414, BRENTON; COLLAB. REF 1875371.

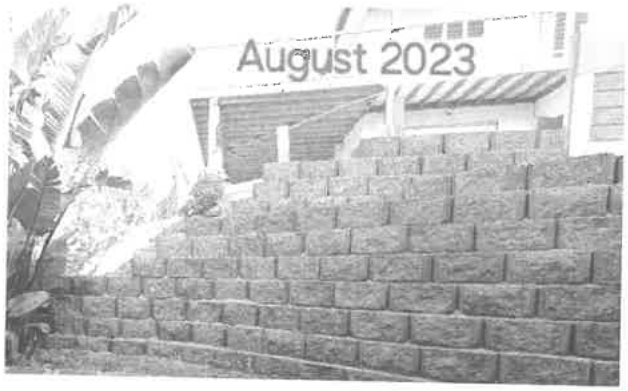
We have serious concerns that the existing Retaining Walls are not Built in Accordance with the Building Regulations.

a) The retaining walls "as built", as we are aware, have no plans drawn up and submitted to the relevant local authority for approval prior to the commencement of the building.

b) We are concerned that the EXSISTING AND THE NEW PROPOSED retaining walls will divert the natural flow of storm water, and it will create a washaway behind our retaining wall affecting the integrity of the retaining wall which already washes sand and soil into our yard and garden.

c) The New proposed retaining block WALL B; It is important to note, that the bulk of the proposed retaining structure along Dolphin Avenue falls below the natural ground level and may result in an addition volume of storm water flowing down the Erf 414 driveway, and finding its way to add to the existing flow into our property, bearing in mind that the natural ground level of the neighbouring Erf 414 has been raised substantially above the ground level of our property Erf 404.

Then



Now



d) As per **4.6. Engineering services:**

4.6.1 Quote***: No additional stormwater discharge is envisaged as part of the current proposal.***

(I) We disagree with the statement. The natural topography must be considered and if disturbed for some reason then the design of the stormwater must be designed by competent professionals to render appropriate and effective storm water management.

(II) For us to give our consent for the proposed relaxation to the "As Built" retaining walls, and the Proposed retaining BLOCK WALL B, we would request that a full liability in writing is borne by the engineer who has signed off on the design and construction of the retaining walls thereof.

(III) To alleviate the flooding concerns adequate storm water runoff/ diversion is to be provided.

e) **4.7. Environmental and Considerations:**

4.7.1 Quote***: The building line relaxations does not trigger any listed activities in terms of the current NEMA EIA Regulations.***

It is to be noted: There are Wildlife corridors and trails between Dolphin Avenue and the boundary of Erf 414. Changing the Natural Landscape with Retaining Walls will force the bushbuck into the road which will lead to possible accidents and loss of wildlife.

To set the record straight, the following facts must be noted:

As per application statement:

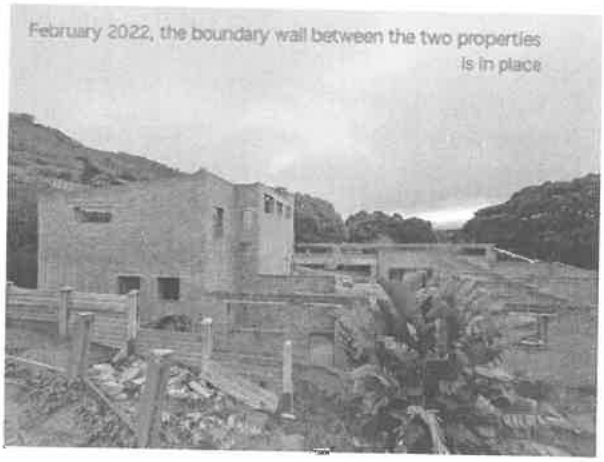
1. Application overview

1.1 BACKGROUNG

1.1.1 Quote: ***Due to the extremely prolonged and heavy rain we during 2023, as well as the neighbouring property being developed, the existing retaining wall on the began to fail. Since living in the house, Mr van Zyl has also realized that the parking is insufficient due to the steep slope of the property. (page 2)***

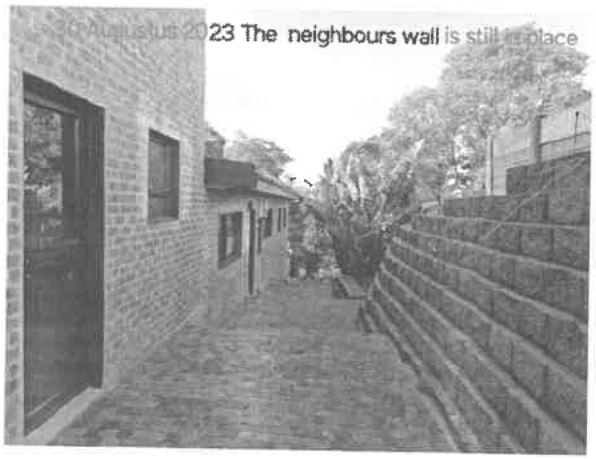
This statement is inaccurate, and the picture used in the application is from April 2023.
Comparison must be done with the actual pictures dating February 2022.
There is no subsidence caused by the construction of our building to the northwestern boundary wall or any other walls as stated above.





1.1.2 Quote: ***In order to fix the problem of the failing retaining wall as quickly as possible, the owner consulted an engineer and started building a new retaining block wall, allowing additional space at the top of the newly retained area in order to accommodate vehicular access to the north-eastern side of the house for additional parking. (page 2)***

This statement is inaccurate: On 30th of August 2022, our building, retaining walls and paving was completed entirely. Erf 414 **didn't have any retaining walls whatsoever**, there were only the vibracrete walls on the boundary line, as on pictures dated 18 February 2022 and April 2023 attached, which you can clearly see are perfectly in place.





1.1.3 Quote: ***Subsequently, and almost by chance, the property owner was advised of the need for approved building plans that should precede the construction of retaining walls and other structures being erected. The property owner promptly appointed Ms Amanda Davidson to prepare and submit all the required applications in order to obtain land use and building plan approvals in respect of the as-built structures on site. (page3)***

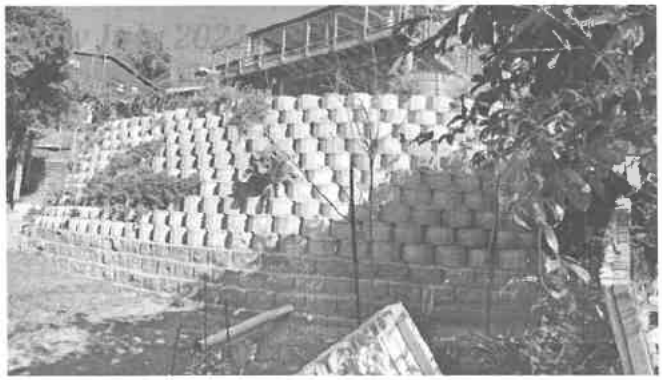
This statement is inaccurate: We had numerous discussions with Mr Andries van Zyl (the property owner of Erf 414), expressing our concerns regarding his intentions to build a retaining wall on the boundary line to support the extended driveway. On15th April 2023, after heated argument, we recorded and sent our concerns to his mobile phone, which didn't stop him to

proceed with his intentions of building a retaining wall and fill in to create for an additional space.

It is our believe that soon after the above-mentioned discussion, Mr Andries van Zyl's property was visited by a municipal representative, and he was instructed to cease any further construction of the retaining wall until such time as building plans had been submitted and approved. (picture of building progress at the time of construction 18 April 2023)



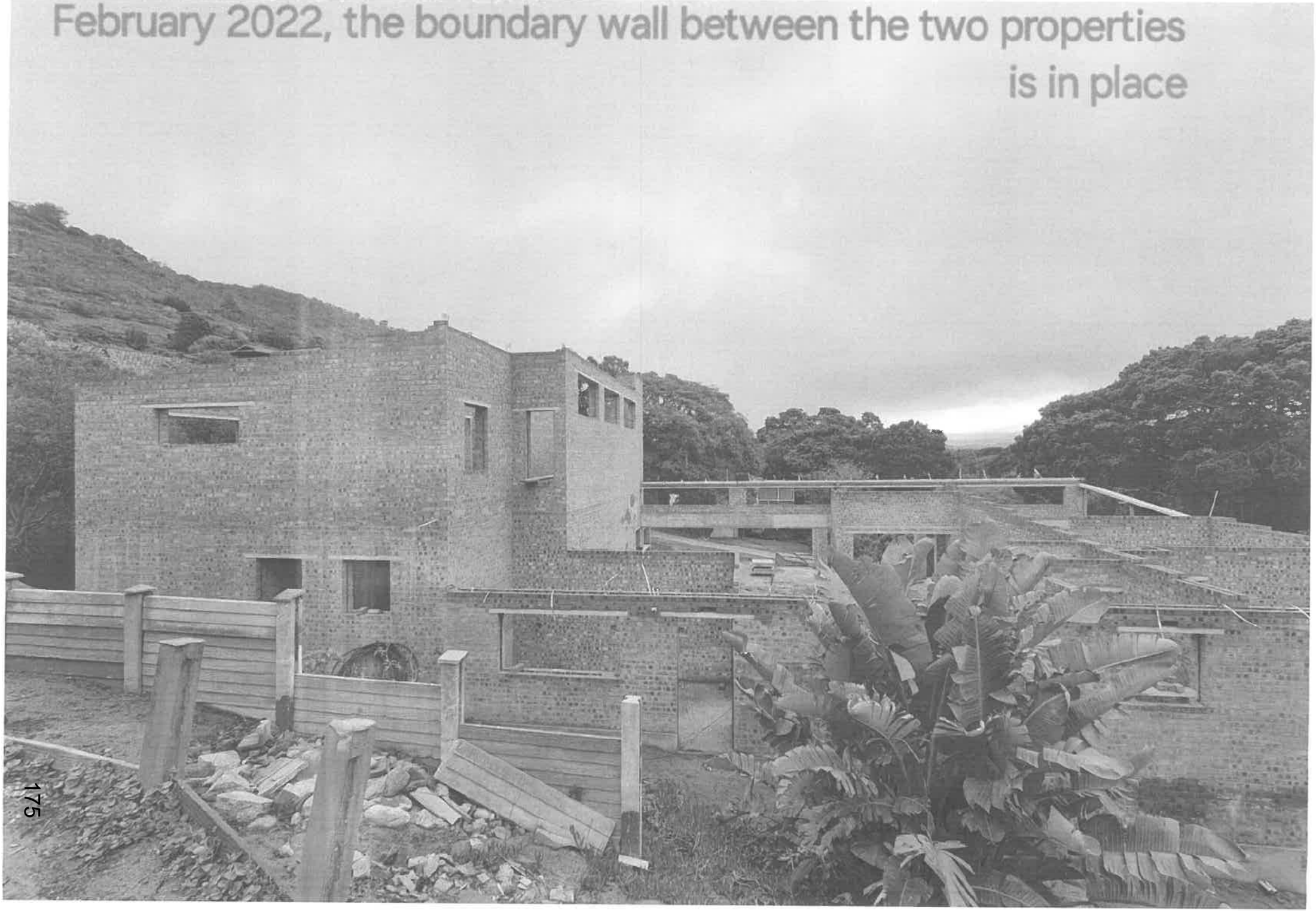
All our attempts to keep the relationship with our neighbours civil, have been unsuccessful ever since.

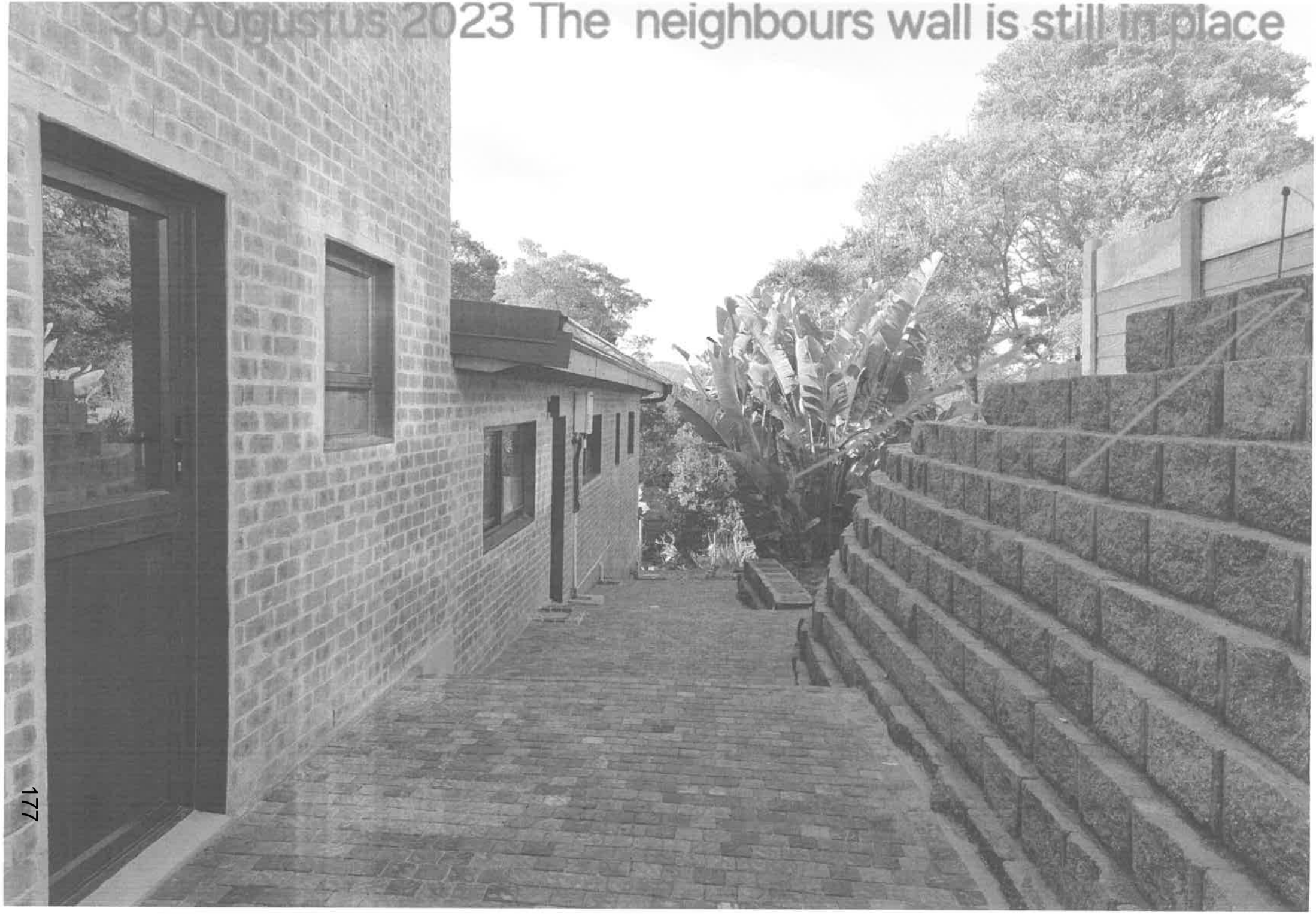




Your sincerely

P Papadakis and S Doig
Owners of Erf 404, Dolphin Avenue
Brenton on Lake


February 2022, the boundary wall between the two properties
is in place


30 Augustus 2023 The neighbours wall is still in place
477

Seretse Mthembu Urban & Regional Planning
Urban Planners & Development Facilitators

No. 1 Fourth Street, Dinangwe
Concordia East
KNYSNA
6570

Cell: [redacted]

10 October 2024

The Manager: Land Use Management
Knysna Municipality
PO Box 21
KNYSNA
6570

Ref: 414 BRE

Attention: Mr S Phungula

ERF 414 BRENTON: PERMANENT DEPARTURE AND ADMINISTRATOR'S CONSENT – RESPONSE TO COMMENTS / OBJECTIONS

Reference is made to the attached public and internal departments' comments attached as follows:

	RECEIVED FROM	FROM ERF No. / DEPARTMENT	DATE RECEIVED BY MUNICIPALITY	DATE RECEIVED BY APPLICANT	ANNEXURE
1	Petri de Bruin obo A M Bruwer	405 Brenton	15 August 2024	28 August 2024	A
2	Pavlina Papadakis and Steuart Doig	404 Brenton	8 August 2024	28 August 2024	B
3	Knysna Municipality	Infrastructure Services	6 August 2024	28 August 2024	C
4	Knysna Municipality	Building Control	30 June 2024	28 August 2024	C

The comments have been captured in summary form and shall be addressed in the following table:

	RECEIVED FROM	COMMENTS	OUR RESPONSE
1	Petri de Bruin	The retaining wall facing Erf 405 Brenton was built by the homeowner, Mr. van Zyl, without any engineering plans or permissions in place.	In terms of the document attached as **Annexure D** dated 14 February 2024, the structural engineers Hofmeyr and Associates have been appointed to fulfil the requirements of Section 14(2A) of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977) [1]. The document bears testimony to the fact that the retaining walls have been

[1] (2A) Upon completion of the erection or installation of—
(a) the structural system;
(b) the fire protection system; or
(c) the fire installation system,
of any building the person appointed to design such system and to inspect the erection or installation, shall submit a certificate to the local authority indicating that such system has been designed and erected or installed in accordance with the application in respect of which approval was granted in terms of section 7.

			constructed under the supervision of qualified and registered structural engineers and the appropriate engineer's certificate shall (naturally) be issued upon: • The approval of the building plans, and • The completion of the retaining wall.
		I insist on a certificate of compliance provided by an architect, engineer or surveyor, providing a certification that the works have been completed in compliance with building and planning regulations, and/or with any Planning Permission granted.	The document attached as **Annexure D** (Certificate of Completion of Section 14(2A) of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977) should be sufficient to satisfy Ms du Bruin that the retaining walls have been constructed under the supervision of a registered engineer. A certificate of compliance can only be issued and therefore made available after the building plan process has been concluded. It is then that the neighbour's request could be complied with.
		Clear indication and approval of the stormwater and drainage provisions made as per the municipal by-laws [must be furnished], as the property slopes towards A M Bruwer's property and soil has been displaced against the wall already.	At this stage, it is considered less than possible to provide Ms du Bruin with such information given that the Building Plan for the as-built retaining wall has not been considered or approved by the relevant department of the municipality. However, as soon as approval has been granted, works completed and a completion certificate issued, as the case may be, it will be possible for the property owner to share such information with Ms du Bruin as requested. It is not possible at this stage to speculate as to what the outcome of the building plan consideration process shall be.
		I request that Mr van Zyl make use of a 100 mm diameter pipe to the road to connect with the municipal drainage or the road to stop the water flowing down on to my property, due to the slope.	Proper care shall be taken, in conjunction with the project engineers and the relevant department of the Municipality to ensure that no stormwater sheet flow shall become a source of nuisance in respect of the property of Mr Bruwer (Erf 405 Brenton). If a 100 mm diameter pipe, as cited by Ms du Bruin is warranted, it is the property owners' prerogative to ensure that such requirement is satisfied for the completion certificate to be issued.
		Regarding the retaining wall Mr van Zyl request permission to build on Dolphin Avenue, I request a land surveyor establish that the retaining wall will be on Mr van Zyl's property and not on municipal property.	At this stage there is no probable cause to suspect that the retaining wall proposed along Dolphin Avenue might be discordant with the building plans or the street boundary of the subject property along Dolphin Avenue. To insist on such an expense

			as to hire a qualified land surveyor to determine the future position of the proposed retaining wall prior to the wall being constructed may be dimmed prejudicial towards the property owner. However, in the event that's such requirement may arise, the property owner reserves his right, to deal with such requirement after the wall has been constructed.
		The height from ground level. Lake Brenton is a conservation area, and the wildlife needs to be protected and have space to move through.	The property owner is aware and supports the symbiotic relationship that the residents of Brenton have with wildlife and is also adamant that any proposal shall have a positive conservation outcome. It is however not realistic to expect the property owner to neglect his responsibility to ensure the structural integrity of improvements on his property within his boundaries for fear that might interfere with the free movement of wildlife. Ample space is available on the road reserve along Dolphin Avenue in support of the free movement of wildlife within and around the vicinity of the subject site.
2	Pavlina Papadakis and Steuart Doig	We have serious concerned that the existing retaining walls are not built in accordance with the building regulations.	It is important to note that the as-built returning walls (to the extent that they have been built) which have been constructed as an emergency measure have not yet been approved as yet in terms of the National Building Regulations. However, in the absence of the approval, it is noted that a structural engineer was appointed and has certified that the retaining walls have been constructed with due regard being had to the prescriptions of the National Building Regulations and under the engineer's supervision. A document to that effect is attached as **Annexure D**.
		The retaining walls "as-built ", as we are aware, have no plans drawn up and submitted to the relevant local authority for approval prior to the commencement of the building.	It is indeed true that the retaining walls were constructed without approved building plans. One of the reasons this application has been submitted is to facilitate a process that would see to it that the walls are approved provided they are in accordance with the requirements of the National Building Regulations. It must be noted that the retaining walls, with the exception of the proposed wall along Dolphin Avenue, were: • constructed as an emergency measure to replace a wall that had already fallen apart due to age, excessive stormwater and sediment (vibracrete wall) (**Annexure E, F** and **G**), and

			• to prevent further erosion of the ground at the rear end of the building caused by the impact of heavy rains on the naturally steep gradient and disturbance of the natural ground level resulting from the creation of a cut and fill bank to accommodate the existing main dwelling (**Annexure H**).
		We are concerned that the existing and the new proposed retaining wall will divert the natural flow of stormwater, and it will create a washaway behind our retaining wall affecting the integrity of the retaining wall which already washes sand and soil into our yard and garden.	It should be noted that the main purpose for the erection of the retaining wall was to prevent access sediment from getting washed away towards and onto the neighbour's property. It is frustrating to hear that the measures that have been taken in order to mitigate against the erosion of sediment towards the neighbour's property is considered to defeat the purpose for which they have been employed. It is also important to observe that the wall in question is made of Sholin blocks which are designed to absorb most of the stormwater towards the ground. That being said, appropriate measure shall be taken by the property owner in conjunction with the project engineer to mitigate the potential risk of excessive stormwater to the satisfaction of the municipality.
		The new proposed retaining **Wall B**: It is important to note that the bulk of the proposed retaining structure along Dolphin Avenue falls below the natural ground level and may result in an additional volume of stormwater flowing down the Erf 414 driveway, and finding its way to add to the existing flow into our property, bearing in mind that the natural ground level of the Neighbouring Erf 414 has been raised substantially above the ground level of property 404.	The block retaining walls in question is meant to prevent a possible landslide along the street boundary and in no way creates an additional volume or velocity of stormwater which would not have been there prior to the erection of that wall. It is important to note that this wall has not yet been erected and proper care shall be taken to ensure that no additional stormwater is created to the detriment of the owner of Erf 404 Brenton (to the satisfaction of the municipality at the building plan submission stage).
		As per 4.6 Engineering Services (paragraph 4.6.1 in the motivation report): 4.6.1 Quote: No additional stormwater discharge is envisaged as part of the current proposal. (i) we disagree with the statement. The natural topography must be considered and if disturbed for some reason then the design of the storm must be designed by competent professionals to render appropriate	Building plans in respect of the proposed retaining walls shall be submitted to the Building Control department of Knysna Municipality for consideration and, possibly, approval. Part of the scrutiny process involves looking into whether stormwater management system practices have been adhered in order to prevent the possibility of excessive stormwater that may cause damage to the surrounding properties. It is, at this stage, too early to speculate as to what the outcome of the scrutiny process will be.

		and effective stormwater management.	However, any recommendations from the relevant departments shall be considered in order to make sure that the structures are in accordance with relevant stormwater management regulations.
		(ii) For us to give our consent for the proposal relaxation to the "As-built" retaining walls, and the proposed retaining Block Wall B, we would request that a full liability in writing is borne by the engineer who has signed off on the design and construction of the retaining wall thereof.	It is our understanding that all practising engineers are subject to professional liability and such other prescription as may be applicable. However, to request that an individual liability be issued in respect of the proposed development is subject to the rules of the paternal organisation governing the practice of the structural engineers. It is therefore not for us to decide whether the practice is catered for under the rules of the fraternal structure. The appropriateness of this requirement is subject to the rules governing the engineering fraternity and shall be investigated and if appropriate such measure shall be complied with.
		(Iii) To alleviate the flooding concerns, adequate stormwater run-off/diversion is to be provided.	Building plans which are to be subject to the Building Control scrutiny process shall be submitted to the relevant municipal department for consideration. Part of the scrutiny process involves the examination of the on-site stormwater management system to to ensure that it is in accordance with the standards. The standards are indeed meant to mitigate against potential damage to neighbouring property which might be as a result of construction activities on adjoining properties.
		e) 4.7 environmental considerations: 4.7.1 Quote: The building land relaxations does not trigger any listed activities in terms of the current NEMA EIA regulations. It is to be noted: There are wildlife corridors and trails between Dolphin Avenue and the boundary of Erf 414. Changing the natural landscape with retaining walls will force the bushbuck into the road which will lead to possible accidents and loss of wildlife.	The proposed retaining wall which will inadvertently result in the changing of the natural landscape falls within the boundaries of the subject property. There is no specific requirement in terms of any regulation to the effect that the property owner may not effect or administer improvements on his property, within his boundaries to prevent for the protection of wildlife.
		As per application statement: 1. Application 1.1 Background	It is noted that the neighbour is not disputing the fact that the damage onto the pre-existing wall was caused by the 2023 heavy rain. It is true that, by 2022 there were already signs of damage created by age, the rain and other factors along the

		1.1.1: Due to the extremely prolonged and heavy rain we had during 2023, as well as the neighbouring property being developed, the existing retaining wall on them began to fail. Since living in the house, Mr. van Zyl has also realised that the parking is insufficient due to the steep slope of the property. (Page 2) This statement is in accurate, and the picture used in the application is from April 2023. Comparison must be made, done with the actual picture dating February 2022. There is no subsidence caused by the construction of our building to the north-western boundary at the wall or any other walls stated above.	vibracrete wall. It is however not until the 2023 rains that most damage started to appear (see Annexure **E**, **F**, and **G**).
		1.1.2 Quote: In order to fix the problem of the failing retaining wall as quickly as possible, the owner consulted an engineer and started building a new retaining block wall, allowing additional space at the top of the newly retained area in order to accommodate vehicular access to the north-eastern side of the house for additional parking. (Page 2) This statement is in accurate: On 30th of August 2022, our building, retaining walls and paving was completed entirely. Erf 414 did not have any retaining wall whatsoever, there were only the vibrate walls on the boundary line, as on picture dated 18 February 2022 and April 2023 attached, which you can clearly see a perfectly in place. (refer to photos dated 30 August 2023 and 18 February 2022)	It is true that in the motivation memorandum we may have loosely used the word vibracrete wall and retaining wall interchangeably. This is due to the fact that, in our view the vibracrete wall also served the purpose of a retaining wall. It has never been the intention to mislead the neighbouring property owners. The reference to the wall as "retaining wall" was meant to project its multi-purposes use due to it having been broken due to excessive sediment and sheet flow. Had it not been for this reason we would not have referred to it as a retaining wall. A look at Annexure I is, in our view, sufficient to prove to multiplicity of use that can be assign to a mere vibracrete wall.
		1.1.3 Quote: Subsequently, and almost by chance, the property owner was advised of the need for approved building plans that should precede the construction of retaining walls and other structures being erected. The property owner promptly appointed Miss Amanda Davidson to prepare and the submit all the required applications in order to obtain land use and Building Plan approval, in respect of the as built structures on site. (Page 3) This statement is in accurate: we had numerous discussions with Mr Andile (the property owner of F4 four), expressing our consent regarding his	It should be noted that, at the time of the discussions, the process for the erection of the retaining wall which included the hiring of a qualified engineer, was already underway. It is must also be noted that the erection of the retaining wall was an emergency measure meant to prevent any further erosion caused by heavy rain. Therefore, to expect that the property owner would have halted the process of erecting thereon the retaining walls midway including after the vegetation had been removed and vibracrete wall had been destroyed would've led, possibly, to further damage caused

		intentions to build a retaining wall on the boundary line to support the extended driveway. On 15 April 2023, after heated argument, we recorded and send our consents to his mobile phone, which didn't stop him to proceed with his intentions of building a retaining wall and fill in to create for an additional space.	by stormwater on the property. The owner would have had to take liability for such damage. It is noted that, as Annexure J would indicate, the project engineer had also suggested that, in the interested of safety and the structural integrity of the retaining wall, 6 – 8 levels be constructed whilst awaiting the approval of building plans. In other words, the fact that the construction proceeded was not an arbitrary decision on the property owner's part, but was informed by the very need to ensure that no potential damage is caused to the adjoining property owner's property in the advent of excessive rainfall.
		It is our belief that soon after the above discussion, Mr van Zyl's property was visited by Municipality representative, and he was instructed to cease any further construction of the retaining wall until such time as building plans had been submitted and approved.	It is true that an instruction was issued by the municipality to cease all construction activity on or before the 26th April 2024 (**Annexure K**). it is important to appreciate that, on the 20th April 2024, the project engineer had, as suggested in **Annexure J** that "*To reduce the risk of collapse of the bank, I recommend that you construct 6 – 8 courses of blocks on the foundations and then wait until your plans are approved before progressing further with the wall*." This demonstrates, in our view, a thin line between a stop-works instruction and the risk that may be inherent as a result of compliance therewith. Be that as it may the point we are trying to ventilate is that 6 – 8 level were constructed in the interest of safely and to prevent potential further damage given the uncertainty that existed at the time regarding the length of time it would take to get plans approved.
		All our attempts to keep the relationship with our neighbour civil, have been unsuccessful ever since.	The nature of relations between two neighbours does not constitute grounds for objection and the neighbour is understood to be stating this factor in passing. In other words, whilst we are of the opinion that the statement does not warrant a response from our part, we shall advise the property owner to do all that is necessary to mend relations and to foster a good neighbourly relationship with the adjoining property owners.
3	Knysna Municipality (Infrastructure Services)	No objection subject to the relaxation being limited to the indicated footprint.	Noted and accepted.
4	Knysna Municipality	A building plan application is to be submitted for the as-built structures	Noted and accepted.

	(Building Control)		

We trust that by this submission we have adequately addressed the comments of the relevant departments and that a decision in respect of the above subject application can now be taken.

We trust that this is in order.

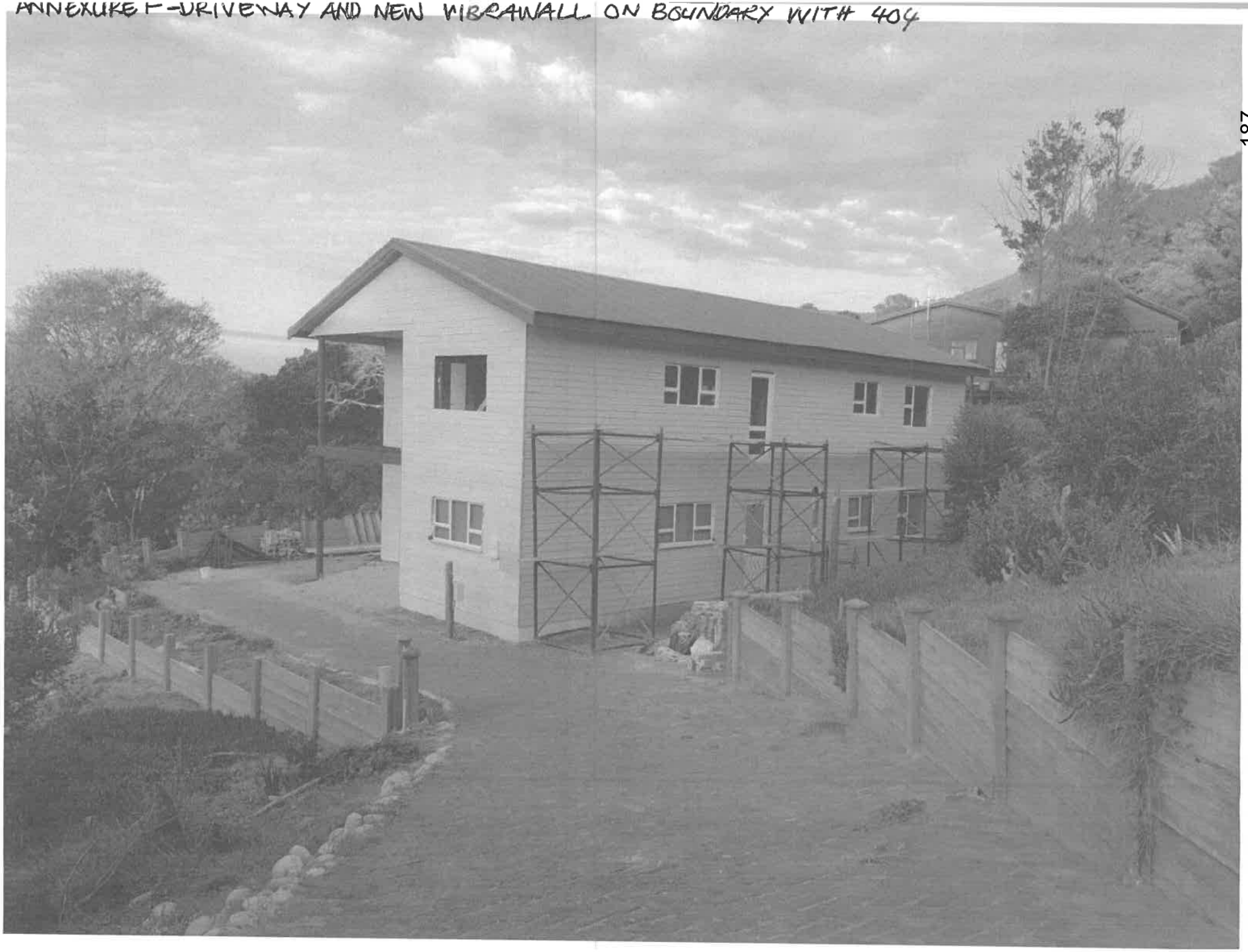
Regards,

Seretse Mthembu
Town Planner A/2210/2015
[redacted]

ANNEXURE E - NEW VIBRACRETE WALL MOVED TO THE BOUNDARY AND SLOPE



ANNEXURE F - DRIVEWAY AND NEW RETAINING WALL ON BOUNDARY WITH 404



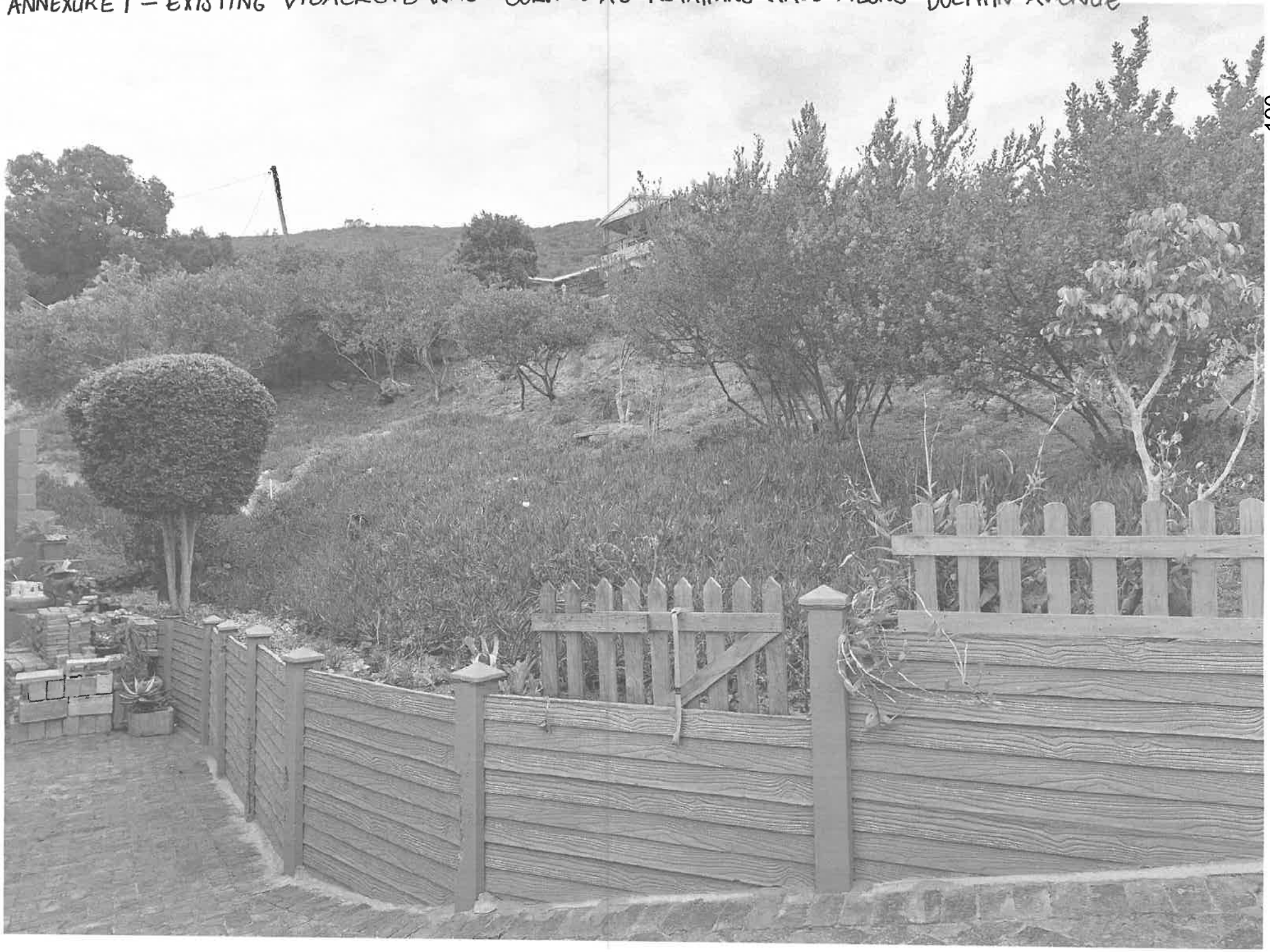
ANNEXURE G – NEW REAR RETAINING WALL UNDER CONSTRUCTION



ANNEXURE H - OLD DILAPIDATED WALL ADJACENT TO 404 TO BE REPLACED.



ANNEXURE I – EXISTING VIBACRETE WALL SERVING AS RETAINING WALL ALONG DOLPHIN AVENUE



1 JONKER STREET, INDUSTRIAL
AREA, KNYSNA, 6571
hofmeyr@hofmeyrassociates.co.za

P.O. BOX 1009
KNYSNA, 6570
TEL: [redacted]

HOFMEYR & ASSOCIATES
CONSULTING ENGINEERS, KNYSNA

Ref: 18/34

21st May 2025

Andries Van Zyl
Email: [redacted]

RE: HOUSE VAN ZYL – ERF 414, DOLPHIN AVENUE, BRENTON ON LAKE, KNYSNA STORMWATER & RETAINING WALL

I have studied the documentation compiled by the Knysna Municipality, containing objections to the approval of your as-built retaining walls, based on alleged stormwater issues and inadequate structural design of retaining walls and wish to comment as follows:

Picca De Bruin owner of Erf 405:

As the designer of the retaining walls on your property (I have signed the necessary SANS Form 2 & 4 for your retaining walls and deck structure), I do not understand her concern that I may not have considered the additional loading imposed by the timber deck on the retaining wall.
I can assure her that as a competent, qualified and extremely experienced Structural Engineer, I did consider this loading of the deck on the retaining wall.

Pavlina Papadakis owner of Erf 404:

As the Engineer who designed and signed the necessary SANS Form 2 & 4 for her retaining walls and yours, I can assure her that the walls are both sound and capable of resisting the loads imposed on them.
Regarding her concern about stormwater flowing from your property onto hers, I refer you to my Stormwater Management Plan and my opinion that if you permitted stormwater to flow naturally through the Vibracrete wall at several points you will have complied with your legal obligations for the discharge of this stormwater.

I commend your good neighbourliness in agreeing to prevent any stormwater flow onto this portion of her property, in spite of her aggressive stance regarding approval of your retaining walls.

Please submit the attached Stormwater Management Plan to the Knysna Municipality in compliance with their request of 5 May 2025.

Please feel free to contact me should you require further assistance.

Yours faithfully,

Rein Hofmeyr
Pr. Eng. 890277/1

1 JONKER STREET, INDUSTRIAL
AREA, KNYSNA, 6571
hofmeyr@hofmeyrassociates.co.za

P.O. BOX 1009
KNYSNA, 6570
TEL: (044) 382 0996

HOFMEYR & ASSOCIATES
CONSULTING ENGINEERS, KNYSNA

STORMWATER MANAGEMENT PLAN

ERF 414, BRENTON ON LAKE, KNYSNA

21 MAY 2025

CONTRACT:

Name: VAN ZYL
Erf number: 414
Our reference: 18/34

CLIENT DETAILS:

Mr. A Van Zyl
Dolphin Ave
Brenton on Sea
Knysna
6577

Contact person: Amanda Cloete Davidson
E-mail: amanda.knysna@gmail.com
P O Box 849, Knysna, 6570
Tel: 082 770 5865

DOCUMENT HISTORY:

Revision	Date:	Comments
0	16 May 2025	
1	21 May 2025	

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STORMWATER MANAGEMENT PLAN
FOR ERF 414, BRENTON ON LAKE, KNYSNA

CONTENTS

1. Appointment 1

2. Topography & Soil Classification 1

3. Stormwater Management Plan 2

4. Annexures

4.1. Site Plan 3

PDF created with pdfFactory trial version www.pdffactory.com

1. Appointment

Hofmeyr & Associates was appointed by Mr. Andries Van Zyl, owner of Erf 414, Brenton On Lake, to prepare a Stormwater Management Plan to mitigate the reported effects of Stormwater flowing off the property onto Erf 404 to the North-west and Erf 405 to the North-east of the property.

Mr Rein Hofmeyr of Hofmeyr & Associates is a consulting Engineer (Civil & Structural Engineering) with 46 years of experience since graduating at the University of Cape Town in 1979.

Mr Hofmeyr has operated his own consulting business in Knysna Since 1989 and is extremely familiar with local conditions.

2. Topography & Soil Conditions

The property has always sloped naturally down towards the Northern corner and any excess stormwater generated on Erf 414 has flowed naturally out to Erf 404 to the North-west and Erf 405 to the North-east of his property.

The soil on the property is generally classified as dune sand, which has a high natural percolation rate and readily absorbs stormwater.

The soil is highly erodible, so stormwater should be prevented from flowing in a concentrated fashion over the ground, to prevent erosion.

3. Stormwater Management Plan

In terms of general stormwater law, neighbouring properties must accept stormwater which naturally flows onto their property by virtue of the natural topography, but can expect that the neighbour will not concentrate that flow into a single discharge point which causes problems.

On inspection of the property, I am of the opinion that, should Mr Van Zyl ensure that stormwater generated on the Northwestern strip of his property (this is a very small quantity) is able to escape onto Erf 404 at regular intervals by creating drainage holes through the Vibracrete boundary wall, he will have fulfilled his legal stormwater obligation, with respect to discharge onto Erf 404.

Mr Van Zyl however, being an extremely good neighbour, has agreed to prevent stormwater from entering Erf 404 through the Vibracrete wall and instead to channel it to a stormwater catchpit, to be created at the bottom end of his driveway. From here this stormwater will be conveyed in a 110mm diameter PVC pipe laid under his new retaining wall and discharged through a spreader onto his lower lawn area.

Stormwater generated on the Southeast part of his property will flow over paving around the Southeast corner of the house down to the lower lawn area.

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Roof water will be piped into the two 5000**l** plastic water tanks situated to the Southeast of his house.
The overflow pipes from these 2 tanks are piped through an 80mm diameter PVC pipe to two 2500**l** plastic underground tanks situated to the Northeast side of his house.

Overflow from these tanks is discharged through spreaders onto his lower lawn area.

Once again, I am of the opinion that should Mr Van Zyl elect to do nothing further in terms of his stormwater, he will have fulfilled his legal obligations in terms of stormwater discharge onto Erf 405 to the North-East. His stormwater will have been discharged at two points through spreader mechanisms onto his lower lawn area, where it will spread and soak away into lawn.

Once the ground is saturated, excess stormwater would flow by virtue of the natural contours in a spread fashion onto Erf 404 and 405.

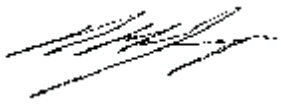
Once again, Mr Van Zyl being a very good neighbour, has agreed to create grassed berms at the Northern corner of his property to create a flat low-lying detention area for any surplus stormwater to pond and soak away.
This stormwater detention pond will have a capacity of over 4000**l**.

I would not expect to see any water ponding in this area, except perhaps during very heavy downpours, after days of rain, when the soil is totally saturated.

In general, during average rainfall events, the water will soak away into the lower lawn area long before it reaches the detention pond.

Please see the attached Site Plan showing the Stormwater Management Plan as described above.

Mr Van Zyl has and is willing to share photographs showing the topography of the Northwest portion of his property together with Erf 404, prior to the owners of Erf 404 excavating 2m to 3m deep, close to his boundary and constructing retaining walls to retain this cut slope, in the process of constructing their home.



Rein Hofmeyr
Pr. Eng. 890277/1

PDF created with pdfFactory trial version www.pdffactory.com

405

412

26775

Grassed berm creating stormwater detention pond for stormwater to soak away. Capacity approx. 4000L

stormwater surface flow

50mm overflow

2x 2500L existing underground tanks

404

413

As-built retaining block wall

existing steps

110Ø Stormwater pipe under retaining wall & discharging onto lawn area below

EXISTING GRASS

terraced garden

80mmØ stormwater pipe

catch pit

EXIST 1500L RWT

edge of existing paving

surface flow

EXISTING OPEN DECK

rwdp

surface flow

stormwater surface flow

42 651

4202

EXISTING PAVING

4700

EXISTING COVERED DECK

EXISTING PAVING

50mmØ overflow pipe

catch pit rwdp

FUTURE 5000L RWT

EXIST 5000L RWT

Upstand kerb to prevent water flowing through vibracrete wall to Erf 404.

existing vibracrete wall

EXISTING CONCRETE

EXISTING HOUSE

414

8150

rwdp

6600

open deck

stormwater surface flow

EXISTING PAVING

stormwater surface flow

EXISTING DRIVEWAY

EXISTING RETAINING WALL

9405

PROPERTY BOUNDARY

17325

Proposed new retaining block wall
max. height 2,5m, below NGL.
Length = 12m

DOLPHIN AVENUE

SITE PLAN - STORMWATER
scale 1:100

AMANDA CLOETE-DAVIDSON
PROFESSIONAL SENIOR ARCHITECTURAL TECHNOLOGIST
SACAP REG. ST1161

PO Box 849 Knysna 6570
tel: 082 770 5865
email: amanda.knysna@gmail.com

PROPOSED & AS-BUILT RETAINING WALLS FOR MR A. VAN ZYL
ERF 414 BRENTON-ON-LAKE

PROJECT No.: 2301
DWG No. A2-125
SCALE 1:100
DATE: MAY 2025

PDF created with pdfFactory trial version www.pdffactory.com

Sihle Phungula

From: Monique Sass
Sent: Friday, 22 August 2025 11:02
To: Sihle Phungula
Subject: RE: ERF 414 BRENTON: STORMWATER MANAGEMENT PLAN _ Deferred MPT Item

Hi Sihle

Please see comments from Department below:

" The system was designed by a competent person and is acceptable. The maintenance and performance monitoring of the detention berm must be done by the owner as his responsibility".

Kind Regards,
Monique

From: Sihle Phungula <sphungula@knysna.gov.za>
Sent: 09 July, 2025 4:42 PM
To: Monique Sass <msass@knysna.gov.za>
Subject: ERF 414 BRENTON: STORMWATER MANAGEMENT PLAN _ Deferred MPT Item

Dear Monique,

Kindly facilitate the provision of input on the attached Storm Water Management Plan, which forms part of the application currently under consideration.

Although the Infrastructure Services Department previously indicated no objection to the application, the Municipal Planning Tribunal (MPT), at its meeting held on 29 April 2025, deferred the item to allow for further consideration of stormwater-related concerns raised by surrounding property owners. This decision followed a site visit conducted by the MPT to assess the existing on-site conditions.

You are kindly requested to review the attached Storm Water Management Plan and provide any additional comments.

Your input will assist in finalising the matter for re-submission to the Tribunal.

Kind Regards,
Sihle Phungula Town Planner: Land Use Management
P O Box 21. Knysna. 6570. Western Cape. South Africa
Tel +27 (0)44 302 6339 (direct) or 0609987065(Cellphone)
e-mail sphungula@knysna.gov.za

From: Seretse Mthembu <seretsem@gmail.com>
Sent: Thursday, 29 May 2025 15:15
To: Sihle Phungula <sphungula@knysna.gov.za>
Subject: ERF 414 BRENTON: STORMWATER MANAGEMENT PLAN



ERF 414 BRENTON ON LAKE

SUBMITTED BY OWNER – ANDRIES VAN ZYL



414 IMAGE -Above – 20th June 2017. View from Roman Ave past erf 404 towards Erf 414 (both burn sites from the Knysna Fire 2017

1,1 – NOTE
natural level of the ground



2,1 – Natural ground level

2,2 – Existing wall to right down driveway still remains today - 2025

2,3 – Level of the previous house (burnt) remains unchanged

414 IMAGE - Above – 27th July 2017. View from top of driveway to ERF 414.



414 IMAGE – Above – 5th April 2018 – Footprint of burnt house.
Note the paving and footprint of the burnt house remains unchanged (2025)



414 IMAGE – Above – 13th April 2019 – existing driveway





414 IMAGE – Above and right – 15 January 2021
View from Erf 404 across to Erf 414 showing the natural slop before excavations of Erf 404's construction.



414 IMAGE – Above – 9th April 2018 – showing the wall in its original position after fire.

414 IMAGE - Right – Ground between Erf 404 and 414 before Erf 404's retaining wall and house was built





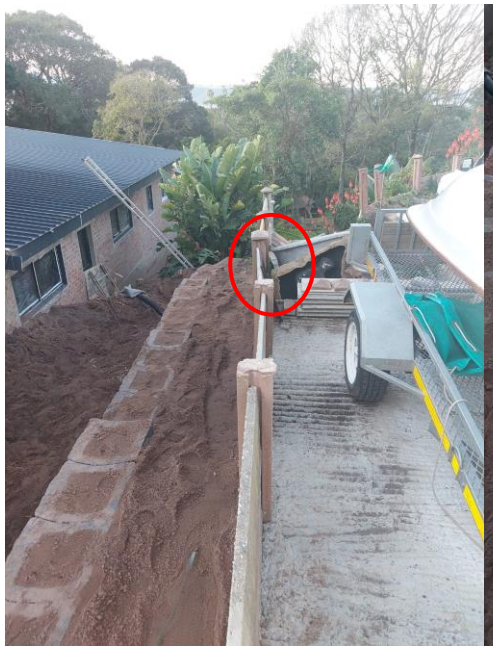
414 IMAGE – Construction of ERF 404 view from ERF 414. Vibracrete wall moved to boundary



414 IMAGE - Right – 5th January 2022 Excavations of Erf 404 alongside Erf 414



414 IMAGE - left – 21st April 2022 – Concrete poured next to existing driveway



414 IMAGE - Above – 28th JUNE 2022 Retaining wall in place on Erf 404. Shift of vibracrete wall on 414 boundary (RED)



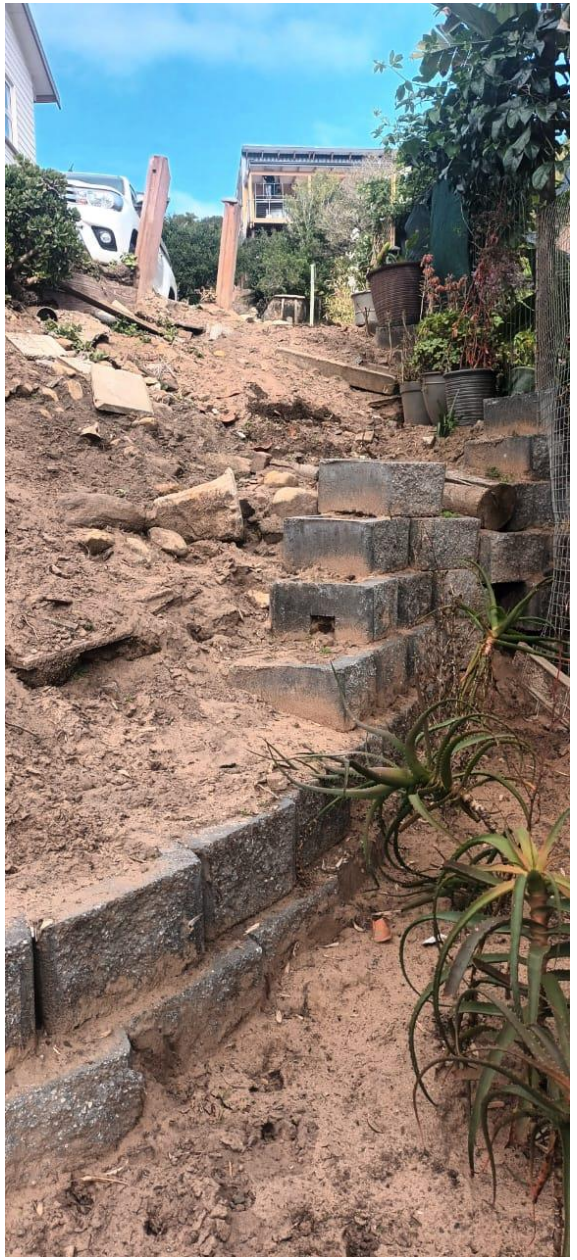
414 IMAGE – Above – 28th JUNE 2022 Movement in the ground of erf 414 due to the construction of Erf 404 retaining wall (RED)



414 IMAGE – Above – 28th JUNE 2022 Note the shift in our wall, also visible in 1st of 3 images (RED)



414 IMAGE - Above – 14th August 2023.
Construction stopped on 26th April 2023 as seen in image above. Retaining wall before Stage 2 began.
Natural bank with vegetation removed. Above - existing vibracrete wall surrounding upper level of property (untouched).



414 IMAGE – Right – 18th April 2023 depicting the bank between erf 414 and 404 before any back filling behind retaining wall started.

STORMWATER ARIEL VIEW – CURRENT SITUATION – MAY 2025





1 – Current wash through into erf 404 (no retaining wall on ERF 414). Rectified with upstand kerb.



2 – Current area of wash through. Erf 414 retaining wall ends. Rectified with upstand kerb.

5th May 2025 – Stormwater catch pit not connected.



PROPOSED WALL - B

Erf 414 Boundary peg

Purple line – visualizing the position of the Proposed Building Wall B

- Plans – improve stormwater on bank.
- Replace vibrecrete wall (not suitable retaining wall) on boundary between Dolphin Ave and erf 414.

LUM-R03-01

ITEM TO:
Municipal Planning Tribunal

KNYSNA
Municipality Munisipaliteit uMasipala

APPLICATION NO.	3546
REPORT AUTHOR	Sihle Phungula
JOB TITLE	Town Planner
SACPLAN REG. NO.	A/3220/2022
TELEPHONE NO.	044 302 6339
APPLICATION DATE	21 AUGUST 2025

LAND USE PLANNING REPORT
ADMINISTRATIVE PENALTY: ERF 2739 SEDGEFIELD

PART A: APPLICANT DETAILS	
Name & Surname	***Philip Theron***
Company name	***Formaplan***
SACPLAN registration number	***A/025/1985***
Registered owner(s)	
PART B: PROPERTY DETAILS	
Property description	***Erf 2739 Sedgefield in the Municipality and Division of Knysna, Province of the Western Cape***
Property Extent (m^2)	***2948m²***
Physical address	***11 Hennies Hof , Parrot Street***
Area/Town	***Sedgefield***
Current zoning	***General Residential Zone III***
Applicable zoning scheme	***Knysna Zoning Scheme By-law (2020)***
Current land use	***Dwelling house***
Are there existing buildings on the property?	***Yes, dwelling house***
Title Deed number & date	***T15877 & Notarial cession 3909/2015 and 23 May 2015***
Any restrictive title conditions applicable?	***None***
Any third party conditions applicable?	***None***
Any unauthorised land use/building work	***Yes***
Bondholder's Consent	***Not Applicable***

PART C: CONTRAVENTION INFORMATION	Yes	No	Not Applicable
Has the landowner applied for the determination of an administrative penalty?	☒	☐	☐
Has the Municipality applied to the Municipal Planning Tribunal for an order that a person who is contravening the Zoning Scheme By-law must pay a contravention penalty?	☐	☐	☒
Has the Municipality served a notice on the owner or other person in respect of the unlawful land use or building work which required the owner or other person to apply for the determination of a contravention penalty?	☐	☒	☐

1. APPLICATION DESCRIPTION

The application is for the determination of an administrative penalty in terms of Section 15(2)(r) of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021) in accordance with Section 93(1), on Erf 2739, Sedgefield for the unauthorised building work comprising an enclosed patio encroaching the prescribed building lines as specified under "flats" in the Knysna Zoning Scheme By-law (2020).

2. BACKGROUND

2.1. The applicant states that the previous owner converted approximately 50% of the garden area (exclusive use) by erecting an enclosed patio without approved building plans. Upon submission of as-built plans by the current owner, it was identified that the covered patio encroaches into the prescribed street building line in terms of the Knysna Zoning Scheme By-law (2020).

2.2. The applicant contends that the transgressions are minor in nature and submits that reasonable efforts were made to comply with the applicable development parameters prescribed in the Zoning Scheme. It is further argued that the unauthorised building works have a limited impact on the surrounding area and remain compatible with the prevailing character of the neighbourhood, which is advanced as a mitigating consideration.

2.3. The applicant has conceded that transgressions of the zoning scheme occur and accepts that a penalty may be imposed in respect of those transgressions. The evidence indicates that the contraventions were deliberate, as construction was not halted but proceeded to completion despite non-compliance. Although it is contended that the previous owner undertook the unlawful building works, the current owner has occupied the property for approximately ten years and made no attempt to regularise the unauthorised structures during that period. The imposition of R5,000.00 as a penalty in accordance with

Council's approved tariff where an applicant concedes to the transgression is, therefore, considered reasonable.

3. RECOMMENDATION

It is recommended that, in terms of Section 60 of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021), an administrative penalty in the amount of **R5,000.00** be imposed in accordance with Section 93(2), for the encroachment of the 4.5m prescribed street building line by the enclosed patio in contravention of the Knysna Zoning Scheme By-law (2020) on Erf 2739, Sedgefield.

4. CONDITIONS OF APPROVAL IMPOSED IN TERMS OF THE PLANNING BY-LAW

The above recommendation is subject to the following conditions imposed in terms of Section 66 of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021):

4.1. The landowner/applicant shall pay the administrative penalty within 30 days reckoned from the date of the notice of decision.

4.2. This decision and the imposition of an administrative penalty shall not be construed as support for future applications lodged in accordance with Section 15(2) of the Planning By-law on Erf 2739, Sedgefield.

5. REASONS FOR RECOMMENDATION

The reason(s) for the above recommendation is as follows:

The applicant has conceded to the described transgressions of the Knysna Zoning Scheme By-law (2020). In considering the nature of the transgression in the form of encroachments of the prescribed building line by the covered patio, the imposition of an administrative penalty in accordance with Council's approved tariffs is considered reasonable.

6. SUPPORTING APPLICATION DOCUMENTS

ANNEXURE A: *Applicant's Motivating Memorandum & Correspondence*

ANNEXURE B: *Copy of Title Deed*

ANNEXURE C: *Power of Attorney*

ANNEXURE D: *Accompanying Plans & maps*

Administrative Penalty: Erf 2739, Sedgefield			
Author Name: SIHLE PHUNGULA Date: 16/02/2026		Author Signature:	
Registered planner name: S. MADUMBO SACPLAN registration number: A/1510/2019 Date: 16/02/2026		Registered Planner Signature:	
Decision maker: Municipal Planning Tribunal			
APPROVED	APPROVED CONDITIONALLY	APPROVED IN PART	REFUSED

8 ST. JOHN'S STREET
ST. JOHNS' PLACE
BOX 9824
GEORGE 6530
☎ : 044 – 873 0305
: 044 – 874 5632
: info@formaplan.co.za

FORMAPLAN
STADS EN STREEKBEPLANNERS
TOWN AND REGIONAL PLANNERS

10 JULY 2025

Municipal Manager
Knysna Municipality
Knysna

By e-mail

Att: Mr Shaun Madumbo/Nosipho Vonya

AMENDED APPLICATION: DETERMINATION OF AN ADMINISTRATIVE PENALTY: ERF 2739, SEDGEFIELD

Application is hereby made in terms of Section 15. 2) r) of the Knysna Municipality: Spatial Planning and Land Use Management By-Law, 2021 for the determination of an administrative penalty. The following is attached hereto:

- **Motivation Report**
- **Application Form**
- **Deed of Transfer**
- **Conveyancer Certificate**
- **Power of Attorney**
- **Erf Diagram**
- **Locality Plan**
- **Site Plan**
- **Plan showing enclosed patio**
- **Declaration by resident of Hennie's Hof**
- **HOA letter of approval**
- **There is no bond registered for the unit**
-

I trust that you will find this in order.



_____
P C J Theron Pr. Pln

APPLICATION FOR DETERMINATION OF AN ADMINISTRATIVE PENALTY: ERF 2739, SEDGEFIELD

CONTENTS

		PAGE
1.	INTRODUCTION AND BACKGROUND	1
2.	THE PROPERTY	2 - 4
3.	APPLICATION	5
4.	PRE-APPLICATION	6
5.	MOTIVATION	7 - 8
6.	CONCLUSION	9

APPLICATION FOR DETERMINATION OF AN ADMINISTRATIVE PENALTY: ERF 2739, SEDGEFIELD

1. INTRODUCTION AND BACKGROUND

The current owner bought this property in 2015. At the time, there was a main unit (94m²) and the garage (18m²) and 2 Exclusive Right Areas 7m² and 30m² in size respectively. The 7m² was/is a yard and the 30m² a garden area. However, a previous owner converted approximately 50% of the garden area by erecting an enclosed patio thereon. An affidavit is attached hereto as confirmation that the current owner purchased the property with the enclosed patio already erected.

A building plan was submitted by the current owner to the municipality for the authorization of the enclosure, but was rejected due to the fact that the structure encroaches the street building line. Although the enclosed patio complies with other land use parameters such as size and height, application needs to be approved by the municipality for the relaxation of the street building line before building plans can be approved. It is also municipal policy that an application for the relaxation of the building line cannot be considered by the municipality prior to the determination of the administrative penalty for the unauthorized activity on the property. The purpose of this application is therefore to apply for an administrative penalty in terms of Section 93 (1) of the By-law for the unauthorized enclosed patio on the property. Application for relaxation of the building line is submitted simultaneously.

The owner appointed Formaplan to lodge the land use application on his behalf – see attached power of attorney.

2. THE PROPERTY

2.1 Description

The property is described as Erf 2739, Sedgefield.

2.2 Ownership

Mr **ANTHONY JOHN PEET is the registered owner of Sections 13 & 14 of the sectional title development** *(known as Hennie's Hof*) **on Erf 2739, Sedgefield together with Exclusive Use Areas Y11 & G11.**

2.3 Bond holder

The property is not bonded.

2.4 Erf Diagram

Erf diagram No. 7076/90 is attached hereto.

2.5 Size

The erf is 2948m² in size according to the erf-diagram. The sizes of Mr Peets' sections in the Complex, are as follows:

- Section 13 - 94m² (flat)
- Section 14 - 18m² (single garage)
- Section G 11 - 30m² (garden area)
- Section Y 11 - 7m² (yard)

2.6 Zoning

The erf is zoned General Residential Zone III (flats).

2.7 Locality

The property is located on the corner of Parrot Street and Swallow Drive. ***See attached Locality Plan.***

2.8 Present Land Use

The complete erf is used as flats in the form of a sectional title development. ***See*** Photos ***1 and photos 2*** below.



Photo 1. The property is situated on the corner of Parrot Street (left side of photo) and Swallow Drive.



Photo 1. This photo was taken almost directly towards the enclosed patio (right side) from Swallow Drive.

2.7 Surrounding Property Land Use

The erf is surrounded by a mixture of uses such as single residential, business, group housing erven and institutional erven.



Photo 3 A few shops in the nearby vicinity of the erf.



Photo 4 A vacant town housing erf on the opposite corner of Swallow Drive and Parrot Street north of the erf.

3. APPLICATION

Application is made in terms of Section 15(2)(r) of the Knysna Spatial Planning and Land Use Management By-Law, 2021 for:

3.1 the determination of an administrative penalty in accordance with Section 93 (1) of the By-law to rectify the unauthorized enclosed patio that encroaches the 5m street building line applicable to Erf 2739, Sedgefield.

4. PRE-APPLICATION CONSULTATION

Due to the simplicity of the application, a pre-application was not deemed necessary.

5. MOTIVATION

Determination of an administrative penalty

Section 93 (9) of the Knysna Spatial Planning and Land Use Management By-Law, 2021 reads as follows:

"9) When determining an appropriate administrative penalty, the Municipal Planning Tribunal must consider at least the following factors:

a) the nature, duration, gravity and extent of the contravention;"

Comments:

i) The **nature** of the contravention in this application consists of an enclose patio that was erected without prior approval from the municipality. The patio was erected on a portion of the Exclusive Use Area G11 (Garden Area) of **Sections 13 & 14 that include Areas Y11 and G11 of the sectional title development** *(known as Hennie's Hof***) on Erf 2739, Sedgefield.**

ii) The **duration** of the contravention is an uncertainty as the current owner purchased the property in 2015 when the enclosed patio already existed.

iii) The **gravity** of the contravention is in our opinion of a very low degree. In terms of the zoning scheme, a block of flats is permitted on a property that is zoned General Residential Zone III, like in this case. The block of flats complies in every aspect with the development parameters of the zoning scheme, except for the encroachment of the building line caused by the erection of the patio by a previous owner.

iv) The **extent** of the contravention is that the patio, which is 15,5m² in size, encroach the 5m building line by 2.5m and was erected without approved building plans.

b) the conduct of the person involved in the contravention;

Comments: As already mentioned before, the current owner was not even aware that the patio on the property was illegal when he purchased the property. Only when he found that he was paying a fine to the HOA for an unauthorized structure, he decided to submit plans for the patio and was then made aware that the patio encroaches the 5m building line and that plans cannot be approved. ***See the affidavit from one of the residents of Hennie's Hof confirming the above statement.***

c) "whether the unlawful conduct was stopped; and"

Comments: The type of contravention is not one that can be stopped like in the case for example like an illegal business. The building is an existing building that was previously erected and used by a previous owner. The only way that the contravention can be stopped, is for the owner to demolish the structure. The process then needs to be reversed again when this application, as well as the building line relaxation, has been dealt with. In our opinion, however, such a step is way too drastic and should at this stage be held in abeyance until the outcome of this application is known. If the application is refused, the owner will have to make the necessary amendments. If the application is approved, the owners will submit the necessary building plans for the "as built" structure. The latter step has in fact already been taken care of.

d) "whether a person involved in the contravention has previously contravened this by-law or a previous planning law."

Comments: The owner confirmed that he has not previously contravened this by-law or a previous planning by-law. He confirmed that he moved from Cape Town to Sedgefield in approximately 2012 and rented a dwelling in El Toro Street before purchasing this flat in Hennie's Hof.

General: In our opinion, the contravention in this case, is of such nature that no harm was done to any person, body or the environment and it is our request that the municipality determine a nil contravention penalty, on condition that the owner submit the necessary building plans for approval immediately after the outcome of this application becomes known, to legalize the contravention.

6. CONCLUSION

The owner of Erf 2739, Sedgefield wishes to rectify the unauthorized enclosed patio on the property by submitting building plans. However, a building line restriction of 5m from the street boundary is applicable and a building line relaxation is required before building plans can be considered as the patio is only 2,5m from the street boundary.

In the paragraphs above, it was indicated that the proposed building line relaxation to retain the enclosed patio will not be harmful to the neighbours or the environment and will not detract from the character of the area. The impact of the patio, is minimal and shall not be noticed outside of the property on which it is situated.

It was also mentioned that the owner was unaware that there was an unlawful structure on the erf when he purchased it in 2015. It is true that ignorance of the law is no excuse, but it is a fact of life and happens to very many people who believe that when a building is erected, that the building was erected in accordance with approved building plans and even more so when that building is in plain sight from a public street, like in this case.

We are therefore confident that, after all the relevant stakeholders have been consulted and the inputs of all concerned, assessed, that a positive outcome can be achieved in respect of this application.

LUTEREK ATTORNEYS
30 MONTAGU STREET,
MOSSEL BAY

Prepared by me

CONVEYANCER
MARTIE LOUISE LUTEREK

Fee endorsement

	Amount	Office fee
Purchase price/Value	R 760 000-00	R 740-00
Mortgage capital Amount	R	R
Reason for exemption	Cat	Exempt section Act

W.O.P

VERBIND MORTGAGED

VR FOR R 350 000-00

B 000007078 / 2015

22 SEP 2015

REGISTRATEUR/REGISTRAR

BC 000023921 / 2024

GEKANSELLEER
CANCELLED

REGISTRATEUR/REGISTRAR

2024 -05- 24

T 0000015877 / 2015

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

MARK EDGAR WITZMANN

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said appearer being duly authorised thereto by a Power of Attorney which said Power of Attorney was signed at SEDGEFIELD on 25 MAY 2015 granted to him by

DIRK JACOBUS COETSEE
Identity Number [redacted]
and
DORIS ELLEN COETSEE
Identity Number [redacted]
Married in community of property to each other

DATA / CAPTURE
05 OCT 2015
MURIE-LORRAINE

DATA / VERIFY
06 OCT 2015
BARLOW MADLYN

And the said appearer declared that his principal had, on 22 May 2015, truly and legally sold for the sum of R760 000,00 (SEVEN HUNDRED AND SIXTY THOUSAND RAND) the following property, together with the Exclusive Use Area/s of G11 and Y11 forming part of the common property by Private Treaty;

And that he, in his capacity aforesaid, did, by virtue of these presents, cede and transfer in full and free property to and on behalf of:

ANTHONY JOHN PEET
Identity Number [redacted]
Unmarried

1. A Unit consisting of

(a) Section No. 13 as shown and more fully described on Sectional Plan No SS 312/1994 in the scheme known as HENNIE'S HOF in respect of the land and building or buildings situate at SEDGEFIELD IN THE MUNICIPALITY AND DIVISION OF KNYSNA WESTERN CAPE PROVINCE , of which section the floor area, according to the said sectional plan is 94 (Ninety Four) square metres in extent and

(b) An undivided share in the common property in the scheme apportioned to the said section in accordance with the participation quota as endorsed on the said sectional plan.

HELD BY Deed of Transfer Number ST 10972/2005

The said unit is subject to or shall benefit by:

(i) the servitudes, other real rights and conditions, if any, as contained in the schedule of conditions referred to in Section 11(3) (b) and the servitudes referred to in section 28 of the Sectional Titles Act, 1986 (Act 95 of 1986); and

(ii) any alteration to the building or buildings or to a section or to the common property shown on the said sectional plan.

2. A Unit consisting of

(a) Section No. 14 as shown and more fully described on Sectional Plan No SS 312/1994 in the scheme known as HENNIE'S HOF in respect of the land and building or buildings situate at SEDGEFIELD IN THE MUNICIPALITY AND DIVISION OF KNYSNA WESTERN CAPE PROVINCE , of which section the floor area, according to the said sectional plan is 18 (Eighteen) square metres in extent and

(b) An undivided share in the common property in the scheme apportioned to the said section in accordance with the participation quota as endorsed on the said sectional plan.

HELD BY Deed of Transfer Number ST 10972/2005

The said unit is subject to or shall benefit by:

(i) the servitudes, other real rights and conditions, if any, as contained in the schedule of conditions referred to in Section 11(3) (b) and the servitudes referred to in section 28 of the Sectional Titles Act, 1986 (Act 95 of 1986); and

(ii) any alteration to the building or buildings or to a section or to the common property shown on the said sectional plan.

GhostConvey 15.4.6.9

WHEREFORE all the right, title and interest which the Transferor/s heretofore had to the unit aforesaid is renounced and, in consequence it is also acknowledged that the Transferor/s are entirely dispossessed of, and disentitled to, the same, and that by virtue of these presents the aforesaid Transferee/s is now entitled thereto, the State, however reserving its rights.

SIGNED, EXECUTED AND SEALED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on 22 SEPTEMBER 2015

q.q

In my presence

REGISTRAR OF DEEDS

GhostConvey 15.4.6.9

GEREGISTREER
REGISTERED
REGISTRATEUR/REGISTRAR
22 SEP 2015

LUTEREK ATTORNEYS
30 MONTAGU STREET,
MOSSEL BAY

	Amount	Office fee
Purchase price/Value	R	R 280-00
Mortgage capital Amount	R	R
Reason for exemption	Cat	Exempt section Act

VERBIND MORTGAGED
VIR FOR R 350 000-00
B 000007078 / 2015
22 SEP 2015
REGISTRATEUR/REGISTRAR

BC
GEKANSELLEER
CANCELLED
REGISTRATEUR/REGISTRAR
2024 -05- 24

SK 000003909 / 2015

Protocol Number 242

NOTARIAL CESSION OF EXCLUSIVE USE AREAS
(In terms of Section 27(4) of Act 95 of 1986)

BE IT HEREBY MADE KNOWN:

THAT at MOSSEL BAY on

before me

MARTIE LOUISE LUTEREK

DATA / VERIFY
06 OCT 2015
BARLOW MARLYN

DATA / CAPTURE
05 OCT 2015
MURIE LORRAINE

of MOSSEL BAY, in the Province of , Notary Public, by lawful authority duly admitted and sworn and in the presence of the subscribing witnesses personally came and appeared

VICKI DIENER of MOSSEL BAY, she, the said Appearer being duly authorised thereto by:

1. A Special Power of Attorney in her favour signed at SEDGEFIELD on 23 May 2015, granted by

DIRK JACOBUS COETSEE
Identity Numbe [redacted]
and
DORIS ELLEN COETSEE
Identity Number [redacted]
Married in community of property to each other

MARTIE LOUISE LUTEREK NOTARIS PUBLIEK SUID AFRIKA NOTARIS PUBLIEK SUID AFRIKA

JAW

("Cedents")

and

2. A Special Power of Attorney in her favour signed at SEDGEFIELD on 22 June 2015, granted by

ANTHONY JOHN PEET
Identity Number [redacted]
Unmarried

("Cessionary")

AND THE SAID APPEARER DECLARED THAT:

WHEREAS in terms of an agreement dated 22 May 2015, (the "Agreement") the Cedents sold to the undermentioned Cessionary, Unit No. 13 HENNIE'S HOF and Unit No. 14 HENNIE'S HOF together with the rights to the undermentioned exclusive use areas for the sum of R760 000,00 (Seven Hundred and Sixty Thousand Rand) ;

AND WHEREAS the Cessionary accepts the rights conferred on him in terms of the agreement;

NOW THEREFORE the Appearer on behalf of the Cedents hereby cedes in terms of Section 27(4) of the Sectional Titles Act, 95 of 1986 to

ANTHONY JOHN PEET
Identity Number 531224 5131 08 5
Unmarried

1. An **Exclusive Use Area** described as **GARDEN AREA NO. G11** measuring 30 (Thirty) square metres, being as such part of the common property, comprising the land and the scheme known as **HENNIE'S HOF** in respect of the land and building or buildings situate at **SEDGEFIELD IN THE MUNICIPALITY AND DIVISION OF KNYSNA WESTERN CAPE PROVINCE,** as shown and more fully described on Sectional Plan No. SS **312/1994**

HELD BY Notarial Deed of Cession of Exclusive Use Area SK2322/2005

2. An **Exclusive Use Area** described as **YARD NO. Y11** measuring 7 (Seven) square metres, being as such part of the common property, comprising the land and the scheme known as **HENNIE'S HOF** in respect of the land and building or buildings situate at **SEDGEFIELD IN THE MUNICIPALITY AND DIVISION OF KNYSNA WESTERN CAPE PROVINCE,** as shown and more fully described on Sectional Plan No. SS **312/1994**

HELD BY Notarial Deed of Cession of Exclusive Use Area SK2322/2005

MARIE LOUISE LUBBE NOTARY PUBLIC SOUTH AFRICA NOTARIS PUBLIEK SUID AFRIKA

JKN228

THUS DONE AND SIGNED and executed at MOSSEL BAY on the day, month and year first aforewritten in the presence of the undersigned witnesses.

AS WITNESSES:

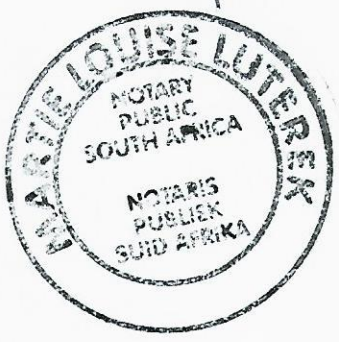
1. _____ _____
q.q. CEDENT

_____
q.q. CEDENT

2. _____ _____
q.q. CESSIONARY

QUOD ATTESTOR

NOTARY PUBLIC



POWER OF ATTORNEY

to

FORMAPLAN (TOWN AND REGIONAL PLANNERS)

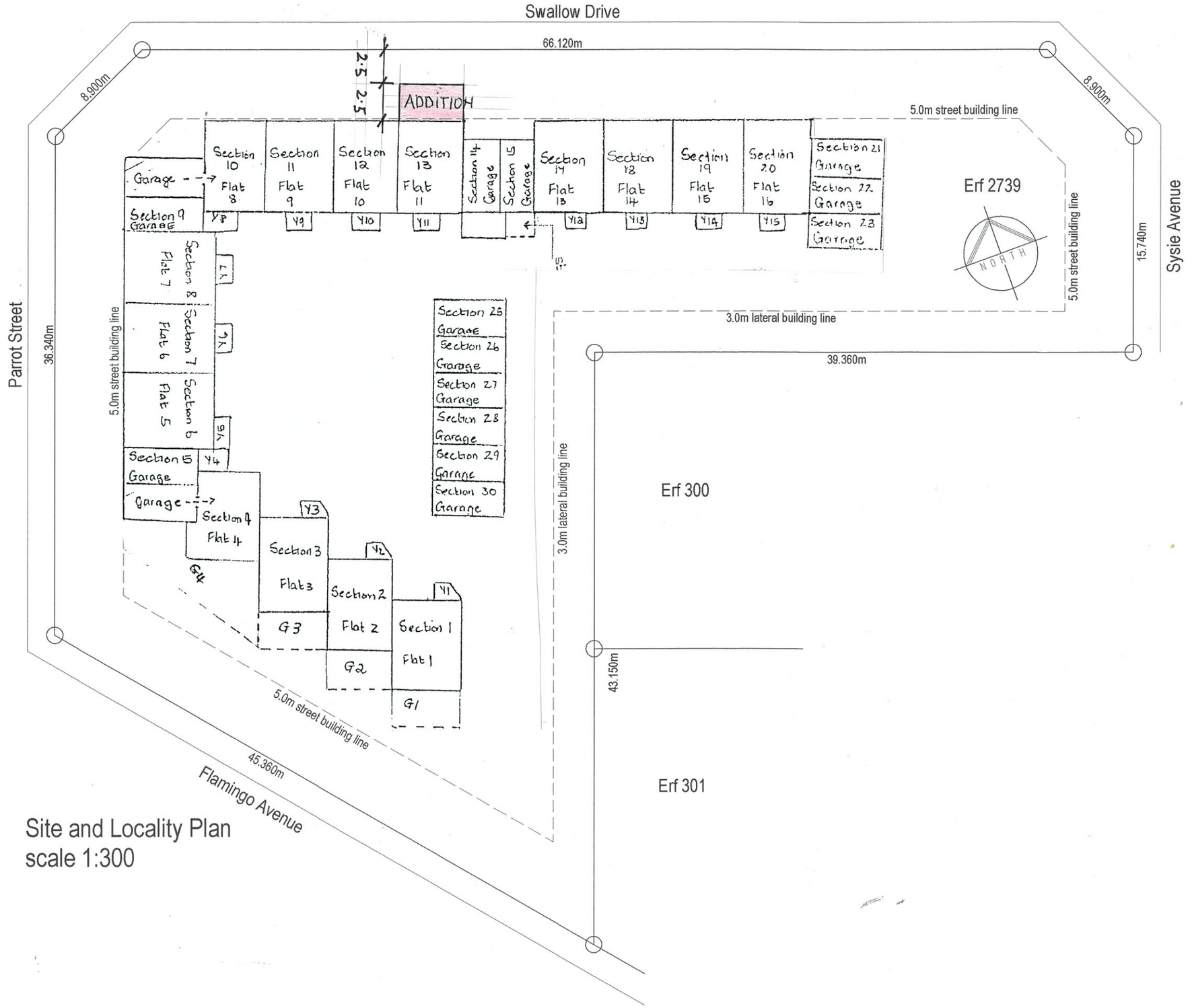
of

8 St John Street, George

I, **Anthony John Peet,** the undersigned and registered owner **of Sections 13 & 14 together with Exclusive Use Areas Y11 & G11 of the sectional title development** *(known as Hennie's Hof)*, **located on Erf 2739, Sedgefield**, hereby appoint *Formaplan Town Planners*, to be my sole agent to apply to the Municipality in terms of section 15(2)(r) of the municipality's Spatial Planning and Land Use Management By-Law, 2021, for the determination of an administrative penalty.

AJ Peet
Anthony J. Peet

7/7/2025
Date



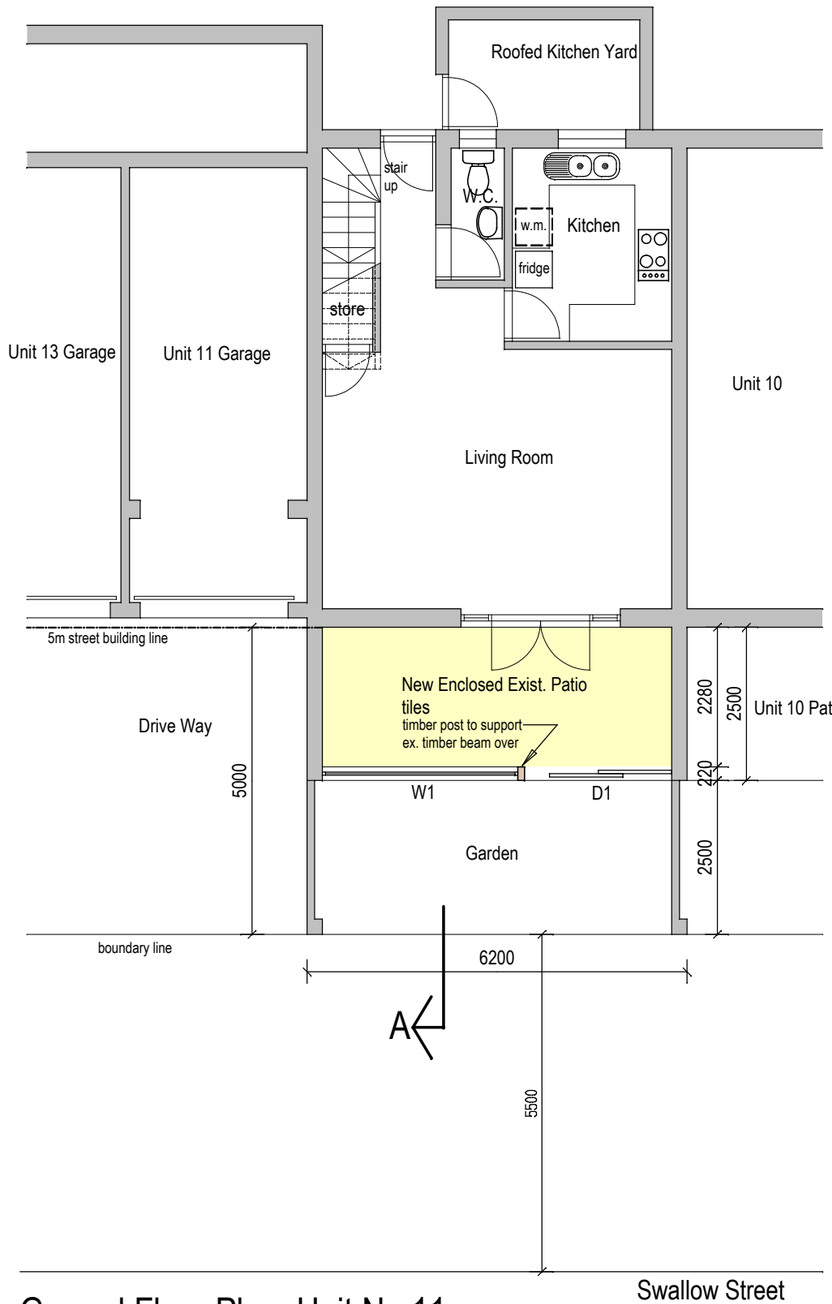
Site and Locality Plan
scale 1:300

BAUHAUS ARCHITEKTUR
Gunther M. A. Toll
Professional Senior Architectural Technologist ST 2203 (SACAP)
Office: 062 6252 096 - Email: gunthertoll52@gmail.com -
22 Swartberg Crescent - Mont Fleur Mountain Estate - George

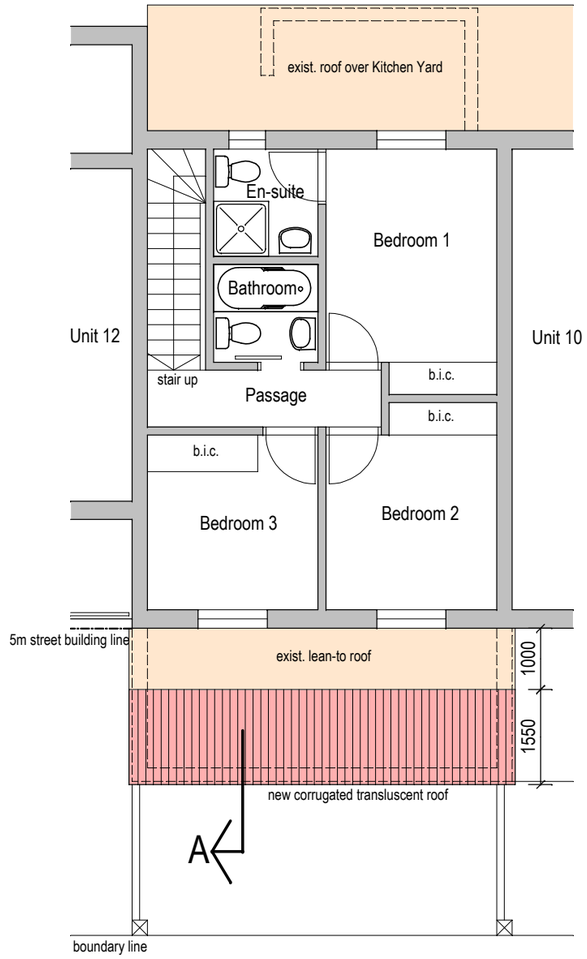
Owners Signature:

Professional Senior Architectural Technologist
Signature:

Project: As-built Plan for Enclosed Existing Patio on Erf 2739, Unit 11 Hennies Hof, Swallow Drive, Sedgfield	Scale @ A3 as shown	Date 3 july 2024	E.D. no. erf 2739 peet
Drawing Title: MUNICIPAL SUBMISSION PLANS ONLY	Project no. 2024/010	Drawing Number M002	Revision:



Ground Floor Plan: Unit No.11
scale 1:100



First Floor Plan: Unit No.11
scale 1:100

Development Information:

SITE AREA = 2948 sqm

ZONING = General Residential Zone 3

EX. AREA OF UNIT = 112 sqm

NEW AREA OF UNIT = 127 sqm

EX. FOOTPRINT OF UNIT = 73 sqm

NEW FOOTPRINT OF UNIT = 88 sqm

NEW COVERAGE PERCENTAGE = 0.098 %

NEW AREA OF ENCLOSED PATIO = 15 sqm

Door Schedule:

D1 = 2400w x 2100h alum. slider

Window Schedule:

W1 = 3300w x 1500h alum.

Sans 10400 - XA & Sans 204 Requirements:

Energy calculations are not applicable, because the enclosed former open Patio does not form part of the thermal envelope of the unit

BAUHAUS ARCHITEKTUR
Gunther M. A. Toll
Professional Senior Architectural Technologist ST 2203 (SACAP)
Office: 062 6252 096 - Email: gunthertoll52@gmail.com -
22 Swartberg Crescent - Mont Fleur Mountain Estate - George

Owners Signature:

Professional Senior Architectural Technologist
Signature:

Project: As-built Plan for New Enclosed Existing Patio on Erf 2739, Unit 11 Hennieshof, Swallow Drive, Sedgfield for Mr. Anthony Peet

Drawing Title: MUNICIPAL SUBMISSION PLANS ONLY

Scale @ A3	Date	E.D. no.
as shown	14 august 2024	
Project no.	**Drawing Number**	**Revision:**
2024/010	M001	2

LUM-R03-01

ITEM TO:
Municipal Planning Tribunal

KNYSNA
Municipality Munisipaliteit uMasipala

APPLICATION NO.	3569
REPORT AUTHOR	Sihle Phungula
JOB TITLE	Town Planner
SACPLAN REG. NO.	A/3220/2022
TELEPHONE NO.	044 302 6339
APPLICATION DATE	26 September 2025

LAND USE PLANNING REPORT
ADMINISTRATIVE PENALTY: ERF 622 BRENTON

PART A: APPLICANT DETAILS	
Name & Surname	***Marike Vreken***
Company name	***Marike Vreken Town Planners***
SACPLAN registration number	***1101***
Registered owner(s)	***Munroe Acoustic Solutions (PTY) LTD***
PART B: PROPERTY DETAILS	
Property description	***Erf 622 Brenton in the Municipality and Division of Knysna, Province of the Western Cape***
Property Extent (m^2)	***640m²***
Physical address	
Area/Town	***Knysna***
Current zoning	***Single Residential Zone I***
Applicable zoning scheme	***Knysna Zoning Scheme By-law (2020)***
Current land use	***Dwelling house***
Are there existing buildings on the property?	***Yes, dwelling house***
Title Deed number & date	***T16189/2024 and 22/03/2024***
Any restrictive title conditions applicable?	***Not applicable***
Any third party conditions applicable?	***Not applicable***
Any unauthorised land use/building work	***Yes***
Bondholder's Consent	***Not Applicable***

PART C: CONTRAVENTION INFORMATION	Yes	No	Not Applicable
Has the landowner applied for the determination of an administrative penalty?	☒	☐	☐
Has the Municipality applied to the Municipal Planning Tribunal for an order that a person who is contravening the Zoning Scheme By-law must pay a contravention penalty?	☐	☐	☒
Has the Municipality served a notice on the owner or other person in respect of the unlawful land use or building work which required the owner or other person to apply for the determination of a contravention penalty?	☐	☒	☐

1. APPLICATION DESCRIPTION

The application is for the determination of an administrative penalty in terms of Section 15(2)(r) of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021) in accordance with Section 93(1), on Erf 622, Brenton for the unauthorised building work comprising retaining walls encroaching the prescribed building lines and also exceeds that coverage as specified under "dwelling house" in the Knysna Zoning Scheme By-law (2020) .

2. BACKGROUND

2.1. The applicant states that construction of the dwelling house, retaining structures, and shade port was completed in early December 2024, and that temporary occupation was subsequently granted. During a site inspection conducted by Building Control in January, it was discovered that the retaining structures encroached into the prescribed building lines and that the permitted coverage had been exceeded as a result of the shade port. These deviations from the approved building plans constitute contraventions in terms of the Knysna Zoning Scheme By-law (2020).

2.2. The applicant submits that the transgressions are not significant and contends that every effort was made to comply with the applicable development parameters prescribed in the Zoning Scheme. The applicant further cites, as mitigating factors, the limited impact of the unauthorised building works on the surrounding area, the constraints posed by the steep slope of the site, and a lack of awareness that retaining structures were not permitted within the building lines and that the shade port would be included in the calculation of site coverage.

2.3. The applicant has conceded that transgressions of the Zoning Scheme have occurred and accepts that a penalty may be imposed in respect thereof. It is evident that these transgressions arose from a deviation from the approved building plans and were constructed to completion notwithstanding such deviations.

The imposition of a penalty in the amount of R5,000.00 in accordance with Council's approved tariff is therefore considered reasonable and justified in the circumstances.

3. RECOMMENDATION

It is recommended that, in terms of Section 60 of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021), an administrative penalty in the amount of **R5,000.00** be imposed in accordance with Section 93(2), for the following contraventions of the Knysna Zoning Scheme By-law (2020) on Erf 5375, Knysna:

3.1. The encroachment of the 4.5m prescribed street building line by the retaining structures.

3.2. The encroachment of the 2.0m prescribed lateral western building line by the retaining structures.

3.3. The encroachment of the 2.0m prescribed eastern lateral building line by the retaining structures.

3.4. The encroachment of the 2.0m prescribed rear building line by the retaining structures, pool pump and water tanks

3.5. The exceedance of the 50% coverage by 1,5 % as a result of the placement of the shade port.

4. CONDITIONS OF APPROVAL IMPOSED IN TERMS OF THE PLANNING BY-LAW

The above recommendation is subject to the following conditions imposed in terms of Section 66 of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021):

4.1. The landowner/applicant shall pay the administrative penalty within 30 days reckoned from the date of the notice of decision.

4.2. This decision and the imposition of an administrative penalty shall not be construed as support for future applications lodged in accordance with Section 15(2) of the Planning By-law on Erf 622, Brenton.

5. REASONS FOR RECOMMENDATION

The reason(s) for the above recommendation is as follows:

The applicant has conceded to the described transgressions of the Knysna Zoning Scheme By-law (2020). In considering the nature of the transgressions in the form of encroachments of the prescribed building lines and the exceedance of permissible site coverage, the imposition of an administrative penalty in accordance with Council's approved tariffs is considered reasonable.

6. SUPPORTING APPLICATION DOCUMENTS

ANNEXURE A: *Applicant's Motivating Memorandum & Correspondence*

ANNEXURE B: *Copy of Title Deed*

ANNEXURE C: *Power of Attorney*

ANNEXURE D: *Accompanying Plans & maps*

Administrative Penalty: Erf 622, BRENTON	
Author Name: SIHLE PHUNGULA Date: 16/02/2026	Author Signature:
Registered planner name: S. MADUMBO SACPLAN registration number: A/1570/2012 Date: 16/02/2026	Registered Planner Signature:
Decision maker: Municipal Planning Tribunal	

APPROVED	APPROVED CONDITIONALLY	APPROVED IN PART	REFUSED

Marike Vreken Town Planners CC
21 Trotter Street | P.O. Box 2180 | KNYSNA | 6570
044 382 0420 | 086 459 2987
info@vreken.co.za | www.vreken.co.za

Our Ref: Pr25/18b03 15 September 2025
Your Ref:

BY E-MAIL: hsmit@knysna.gov.za
knysna@knysna.gov.za
smadumbo@knysna.gov.za

The Manager: Land Use Management
Knysna Municipality
P.O. Box 21
Knysna
6570

FOR ATTENTION: MR HENNIE SMIT

Dear Sir,

THE DETERMINATION OF AN ADMINISTRATIVE PENALTY AS CONTEMPLATED IN SECTION 93 OF THE KNYSNA SPATIAL PLANNING AND LAND USE MANAGEMENT BYLAW (2021): BRENTON ERF 622.

Marike Vreken Urban and Environmental Planners have been appointed by **MUNROE ACOUSTIC SOLUTIONS (PTY) LTD** *(See attached **Annexure A**: Signed Power of Attorney and Company Resolution)* to prepare and submit the required application documentation for the determination of an administrative penalty as contemplated in Section 93 of the Knysna Spatial Planning and Land Use Management Bylaw (2021) on Brenton Erf 622.

1. BACKGROUND

PROPERTY DETAILS	
Erf Number (s):	Erf 622 Brenton in the Municipality and Division of Knysna, Province of Western Cape
Suburb / Town	Brenton
Current Zoning:	Single Residential Zone I (SRI)
Property Size:	640m² (Six Hundred and Forty) Square Metres
Registered Owner (s):	Munroe Acoustic Solutions Proprietary Limited
Title Deed No:	T16189/2024 (Refer to ***Annexure B***)
Title Deed Restrictions:	N/A
Bonds:	N/A

Servitudes:	There are no servitudes registered over this property. The property is entitled to a right of way access servitude road.
	A new right of Habitation Servitude will be registered over Erf 629 (Vision Street)

1.1. Brenton Erf 622 (hereafter known as "*the application area*") is situated on Vision Street (Brenton-On-Sea), Knysna. The application area is approximately 155m southeast of 'Eagles Den'. It is situated within the urban edge of Knysna, in the residential township known as Brenton-On-Sea. The coordinates to the centre of the Application Area are located at **34° 4'29.33" S** and **23° 2'2.84" E**.

1.2. The application area is 640m² in extent and is zoned "Single Residential Zone I" in terms of the Knysna Municipality Zoning Scheme By-law, 2020 *(**Annexure C**: Locality Plan).*

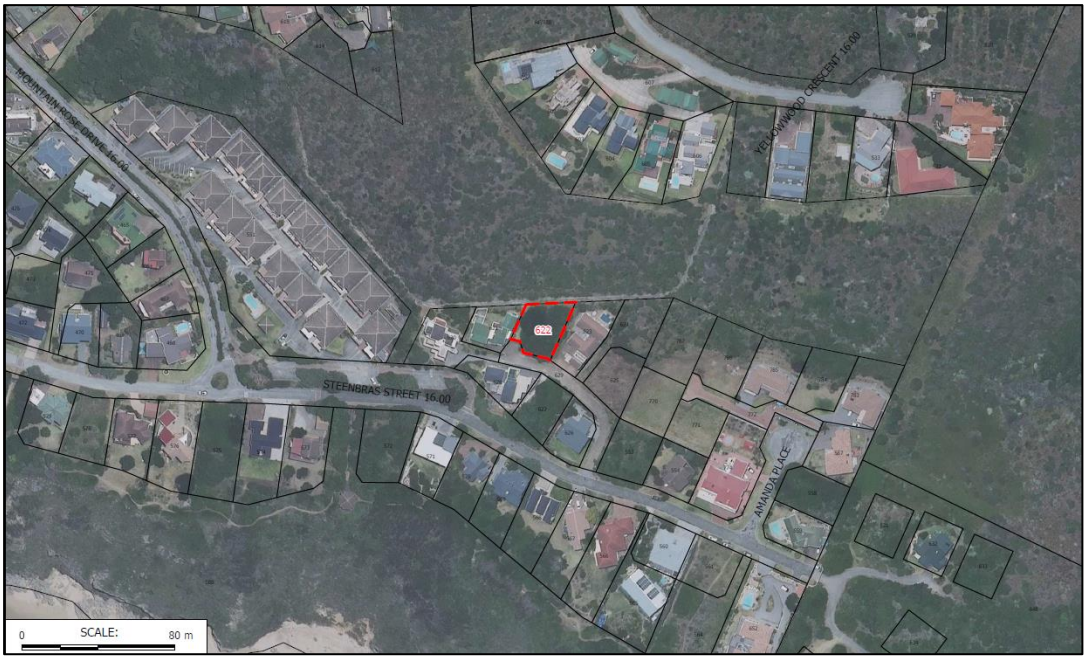


FIGURE 1: LOCALITY OF BRENTON ERF 622

1.3. The owner of Brenton Erf 622 has constructed a dwelling house in line with the prescribed development parameters. During the construction of the dwelling house and due to the slope of the application area, numerous retaining walls were constructed to secure the soils on the application area. These retaining walls extend into the street; side and rear building lines. Given the topography and location of the site, the retaining walls create a continuous flow between the neighbouring property and the application area, securing the soil of the application area, as well as the abutting properties.

1.4. The retaining walls on the application area extend from Brenton Erf 621 to Brenton Erf 622 and to Brenton Erf 623. The retaining walls are shared by the abutting properties, including the rear (northern) retaining wall and the front (southern) retaining walls. The retaining wall to the west of the application area was already constructed before the owner acquired the property, but was partially replaced with similar Loffelstein blocks. The position of the retaining wall remains in the same position, and the retaining wall to the east of the property was constructed with a similar appearance to the western retaining wall.

1.5. A shade port encroaches over the eastern side building line. After the construction of the shade port, the coverage on the application area increased to 51,5% instead of the prescribed 50%.

2. THE APPLICATION

A land development application (permanent departure) will be submitted to Knysna Municipality, but the land development application will not be considered without an accompanying application for the determination of an Administrative Penalty, to legalise the illegal construction activities.

Application is therefore made for:

(i) The determination of an administrative penalty as contemplated in Section 93 of the Knysna Spatial Planning and Land Use Management Bylaw (2021) for Brenton Erf 622 *(See attached* ***Annexure D:*** *Application Form*) to enable the legalisation of the retaining walls and shade port in the building lines.

3. EXISTING LAND USE AND EXISTING STRUCTURES

3.1. Built Environment

The Site Development Plan has been attached to this application as **Annexure E**: Site Plan Revision 02). The existing structures on Erf 622 consist of the following:

a. The Dwelling House;
b. Shade port;
c. Retaining walls;



FIGURE 2: MAIN DWELLING

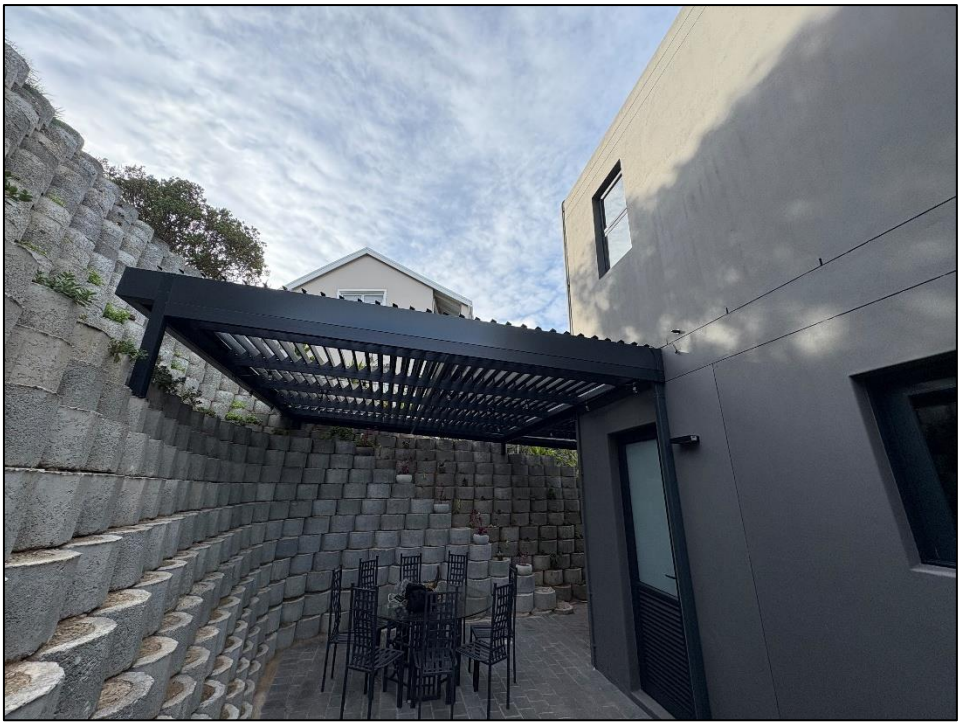


FIGURE 3: LOUVRE-STYLE SHADE PORT



FIGURE 4: RETAINING WALLS

3.2. Topography

The application area is located on a steep hill that slopes from south to north. There is a steep elevation gain from the lowest point of the application area to the highest portion of the application area. The slope percentage over the property is between 25% and 28%, with a slope degree of between 15 and 16.

Given the steep slope of the application area, the prescribed zoning scheme building lines, and the need for retaining walls to create a continuous flow between properties, the Loffelstein retaining walls were constructed within the building line areas. As these walls are shared between the owners of Erf 622 and the abutting neighbours, the portions of the retaining wall are owned by the owner of the respective property.

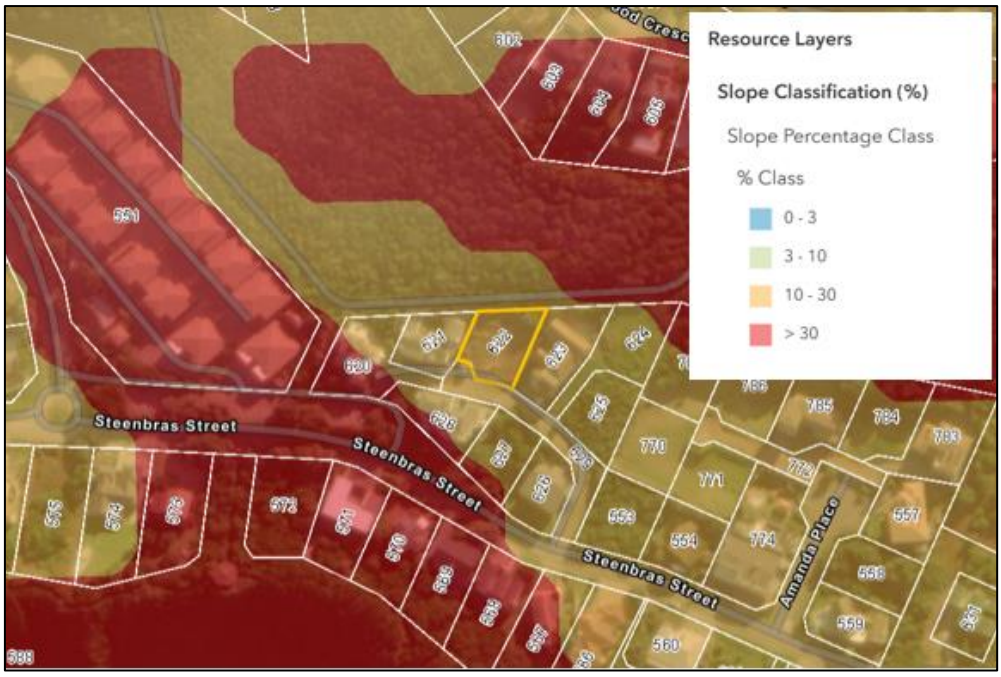


FIGURE 5: SLOPE CLASSIFICATION OF THE AREA

3.3. Compliance with the Zoning Scheme Bylaw (2020)

A summary of the prescribed development parameters for "Single Residential Zone (SRI)" - 'dwelling house' and a comparison of the proposed development's parameters are shown in the table below:

Prescribed Development Parameter		Compliance
Primary Use:	'dwelling house'	'dwelling house' **COMPLY**
Coverage:	50%	51.5% ***Departure Required***
Height:	8.5m above NGL	<8.5m **COMPLY**
	2 Storeys	2 Storeys **COMPLY**

Prescribed Development Parameter		Compliance
Building Lines:	Street building line (south): 4.5m	0m ***Departure Required***
	Side building line (western): 2m	0m ***Departure Required***
	Rear building line (north): 2m.	0.788m ***Departure Required***
	Side building line (east): 2m	0m ***Departure Required***
Parking:	2 parking bays per dwelling unit	2x parking bays **COMPLY**

3.3.1. The Applicant constructed a dwelling house on Brenton Erf 622. Given the steep slope of the property and the alignment of retaining walls on adjoining properties, the retaining walls on Erf 622 were designed and built to extend these lines, creating a continuous visual and structural flow. A shade port was later added to the property, which increased the total coverage to 51,5%, 1,5% beyond the permissible 50% and encroaching into the 2m eastern street building line. Furthermore, as a result of the design and construction approach, the retaining walls also extend into the 4.5m street building line and the 2m rear and side building lines, as prescribed by the Knysna Zoning Scheme By-Law (2020).

3.3.2. The retaining walls to the southwest of the application area were already constructed prior to when the current owner of Erf 622 took ownership of the property. The current owners made some minor alterations to the existing retaining wall and constructed a retaining wall to the southeast of the application area in line with the existing retaining wall. These retaining walls were constructed to be aesthetically pleasing and fit into the character of the area.

3.3.3. A large retaining wall was constructed to the north of the application area to secure the soil, continues from the large retaining wall constructed to the rear of Erf 621 and stretches to further join the retaining walls of Erf 623.

3.3.4. The Applicant realised only later that they were not allowed to construct these loffelstein retaining walls within the building lines of the property and are therefore applying for permanent departures to legalise the existing retaining walls.

3.3.5. The coverage of the dwelling house on Brenton Erf 622 complied with the maximum permitted coverage of 50% prior to the construction of the shade port. The owners were unaware that the louvre-style shade port would be included in the calculation of total coverage. Before the shade port was added, coverage on the application area was 47.14% (301.7 m^2 / 640 m^2 × 100). The shade port contributed an additional 4.36% (27.9 m^2 / 640 m^2 × 100), resulting in a total coverage of 51.5%, thereby exceeding the maximum allowable 50%.

Determining Factor	Contravention on Brenton Erf 622
The nature, duration, gravity and extent of the contravention.	(i) Nature: Brenton Erf 622 is zoned "Single Residential Zone I". All buildings situated on the property are in accordance with the primary land use of the zoning, and all structures have been built within the application area. (ii) Duration: Construction was completed in early December 2024. After which, the owners were granted temporary occupancy. Building control visited the site in January 2025 and highlighted the encroaching structures, and withheld the permanent occupation certificate until a town planning application has been approved. (iii) Gravity and extent: The contravention has no impact on the surrounding landowners or the HOA, as they have provided their consent (see **Annexure F**: Visions HOA Consent). The structures that have been constructed on the application area are in accordance with the primary land use right. The retaining walls and shade port encroach on the building lines, and the coverage of the area is over 50%. The application will be submitted once the Contravention application is considered complete by Knysna Municipality.
The conduct of the person involved in the contravention.	Construction was completed in early December 2024, after which the owners were granted temporary occupation. Building control visited the site in January 2025 and highlighted the encroaching structures, and withheld the permanent occupation certificate until a land development application has been approved. The owner of Brenton Erf 622 then appointed Marike Vreken Urban and Environmental Planners to facilitate the land development application to Knysna Municipality.
Whether the unlawful conduct was stopped.	The dwelling house, shade port and retaining walls were constructed in accordance with the building plans that were submitted to the municipality. Once it was determined that the structures encroaching on the building lines of the property were not allowed within the building lines, the property owners immediately started with the application to rectify their mistake.
Whether a person involved in the contravention has previously contravened this by-law or a previous planning law.	No

4. CALCULATION FOR CONTRAVENTION LEVY ON BRENTON ERF 622

The Applicant was unaware that retaining walls were not permitted within the building lines, as the house was constructed in accordance with their approved building plans. The Building Control Department of Knysna Municipality subsequently advised the Applicant that a land development application had to be submitted and approved before the Occupation Certificate for the completed dwelling will be issued. A louvre-style shade port was later erected on the property, which also encroached on the building lines and contributed to the overall site coverage, of which the owners were similarly unaware. An application to regularise both the retaining walls and the shade port—addressing the encroachments into the building lines as well as the total site coverage—will be submitted simultaneously with the contravention application.

As the structures were constructed without prior approval, the owners are not disputing the administrative penalty and have agreed to pay the fine of R5 000.00.

5. PRE-APPLICATION CONSULTATION

The required pre-application consultation was conducted with Knysna Municipality on 08 May 2025 for the proposed application. The pre-application consultation panel did not highlight any red flags or major concerns regarding the intended application. A copy of the pre-application consultation meeting minutes is still awaited from Knysna Municipality.

6. CONCLUSION

6.1. The owners of the application area were not aware that the retaining walls that were continued from the neighbouring properties onto Erf 622 were not aware that these retaining walls were not permitted within the building lines of the property.

6.2. The coverage of the application area did adhere to the maximum permitted coverage of 50%, but a louvre-style shade port was constructed, which the owners were not aware would increase the total coverage. Subsequently, the coverage now encroaches the maximum permitted coverage by 1.5% (51.5%).

6.3. When these transgressions were realised, the owners of Brenton Erf 622 contacted Marike Vreken Urban and Environmental Planners to start the process of legalising all structures on the application area.

6.4. The owners of Brenton Erf 622 wish to apply for the determination of an administrative penalty to legalise the existing dwelling house, retaining walls and shade port. The landowners are not contesting the administrative penalty and have agreed to pay the fine of R5 000.00.

6.5. A land use application in terms of Section 15 of the Knysna Spatial Planning and Land Use Management Bylaw (2021) will be submitted simultaneously with this application.

6.6. The following is a list of Annexures in support of the application:

Annexure A. Signed Power of Attorney and Company Resolution

Annexure B. Title Deed (T16189/2024) – Brenton Erf 622

Annexure C. Locality Plan

Annexure D. Application form dated 15 September 2025

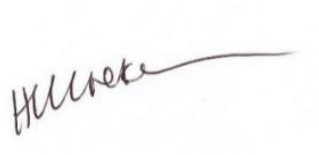
Annexure E. Site Plan Revision 02

Annexure F. Visions HOA Consent

Application is now made for the determination of an administrative penalty as contemplated in Section 93 of the Knysna Spatial Planning and Land Use Management Bylaw (2021).

We trust the above is in order. Please do not hesitate to contact us should you require any additional information in this regard.

Kind regards,



MARIKE VREKEN
Pr. Pln A/1101/1999 M SAPI 10233

Dykes, van Heerden

(Gauteng) Inc.
(Registration No: 2017/432748/21)
ATTORNEYS, CONVEYANCERS AND ADMINISTRATORS OF DECEASED ESTATES

Tel: [redacted]
Direct fax:
E-mail: [redacted]

P.O. Box 21755
Helderkruin
1733
South Africa

Web-site: http://www.dvh.law.za

19 Ontdekkers Road
Roodepoort
1740

Docex 24
Roodepoort
Lodgement no 210 (JHB) 316 (PTA)

Professionals striving
for excellence

Our Reference:	Your reference:	Date:
Madeleine/M4876/MC		09 April 2024

CR & TS MYBURGH
PER HAND

Dear Sir / Madam,

TRANSFER: **CR & TS MYBURGH / MUNROE ACCOUSTIC SOLUTIONS PTY LTD**
OVER: **ERF 622 BRENTON**

We refer to the above and enclose herewith the following original documents for safekeeping with your client:

1. Deed of Transfer no **T16189/2024**

Kindly acknowledge receipt by signing this letter and email it back to the writer ([redacted])

Yours faithfully,

Madeleine
DYKES VAN HEERDEN (GAUTENG) INC.

340

Dykes Van Heerden (Gauteng)
19 Ontdekkers Road
Roodepoort

Prepared by me

CONVEYANCER
THOMAS JOSEPH REYNEKE (13584)

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R 1 100 000,00	R 1453,00
Reason for exemption	Category Exemption.....	Exemption i t o. Sec/Reg..... Act/Proc.....

DATA / VERIFY
22 MAR 2024
Anitha Ramsamy

DATA / CAPTURE
22 MAR 2024
Sinazo Xhiphu

000016189 / 2024

T 000016189

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

ELMARESIA CARMELITA HENDRICKS (89...)

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said appearer being duly authorised thereto by a Power of Attorney granted to him/her by

1. **CLINT RICHARD MYBURGH**
   Identity Number [redacted]
   Married out of community of property

2. **TRACY ELISE MYBURGH**
   Identity Number [redacted]
   Married out of community of property

which said Power of Attorney was signed at Roodepoort on 15 February 2024

And the appearer declared that his/her said principal had, on 23 January 2024, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

MUNROE ACOUSTIC SOLUTIONS PROPRIETARY LIMITED
REGISTRATION NUMBER: 2024/037857/07

or its Successors in Title or assigns, in full and free property

ERF 622 BRENTON
IN THE MUNICIPALITY AND DIVISION OF KNYSNA,
PROVINCE OF WESTERN CAPE

IN EXTENT 640 (SIX HUNDRED AND FORTY) Square metres

First transferred by Deed of Transfer Number T47319/2002 with General Plan S.G. Number 5453/2001 relating thereto and held by Deed of Transfer Number T9412/2020

A. **SUBJECT** to the conditions referred to in Deed of Transfer Number T256/1960.

B. **ENTITLED** to the benefit of the following condition lettered (c) contained in Deed of Partition Transfer Number T8082/1928, namely:

That the proprietors of BRENTON and their successors in title shall have a right of way by the line of road marked on the diagram annexed to Amended Deed of Grant dated 30th of March 914 to where it join with the existing public road at or near ASHFORD (the commencement and termination of the said road over which the right of way operated being marked P and O respectively) or with any public road to be hereafter proclaimed in lieu thereof provided that the proprietor for the time being (i.e. the proprietor for the time being of BELVIDERE) may require the proprietor of BRENTON for the time being to exercise such right of way by a line deviating as may from time to time mutually be agreed upon along the whole or any part of such line not more than nine four four comma five eight (944,58) metres on either side thereof.

C. **ENTITLED FURTHER** to the servitude referred to in the endorsement dated 7th July 1950 on Deed of Transfer Numbers T21572/1946 and T21573/1946, which reads as follows"

"By virtue of Deed of Transfer Number 9837 dated 7th July 1950, the owner or his successors in title of the remaining extent of within property measuring as such 794,7804 hectares is entitled to the following conditions:

(i) entitled to enforce certain conditions against certain portion 17 of withinmentioned farm, measuring 5,4330 hectares held under Deed of Transfer Number 9837 dated 7th July 1950 relating inter alia to use ....., building fencing, passage of wires for electric light, laying of waterpiping, construction of drains, sewers and piggeries.

(ii) Entitled to a right of way 6,30 metres wide marked abcFde on Diagram Number 6680/1948 over the said Portion 17.

All of which conditions are more fully set out in Deed of Transfer number T9837/1950."

D. **SUBJECT FURTHER** to the following condition imposed by the Municipality of Knysna, in terms of Section 42 of Ordinance 15/1985 when approving the subdivision of Erf 552 BRENTON, which reads as follows and is contained in Deed of Transfer Number T47319/2002:

"The owner and his successors in title shall become members of the VISIONS HOMEOWNERS ASSOCIATION established in terms of Section 29 of Ordinance No. 15of 1985 and shall at all times be subject to the Constitution thereof and the property will not be transferred without the written consent of the said VISIONS HOMEOWNERS ASSOCIATION."

WHEREFORE the said Appearer, renouncing all rights and title which the said

1. **CLINT RICHARD MYBURGH, Married as aforesaid**
2. **TRACY ELISE MYBURGH, Married as aforesaid**

heretofore had to the premises, did in consequence also acknowledge them to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

MUNROE ACOUSTIC SOLUTIONS PROPRIETARY LIMITED
REGISTRATION NUMBER: 2024/037857/07

or its Successors in Title or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R1 100 000,00 (ONE MILLION ONE HUNDRED THOUSAND RAND).

IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on

2024 -03- 19

q.q.

In my presence

REGISTRAR OF DEEDS

Munroe Acoustic Solutions Proprietary Limited

(Name of Company, Partnership, Trust or Close Corporation)

RESOLUTION

Resolution passed at the meeting of the Shareholders/ Partners/ Trustees/ Members held in _____ on the _____ day of _____ 2024

Resolved that TRACY MYBURGH in his/her capacity as FINANCIAL DIRECTOR, be and is hereby authorized to do whatever may be necessary to give effect to this resolution and to enter into and to sign such documents necessary to proceed with the applications as specified hereunder on behalf of the Company/ Partnership/ Trust/ Close Corporation with such modification as he/ she in his/ her sole discretion shall deem fit, his/ her signature to be conclusive proof that the documents which bear it are authorised in terms hereof.

DESCRIPTION OF PROPERTY:

Brenton Erf 622 Knysna

NATURE OF APPLICATION:

Permanent Departure and Contravention

SIGNATURE OF SHAREHOLDERS/ PARTNERS/ TRUSTEES/ MEMBERS:

NAME:	SIGNATURE:
TRACY MYBURGH	
CLINT MYBURGH.	

SPECIAL POWER OF ATTORNEY

I / We, TRACY ELISE MYBURGH

the undersigned,

do hereby nominate, constitute and appoint
THE AUTHORISED AGENTS OF MARIKE VREKEN TOWN & REGIONAL PLANNERS CC and duly authorised employees of Marike Vreken Town Planners CC
with power of Substitution to be *my/our lawful representatives in *my/our application for:

Permanent Departure and Contravention

on

Brenton Erf 622, Knysna

In addition to apply for such amendments of any zoning schemes / structure plans / Removal of Title Deed Restrictions as may be deemed necessary and to make other necessary application and further to represent *me/us at any inquiry in relation to the abovementioned matters and generally do whatever may be necessary or desirable to procure the approval of the application, by virtue of those present and whatever our said representative have to date done herein.

Signed at BRENTON ON SEA on this 10TH day of APRIL 2025

SIGNED: _____

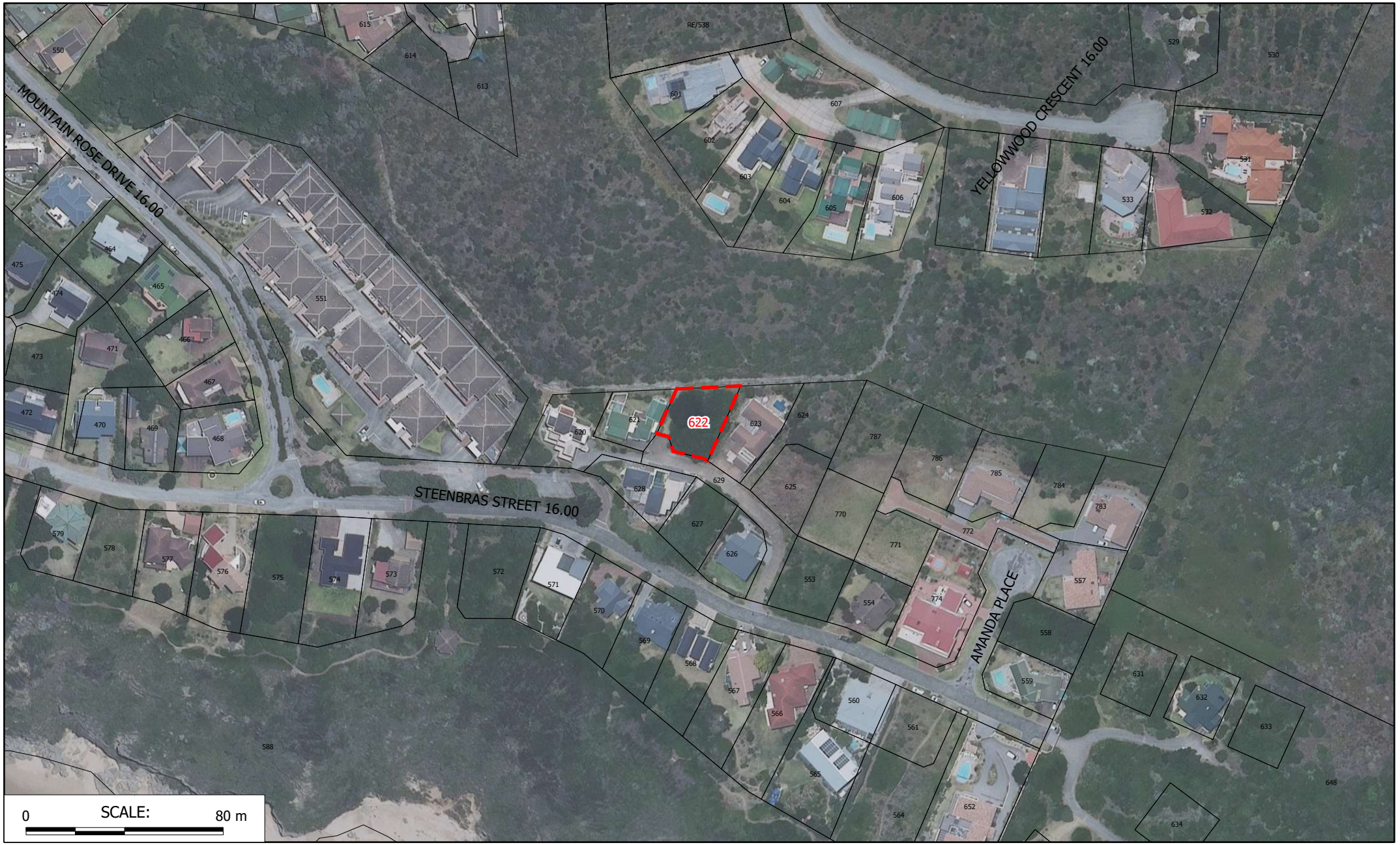
SIGNED: _____

SIGNED: _____

In the presence of the undersigned witnesses:

AS WITNESSES:

1. _____



BRENTON
ERF 662

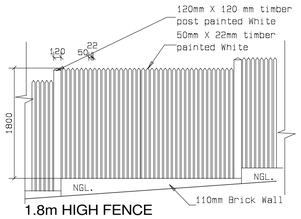
LAND USE PLAN

N

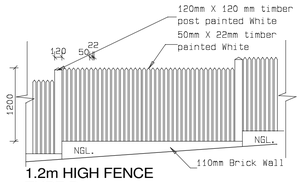
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Centre Lat: 34°04'29" S
Created: 4/24/2025
Scale: 1:2000

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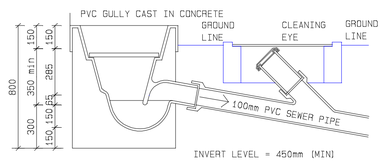
Marike Vreken
Stads & Omgewingsbeplanners
Urban & Environmental Planners
21 Trotter Street, P.O. Box 2180
KNYSNA, 6570
☎(044) 382 0420
🖷(044) 382 0438
e-mail: info@vreken.co.za
web: www.vreken.co.za



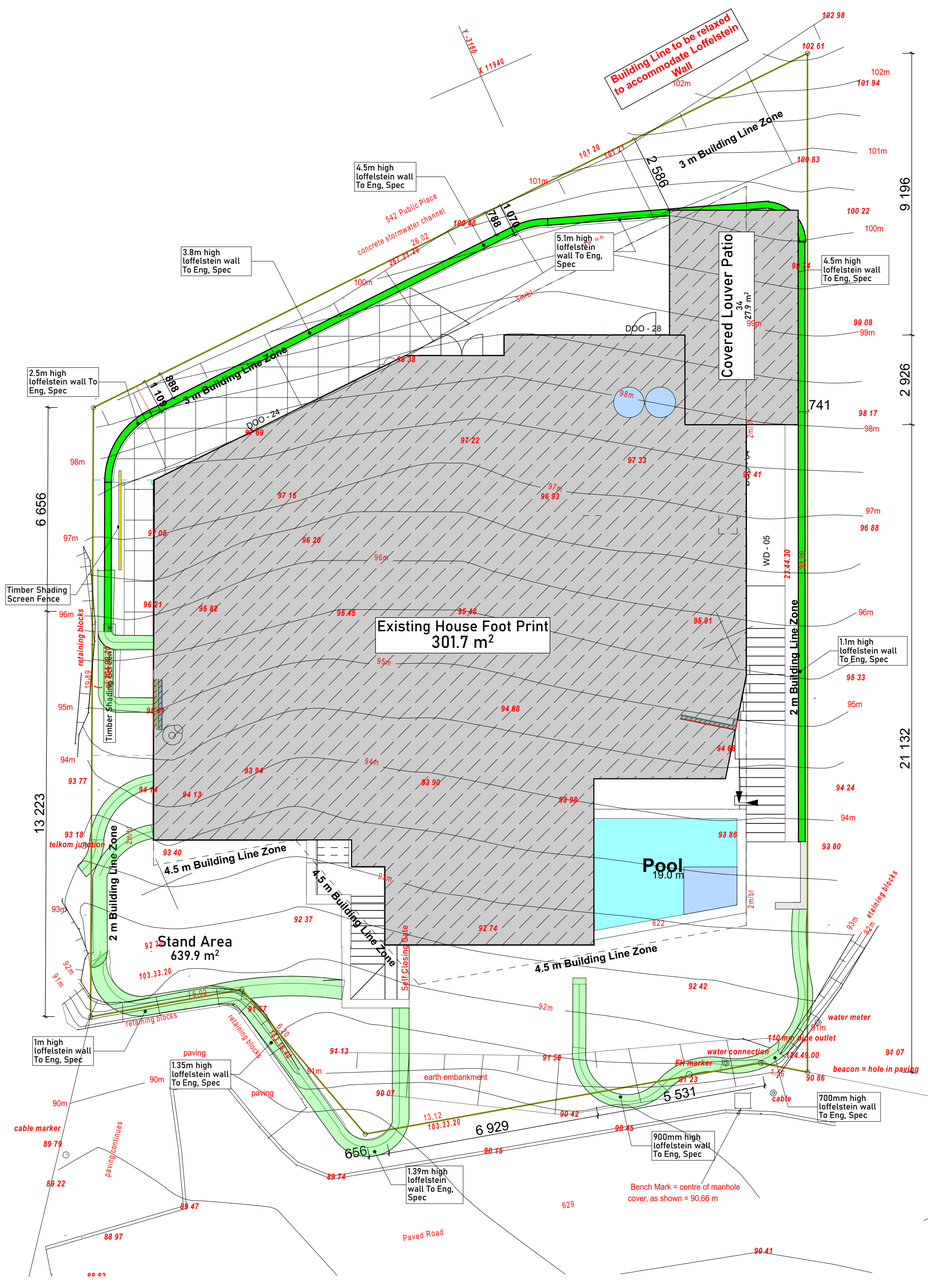
1.8m HIGH FENCE
TYPE A
SCALE 1:50



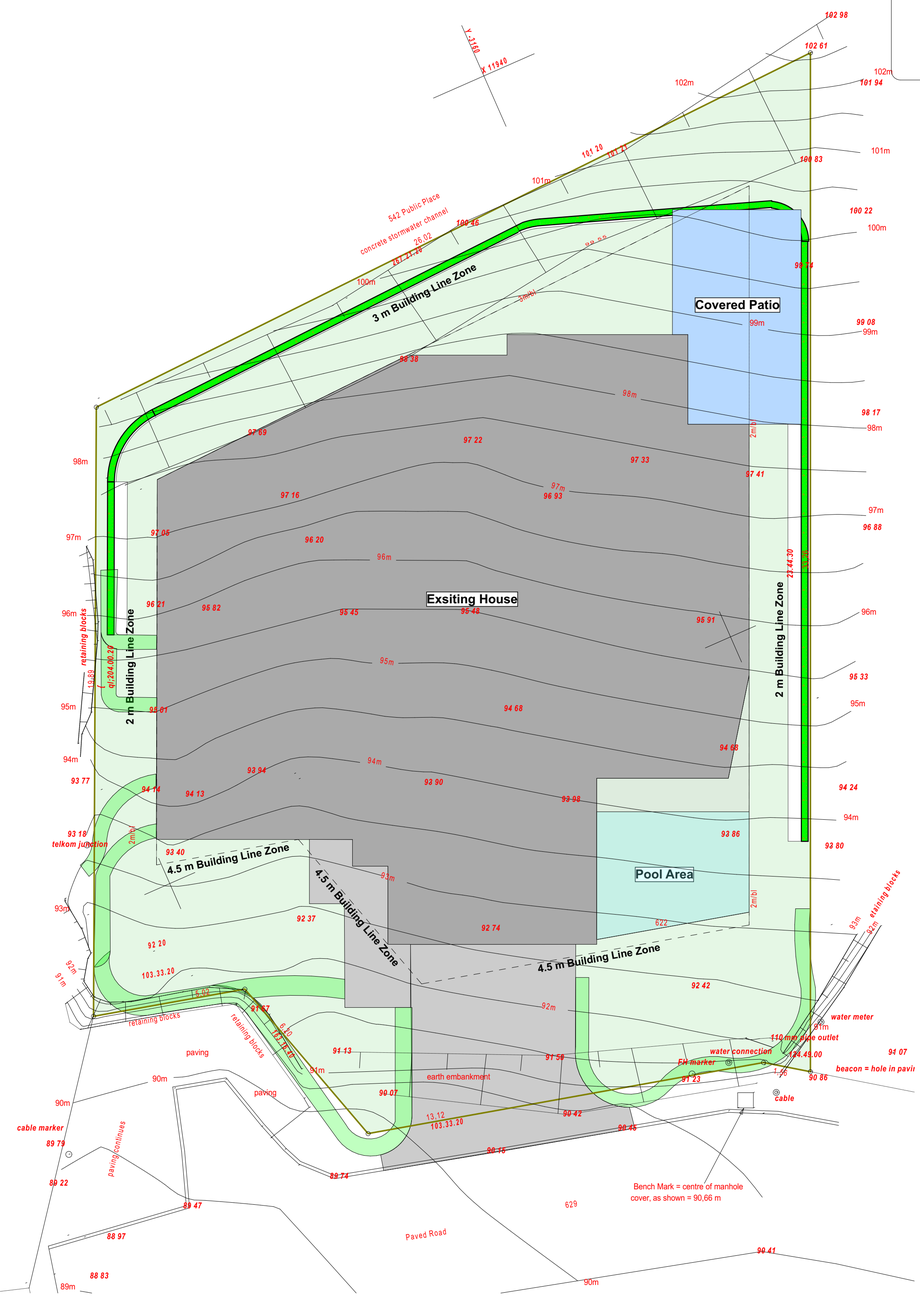
1.2m HIGH FENCE
TUPE B
SCALE 1:50



DETAIL SECTION OF GULLY
SCALE 1 :20



Site
1:100



Simple SDP 1:100

Google Earth Key Plan not to scale





Sample of Jojo Underground Septic tank

- **General Notes**
  THIS DRAWING MUST NOT BE SCALED. DIMENSIONS AND LEVELS ARE TO BE CHECKED. THE LATTER ON SITE, BY THE CONTRACTOR BEFORE COMMENCEMENT OF ANY WORK OR SETTING OUT OF SHOP DRAWINGS. THE DESIGN SHOWN ON THIS DRAWING IS COPYRIGHT AND REMAINS THE PROPERTY OF THE ARCHITECT. QUALITY OF MATERIALS AND WORKMANSHIP TO COMPLY WITH THE LATEST RELEVANT CODES AND SPECIFICATIONS OF SANS, SABS, NBR AND THE MINIMUM STANDARDS OF STANDARD PRELIMINARIES (JBCC) AND MODEL PREAMBLES FOR TRADES (2008-ASQS) AND
  WERE APPLICABLE PROJECT SPECIFICATIONS. ALL CONSTRCTION MUST COMPLY WITH THE NATIONAL BUILDING REGULATIONS (ACT NO 103 OF 1977) INCLUDING ALL AMMENDMENTS AS WELL AS THE BYLAWS OF THE LOCAL AUTHORITIES. ANY DISCREPANCIES MUST IMMEDIATELY BE POINTED OUT TO THE ARCHITECT FOR RECTIFICATION OR EXPLANATION BEFORE ANY CONSTRUCTION CAN COMMENCE.
  FOUNDATION TO ALL BOUNDARY WALLS ARE NOT TO ENCROUCH BOUNDARY. ALL ELECTRICAL AND PLUMBING WORK IS TO BE CARRIED OUT BY A REGISTRED TRADESMAN. BRICKFORCE IS TO BE INSTALLED EVERY 5 COURSES OF BRICKWORK. PROVIDE DPC TO WALL AT SLAB LEVEL, UNDER ALL CILLS AND TO ALL CHANGES IN FLOOR LEVELS.

1.5 m High picket fence
Existing Wall

N

Revision History

RevID	ChID	Change Name	Date
02	12	Corner Squared Out	2024/08/26
	21	Pantry modified by client and to cub manufacturer	
	22	Soullery modified to cub manufacturer	
	23	Kitchen modified to cub manufacturer	
	24	Braai, Pizza oven and Prep bowl added by client	
	25	Wall added	

MCP ARCHITECTURE
email: mcparchitecture@gmail.com

Client
Clint Myburgh

Project
Brenton on Sea 622

622 Steenbras Street, Brenton on Sea, 6571
Knysna
South Africa
6571

Drawing Name
Site Plan

Drawing Status
Council Submission

	HOA	Client
Signature		
Approved		
Date		

Checked by
HB

PROFESSIONAL SENIOR ARCHITECTURAL TECHNOLOGIST
HENDRIK SCHALK MOUTON BURGER
85 23 AR (Africa)Johannesberg on 11 Nov 2022

Drawing Scale
1:100, 1:1 @A1

Date
2025/09/12

Layout ID
000

Revision
02

Coverage

Zone Name	Measured Area	%
Covered Louver Patio		
	27.92	
Existing House Foot Print		
	301.74	
Stand Area		
	639.93	51.51

ITEM TO:
Municipal Planning Tribunal

KNYSNA
Municipality Munisipaliteit uMasipala

APPLICATION NO.	3559
REPORT AUTHOR	Shaun Madumbo
JOB TITLE	Senior Town Planner
SACPLAN REG. NO.	A/1510/2012
TELEPHONE NO.	044 302 6268
APPLICATION DATE	12 September 2025

LAND USE PLANNING REPORT
ADMINISTRATIVE PENALTY: ERF 5375 KNYSNA

PART A: APPLICANT DETAILS	
Name & Surname	***Armand Camille Burger***
Company name	***ValGIS Technologies***
SACPLAN registration number	***A/767/1994***
Registered owner(s)	***Willem Marinus van Vliet & Yvonne van Vliet***
PART B: PROPERTY DETAILS	
Property description	***Erf 5375 Knysna in the Municipality and Division of Knysna, Province of the Western Cape***
Property Extent (m^2)	***1050m²***
Physical address	***6 Du Preez Street, Knysna Heights***
Area/Town	***Knysna***
Current zoning	***Single Residential Zone I***
Applicable zoning scheme	***Knysna Zoning Scheme By-law (2020)***
Current land use	***Dwelling house***
Are there existing buildings on the property?	***Yes, dwelling house***
Title Deed number & date	***T44627/2023 dated 23 October 2023***
Any restrictive title conditions applicable?	***None***
Any third party conditions applicable?	***None***
Any unauthorised land use/building work	***Yes***
Bondholder's Consent	***Not Applicable***

PART C: CONTRAVENTION INFORMATION	Yes	No	Not Applicable
Has the landowner applied for the determination of an administrative penalty?	☒	☐	☐
Has the Municipality applied to the Municipal Planning Tribunal for an order that a person who is contravening the Zoning Scheme By-law must pay a contravention penalty?	☐	☐	☒
Has the Municipality served a notice on the owner or other person in respect of the unlawful land use or building work which required the owner or other person to apply for the determination of a contravention penalty?	☐	☒	☐

1. APPLICATION DESCRIPTION

The application is for the determination of an administrative penalty in terms of Section 15(2)(r) of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021) in accordance with Section 93(1), on Erf 5375, Knysna for the unauthorised building work comprising carport and retaining walls encroaching the prescribed building lines as specified under "dwelling house" in the Knysna Zoning Scheme By-law (2020) and an additional vehicle carriageway crossing.

2. BACKGROUND

2.1. The applicant states that, following obtaining building plan approval, site works and construction deviated from the approved building plan. These deviations include retaining walls and carport which encroaches various building lines as prescribed in terms of the Knysna Zoning Scheme By-law (2020) as well as an additional carriageway crossing which is not compliant with the same by-law.

2.2. The applicant argues that the transgressions are of a minor nature and has made every effort to comply with the development parameters of the land use as prescribed in the zoning scheme. The impact of the unauthorised building work on the surrounding area and the poor topography is also cited as mitigation. According to the information provided by the applicant, a maximum penalty of R115,960.39 may be imposed.

2.3. The applicant has conceded that transgressions of the zoning scheme occur and accepts that a penalty may be imposed in respect of those transgressions. It is evident that these transgressions were intentional as construction work was not stopped but continued to completion. The imposition of a penalty in accordance with Council's approved tariff where an applicant concedes to the transgression is, therefore, considered reasonable.

3. RECOMMENDATION

It is recommended that, in terms of Section 60 of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021), an administrative penalty in the amount of **R5,000.00** be determined in accordance with Section 93(2), for the following contraventions of the Knysna Zoning Scheme By-law (2020) on Erf 5375, Knysna:

3.1. The encroachment of the 4.5m prescribed street building by the carport and retaining structures.

3.2. The encroachment of the 2.0m prescribed lateral building lines by the retaining structures, pool pump and water tanks.

3.3. The additional carriageway crossing from a maximum permissible of one to two on the same street front.

4. CONDITIONS OF APPROVAL IMPOSED IN TERMS OF THE PLANNING BY-LAW

The above recommendation is subject to the following conditions imposed in terms of Section 66 of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021):

4.1. The landowner/applicant shall pay the administrative penalty within 30 days reckoned from the date of the notice of decision.

4.2. This decision and the imposition of an administrative penalty shall not be construed as support for future applications lodged in accordance with Section 15(2) of the Planning By-law on Erf 5375, Knysna.

5. REASONS FOR RECOMMENDATION

The reason(s) for the above recommendation is as follows:

The applicant has conceded to the described transgressions of the Knysna Zoning Scheme By-law (2020). In considering the nature of the transgressions in the form encroachments of the prescribed building lines and the establishment of an unauthorised vehicle access point, the imposition of an administrative penalty in accordance with Council's approved tariffs is considered reasonable.

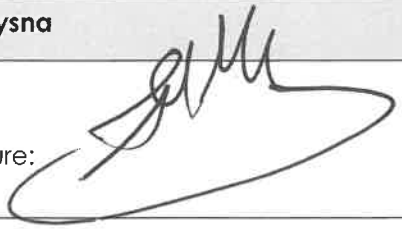
6. SUPPORTING APPLICATION DOCUMENTS

ANNEXURE A: *Applicant's Motivating Memorandum & Correspondence*

ANNEXURE B: *Copy of Title Deed*

ANNEXURE C: *Power of Attorney*

ANNEXURE D: *Accompanying Plans & maps*

Administrative Penalty: Erf 5375, Knysna			
Author Name: S. MADUMBO Date: 16/02/2026		Author Signature: 	
Registered planner name: SIHLE PHUNGULA SACPLAN registration number: A/3220/2022 Date: 16/02/2026		Registered Planner Signature: 	
Decision maker: Municipal Planning Tribunal			
APPROVED	APPROVED CONDITIONALLY	APPROVED IN PART	REFUSED

— MOTIVATING MEMORANDUM —

in support of an application

lodged by virtue of Section 15(2)(r)

of the

Knysna Spatial Planning and Land Use Planning Management Bylaw of 2021

to determine an administrative penalty

in respect of a transgression of the by-law

at

Erf 5375, The Heights, Knysna

INDEX OF CONTENTS

Par.	Heading	Page
1	BACKGROUND	3
2	A SUMMARY OF THE APPLICATION	3
3	THE SUBJECT PROPERTY	3
4	THE EXISTING DEVELOPMENT AND INCONSISTENCIES WITH THE ZONING SCHEME	4
5	CONSIDERATIONS RELATED TO THE DETERMINATION OF AN APPROPRIATE ADMINISTRATIVE PENALTY	6
6	THE DETERMINATION OF THE PENALTY	7
7	CONCLUSION	7

ANNEXURES

301 Knysna, Erf 5375 - S15(2)(r) - Annexure A - Power of Attorney
302 Knysna, Erf 5375 - S15(2)(r) - Annexure B - Locality Plan
303 Knysna, Erf 5375 - S15(2)(r) - Annexure C - Title Deed T44627_2023
304 Knysna, Erf 5375 - S15(2)(r) - Annexure D1 - SG General Plan
305 Knysna, Erf 5375 - S15(2)(r) - Annexure E - Land Use Plan
306 Knysna, Erf 5375 - S15(2)(r) - Annexure F - Topography
307 Knysna, Erf 5375 - S15(2)(r) - Annexure G - Zoning Plan
308 Knysna, Erf 5375 - S15(2)(r) - Annexure H1 - As-built Building Plan
308 Knysna, Erf 5375 - S15(2)(r) - Annexure H2 - SDP - BL encroachments
308 Knysna, Erf 5375 - S15(2)(r) - Annexure H3 - Retaining structure - Height profile
309 Knysna, Erf 5375 - S15(2)(r) - Annexure I - Approved building plan 16112023

1. BACKGROUND

The landowners bought this property in 2023 and, as a result of its condition, decided to redevelop the entire property. Building plans were submitted and approved and building works continued.

During the construction, site works deviated from the approved plan (**Annexure I**) and the municipality requested updated plans after their final inspection. It was then discovered that development parameters of the Zoning Scheme were encroached upon.

To address the encroachments, an application was lodged in terms of S.15(2)(b) and (g) to obtain the prescribed permissions. As prescribed, this application is lodged by virtue of S.15(2)(r) for the determination of administrative penalties.

To lodge these applications, the landowners issued an authorisation as per the attached Power of Attorney (**Annexure A**).

2. A SUMMARY OF THE APPLICATION

This application is lodged by virtue of Section 15(2)(r) of the Knysna Municipality Spatial Planning and Land Use Management By-law of 2021, to enable the Municipal Planning Tribunal to:

a) decide on the imposition of an administrative penalty; and

b) determine the amount of the penalty

in respect of contraventions of this by-law prevailing on the subject property and where the Municipality has not issued a S.87(2)(a) compliance notice.

3. THE SUBJECT PROPERTY

3.1. The Subject Property

The application applies to Erf 5375, Knysna, hereinafter referred to as the subject property.

3.2. Locality

As indicated on the locality plan attached as **Annexure B**, the subject property is situated in Du Preez Street in Knysna's precinct known as Knysna Heights. This places them in the jurisdiction of the Knysna Local Municipality which falls within the boundaries of the Eden District Municipality of the Western Cape Province.

3.3. Ownership

The property is registered in the names of the married couple **Willem Marinus van Vliet** and **Yvette van Vliet**.

3.4. Title Deed

The subject property is currently registered by virtue of Deed of Transfer T44627/2023 as per attached **Annexure C**.

There or no Title conditions restricting the proposed encroachments.

3.5. SG Diagram

The subject property appears on the SG General Plan for Eastford Extension 2, SG General Plan no. 8747/83 as shown on **Annexure D1**.

3.6. Bonds

The property is not bonded.

3.7. Size

According to its Title Deed, the subject property is 1 050 m^2 in extent. This corresponds with the SG General Plan.

3.8. Zoning

The property is zoned Single Residential Zone I as shown in **Annexure G**.

3.9. Land use

The subject property is situated in a residential suburb as shown on the Land Use Plan attached as **Annexure E** (Land use plan).

3.10. Topography

The topography of the area presents challenges for urban development, and it was the principal reason for most of the encroachments relevant to this application. Refer to **Annexure F** (Topography).

4. THE EXISTING DEVELOPMENT AND INCONSISTENCIES WITH THE ZONING SCHEME

4.1. Description of the existing development

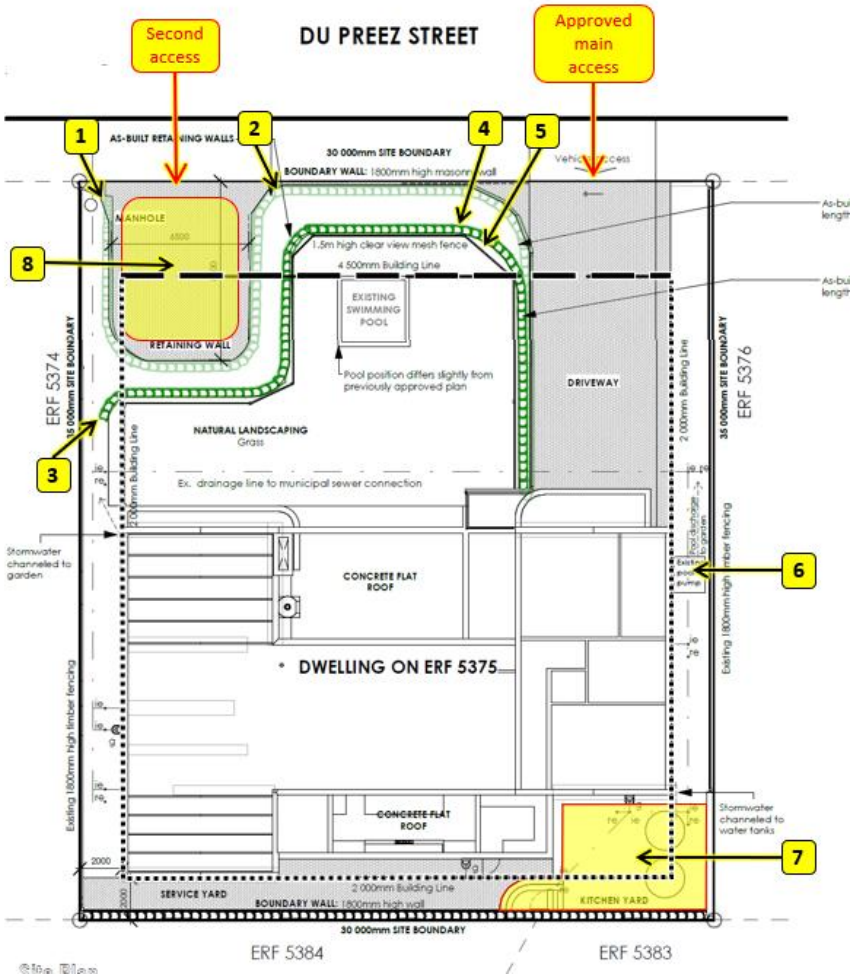
The development of the property consists of a dwelling house with an integrated double garage. All the recent alterations and additions to the buildings were conducted according to an approved building plan attached as Annexure I.

During the abovementioned construction the site was reshaped and, in this process, transgressions of the Zoning Scheme occurred. The transgressions applicable to this application are thus related to structures constructed around the dwelling house.

Refer to **Annexures H1, H2 and H3** for more clarity.

4.2. Analysis of the transgressions

The following image, clipped from **Annexure H2** (SDP - BL encroachments) serves to assist with the tabular analysis of the problems posed by the relevant additions and alterations on the subject property.



Annex. H2 ref.	STRUCTURE	TRANSGRESSIONS OF ZONING SCHEME AND REMEDIES
1	Lower retaining structure.	Encroachment of the street and western side building lines. → Apply in terms of S.15(2)(b) to relax the street side building line to 0,00 m and the western side building line to 0,30 m.
2	Lower retaining structure.	Encroachment of the street building line. → Apply in terms of S.15(2)(b) to relax the street building line to 0,0 m.
3	Upper retaining structure.	Encroachment of the western side building line. → Apply in terms of S.15(2)(b) to relax the western side building line to 0,84 m.
4	Upper retaining structure.	Encroachment of the street building line. → Apply in terms of S.15(2)(b) to relax the street building line to 0,0 m.
5	Pool fence.	Encroachment of the street building line. → Apply in terms of S.15(2)(b) to relax the street building line to 3,20 m.
6	Pool pump.	Encroachment of the eastern side building line. → Apply in terms of S.15(2)(b) to relax the eastern side building line to 1,16 m.
7	Concrete slab and steps for water tanks.	Encroachment of the rear and eastern side building lines. → Apply in terms of S.15(2)(b) to relax the rear and eastern side building lines to 0,00 m.
8	Shade port.	Encroachment of the street and western side building lines. ☑ S.21(2)(a) provides relief in respect of the side building line. → Apply in terms of S.15(2)(b) to relax the street building line to 1,37 m.

Kindly note that, for the determination of administrative penalties, the transgression of S.26(b) which controls the height of retaining structures as shown in **Annexure H3**, is not relevant. This is because those retaining structures that do not comply with S.26(b), are also encroaching upon building lines and have thus been covered in the table above as well as in par. 4.3.

4.3. Quantification of the value of buildings and structures transgressing

The landowner's architect, Messrs Plans R Us of Knysna, provided an estimation of the construction cost of the transgressions, shown on **Annexure H2**, namely:

PLAN REF NO	COMPONENT	DESCRIPTION	QUANTITY	RATE		AMOUNT
1	Retaining wall - lower	Section over western side BL	5,75	R850,00	per m^2	R4 890,90
2	Retaining wall - lower	Section over street BL	54,44	R850,00	per m^2	R46 269,75
3	Retaining wall - upper	Section over western side BL	1,00	R850,00	per m^2	R850,00
4	Retaining wall - upper	Section over street BL	19,80	R850,00	per m^2	R16 833,74
5	Pool fence	Section over street BL	10,67	R2 000,00	per linear m	R21 348,00
6	Pool pump cover		1,00	R2 500,00	each	R2 500,00
7	Concrete slab for tanks		2,37	R2 800,00	per m^3	R6 630,00
7	Steps for concrete slab		0,59	R2 800,00	per m^3	R1 638,00
8	Shade port	Section over street BL.	55,00%	R10 000,00	each	R5 500,00
					TOTAL	**R106 460,39**
					Penalty at 1%	**R1 064,60**

5. CONSIDERATIONS RELATED TO THE DETERMINATION OF AN APPROPRIATE ADMINISTRATIVE PENALTY

With the above as background, the contraventions can now be analysed in terms of the criteria outlined in S.93(9) of the applicable Bylaw.

5.1. The nature, duration, gravity and extent of the contravention

Nature

The nature of the contraventions has been described in depth in paragraph 4 above.

Duration

The transgressing structures were put in place in the second half of 2024.

Gravity

To evaluate the gravity of the contraventions, it will be helpful to consider to what extend it impacted negatively on the neighbours, the neighbourhood and the town. Although the relevant by-law was not fully adhered to in this case, it is argued that the gravity of the transgressions is negligible, because:

- It did not cause harm, physical or otherwise, to private or public property.
- It did not threaten the security or well-being of society.
- It did not interfere with traffic movements and/or traffic safety or block lines of sight.
- It did not detract from the amenity of the neighbourhood.
- It did not restrict the ventilation of air between neighbouring buildings.
- It did not interfere with the scenic view of neighbours.
- It did not restrict sunlight from reaching streets and/or neighbours' properties.
- It did not potentially obstruct the firefighters or prevent them from fulfilling their duties.
- It did not cause buildings to be positioned too close to each other so as to potentially allow fires from running uninterrupted from building to building.
- It did not interfere with the space required for the provision of engineering services (water, electricity and sewage) and other utilities (i.e. telecommunication lines).
- It did not encroach upon land required for planned new roads or road widenings.

- It did not prevent the creation of attractive streetscapes.
- It did not contribute to the creation of unacceptable high development densities.
- It did not interfere with the creation of private living conditions on other properties.
- It did not impact on any of the rights of other landowners.
- It did not affect property values in the neighbourhood negatively.
- It did not impact nature detrimentally.

To summarise – the transgressions cannot be regarded as having any significant negative influence on neighbours, the neighbourhood or the town. In fact, not been reported by neighbours or getting noticed by the responsible municipal employees, is ultimate proof of the insignificant gravity of the transgressions.

Extent

The transgressions cannot be regarded as significant or of such nature and extent that it can be regarded as incompatible with the surrounding neighbourhood. This aspect has been elaborated upon in the application submitted in terms of S.15(2)(b) and (g) of the relevant bylaw.

5.2. The conduct of the persons involved in the contravention

Upon becoming aware of the transgressions, the landowners immediately issued instructions to their professional team to rectify the matter.

5.3. Whether the unlawful conduct was stopped

In this case the transgression should not be deemed as ongoing wrongful conduct that can be stopped (such as a factory on a residential property). What is dealt with in this case, is the perpetual consequences of past wrongful conduct.

5.4. Previous contraventions of the applicable and/or related by-laws

The landowners declared that they have never been responsible for any other contravention of Knysna's town planning by-laws before.

6. THE DETERMINATION OF THE PENALTY

Although the municipality may levy an administrative penalty of up to 100% of the value of the building, construction, and engineering work unlawfully carried out, the following circumstances should be considered before the amount is determined:

(a) The landowners went through a process of regularising the mistakes of the past without being forced by the municipality.

(b) Secondly, the landowners admitted guilt and are willing to face the consequences of the law.

(c) A major factor which contributed to some of the transgressions, is the extremely challenging topography of the site.

(d) None of the transgressions involve the dwelling habitable structures.

(e) All of the transgressions are of lesser size and impact.

(f) None of the transgressions caused any negative impact on the neighbours, the neighbourhood and town.

7. CONCLUSION

The challenging topography of the area inevitably led structures that are today seen as irregular. Also, until fairly recently, typical garden structures such as timber screens, terrace and retaining walls, etc. were not deemed as structures for which building plan or town planning approvals were required.

The willingness of the landowners to correct mistakes of the past and to accept accountability despite the circumstances which led to the transgressions, as well as the costs of effecting these corrections, should be taken as important reasons to keep the penalty to a minimum.

In the light of the above background, the Knysna Planning Tribunal is respectfully requested to keep the administrative penalty to an amount of less than 1% of the cost of the transgressing structures.



A.C. BURGER Pr. Planner (A/767/1994)

NATA PRETORIUS ATTORNEYS

[redacted]

Prepared by me

CONVEYANCER
NATA PRETORIUS (89488)

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R 800 000-00	R 1126-00
Reason for exemption	Category Exemption.....	Exemption i t o. Sec/Reg..... Act/Proc.....

DATA CAPTURE
26-10-2023
[illegible]

T 00-0044627/2023

DATA VERIFY
27-10-2023
ELIZABETH VAN TONDER

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

SIMONE DA CAMARA
LPCM 98475

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said appearer being duly authorised thereto by a Power of Attorney granted to him/her by HOWARD NIGEL ROSS by virtue of General Powers of Attorney signed at KNYSNA on 3 August 2017 and 17 December 2015 granted to him/her by

1. **HERMANN ERHARD BALZERT**
   Born on 9 February 1938
   Married, which marriage is governed by the laws of GERMANY

2. **ELEONORE BLUM-BALZERT**
   Born on 11 February 1953
   Married, which marriage is governed by the laws of GERMANY

which said Power of Attorney was signed at SANDTON on 22 AUGUST 2023

And the appearer declared that his/her said principal had, on **4 July 2023**, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

1. **WILLEM MARINUS VAN VLIET**
   Identity Number [redacted]
   Married out of community of property

2. **YVETTE VAN VLIET**
   Identity Number [redacted]
   Married out of community of property

their Heirs, Executors, Administrators or Assigns, in full and free property

ERF 5375 KNYSNA, in the Municipality and Division of Knysna, Province of the Western Cape

IN EXTENT: 1050 (ONE THOUSAND AND FIFTY) Square metres

FIRST TRANSFERRED by Deed of Transfer Number T11780/1991 with General Plan TP Number 10663 relating thereto and held by Deed of Transfer Number T92053/1998

A. **SUBJECT** to the conditions contained in Certificate of Amended Title Number T3583/1926.

B. **SUBJECT FURTHER** to the following conditions created in Deed of Transfer Number T11780/1991 imposed by the Administrator in terms of Section 18 of Ordinance Number 33 of 1934 when approving of the establishment of EASTFORD TOWNSHIP EXTENSION NO. 2 namely:

   (a) The owner of this erf shall, without compensation, be obliged to allow gas mains, electricity, telephone and television cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater of any other erf or erven inside or outside this township to be conveyed across this erf and surface installations such as minisubstations, meterkiosks and service pillars to be installed thereon if deemed necessary by the local or any other statutory authority and in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any work connected with the above.

   (b) The owner of this erf shall be obliged, without compensation to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority.

   (c) This erf shall be used only for such purposes as are permitted by the Town Planning Scheme of the local authority and subject to the conditions and restrictions stipulated by the scheme.

WHEREFORE the said Appearer, renouncing all rights and title which the said

1. **HERMANN ERHARD BALZERT, Married as aforesaid**
2. **ELEONORE BLUM-BALZERT, Married as aforesaid**

heretofore had to the premises, did in consequence also acknowledge them to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

1. **WILLEM MARINUS VAN VLIET, Married as aforesaid**
2. **YVETTE VAN VLIET, Married as aforesaid**

their Heirs, Executors, Administrators or Assigns, now are and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of **R800 000,00 (EIGHT HUNDRED THOUSAND RAND)**.

IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on 23 october 2023

q.q.

In my presence

REGISTRAR OF DEEDS

Special Power of Attorney

We, **Willem Marinus van Vliet** (ID number [redacted] and **Yvette van Vliet** (ID number [redacted], being the registered owners of **Erf 5375, Knysna** situated in the area of jurisdiction of the Knysna Local Municipality, do hereby nominate, constitute and appoint Armand Camille Burger Professional Planner with registration number A/767/1994 of ValGIS Technologies CC, hereinafter referred to as the Mandated, as well as its authorised agents and/or employees with power of substitution to be our lawful representatives to:

a. Access the municipal files related to the subject property to investigate all information related to the use of the property and buildings and structures found on the property; and

b. Discuss the future use of the property and buildings and structures found upon it with the relevant municipal officers; and

c. Inspect the property and collect information related to the use of the property and the buildings and structures, subject to prior approval of any site visit.

d. Prepare, submit and administer the required applications as prescribed by the relevant Spatial Planning and Land Use Management laws and bylaws of the municipality, to:

   (i) Obtain permanent departures from land use development parameters in respect of existing buildings and/or structures which are irregular; and

   (ii) Let administrative penalties in respect of irregular building and/or structures be determined; and

   (iii) Generally, obtain any other land use permissions required for the approval of building plans as well as represent the landowner at the municipal Planning Tribunal, if required.

We hereby declare, agree and accept that the Mandated cannot and will not guarrantee a positive outcome on any land use application such as intended in this case and the the Mandated also not, in any manner, created the impression that the intended application will be successful.

We hereby declare that we am aware that some of our personal information related to this case will become known to the Mandated and may be discussed by the Mandated with the relevant municipal officers and that the Mandated undertook to protect such information as prescribed in the relevant legislation, but will not and cannot be held liable if such information is leaked and/or made available to the public due to the behaviour of said authorities who are in posession of such information.

Signed at Knysna on this 12 day of March 2025.

WM VAN VLIET

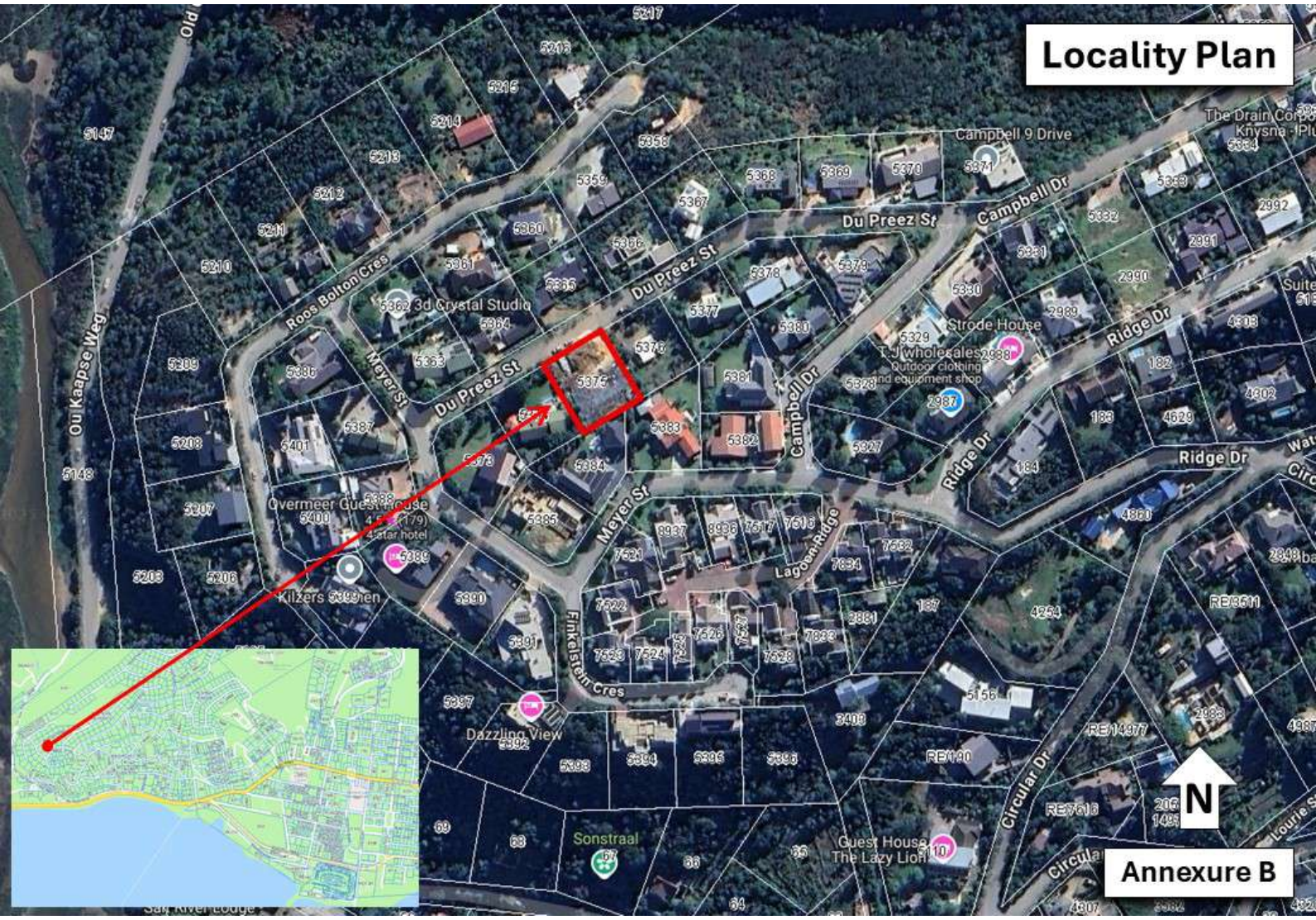
Y VAN VLIET

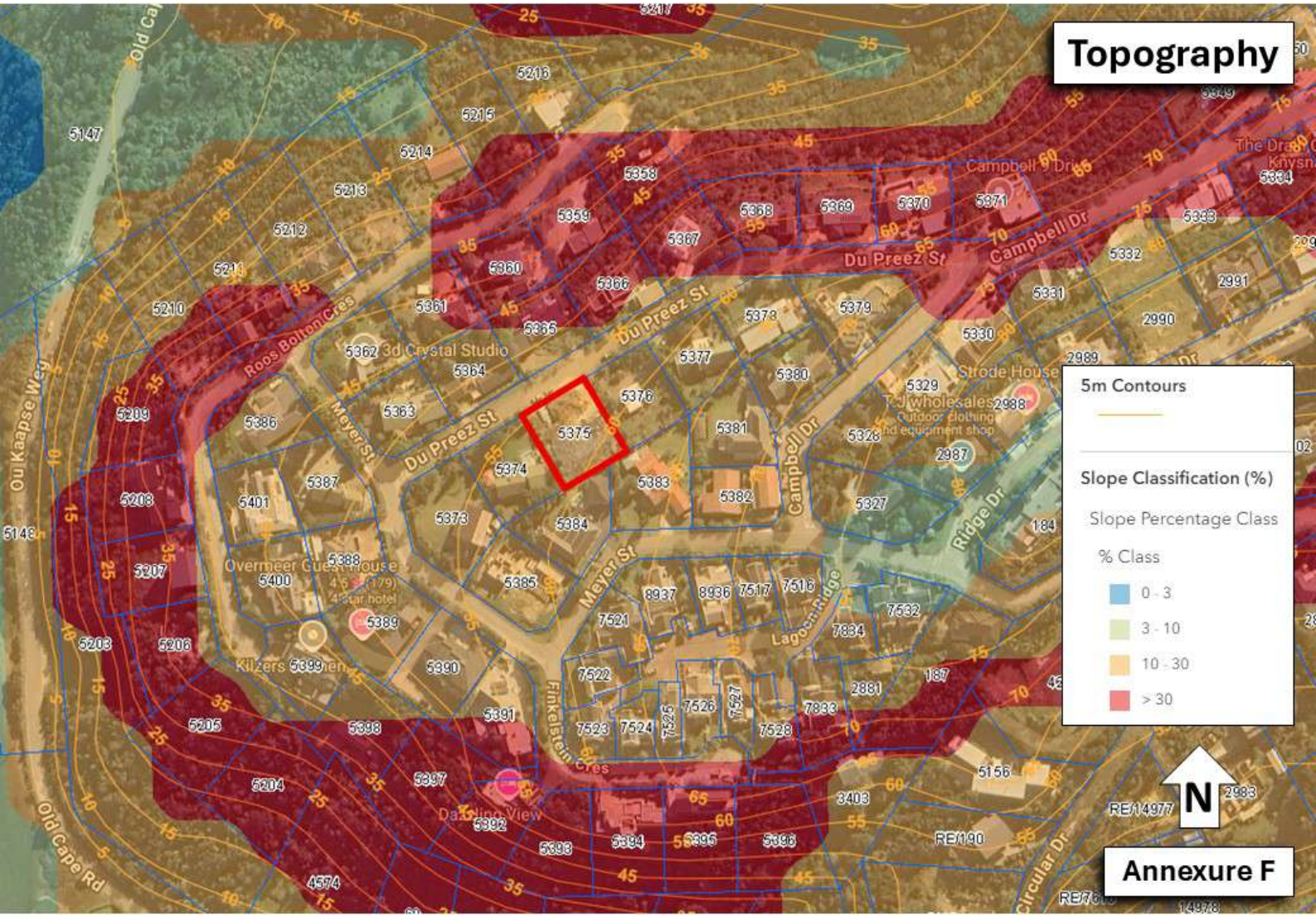
in the presence of the undersigned witnesses:

Witness 1

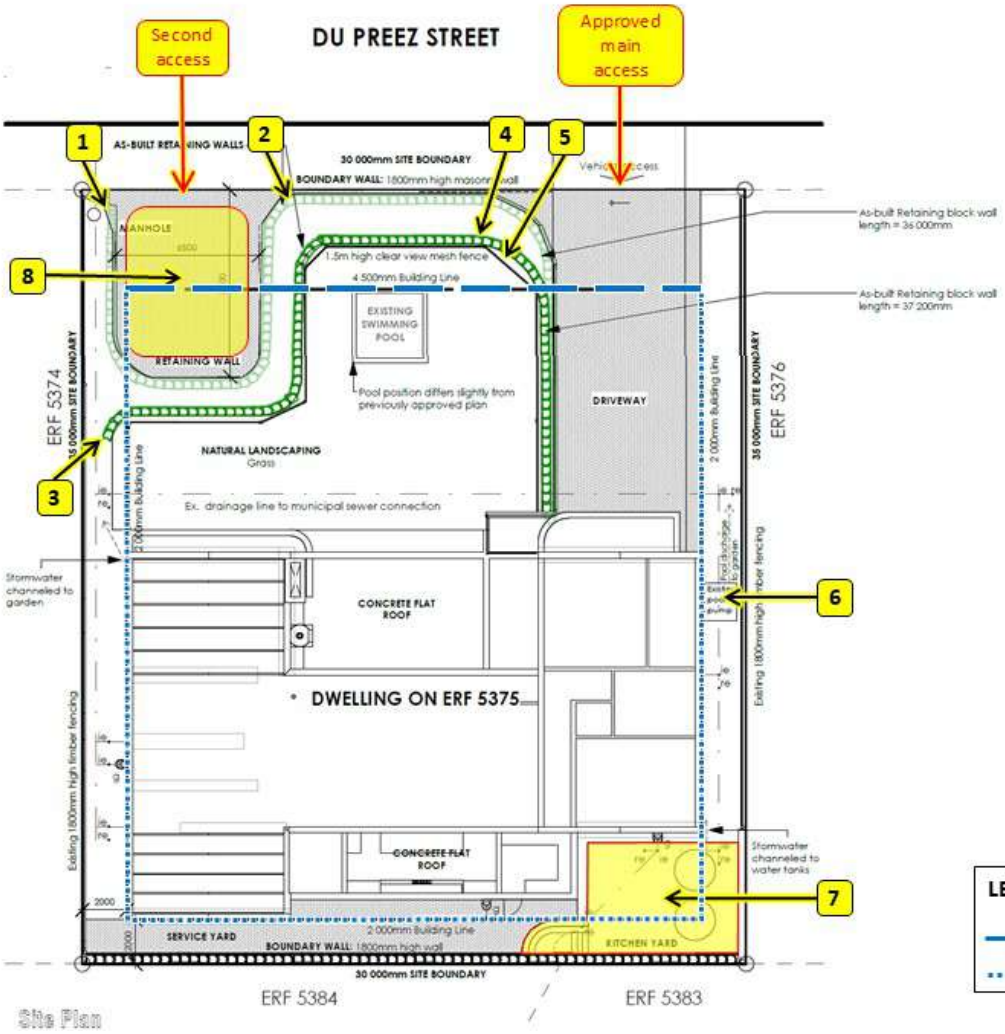
Witness 2

Scanned with CamScanner


Locality Plan
Campbell 9 Drive
Du Preez St
Campbell Dr
Roos Bolton Cres
Meyer St
Ou Kaapse Weg
Strode House
Ridge Dr
Overmeer Guest House
Kilzers
Lagoon Ridge
Finkelstein Cres
Dazzling View
Sonstraal
Guest House
The Lazy Lion
Circular Dr
N
Annexure B


Topography
5m Contours
Slope Classification (%)
Slope Percentage Class
% Class
0 - 3
3 - 10
10 - 30
> 30
N
Annexure F
Du Preez St
Campbell Dr
Meyer St
Ridge Dr
Roos Bolton Cres
Finkelstein Cres
Old Cape Rd
Ou Kaapse Weg
Circular Dr
Strode House
Overmeer Guesthouse
Lagoon Ridge

Site Development Plan
Building line encroachments



BUILDING LINE ENCROACHMENTS

1. **Lower retaining structure**:
   From street boundary = 0,00 m
   From western side boundary = 0,30 m
2. **Lower retaining structure**:
   From street boundary = 0,00 m
3. **Upper retaining structure:**
   From western side boundary = 0,30 m
4. **Upper retaining structure:**
   From street boundary = _,__ m
5. **Clear view mesh fence:**
   From street boundary = _,__ m
6. **Pool pump:**
   From eastern side boundary = 0,00 m
7. **Concrete platform and steps for water tanks:**
   From eastern side boundary = 0,00 m
   From rear boundary = 0,00 m
8. **Shade port:**
   From western side boundary = _,__ m
   From street boundary = _,__ m

Notes:

a) Gate of second carriageway crossing to be modified by splitting it into two sections to allow access by only one vehicle at a time.
b) Parking area at second carriageway crossing to be used for a boat and a trailer.
c) Distance between carriageway crossings > 12 m.

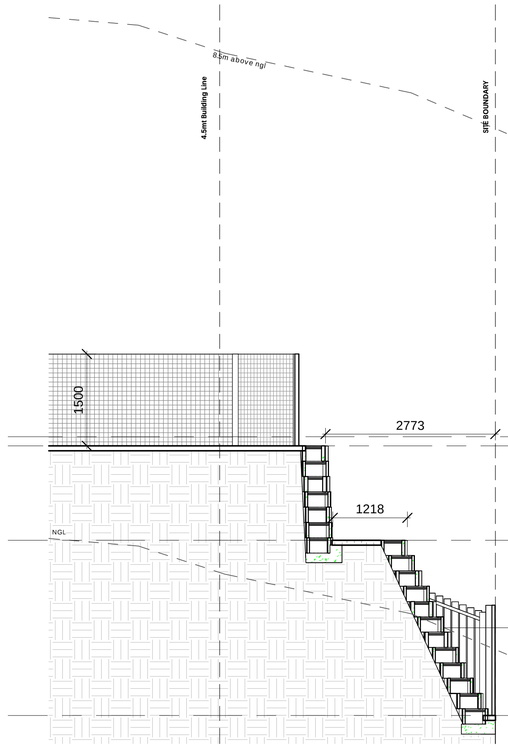
LEGEND

4,5 m B.L.
2,0 m B.L.

N

Annexure H1

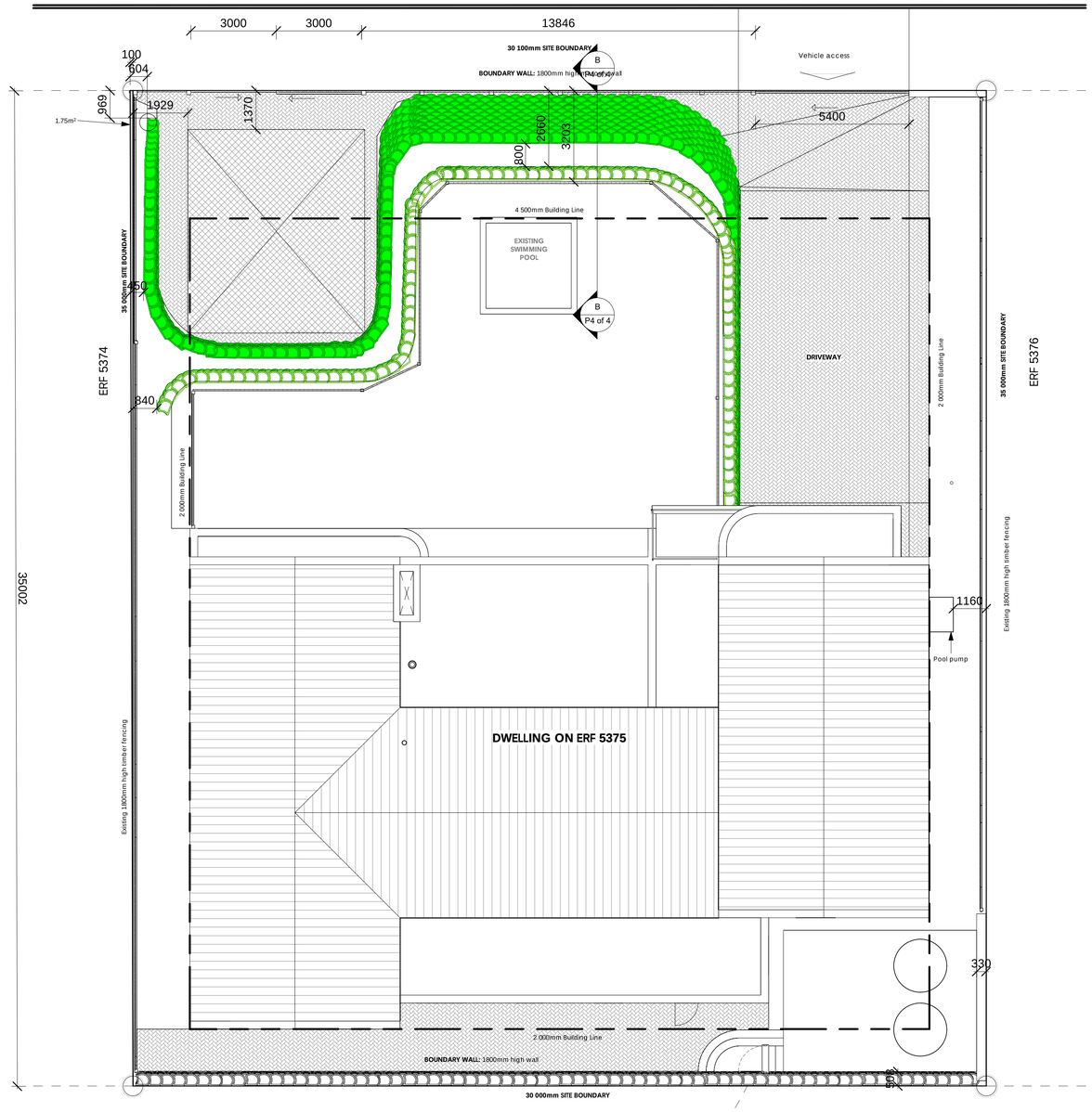
MUNICIPAL STAMP



Section B
1 : 50

DU PREEZ STREET

MUNICIPAL SEWER CONNECTION



Site Plan
1 : 100

This is a CAD generated drawing. Figured dimensions have preference over scaled dimensions and large scaled drawings supercede small scaled drawings.
Please Note:
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OCCUPANCY CLASS: H4 - DWELLING HOUSE

ZONING: SINGLE RES

Sheldon van Onselen
Arch. Drght.
Reg. No. PAD41217798

PLANS R US
ARCHITECTURAL SERVICES

Sheldon van Onselen
Professional Architectural Draughtsperson
Reg. No. PAD41217798

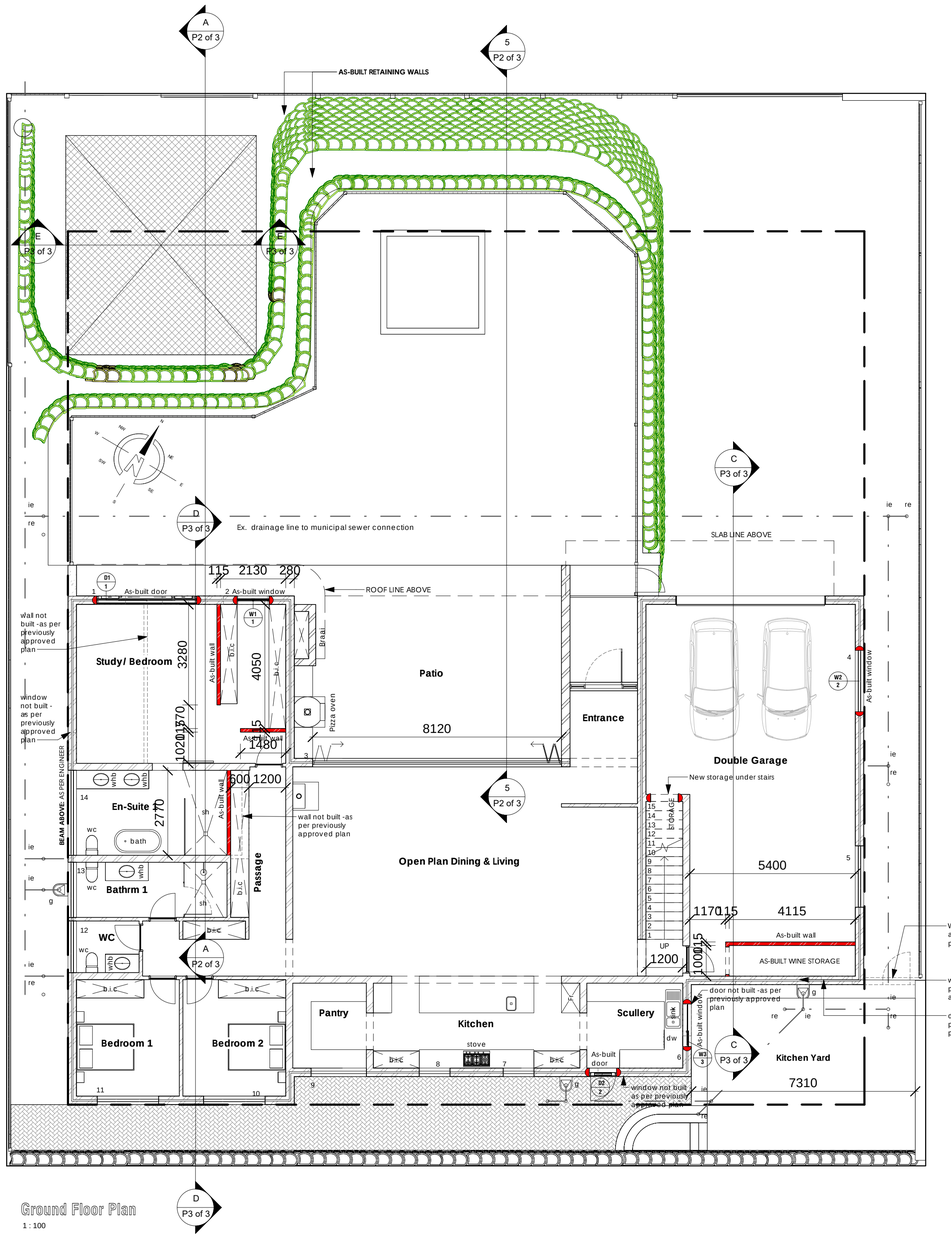
Knysna Office:
43 Waterfront Drive, Knysna
Telephone: 044 386 0127 Cellular: 082 457-7616
Email: sheldon@plansrus.co.za

SHEET NAME: Town Planning	
PURPOSE OF ISSUE: Submission	
PROJECT DETAILS: House van Vliet, Erf 5375, Knysna Heights, Knysna	
CLIENT DETAILS: Wim and Yvette van Vliet, Erf 5375, Knysna Heights, Knysna	
Scale: As shown	Drawn: NN/SvO
Date: 23/05/2025	Checked: SvO
Project Number: Kny 383	Drawing No.: P4 of 4
Client's Signature	Revision: 0
Print Size: A1	
Note:	

MUNICIPAL STAMP

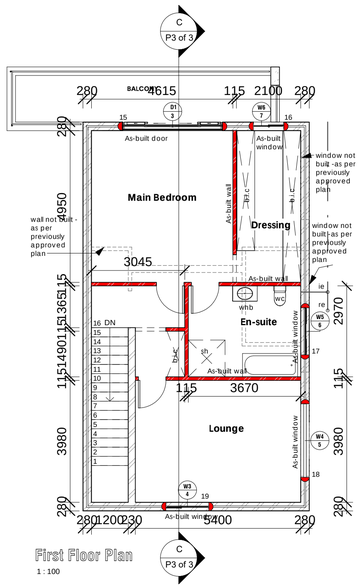
These plans are to be read in conjunction with previously approved plans.

Plan number 2023/33621



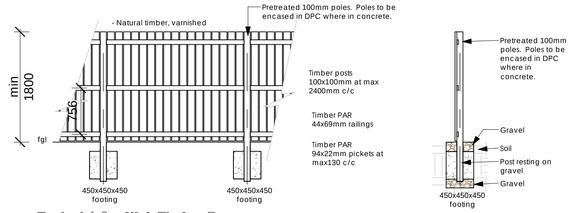
Ground Floor Plan

1 : 100



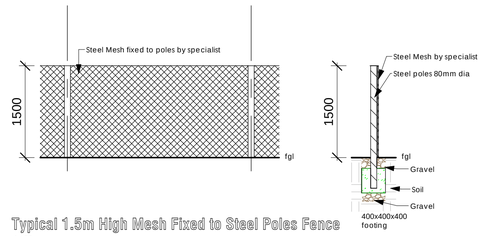
First Floor Plan

1 : 100



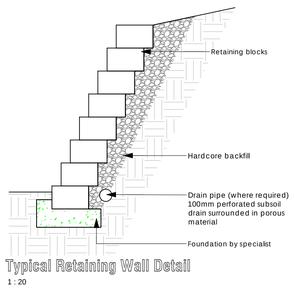
Typical 1.8m High Timber Fence

1 : 50



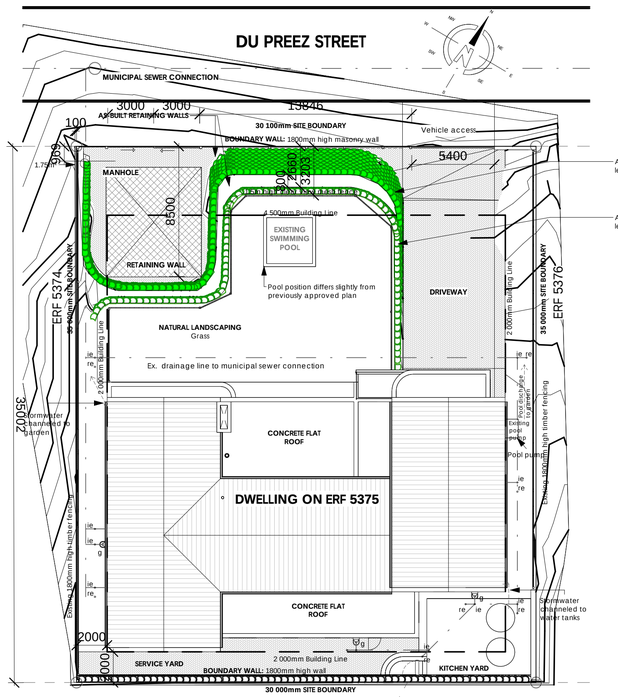
Typical 1.5m High Mesh Fixed to Steel Poles Fence

1 : 50



Typical Retaining Wall Detail

1 : 20



Site Plan

1 : 200

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OCCUPANCY CLASS: H4 - DWELLING HOUSE

ZONING: SINGLE RES

AREAS & COVERAGE

STRUCTURE	AREA
EXISTING AREAS	
Garage	93.78 m²
Ground Floor	250.51 m²
First Floor	93.78 m²
Portico	11.46 m²
Covered Patio	52.73 m²
Covered Balcony	11.55 m²
Total Existing	**513.81 m²**
EXISTING COVERAGE	
Dwelling	420.03 m²
Boundary walls	42.15 m²
Total Existing	**462.18 m²**
COVERAGE	
Existing coverage	462.18 m²
TOTAL COVERAGE	462.18 m²
Site Area	1050 m²
Coverage Percentage	44.02 %

NO CHANGE TO AREAS OR COVERAGE

TOTAL AS-BUILT RETAINING BLOCK WALL LENGTH
= 73 200mm

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SHEET NAME:
Site Plan & Floor Plans

PURPOSE OF ISSUE:
Submission

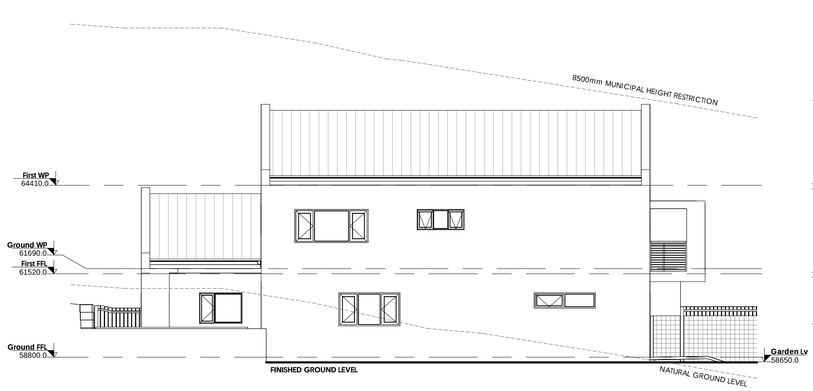
PROJECT DETAILS:
House van Vliet
Erf 5375
Knysna Heights
Knysna

CLIENT DETAILS:
Wim and Yvette van Vliet
Erf 5375
Knysna Heights
Knysna

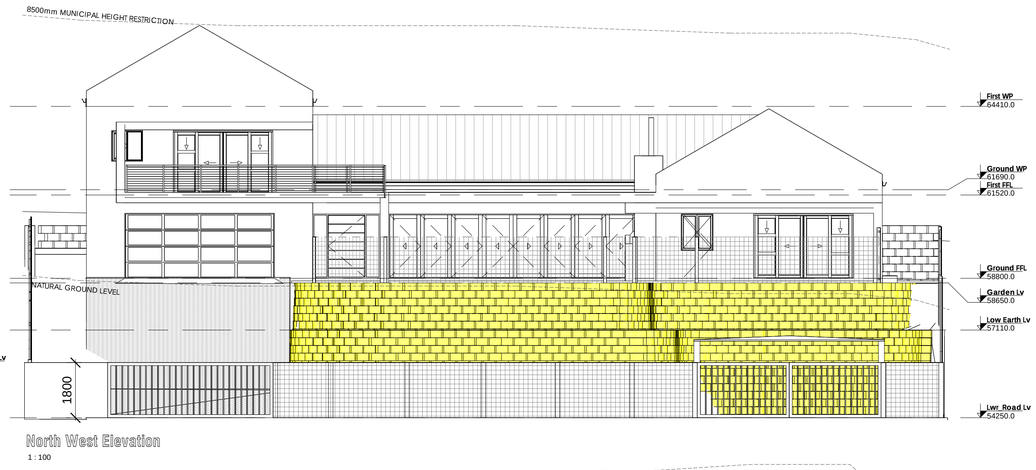
Scale	As shown	Drawn	FS/SvO
Date	09/06/2025	Checked	SvO
Project Number		Drawing No.	
Kny 383		P1 of 3	
Client's Signature		Revision	0
Print Size: A1			
Note:			

MUNICIPAL STAMP

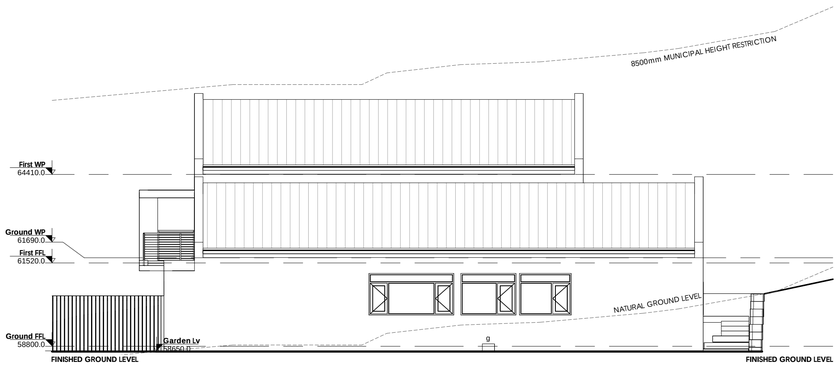
These plans are to be read in conjunction with previously approved plans.
Plan number 2023/33621



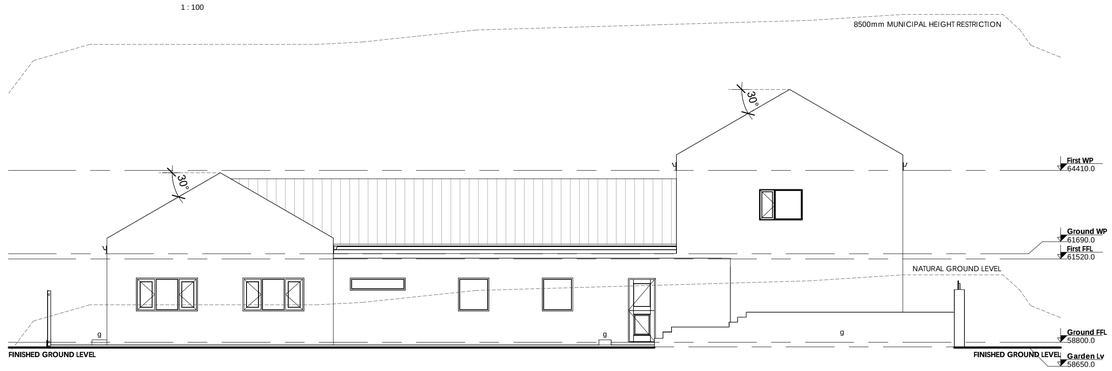
North East Elevation
1 : 100



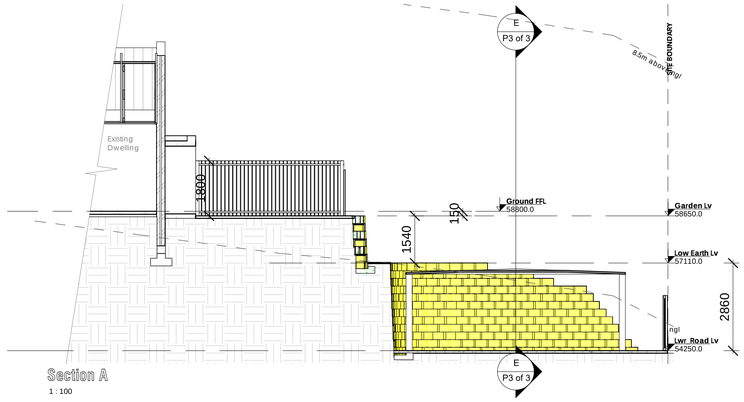
North West Elevation
1 : 100



South West Elevation
1 : 100



South East Elevation
1 : 100

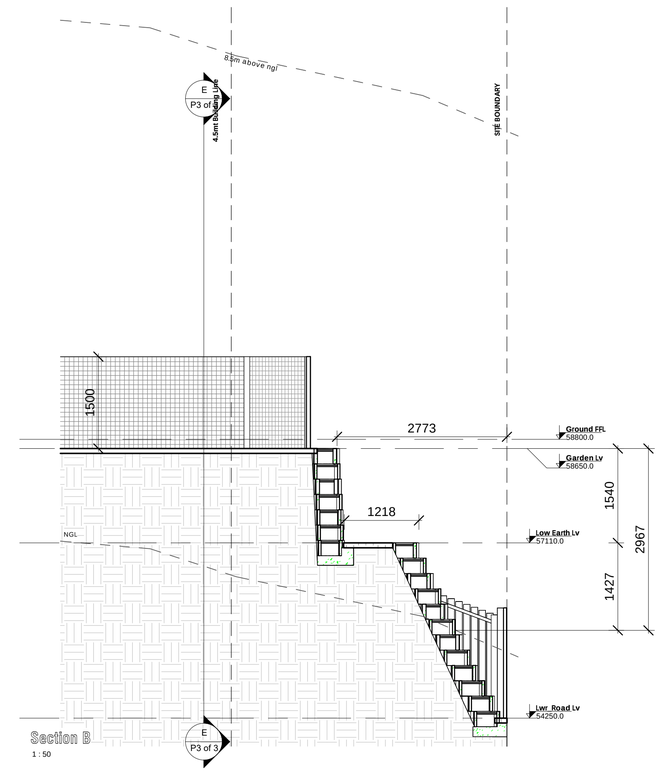


Section A
1 : 100

	D1	D2
Type:	D1	D2
Quantity:	/	1
Material:	Powder coated aluminium	Powder coated aluminium
Glazing:	6mm toughened safety glazing: clear	6mm toughened safety glazing: clear
Description:	Sliding door	Sliding door
Location of door:	No.: Room: 1 Study/ Bedroom 3 Main Bedroom	No.: Room: 2 Scullery

	W1	W2	W3	W4	W5	W6
Type:	W1	W2	W3	W4	W5	W6
Quantity:	1	1	2	1	1	1
Material:	Powder coated aluminium	Powder coated aluminium	Powder coated aluminium	Powder coated aluminium	Powder coated aluminium	Powder coated aluminium
Glazing:	6mm toughened safety glazing: clear	6mm toughened safety glazing: clear	6mm toughened safety glazing: clear	6mm toughened safety glazing: clear	6mm toughened safety glazing: clear	6mm toughened safety glazing: clear
Description:	Top-hung window as per client's spec	Top-hung window as per client's spec	Top-hung window as per client's spec	Top-hung window as per client's spec	Top-hung window as per client's spec	Top-hung window as per client's spec
Location of window:	No.: Room: 1 Study/ Bedroom	No.: Room: 2 Double Garage	No.: Room: 3 Scullery 4 Lounge	No.: Room: 5 Lounge	No.: Room: 6 En-suite	No.: Room: 7 Dressing

Window & Door Schedule
1 : 100



Section B
1 : 50

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OCCUPANCY CLASS: H4 - DWELLING HOUSE

ZONING: SINGLE RES

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SHEET NAME:
Elevations & Sections

PURPOSE OF ISSUE:
Submission

PROJECT DETAILS:
House van Vliet
Erf 5375
Knysna Heights
Knysna

CLIENT DETAILS:
Wim and Yvette van Vliet
Erf 5375
Knysna Heights
Knysna

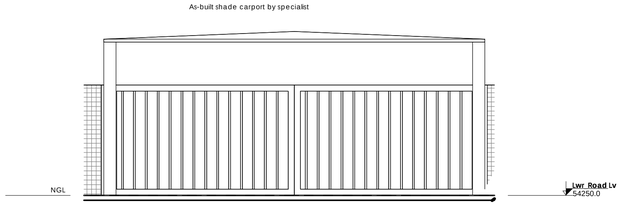
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Date	09/06/2025	Checked	SvO
Project Number		Drawing No.	
Kny 383		P2 of 3	
Client's Signature		Revision	0

Print Size: A1

Note:

MUNICIPAL STAMP

8.5m Height restriction above NGL



Section E
1 : 50



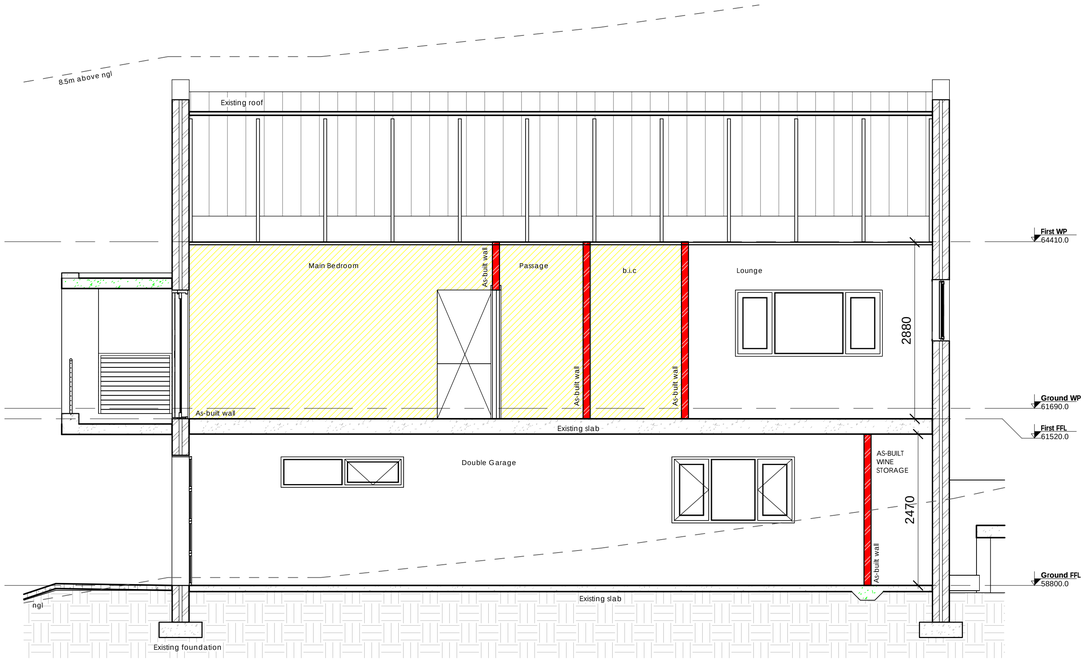
Section D
1 : 50

Client Name :	Wim and Yvette van Vliet														ERF No.	5375
CLIMATIC ZONE: 4 Temperate Coastal	Nett Floor Area - m²	513.81 m²			CONDUCTANCE (CU) Allowable: nett floor area x U				SOLAR HEAT GAIN (SHGC)							
CONSTANTS:					PERFORMANCE VALUES				Allowable Solar Heat Gain: (Nett floor area x CSHGC)							
CONDUCTANCE (Cu): (Floor area x 1.4)	Floor m²:	513.81	1.40	719.334	Timber, PVC or Aluminium Thermal Break Framing											
SOLAR HEAT GAIN COEFFICIENT (SHGC/Cshgc) (Floor area x 0.13)		513.81	0.13	66.7953												
Room Name	Window or Door No.	Window Catalogue No.	Window Dimensions (W x H)		Window Area (m²)	Glass Description	Total *U* - Value	Total SHGC	Conductance (A x U)	Horizontal Projection (P)	Vertical Height (H)	P/H	SHGC Value of Glazing Elements (Si)	Orientation	Solar Exposure (E)	AxSxE
Study/ Bedroom	1		3.25	2.10	6.83	Single - Clear	5.60	0.77	38.22	1.14	2.1	0.54	0.77	North	0.33	1.73
Study/ Bedroom	2		1.00	1.20	1.20	Single - Clear	5.60	0.77	6.72	1.14	1.2	0.95	0.77	North	0.24	0.22
Open Plan Dining & Living	3		8.10	2.10	17.01	Single - Clear	5.60	0.77	95.26	5.3	2.1	2.52	0.77	North	0.14	1.83
Double Garage	4		2.00	0.50	1.00	Single - Clear	5.60	0.77	5.60	0.14	4	0.04	0.77	East	1.15	0.89
Double Garage	5		2.00	1.20	2.40	Single - Clear	5.60	0.77	13.44	0.14	4.5	0.03	0.77	East	1.15	2.13
Scullery	6		1.40	1.00	1.40	Single - Clear	5.60	0.77	7.84	0.14	1	0.14	0.77	East	0.99	1.07
Kitchen	7		1.00	1.20	1.20	Single - Clear	5.60	0.77	6.72	0.14	1	0.14	0.77	South	0.49	0.45
Kitchen	8		1.00	1.20	1.20	Single - Clear	5.60	0.77	6.72	0.14	1	0.14	0.77	South	0.49	0.45
Pantry	9		1.80	0.40	0.72	Single - Clear	5.60	0.77	4.03	0.14	0.4	0.35	0.77	South	0.38	0.21
Bedroom 2	10		2.00	1.20	2.40	Single - Clear	5.60	0.77	13.44	0.14	1.2	0.12	0.77	South	0.49	0.91
Bedroom 1	11		2.00	1.20	2.40	Single - Clear	5.60	0.77	13.44	0.14	1.2	0.12	0.77	South	0.49	0.91
WC	12		1.68	1.36	2.28	Single - Clear	5.60	0.77	12.79	0.14	1.36	0.10	0.77	West	1.25	2.20
Bathrm 1	13		1.68	1.36	2.28	Single - Clear	5.60	0.77	12.79	0.14	1.36	0.10	0.77	West	1.25	2.20
En-Suite 1	14		2.77	1.36	3.77	Single - Clear	5.60	0.77	21.10	0.14	1.36	0.10	0.77	West	1.25	3.63
Main Bedroom	15		3.25	2.10	6.83	Single - Clear	5.60	0.77	38.22	1.9	2.1	0.90	0.77	North	0.24	1.26
Dressing	16		1.00	1.00	1.00	Single - Clear	5.60	0.77	5.60	0.14	1	0.14	0.77	North	0.65	0.50
En-suite	17		1.50	0.60	0.90	Single - Clear	5.60	0.77	5.04	0.14	0.6	0.23	0.77	East	0.88	0.61
Lounge	18		2.40	1.20	2.88	Single - Clear	5.60	0.77	16.13	0.14	1.2	0.12	0.77	East	0.99	2.20
Lounge	19		1.40	1.00	1.40	Single - Clear	5.60	0.77	7.84	0.14	1.4	0.10	0.77	East	0.99	1.07
					TOTAL GLAZING AREA (m²) =	59.10	TOTALS		106.40	14.63	330.94						24.45
					TOTAL FLOOR AREA (m²) =	513.81											
					TOTL ALLOWED GLAZING AREA (m²) =	77.07											
					PERMISSABLE % WINDOW/FLOOR AREA =	15.00%	PERMISSIBLE CONDUCTANCE =		719.33	TOTAL CONDUCTANCE =		330.94	COMPLIES			
					ACTUAL % WINDOW/FLOOR AREA =	11.50%	PERMISSIBLE SHGC =		66.80	TOTAL SHGC =		24.45	COMPLIES			

Sheldon van Onselen — Prepared By (Name)

Signature

PAD41217798 — SACAP Registration No.



Section C
1 : 50

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OCCUPANCY CLASS: H4 - DWELLING HOUSE

ZONING: SINGLE RES

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PLANS R US
ARCHITECTURAL SERVICES

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SHEET NAME:
Sections

PURPOSE OF ISSUE:
Submission

PROJECT DETAILS:
House van Vliet
Erf 5375
Knysna Heights
Knysna

CLIENT DETAILS:
Wim and Yvette van Vliet
Erf 5375
Knysna Heights
Knysna

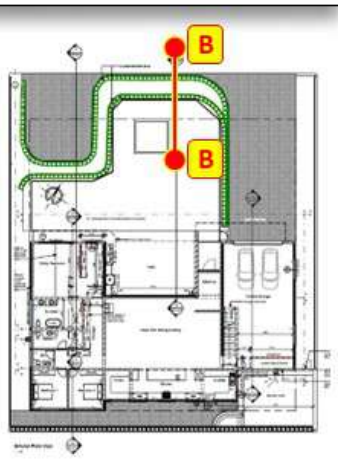
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Project Number		Drawing No.	
Kny 383		P3 of 3	
Client's Signature		Revision	0

Print Size: A1

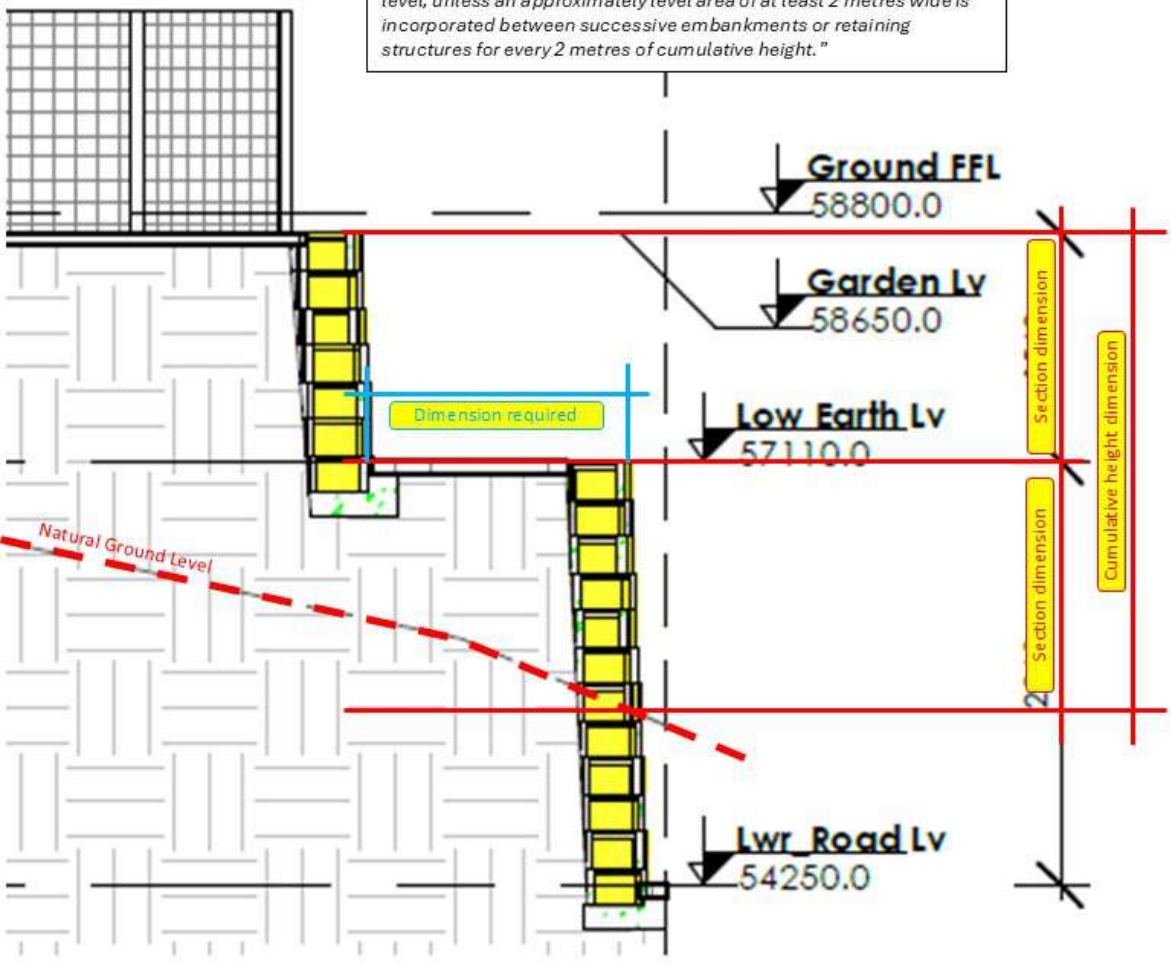
Note:

Retaining structures

Height profile – Section B



S.26(b) states that:
"no series of earth banks or retaining structures may be constructed to a cumulative height of more than 2,5 metres above natural ground level, unless an approximately level area of at least 2 metres wide is incorporated between successive embankments or retaining structures for every 2 metres of cumulative height."



Annexure H3

Knysna Municipality

KNYSNA MUNISIPALITEIT PLAN No 2023/33621

GOEDGEKEUR/APPROVED

Volgens die NBR. WET No 103 van 1977 soos gewysig

According to NBR. ACT No 103 of 1977 as amended

MUNICIPAL PLANNER

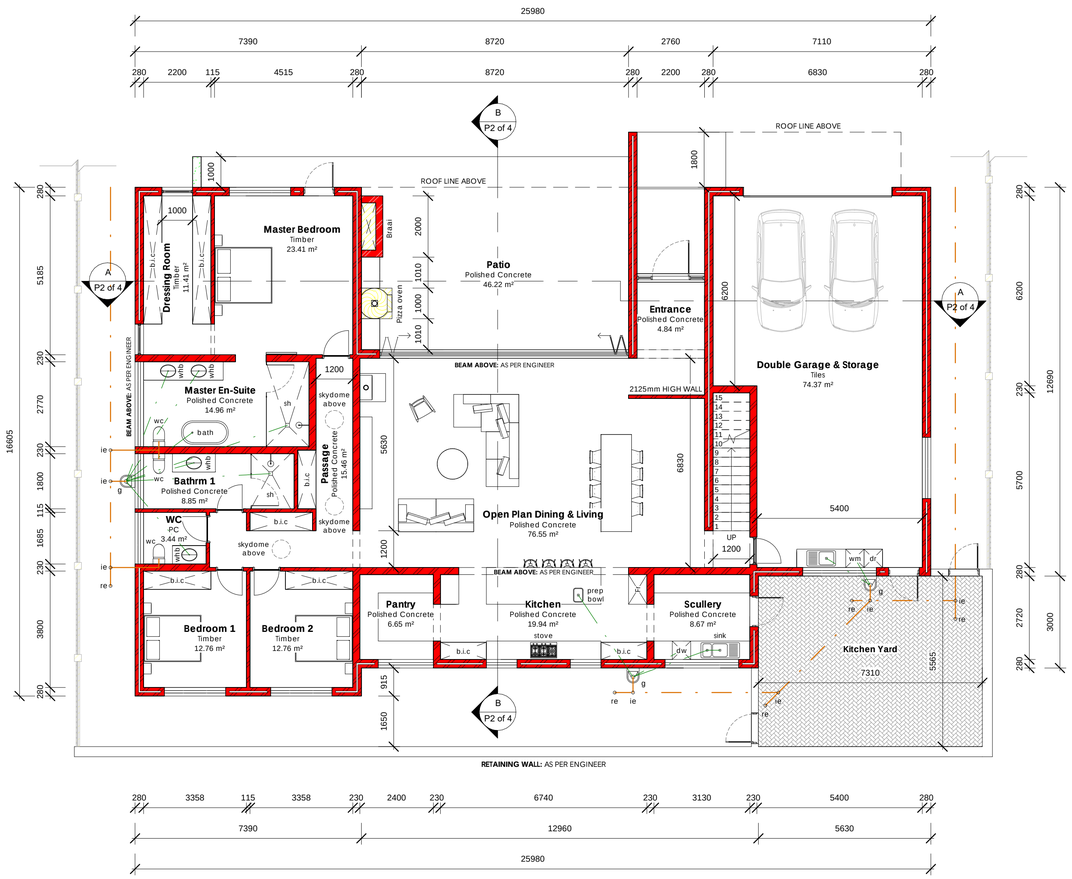
SIGNED: DATE: 2023-12-13





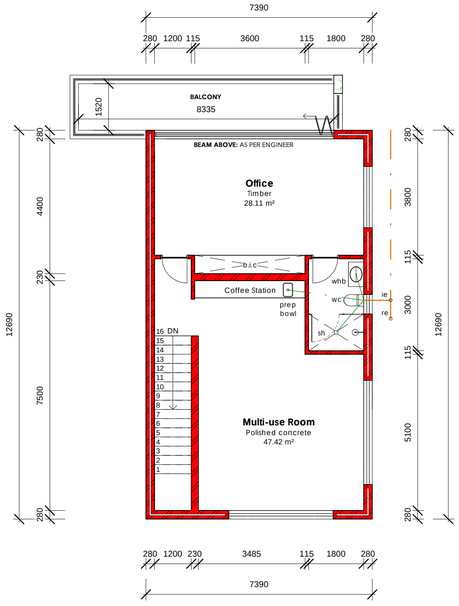


IMAGES FOR ILLUSTRATION PURPOSES ONLY



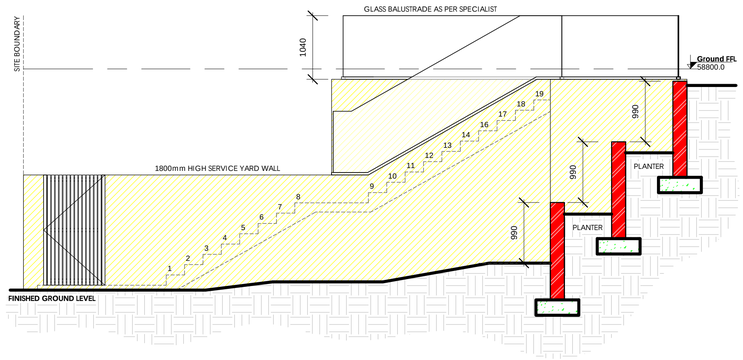
Ground Floor Plan

1 : 100



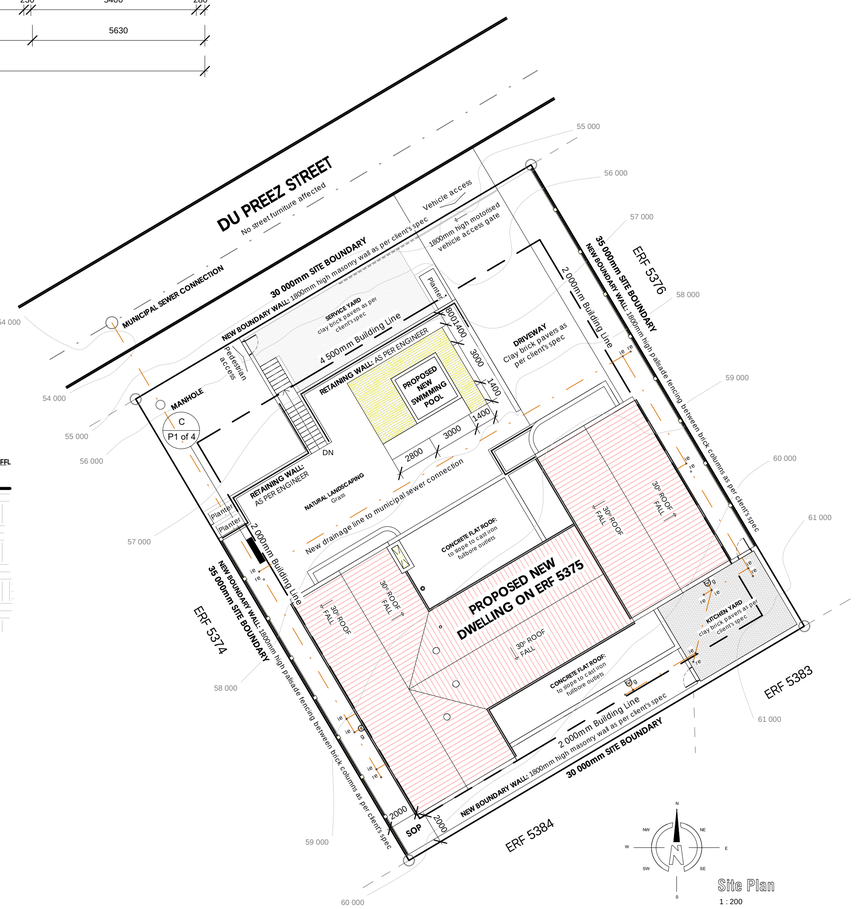
First Floor Plan

1 : 100



DETAIL C-C Stepped Planter

1 : 50



Site Plan

1 : 200

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OCCUPANCY CLASS: H4 - DWELLING HOUSE

ZONING:SINGLE RESIDENTIAL

AREAS & COVERAGE	
STRUCTURE	**AREA**
EXISTING AREAS	
Total Existing	**0,00 m²**
NEW AREAS	
Garage	93,78 m²
Ground floor	250,51 m²
First floor	93,78 m²
Portico	11,46 m²
Undercover patio	52,73 m²
Undercover balcony	11,55 m²
Total New	**513,81 m²**
TOTAL EXISTING & NEW	**513,81 m²**
EXISTING COVERAGE	
Total Existing	**0,00 m²**
NEW COVERAGE	
Footprint	420,03 m²
Boundary & kitchen yard walls	42,15 m²
Total New	**462,18 m²**
COVERAGE	
Existing coverage	0,00 m²
New Coverage	462,18 m²
TOTAL COVERAGE	462,18 m²
Site Area	1050 m²
Coverage Percentage	44,02 %

LENGTH OF BOUNDARY WALL: **64.95M**

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Arch. Drght.
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PLANS R US
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SHEET NAME: Site Plan & Floor Plans	
PURPOSE OF ISSUE: Submission	
PROJECT DETAILS: House van Vliet, Erf 5375, Knysna Heights, Knysna	
CLIENT DETAILS: Wim and Yvette van Vliet, Erf 5375, Knysna Heights, Knysna	
Scale: As shown	Drawn: CvR
Date: 15/11/2023	Checked: SvO
Project Number: Kny 315	Drawing No.: P1 of 4
Client's Signature	Revision: 0
Print Size: A1	
Note:	

Knysna Municipality

KNYSNA MUNISIPALITEIT PLAN No 2023/33621

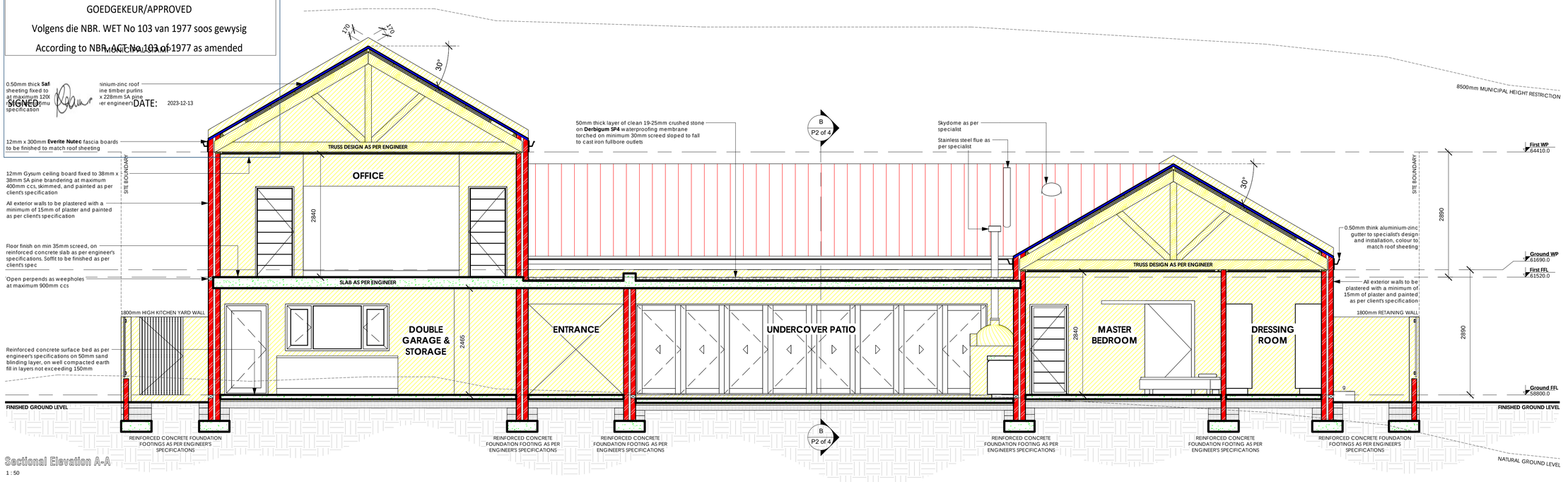
GOEDGEKEUR/APPROVED

Volgens die NBR. WET No 103 van 1977 soos gewysig

According to NBR. ACT No 103 of 1977 as amended

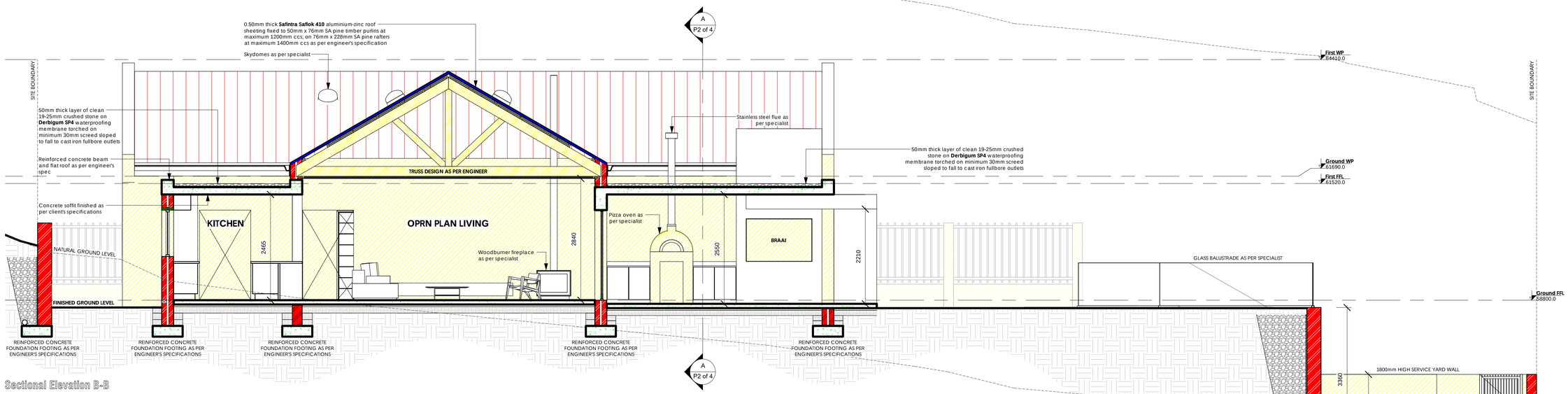
MUNICIPAL PLANS

SIGNED: DATE: 2023-12-13



Sectional Elevation A-A

1 : 50



Sectional Elevation B-B

1 : 50

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OCCUPANCY CLASS: H4 - DWELLING HOUSE

ZONING:

SINGLE RESIDENTIAL 1

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SHEET NAME: Sectional Elevations	
PURPOSE OF ISSUE: Submission	
PROJECT DETAILS: House van Vliet, Erf 5375, Knysna Heights, Knysna	
CLIENT DETAILS: Wim and Yvette van Vliet, Erf 5375, Knysna Heights, Knysna	
Scale: As shown	Drawn: CvR
Date: 15/11/2023	Checked: SvO
Project Number: Kny 315	Drawing No.: P2 of 4
Client's Signature:	Revision: 0
Print Size: A1	
Note:	

Knysna Municipality

KNYSNA MUNISIPALITEIT PLAN No 2023/33621

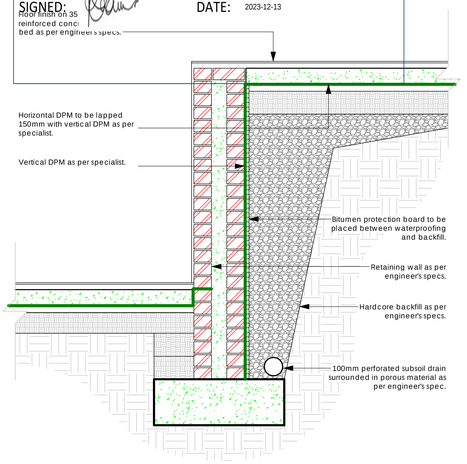
GOEDGEKEUR/APPROVED

Volgens die NBR. WET No 103 van 1977 soos gewysig

According to NBR. ACT No 103 of 1977 as amended

MUNICIPAL PLANNER

SIGNED: DATE: 2023-12-13



Typical Retaining Wall Detail

1 : 20

SITE : OPERATIONS TO COMPLY WITH SANS 10400 - F:

EXCAVATIONS: EXCAVATIONS TO COMPLY WITH SANS 10400 - G

- ALL LEVELS AS PER DRAWINGS.
- EXCAVATION WORK INCLUDING CUT AND FILL TO BE CARRIED OUT AS PER DRAWING.
- TRENCHING FOR FOUNDATIONS TO BE EXCAVATED TO FIRM NATURAL GROUND EXCEPT WHERE FILL IS REQUIRED WHICH MUST BE TO ENGINEER DETAIL.
- TRENCHING FOR PIPES, CABLE ETC TO BE A MINIMUM OF 450mm BELOW GROUND LEVEL AND TO BE KEPT TO A MINIMUM.

ROOF: ROOF TO COMPLY WITH SANS 10400 - L:

- "NUTEC" OR SIMILAR FASCIA AND BARGE BOARDS TO BE USED.
- ROOF STRUCTURE TO BE DESIGNED AND SIGNED OFF BY COMPETENT PERSON.

RAINWATER GOODS: STORM-WATER TO COMPLY WITH SANS 10400 - R:

- ALL STORM WATER TO BE CHANNELED INTO GARDEN.

WALLS: WALLS TO COMPLY WITH SANS 10400 - K:

- 280mm CAVITY WALLS CONSISTING OF A 110mm INSIDE AND OUTSIDE SKIN WITH 60mm CAVITY TIED TOGETHER WITH BUTTERFLY WIRE-TIES, 3 (THREE) PER m² AND BRICKFORCE EVERY 5TH COURSE.
- CAVITIES TO BE KEPT CLEAN OF ALL MORTAR AND FLUSHED OUT AT THE END OF EACH DAY.
- EXTERNAL WALLS TO MATCH EXISTING.
- ALL INTERNAL WALLS TO BE SMOOTH PLASTER AND PAINTED TO OWNER SPEC.
- THERE MUST BE A CONTINUOUS DPC AT SLAB LEVEL AND DPM AROUND ALL EXTERNAL DOORS AND WINDOWS
- "STRESSO" OR SIMILAR PRE-STRESSED LINTELS OVER ALL WINDOW AND DOOR OPENINGS WITH A MINIMUM OF 4 BRICK COURSE AND BRICKFORCE ABOVE.

FOUNDATIONS: FOUNDATIONS TO COMPLY WITH SANS 10400 - H:

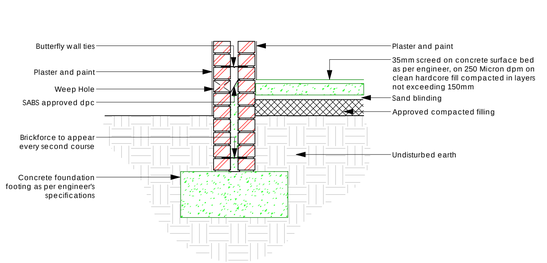
- CONCRETE FOOTINGS OF A STRENGTH NOT LESS THAN 10mpa @ 28 DAYS (1:4:5) UNLESS STIPULATED BY ENGINEER
- STRIP FOUNDATIONS TO BE A MINIMUM OF 700mm X 250mm UNLESS OTHERWISE STIPULATED BY ENGINEER.
- THE TOP OF ANY FOUNDATION TO BE A MINIMUM OF 500mm BELOW NATURAL GROUND LEVEL.

FLOORS: FLOORS TO COMPLY WITH SANS 10400 - J:

- FLOORS TO BE 35mm SCREED ON A 100mm CONCRETE BED ON 250 MICRON DPC ON 50mm SAND BED ON WELL COMPACTED HARDCORE IN LAYERS NOT EXCEEDING 150mm.
- FLOOR FINISH AS PER PLAN TO OWNER SPECIFICATION.
- HARDCORE FILLING UNDER SURFACE BED TO CONSIST OF EARTH, SAND OR OTHER ACCEPTABLE MATERIAL BUT MUST BE FREE OF CLAY AND ORGANIC MATTER AND TO BE WELL COMPACTED IN LAYERS NOT EXCEEDING 150mm.

WINDOWS, DOORS & GLAZING: GLAZING TO COMPLY WITH SANS 10400 - N:

- GLAZING TO BE IN ACCORDANCE WITH SANS 0400 PART N. OBSCURE GLASS TO BATHROOMS, ALL OTHER GLASS TO BE CLEAR.
- SAFETY GLAZING TO DOORS AND WINDOWS IN EXCESS OF 1m² OR LESS THAN 500mm ABOVE FLOOR LEVEL IN ACCORDANCE TO PART N 4.4 OF SANS 10400



Typical Brick & Mortar Foundation

1 : 20

DRAINAGE: DRAINAGE TO COMPLY WITH SANS 10400 - P:

- ALL WASTE PIPE TO BE A MINIMUM 110mmØ.
- WITH THE EXCEPTION OF INSPECTION EYES AND VENT PIPES, NO WASTE PIPES TO BE VISIBLE ON THE EXTERNAL WALL SKIN AND MUST BE CONCEALED WITHIN THE WALL.
- WHERE RODDING EYES ARE INSTALLED ON DRIVEWAY, OR THE LIKE, THEY ARE TO BE RECESSED AND COVERED WITH A CAST IRON COVER-PLATE.
- RODDING EYES TO BE INSTALLED AT EVERY BEND GREATER THAN 90°, ALONG PIPE LINES AT INTERVALS NOT EXCEEDING 25m AND AT THE START OF EVERY WASTE PIPE RUN.
- WHERE WASTE PIPES PASSES UNDER A BUILDING IT MUST BE OF HIGH DENSITY PVC ENCASED IN 150mm CONCRETE ALL ROUND.
- WHERE WASTE PIPE PASSES UNDER HEAVY TRAFFIC AREAS (MOTOR VEHICLE) IT MUST BE OF HIGH DENSITY PVC ENCASED IN 150mm CONCRETE ALL ROUND.
- ALL SANITARY FITTINGS TO BE INSTALLED WITH A TRAP TO COMPLY WITH LOCAL AUTHORITY REGULATIONS
- PLUMBER TO CHECK DRAWING FOR ANY TRADE DISCREPANCIES BOTH INTERNAL AND SUBTERRANEAN.
- ALL PLUMBING PIPES TO BE CONCEALED IN DUCTS(OR OTHERWISE SCREENED) IN WALLING AND APART FROM INSPECTION EYES AND VENT VALVES, NO DRAINAGE PIPEWORK TO BE VISIBLE ON OUTSIDE FACE OF BUILDINGS, EXCEPT FOR RAINWATER PIPES.
- ALL PVC RODDING EYES PROVIDED IN DRIVEWAYS OR THE LIKE ARE TO BE RECESSED AND COVERED WITH A CAST IRON COVER PLATE.

WATER HEATING:

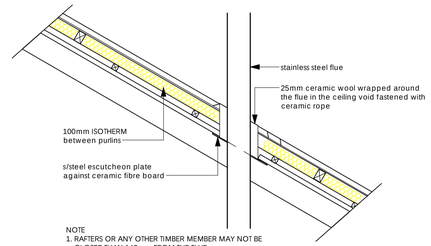
- 50% BY VOLUME OF AVERAGE HOT WATER HEATING REQUIREMENTS SHALL BE PROVIDED BY AN ALTERNATE HEATING SYSTEM OTHER THAN ESCOM, SUPPLIED AND INSTALLED BY SPECIALIST IN ACCORDANCE WITH SANS 10254 AND SANS 10400 PART XA. ALL HOT WATER SERVICE PIPES TO BE LAGGED AND INSTALLED WITH INSULATING MATERIAL WITH A MINIMUM "R" VALUE OF 1. HOT WATER CYLINDER TO BE INSULATED WITH A NON COMBUSTIBLE LIGHTWEIGHT - "ISOVAR" OR SIMILAR APPROVED MATERIAL WITH AN "R" VALUE OF 2 TO COMPLY WITH SANS 1387.

LIGHTING: LIGHTING & VENTILATION TO COMPLY WITH SANS 10400 - O:

- ALL AREAS TO BE ARTIFICIALLY ILLUMINATED.
- ALL HABITABLE ROOMS TO BE FITTED WITH DOOR AND WINDOWS TO ACHIEVE A MINIMUM 5% OR 0.1m² NATURAL VENTILATION AS PER 4.3.1.1.3 OF PART O

STAIRWAYS: STAIRWAYS TO COMPLY WITH SANS 10400 - M:

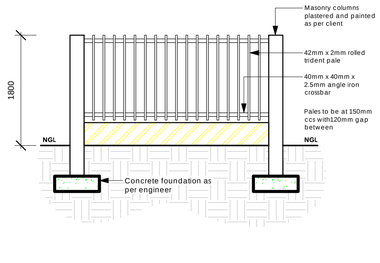
- STAIRS TO COMPLY FULLY WITH SANS 10400 PART M
- RISERS TO BE MAX. 200mm AS PER THE REQUIREMENTS OF PART M 4.2.5
- TREADS TO BE MIN. 250mm AS PER THE REQUIREMENTS OF PART M 4.2.6
- LANDING TO BE COMPLIANT WITH THE REQUIREMENTS OF PART M 4.2.2



NOTE
1. RAFTERS OR ANY OTHER TIMBER MEMBER MAY NOT BE CLOSER THAN 140mm FROM THE FLUE.
2. IT IS ADVISED THAT RAFTERS AND PURLINS IN CLOSE PROXIMITY ALSO BE WRAPPED IN CERAMIC WOOL.
3. CEILING TO BE CUT BACK AT LEAST 50mm FROM THE FLUE.

Typical Flue Detail

1 : 20

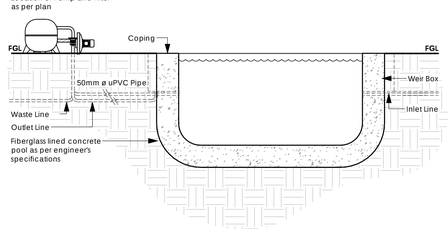


Typical 1.8m High - Steel Palisade Fencing Detail

1 : 50

Pool to be enclosed by **1.2m high boundary wall** and have a self-closing and self-latching gate.

Location of Pump and Filter as per plan



PROPOSED NEW POOL:

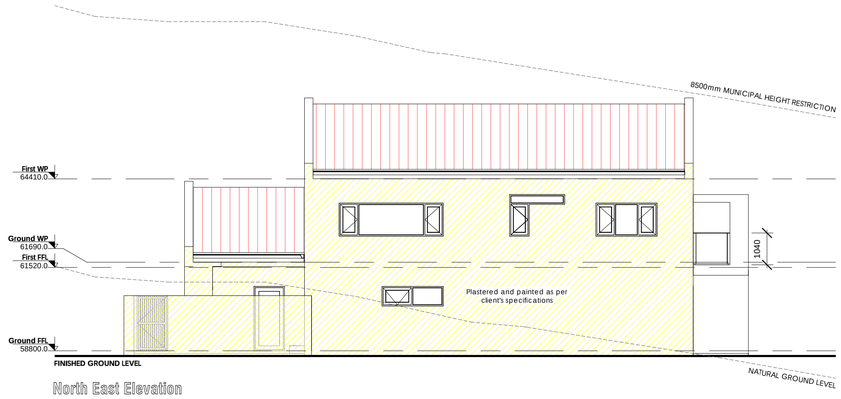
LENGTH: 3 000 mm
WIDTH: 3 000 mm
DEPTH: 1 100 mm - 1 500 mm

POOL: TO COMPLY WITH SANS 10400 - D & P

- POOL AS PER SPECIALIST.
- PUMP HOUSING TO BE ADEQUATELY DRAINED AND PUMP TO BE PROTECTED FROM FLOODING, RAINWATER AND CONDENSATE.
- POOL TO BE ENCLOSED BY 1.2M HIGH BOUNDARY WALL AND HAVE A SELF CLOSING AND SELF-LATCHING GATE. WATER DISCHARGE IN GARDEN

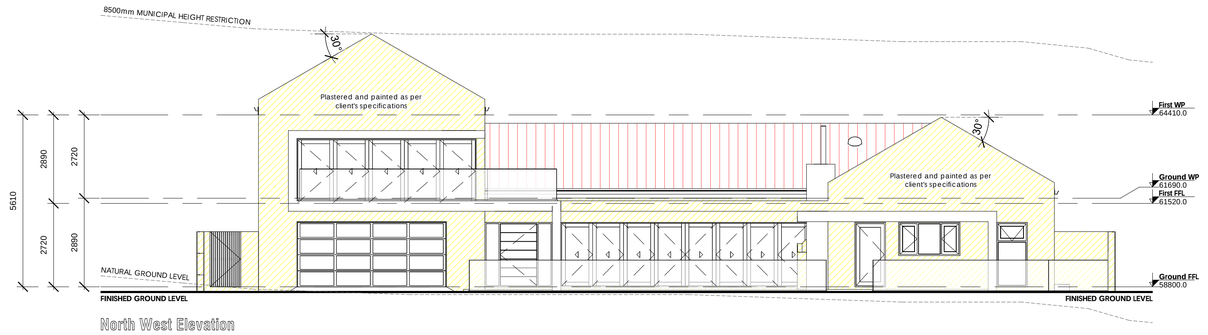
Typical Concrete Pool Section

1 : 50



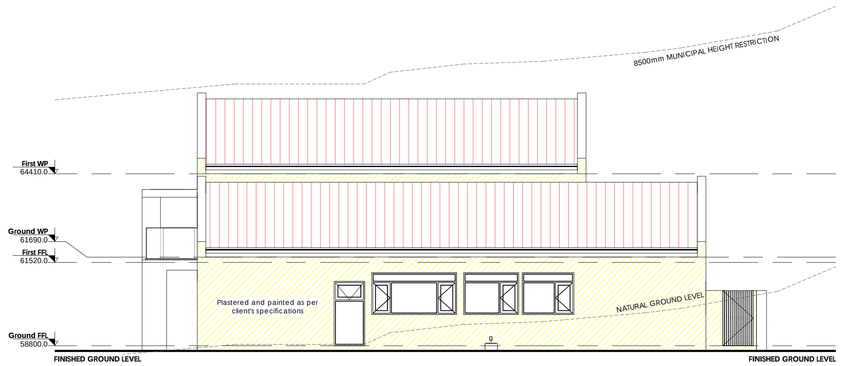
North East Elevation

1 : 100



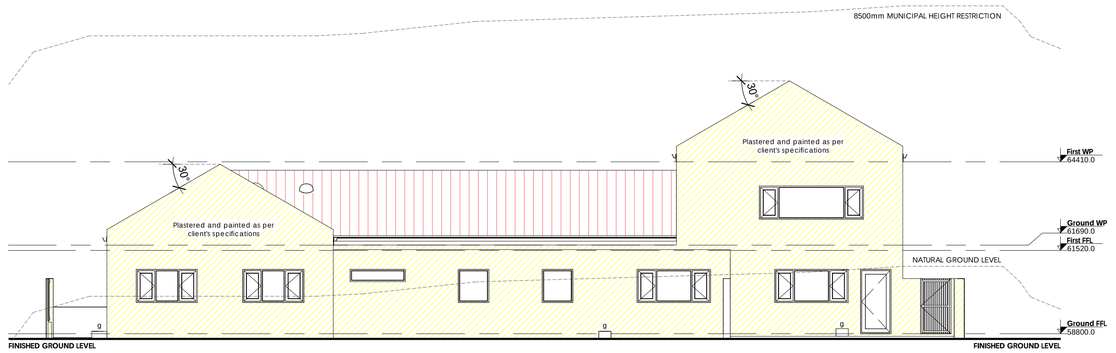
North West Elevation

1 : 100



South West Elevation

1 : 100



South East Elevation

1 : 100

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Scale: As shown	Drawn: CvR
Date: 15/11/2023	Checked: SvO
Project Number: Kny 315	Drawing No.: P3 of 4
Client's Signature:	Revision: 0
Print Size: A1	
Note:	

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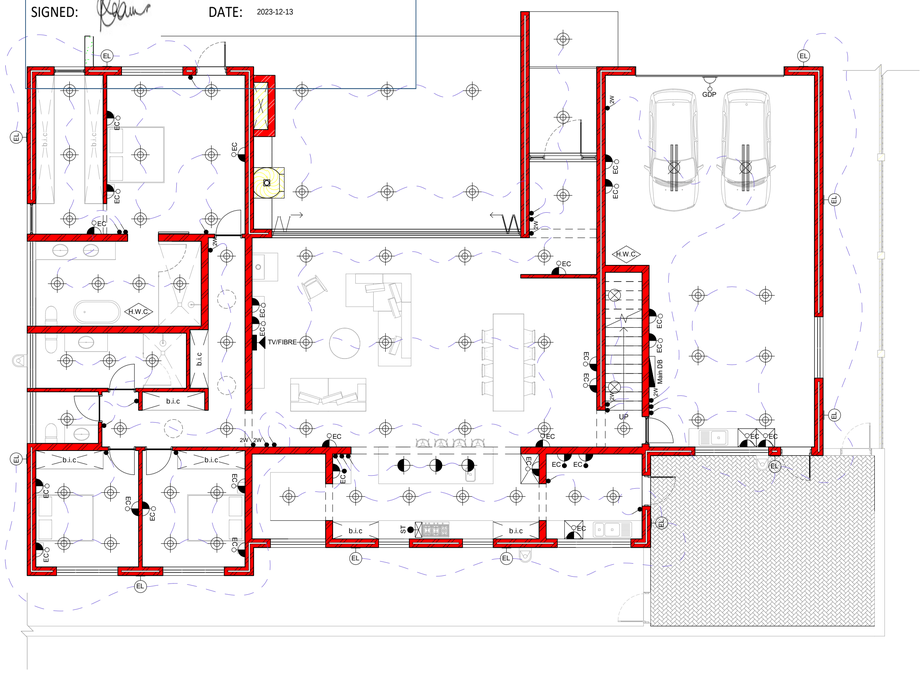
KNYSNA MUNISIPALITEIT PLAN No 2023/33621

GOEDGEKEUR/APPROVED

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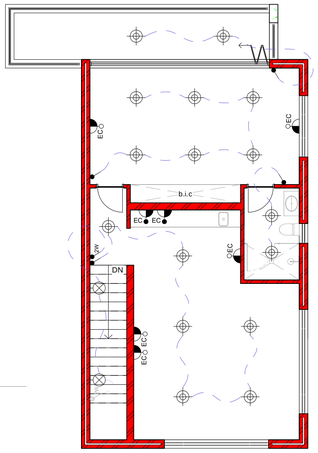
According to NBR. ACT No 103 of 1977 as amended

SIGNED: DATE: 2023-12-13



Ground Floor Electrical Layout

1 : 100



First Floor Electrical Layout

1 : 100

ELECTRICAL LEGEND

	PENDANT LIGHT
EL	EXTERNAL LIGHT
	LED FIXED DOWNLIGHT
	1800 DOUBLE FLUORESCENT LIGHT
	LIGHT SWITCH
2W	2 WAY LIGHT SWITCH
EC	EURO COMBINATION SOCKET 350mm above floor
EC	EURO COMBINATION SOCKET 1200mm above floor
GDP	POWER FOR GARAGE DOOR MOTOR
Main DB	DISTRIBUTION BOARD (MAIN)
St	STOVE ISOLATOR SWITCH
H.W.C.	SOLAR GEYSER -geyser in roof space
TV/FIBRE	TV/FIBRE

Client Name : Wim and Yvette van Vliet

Address : 6 Du Preez Street, Knysna Heights, Knysna ERF No 5375

CLIMATIC ZONE: 4 Temperate Coastal

Nett Floor Area - m² **462,18 m²**

CONDUCTANCE (CU) Allowable: nett floor area x U

SOLAR HEAT GAIN (SHGC) Allowable Solar Heat Gain: (Nett floor area x CSHGC)

CONSTANTS:

PERFORMANCE VALUES

Timber, PVC or Aluminium Thermal Break Framing

CONDUCTANCE (Cu): (Floor area x 1.4) Floor m²:	462,18	1,40	647,052
SOLAR HEAT GAIN COEFFICIENT (SHGC/Cshgc) (Floor area x 0.13)	462,18	0,13	60,0834

Room Name	Window or Door No.	Window Catalogue No.	Window Dimensions (W x H)		Window Area (m²)	Glass Description	Total U-Value	Total SHGC	Conductance (A x U)	Horizontal Projection (P)	Vertical Height (H)	P/H	SHGC Value of Glazing Manufacturer Info	Orientation	Solar Exposure (E)	AxSxE
Master bedroom	D1	1	1,00	2,10	2,10	Single - Low E	4,06	0,63	8,53	1	2,1	0,48	0,63	North West	0,69	0,91
Scullery	D2	1	1,00	2,10	2,10	Single - Low E	4,06	0,63	8,53	0,1	2,89	0,03	0,63	North East	1,08	1,43
Garage	D2	2	1,00	2,10	2,10	Single - Low E	4,06	0,63	8,53	0,1	2,89	0,03	0,63	South East	0,87	1,15
Living & dining	D3	1	8,12	2,10	17,05	Single - Low E	4,06	0,63	69,23	5,3	2,38	2,23	0,63	North West	0,17	1,83
Entrance	D4	1	1,00	2,10	2,10	Single - Low E	4,06	0,63	8,53	4,62	2,38	1,94	0,63	North West	0,19	0,25
Office	D5	1	5,85	2,10	12,29	Single - Low E	4,06	0,63	49,88	1,8	2,1	0,86	0,63	North West	0,40	3,10
Dressing room	W1	1	1,00	2,10	2,10	Single - Low E	4,06	0,63	8,53	0,1	2,89	0,03	0,63	North West	1,24	1,64
Dressing room	W1	2	1,00	2,10	2,10	Single - Low E	4,06	0,63	8,53	0,1	2,89	0,03	0,63	South West	1,05	1,39
Master bedroom	W2	1	2,00	1,08	2,16	Single - Low E	4,06	0,63	8,77	1	1,08	0,93	0,63	North West	0,38	0,52
Office	W2	2	2,00	1,08	2,16	Single - Low E	4,06	0,63	8,77	0,1	1,87	0,05	0,63	North East	0,97	1,32
Bedroom 1	W2	3	2,00	1,08	2,16	Single - Low E	4,06	0,63	8,77	0,1	1,87	0,05	0,63	South East	0,78	1,06
Bedroom 2	W2	4	2,00	1,08	2,16	Single - Low E	4,06	0,63	8,77	0,1	1,87	0,05	0,63	South East	0,78	1,06
Garage	W3	1	2,00	0,64	1,28	Single - Low E	4,06	0,63	5,20	0,1	1,43	0,07	0,63	North East	0,97	0,78
Garage	W4	1	2,40	1,08	2,59	Single - Low E	4,06	0,63	10,52	0,1	1,87	0,05	0,63	South East	0,78	1,27
Scullery	W4	2	2,40	1,08	2,59	Single - Low E	4,06	0,63	10,52	0,1	1,87	0,05	0,63	South East	0,78	1,27
Kitchen	W5	1	1,00	1,08	1,08	Single - Low E	4,06	0,63	4,38	0,1	1,87	0,05	0,63	South East	0,78	0,53
Kitchen	W5	2	1,00	1,08	1,08	Single - Low E	4,06	0,63	4,38	0,1	1,87	0,05	0,63	South East	0,78	0,53
Pantry	W6	1	1,80	0,40	0,72	Single - Low E	4,06	0,63	2,92	0,1	1,19	0,08	0,63	South East	0,78	0,35
Guest WC	W7	1	1,68	1,36	2,28	Single - Low E	4,06	0,63	9,28	0,1	1,87	0,05	0,63	South West	0,96	1,38
Bathroom 1	W8	1	1,80	1,36	2,45	Single - Low E	4,06	0,63	9,94	0,1	1,87	0,05	0,63	South West	0,96	1,48
Master en-suite	W9	1	2,77	1,36	3,77	Single - Low E	4,06	0,63	15,29	0,1	1,87	0,05	0,63	South West	0,96	2,28
Bathroom 2	W10	1	1,80	1,36	2,45	Single - Low E	4,06	0,63	9,94	0,1	1,87	0,05	0,63	North East	0,97	1,50
Multi-use room	W11	1	3,40	1,08	3,67	Single - Low E	4,06	0,63	14,91	0,1	1,87	0,05	0,63	North East	0,97	2,24
Multi-use room	W11	2	3,40	1,08	3,67	Single - Low E	4,06	0,63	14,91	0,1	1,87	0,05	0,63	South East	0,78	1,80
																31,09

TOTAL GLAZING AREA (m²) =	78,21	TOTALS	97,44	15,12	317,54
TOTAL FLOOR AREA (m²) =	462,18				
TOTL ALLOWED GLAZING AREA (m²) =	69,33				
PERMISSABLE % WINDOW/FLOOR AREA =	15,00%	PERMISSIBLE CONDUCTANCE =	647,05	TOTAL CONDUCTANCE =	317,54 COMPLIES
ACTUAL % WINDOW/FLOOR AREA =	16,92%	PERMISSIBLE SHGC =	60,08	TOTAL SHGC =	31,09 COMPLIES

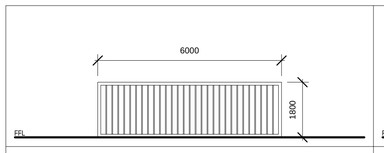
Sheldon van Onselen — Prepared By (Name)

Signature

PAD41217798 — SACAP Registration No.

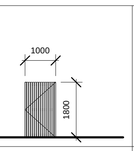
Window & Door Schedule

1 : 100



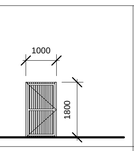
Type: **G1**
Quantity: 1
Material: Galvanised steel
Colour: As per client's spec
Description: Motorised vehicle access gate as per client's spec

Location of door:
No.: Room:
1 North West boundary



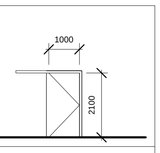
Type: **G2**
Quantity: 1
Material: Galvanised steel and timber
Finish: As per client's spec
Description: Right-hand garden gate as per client's spec

Location of door:
No.: Room:
1 Kitchen yard



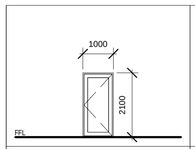
Type: **G3**
Quantity: 2
Material: Galvanised steel and timber
Finish: As per client's spec
Description: Left-hand garden gate as per client's spec

Location of door:
No.: Room:
1 Kitchen yard
2 North West boundary



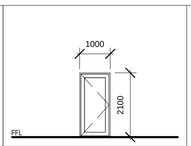
Type: **SD1**
Quantity: 1
Material: Timber
Finish: As per client's spec
Description: Interior sliding door as per client's spec

Location of door:
No.: Room:
1 Master en-suite



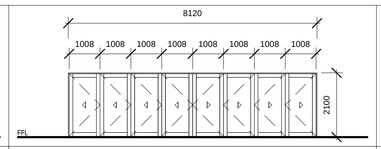
Type: **D1**
Quantity: 1
Material: Powder coated aluminium
Colour: As per client's spec
Glazing: 6mm toughened safety glazing: clear
Description: Swing door as per client's spec

Location of door:
No.: Room:
1 Master bedroom



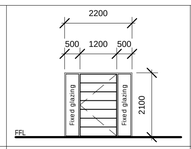
Type: **D2**
Quantity: 2
Material: Powder coated aluminium
Colour: As per client's spec
Glazing: 6mm toughened safety glazing: clear
Description: Swing door as per client's spec

Location of door:
No.: Room:
1 Double Garage & Storage
2 Scullery



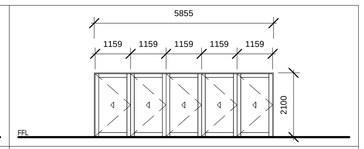
Type: **D3**
Quantity: 1
Material: Powder coated aluminium
Colour: As per client's spec
Glazing: 6mm toughened safety glazing: clear
Description: 8 leaf stack door as per client's spec

Location of door:
No.: Room:
1 Open Plan Living & Dining



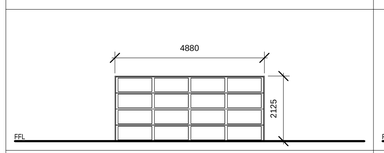
Type: **D4**
Quantity: 1
Material: Powder coated aluminium & timber
Colour: As per client's spec
Glazing: 6mm toughened safety glazing: clear
Description: Timber entrance door with sidelights as per client's spec

Location of door:
No.: Room:
1 Entrance



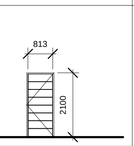
Type: **D5**
Quantity: 1
Material: Powder coated aluminium
Colour: As per client's spec
Glazing: 6mm toughened safety glazing: clear
Description: 5 leaf stack door as per client's spec

Location of door:
No.: Room:
1 Office



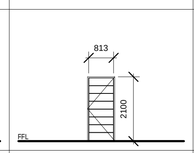
Type: **GD1**
Quantity: 1
Material: Powder coated aluminium
Colour: As per client's spec
Description: Sectional overhead double garage door as per client's spec

Location of door:
No.: Room:
1 Double garage & storage



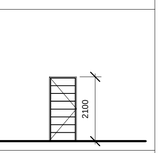
Type: **D6**
Quantity: 1
Material: Timber
Finish: As per client's spec
Description: Half hour fire door as per client's spec

Location of door:
No.: Room:
1 Double garage & storage



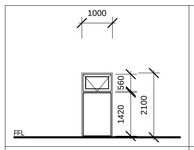
Type: **D7**
Quantity: 5
Material: Timber
Finish: As per client's spec
Description: Right-hand interior door as per client's spec

Location of door:
No.: Room:
1 Master bedroom
2 Bathroom 1
3 Guest WC
4 Bedroom 2
5 Bathroom 2



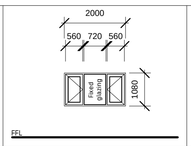
Type: **D8**
Quantity: 2
Material: Timber
Finish: As per client's spec
Description: Left-hand interior door as per client's spec

Location of door:
No.: Room:
1 Bedroom 2
2 Office



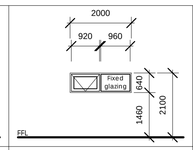
Type: **W1**
Quantity: 2
Material: Powder coated aluminium
Colour: As per client's spec
Glazing: 6mm toughened safety glazing: clear
Description: Top-hung window as per client's spec

Location of window:
No.: Room:
1 Dressing Room
2 Dressing Room



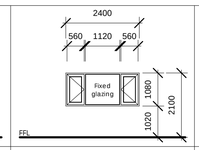
Type: **W2**
Quantity: 4
Material: Powder coated aluminium
Colour: As per client's spec
Glazing: 6mm toughened safety glazing: clear
Description: Side-hung window as per client's spec

Location of window:
No.: Room:
1 Master Bedroom
2 Office
3 Bedroom 1
4 Bedroom 2



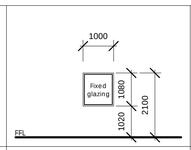
Type: **W3**
Quantity: 1
Material: Powder coated aluminium
Colour: As per client's spec
Glazing: 6mm toughened safety glazing: clear
Description: Top-hung window as per client's spec

Location of window:
No.: Room:
1 Double Garage & Storage



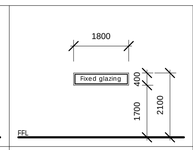
Type: **W4**
Quantity: 2
Material: Powder coated aluminium
Colour: As per client's spec
Glazing: 6mm toughened safety glazing: clear
Description: Side-hung window as per client's spec

Location of window:
No.: Room:
1 Double Garage & Storage
2 Scullery



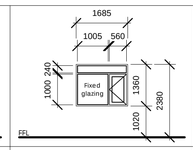
Type: **W5**
Quantity: 2
Material: Powder coated aluminium
Colour: As per client's spec
Glazing: 6mm toughened safety glazing: clear
Description: Window with fixed glazing as per client's spec

Location of window:
No.: Room:
1 Kitchen
2 Kitchen



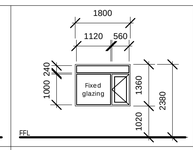
Type: **W6**
Quantity: 1
Material: Powder coated aluminium
Colour: As per client's spec
Glazing: 6mm toughened safety glazing: clear
Description: Window with fixed glazing as per client's spec

Location of window:
No.: Room:
1 Panny



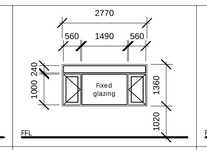
Type: **W7**
Quantity: 1
Material: Powder coated aluminium
Colour: As per client's spec
Glazing: 6mm toughened safety glazing: clear
Description: Side-hung window as per client's spec

Location of window:
No.: Room:
1 Guest WC



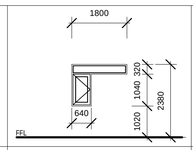
Type: **W8**
Quantity: 1
Material: Powder coated aluminium
Colour: As per client's spec
Glazing: 6mm toughened safety glazing: clear
Description: Side-hung window as per client's spec

Location of window:
No.: Room:
1 Bathroom 1



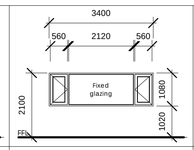
Type: **W9**
Quantity: 1
Material: Powder coated aluminium
Colour: As per client's spec
Glazing: 6mm toughened safety glazing: clear
Description: Side-hung window as per client's spec

Location of window:
No.: Room:
1 Master en-suite



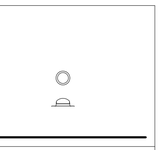
Type: **W10**
Quantity: 1
Material: Powder coated aluminium
Colour: As per client's spec
Glazing: 6mm toughened safety glazing: clear
Description: Side-hung window as per client's spec

Location of window:
No.: Room:
1 Bathroom 2



Type: **W11**
Quantity: 2
Material: Powder coated aluminium
Colour: As per client's spec
Glazing: 6mm toughened safety glazing: clear
Description: Top-hung window as per client's spec

Location of window:
No.: Room:
1 Multi-use Room
2 Multi-use Room



Type: **W12**
Quantity: 3
Material: Powder coated aluminium
Colour: As per client's spec
Glazing: 6mm toughened safety glazing: clear
Description: Skydome as per specialist

Location of window:
No.: Room:
1 Passage
2 Passage
3 Passage

This is a CAD generated drawing. Figured dimensions have preference over scaled dimensions and large scaled drawings supercede small scaled drawings.
Please Note:
All 3D renders/pictures are for illustrative purposes only, actual buildings/structures may differ.

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CONTRACTORS NOTE:
These drawings are issued on the understanding that competent and experienced builders will use them. Contractor is to verify and check all levels and boundary pegs on site, and check the same against drawings before putting work in hand. Any erors, discrepancies and omissions to be reported to the Architect/draughtsman immediately. All work and levels to be strictly in accordance with SABS 0400 requirements and Council regulations. No work to encroach site boundaries. Site is to be kept neat and all unnecessary rubble to be moved off site timeously. Levels of adjacent site are to be re-instated where disturbed after completion of work.

OCCUPANCY CLASS: H4 - DWELLING HOUSE

ZONING:

SINGLE RESIDENTILA 1

Sheldon van Onselen
Arch. Drght.
Reg. No. PAD41217798

PLANS R US
ARCHITECTURAL SERVICES

Sheldon van Onselen
Professional Architectural Draughtsperson
Reg. No. PAD41217798

Knysna Office:
43 Waterfront Drive, Knysna
Telephone: 044 386 0127 Cellular: 082 457-7616
Email: sheldon@plansrus.co.za

SHEET NAME: Schedules

PURPOSE OF ISSUE: Submission

PROJECT DETAILS:
House van Vliet
Erf 5375
Knysna Heights
Knysna

CLIENT DETAILS:
Wim and Yvette van Vliet
Erf 5375
Knysna Heights
Knysna

Scale	As shown	Drawn	CvR
Date	15/11/2023	Checked	SvO
Project Number		Drawing No.	
Kny 315		P4 of 4	
Client's Signature		Revision	0
Print Size: A1			
Note:			

Knysna Municipality

KNYSNA MUNISIPALITEIT PLAN No 2023/33621

GOEDGEKEUR/APPROVED

Volgens die NBR. WET No 103 van 1977 soos gewysig

According to NBR. ACT No 103 of 1977 as amended

SIGNED: DATE: 2023-12-13

Y -2530 X 3767370

Y -2580 X 3767370

Edge of Road

Du Preez Street 12.00m

Kerbing

Manhole

"BM"

inlets to stormwater catchpit

Damaged Retaining Wall

Retaining Wall

Top of Bank

Fence post

Driveway

Gate

Watermeter

Edge of Damaged Driveway

30,00

239.21.20

35,00

329.21.20

water feature

Garage FFL = 59,16m

FFL = 59,35m

damaged and obsured building edge

edge of Paving

FFL = 59,26m

Building slab Footprint

FFL = 59,37m

FFL = 59,35m

edge of tile damaged

shower base

Rubble obscuring slab

Telephone Pole

Fence

149.21.20

35,00

59.21.20

30,00

5375

5376

5383

5384

A

B

C

D

Y -2530 X 3767420

Y -2580 X 3767420

WG23

Scale 1:100

Notes :

1. Beacons verified as per TP 10663 (see Beacon Certificate)

2. Bench Mark = "BM" = Centre of Manhole Cover
   HEIGHT = 54,04m above approximate Mean Sea Level

3. Survey based on Control Station MHC1
   Name Y = -2407,16 X = 3767412,66 Height = 39,00
   = Centre of Manhole Cover

4. Beacon Descriptions
   A,B,C,D.....12mm Iron Pegs

5. Contours and ground level heights are approximate through dense vegetation areas

6. outer building wall corners are measured of the slab the southern portion highlighted is damaged and in areas obscured by rubble and top soil the footprint should be compared with existing building plans.

This Plan may not be copied or amended without the written consent of VPM Surveys.

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NO	DATE	DESCRIPTION
C		
B		
A		

REVISIONS

DATE: 31/08/2023 | SCALE: 1:100

SURVEYED ON: 29/08/2023 | SURVEYOR: N. Kyriacos PLS1393

DRAWING FILE: SERVER://ALLYDAT4/Knysna/K0-10000/K5375CP

VPM SURVEYS

Professional Land Surveyors

Township Planners,
GIS & GPS consultants
Topographic, Sectional Title
& Engineering Surveys

16 Green Street P.O.Box 173
Knysna 6570

Tel: 044 3022300 Fax: 0866898908
e-mail: info@vpmsa.co.za

CLIENT

Wim van Vliet

PROJECT

Contour / Site Plan

TITLE

ERF 5375
Knysna

DRG NO	REV
K5375CP	A