



The Municipal Manager
P O Box 19
George
6530

Reference: Erf 317 Herolds Bay

6 June 2025

Sir

APPLICATION FOR THE CONSENT OF THE ADMINISTRATOR AND PERMANENT DEPARTURE (RELAXATION OF BUILDING LINES): ERF 317 HEROLDS BAY

Attached hereto please find an application in terms of

- Section 39(4) of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) for the consent of the Administrator in terms of condition B.7. on page three of Title Deed T3461/2021, the title deed of Erf 317 Herolds Bay, for the relaxation of certain building lines on Erf 317 Herolds Bay; and
- Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for a permanent departure on Erf 317 Herolds Bay for the relaxation of certain building lines on Erf 317 Herolds Bay.

Your prompt consideration of the application will be appreciated.

Thanking you in anticipation.

Jan Vrolijk

MOTIVATION REPORT
APPLICATION FOR CONSENT OF THE ADMINISTRATOR AND PERMANENT
DEPARTURE (RELAXATION OF BUILDING LINES)
ERF 317 HEROLDS BAY

6 June 2025



Prepared for:

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Herolds Bay
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SACPLAN Registration No A/1386/2011

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MOTIVATION REPORT
APPLICATION FOR CONSENT OF THE ADMINISTRATOR AND PERMANENT
DEPARTURE (RELAXATION OF BUILDING LINES)
ERF 317 HEROLDS BAY

1. BACKGROUND

The current owners bought Erf 317 Herolds Bay, a vacant erf, in 2021 and submitted building plans for a new dwelling house which was approved in 2022. The building plans were approved in line with the building lines as stipulated in the title deed T3461/2021, and in accordance with the zoning scheme that was applicable at that time namely the George Integrated Zoning Scheme, 2017.

Title deed conditions were previously used to guide development on a property prior to the promulgation of zoning schemes. These conditions became archaic in nature as it was replaced when Municipalities started approving their own zoning schemes. In instances where the title deed still stipulate building lines and a zoning scheme is applicable; the most restrictive building line will apply.

During construction of the dwelling house minor amendments occurred and as-built building plans were submitted to the Municipality for approval. The Municipality at this stage requested that an application for the administrative consent and an application for building line relaxation be submitted for consideration as the minor amendments to the dwelling house and associated retaining structures encroached into the street and side building lines applicable to the erf as per the title deed of the erf and the George Integrated Zoning Scheme By-law, 2023.

An application will thus have to be submitted for the consent of the Administrator in terms of condition B.7. on page three of Title Deed T3461/2021, the title deed of Erf 317 Herolds Bay, and in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for the relaxation of the street and side boundary building lines on the erf.

2. APPLICATION

- Application is made in terms of Section 39(4) of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) for the consent of the Administrator in terms of condition B.7. on page three of Title Deed T3461/2021, the title deed of Erf 317 Herolds Bay, for the relaxation of:
 - ⇒ the street boundary building line on Erf 317 Herolds Bay from 5 metres to 0 metres to accommodate the retaining structure for the driveway and a set of stairs to gain access to the street level;
 - ⇒ the western boundary building line on Erf 317 Herolds Bay from 1,5 metres to 1,334 metres varying to 1,063 metres for the dwelling house and from 1,5 metres to 0 metres for external stairs along the dwelling house; and
 - ⇒ the eastern boundary building line on Erf 317 Herolds Bay from 1,5 metres to 0 metres for a retaining wall.

- Application is made in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for a permanent departure on Erf 317 Herolds Bay for the relaxation of:
 - ⇒ the street boundary building line from 4.0 metres to 0,0 metres to accommodate the retaining structure for the driveway and a set of stairs to gain access to the street level;
 - ⇒ the western boundary building line on Erf 317 Herolds Bay from 2,0 metres to 1,334 metres varying to 1,063 metres for the dwelling house and from 2,0 metres to 0 metres for external stairs along the dwelling house; and
 - ⇒ the eastern boundary building line on Erf 317 Herolds Bay from 2,0 metres to 0,0 metres for a retaining wall and from 2,0 metres to 1,721 metres for a covered balcony on the first floor of the dwelling house.

The proposed site plan and building plans indicating the existing dwelling house and departures in relation to the building lines is attached hereto as **Annexure “A”**. The completed application form for the application for the consent of the Administrator and permanent departure is attached hereto as **Annexure “B”**.

3. PRE-APPLICATION CONSULTATION

A pre-application consultation was not requested as the application entails the relaxation of building lines in terms of the title deed of Erf 317 Herolds Bay, as well as a permanent departure in terms of the George Integrated Zoning Scheme By-Law, 2023. This is in line with the e-mailed directive in this regard to various consultants by the Municipal Town Planners, which was issued by e-mail dated September 2024.

4. DEVELOPMENT PROPOSAL

The application erf has been developed with a dwelling house with a double garage and associated outbuildings. The dwelling appears to be on multiple levels due to the steep slope of the erf from north to south. During construction of the dwelling house minor deviations occurred from the approved building plans. These deviations include the following:

- the vehicle entrance was moved to western side of the erf;
- retaining walls were constructed to the north & east to accommodate the vehicle entrance;
- the northern boundary wall changed;
- a new laundry room was constructed in the garage;
- the existing study was enlarged;
- an open balcony was constructed on the second floor;
- the lift shaft enlarged;
- the kitchen wall was moved;
- the roof design changed;
- the existing storeroom was enlarged;
- a new storeroom was constructed on the cellar floor;
- a new open balcony was constructed for the existing storeroom;
- a new balcony was constructed for bedroom 2; and
- steps were constructed along the western boundary (hard landscaping).

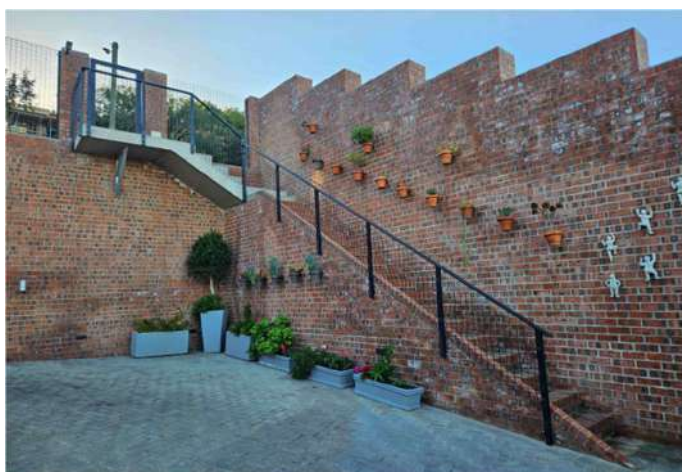
An application for the Administrators consent and building line relaxation is required for some of the above-mentioned deviations from the approved building plan. The applicable deviations will be discussed below.

Confusion was created when the original building plans were approved in line with the building line requirements stated in the Title Deed T 3461/2021 of Erf 317 Herolds Bay. No consideration was given at that time to the building line requirements for Single Residential Zone I in terms of the George Integrated Zoning Scheme, 2017 (now 2023).

Therefore, a departure application is required for the relaxation of the building lines as well as Administrator's consent to depart from the building lines as per the conditions in the Title Deed T3461/2001 of Erf 317 Herolds Bay.

The northern street building line require relaxation to accommodate the retaining structure for the vehicle entrance. Retaining structures to create vehicular access to properties in Herolds Bay is common because of the steep slopes of the erven. The retaining structure for Erf 317 Herolds Bay is not visible from the street because the erf is lower than the street. The view from the street is a neat street boundary wall and fence and the retaining wall is only visible at the vehicular entrance as indicated in the photo below.





The steep slope of the vehicular entrance on the western side of Erf 317 Herolds Bay, created the opportunity to create a set of stairs and pedestrian gate on the eastern corner to reach the street level with ease. The easy access to the street level is required for the owners of Erf 317 Herolds Bay to walk their dogs. The photo below indicates the stairs leading to the street level.

On the western side of Erf 317 Herolds Bay, is Erf 318 Herolds Bay which is an Open Space Zone I property utilised for stormwater management. Due to the lack of upgrading the stormwater structures on Erf 318 Herolds Bay, the engineer appointed to oversee the construction of the dwelling house recommended that the additional outdoor steps on the western boundary of Erf 317 Herolds Bay be constructed to assist with combating raising damp and erosion to safeguard the dwelling house. These stairs were not part of the original approved building plans and therefore require building line relaxation.



The photo to the left indicates the western side of the dwelling house, where most of the rooms were enlarged to create bigger windows facing south to allow more natural light into the rooms. The steep slopes of the property do not allow a lot of sunlight onto the property and therefore it was prudent to enlarge the rooms, which includes the garage, laundry, study, bathroom and bedroom, to allow bigger windows. These minor adjustments to the design of the dwelling house did cause the dwelling house to encroach the building lines as stipulated in the title deed and zoning scheme.

On the eastern side the only additions that require building line relaxation is a retaining wall, that is visible on the photo to the right next to the covered balcony, which also requires building line relaxation.

The purpose of this application is to obtain the consent of the Administrator in terms of condition B.7. of the title deed as well as in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for a permanent departure for the relaxation of the street and side boundary building lines on Erf 317 Herolds Bay in respect of the existing additions to the dwelling house, to enable the submission of the as-built building plan in respect of the development.



5. GENERAL INFORMATION REGARDING ERF 317 HEROLDS BAY

5.1 Locality

Erf 317 Herolds Bay is situated at 49 Voëlklip Street, in the south-eastern portion of Upper Herolds Bay. At the time the aerial imagery where taken the dwelling house was under construction, however construction is now complete. The locality of the erf is indicated on the locality plan which is attached hereto as **Annexure "C"**.

5.2 Existing land use

Erf 317 Herolds Bay is currently used for single residential purposes.

5.3 Extent

Erf 317 Herolds Bay is 758m² in extent.

5.4 Present zoning

In terms of the George Integrated Zoning Scheme By-Law, 2023, the zoning of Erf 317 Herolds Bay is Single Residential Zone I. In terms of this zoning, the erf may be used for the purposes of a “dwelling house”.

The coverage and building lines applicable to a “dwelling house” are set out in a table in Schedule II of the George Integrated Zoning Scheme, 2023. The extent of the application erf is 758m². The street building line applicable to a dwelling house on an erf larger than 500m², but not larger than 1 000m² is 4.0 metres and the side and rear building lines are 2.0 metres, whilst the coverage applicable is the larger of 325m² or 50% of the area of the erf.

The total coverage of the dwelling house is 36,55%, which is considerably lower than the maximum coverage allowed. Except for the street and side boundary building lines, the development on the application erf conforms with all the development parameters applicable to a dwelling house.

Approval is therefore required in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for a permanent departure in respect of the relaxation of the street and side boundary building line to accommodate the existing dwelling house.

5.5 Surveyor General Diagram

Erf 317 Herolds Bay forms part of General Plan 9878, a copy of which is attached hereto as **Annexure “D”**.

5.6 Title Deed

Erf 317 Herolds Bay is registered in the name of Leon Smit and Philippus Daniel Roux. The Title Deed of the application erf is attached hereto as **Annexure “E”**.

The title deed of Erf 317 Herolds Bay, Title Deed T3461/2021 contains, inter alia, the following condition:

“B. SUBJECT FURTHER to the following conditions contained in Deed of Transfer No. T48121/1983 imposed by the administrator of the Province of Cape of Good Hope in terms of Ordinance 33 of 1934 when approving of the establishment of HEROLD’S BAY TOWNSHIP EXTENSION NO. 2, namely:

- 7. No buildings or structure or any portion thereof except boundary walls and fences, shall except with the consent of the Administrator, be erected nearer than 5 metres to the street line which forms a boundary of this erf nor within 3 metres of the rear or 1,5 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 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 building of the same height may be erected within the rear space and side space for a distance of 12 metres measured from the rear boundary of the erf, provided that in the case of a corner the distance of 12 metres shall be measured from the point furthest from the street 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 that the above prescribed spaces, if no windows or doors are inserted in any wall facing such a boundary.”*

Condition B.7. which determines the street and side boundary building lines are applicable to this application for the Administrator’s consent to accommodate the existing dwelling house. This condition was laid down by the Administrator in terms of the Deed of Transfer No. T48121/1983. It was common practice to control land use and land use parameters by means of such conditions being included in the title deed of individual erven. Title deeds were thus used as “zoning schemes”.

George Municipality has recently accepted the George Integrated Zoning Scheme By-Law, 2023. The stipulations in this By-Law represent the latest thinking as far as land use management and land development parameters are concerned. There is, therefore, no reason why land use and land development parameters should be regulated by means of title deeds.

In terms of the title deed the authority to relax the building lines vests with the **Administrator**. The authority of the Administrator to consider building line relaxations in terms of title deeds has, however, been delegated to local authorities and the local authority can therefore act accordingly.

In the remainder of this report, it will be indicated that the building line relaxation as proposed has no negative impact on the surrounding area. The proposal adds value to the utilization of the erf. The Municipality (local authority) is therefore, requested to grant the consent of the Administrator in terms of the delegated authority.

5.7 Power of Attorney

A Power of Attorney, whereby Jan Vrolijk Town Planner / Stadsbeplanner is appointed by Leon Smit and Philippus Daniel Roux, the registered owners of Erf 317 Herolds Bay, to prepare the application referred to in point 2 of this motivation report and to sign all relevant documents is attached hereto as **Annexure “F”**.

5.8 Bondholder's Consent

Erf 317 Herolds Bay is not encumbered by a bond.

5.9 Conveyancer Certificate

A Conveyancer Certificate in respect of Erf 317 Herolds Bay is attached hereto as **Annexure “G”**. The Conveyancer Certificate refers to condition B.7. in the title deed of Erf 317 Herolds Bay, which restricts the development of the erf as proposed in this application.

The purpose of this application is to obtain the consent of the Administrator in terms of condition B.7. of the title deed for the relaxation of the street and side boundary building lines on Erf 317 Herolds Bay to submit as-built building plans in respect of the existing dwelling house.

6. DESIRABILITY OF THE APPLICATION FOR CONSENT OF THE ADMINISTRATOR AND PERMANENT DEPARTURE (BUILDING LINE RELAXATION): ERF 317 HEROLDS BAY

6.1 Introduction

Specific issues which must be addressed in the motivation of applications are highlighted in the Land Use Planning By-Law for George Municipality, 2023. These issues are, however, aimed at more complex applications and are not applicable to applications such as an application for the consent of the Administrator or a permanent departure from the development parameters in the George Integrated Zoning Scheme, 2023. This application will therefore be motivated with reference to the following aspects:

- *Compatibility of the proposal with the existing planning and land uses of the surrounding area.*
- *The impact that the proposal will have on surrounding facilities such as schools, open spaces and other community facilities, should the application result in an increase in the population of the area concerned.*
- *The impact that the proposal will have on the existing character of the surrounding area and the right of the inhabitants of the area in respect of property values, privacy, view, sunlight, et cetera.*
- *The impact that the proposal will have on traffic and parking in the surrounding area.*
- *Provision of essential services.*

6.2 Existing planning and development in the area

The area of Herolds Bay where the application erf is located, has a single residential land use character. The dwelling houses and outbuildings of various architectural design and extent are situated in neatly kept gardens. The following aerial photo indicates the locality of the application

erf, in relation to the surrounding erven. The dwelling house was under construction when the aerial imagery was taken but has since been completed.



It is clear from the aerial imagery that most of the properties south of Voëlklip Street has encroached the street building line, due to the steep slopes. Most of the dwelling houses were built as close as possible to the street and other, similarly to Erf 317 Herolds Bay has retaining structures to provide easy vehicular access to the respective properties. A similar example is Erf 316 Herolds Bay located east of the subject property.

Furthermore, side boundary building line relaxations are also prevalent in the immediate vicinity due to the steep slopes. The development of these properties must take the slope and layout in consideration which cause the relaxation of building lines.

The granting of the consent of the Administrator and permanent departure as proposed in this application, will therefore not establish an undesirable precedent and can be accommodated within the existing planning of the area concerned.

6.3 Impact on schools, open spaces and other community facilities

The consent of the Administrator and permanent departure for the relaxation of the street boundary building line will not result in an increase in the number of inhabitants of the erf beyond that which is accommodated in the zoning of the erf. As such, the proposal will not have an impact on schools, open spaces and other community facilities in the area. This aspect is, therefore, not relevant to this application.

6.4 Impact on streetscape

The following photo shows the street elevation of the application erf. The building line departures on the application erf does not have a negative impact on the streetscape, for the following reasons:

- the side building line departures are not visible from the street;
- the vehicular entrance to the property is neat with a Clearvu fence and brick columns;
- the retaining structure is hardly visible from the street view, because of the steep slope from the street in a southerly direction on Erf 317 Herolds Bay; and
- the façade of the dwelling house is only visible from the eastern side due to the public open space erf, which is utilised for stormwater management.



The consent of the Administrator and permanent departure as proposed in this application will, therefore, not have a negative impact on the streetscape in the vicinity of the application property.

6.5 Impact on sunlight, view and privacy

The application erf is situated to the south of Voëlklip Street. The aerial photo in point 6.2 above indicates the location of the application erf in relation to the surrounding erven.

The only erf that could be impacted in Erf 316 Herolds Bay located east of Erf 317 Herolds Bay. The eastern boundary building line relaxation is only for a retaining wall and covered patio. The covered patio has a solid wall towards the east and can therefore have no negative impact on the adjacent owners.

The western side boundary building line relaxations can have no impact on Erf 319 Herolds Bay as the public open space erf is between the two properties and therefore the western side boundary building line relaxations can have no negative impact on the adjacent owner.

The street boundary building line relaxation is only for the retaining structure that was created as a driveway and stairs leading to the street level.

The proposed consent of the Administrator and permanent departure will, therefore, not have a negative impact on the sunlight, view or privacy in respect of any adjacent erf.

6.6 Impact on property values

As indicated in the previous paragraphs, the structure in respect of which the consent of the Administrator and permanent departure are required, does not have a negative impact on any of the surrounding properties. The outside finish is of good quality and has a modern architectural style. The proposal will add value to the utilization of the previously vacant erf.

The value of surrounding properties can, therefore, not be negatively impacted upon by the proposal.

6.7 Impact on the provision of parking

The parking requirements applicable to different land uses are set out in table format in Section 42 of the George Integrated Zoning Scheme, 2023. In respect of dwelling houses on erven larger than 350m², provision must be made for a minimum of 2 on-site parking bays per dwelling house.

As indicated on the site plan and building plan attached hereto as **Annexure "A"**, a double garage is provided. The number of parking bays therefore conforms with the parking requirement in the George Integrated Zoning Scheme, 2023.

The provision of on-site parking will, therefore, not be negatively impacted upon by the granting of consent of the Administrator and the permanent departure as proposed.

6.8 Impact on traffic circulation

The vehicular access that changed from the eastern to the western corner of Erf 317 Herolds Bay will have no effect on traffic circulation. It remains a single access to the public street. The change in the design was to create a more gradual driveway, which required the construction of the retaining wall.

The side boundary building line relaxations can have to effect on the traffic circulation as the property is situated below Voëlklip Street.

The consent of the administrator and permanent departure as proposed in this application can thus not have any negative impact on the traffic situation in the vicinity.

6.9 Provision of services

Municipal services are available to the application erf. The application erf has already been developed with a dwelling house which have been connected to municipal services. The granting of consent of the administrator and permanent departure as proposed in this application will not result in a change of the land use or a new building being erected.

Should any upgrade or extension of the existing municipal infrastructure be required because of this application, all costs because of such extension will be for the account of the applicant, subject to the conditions of the municipality. The proposal will thus not result in infrastructure costs to any external parties. The proposal will thus not place any burden on the municipal budget for the provision of services infrastructure, have any negative impact on the existing services or the provision of services in the area concerned.

6.10 Firefighting

The firefighting requirements stipulated in the fire-regulations will not be negatively impacted upon as the application erf will still be fully accessible for fire-fighting purposes.

7. CONCLUSION

Application is made in terms of

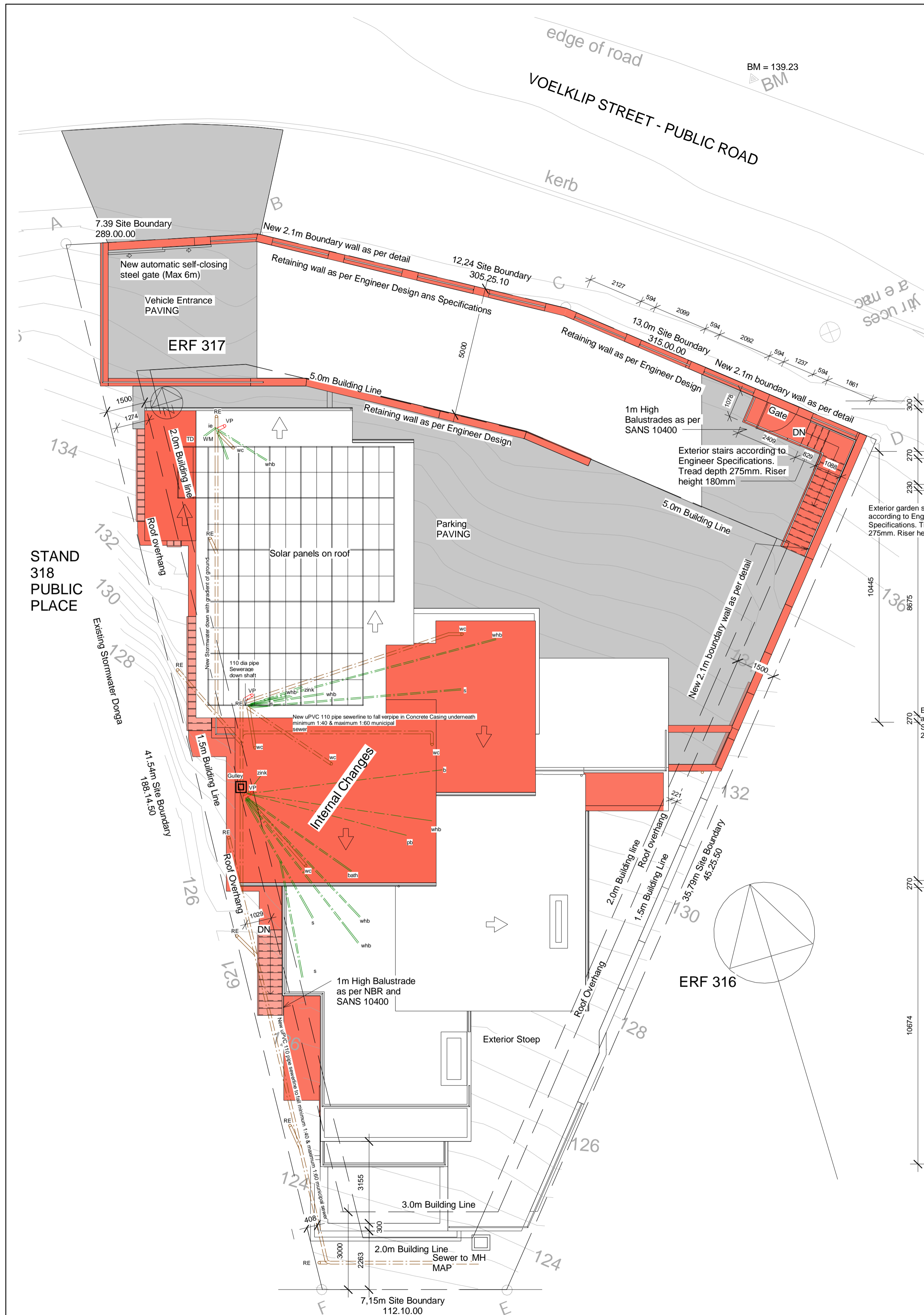
- Section 39(4) of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) for the consent of the Administrator in terms of condition B.7. on page three of Title Deed T3461/2021, the title deed of Erf 317 Herolds Bay, for the relaxation of certain building lines on Erf 317 Herolds Bay; and
- Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for a permanent departure on Erf 317 Herolds Bay for the relaxation of certain building lines on Erf 317 Herolds Bay

to accommodate the minor amendments to the approved building plans for the existing dwelling house on Erf 317 Herolds Bay

The granting of consent of the Administrator and permanent departure as proposed in this application will not have a negative impact on development, public facilities or traffic circulation in the surrounding area.

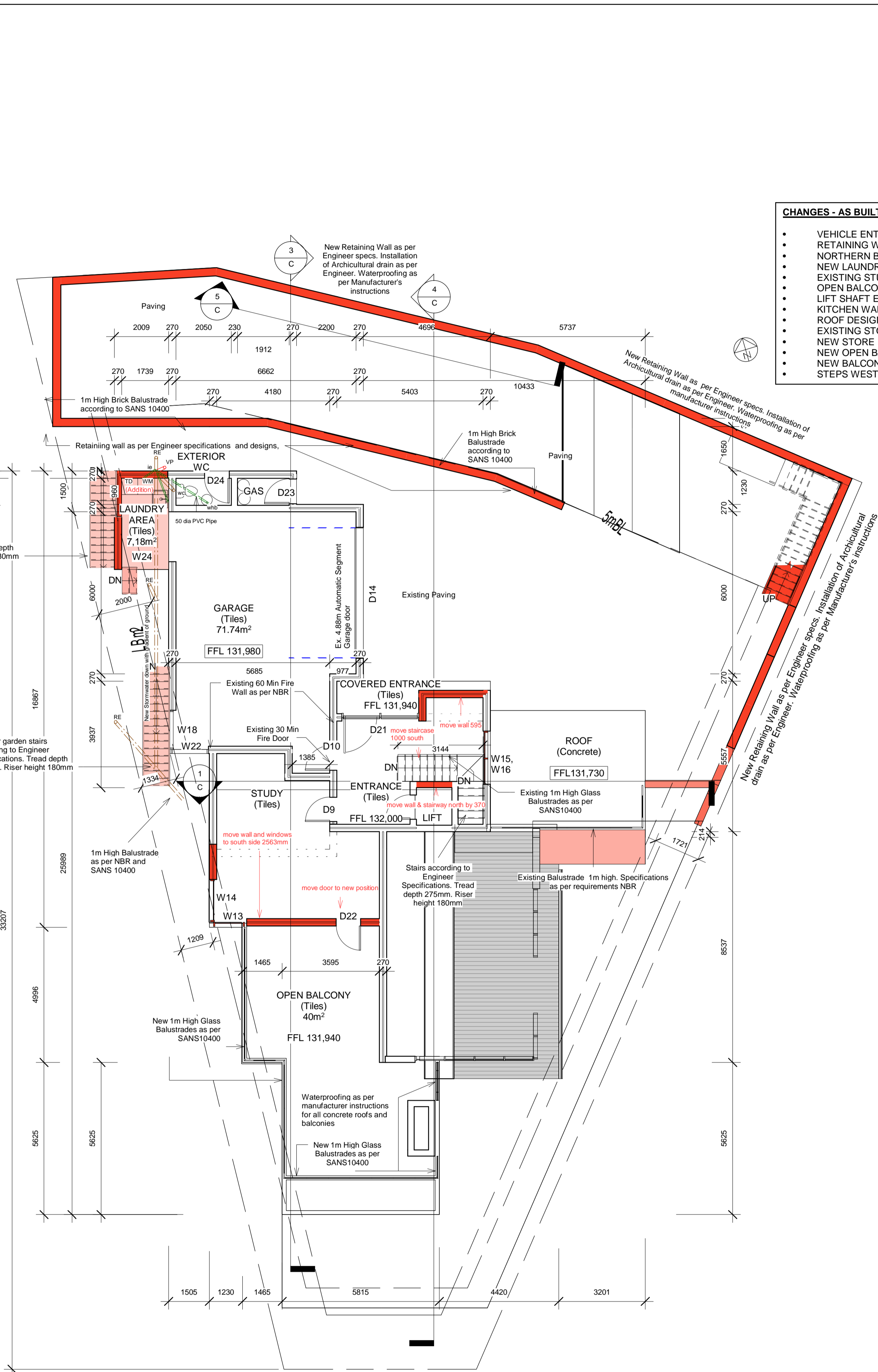
The application furthermore conforms with the prescriptions contained in the Land Use Planning By-Law for George Municipality, 2023 and is submitted for consideration in accordance with the relevant stipulations of the title deed of the erf and the mentioned By-Law.

ANNEXURE "A" - SITE PLAN AND BUILDING PLAN



1 Site Plan
1 : 100

STAND 319
PUBLIC PLACE



2 Second Floor 133020
1 : 100

General Notes

All drawings and measurements must be checked and verified before ordering material or before any building takes place. Differences must be brought to the attention of the designer immediately, all work according to National Building Regulations and local authority rules. All building, electrical, storm, water and plumbing to comply with SANS 0-400 Regulations. The copyright on all drawings and designs are reserved. This drawing is to be read in conjunction with all relevant consultants drawings, details and specifications. Only the latest signed and approved drawings to be used. Never scale from this drawing.

- CHANGES - AS BUILT PLANS**
- VEHICLE ENTRANCE MOVED TO WESTERN SIDE OF STAND
 - RETAINING WALLS NORTH & EAST TO ACCOMMODATE VEHICLE ENTRANCE
 - NORTHERN BOUNDARY WALL CHANGED
 - NEW LAUNDRY ROOM INSTALLED IN GARAGE
 - EXISTING STUDY ENLARGED
 - OPEN BALCONY ON SECOND FLOOR
 - LIFT SHAFT ENLARGED
 - KITCHEN WALL MOVED
 - ROOF DESIGN CHANGED
 - EXISTING STORE ROOM ENLARGED
 - NEW STORE ROOM ON CELLAR FLOOR
 - NEW OPEN BALCONY FOR EXISTING STORE ROOM
 - NEW BALCONY FOR BEDROOM 2
 - STEPS WESTERN BOUNDARY - HARD LANDSCAPING

AREA	FINISHINGS
ROOF	Kliplok Aluzinc, colour - Farmhouse
GUTTERS	Charcoal Aluminium Gutters
BRICKWORK	Johnsons Klinker Bricks
PLASTERING	Smooth Plastered and Painted
BALUSTRADE	Frameless Glass Epoxy into Concrete
CHIMNEY	Johnsons Klinkers
BALCONIES	Concrete
DOOR FRAMES	Black Aluminium
WINDOW FRAMES	Black Aluminium

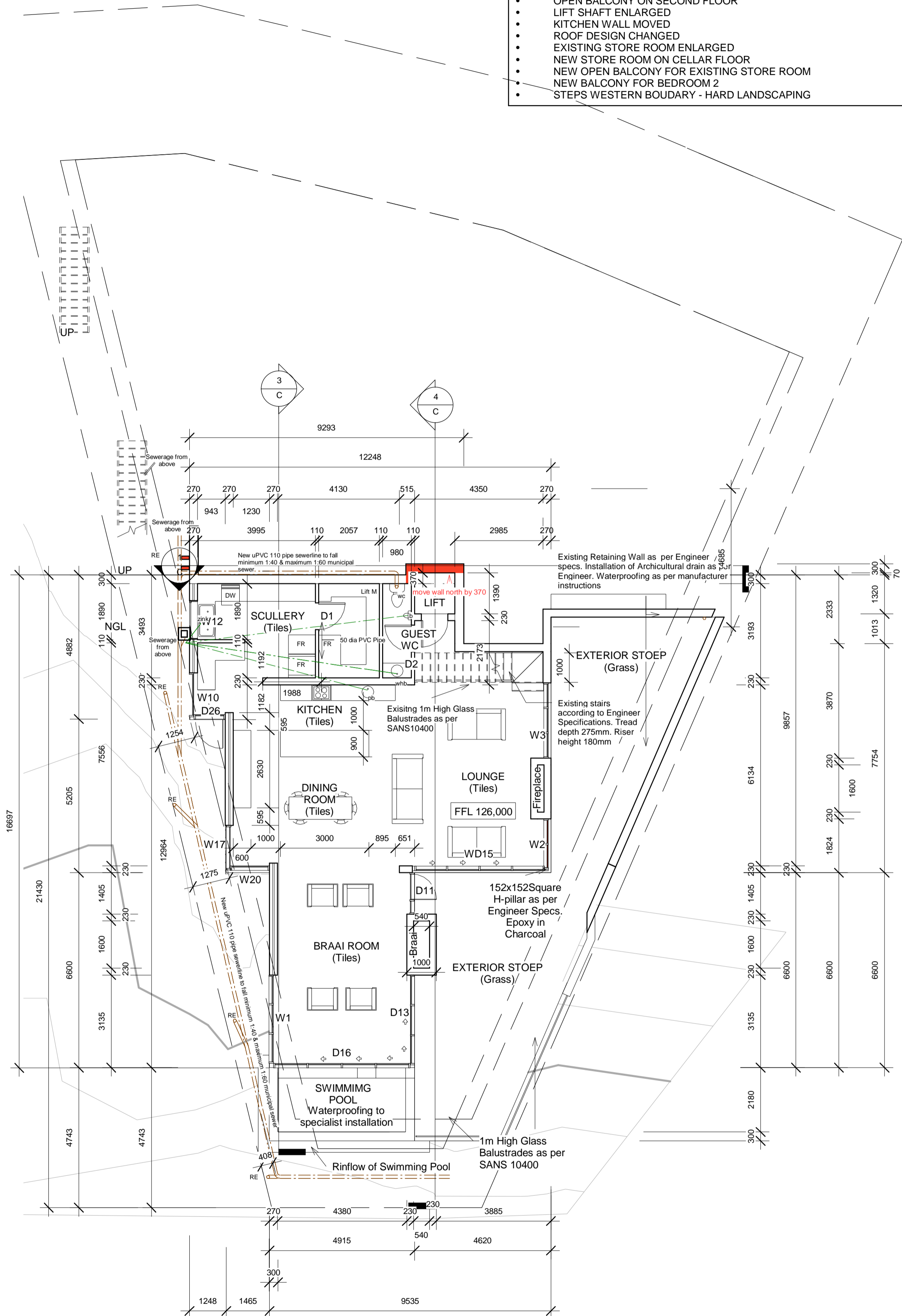
EXISTING AREA	478m²
NEW AS BUILT GROUND FLOOR	1m²
NEW AS BUILT FIRST FLOOR	49.52m²
NEW AS BUILT SECOND FLOOR	0m²
NEW AS BUILT GARAGE	7.74m²
NEW AS BUILT CELLAR FLOOR	40.00m²
TOTAL NEW AS BUILT	98.26m²
TOTAL COVERED AREA	576.26m²
NEW OPEN BALCONY	60.26m²
ERF SIZE	757m²
TOTAL AREA COVERAGE ON STAND	276.74m²
COVERAGE (INCL. BALCONIES)	36.55%



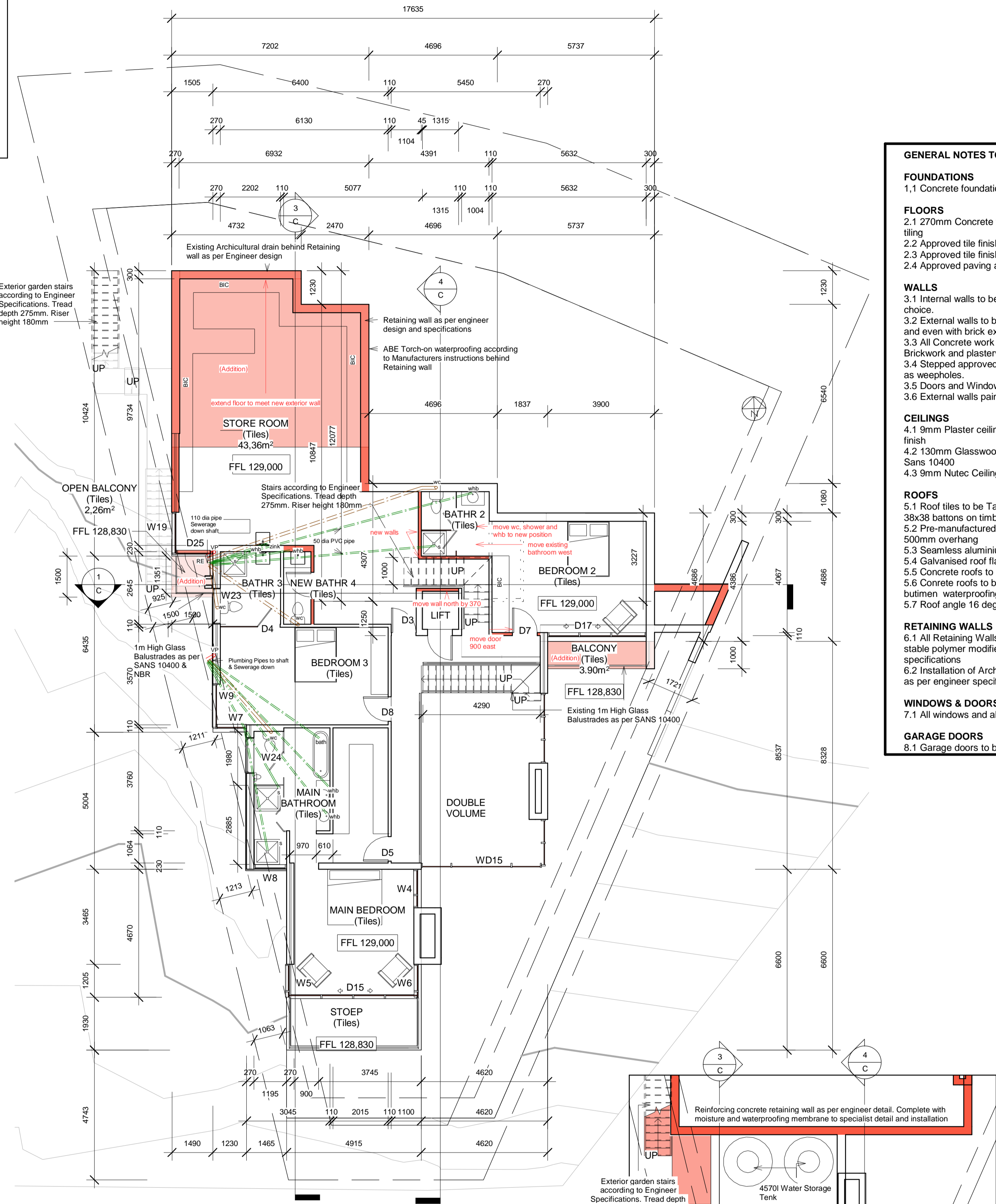
**AS BUILT PLANS
FOR MR L SMIT &
P. ROUX ON ERF
317, HEROLDS
BAY, GEORGE**

Site Plan & Second Floor	
Project number	1
Date	06.02.2025
Drawn by	Quintus Truter
Checked by	Salmon de Kock
A	
Scale	1 : 100

- CHANGES - AS BUILT PLANS**
- VEHICLE ENTRANCE MOVED TO WESTERN SIDE OF STAND
 - RETAINING WALLS NORTH & EAST TO ACCOMMODATE VEHICLE ENTRANCE
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 - STEPS WESTERN BOUDARY - HARD LANDSCAPING

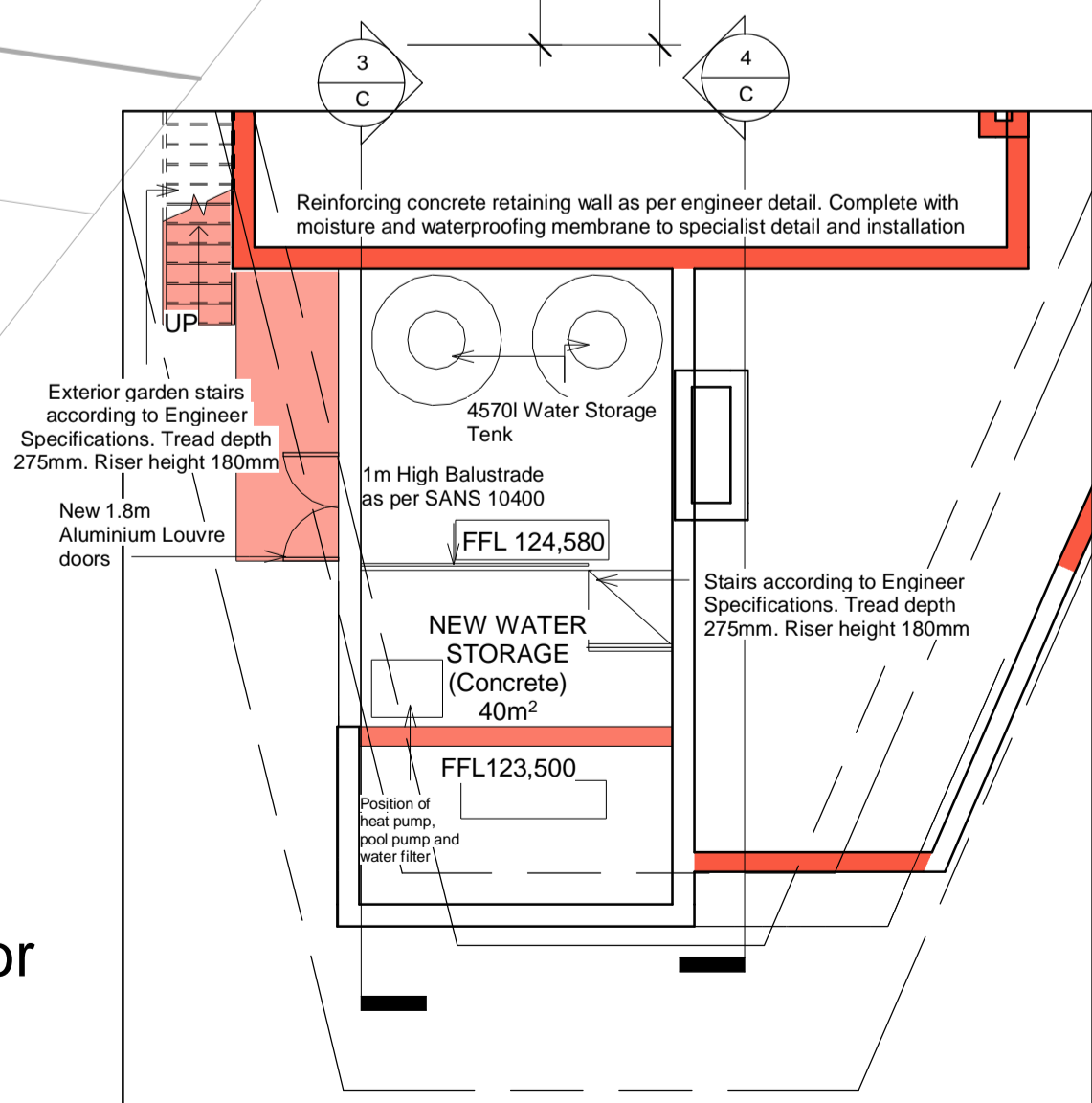


1 Ground Floor 127020
1 : 100



2 First Floor 130020
1 : 100

3 Cellar Floor
1 : 100



General Notes

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- GENERAL NOTES TO ELEVATIONS**
- FOUNDATIONS**
- 1.1 Concrete foundations to Engineer design and specifications
- FLOORS**
- 2.1 270mm Concrete floor to Engineer design and specifications, plus 30mm screed before tiling
- 2.2 Approved tile finish and screed to fall
- 2.3 Approved tile finish to client's choice
- 2.4 Approved paving as per client
- WALLS**
- 3.1 Internal walls to be smooth plastered, skimmed and painted. Internal colour per client's choice.
- 3.2 External walls to be Johnsons Brick Blue Klinker. All mortar between bricks to be smooth and even with brick exterior
- 3.3 All Concrete work visible on the outside to be plastered with smooth wood trowel. Brickwork and plasterwork as shown on Elevation plans
- 3.4 Stepped approved DPC to all cavity walls. Leave a vertical joint open after every 4th joint as weepholes.
- 3.5 Doors and Windows as per Door/ Window Schedule
- 3.6 External walls paint colour to be approved by client before painting
- CEILINGS**
- 4.1 9mm Plaster ceilings on galvanised Main & Cross-T system, fully skimmed to a smooth finish
- 4.2 130mm Glasswool/ Isotherm insulation in ceilings to comply with the requirements of SANS 10400
- 4.3 9mm Nutek Ceilingboard to be installed above Trusses and below battens
- ROOFS**
- 5.1 Roof tiles to be Taurus Profile of Coverland, colour - Farmhouse Kalahari. Roof tiles on 38x38 battens on timber roof trusses. All to engineer design and specifications
- 5.2 Pre-manufactured open roof trusses according to engineer specifications. Roof to have 500mm overhang
- 5.3 Seamless aluminium gutters, colour - Charcoal.
- 5.4 Galvanised roof flashing to manufacturers details and specifications
- 5.5 Concrete roofs to have screed with fall towards fullbore system.
- 5.6 Concrete roofs to be waterproofed with Derbigum with UV stable polymer modified bitumen waterproofing according to manufacturers details and specifications
- 5.7 Roof angle 16 degrees
- RETAINING WALLS**
- 6.1 All Retaining Walls to be waterproofed with Torch-on waterproofing Derbigum with UV stable polymer modified bitumen waterproofing according to manufacturers details and specifications
- 6.2 Installation of Architectural drain system behind all Retaining Walls underneath ground as per engineer specifications
- WINDOWS & DOORS**
- 7.1 All windows and aluminium doors colour - Charcoal. See Window/ Door Schedule
- GARAGE DOORS**
- 8.1 Garage doors to be Charcoal aluminium with glass as per Window & Door Schedule



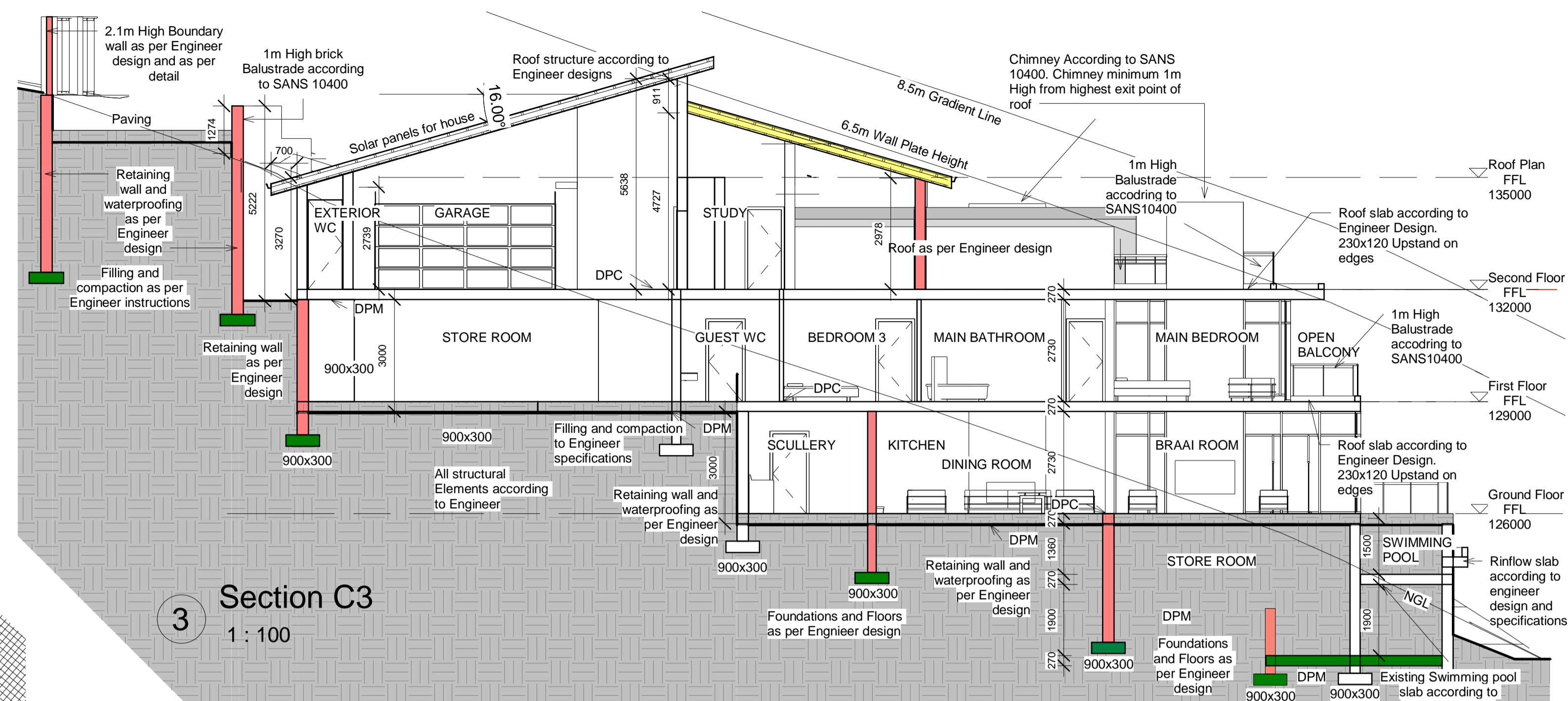
AS BUILT PLANS
FOR MR L SMIT &
P. ROUX ON ERF
317, HEROLDS
BAY, GEORGE

Ground & First Floor

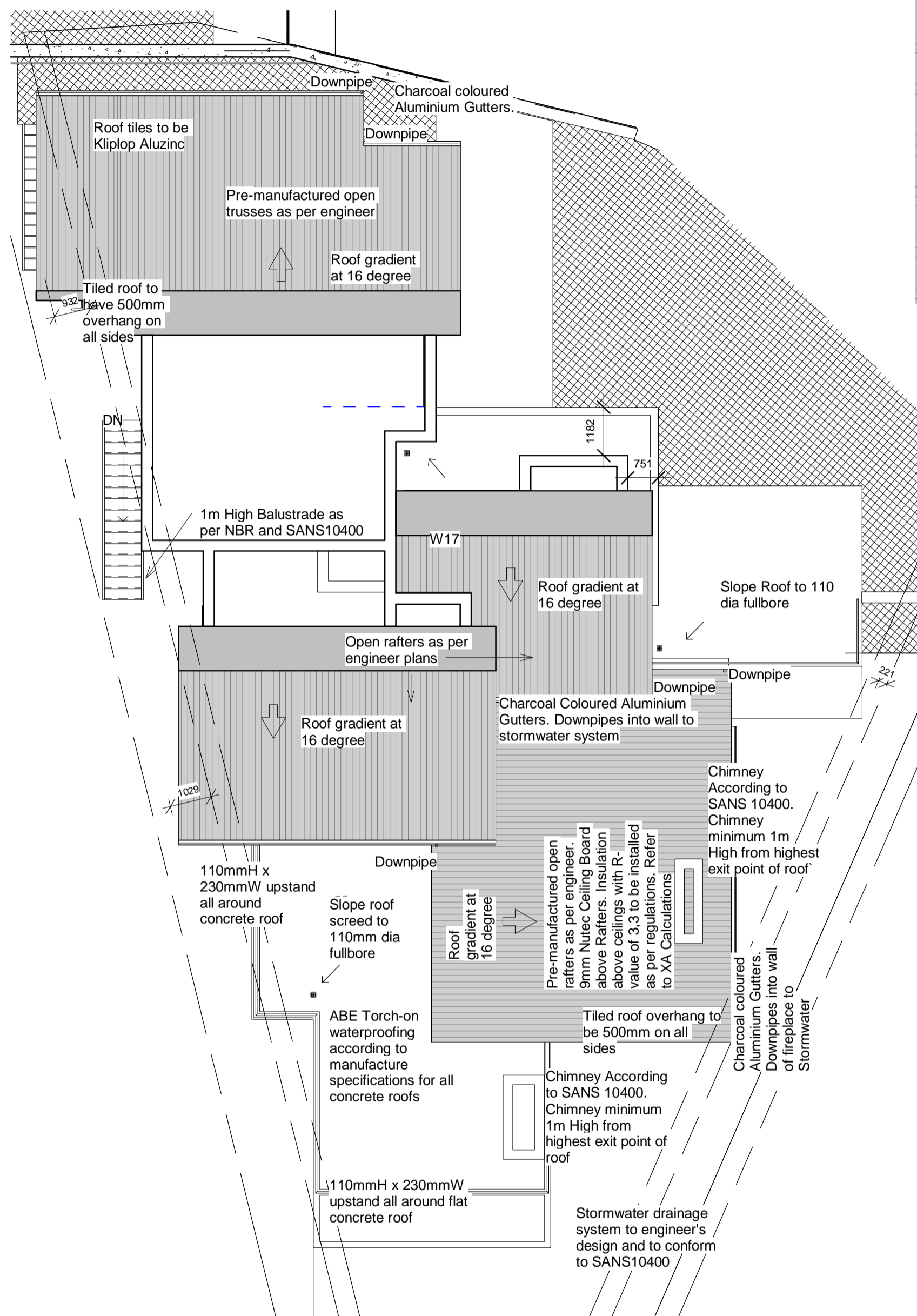
Project number	1
Date	06.02.2025
Drawn by	Quintus Truter
Checked by	Salmon de Kock
	B
Scale	1 : 100

CHANGES - AS BUILT PLANS

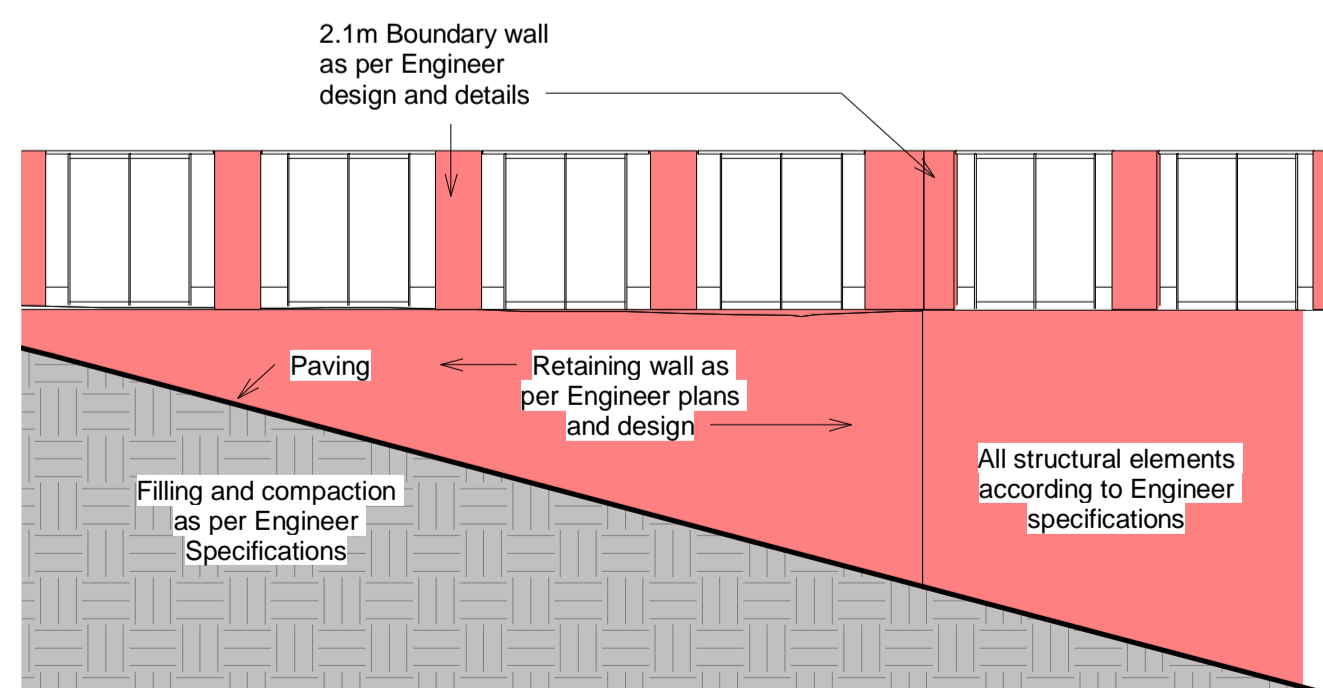
- VEHICLE ENTRANCE MOVED TO WESTERN SIDE OF STAND
- RETAINING WALLS NORTH & EAST TO ACCOMMODATE VEHICLE ENTRANCE
- NORTHERN BOUNDARY WALL CHANGED
- NEW LAUNDRY ROOM INSTALLED IN GARAGE
- EXISTING STUDY ENLARGED
- OPEN BALCONY ON SECOND FLOOR
- LIFT SHAFT ENLARGED
- KITCHEN WALL MOVED
- ROOF DESIGN CHANGED
- EXISTING STORE ROOM ENLARGED
- NEW STORE ROOM ON CELLAR FLOOR
- NEW OPEN BALCONY FOR EXISTING STORE ROOM
- NEW BALCONY FOR BEDROOM 2
- STEPS WESTERN BOUDARY - HARD LANDSCAPING



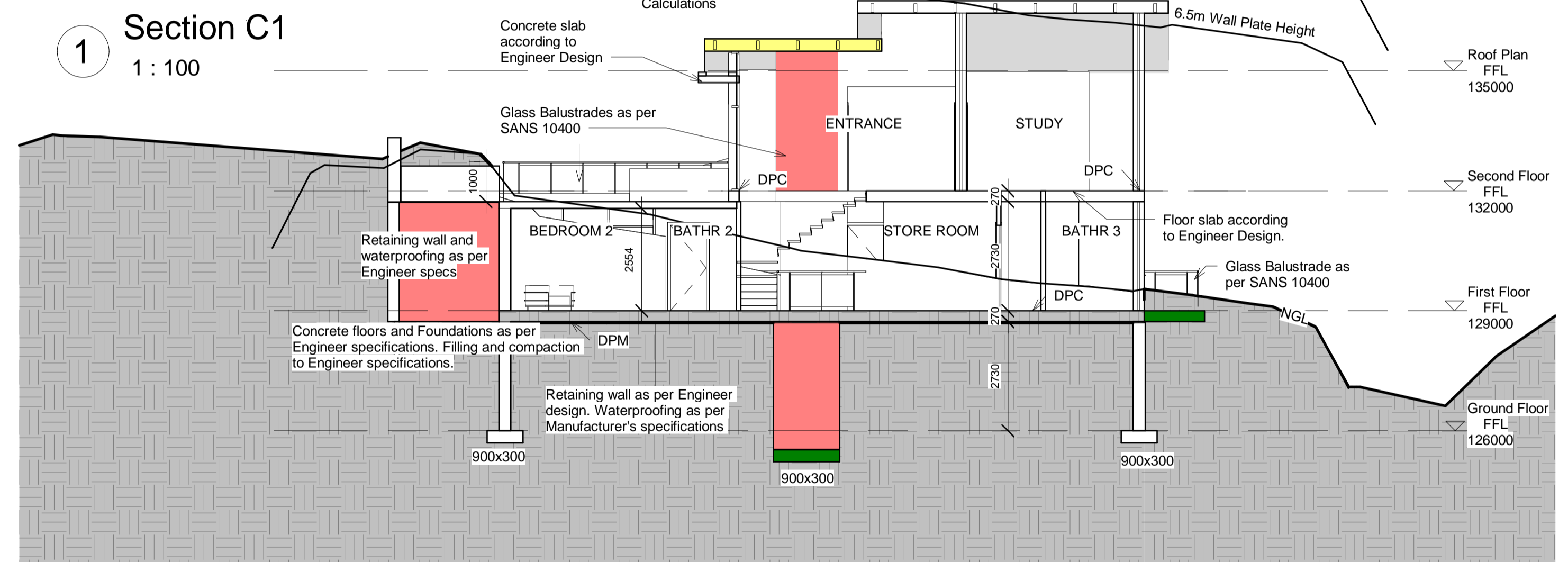
3 Section C3
1 : 100



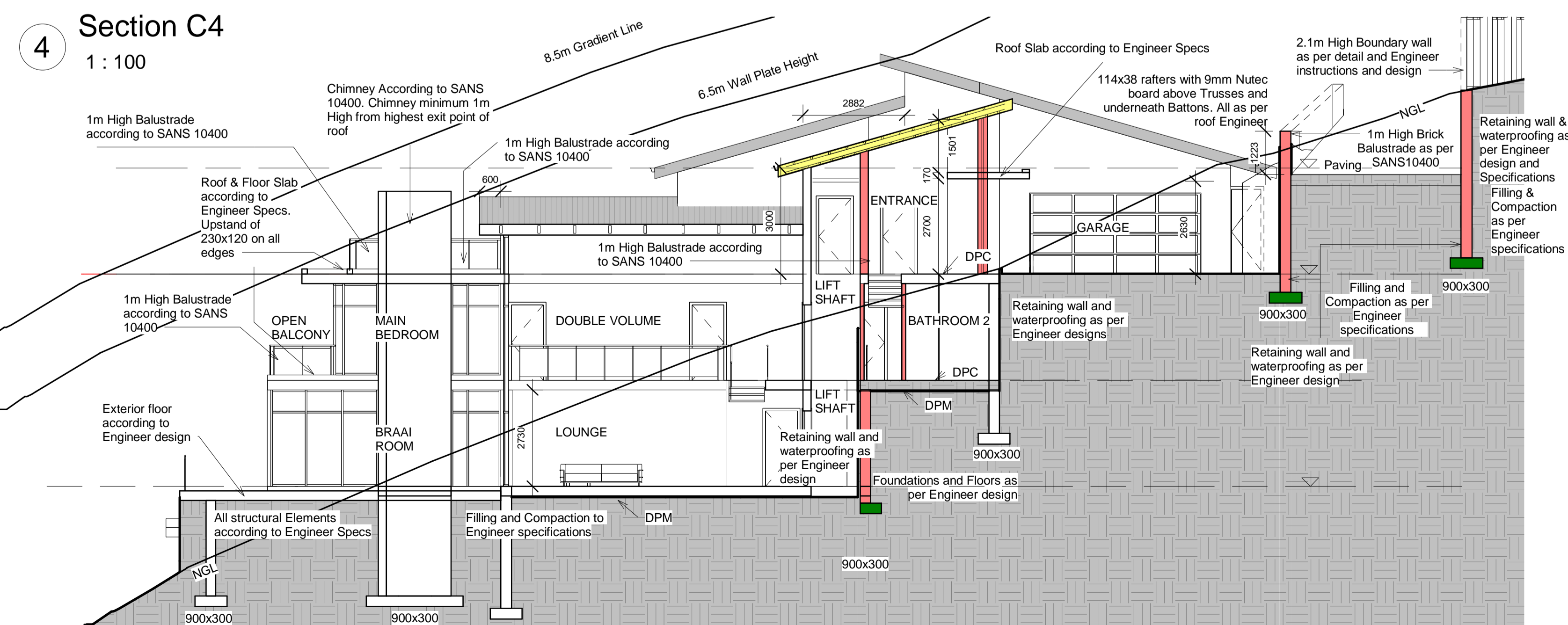
2 Roof Plan (119000)
1 : 100



5 Section C5
1 : 100



1 Section C1
1 : 100



4 Section C4
1 : 100

General Notes

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GENERAL NOTES TO ELEVATIONS

FOUNDATIONS

1.1 Concrete foundations to Engineer design and specifications

FLOORS

- 2.1 270mm Concrete floor to Engineer design and specifications, plus 30mm screed before tiling
- 2.2 Approved tile finish and screed to fall
- 2.3 Approved tile finish to client's choice
- 2.4 Approved paving as per client

WALLS

- 3.1 Internal walls to be smooth plastered, skimmed and painted. Internal colour per client's choice.
- 3.2 External walls to be Johnsons Brick Blue Klinker. All mortar between bricks to be smooth and even with brick exterior
- 3.3 All Concrete work visible on the outside to be plastered with smooth wood trowel. Brickwork and plasterwork as shown on Elevation plans
- 3.4 Stepped approved DPC to all cavity walls. Leave a vertical joint open after every 4th joint as weepholes.
- 3.5 Doors and Windows as per Door/ Window Schedule
- 3.6 External walls paint colour to be approved by client before painting

CEILING

- 4.1 9mm Plaster ceilings on galvanised Main & Cross-T system, fully skimmed to a smooth finish
- 4.2 130mm Glasswool/ Isotherm insulation in ceilings to comply with the requirements of SANS 10400
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- 5.6 Concrete roofs to be waterproofed with Derbigum with UV stable polymer modified bitumen waterproofing according to manufacturers details and specifications
- 5.7 Roof angle 16 degrees

RETAINING WALLS

- 6.1 All Retaining Walls to be waterproofed with Torch-on waterproofing Derbigum with UV stable polymer modified bitumen waterproofing according to manufacturers details and specifications
- 6.2 Installation of Archicultural drain system behind all Retaining Walls underneath ground as per engineer specifications

WINDOWS & DOORS

7.1 All windows and aluminium doors colour - Charcoal. See Window/ Door Schedule

GARAGE DOORS

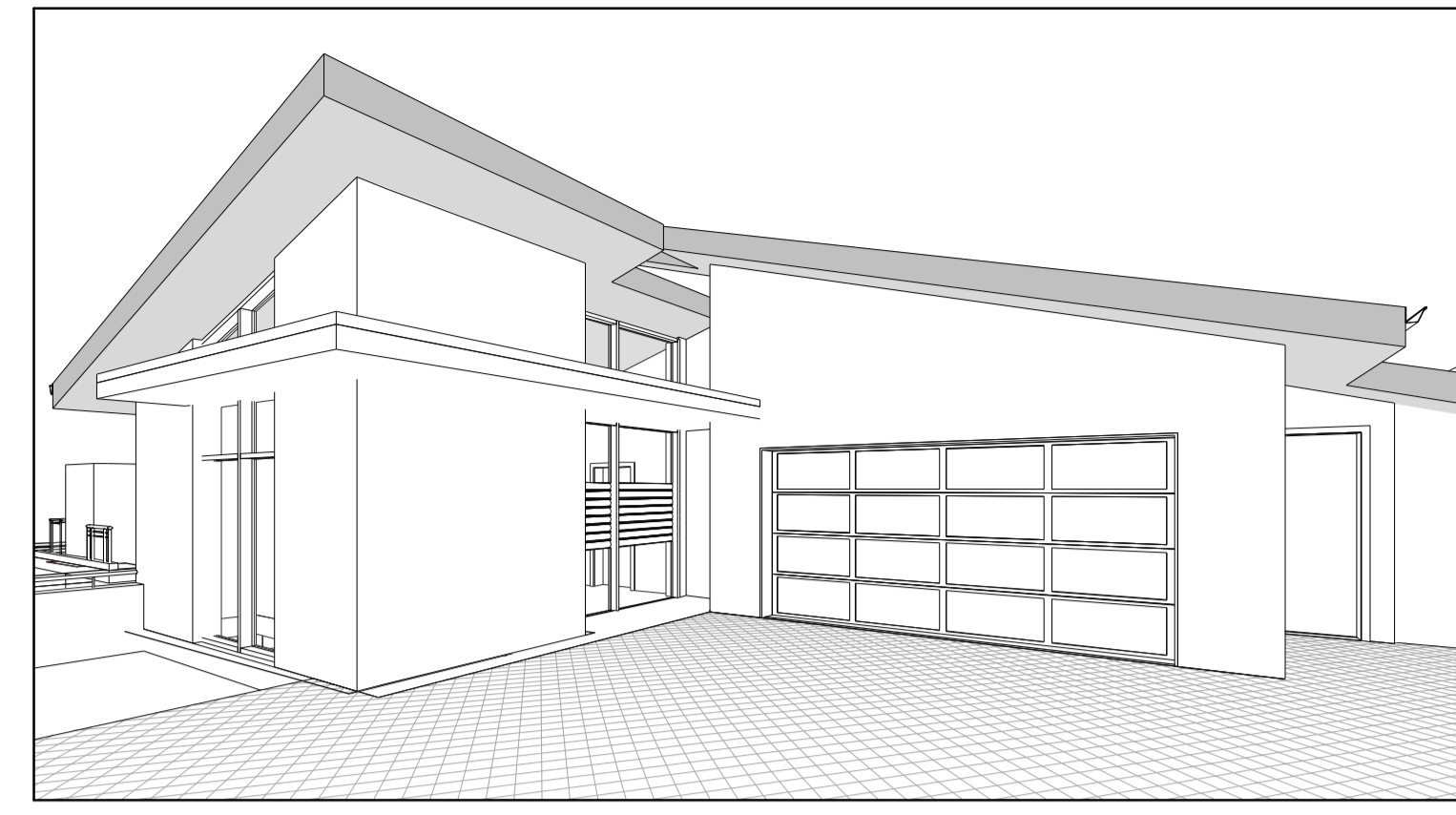
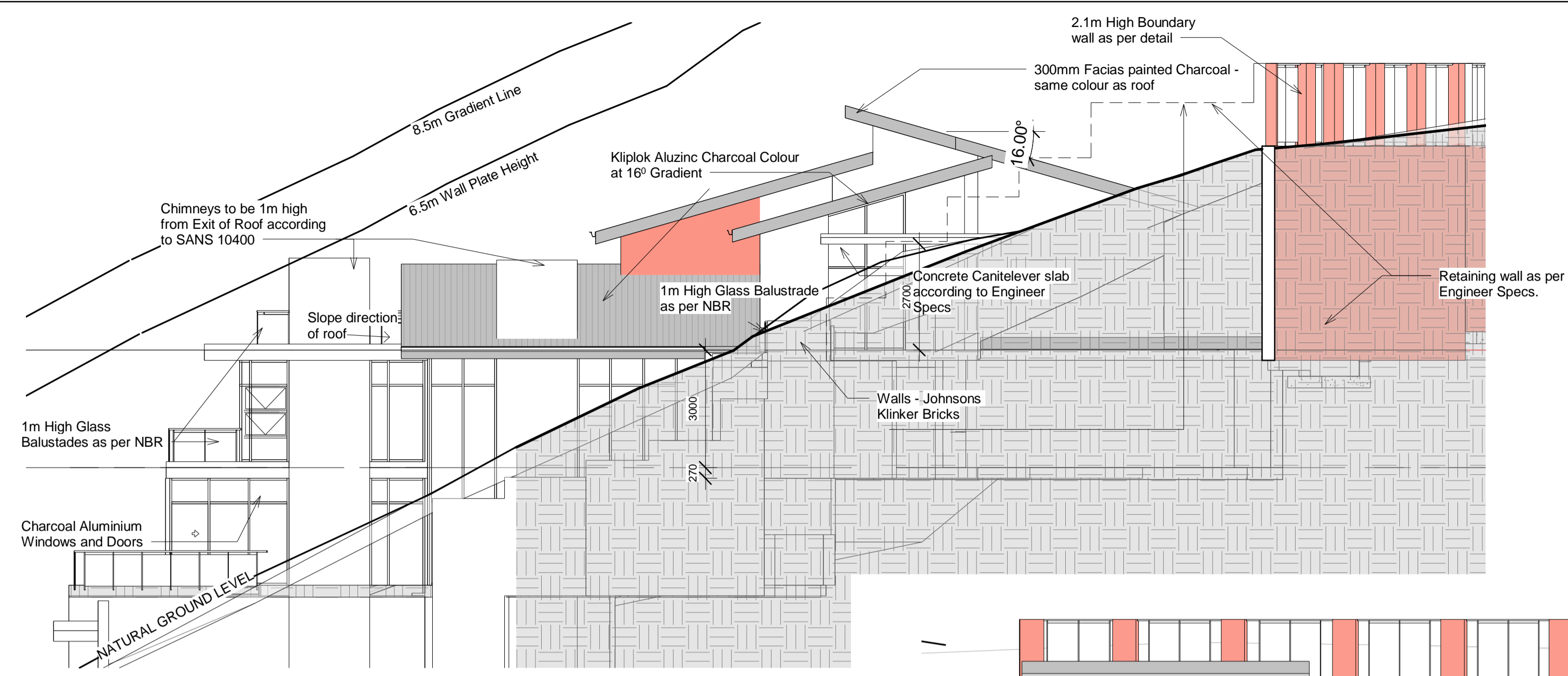
8.1 Garage doors to be Charcoal aluminium with glass as per Window & Door Schedule



AS BUILT PLANS FOR MR L SMIT & P. ROUX ON ERF 317, HEROLDS BAY, GEORGE

Roof Plan & Sections

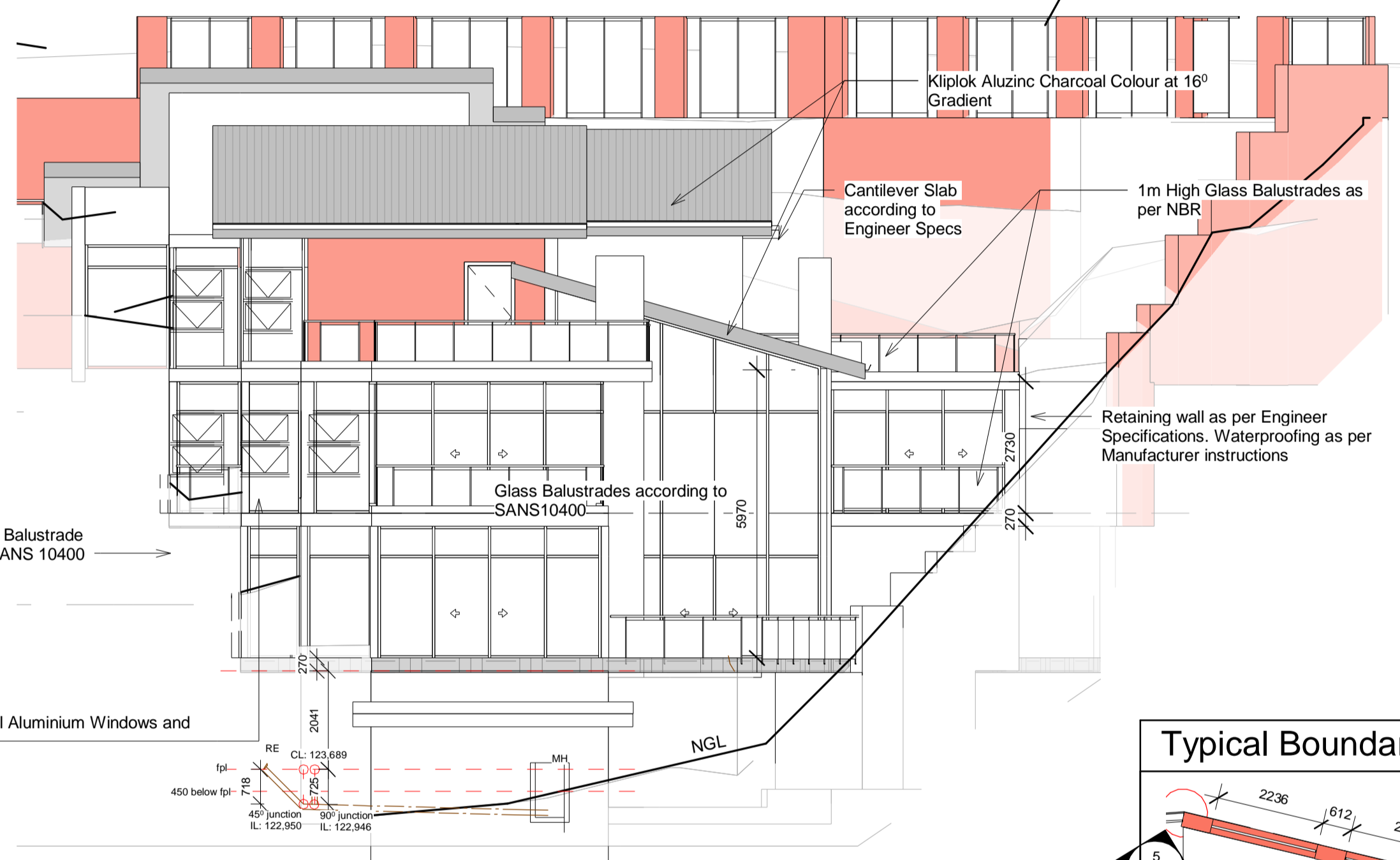
Project number	1
Date	06.02.2025
Drawn by	Quintus Truter
Checked by	Salmon de Kock
	C
Scale	1 : 100



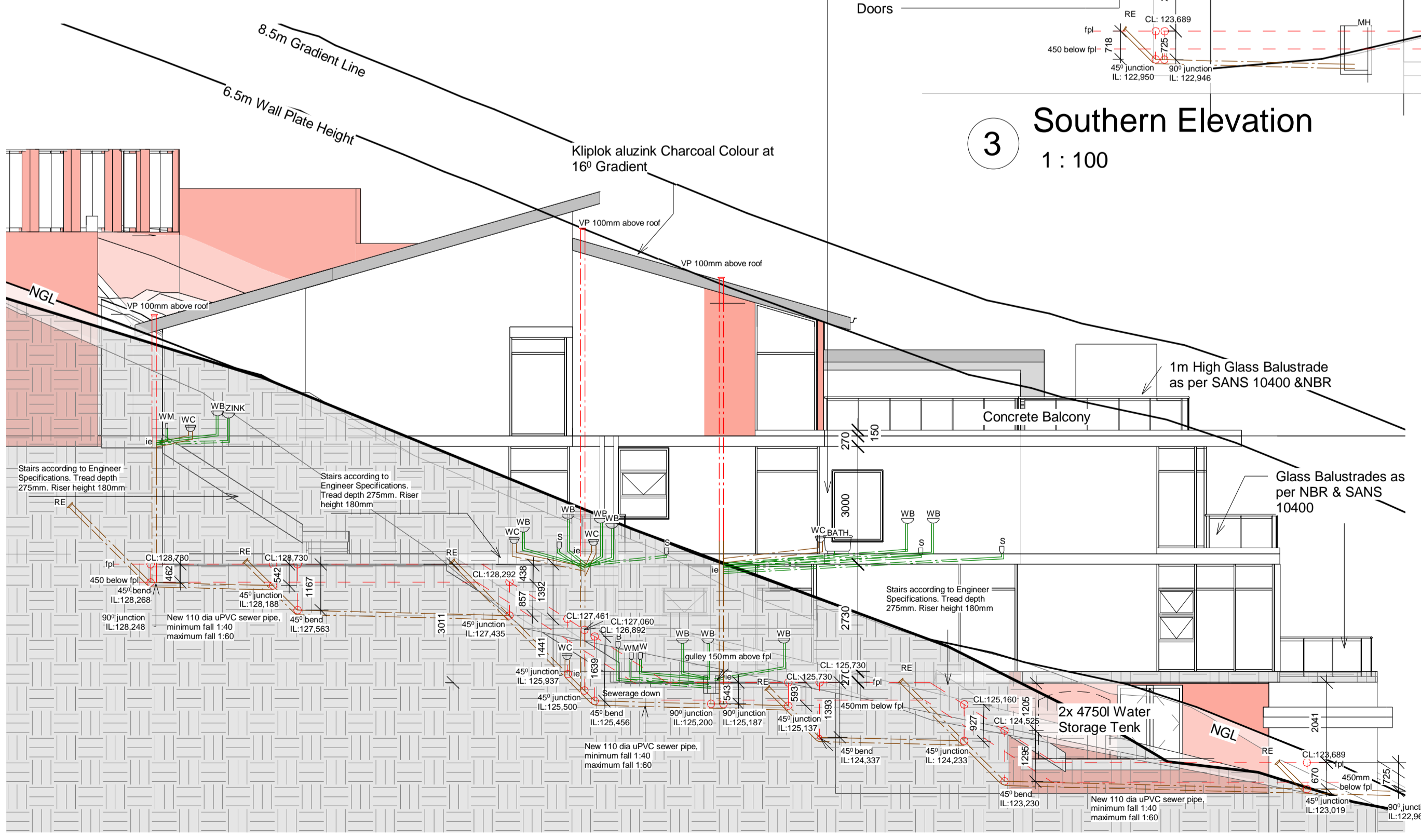
6 3D View

1 Eastern Elevation
1 : 100

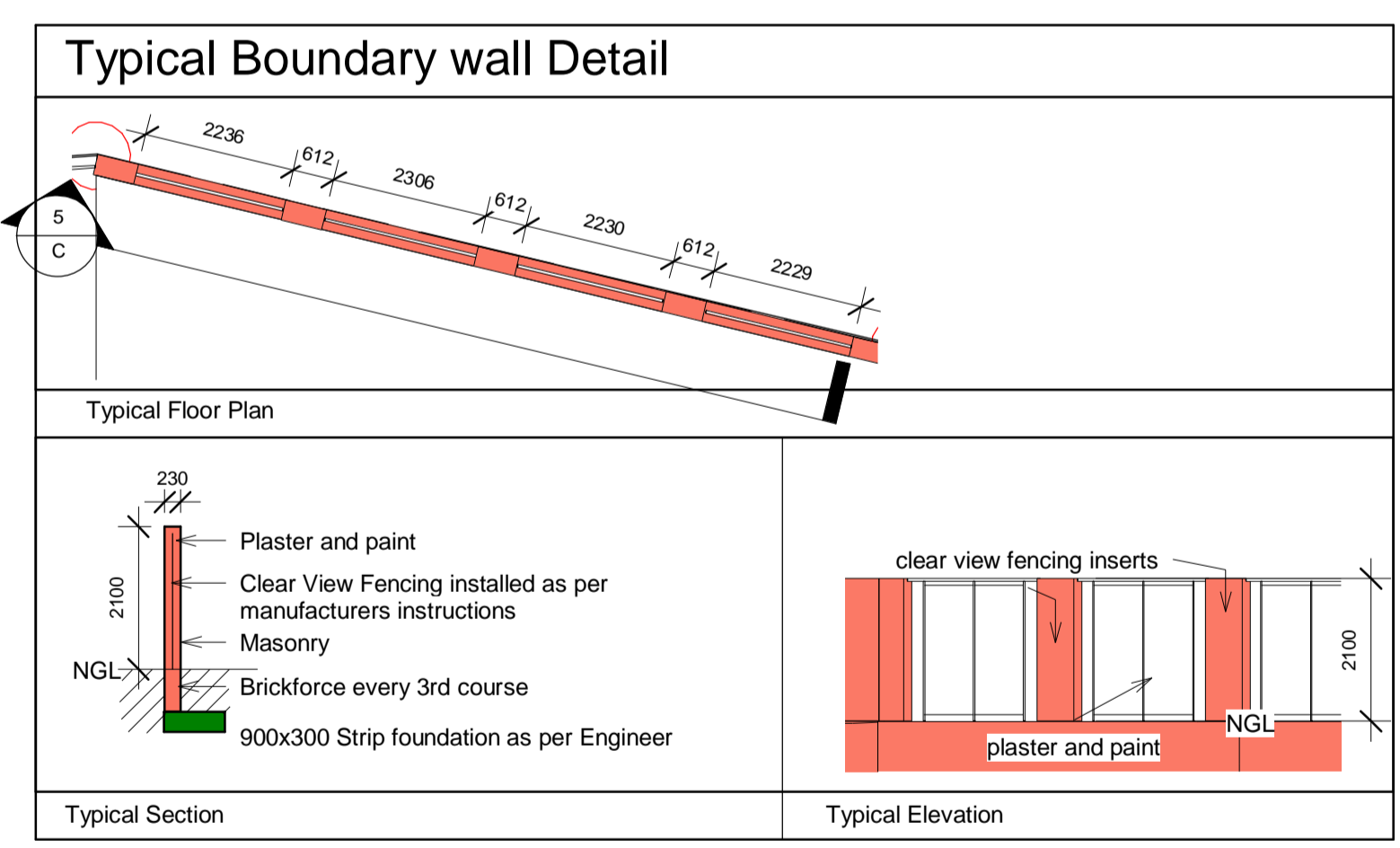
- CHANGES - AS BUILT PLANS**
- VEHICLE ENTRANCE MOVED TO WESTERN SIDE OF STAND
 - RETAINING WALLS NORTH & EAST TO ACCOMODATE VEHICLE ENTRANCE
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 - NEW BALCONY FOR BEDROOM 2
 - STEPS WESTERN BOUDARY - HARD LANDSCAPING



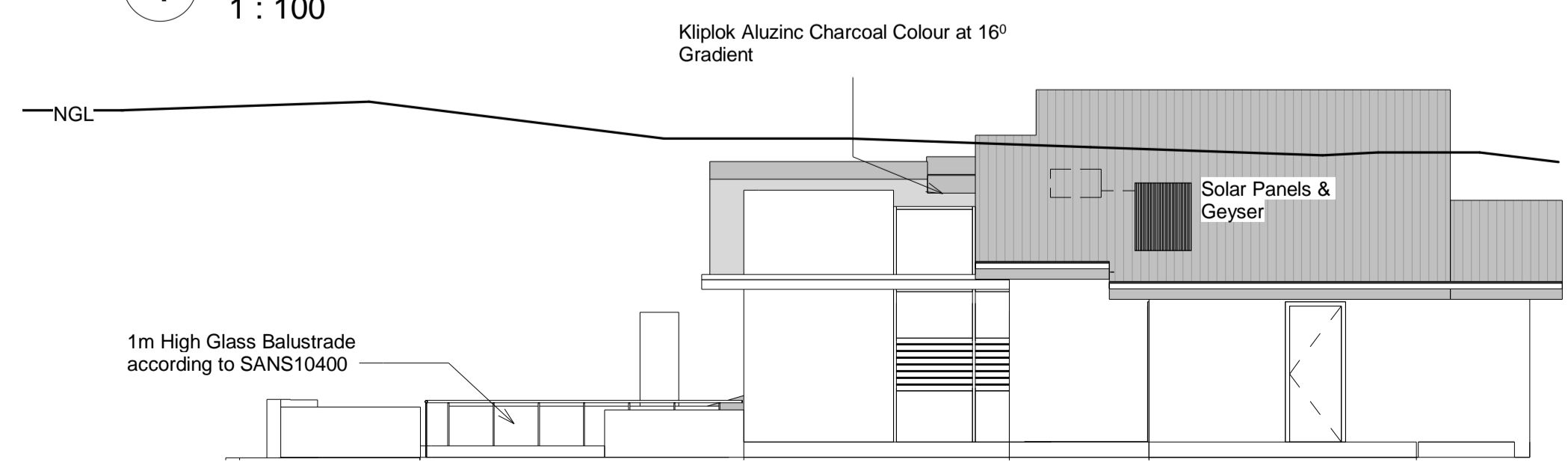
3 Southern Elevation
1 : 100



2 Western Elevation
1 : 100



4 Northern Elevation
1 : 100



General Notes

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- GENERAL NOTES TO ELEVATIONS**
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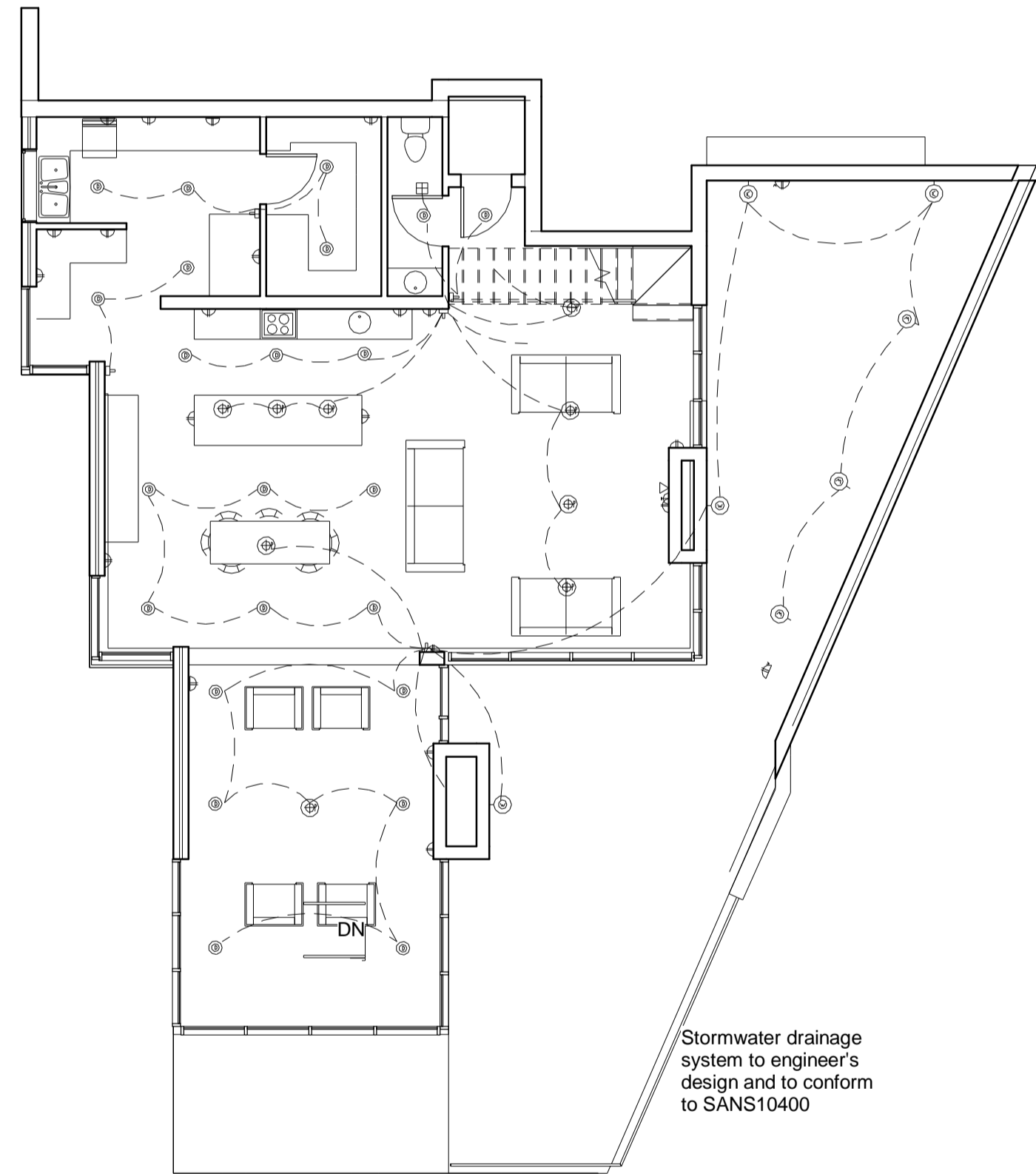
**AS BUILT PLANS
FOR MR L SMIT &
P. ROUX ON ERF
317, HEROLDS
BAY, GEORGE**

Elevations	
Project number	1
Date	06.02.2025
Drawn by	Quintus Truter
Checked by	Salmon de Kock
D	
Scale	1 : 100

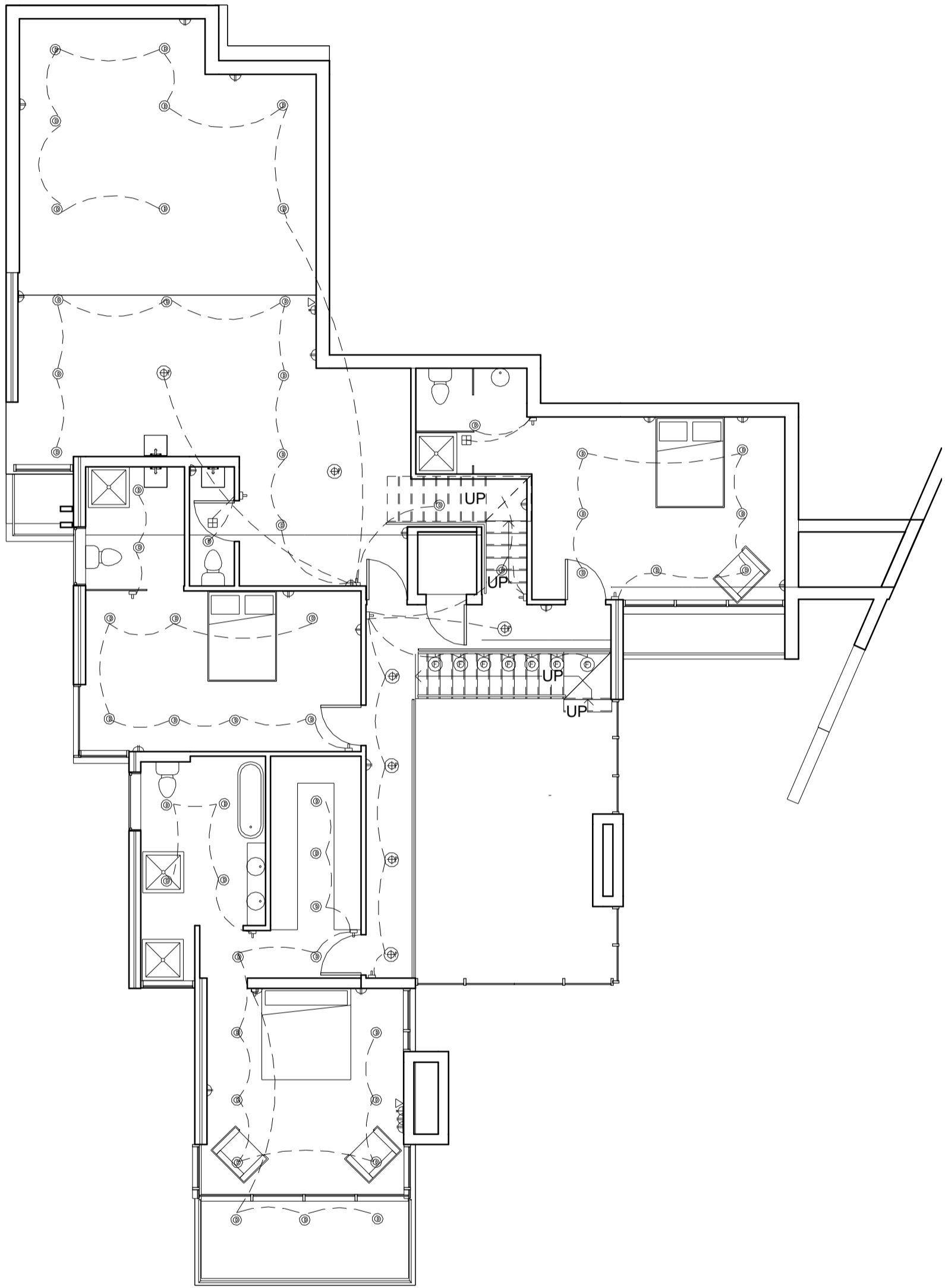
	ELECTRICAL KEY
	Down lighters
	Extractor fan connected to light switch
	Pendant light point (exact height to be determined on site)
	Watertite down lighters
	Watertite light armature point
	Fluorescent armature with prismatic diffure
	Watertite light armature point 2100mm high vertically mounted against wall
	150I/200I Kwikot hot water cylinder
	Main electrical distribution board
	Single 15 Amp Wall plug 300mm above FFL
	30 Amp single phase stove connection with isolator against wall 1100mm above FFL
	Double 15 Amp wall plug 300mm above FFL (1100mm above FFL in kitchen)
	Waterproof double 15 Amp wall plug 300mm above FFL (1100mm above FFL in kitchen)
	Telephone point mounted 300mm above FFL
	TV Point
	Single light switch wall mounted 1100mm above FFL
	Two way light switch wall mounted 1100mm above FFL
	Point for remote controlled electricity operated garage door
	Footlight

General Notes

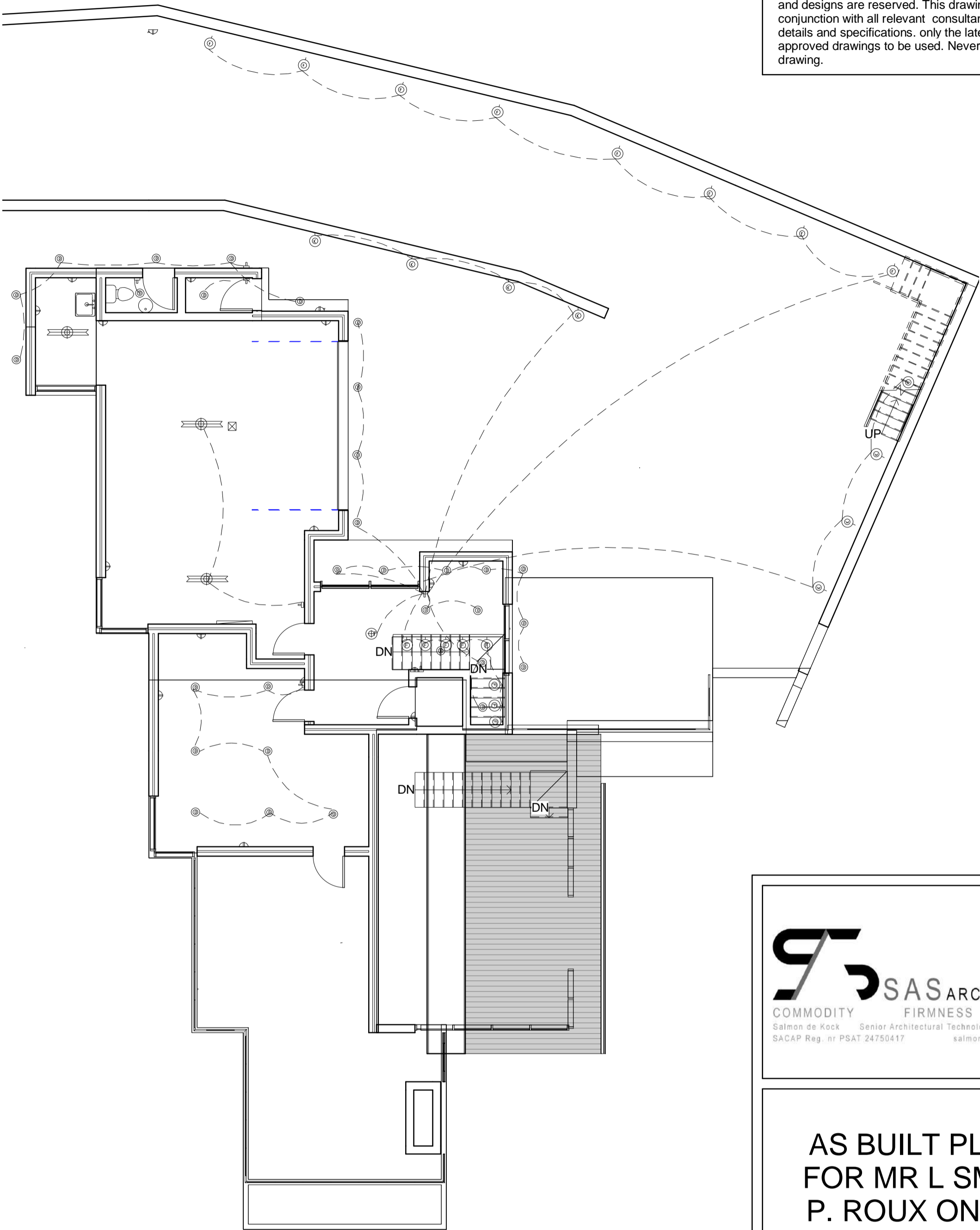
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1 Ground Floor Electrical
1 : 100



2 First Floor Electrical
1 : 100



3 Second Floor Electrical
1 : 100

NOTES TO OWNER AND CONTRACTOR

No work to commence prior to approval of the drawings by the Local Authority.

No deviations from the approved plans are allowed and the architectural professional must be informed of any changes. The contractor must check all levels and dimensions prior to commencement of any work. Any discrepancies must be reported to the Architectural Professional. Do not scale the drawings, if in doubt -ask. All plumbing and electrical work to be carried out by registered persons and on completion must provide a certificate of completion and compliance. The owner is responsible for soil testing. The site must be identified, verified and the building must be set out by a registered land surveyor. All finishing products (window frames, roof tiles, tiles, cornices etc.) must be approved by the Owner prior to ordering and installation. All products must comply with SABS standards. The copyright on all drawings and designs are reserved. This drawing is to be read in conjunction with all relevant consultants drawings, details and specifications. Only the latest signed and approved drawings to be used. Never scale from this drawing.

Lighting and ventilation
Required lux levels as per SANS 10114-1. All rooms must have sufficient cross ventilation. Ventilation opening must be at least 5% of area of room any mechanical ventilation must be done by a mechanical engineer. No opening closer than 1m to any structural obstruction on air conditioners is not a source of natural air.

Drainage
All Plumbing material and sanitation fixtures must be SABS approved. Plumbers must be re-registered. The sewer layout must comply with NBR. All sanitary appliances to be supplied with antic suction traps and or ventilated according to NBR requirements. 1 Es at all bends, connections and changes of gradient with marked covers on ground level. Sufficient access panels to be installed in all shafts over iEs. All sanitary pipes to be accessible. Pool discharges must not lead to the municipal sewer system, but must discharge on to its own site or into the street storm water drain. Geysers as per SABS 10254. All sewer pipes to be in ducts, covered with fiber cement slats. 50% Of warm water supply must be from alternative source other than electricity. All warm water pipes must be insulated

Storm water disposal
Provide a 1m (min) paving around the dwelling if no gutters and downpipes are installed. Storm water managment by means of sloping paving. Provide 110 PVC storm water pipes in the boundary walls at min 3m intervals on NGL

Energy usage in buildings
Volume of hot water supply to be calculated 50% hot water supply not to be from electricity. Solar water heating must comply with SANS 1307, 10106, 10254 and SANS 10252-1. All hot water pipes must be insulated (R Value =1). Energy usage to comply with SANS 204. House must be designed to face north. Floors must be insulated underneath underfloor heating. Fenestration must be 15% of the area of the house or fenestration calculations must be done (double glazing?). Roof must be insulated to comply.

COMMODITY FIRMNESS DELIGHT
Salmon de Kock Senior Architectural Technologist 065 285 1846
SACAP Reg. nr PSAT 24750417 salmon@sasarchitecture.co.za

AS BUILT PLANS
FOR MR L SMIT &
P. ROUX ON ERF
317, HEROLDS
BAY, GEORGE

Electrical

Project number	1
Date	06.02.2025
Drawn by	Quintus Truter
Checked by	Salmon de Kock
E	
Scale	1 : 100

ANNEXURE "B" - APPLICATION FORM



PLANNING AND DEVELOPMENT
APPLICATION FORM FOR CONSENT USE FOR A SECOND
DWELLING/ADDITIONAL DWELLING AND/OR DEPARTURE

(Please complete the form in full for consideration - tick appropriate boxes with X)

BUILDING LINE RELAXATION	X
--------------------------	---

SECOND DWELLING	
-----------------	--

ADDITIONAL DWELLING	
---------------------	--

PROPERTY DETAILS

ERF NUMBER	317	EXTENSION/A REA	Herolds Bay
ZONING	Single Residential Zone I		
EXISTING LAND USE	Residential		

CORRESPONDENCE DETAILS

IS THE APPLICANT ALSO THE REGISTERED OWNER OF THE RELEVANT PROPERTY?					YES	NO	
ADDRESS CORRESPONDENCE TO			OWNER	APPLICANT	POST OR E- MAIL	POST	E-MAIL
COLLECT BY HAND	YES	NO	TELEPHONE NO	082 464 7871			

OWNER DETAILS

OWNER NAME	Leon Smit and Philippus Daniel Roux					
STREET NAME	Voëlklip Street			HOUSE NUMBER	49	
POSTAL ADDRESS	49 Voëlklip Street			SAME AS POSTAL ADDRESS	YES	NO
EXTENSION/AREA	Herolds Bay			CODE	6615	
ID NUMBER	7007145032080 6504185033086		E-MAIL ADDRESS	flip@witbankcrematorium.co.za		
TELEPHONE NO	N/a		CELL NO	Philippus Daniel Roux - 082 782 7420		

APPLICANT DETAILS (strike through if registered owner is also the applicant)

NAME	Jan Vrolijk Town Planner / Stadsbeplanner					
STREET NAME	Victoria Street			HOUSE NUMBER	-	
POSTAL ADDRESS	P O Box 710			SAME AS POSTAL ADDRESS	YES	NO
EXTENSION/AREA	George CBD			CODE	6530	
TEL / CELL NO	082 464 7871		E-MAIL ADDRESS	janvrolijk@jvtownplanner.co.za		
PROFESSIONAL CAPACITY	Town Planner		SACPLAN NO	A/1386/2010		

BOND HOLDERS DETAILS (Only applicable if property is encumbered by a bond)

IS THE PROPERTY ENCUMBERED BY A BOND?		YES	NO
NAME OF BOND HOLDER	N/a		

TITLE DEED DETAILS

TITLE DEED NO.	T3461/2021		
ARE THERE RESTRICTIONS IN THE TITLE DEED WHICH IMPACT THE APPLICATION? (If yes, describe restrictions below)		YES	NO
Condition B.7. of Title Deed T3461/2021 which determines the street and side boundary building lines that are applicable to this application. The building lines may be relaxed with the Administrator's consent.			


APPLICATION DETAILS

DESCRIPTION OF BUILDING LINE RELAXATION (STREET / LATERAL / REAR BUILDING LINE)	FROM M	TO M	DETAILS
Street boundary building line	4.0	0.0	Retaining structure and stairs
Western side boundary building line	2.0	1,334 varying to 1,063	Existing dwelling house
	2.0	0.0	External stairs
Eastern side boundary building line	2.0	0 and 1,721	Retaining structure and covered balcony
Is an application for an increase in coverage being applied for? (Indicate increase under details)	YES	NO	
Is an application for a 2 nd dwelling /additional dwelling being applied for? (indicate size under details)	YES	NO	

HOA/ ADJACENT OWNERS DETAILS (Consent letters as well as site plans to be signed by adjacent owners)

ERF NO	ADDRESS	NAME	CONSENT LETTER ATTACHED
To be advertised			

I hereby acknowledge that in terms of the Protection of Personal Information Act (POPIA) all correspondence will be communicated directly and only to myself (the applicant). No information will be given to any third party and/or landowner (if the landowner is not the applicant). I herewith take responsibility to convey all correspondence to the relevant parties.

APPLICANT'S SIGNATURE		DATE	6 June 2025
------------------------------	---	-------------	-------------

FOR OFFICE USE: INFORMATION REQUIRED FOR SUBMISSION:

	Locality Plan		Building Plan/ Site Plan on A3/ A4		SG Diagram/ General Plan		Title Deed
	Power of Attorney		Motivation		Neighbours Consent / Comment		HOA Consent
	Bond Holder Consent		Proof of Payment		Conveyance Certificate		Other (Specify)

ANNEXURE "C" - LOCALITY PLAN

Erf 317 Herolds Bay - Locality plan



0 0.03 0.06 0.12 km

Date: 4/14/2025 7:38 AM

Scale: 1:1,102



Disclaimer
George Municipality makes no warranties as to the correctness of the information supplied.
Persons relying on this information do so entirely at their own risk.

George Municipality will not be liable for any claims whatsoever, whether for damages or otherwise,
which may arise as a result of inaccuracies in the information supplied.

ANNEXURE “D” – SURVEYOR GENERAL DIAGRAM

ANNEXURE "E" - TITLE DEED

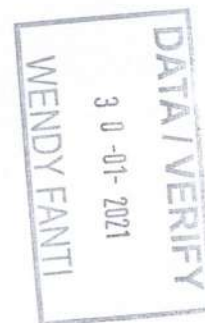
Stadler & Swart Incorporated
1 Doneraile Street
GEORGE
6529

Prepared by me


CONVEYANCER

THERESA CAMPHER-WALDER (91272)

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 950 000,00	R. 1086,00
Reason for exemption	Category Exemption.....	Exemption i t o. Sec/Reg..... Act/Proc.....



T 000003461 / 2021

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

JANINE FOUCHE (60411)

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

IAN JAMES LIGHT
Identity Number 721214 5282 08 7
Unmarried



which said Power of Attorney was signed at GEORGE on 22 DECEMBER 2020.

And the appearer declared that his/her said principal had, on 15 December 2020, 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. **LEON SMIT**
Identity Number 700714 5032 08 0
Unmarried
2. **PHILIPPUS DANIEL ROUX**
Identity Number 650418 5033 08 6
Unmarried

their Heirs, Executors, Administrators or Assigns, in full and free property

**ERF 317 HEROLDS BAY
IN THE MUNICIPALITY AND DIVISION GEORGE
WESTERN CAPE PROVINCE**

IN EXTENT 758 (SEVEN HUNDRED AND FIFTY EIGHT) Square metres

FIRST TRANSFERRED by Deed of Transfer Number T48121/1983 with General Plan T.P. 9878 relating thereto and held by Deed of Transfer Number T4198/2019.

A. SUBJECT to the conditions referred to in Deed of Transfer No. T2525/1974.

B. SUBJECT FURTHER to the following conditions contained in Deed of Transfer No. T48121/1983 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 HEROLD'S BAY 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 Notice No. 623 dated 14th August, 1970.
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 condition 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. No building on this erf shall be used or converted to use for any purpose other than that permitted in terms of these conditions.
4. The owner of this erf shall, without compensation be obliged to allow 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, 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 works connected with the above.

5. 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.
6. This erf shall be used solely for the purpose of erecting thereon one dwelling or other buildings for such purposes 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 5 m to the street line which forms a boundary of this erf, nor within 3 m of the rear or 1,5 m 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 vehicle and not exceeding 3 m in height measured from the ground floor of the outbuilding 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 12 m measured from the rear boundary of the erf, provided that in the case of a corner erf the distance of 12 m shall be measured from the point furthest from the streets abutting the erf.
 - (ii) an outbuilding in terms of subparagraph (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 sub-divided portion, other than any portion deducted for road or permit purposes, shall be subject to the conditions herein set forth as if it were the original erf.

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

IAN JAMES LIGHT, Unmarried

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

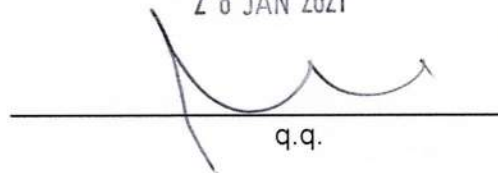
1. **LEON SMIT, Unmarried**
2. **PHILIPPUS DANIEL ROUX , Unmarried**

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 R950 000,00 (NINE HUNDRED AND FIFTY THOUSAND RAND) .

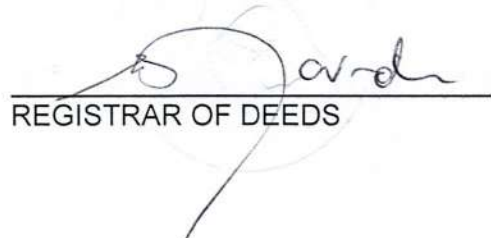
IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

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

28 JAN 2021


q.q.

In my presence


REGISTRAR OF DEEDS



ANNEXURE "F" - POWER OF ATTORNEY

POWER OF ATTORNEY

We, the undersigned

Leon Smit (ID 7007145032080) and Phillip Daniel Roux (ID 6504185033086)

the registered owners of

Erf 317 Herolds Bay

do hereby appoint Jan Vrolijk Town Planner/Stadsbeplanner to prepare, sign and submit the following application to the George Municipality:

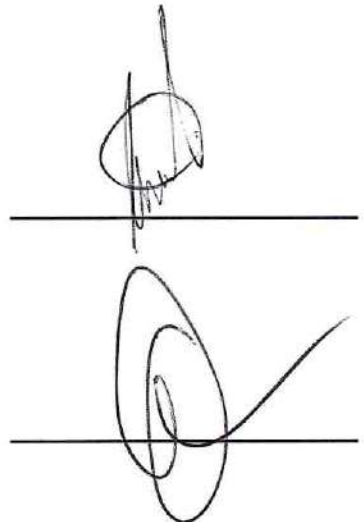
An application in terms of

- *Section 39(4) of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) for the consent of the Administrator in terms of condition B.7. on page three of Title Deed T3461/2021, the title deed of Erf 317 Herolds Bay, for the relaxation of certain building lines on Erf 317 Herolds Bay; and*
- *Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for a permanent departure on Erf 317 Herolds Bay for the relaxation of certain building lines on Erf 317 Herolds Bay.*

Signed at Herolds Bay on 5 June 2025

Leon Smit (ID 7007145032080)

Phillip Daniel Roux (ID 6504185033086)

The image shows two handwritten signatures. The top signature is for Leon Smit, written over a horizontal line. The bottom signature is for Phillip Daniel Roux, also written over a horizontal line. Both signatures are in black ink and are somewhat stylized.

ANNEXURE “G” – CONVEYANCER CERTIFICATE

CONVEYANCER'S CERTIFICATE

IN TERMS OF SECTION 38(1)(n) OF THE GEORGE MUNICIPALITY: LAND USE PLANNING BY LAW, 2023

ERF 317 HEROLDS BAY

APPLICATION DETAILS

- An application in terms of Section 39(4) of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) for the consent of the Administrator in terms of condition B.7. on page three of Title Deed T3461/2021, the title deed of Erf 317 Herolds Bay, for the relaxation of:
 - the street boundary building line on Erf 317 Herolds Bay from 5 metres to 0 metres to accommodate the retaining structure for the driveway and a set of stairs to gain access to the street level;
 - the western boundary building line on Erf 317 Herolds Bay from 1,5 metres to 1,334 metres varying to 1,063 metres for the dwelling house and from 1,5 metres to 0 metres for external stairs along the dwelling house; and
 - the eastern boundary building line on Erf 317 Herolds Bay from 1,5 metres to 0 metres for a retaining wall.
- An application in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for a permanent departure on Erf 317 Herolds Bay for the relaxation of:
 - the street boundary building line from 4.0 metres to 0,0 metres to accommodate the retaining structure for the driveway and a set of stairs to gain access to the street level;
 - the western boundary building line on Erf 317 Herolds Bay from 2,0 metres to 1,334 metres varying to 1,063 metres for the dwelling house and from 2,0 metres to 0 metres for external stairs along the dwelling house; and
 - the eastern boundary building line on Erf 317 Herolds Bay from 2,0 metres to 0,0 metres for a retaining wall and from 2,0 metres to 1,721 metres for a covered balcony on the first floor of the dwelling house.

APPLICATION DATE

June 2025

I, the undersigned

ANDALEEN CHIMES a duly qualified and admitted Conveyancer, practicing at A Chimes & Van Wyk Attorneys, Cathedral Street, George do hereby certify as follows:

1. I have perused the following title Deed/s and conducted a search behind the pivot of the said title deed/s at the Deeds Office, Cape Town:

T3461/2021 (current Title Deed)

in respect of:

**ERF 317 HEROLDS BAY
IN THE MUNICIPALITY AND DIVISION OF GEORGE
WESTERN CAPE PROVINCE**

IN EXTENT: 758 (SEVEN FIVE EIGHT) SQUARE METRES

HELD BY DEED OF TRANSFER NUMBER T3461/2021

REGISTERED in the name of

LEON SMIT AND PHILIPPUS DANIEL ROUX

2. I have appraised myself with the details of the abovementioned Land Development Application.
3. The abovementioned Title Deed contains the *inter alia* the following condition B.7. restricting the contemplated Land Use in terms of the abovementioned Land Development Application:

“B. *SUBJECT FURTHER to the following conditions contained in Deed of Transfer No. T48121/1983 imposed by the administrator of the Province of Cape of Good Hope in terms of Ordinance 33 of 1934 when approving of the establishment of HEROLD’S BAY TOWNSHIP EXTENSION NO. 2, namely:*

7. *No buildings or structure or any portion thereof except boundary walls and fences, shall except with the consent of the Administrator, be erected nearer than 5 metres to the street line which forms a boundary of this erf nor within 3 metres of the rear or 1,5 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 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 building of the same height may be erected within the rear space and side space for a distance of 12 metres measured from the rear boundary of the erf, provided that in the case of a corner the distance of 12 metres shall be measured from the point furthest from the street 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 a boundary.”*

4. There is no bond registered over the property.

SIGNED at GEORGE on 4 June 2025



CONVEYANCER