



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

1283

REPORT TO MUNICIPAL PLANNING TRIBUNAL

ITEM NO **MPTSW40/08/19**

CASE ID	70462676
CASE OFFICER	N Floris
CASE OFFICER PHONE NO	021 444 9540
DISTRICT	Southern
REPORT DATE	02/08/2019

WARD 64: APPLICATION FOR THE DETERMINATION OF AN ADMINISTRATIVE PENALTY IN TERMS OF THE CAPE TOWN MUNICIPAL PLANNING BY-LAW, 2015 (MPBL): ERF 84940 CAPE TOWN AT LAKESIDE, 29 BUNKER ROAD

1 EXECUTIVE SUMMARY

Property description	Erf 84940 Cape Town at Lakeside
Property address	29 Bunker Road
Site extent	659m ²
Current zoning	Single Residential Zone 1
Current land use	Dwelling house
Overlay zone applicable	None
Submission date	19/06/2019
Subject to PHRA / SAHRA	No
Any unauthorised land use / building work?	Unauthorised shed and veranda
Has owner applied for the determination of an administrative penalty	Yes
Has the City Manager applied to the MPT for an order that a person who is contravening the MPBL must pay an administrative penalty in an amount determined by the MPT	No
Has the City issued a demolition directive i.t.o section 128 of the MPBL? If yes, an administrative penalty may not be applied for.	No
Has the City 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 an administrative penalty?	A notice was served by a building inspector on 06/06/2019.

2 DECISION AUTHORITY

For decision by the Municipal Planning Tribunal (MPT).

3 BACKGROUND / SITE HISTORY

- 3.1 On 04/04/2019 an application for Council's approval and departures was submitted to permit a shed and louvered aluminium awning (veranda). The submission of the application was incomplete and was closed on 14/05/2019 without it having been correctly advertised. (Note: Prior to the submission the application, the application was advertised incorrectly (did not include all the required applications) by means of letters of no objection to affected parties, and no objections were received.) The applicant is yet to submit a new land use application.
- 3.2 During the assessment of the aforementioned land use application as per Paragraph 3.1 above, Council noted that the shed and veranda has already been constructed and requested the applicant to submit an application for the determination of an administrative penalty. The applicant did so on 16/05/2019. The application was incomplete and was closed on 18/06/2019. The applicant has re-submitted, hence this current application.
- 3.3 On 06/06/2019 a building inspector served notice on the owner for the unauthorized building work relating to the shed (see Annexure F).
- 3.4 It is noted from the last previously approved building plan (see Annexure D) that the existing timber deck/veranda (which is shown on the Site Development Plan (SDP) attached as Annexure B), has no building plan approval. This timber deck was not highlighted as unauthorised building work by the applicant. However, both the veranda and the timber deck do not contravene the Development Management Scheme (DMS) or conditions contained in the title deed.

4 SUMMARY OF APPLICANT'S MOTIVATION

The applicant's motivation is attached as Annexure C and may be summarised as follows:

- Both the shed and veranda were constructed without plans being submitted to Council.
- The owner believed that no approval was required for these structures.
- The owner was advised by a company that no approval is required for minor modifications to the owner's home.
- The owner's father advised the owner that no approval is required for a shed in other municipalities.
- Several properties in Lakeside have sheds which do not have Council's approval.
- The veranda does not contravene any title deed conditions or any By-Laws.
- The shed contravenes the street building line of the Development Management Scheme and a condition contained in the title deed.
- Both structures were erected in 2014.
- After a survey was done in 2017, the owner become aware that the shed encroached into the street.
- The encroachment portion was removed in August 2017.
- The veranda cost R48 687.00 and measures 24.8m² in extent.
- The shed cost R22 060.00 and measures 22.8m² in extent.
- The gravity is not grave.
- The contraventions are as a result of misinformation.

- No neighbours objected to the proposal.
- The owner wishes to rectify the mistake.
- The contravention has not stopped.
- The owner has not previously been in contravention of the any planning law.

5 ASSESSMENT OF APPLICATION

- 5.1 The administrative penalty is required for the unauthorised building work on the subject property in the form of a shed (setback 0m from the street) that contravenes the 3.5m street and 3m common boundary setbacks. The contravention relates to Items 22(d) and 22(f)(i)(cc) of the DMS.
- 5.2 In addition, the shed also contravenes condition C(iv) contained in the title deed T70256/2010 (see Annexure E) which was imposed in terms of the Townships Ordinance No 33 of 1934. This is effectively a further contravention of the MPBL. The contravened condition states that "no buildings or structure or any portion thereof, except boundary walls and fences, shall be erected nearer than 4.72 metres of the street line which forms a boundary of this erf..." (i.e the shed is within the setback distance of 4.72 metres from the street).
- 5.3 In terms of section 129(7)(a) of the By-Law, an administrative penalty for a building work contravention may not be more than 100% of the value of the building, construction and engineering work unlawfully carried out.
- 5.4 The entire shed, measuring 22.8m² in extent, is in contravention of the DMS and the condition contained in the title deed. The applicant has submitted the cost of the shed via an invoice (from 2014) which amounts to R22 060.00 (see Annexure C).
- 5.5 However, due the date of the invoice and that the Standard Operating Procedure for Administrative Penalties not listing invoices of this nature as provided methods of building values/costs, the value of the building work has been determined as per the table of building costs in the Standard Operating Procedure for Administrative Penalties.
- $R920.00 \times 22.8m^2 = R20\ 976.00$
- 5.6 An amount which is not more than 100% of R20 976.00 may be imposed as an administrative penalty.
- 5.7 The following factors need to be considered when determining an appropriate administrative penalty, as contemplated by section 129(8) of the By-Law:

a) The nature, duration, gravity and extent of the contravention

Nature - The nature of the contravention relates to the unauthorised shed that is ordinarily permitted as an outbuilding in Single Residential Zone 1.

Duration - According to the applicant the unauthorized building work was constructed in September 2014. The duration of the contravention is thus relatively long.

Gravity - The gravity is not particularly serious given the low impact of the structure on the streetscape. Although the shed is located 0m from the street building line, it is well screened from the carriageway by large amounts of mature vegetation. However, it is aggravated by the fact that in addition to contravening the DMS, it also contravenes a restrictive title deed condition.

Extent – At 22.8m², the extent of the contravention is relatively small.

b) The conduct of the person involved in the contravention

- According to the applicant, the owner claims to have not been aware that building plan approval was required for the shed and the other unauthorised building work. Even if this is the case, ignorance of the law is not an excuse. The owner takes full responsibility for his actions and has tried to rectify by submitting an application.
- It must be noted that in the application submitted (see Paragraph 3.1 above) the applicant gave incorrect information and indicated on the land use application form that there was no contravention of the MPBL and no unlawful building work. This was patently incorrect.
- In this regard it must be noted that Section 78 of the MPBL states that:
 - (1) An applicant must ensure that –
 - (a) no misrepresentation is made to the City;
 - (b) the City is not misled;
 - (c) all information furnished to the City is accurate; and
 - (d) the application does not omit any relevant information.
 - (2) A person who contravenes subsections (1)(a) or (1)(b) is guilty an offence and upon conviction is liable to the penalties contemplated in Sections 133(2) and 133(3).
- Furthermore, there is no land use application currently submitted to rectify the unauthorised building work.
- The applicant has thus not been forthright and cooperative regarding this matter.
- The conduct of the owner cannot be condoned.

c) Whether the unlawful conduct was stopped

The unlawful conduct has not stopped as the building work is complete.

d) Whether a person involved in the contravention has previously contravened by this By-Law or any other planning law

As far as can be ascertained, the owner of the property has not previously contravened this By-Law or any other planning law.

- 5.8 In view of the abovementioned considerations, and particularly the conduct of the owner, and that administrative penalties are, to some extent at least, meant to serve as a deterrent, this Department recommends that an administrative penalty of R2 000.00 be imposed.

6 REASONS FOR DECISION

Reasons for the recommended decision may be summarised as follows:

- 6.1 The administrative penalty is required for unauthorised building work on the subject property that contravenes Items 22(d) and 22(f)(i)(cc) of the DMS, and a title deed condition.
- 6.2 The extent of the contravention is small.

- 6.3 The duration of the contravention is long.
- 6.4 The gravity is not particularly serious given the low impact of the structure on the streetscape. Although the shed is located 0m from the street building line, it is well screened from the carriageway by large amounts of mature vegetation. However, it is aggravated by the fact that in addition to contravening the DMS, it also contravenes a restrictive title deed condition.
- 6.5 The owner has given incorrect information to Council and has not been cooperative regarding this matter. His/her conduct cannot be condoned.
- 6.6 As far as can be ascertained, the owner of the property has not previously contravened the Municipal Planning By-Law, 2015 or any other planning law.

7 RECOMMENDATION

In view of the above, it is recommended that:

- a) That an administrative penalty in the amount of R2 000.00 be determined in terms of section 129 of the City of Cape Town Municipal Planning By-Law, 2015 in respect of Erf 84940 Cape Town at Lakeside regarding the unauthorised building work as shown in the plan drawn by BC Design with drawing number 2017/17011/01, dated 02/05/2019.

ANNEXURES

Annexure A	Locality map
Annexure B	Site Development Plan
Annexure C	Applicant's motivation
Annexure D	Previously approved building plans
Annexure E	Title deed
Annexure F	Notice



Section Head : Land Use Management

Name	P Hoffa
Tel no	021 444 7724
Date	2019-08-02

Comment



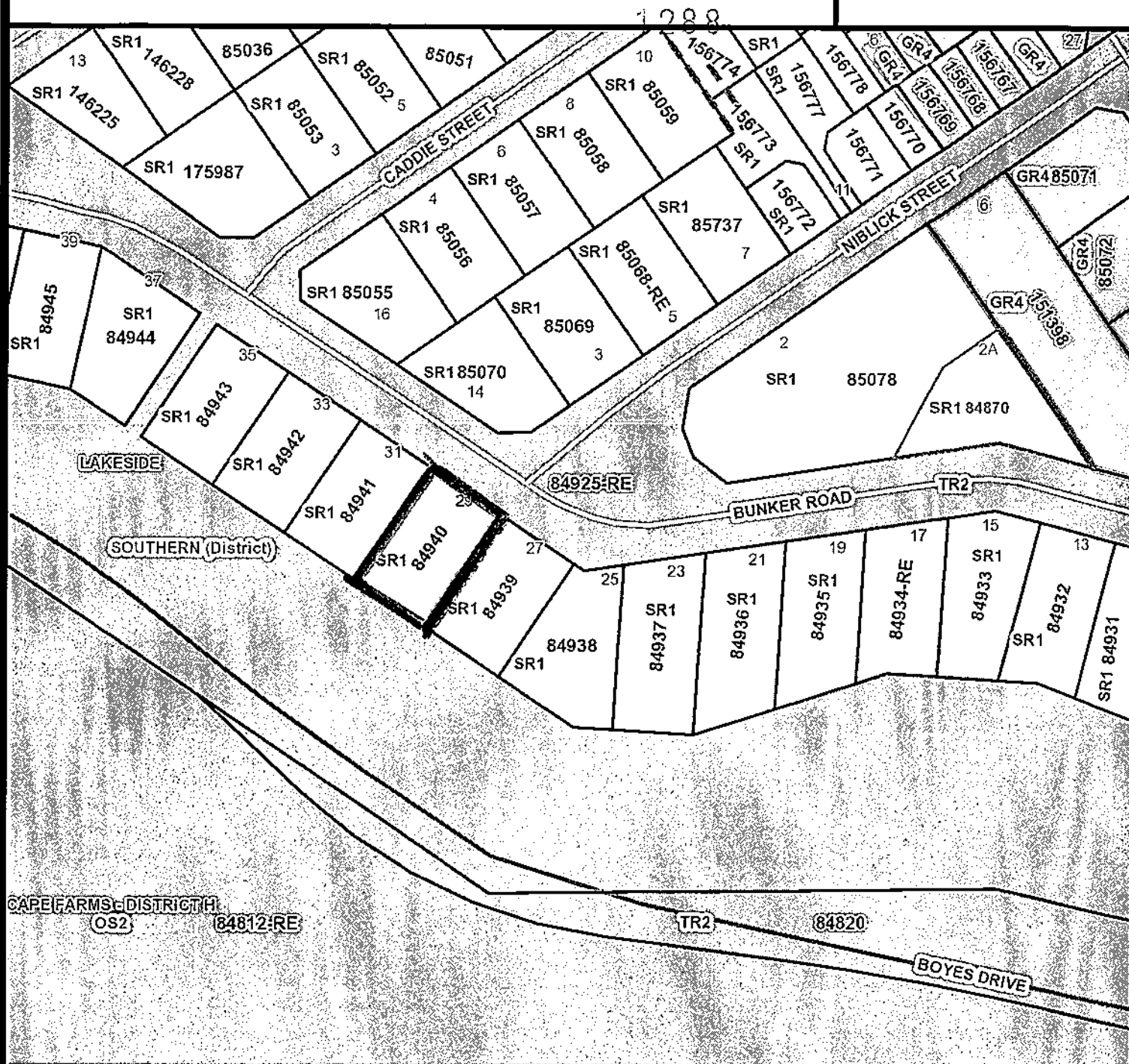
Acting District Manager

Name	P Hoffa
Tel no	021 444 7724
Date	2019-08-02

Comment

PLANNING AND BUILDING DEVELOPMENT MANAGEMENT LOCALITY MAP

ANNEXURE : A



Overview

Erf: 84940

District: SOUTHERN

Allotment: CAPE TOWN

Suburb: LAKESIDE

Ward: 64

Sub Council: Subcouncil 19



1:1 356

Notices Served



Support
Received



Petition
Signatory



Objections
Received



Generated by:

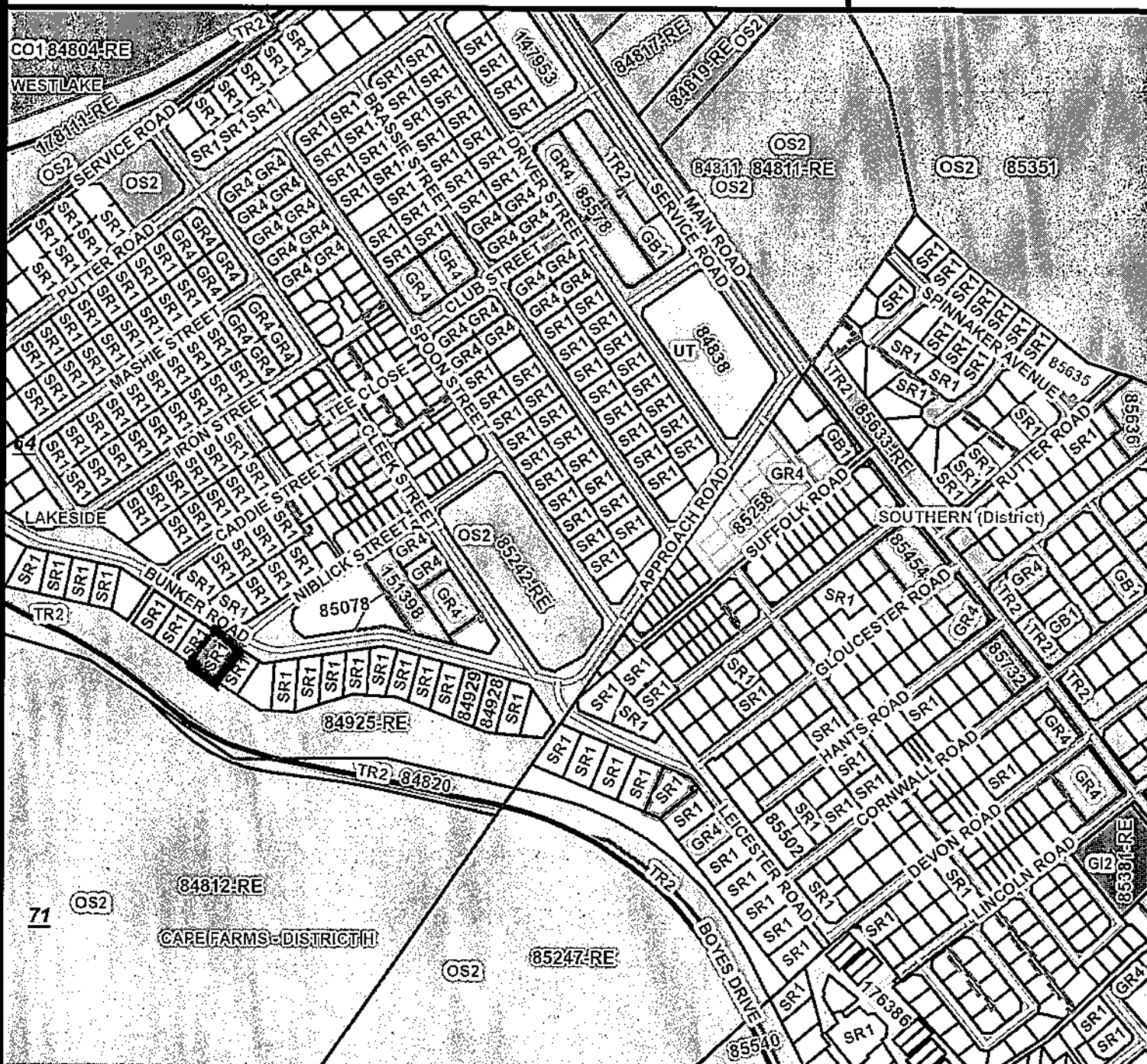
Date: Monday, July 29, 2019

File Reference:



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Making progress possible. Together.



Overview

Erf: 84940

District: SOUTHERN

Allotment: CAPE TOWN

Suburb: LAKESIDE

Ward: 64

Sub Council: Subcouncil 19



1:4 676

Notices Served



Support
Received



Petition
Signatory



Objections
Received



Generated by:

Date: Monday, July 29, 2019

File Reference:



CITY OF CAPE TOWN
ISIIXEKO SASEKAPA
STAD KAAPSTAD

Making progress possible. Together.

SECOND STOREY PLAN
SCALE 1:100

To Whom It May Concern:

1291

We are writing to regularize to building issues at my home at 29 Bunker Road, Lakeside

Nature of the contravention

In 2014, two separate structures were installed at my house. One is a Wendy house/ storage room and the other is a louvered aluminium awning over a balcony. These were both constructed without plans being submitted for approval at council and both were constructed with me believing that no approvals were required.

In the case of the aluminium awning, I attended a decorating show at the CITCC where I saw several companies advertising louvered awnings. None of these companies mentioned needing any plans or approvals, and in fact one company told me that there was no requirement since it was a minor modification to my house and it was not considered a roof since it opened to let in the elements. I proceeded to purchase and have the awning installed.

In the case of the Wendy house, we were in need of additional storage for mainly recreational items, such as a canoe, a Kayak, a sailboat, bicycles and garden tools. My father, who used to work at a municipality just out side of Cape Town, told me that they never required any plans or approvals for wooden sheds on any properties, as these were not considered improvements to the house, simply wooden freestanding structures that could be removed at any time and were considered as temporary in nature. I assumed that the same conditions applied in Cape Town. When we purchased the Wendy house, the Vendor/Manufacturer/Installer never once indicated that we should have plans and in discussion with several residents of Lakeside who had Wendy houses, all were installed without plans or permissions. As a result it was my impression at the time that such a structure could be installed without approaching Council.

To the best of my knowledge, other than being built without a permit, the Awning does not contravene any of the title deed conditions or by-laws.

In the case of the Wendy house, the portion facing the street is located within both the 3.5m building line outlined in the By-Law and the 4.7m building line in the title deed. The east side of the Wendy house is located within the 3.5m building line outlined in the By-Law but is outside of the 1.57m building line in the title deed.

Duration of the contravention

The awning was installed November 2014 and the Wendy house was installed in September 2014. Both structures remain in place on the property. When I had a survey done of the Wendy house, (in June 2017) I became aware that a portion of

the structure protruded over the property line. This portion of the Wendy house was removed in August 2017 so that all of the Wendy house was inside the property line.

Extent of the contravention

The louvered aluminium awning was purchased for a cost of R48,678.00 which included an installation cost of R4,210 and is 24.8 square meters in area. The Wendy House/ Store Room was purchased for a cost of R22,060 and is 22.8 square meters in size. The original tax invoices for both installations are attached.

Gravity of the contravention

In the opinion of the author, neither contravention is grave. Both contraventions occurred due to misinformation I received. Neither structures is habitable and neither impedes any sightlines of my neighbours. None of the neighbours objected when I took plans and letters for them to sign.

Conduct of the person involved in the contravention

It has been brought to my attention at that both of these items should have had prior approvals. If I had been aware of that, I certainly never would have had them installed without first getting plans approved. I now find myself in the position of rectifying my mistake and am thus applying for the application of an administrative penalty for the installations.

Whether the contravention has stopped

Both structures remain in place on the property.

Whether the person involved whether has previously contravened this By-Law or a previous planning law

Other than this occasion, I have never been informed or made aware that I have been in contravention of the current or previous By-Law or planning law.

Sincerely yours



Karyn Nell McCombe (Bokhorst)

To Whom It May Concern:

We are writing to regularize to building issues at my home at 29 Bunker Road, Lakeside - Erf 84940

In 2014, two separate structures were installed at my house. One is a Wendy house/ storage room and the other is a louvered aluminium awning over a balcony. These were both constructed without plans being submitted for approval at council and both were constructed with me believing that no approvals were required.

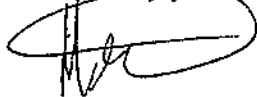
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In the case of the Wendy house, we were in need of additional storage for mainly recreational items, such as a canoe, a Kayak, a sailboat, bicycles and garden tools. My father, who used to work at a municipality just out side of Cape Town, told me that they never required any plans or approvals for wooden sheds on any properties, as these were not considered improvements to the house, simply wooden freestanding structures that could be removed at any time and were considered as temporary in nature. I assumed that the same conditions applied in Cape Town. When we purchased the Wendy house, the Vendor/Manufacturer/Installer never once indicated that we should have plans and in discussion with several residents of Lakeside who had Wendy houses, all were installed without plans or permissions. As a result it was my impression at the time that such a structure could be installed without approaching Council.

Since that time, it has been brought to my attention at that both of these items should have had prior approvals. If I had been aware of that, I certainly never would have had them installed without first getting plans approved. I now find myself in the position of rectifying my mistake and am thus applying for the application of an administrative penalty for the installations.

The louvered aluminium awning was purchased for a cost of R48,678.00 which included an installation cost of R4,210 and is 24.8 square meters in area. The Wendy House/ Store Room was purchased for a cost of R22,060 and is 22.8 square meters in size. The original tax invoices for both installations are attached.

Sincerely yours



Karyn Nell McCombe (Bokhorst)



OWNER NAME: BOKHORST KARYN

<p>PUBLIC NOTICE CALLING FOR INSPECTION OF THE 2018 GENERAL VALUATION ROLL AND LODGING OF OBJECTIONS</p> <p>This communication contains: • The new valuation of the property. • Public inspection and objection process. • Public inspection venues. • General questions and answers.</p>	<p>ISAZISO ESILOLISWE KULUNTU SEKHWELI LOKUBA KUHLIOLWE ULUHLU LEZOQINGQO-MAXABISO NGOKUPHANGALELEYO LWANGO-2018 NOKUNGENISWA KWEZICHASO</p> <p>Le mbalelwano lqulathe:</p> <ul style="list-style-type: none"> • Uqingqo-maxabiso olutsha lwepropati, • Ingcaciso yenkqubo yohlolo luluntu kwaneyokufaka isichaso. • Uluhlu lweendawo zohlolo zoluntu • Imibuzo ngokubanzi neempendulo. 	<p>OPENBARE KENNISGEWING OOR BESIGTING VAN DIE ALGEMENE WAARDASIELYS VIR 2018 EN INDIENING VAN BESWARE</p> <p>Hierdie kommunikasie bevat:</p> <ul style="list-style-type: none"> • Die nuwe waardasie van die eiendom • Proses vir openbare insae en beswaar • Lokale vir openbare insae • Algemene vrae en antwoorde
<p>In terms of the provisions in sections 48 and 49 of the Municipal Property Rates Act, Act 6 of 2004, hereinafter referred to as the Act, I hereby furnish the particulars which are applicable to the under-mentioned property included in the 2018 General Valuation Roll.</p>	<p>Ngokwemimiselo yamacandelo-48 nole-49 oMthetho ongamaXabiso eePropati zikaMasipala onguNomb.6 wango-2004, nekuthi emva koku kubhekiselwe kuwo ngokuba nguMthetho, ke ngoko ndinikezela ngeenkukacha apho zijoliswe kwipropati ekhankanywe ngezantsi apha ebandakanyweyo kuLuhlu loQingqo-maxabiso ngokuphangaleleyo lwango-2018.</p>	<p>Ingavolge die bepalinge van artikel 48 en 49 van die Wet op Munisipale Eiendomsbelasting, Wet 6 van 2004, hierna die Wet genoem, verskaf ek die besonderhede wat betrekking het op die ondergenoemde eiendom wat in die bogenoemde algemene waardasielys vir 2018 ingesluit is.</p>
<p>Registered / other description of the property Inkcazelo ebhalisiweyo okanye elolunye uhlobo yepropati Geregistreerde / ander beskrywing van die eiendom</p>	<p>84940 CAPE TOWN SPM007621400000</p>	
<p>Rating Category of Property Udidi lweXabiso lePropati Graderingskategorie Kategorie Van Eiendom</p>	<p>RESIDENTIAL</p>	
<p>Physical Address Idilesi yeNdawo Fisiese adres</p>	<p>29 BUNKER LAKESIDE</p>	
<p>Extent of the land Ubukhulu bomhlaba Grootte Van Grond</p>	<p>659</p>	
<p>Effective Date Umhla Wokuqaliswa Intreedatum</p>	<p>01-07-2019</p>	
<p>Market Value Ixabiso leNtengiso Markwaarde</p>	<p>R 3,672,000</p>	

Municipal Valuer / uMqinqqi-maxabiso kaMasipala / Munisipale Waardeerder

For more information:
Sharecall: 086 010 3089
Fax: 0865856042
Email: valuationobjection@capetown.gov.za
Web: www.capetown.gov.za/propertyvaluations/

Ngilwazi oluthe vetshe:
Inombolo yoncedo: 086 010 3089
Ifekshi: 0865856042
Iimeyili: valuationobjection@capetown.gov.za
Iwebhusayithi: www.capetown.gov.za/propertyvaluations/

Vir meer inligting:
Sharecall: 086 010 3089
Faks: 0865856042
E-pos: valuationobjection@capetown.gov.za
Web: www.capetown.gov.za/propertyvaluations/

Making progress possible. Together.

Tax Invoice

1295

 **FINAL FINISH**

Final Finish Interiors (Pty) Ltd.

VAT No: 4420261754

Reg. No: 2012/139295/07

Postal Address:

PO Box 15825

Viaeberg

Western Cape

8018

Physical Address:

Unit 47

Block A - Northgate Business Park

Gold Street

Northgate Estate Brooklyn

7405

Bank Details:

Acc. Holder: Final Finish Interiors

Bank: FNB - Gardens

Branch No: 201511

Account No: 62371142490

McCombe

Customer VAT No:

Postal Address:

Physical Address:

29 Bunker Road

Lakeside

Number: INV0000209

Date: 05/11/2014

Page: 1/1

Quote: T1408272

Sales Rep: Thomas Brauer

Due Date: Payable on Presentation

Description	Quantity	Excl. Price	VAT %	Exclusive Total	Inclusive Total
AA1001 - Adjustable Aluminium Awning	1	R 39,000.00	14.00%	R 39,000.00	R 44,460.00
IN1001 - Installation cost	1	R 3,700.00	14.00%	R 3,700.00	R 4,218.00

Goods remain the property of Final Finish Pty Ltd. until all goods are paid for in full.

A deposit of R 24 339 has been paid, the outstanding amount is R 24 339.

Total Exclusive VAT: R 42,700.00

Total VAT: R 5,978.00

Total including VAT: R 48,678.00



1296

WENDY HOUSE FACTORY

TIMBER FRAME HOMES AND WENDY HOUSES

78 BAIRD STR UITENHAGE

CELL 084 604 3654

FAX

086 699 7485

WEBSITE:

www.wendyhousefactory.co.za

E-MAIL:

wendyhousefactory@yahoo.com

PRO FORMA INVOICE

CLIENT KARYN MCCOMBE
ADDRESS 29 BUNKER RD LAKESIDE
EMAIL
TEL: 715,227,848

quote no: 4026

DATE

DESCRIPTION	QTY	AMOUNT
WENDYHOUSE WITH MINI LOGS		
PANELS 6.5m		
PANEL 4.3m	2	R 8,400.00
PANEL 2.3m	1	R 3,440.00
The concrete floor is supplied by customer we install and deliver the panels and we put a wood preservative treatment	1	R 2,770.00
WHITE ECO PLASTIC ROOF SHEETS		
this price includes the double swing doors (ONLY 1 X PAIR)		R 6,890.00
THE DOOR OPENINGS WILL BE ON THE 4.3m side and the height of the panels is 2.4m high		
** EXTRA COST FOR 6.7m and 6.9m sides **		R 560.00
** deposit paid - R 15000.00		
balance outstanding - R 7060.00		
THANX		
ANNEMARIE		
** WE ARE FULLY BOOKED UNTIL THE 14TH AUG 2014		
NEXT INSTALLATION OPENING ON THE 15TH AUG 2014 **		
DIRECT PAYMENTS TO:		
FNB CHEQUE ACC NO: 62381926173		
BRANCH CODE: 210316		
TOTAL		R 22,060.00

* A SEVENTY PERCENT DEPOSIT IS PAYABLE ON ACCEPTANCE OF QUOTE AND BALANCE ON COMPLETION

* NO CHEQUES ACCEPTED

* NO VAT CHARGED

* ALL EQUIPMENT BELONGS TO WENDY HOUSE FACTORY UNTIL FULLY PAID

* BUILDING PLANS AT LOCAL MUNICIPALITY AS PER YOUR REQUIREMENTS

wendyhousefactory.co.za

01639

DRAINAGE ELEVATION
NOT TO SCALE

The diagram illustrates a drainage system layout. A horizontal sewer line is shown with a vertical branch labeled "NEW 110mm DIAM PVC SEWER PIPE". To the left of the branch, the line includes a "VENT VALVE" and a "WC" (water closet) fixture. To the right, it includes an "EXIST. GULLEY" and an "EXIST. SEWER PIPE". A vertical line labeled "EXIST. STACK" runs upwards from the main line, with a note "OLD BATHROOM FITTINGS REMOVED" pointing to a dashed circle. Above the stack, there are two existing fixtures: "EXIST. WHB" (water heater box) and "EXIST. WC". A "90 DEG TURN IN SEWER PIPE AT THIS POINT" is indicated at the junction of the new and existing pipes. The diagram also shows "FFL" (Finished Floor Level) and "NGL" (Natural Ground Level) lines. An arrow at the bottom right points "TO EXISTING MUNICIPAL CONNECTION".

CITY OF CAPE TOWN
PLANNING & BUILDING DEVELOPMENT MANAGEMENT

Recommended for approval

[Signature]
Building Control Officer / Delegate

This application has been approved in terms of
Section 7(1)(a) of Act 103 of 1977, subject to the
conditions in the attached letter of approval.

[Signature] 13/6/12
Planning & Building Development Management Date

A82816

~~27 May 2012~~
27 May 2012

BOUNDARY BECONS (PBOs) ARE TO POINT OUT TO THE BUILDING INSPECTOR ON REQUEST AND PRIOR TO ANY BUILDING WORK COMMENCING

DATE	No.	DESCRIPTION
10 MAY 12	A	ISSUE TO CITY OF CAPE TOWN FOR APPROVAL

alterations and additions to
20 BUNKER ROAD LAKESIDE
ERF 84940 CAPE TOWN

DRAWING	LOCAL AUTHORITY APPROVAL PLANS		
DRAWING No.	CT046/12/CS.02	REVISION	0
DATE	24 MAY 2012	REV. DATE	xx xxx 2012
SCALE	AS SHOWN ABOVE	SIZE	A1

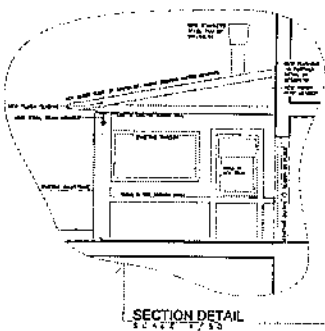
HARRISON HYDE
ARCHITECTS

PO BOX 51687, WATERFRONT, 8002 • 093 680 3800 • parry@harrisharchitects.biz
Perry Harrison-Hyde B.Arch(Hills) PrArch(sa) • SACAP Reg.6350 • member of CIFA

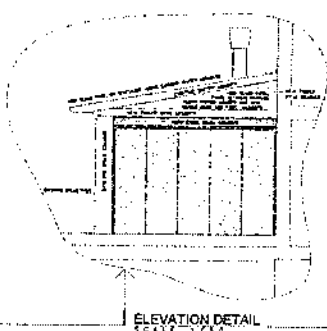
SPRINT
2017

1298

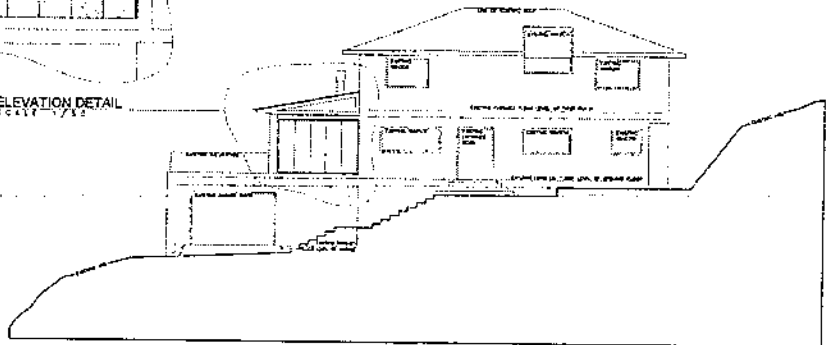
CITY OF CAPE TOWN
MUNICIPALITY OF CAPE TOWN
DEPARTMENT OF ENVIRONMENTAL AFFAIRS
LOCAL AUTHORITY
1298
12/12/17
NOTED



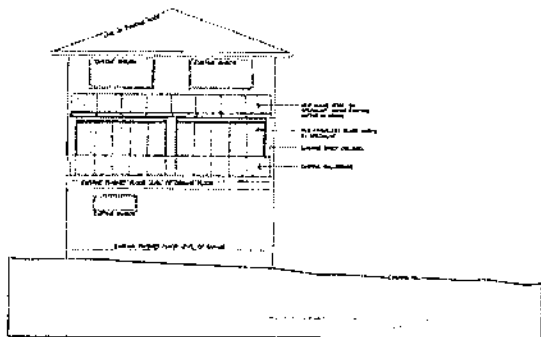
SECTION DETAIL
SCALE 1/10



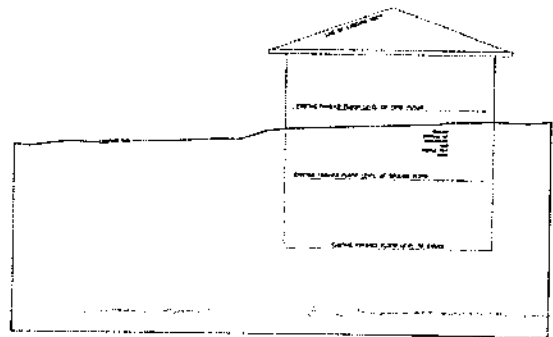
ELEVATION DETAIL
SCALE 1/10



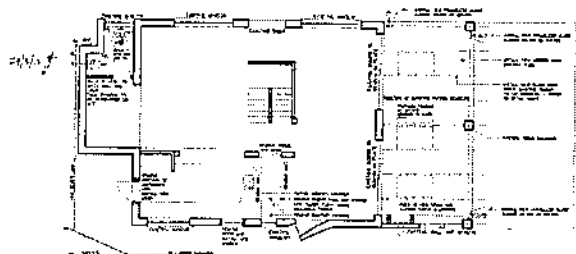
NORTH WEST ELEVATION
SCALE 1/100



NORTH EAST ELEVATION
SCALE 1/100



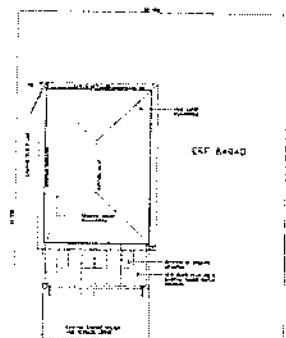
SOUTH WEST ELEVATION
SCALE 1/100



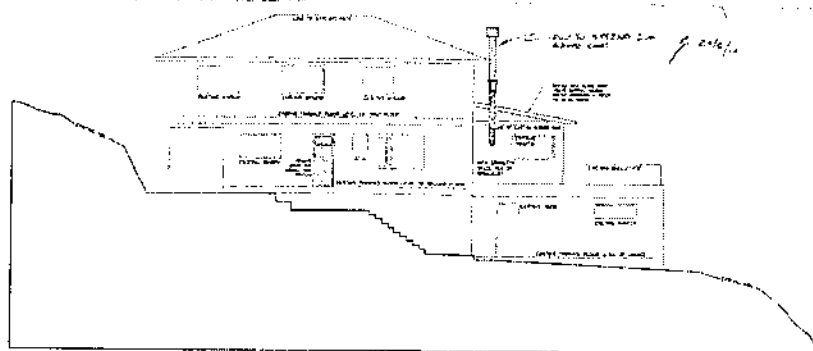
GROUND FLOOR PLAN
SCALE 1/100

GLAZING
NOTE:
ALL GLAZING TO BE SAFETY GLAZING
EXCEPTED: GLAZING IN PORCHES
WITH PLANT IN (AND IN PATIO AREA) OF
THE FIVE (FIVE) ROOMS

DRAINAGE
NOTE: TO SEPARATE AS DRAWING



SITE AND ROOF PLAN
SCALE 1/200



SOUTH EAST ELEVATION
SCALE 1/100

REVISIONS and ISSUES

DATE	REVISION
12/12/17	ISSUED FOR PERMIT

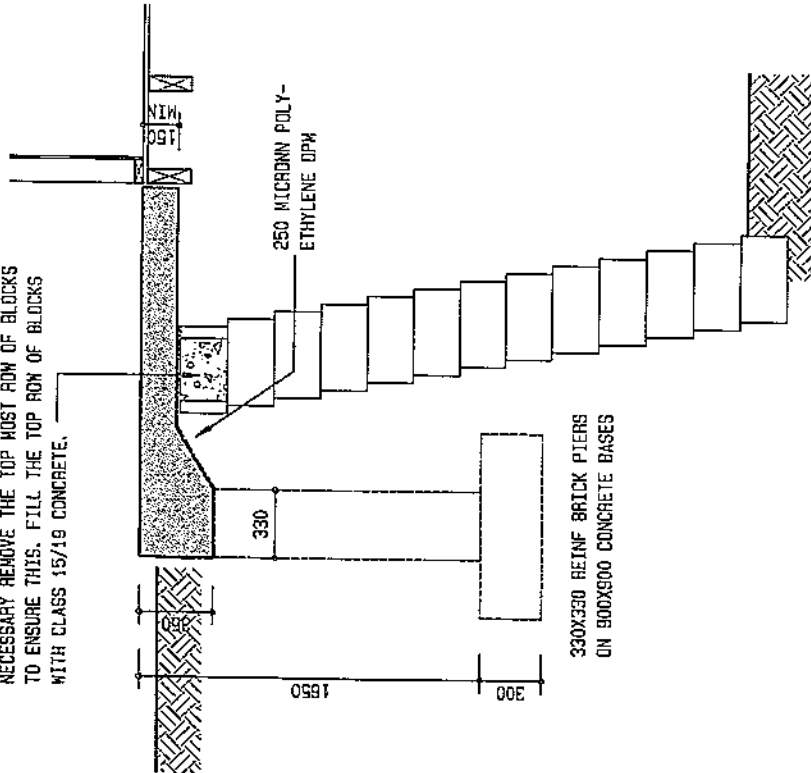
NO OBJECTION
14 MAY 2018
F01511

23 alterations and additions to
26 BUNKER ROAD LAKESIDE
ERP 24941 CAPE TOWN

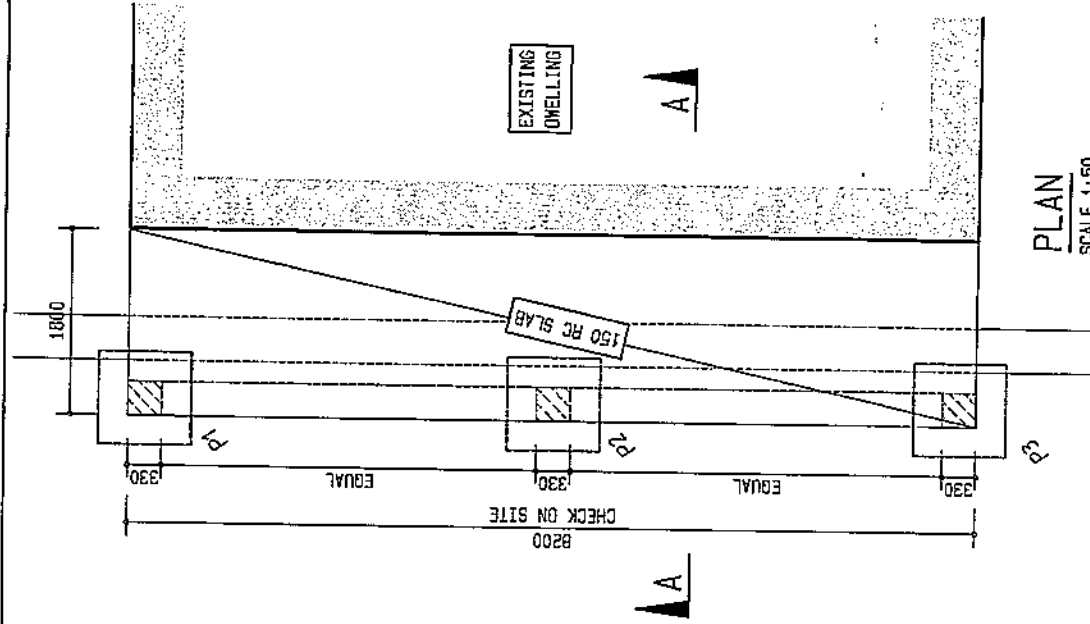
DRAWING: LOCAL AUTHORITY APPROVAL PLANS
DRAWING NO: 0136/17/0031 REASON: D
DATE: 7 MAY 2018 REC. DATE: 24 MAY 2018
SCALE: AS SHOWN ABOVE SITE: A1

HARRISON HYDE
ARCHITECTS
PO BOX 11487, WATERLOO, 7935 + TEL: 021 960 3000 + 24 HOURS FAX: 021 960 3000
Email: harrisonhyde@harrisonhyde.co.za Website: www.harrisonhyde.co.za

THE SLAB BEARS ONTO THE RETAINING WALL AND SHALL HAVE A MINIMUM THICKNESS OF 150MM. IF NECESSARY REMOVE THE TOP MOST ROW OF BLOCKS TO ENSURE THIS. FILL THE TOP ROW OF BLOCKS WITH CLASS 15/19 CONCRETE.



SECTION A-A
SCALE 1:25



PLAN
SCALE 1:50

NOTE:

1. FOUNDING LEVELS ARE TO BE CONFIRMED BY THE ENGINEER PRIOR TO PLACEMENT OF CONCRETE.
2. ALL REINFORCED CONCRETE SHALL BE CLASS 25/19.
3. REFER TO SEPARATE DRAWINGS FOR DETAILS OF REINFORCEMENT.

1299

[Signature]

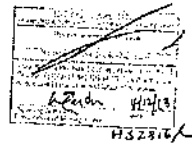
C. MENY-GIBERT
Pr. Eng. No. 800051

REV 0: 19/03/13 ISSUED FOR CONSTRUCTION

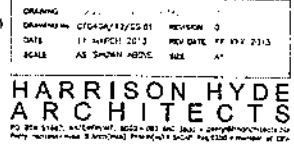
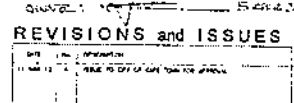
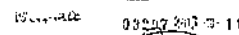
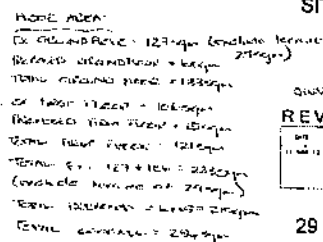
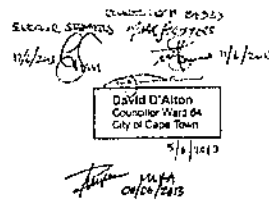
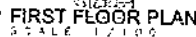
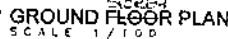
Designed DMS	Drawn	Checked	COVER TO REINF. Foundation Columns Slab Walls	MENY-GIBERT AND ASSOCIATES CONSULTING STRUCTURAL AND CIVIL ENGINEERS <small>19 FRANKLIN ROAD CLAREMONT, TAS - PO BOX 2008 CLAREMONT TAS - 72 01-03 7471 FAX 01-403 3300</small>	ARCHITECT: <i>Perry Harrison-Hyde</i> PROJECT : HOUSE McCOMBE, ERF 84940 BUNKER ROAD, LAKESIDE SECTION : FIRST FLOOR SLAB EXTENSION	DRAWING NUMBER	M1305	01	
						REVISION NUMBER			0
						Scale AS SHOWN	Date MAR 2013		

POFF INSULATION
POFF INSULATION[®] HEAVY DUTY LIGHT WEIGHT
CONCRETE FILL INSULATION POWDERFORM
AND EXTENDING TO 2000000 BTU PER
SQ. FT. 1981-61204, PATENT PENDING AT A
MINIMUM R-VALUE OF 3.67 PER INCH, TO A
DEPTH OF 180 mm.

PILE INSTALLATION
13mm THICK "EVO FLEX" FLEXIBLE
POLYETHYLENE FINE GRAIN TO ENCLOSE
ALL PILES (OVER RETURN ANCH), WITH A
MINIMUM R-SIZE OF 1.0mm.



NORTH EAST ELEVATION NOTE: NO CHANGES TO THIS ELEVATION
SCALE 1/100



339

McKENZIE GIBBERD ATTORNEYS
P O Box 18072, WYNBERG 7824

1301

ANNEXURE E

Prepared by me, _____

M. McKenzie

Conveyancer
McKENZIE S D

FEE

R...SSE, etc

270256 / 10

DEED OF TRANSFER NO T.

KNOW ALL MEN WHOM IT MAY CONCERN :

THAT SIMON DOUGLAS McKENZIE

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. ANTONIO BATISTA DO REGO
Identity Number 440910 5038 08 6
Married out of Community of Property
2. ALICE ANNA DO REGO
Identity Number 420927 0022 08 3
Married out of Community of Property

dated 15 October 2010
and signed at CAPE TOWN

and the said Appearer declared that the transferor/s had on 13 October 2010 truly and legally sold to, and that he/she, in his/her capacity aforesaid, did by these presents, cede and transfer to and on behalf of

1302

KARYN NELL MC COMBE

Identity Number 760412 0189 08 1

married, which marriage is governed by the laws of CANADA

his heirs, executors, Administrators or Assigns

in full and free property

Erf 84940 CAPE TOWN AT LAKESIDE

situate in the City of Cape Town

Cape Division, Western Cape Province

IN EXTENT : 659 (Six Hundred and Fifty Nine) Square metres

FIRST TRANSFERRED by Deed of Transfer No T10078/1969 with Diagram 8687/1950 relating thereto and held by Deed of Transfer No T25836/1999

A SUBJECT to the conditions referred to in Deed of Transfer No T10078/1969

B SUBJECT FURTHER to the conditions contained in Deed of Transfer No T10078/1969 imposed by the Administrator of the Province of the Cape of Good Hope when approving the establishment of Lakeside Township Extension No 1 in terms of Ordinance No 33 of 1934

"(a) 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 18 October 1995 and in the Memorandum which accompanied the said Regulations.

(b) 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 conduit or other works pertaining thereto.

- (c) 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.

1303

C SUBJECT FURTHER to the following special conditions contained in Deed of Transfer No T10078/1969 imposed by the Administration of the Cape of Good Hope when approving of the establishment of the aforesaid Lakeside Township Extension No 1 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 restrictions of 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:-

- (i) it shall not be subdivided;
- (ii) it shall be used only for the purposes of erecting thereon one dwelling together with such outbuildings as are ordinarily required to be used therewith;
- (iii) not more than half the area thereon shall be built upon;
- (iv) no building or structure or any portion thereof, except boundary walls and fences, shall be erected nearer than 4,72 metres of the street line which forms a boundary of this erf, nor within 3,15 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 outbuildings not exceeding 3,05 metres in height, measured from the floor to the wallplate, and no portion of which may be used for human habitation, may be erected within the above prescribed rear space, provided that this condition shall not apply to the existing building on Erf 143 until such time as it is altered or demolished. On consolidation of any two or more erven this condition shall apply to the consolidated area as one erf;
- (v) this erf shall not be entitled to vehicular access to the road on its south-western boundary marked as Boyes Drive Extension on the General Plan of this Township.

- D SUBJECT FURTHER to the following special condition contained in Deed of Transfer No T10078/1969 imposed by Lakeside Township Company (Proprietary) Limited for the benefit of itself and its successors in title to the remaining extent of Erf 84925 Cape Town, at Lakeside held under Certificate of Registered Title No T931/1951 1304
- (ii) the building to be erected on the erf shall not cost less than R6000,00 or such lesser figure as the Seller may in writing agree and such building shall conform to reasonable requirements of dignity and appearance. No erection of any building on the erf shall be commercial until the plans and specifications thereof have been submitted to and approved in writing by the Seller.
- (iii) no wood or iron building of any description shall be erected on this erf;
- (iv) this erf shall be neatly fenced to the satisfaction of the Company and the owner shall be obliged to use therefore hardwood or iron palings or good wire fencing, or properly built stone, brick or cement walls. Moreover he shall not erect an unsightly fence, nor one of galvanized iron, canvas or other fabric or reeds, grass, soft wood or other inflammable material. The fence shall be kept in proper repair by the owner

WHEREFORE the Appearer, renouncing all the rights and title

1. ANTONIO BATISTA DO REGO

2. ALICE ANNA DO REGO

1305

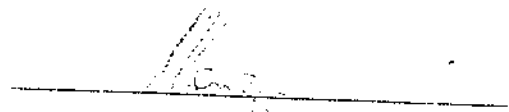
heretofore had to the premises, did, in consequence, also acknowledge the transferor/s to be entirely dispossessed of, and disentitled to the same; and that by virtue of these presents the said

KARYN NELL MC COMBE

his heirs, executors, Administrators or Assigns, now is/are and henceforth shall be entitled thereto, conformably to local custom; the State, however, reserving its rights; and finally acknowledging the whole of the purchase price amounting to R2 300 000,00 (Two Million Three Hundred Thousand Rand) to have been duly paid or secured.

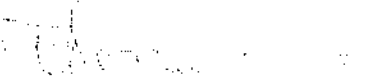
IN WITNESS whereof I, the said Registrar, together with the Appearer, have subscribed to these presents, and have caused my Seal of Office to be affixed thereto.

THUS DONE AND EXECUTED at the Office of the Registrar of Deeds, at Cape Town on 21st November 2010



q.q

In my presence.


REGISTRAR OF DEEDS

1306

B

000070458239_001_001
DEVELOPMENT MANAGEMENT



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Enquiries: Q. Carelse

Tel: 021 444 7721

Reference: 70458239

PERSON/REGISTERED OWNER OF PROPERTY	Karyn Bokhorst		
ADDRESS	29 Bunker Road Lakeside 7945		
ID NO/REG NR	7604120189081	DATE	06 June 2019

NOTICE TO OBTAIN WRITTEN APPROVAL FOR THE UNAUTHORISED BUILDING WORK

An inspection conducted on 06 June 2019 revealed that you are in the process / have erected a building on Erf No. 84940 at 29 BUNKER ROAD LAKESIDE. The work being Storoom on street front of brickwork +-20sqm in the area of the City of Cape Town (being the local authority in question) which is in contravention of Section 4(1) read with Section 4(4) of the National Building Regulations and Building Standards Act No 103 of 1977 (the Act), as no prior written approval for the erection of such building has been obtained from the said local authority.

In terms of Section 4(1) of the Act, no person shall without the prior approval in writing of the local authority in question, erect any building in respect of which plans and specifications are to be drawn and submitted in terms of this said Act.

In terms of Section 4(4) of the Act, any person erecting any building in contravention of the provisions of Section 4(1) shall be guilty of an offence.

Acting under delegated powers, I hereby order you in terms of Regulation A25 (10) of the National Building Regulations promulgated under Section 17(1) of the said Act, to obtain written approval for the said unauthorised building work, **by submitting and having building plans approved within 60 days** from the date the recipient signed for this notice (see below).
<< Insert text if required >>

FAILURE TO COMPLY WITH THIS NOTICE CONSTITUTES A CRIMINAL OFFENCE IN TERMS OF REGULATION A25(11) OF THE NATIONAL BUILDING REGULATIONS. The City of Cape Town may, without further notice, institute legal proceedings against you.

The submission of building plans in compliance with this notice does not place any obligation on the City of Cape Town to approve such building plans for the building work set out above. Should written approval not be granted, you will be required to either rectify or demolish the abovementioned unauthorised building work.

SIGNED: (Delegated Official)			ADDRESS (Where served)	29 Bunker Rd Lakeside
SERVED:	DATE:	NAME:	SIGN:	
SERVER:	NAME:	NAME:	SIGN:	
RECIPIENT:	NAME:	NAME:	SIGN:	T. BOKHORST