

To whom it may concern,

Below executive summary of proposed changes.

31 Brandwacht street, Bo-Dalsig, Stellenbosch, 7600

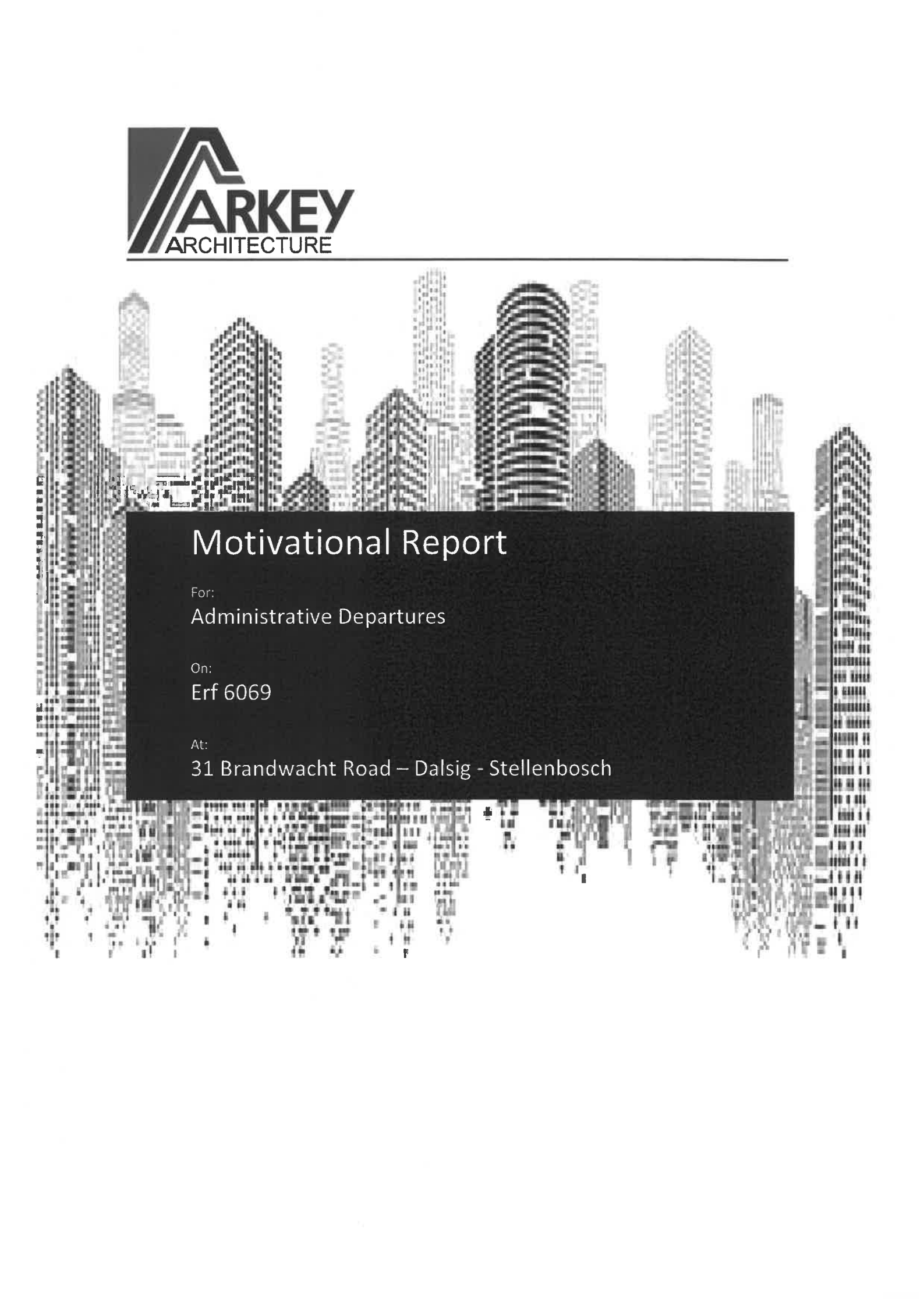
**RE: APPLICATION FOR PERMANENT DEPARTURES, REMOVAL OF RESTRICTIONS AND CONSENT USE:
ERF 6069, 31 BRANDWACHT STREET, STELLENBOSCH.**

We wish to make three additions to Erf 6069, 31 Brandwacht Road that require specific approval: 1) build a street boundary wall, 2) divide the spacious study room to create an additional bedroom with bathroom, and 3) divide the existing bedroom on the upper floor (above the study) to create a second dwelling unit. The street boundary wall will have less than 50% permeability and a height of 2.1m, requiring approval for a permanent departure. The proposed bedroom extension on the ground floor and the additional dwelling unit on the second floor requires a relaxation of the common building line from 2.5m to 2.3m. In order to facilitate the entrance to the second dwelling unit, it will require construction of a set of outside stairs over the building line and restrictive title deed. These stairs will encroach the 2.3m Title deed building line and 2.5m common building line and requires relaxation of both to 1.157m. (Please see attached and below the site development plan that indicates the relaxation area in red).

Kind Regards


Riaan Nel

Arkey Architecture



Motivational Report

For:
Administrative Departures

On:
Erf 6069

At:
31 Brandwacht Road – Dalsig - Stellenbosch

Addressed To	LUMS – Land Use Management
Purpose Of	Administrative Departures
On Behalf Of	Mr H and Mrs D Herman - Erf 6069 - 31 Brandwacht Rd - Stellenbosch

BACKGROUND:

Background: Our client recently purchased the dwelling and needed some renovations & additions to be done to make the property safer and to create some additional space.

When our client purchased the dwelling the previous owner had already cast the foundation of the boundary wall and built up the foundation walls up to ground level. Our client wasn't aware that there were plans needed, as part of the wall was already built, and on behalf of the previous owner they finished the boundary wall.

When they approached us to help them with the rest of the additions as proposed we pointed it out to them that they needed plans. For that reason, we showed the existing boundary wall as proposed. Unfortunately, the boundary wall was completed with no permeable section in the wall.

Below is an aerial view of our site

Blue = Our site

Red = Similar encroachments



As can be seen on the site plan above, both neighbours across the street from them have solid boundary walls with no permeability in them.

Below is a pic of the owner of ERF 5077's boundary wall as seen from our site



Below is a pic of the owner of ERF 5090's boundary wall as seen from our site



Furthermore our client asked for 2 additional bedrooms as they have family that come from far away to visit and they need to accommodate for them. Thus we added the one bedroom downstairs and one upstairs. To gain access to the upstairs section we had to include a new staircase. Unfortunately this section projects over the municipal & title deed building lines.

As can be seen in the 2 aerial pictures below there are several sites where building work goes over the building lines and in some cases even up to the boundary line.



Above is behind our client on erf 6063



Above is erven 6025 & 6026 one street above our clients' dwelling

The proposed extensions will have the following impact:

Socio-economic impact

The proposed additions will have a positive socio-economic impact on the neighbourhood because building materials will be bought to boost the immediate economy and short-term employment will be created by employing workers to do the construction.

Impact on the external engineering services

All the alterations and additions of the proposed fall within the boundary. It will therefore not have any impact on any external engineering services.

Impact on safety, health and well-being of the surrounding community

The proposed will not have a negative impact on the safety, health and well-being of the surrounding community as the proposed structure fall within normal residential use. There are also several dwellings in the area that have done similar additions as can be seen in the above examples. Also, great care has been taken to minimise the number of windows going over the building lines and that overlook the neighbouring erven.

Impact on heritage

To our knowledge the building is not old enough to fall under heritage. We therefor feel that the proposed will not have a negative impact on the heritage of the area.

Impact on the biophysical environment

Where the proposed structure will be, there are no biophysical material. It will therefore not have a negative impact on any biophysical material or the biophysical environment.

Traffic impacts, parking, access and other transport related consideration

All the proposed additions are within the boundary. The entrance from the street remains unchanged.

We therefore feel that the proposed will not have a negative impact on traffic, parking, access or any other transport related items.

Whether the imposition of conditions can mitigate an adverse impact of the proposed land use.

All additions proposed falls within normal residential use and will not have an adverse impact on the proposed land use.

Conclusion

We strongly feel that the design and position of the additions had been carefully considered to enhance the current property and have a positive effect on the neighbourhood and the property value.

To achieve this, we would require the following departures.

- 1. Removal of restrictive title deed conditions: to permit a proposed staircase extension on the Western side 1.157m from the Common Boundary Line in lieu of the 2.3m title deed building line. As per section 6b of the title deed**
- 2. To permit a proposed bedroom extension on the Western side onto the title deed building line 2.3m from the Common Boundary Line in lieu of 2.5m.**
- 3. To permit a proposed staircase extension on the Western side 1.157m from the Common Boundary Line in lieu of the 2.5m municipal building line**
- 4. Permanent departure: to permit a solid street facing boundary wall with 0% permeability in lieu of 25% permeability.**

We truly hope that you will look favourably at our proposal and application.

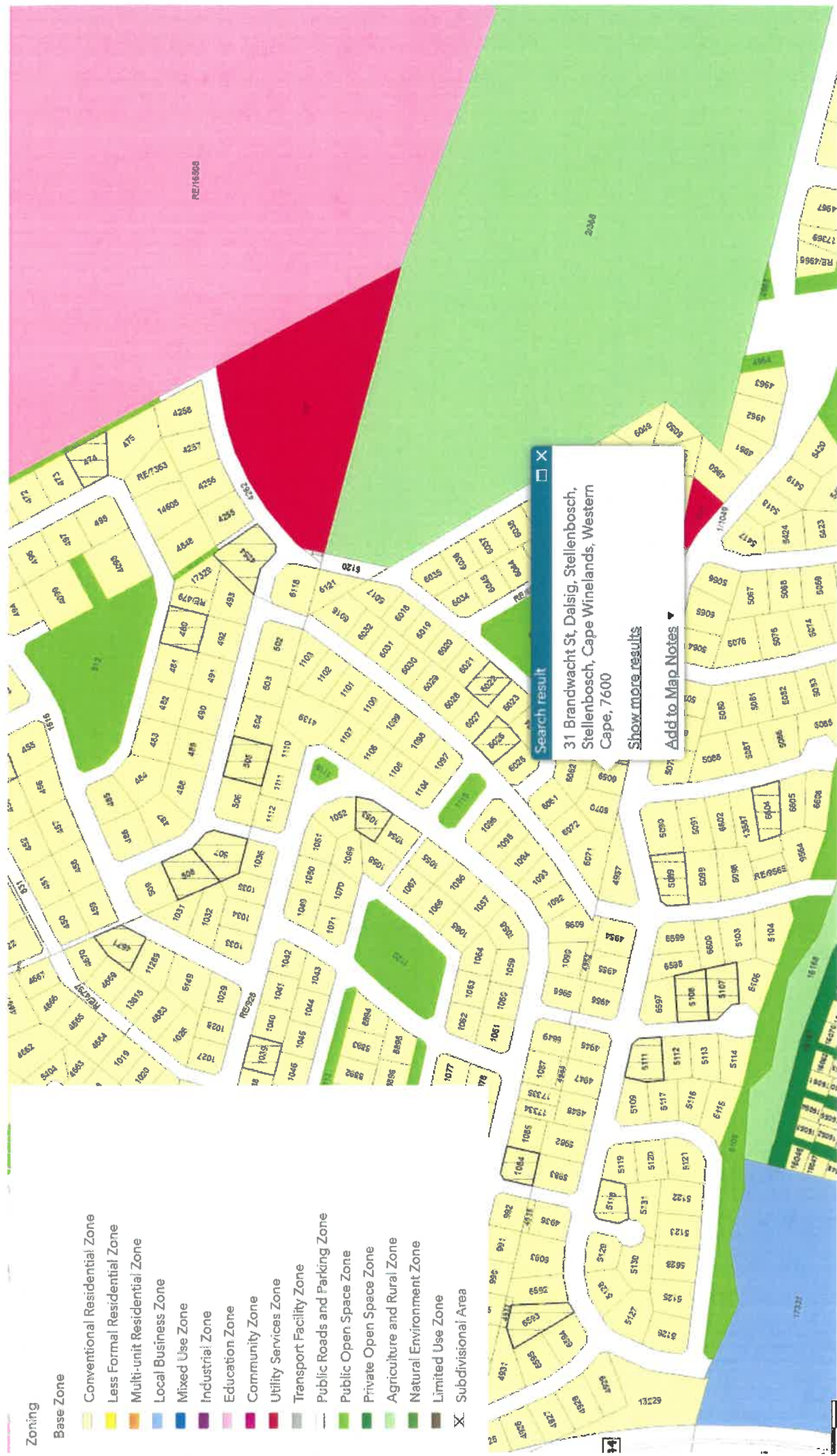
Kind Regards,

Heerden & Denine Herman



Zoning

- Base Zone
- Conventional Residential Zone
- Less Formal Residential Zone
- Multi-unit Residential Zone
- Local Business Zone
- Mixed Use Zone
- Industrial Zone
- Education Zone
- Community Zone
- Utility Services Zone
- Transport Facility Zone
- Public Roads and Parking Zone
- Public Open Space Zone
- Private Open Space Zone
- Agriculture and Rural Zone
- Natural Environment Zone
- Limited Use Zone
- X: Subdivisional Area



Search result

31 Brandwacht St, Daisig, Stellenbosch, Stellenbosch, Cape Winelands, Western Cape, 7600

Show more results

Add to Map Notes

NOTICE OF LAND DEVELOPMENT APPLICATION TO INTERESTED AND AFFECTED PARTIES FOR COMMENT

The following land use application in terms of the Stellenbosch Land Use Planning Bylaw, 2015, refers:

Application Property Address: 31 Brandwacht road, Dalsig, Stellenbosch, 7600

Application Property Number: 6069

Applicant: Arkey Architecture, Contact details: Riaan Pieterse, riaan@arkey.co.za

Owner: D & H Herman, +27820445791, ninavanheer@gmail.com

Application Reference: LU/15615 (TP355/2023)

Application Type: Permanent Departures, Removal of restrictions and consent use

Detailed description of land use or development proposal, including its intent and purpose:

- 1) The application is made in terms of Section 15 (2) (f) of the Land Use Planning By-law for the Removal of the Restrictive title deed conditions contained in Title Deed No. T026576/22: Clause C.(6)(b), to permit the proposed outside staircases within 1.15 7 from the common boundary line in lieu of the restrictive 2.3m side building line on Erf 6069, Dalsig, Stellenbosch.**
- 2) The application is made in terms of 15(2)(o) of the Stellenbosch Land Use Planning By-law for the proposed second dwelling unit on Erf 6069, Dalsig, Stellenbosch.**
- 3) The application is made in terms of 15 (2)(b) of the Stellenbosch Land Use Planning By-law for a permanent departure to relax the common building line (adjacent to Erf 6068) from 2.5m to 2.3m in order to allow for the proposed bedroom extension on the ground floor and the additional dwelling unit on the upper floor on Erf 6069, Dalsig, Stellenbosch.**
- 4) The application is made in terms of 15 (2)(b) of the Stellenbosch Land Use Planning By-law for a permanent departure to relax the common building line (adjacent to Erf 6068) from 2.5m to 1.157m for the proposed outside staircases to gain access to the proposed second dwelling unit.**
- 5) The application is made in terms of 15 (2)(b) of the Stellenbosch Land Use Planning By-law for a permanent departure to permit to allow for a street boundary wall with less than 50% permeability and to increase the height of the wall from 1.8m to 2.1m on Erf 6069, Dalsig, Stellenbosch.**

Notice is hereby given in terms of the provisions of Section 46 of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address: <https://www.stellenbosch.gov.za/planning/documents/planning->

[notices/land-use-applications-advertisements](#). If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

You are hereby invited to submit comments and / or objections on the application in terms of Section 50 of the said bylaw with the following requirements and particulars:

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address,
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:
 - Indicate the facts and circumstances that explain the comments;
 - Where relevant demonstrate the undesirable effect that the application will have if approved;
 - Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
 - Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: **Arkey Architecture, Contact details: Riaan Pieterse, riaan@arkey.co.za**. By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within 30 days (**60 days if it is a state entity**) from the date of this notice to be received on or before the closing date of **26th of September 2023**.

It should be noted that the Municipality, in terms of Section 50(5) of the said Bylaw, may refuse to accept any comments/ objection received after the closing date.

For any enquiries on the Application or the above requirements, or if you are unable to write and /or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided, during normal office hours 8:00 – 17:00 Monday to Friday.

Yours faithfully

Riaan Pieterse
Arkey Architecture

**NOTICE OF LAND DEVELOPMENT APPLICATION
IN THE STELLENBOSCH MUNICIPAL AREA**

ERF 6069, DALSIG, STELLENBOSCH, 7600

Application Address: 31 Brandwacht road, Dalsig, Stellenbosch, 7600

**Applicant: Arkey Architecture, Contact details: Riaan Pieterse, +27829255864,
riaan@arkey.co.za**

Owner: D & H Herman, +27820445791, ninavanheer@gmail.com

Application Reference: LU/15615 (TP355/2023)

Description of land development application:

1) The application is made in terms of Section 15 (2) (f) of the Land Use Planning By-law for the Removal of the Restrictive title deed conditions contained in Title Deed No. T026576/22: Clause C.(6)(b), to permit the proposed outside staircases within 1.15 7 from the common boundary line in lieu of the restrictive 2.3m side building line on Erf 6069, Dalsig, Stellenbosch.

2) The application is made in terms of 15(2)(o) of the Stellenbosch Land Use Planning By-law for the proposed second dwelling unit on Erf 6069, Dalsig, Stellenbosch.

3) The application is made in terms of 15 (2)(b) of the Stellenbosch Land Use Planning By-law for a permanent departure to relax the common building line (adjacent to Erf 6068) from 2.5m to 2.3m in order to allow for the proposed bedroom extension on the ground floor and the additional dwelling unit on the upper floor on Erf 6069, Dalsig, Stellenbosch.

4) The application is made in terms of 15 (2)(b) of the Stellenbosch Land Use Planning By-law for a permanent departure to relax the common building line (adjacent to Erf 6068) from 2.5m to 1.157m for the proposed outside staircases to gain access to the proposed second dwelling unit.

5) The application is made in terms of 15 (2)(b) of the Stellenbosch Land Use Planning By-law for a permanent departure to permit to allow for a street boundary wall with less than 50% permeability and to increase the height of the wall from 1.8m to 2.1m on Erf 6069, Dalsig, Stellenbosch.

Notice is hereby given in terms of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address:

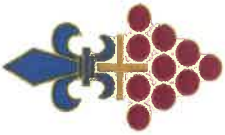
<https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>. If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

Written comments, which must include the reference to the application, the name, contact details and physical address of the person to submit the comments, the reasons for the comments, and the interest of the person in the application, may be submitted in terms of Section 50 of the said Bylaw to the Applicant by electronic mail as follows: **Arkey Architecture, Contact details: Riaan Pieterse, riaan@arkey.co.za**. By lodging an objection, comment or

representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **26th of September 2023**.

For any enquiries on the Application or the above requirements, or if you are unable to write and /or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at +27829255864 during normal office hours, Monday to Friday 08:00 – 17:00.



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

LAND USE APPLICATION

**PLEASE CONSULT THE PLANNING PORTAL ON
THE MUNICIPAL WEBSITE FOR
FURTHER DETAILS www.stellenbosch.gov.za**

**ADVERTISING PERIOD: 24th of August 2023 –
26th of September 2023.**

**ERF NUMBER 6069, 31 BRANDWACHT, DALSIG,
STELLENBOSCH, 7600**

**ENQUIRIES: RIAAN PIETERSE ARKEY
ARCHITECTURE**

EMAIL ADDRESS: RIAAN@ARKEY.CO.ZA

NOTICE

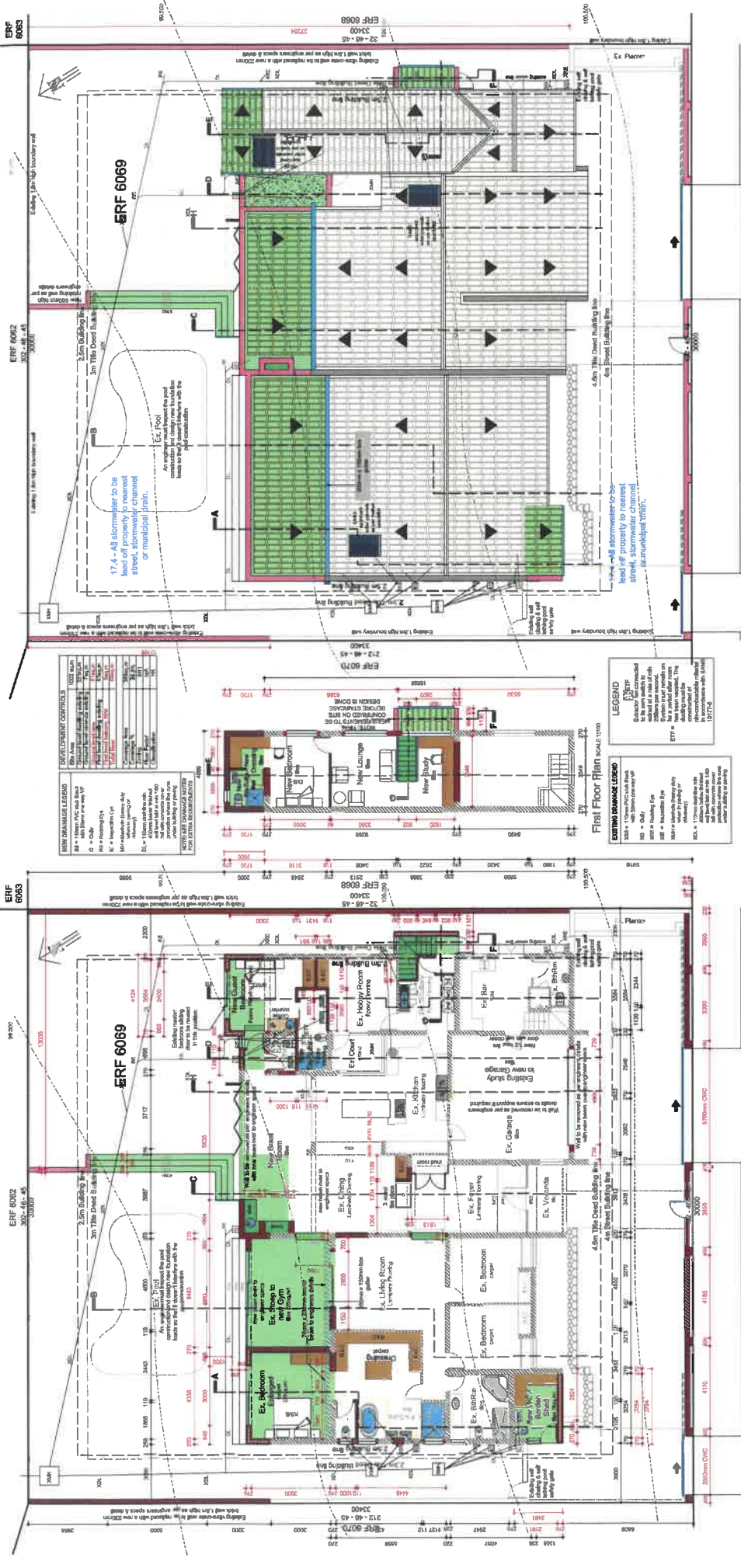
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Application Type: Permanent Departures, Removal of restrictions and consent use

Detailed description of land use or development proposal, including its intent and purpose:

- 1) The application is made in terms of Section 15 (2) (f) of the Land Use Planning By-law for the Removal of the Restrictive title deed conditions contained in Title Deed No. T026576/22: Clause C.(6)(b), to permit the proposed outside staircases within 1.15 7 from the common boundary line in lieu of the restrictive 2.3m side building line on Erf 6069, Dalsig, Stellenbosch.
- 2) The application is made in terms of 15(2)(c) of the Stellenbosch Land Use Planning By-law for the proposed second dwelling unit on Erf 6069, Dalsig, Stellenbosch.
- 3) The application is made in terms of 15 (2)(b) of the Stellenbosch Land Use Planning By-law for a permanent departure to relax the common building line (adjacent to Erf 6068) from 2.5m to 2.3m in order to allow for the proposed bedroom extension on the ground floor and the additional dwelling unit on the upper floor on Erf 6069, Dalsig, Stellenbosch.
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- 5) The application is made in terms of 15 (2)(b) of the Stellenbosch Land Use Planning By-law for a permanent departure to permit to allow for a street boundary wall with less than 50% permeability and to increase the height of the wall from 1.8m to 2.1m on Erf 6069, Dalsig, Stellenbosch.



Site & Ground Floor Plan (Scale 1:200) 31 BRANDWAG ROAD

RE: REMOVAL OF EXISTING BUILDING AND CONSTRUCTION OF NEW BUILDING WITH ADJACENT DRIVE AND SIDEWALK. THE PROPOSED DEVELOPMENT IS A 1000m² RESIDENTIAL DEVELOPMENT WITH A DRIVE AND SIDEWALK. THE PROPOSED DEVELOPMENT IS A 1000m² RESIDENTIAL DEVELOPMENT WITH A DRIVE AND SIDEWALK. THE PROPOSED DEVELOPMENT IS A 1000m² RESIDENTIAL DEVELOPMENT WITH A DRIVE AND SIDEWALK.

20.1 - Check walling according to all sizes of walls shown on drawings. Higher than listed floor levels.
 20.2 - Check walling to be done as per foundation details. 1:1 maximum of per page.

20.3 - Check walling to be done as per foundation details. 1:1 maximum of per page.

20.4 - Check walling to be done as per foundation details. 1:1 maximum of per page.

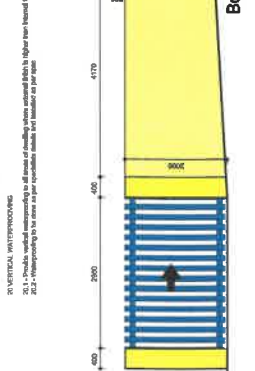
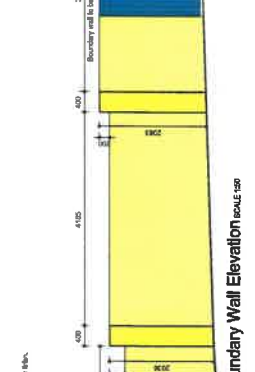
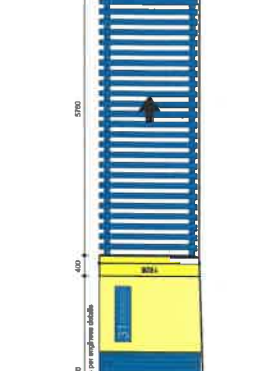
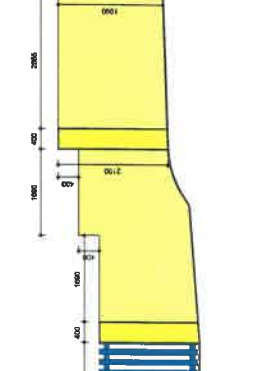
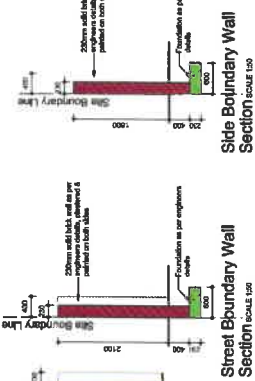
20.5 - Check walling to be done as per foundation details. 1:1 maximum of per page.

20.6 - Check walling to be done as per foundation details. 1:1 maximum of per page.

20.7 - Check walling to be done as per foundation details. 1:1 maximum of per page.

20.8 - Check walling to be done as per foundation details. 1:1 maximum of per page.

20.9 - Check walling to be done as per foundation details. 1:1 maximum of per page.



Side Boundary Wall Section (Scale 1:20)

Street Boundary Wall Section (Scale 1:20)

Boundary Wall Elevation (Scale 1:20)

Boundary Wall Elevation (Scale 1:20)

Boundary Wall Elevation (Scale 1:20)

DRAWING NO.
2022-053
M001

DESIGNED BY
Ruan Pieterse

PROJECT NO.
2022-053

ISSUED FOR
Municipal Approval

PROPERTY
Erf 6069
31 Brandwag Road
Stellenbosch

CLIENT
Heerden & Dierke Herman

ARKEY ARCHITECTURE
31 Brandwag Str
Stellenbosch
082 9255 054
rpi@arkey.co.za

ARKEY SIGNATURE

OWNER SIGNATURE

NEIGHBOR SIGNATURE

SACAP REG. NO.
510674

DATE ISSUED
2023.01.15

PROJECT
Proposed New Additions

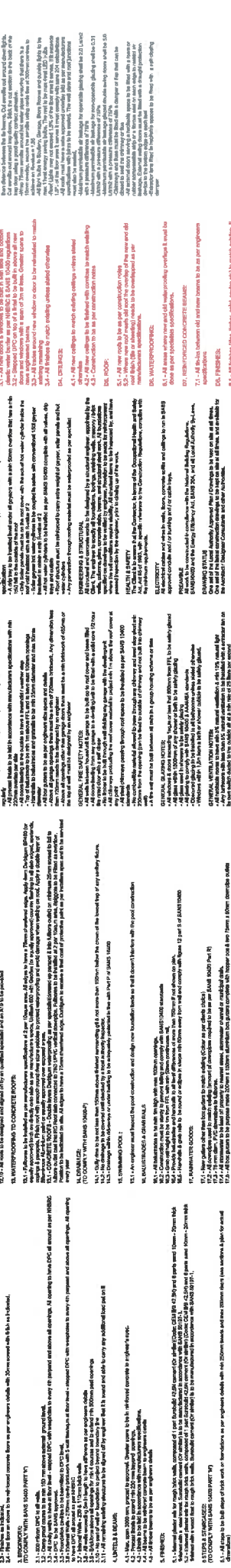
PLAN DESCRIPTION
CF, Elevations & Site Plan

REVISION 04

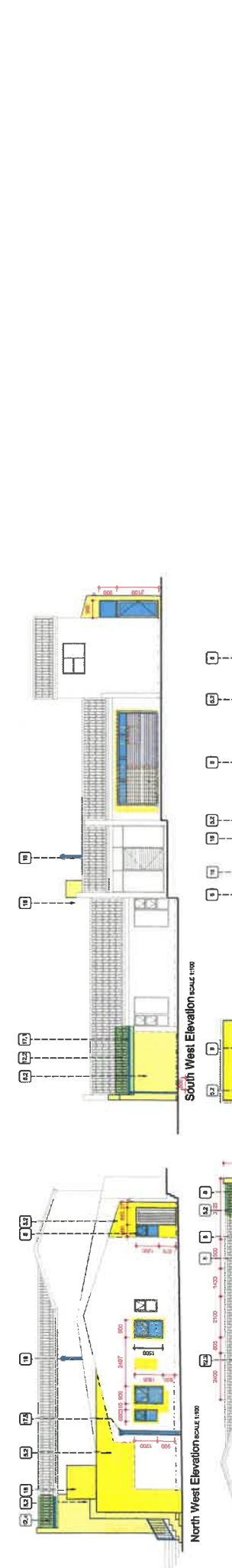


Proposed by the South African Council for the Architectural Profession (SACAP Reg. No. 510674) - a member institution of Architects SA (SAAT Reg. No. 3718W)

- CONSTRUCTION NOTES:**
1. All work shall be in accordance with the City of Los Angeles Building Department and all applicable codes, ordinances, and regulations.
2. All materials and workmanship shall be in accordance with the City of Los Angeles Building Department and all applicable codes, ordinances, and regulations.
3. All dimensions shall be in feet and inches, unless otherwise noted.
4. All work shall be completed in accordance with the City of Los Angeles Building Department and all applicable codes, ordinances, and regulations.
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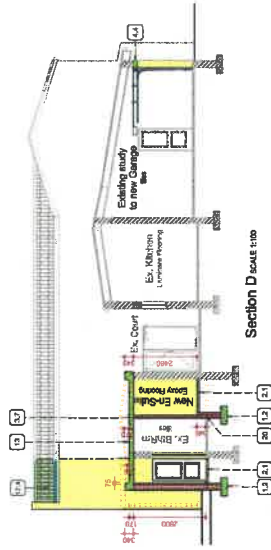


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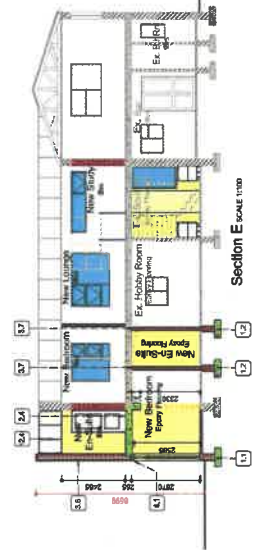
DRAWING NO. 2022-053 M003	DESIGNED BY Ruan Pinares	PROJECT NO. 2022-053	ISSUED FOR Municipal Approval	PROPERTY E4 6060 31 Brandwacht Road Stellenbosch	ARNEY ARCHITECTURE 31 Woudenberg Str Brackenridge 082 9235 864 r.pinares@arney.co.za	NEIGHBOR SIGNATURE	OWNER SIGNATURE
REVISION 04	PLAN DESCRIPTION Elevations & Notes	PROJECT Proposed New Additions	DATE ISSUED 2023.01.16	CLIENT Herbert & Denise Herman	SACAP REG NO. 570574		

Member of the South African Council for the Architectural Profession
(SACAP Reg. No. 570574)
Member of the International Council of Arks
(ICAA Reg. No. 22184)

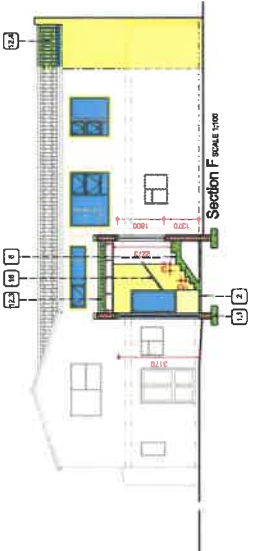




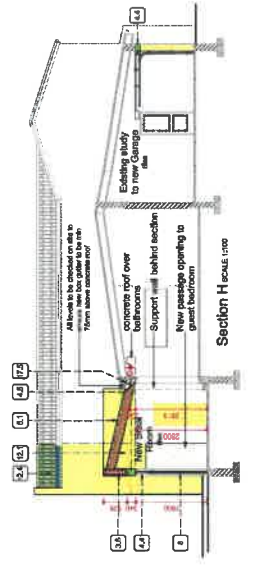
Section D scale 1:100



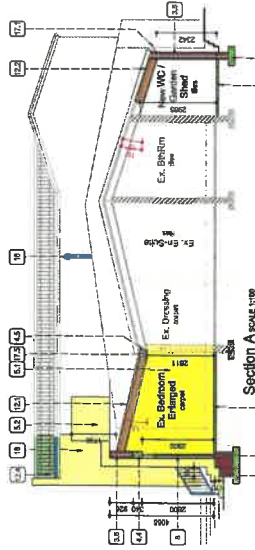
Section E scale 1:100



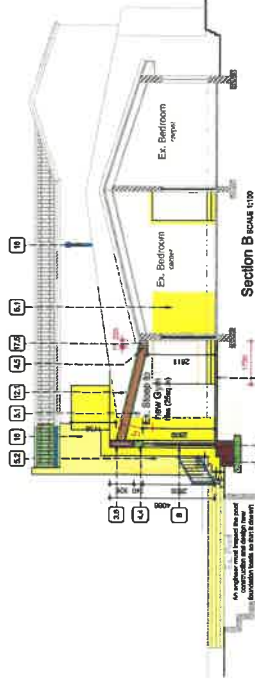
Section G scale 1:100



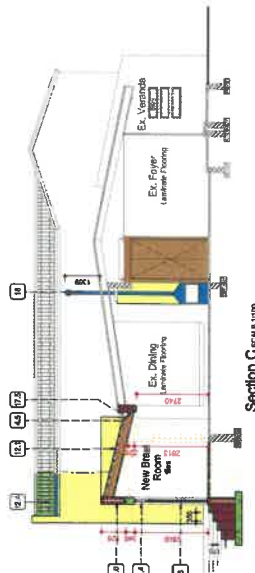
Section H scale 1:100



Section A scale 1:100



Section B scale 1:100



Section C scale 1:100

DRAWING NO.
2022-053
M002



DESIGNED BY
Riaan Helderse

PROJECT DESCRIPTION
Sections

PROJECT NO.
2022-053

PROJECT
Proposed New Additions

ISSUED FOR
Municipal Approval

DATE ISSUED
2023/01/16

PROPERTY
ET 6069
31 Brandewacht Road
Stellenbosch

CLIENT
Hendriks & Deline Herman

ARKEY Pty Ltd
31 Woudenberg Str
Brackenfell
082 9355 854
rflan@arkey.co.za

ARKEY SIGNATURE

SACAP REG NO.
510674

OWNER SIGNATURE

NEIGHBOR SIGNATURE



Member of the South African Council for the Architectural Professions
(SACAP Reg No. 237024)
Member of the South African Institute of Architectural Technologists
(SAIAT Reg No. 22184)

REVISION 04