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**MAKHUDUTHAMAGA LOCAL MUNICIPALITY**

**BUILDING CONTROL POLICY AND OPERATIONAL**

**GUIDELINES**

**2018**





## PART I: POLICY SECTION

### 1. INTRODUCTION

This policy document is to be known as "Makhuduthamaga Building Control Policy and Operational Guidelines". The policy outlines the Municipality's Building Control function including the operational procedure for the administration of the building plans. The Objective of this Policy Document for Building Control is to outline the activities of Building Control and to guide the Municipal Management as far as effective implementation.

### 2. WHAT IS BUILDING CONTROL

It is to ensure that all buildings and construction work on buildings is carried out in a safe and orderly fashion and in accordance with the regulating frame work of National Building Regulations and Standards Act 103 of 1977, Municipal By-Laws and any other related Legislative Frame Work and by so doing:

- a. Safe (free from danger)
- b. Habitable (fit for human habitation);
- c. Accessible to people with disabilities;
- d. Fire safety and means of escape exists from buildings; and
- e. Compliant with the requirements of the National Building Regulations and other applicable legislation.

### 3. DEFINITION OF TERMS

Unless the context otherwise stipulates, the under-mentioned words shall have the following meaning:

- i. **"Application"**- means an application referred to in terms of section 4 (2) of the National Building Regulations and Building Standards Act 103 of 1977
- ii. **"Architects"**- means registered architectural practitioners as listed in section 18 (1)(a) of the Architectural Profession Act No. 44 of 2000
- iii. **"Building"**- includes:
  - a) Any structure, whether of a temporary or permanent nature and irrespective of the materials used in the erection thereof, erected or used for or in connection with:
    - the accommodation or convenience of human beings or animals;
    - the manufacture, processing, storage, display or sale of any goods;
    - the rendering of any service;
    - the destruction or treatment of refuse or other waste materials;
    - the cultivation or growing of any plant or crop;



- b) Any wall, swimming bath, swimming pool, reservoir, bridge or any other structure connected therewith;
  - c) Any fuel pump or any tank used in connection therewith;
  - d) Any part of the building, including a building as defined in paragraph (a), (b) or (c);
  - e) Any facility of a system or part or portion thereof, within or outside but incidental to a building, for the provision of water supply, drainage, sewerage, storm-water disposal, electricity supply or other similar service in respect of the building.
- iv. **"Building Control Officer / Inspector"**- means any person appointed or deemed to be appointed as Building Control Officer (BCO) or Building Inspector by the Local Authority (Municipality) in terms of Section 5 of Act 103 of 1977.
  - v. **"Erection"**- in relation to a building, includes the alterations, conversion, extension, re-building, re-erection;
  - vi. **"Land Surveyor"**- means a land surveyor as defined in section 49 of the Land Surveyor Act 32 of 1961;
  - vii. **"Local Authority"**- in this policy document shall refer to Makhuduthamaga Local Municipality;
  - viii. **"Municipal Council"**- means a Municipal Council referred to in section 157 of the Constitution;
  - ix. **"National Building Regulations"**- means the national building regulations made in terms of section 7 of Act 103 of 1977;
  - x. **"Owner"**- in relation to a building or land means the person in whose name the land on which such building was or is erected or such land, as the case may be is registered in the deeds office, or has been rightfully allocated in the case of traditional land;

#### 4. PURPOSE OF THE BUILDING CONTROL POLICY AND OPERATIONAL GUIDELINES

The purpose of this policy is to outline the manner in which the Municipality's Building Inspectorate will undertake its function and to ensure compliance with the provisions of the National Building Regulations and Building Standards Act 103 of 1977 and also to explain the ways in which this particular service will enforce its powers in accordance with the principles adopted by the Engineering Department of Makhuduthamaga Local Municipality for the Municipality as a whole. The policy sets out how businesses and those affected by these regulatory responsibilities can expect from the service and assists staff in applying enforcement powers. The policy applies to all Building Control staff with enforcement responsibilities relating to the service areas and actions set out below.



## 5. VISION

The vision of this policy document is to make the Makhuduthamaga built environment safer through the eradication of illegal building practices.

## 6. AIM

Activities such as Building Control are technical in nature and require such processes necessary to carry out the function but also the aim is to involve and inform the Community at large of the benefits of good Building Control and practice, therefore;

- a. Involving communities in decisions relating to Building Control services within the jurisdiction of the Makhuduthamaga Local Municipality;
- b. Making Makhuduthamaga Local Municipality safer through application of the Building Regulations and to ensure that necessary actions are implemented towards safeguarding of occupants on dangerous Structure
- c. Making Makhuduthamaga Local Municipality cleaner, more attractive and reducing carbon emissions through energy conservation.

## 7. POLICY OBJECTIVES

- 7.1. To ensure that the Municipality is in compliance with the National Building Regulations and Building Standards Act 103 of 1977;
- 7.2. To establish a building control system that is efficient and in compliance with all statutory requirements;
- 7.3. To ensure that the building control system is transparent and equitable and accessible to all residents;
- 7.4. To create an efficient inter-departmental building plan approval system/process;
- 7.5. To ensure an improved turn-around time for building plan approval;
- 7.6. To ensure that there is monitoring and oversight of building contractors to comply with the Building Regulations and other applicable legislation in their development process in accordance with the Standard Building Checklist attached as **Annexure A**
- 7.7. To create a control environment that ensures effective management of:
  - Abandoned buildings;
  - Illegal building extensions; and
  - Unauthorised building demolitions.
- 7.8. Maintain site inspection regime which takes full account of relevant factors such as;
  - a. The detail provided at the design assessment stage,
  - b. The nature of the work,

- c. Experience of the builder,
- d. Complexity and rate of build,
- e. Unusual or high risk features,
- f. Notification arrangements,
- g. Key construction

7.9. Adequate site inspection records will be maintained as per the process flow description

7.10. Contraventions will be communicated promptly and clearly to a responsible person and statutory consultees will be advised of any significant deviations from the plans.

7.11. Certificates of completion will be given upon satisfactory completion of the relevant work.

## 8. ROLES AND RESPONSIBILITIES

Effective building control requires a multi-disciplined approach that involves the involvement of a diversity of stakeholders. An overview of the role and responsibility of the different stakeholders is provided below:

### 8.1. NATIONAL GOVERNMENT

The National Government is responsible for instituting the legislation aimed at guiding and providing policy direction

### 8.2. PROVINCIAL GOVERNMENT

With respect to Building Regulations, the Provincial Government must:

- determine the need to review existing legislation or the drafting of new legislation;
- provide capacity building for municipality to efficiently perform this function;
- monitor the performance of municipalities in exercising their executive and legislative authority pertaining to building regulations;
- adjusting the performance of this function or a portion thereof to the district or local municipalities;

### 8.3. DISTRICT MUNICIPALITY

The District Municipality must:



- assist the local municipality in the performance of the Building Regulation function according to the prescribed mandate and responsibilities of municipalities;
- capacitate the Municipality to perform the building control function in terms of stipulations of the Municipal Structures Act No. 117 of 1998, where there is identified need for capacity.

#### **8.4. THE MUNICIPALITY**

- The Local Municipality undertakes the day-to-day function of building control - which includes building plan approval;
- The Municipal Council must delegate and give a clear directive with regard to building control;
- the Council must adopt tariffs for the administering of the building plans which is fair and in line with the applicable norms and standards;
- the Building Control Officer (BCO) must carry out the functions of Building Control as determined by Act 103 of 1977 and detailed in the Operational Procedure section of this policy;
- The BCO is to be given a clear chain of commands in line with the Municipality's delegations framework;

#### **9. POLICY LEGAL FRAMEWORK**

This policy when adopted by Council will take into consideration all the relevant legislation affecting:

- Town Planning;
- Health and Safety;
- Environmental issues;
- Heritage issues;
- Building Regulations;
- Local indigent policy.

#### **10. ASSOCIATED DOCUMENTS AND POLICIES**

This policy document shall be read together with the following standard policies and plans:

- The Integrated Development Plan (IDP)
- The Municipal Indigent Policy;
- The Municipal Tariff Policy;
- Applicable Municipal Bylaws;

- The Credit and Debt Management Policy

## **11. INTEGRATED DEVELOPMENT PLAN AND OTHER STRATEGIC DOCUMENTS**

In terms of the Municipal Systems Act (16 of 2000) Section 24, the Municipality must align its planning with the development plans and strategies of other organs of state so as to give effect to the principles of cooperative governance contained in Section 41 of the Constitution. In line with this requirement, the following programmes and strategic plans are of particular importance.

- the Municipality's IDP;
- The Municipality's Sector Plans, Policies, Bylaws and Plans;
- The Plans of other Sector Departments;
- Provincial, District and Local Spatial Development Frameworks;

### **11.1. THE IDP**

When formulating the IDP, the Municipality ought to take into consideration the Building Control function. Amongst other priority areas, the IDP has to encapsulate the following:

- provision of sufficient budget for Building Control;
- development of tariffs for Building Control;
- ensure sufficient human resources for the function.

### **11.2. THE MUNICIPALITY'S SECTOR PLANS**

This policy takes into consideration the Municipality's existing plans, policies and bylaws. The policies and plans relevant to this policy document include but are not limited to:

- the land use management scheme and other applicable town planning tools;
- the waste management plan;
- the environmental management plan;
- the street advertising Bylaw;
- the indigent policy;
- the Municipal tariffs;
- Health and Safety polices;
- the Spatial Development Frameworks.

Consideration is to be given to the above stated Municipal policies, plans and bylaws when executing any Building Control decisions.



## 12. COMPLIANCE

It is incumbent on Makhuduthamaga Local Municipality to:

- a. Ensure compliance to the Legal requirements by Applicants;
- b. Have a set of By-Laws that assist and ensure implementation of the Building Control Policy.
- c. Comply with the Spatial Planning and Land Use Management Act, 16 2013, the National Building Regulations Act 1977 and as amended in 2008, Makhuduthamaga Land Use Scheme, Occupational Health & Safety Acts, Public Health and other applicable legislation.

## 13. BUILDING CONTROL FUNCTION

### 13.1. ROLES AND RESPONSIBILITIES OF THE BUILDING CONTROL OFFICER (BCO)

A Building Control Officer is responsible for performing the functions of Building Control Officers as outlined in Section 6 of the National Building Regulations and Standards Act (103 of 1977). The functions of Building Control Officers are listed as follows:

- to make recommendations to the Municipality regarding any plans, specifications, documents and information submitted to the Municipality;
- to ensure that any instruction given in terms of the National Building Regulations and Building Standards Act (103 of 1977) by the Municipality is carried out efficiently;
- to scrutinise submitted drawings for compliance;
- to inspect the erection of buildings and any activities or matters connected therewith, in respect of which approval was granted and thereby taking into consideration the following:
  - a) the amount of approved construction work in detail
  - b) the nature of the work
  - c) the experience and legal compliant of the builder
  - d) potential complications and risks associated with the construction
  - e) communication with the applicant during construction
  - f) maintaining adequate site inspection records including contraventions
  - g) issuing of certificate of completion upon completion of acceptable approved work
  - h) ensure safekeeping of records
- report to the Municipality regarding non-compliance with any condition that was granted with an approval;
- to make recommendations to the Chief Fire Officer where a fire protection plan is required.



### 13.2. SUITABILITY OF BUILDING CONTROL OFFICERS

- Building Control Officers need to be formerly appointed by Council;
- Suitable BCOs need to have qualifications as stipulated in Clause A16 of Section 4 of the National Building Regulations and Building Standards Act (103 of 1977);
- Upon appointment, a BCO has to be granted a Certificate of Indemnity as per Clause A16 of Section 4 of the National Building Regulations and Building Standards Act (103 of 1977);

### 14. BUILDING PLAN CONSIDERATION PROCEDURE

The mandatory stages of building plan approval are stated as follows:

- a. Pre-submission stage / Pre-scrutiny
- b. Formal Submission Stage
- c. Plan Examination Stage by inspector/s
- d. Verification of the recommendations by the BCO / Senior Building Inspector
- e. Plan Approval Stage
- f. Building Inspector Stage

### 15. PRE-SCRUTINY STAGE

A pre-scrutiny inspection is carried out on a building plan application that is to be submitted to the Municipality for approval. The purpose of the inspection is to ensure that the building plan application is in line with the applicable processes and procedures as set out in this policy document.

The following are to be examined:

- The pre-submission circulation has been cleared by internal departments, i.e. Town Planning, Environmental Management and Infrastructure Services;
- all sets of drawings must be stamped by the relevant officers from Town Planning, Environmental Management and Infrastructure Services;
- Plans are signed by owner and professional. Only original signatures are accepted;
- The completeness of the application form;
- Confirmation of the registration of the applicant with SACAP;
- that the applicant has PI insurance;
- that the SANS10400 Part A Application Form is correctly completed;
- that the SANS10400 form is signed by both the owner and the professional;
- that there are three (3) sets of drawings submitted for approval, of which two are in colour;
- that there is a 50mm clear strip on the bottom right hand side of all drawings reserved for municipal stamps;



- that the Locality Plan, Proof of ownership/occupation and survey diagram (where applicable) is part of the submission documents;
- that the North point and Occupation Classification is shown on the plan;
- confirm that the table of areas are shown on the plan and are stated correctly;
- confirm that the building lines are indicated on the plans and where required, neighbours' consent attached;
- that the original Power of Attorney is included;
- that there are two sets of fire plans if required;
- XA requirements if required;
- that the Pre-Plan scrutiny Checklist is signed by the applicant.

Upon finalisation of the pre-scrutiny phase, amounts will be calculated and an invoice will be issued. The fees will be calculated as per the applicable tariffs. Once payment has been made, the application will then be formally submitted by the applicant to the Building Inspectorate.

## 16. COMMUNITY ACCEPTANCE

- a. Notwithstanding the Legal framework, Makhuduthamaga shall arrange networking with the Community through awareness campaigns and public participation programmes to ensure an understanding of the building control process in particular:
  - a. Actions that result to Contraventions of the Building Regulation categorized as among others when a person:
    - Failures to deposit plans before commencing building works.
    - Failures by the builder to give the required notice at specified stages of the work.
    - Failures to comply with the requirements of the Regulations in carrying out building work on site.
  - ii. When a person is found to have encroached
- b. Methods will be maintained to collect and monitor evidence of performance and procedures shall be put in place to learn from its findings as part of a process of continuous improvement.

## 17. DEVELOPMENT & AVAILABILITY OF BY-LAWS

- a. In order to ensure compliance, the Makhuduthamaga Local Municipality and its authorized Agents, shall develop and make available its By-Laws and Policy Documents to Consumers within its area of jurisdiction.
- b. Supported by the Council, the Makhuduthamaga Local Municipality shall undertake awareness campaigns and ensure accessibility to its By-Laws,



Regulations and Policy Documents within Municipal Offices throughout its area of jurisdiction.

### **18. FORMAL SUBMISSION**

At this stage, the application is accepted by the Building Inspectorate it is processed for approval. Further steps for formal submission include:

- Collation of information and opening a file;
- entering of the information into a manual and electronic register (GIS system)
- allocation of a file number

### **19. PLAN EXAMINATION STAGE**

The plan examiner/ building inspector performs a technical assessment of the application in relation to applicable legislation, policies and bylaws. The application is further distributed by the plan examiner to relevant internal departments.

- should the application require a referral, communication will be made at this stage to the applicant to resolve any identified challenges; In the absence of a BCO, this assessment can be performed by a Plan Examiner.

### **20. BUILDING CONTROL OFFICER (BCO) STAGE**

This is an additional technical assessment stage conducted by a BCO / Senior Building Inspector. The assessment entails the following activities:

- a comprehensive scrutiny on the application and collective Departmental comments;
- scrutinise the plan in relation to the SANS10400, Building Standards Act and all other relevant legislation;

### **21. BCO RECOMMENDATION**

In terms of the National Building Regulations and building Standards Act (103 of 1977), the BCO recommends plan approval to the Municipal Council. The BCO recommends the application to the Plan Approval Committee - in instances where the Municipality has elected to entrust the building plan approval responsibility to a Plan Approval Committee.

### **22. PLAN APPROVAL STAGE**

Section 28(4) of the National Building Regulations and Building Standards Act (103 of 1977) makes provision for the Municipality to delegate any responsibility conferred



upon it by the Act to a Committee or to a person in its employ. In the case of Makhuduthamaga Municipality the person appointed as the BCO is to be delegated the authority to approve plans.

### **23. LANGUAGE OF COMMUNICATION**

- a. The language of general communication shall be English. Where practical, notices and other broad communications will also be made available in Sepedi.
- b. The By-Laws shall prescribe in which instances, and under which Terms and Conditions, communications will be issued in respect of the official languages of South Africa.

### **24. REVIEW TO THIS POLICY**

This Policy Document shall be reviewed:

- a. Whenever National or Provincial Policies in respect of this function are revised.
- b. If not reviewed in terms of National or Provincial Policy changes, this Policy shall be subjected to a full review at least every four (4) years to ensure its relevance, appropriateness, and general usefulness to the Makhuduthamaga Local Municipality.

## **PART II: OPERATIONAL GUIDELINES AND PROCEDURES SECTION**

This section is to provide guidance on the delivery of services by Building Control and in particular the Building Control Officer.

### **25. FOUNDING STATEMENT**

Ensure:

That the Legal consideration and Codes of Practice relating to buildings and associated work are implemented for the benefit of the;

- Community;
- Individuals;
- Municipality
- Environment.



**MAKHUDUTHAMAGA LOCAL MUNICIPALITY COUNCIL REQUIRE:**

- The activity of a Building Control Operation to be of benefit to those involved;
- And to assist in Development in an orderly fashion.

**26. MAKHUDUTHAMAGA LOCAL MUNICIPALITY MUST ACCEPT THAT THE:**

- Building Control function and appointment of relevant personnel in particular the Building Control Officer to perform the function is a legal requirement within the frame work of South African Law

**27. THE BUILDING CONTROL OFFICER NEEDS:**

- To be formally appointed by Council;
- Recognized as Council's Executive responsible for the Building Control function;
- Reporting to a designated Line Manager.

**28. SUITABILITY OF CANDIDATE**

Candidate to perform the function must have:

- The qualifications given in **Clause A16** of Section 4 of the National Building Regulations and Building Standards Act 103 of 1977, and 2008 as Amended;
- When appointed given a Certificate of Indemnity as given in **Clause A16** of Section 4 of the National Building Regulations and Building Standards Act 103 of 1977, and 2008 as Amended.

**BUILDING CONTROL SERVICE AND FUNCTION IS TO SUPERVISE THE IMPLEMENTATION OF GOVERNMENT LEGISLATION AND OTHER APPLICABLE LEGISLATION AND PRESCRIPTS**

**29. THE BUILDING CONTROL OFFICER SHALL:**

- Provide a professional applicant orientated service to ensure all building work complies with the regulations and to be carried out in an ethical manner;
- Ensure that Health and Safety issues are not compromised;
- Ensure that Welfare and Convenience of people with disabilities are catered for;
- Advise the Public/Community with the joint involvement of the system;

**AND**



- Carry out any necessary discussions with Applicants timeously;
- Assess Plans promptly and communicate to Applicants details or queries regarding their Application;
- Carry out Routine Site Inspections that considers;
  - a. The amount of approved construction work in detail
  - b. The nature of the work
  - c. The experience of the Builder
  - d. Potential complications and risk
  - e. Communication with the Applicant/building owner during construction
  - f. Maintain adequate Site Inspection records including Contravention
  - g. Issue Certificate of Completion upon completion of acceptable approved work;
  - h. Ensure the records are kept in a safe and secure manner;
  - i. The BCO shall avail himself/herself on opportunities of further Professional and Learner-ship development.

**DUTIES AND OPERATIONAL REQUIREMENTS AS STIPULATED UNDER THE TERMS OF THE NATIONAL STANDARDS ACT103 OF 1977 AND 2008 AS AMENDED**

**30. CORE DUTIES:**

- Scrutinize the submitted Drawings for compliance;
- Ensure any instruction given regarding the Act is carried out;
- Inspection of Buildings during construction;
- Report to Council on Non-Compliance and Contravention issues;
- Ensure Fire Protection plan is adhered to;
- Ensure satisfactory Completion of Buildings and Certificate of Compliance & Completion issued;
- Liaise with Town Planning function;
- Prepare Reports & Responses including BCO aspect on Town Planning issues – for Council;
- Ensure approved SDP is maintained; Notify on Heritage issues.

**31. NON-CORE FUNCTIONS**

Council can delegate other functions to the BCO as stipulated under Section 6(4) of the Act and delegation can include among other:

- Prepare Building Quotations/Estimates for Council's assistance;
- Liaise with Department of Statistics;
- Assist and regulate Encroachments;
- Ensure Health & Safety compliance;
- Monitor contraventions and ensure compliance;

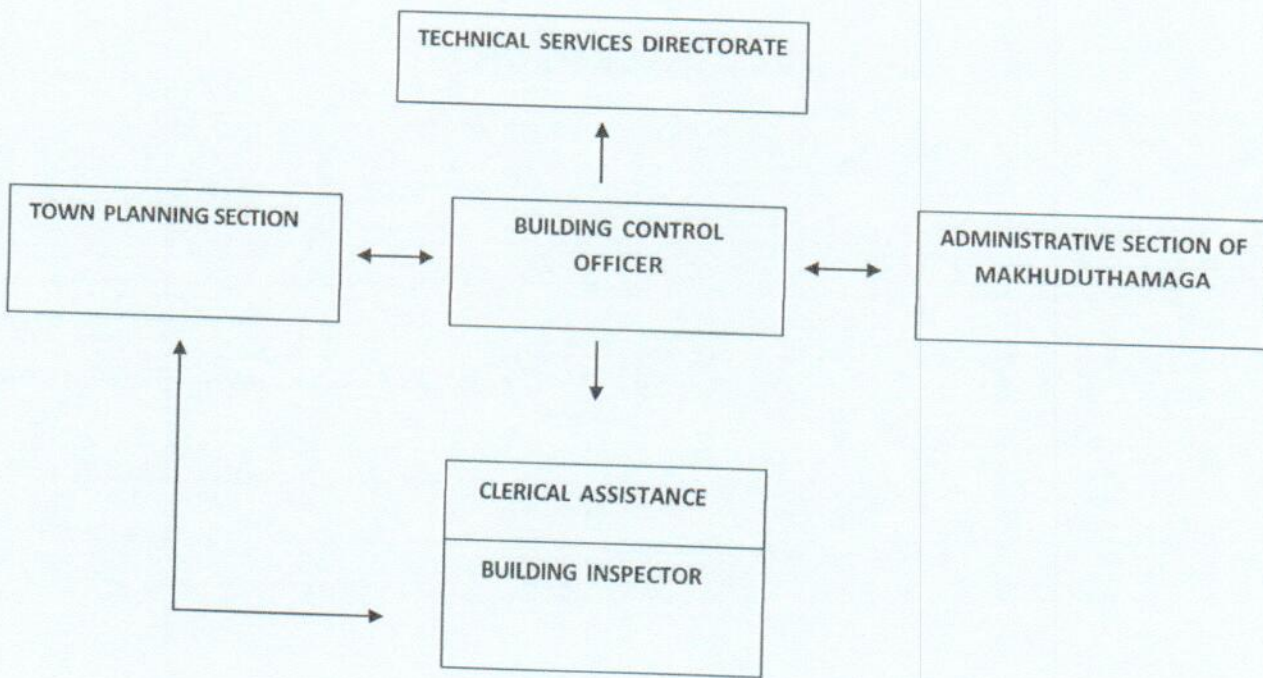


- Bed & Breakfast overview;
- Assistance on updating the Valuation Role;
- Assistance where necessary with the General Public on issues pertaining to Building Control;
- Involvement of Land Use issues;
- Assist towards the Peace Officer/s appointments.

**32. REPORTING AND COMMUNICATION**

Building Control shall report to a designated Municipal Officer, Technical Services Directorate. Shall liaise with Town Planning staff and the administrative area of Makhuduthamaga where deemed necessary. Any clerical assistance and Building Inspectors must report to the BCO (see Organogram on the next page).

**33. LIAISON RELATIONSHIP ORGANOGRAM**



Technical Services need not be the reporting head, but communication and decisions need to be made by Council.



## OPERATIONAL REQUIREMENT

### 34. A SECURE 12M2 OFFICE INCLUDING:

- WorkStation-Desk,
- Table, Round,
- Computer,
- Pin board
- Access to Stationery,
- Filing Cabinet(s) & Filing System,
- Telephone,

### 35. CELL PHONE ALLOWANCE

Makhuduthamaga may pay the BCO a fixed monthly allowance in respect of the use of the BCO's personal cell phone for the making of official calls. It should be noted that such allowance is subjects to employee's tax. All allowance paid to BCO are included in "Taxable income"

### 36. CAR ALLOWANCE OR SUBSIDY

Makhuduthamaga may pay a set amount of car allowance per month, the BCO will then have to pay for tyre, general wear and tear as well as fuel.

## OPERATIONS AND SYSTEMS CONTROL & RECORDING METHOD

It has become more and more critical that Building Construction and Control are carried out correctly. To ensure the BCO can carry out his duties, a proper Control and Recording system need to be put in place.

Therefore:

### 37. THE REQUIRED SEQUENCE IS AS FOLLOWS FOR REGISTERED TOWN AREAS/FARMS/HOME OWNER ASSOCIATIONS/BODY CORPORATE AREAS

- Query from Applicant,
- Submission of Plans,
- Enter Application in a Filing System,
- Discussion/Scrutiny of Plans by the following departments:
  - a. Town Planning



- b. Health and Safety
  - c. Fire
  - d. Roads and water
  - e. Other key stakeholders
- Response to Applicant Including,
  - Calculate Scrutiny Fee and Street and pavement Deposit,
  - Process Application for:
    - a. Approving with Delegated Authority
    - b. Accept Subject to Council Approval
    - c. Reject Plans

**NOTE:** Approval cannot be given or work commenced unless the above process has been completed.

Contravention will apply, provided that the Building Control Officer/Council has responded in the requisite time period.

**Clause 7 Final Paragraph Section 1 of the National Building Regulations and Building Standards Act 103 of 1977 and 2008 as Amended.**

**THE REQUIRED SEQUENCE IS AS FOLLOWS FOR INFORMAL SETTLEMENTS,  
TOWNSHIPS AND INDIGENT CLUSTER UNITS**

**38. THE NATIONAL BUILDING REGULATIONS AND BUILDING STANDARDS ACT 103 OF 1977 AND AS AMENDED UP TO 2008 STILL COMPLY BUT REQUIRE AN, AS YET, UNAPPROVED SYSTEM TO ENSURE INVOLVEMENT OF:**

- The Communities,
- Councillors,
- Ward Committees,
- i.e. There must be a "buy in" by the Community and Councillors to the process and application as it is for individuals long term benefit.
- Support and guidance shall be given by the Building Control Officer (BCO) towards an effective public participation process.



## LIAISON WITH OTHER DEPARTMENTS CONCERNING THE BUILDING CONTROL POLICY

39. IT IS A LEGAL REQUIREMENT THAT THE BCO SIGNS OFF THE APPLICATION FOR APPROVAL. THIS WILL THEREFORE INCLUDE ASPECTS OF:

- Town Planning
- Fire,
  - a. Domestic Fire aspects are covered in the Building Regulations and Town Planning submissions.
- Special Health & Safety,
  - a. Domestic health and safety Aspects are covered in the Building Regulations and Town Planning submissions.
- Water borne services,
  - a. Domestic water borne services Aspects are covered in the Building Regulations and Town Planning submissions.

## TOWN PLANNING

40. SPECIFIC ASPECTS TO VERIFY:

- Building Lines
- Zoning
- Heights
- Restrictions

**NOTE:** If a Town Planner is not available, these items can be verified by the BCO. Town Planning Applications MUST be handled by a Professional Town Planner with input and comment from the BCO and other relevant Parties.

## LIAISON WITH OTHER INTERNAL DEPARTMENTS

41. IT IS ESSENTIAL THAT THE ADMINISTRATION ARM OF THE MUNICIPALITY ARE ADVISED OF:

- **Contentious Application:**  
Makhuduthamaga will develop their Land Use Scheme in terms of Spatial Planning and Land Use Management Act, 16, 2013. Any Application for Building Plans at odds with the intention – should be referred with recommendations to Council
- **Contraventions:**  
Contravention Notices have to be issued by the BCO/Building Inspectorate. Authority for prosecution or Legal Action rests with the Administration Section of the Municipality, unless Delegated Authority is granted.



- **None Compliance:**

Where Notice has been issued but not obeyed, and/or deviations to an Approved Plan made, this is None Compliance and is a Contravention. Authority for prosecution or Legal Action rests with the Administration Section of the Municipality, unless Delegalized Authority is granted.





**MAKHUDUTHAMAGA LOCAL MUNICIPALITY**

Private Bag x 434

JANE FURSE

1085

Tel.: (013) 265 8649 Fax (013) 265 1965

also serving as Tax INVOICE

The M.L.M. vat No.: 4890197298

**APPLICATION FOR APPROVAL OF BUILDING PLANS**

I / We herewith submit, in accordance to section 4 of the National Building Regulations and Building Standards Act 103 of 1977, in Triplicate, plans, elevations, sections and other details, to conform with NBR, applicable Town planning requirements, the conditions of establishment, title deed / PTO of piece of land concerned in this application, as stipulated in the particulars hereunder on the premises:-

Plan No: ..... Project Name: .....  
 Erf / Portion .....  
 Number: ..... Extension : ..... Township /  
 Village / Farm: .....

Type of Work .....  
 State whether: New building, Addition, alterations, drainage plan, fire protection plan, etc

Type of Building .....  
 State whether: House, Flat, Shops, Hotel, Factory, Industrial, Mining, Commercial, Bank, Offices, Church, Recreation, school, hospital, etc

**OWNER**

Name: ..... Address: .....  
Full names & surname

ID Number: .....  
 E-mail .....  
 Address: ..... Contact No: .....  
 Signature: .....

**ARCHITECTS / DRAUGHTSPERSON**

Name: ..... Address: .....  
 Company .....  
 Name: .....  
 ID Number: .....  
 E-mail .....  
 Address: ..... Contact no: .....  
 SACAP No: ..... Signature: .....

**PARTICULARS OF WORK TO BE DONE**

New Ground Floor	_____ m <sup>2</sup>	Reinforced Concrete/ steel / timber structure	_____ m <sup>2</sup>
New First Floor	_____ m <sup>2</sup>	Existing building	_____ m <sup>2</sup>
New Second Floor	_____ m <sup>2</sup>	New building total	_____ m <sup>2</sup>
Temporary structure	_____ m <sup>2</sup>	Area of premises	_____ m <sup>2</sup>
New Second Dwelling	_____ m <sup>2</sup>	Coverage of premises	_____ m <sup>2</sup>
Extension to existing building	_____ m <sup>2</sup>		_____ %
		<b>TOTAL PLAN APPROVAL FEE</b>	R _____



**BUILDING CONTROL PLAN APPROVAL CHECK-LIST**

Stand No	Project Name
Plan No	Place
Type of Building	Type of Work

**DOCUMENTS**

Application form completed in full
3X Copies of building plans (5X for Business)
SG Diagram
Zoning Certificate
Proof of Land ownership / Permission

**GENERAL**

Title block with correct description
All areas and coverage schedules
Name and address of the architect / draughtsman
Plans signed by owner
Correct colouring of new work
Engineering appointment and acceptance form
Proof of consolidation / sub division of stand
Approval of Site Development Plan (S.D.P.)
Refuse disposal
Demolition Approval
Carport structure forms

**SITE PLAN**

Street position and vehicle entrance
North point
Distance between boundary and buildings
New and existing drainage
Position of septic tank and French drainage
All boundary dimensions
All building lines and descriptions
All servitudes and description
Description of all building structures
Storm water control / disposal

Dimensions and designation of all rooms
Sections lines
Position and details of balustrades and handrails

**FLOOR PLAN**

Number and direction of staircases
Staircase notes (riser and tread dimensions)
Fire walls and fire doors
Natural light and ventilation
Glazing notes
Boundary encroachment of buildings and Position of down pipes
Floor finishes
Built-in-Cupboards (B.I.C)
Kitchen layout
Sanitaryware finishes and layout
Roof lines
Electrical layout
Position of lintols over opening
Floor level changes
Construction notes
Position of swimming pool / jacuzzi
Safety fencing to swimming pool

**SECTIONS AND DETAILS**

All sections as per floor plan and through Each roof change
Section through staircase (riser & tread dimensions)
Ceiling and floor heights
Window and lintol head heights
D.P.C. below all walls
Minimum height above N.G.L. of D.P.C.
Height of parapet walls above roof covering
Boundary and screen wall section and details
Ceiling finish
Wall finish
Lintols over windows / openings
Floor construction
Natural ground level
Foundation footing dimensions
Gutters downpipes
Concrete / paving apron to buildings
Roof construction
Roof overhang dimension
Roof construction notes

**ELEVATIONS**

Hardcore backfilling
Section through swimming pool
All relevant and correct elevations
Gables and parapet walls (e.g. 230mm)
Wall finishes
Roof covering
Roof lines behind parapet walls
Finished floor levels
Natural ground level
Windows and openings
Sanitaryware on all elevations and described
Minimum invert level at start of sewer lines
Gradient / fall of sewer lines
Description of sewer pipes
Vent pipes and vent valves
Gulleys
Sections through septic tank and French drains

**DRAINAGE ON PLAN**

Sewer pipe layout
Waste pipe layout
Description of sewer pipe
IE's, RE's, and CE's
Gulleys
Vent pipes and vent valves
Min invert level of sewer pipes
Falls of sewer pipes
Municipal sewer connection point
Septic tank & french drain position and dimension
Concrete encasement of sewer below buildings
Drainage notes

**Comments:**

.....

.....

.....

.....

.....

Signature: \_\_\_\_\_ Date: \_\_\_\_\_







**NATIONAL BUILDING REGULATIONS AND  
BUILDING STANDARDS ACT, 1977 (Act No. 103 of 1977)**

<b>FORM 1</b>	<b>DECLARATION BY PERSON RESPONSIBLE FOR PREPARING AN APPLICATION FOR APPROVAL OF THE ERECTION OF THE BUILDING IN TERMS OF SECTION 4 OF THE ACT</b>	
<i>(To be completed and submitted for all applications prepared in accordance with the provisions of Regulation A2)</i>		
To:		<i>(Name of Local Authority)</i>
*Erf/Holding/Portion No.:		
*Township/Agricultural holding/Farm name:		
Street address:		
Nature of project: <i>(Insert proposed new building(s), or building alteration, building addition, re-erection of building, refurbishment of building or structural repair to existing building, as relevant.)</i>		
<b>SECTION 1: DECLARATION BY OWNER</b>		
*I <input type="checkbox"/> / We <input type="checkbox"/>		<i>(Name of owner)</i>
of		<i>(Address)</i>
Tel. No.:		
hereby confirm that *I <input type="checkbox"/> / We <input type="checkbox"/> have appointed		
<i>(Name of person registered in a professional category of registration in terms of one of the councils for the professions identified in the Council for the Built Environment Act, 2000 (Act No. 43 of 2000))</i>		
Registration number:		
Category of registration: <i>(Insert Professional Architect/Professional Senior Architectural Technologist/Professional Architectural Technologist/Professional Architectural Draughtsperson/Professional Engineer, etc.)</i>		
to declare in terms of Regulation <b>A2(1)(g)</b> how the applicable functional regulations are to be satisfied, and *I <input type="checkbox"/> / we <input type="checkbox"/> understand and accept that the onus is on *me <input type="checkbox"/> / us <input type="checkbox"/> to –		
i) inform the above-named professional when the work is due to start on site, and if any changes are made as to how the functional regulations are to be satisfied, or any changes in the appointment of competent persons are made before the completion of the building; and		
ii) extend the above appointment to meet the requirements of Regulations <b>A19(8)</b> and <b>A19(9)</b> where applicable.		
Signature of owner:		Date:
<i>(* Tick the appropriate box.)</i>		



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**SECTION 2: DECLARATION BY APPOINTED PROFESSIONAL PERSON**

I, \_\_\_\_\_ (Name)

Address:

Tel. No.:

Fax. No.:

Email:

of

*(If representing a partnership, association, company or incorporated body, the name thereof)*

accept the appointment made in section 1 and declare, to the best of my knowledge, that the functional regulations are to be satisfied as set out in Schedule A, with the assistance of the competent persons, if any, named in Schedule B, and undertake to update this schedule whenever a change in approach to satisfying these Regulations arises.

I confirm the following:

- a) Occupancy/building classification (see Regulation A20)
- b) Site sensitivity level

Classification <sup>a</sup>	Tick the row <sup>b</sup> which best describes the project
<p><b>Low sensitivity site</b> A site that is neither identified as, nor exhibits, any evidence of environmental or heritage significance and does not require Environmental Impact Assessment (EIA), Heritage Impact Assessment (HIA) or Social Impact Assessment (SIA) studies to be undertaken before development. Low sensitivity sites are normally, but not exclusively, within already developed urban areas.</p>	<input type="checkbox"/>
<p><b>Medium sensitivity site</b> A site which exhibits some evidence of environmental or heritage significance for which EIA, HIA or SIA studies are not required by the government agencies involved.</p>	<input type="checkbox"/>
<p><b>High sensitivity site</b> A site identified as of special environmental or heritage significance and which will require EIA, HIA or SIA studies to be undertaken to define the parameters for development, for example, declared protected areas and urban conservation areas.</p>	<input type="checkbox"/>
<p><sup>a</sup> The inherent importance of the site in environmental or heritage terms, as defined by the National Heritage Resources Act, 1999 (Act No. 25 of 1999), the National Environmental Management Act, 1998 (Act No. 107 of 1998), and the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000).</p>	
<p><sup>b</sup> Tick <b>one</b> row only.</p>	



Signature of professional person:

Date:

Registration number:

Category of registration:

*(Insert Professional Architect/Professional Senior Architectural Technologist/Professional Architectural Technologist/Professional Architectural Draughtsperson/Professional Engineer, etc.)*

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SCHEDULE A: MEANS BY WHICH REGULATION AZ4 IS TO BE SATISFIED				
Occupancy/Building classification			(see Regulation A20)	
1	2	3	4	5
Applicability to application (tick column 2 or 3)			Means of satisfying requirements of functional regulations (tick relevant boxes in columns 4 or 5)	
Regulation	Yes	No	Deemed-to-satisfy requirements contained in the relevant parts of SANS 10400	Regulation AZ4(1)(b)(ii)
<b>B: Structural design</b>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The structural system of the building complies with the detailed requirements of</p> <p><input type="checkbox"/> Part H  <input type="checkbox"/> Part J  <input type="checkbox"/> Part K  <input type="checkbox"/> Part L  <input type="checkbox"/> Part M  <input type="checkbox"/> Part N</p> <p>of SANS 1400</p> <p>or in the case of timber buildings with the requirements of  <input type="checkbox"/> SANS 10082</p> <p>or  <input type="checkbox"/> is the subject of a rational design or a rational assessment</p> <p>or  <input type="checkbox"/> is the subject of an Agrément certificate;</p> <p>or  the following competent persons are to be appointed:</p> <p><input type="checkbox"/> competent person (structures) to design and inspect the structures  <input type="checkbox"/> competent person (civil engineering) to design and inspect the services in dolomite land  <input type="checkbox"/> competent person (dolomite land) to categorize dolomite land</p>	<input type="checkbox"/>
<b>C: Dimensions</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> The dimensions of any room or space are in accordance with the detailed requirements of SANS 10400-C	<input type="checkbox"/>
<b>D: Public safety</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> A change in level, the design of ramps and driveways, or access to swimming pools and swimming baths is in accordance with the detailed requirements of SANS 10400-D	<input type="checkbox"/>
<b>F: Site operations</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> The provision of sanitary facilities is in accordance with the detailed requirements of SANS 10400-F	<input type="checkbox"/>
<b>G: Excavations</b>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The excavation relating to a building</p> <p><input type="checkbox"/> is less than 3,0 m deep and is in accordance with the detailed requirements of SANS 10400-G  <input type="checkbox"/> is the subject of a rational design or a rational assessment (or both)</p>	<input type="checkbox"/>
<b>H: Foundations</b>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A geotechnical investigation in accordance with the rules</p> <p><input type="checkbox"/> is to be carried out  <input type="checkbox"/> has been carried out and is available for use</p>	<input type="checkbox"/>



<input type="checkbox"/>	<input type="checkbox"/>	The foundations for the building are in accordance with <input type="checkbox"/> SANS 10400-B <input type="checkbox"/> the detailed requirements of SANS 10400-H	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> The foundations to the extension/addition to an existing building are the same as the existing foundations, which have performed satisfactorily	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	The following competent persons are to be appointed: <input type="checkbox"/> competent person (civil engineering) in respect of deep footings, soil rafts, compaction of in-situ soil or sub-surface drainage <input type="checkbox"/> competent person (geotechnical) in respect of geotechnical solutions or soil improvements that are required	<input type="checkbox"/>

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1	2	3	4		5
Applicability to application (tick column 2 or 3)			Means of satisfying requirements of functional regulations (tick relevant boxes in columns 4 or 5)		
Regulation	Yes	No	Deemed-to-satisfy requirements contained in the relevant parts of SANS 10400		Regulation AZ4(1)(b)(ii)
J: Floors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Floors in any laundry, kitchen, shower room, bathroom or room containing a toilet pan or urinal are in accordance with the detailed requirements of SANS 10400-J		<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Suspended floors are in accordance with <input type="checkbox"/> the requirements of SANS 10400-B and SANS 10400-T <input type="checkbox"/> the requirements of SANS 10082 <input type="checkbox"/> the detailed requirements of SANS 10400-J		<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Slabs supported on the ground are in accordance with <input type="checkbox"/> SANS 10400-B <input type="checkbox"/> SANS 10400-H <input type="checkbox"/> the detailed requirements of SANS 10400-J <input type="checkbox"/> a competent person (civil engineering) is to be appointed in respect of the slabs or fills		<input type="checkbox"/>
K: Walls	<input type="checkbox"/>	<input type="checkbox"/>	The structural strength and stability of a wall is in accordance with <input type="checkbox"/> SANS 10400-B and SANS 10400-T <input type="checkbox"/> the detailed requirements of SANS 10400-K		<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	The roof fixing is in accordance with <input type="checkbox"/> SANS 10400-B <input type="checkbox"/> the detailed requirements of SANS 10400-K		<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> The water penetration through a wall is in accordance with the detailed requirements of SANS 10400-K		<input type="checkbox"/>
L: Roofs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Roof coverings and waterproofing systems are in accordance with the detailed requirements of SANS 10400-L		<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Flat roofs or related gutters are <input type="checkbox"/> in accordance with the detailed requirements of SANS 10400-L; or <input type="checkbox"/> the subject of a rational design or rational assessment (or both)		<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	The roof assembly and any ceiling assembly, in addition to complying with the requirements of SANS 10400-C, are <input type="checkbox"/> in accordance with the detailed requirements of SANS 10400-L and the roof assembly is supported on walls that comply with the requirements of SANS 10400-K <input type="checkbox"/> in accordance with SANS 10400-B and SANS 10400-L		<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Gutters and downpipes, if any, are sized in accordance with the requirements of SANS 10400-R		<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	The fire resistance and combustibility of the roof assembly or any ceiling assembly are in accordance with <input type="checkbox"/> the detailed requirements of SANS 10400-L <input type="checkbox"/> SANS 10400-T		<input type="checkbox"/>



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1	2	3	4	5
Applicability to application (tick column 2 or 3)			Means of satisfying requirements of functional regulations (tick relevant boxes in columns 4 or 5)	
Regulation	Yes	No	Deemed-to-satisfy requirements contained in the relevant parts of SANS 10400	Regulation AZ4(1)(b)(ii)
<b>M: Stairways</b>	<input type="checkbox"/>	<input type="checkbox"/>	Stairways are in accordance with <input type="checkbox"/> SANS 10400-B and SANS 10400-T <input type="checkbox"/> the detailed requirements of SANS 10400-M	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Walls, screens, railings or balustrades to such stairway are in accordance with the requirements of <input type="checkbox"/> SANS 10400-B and SANS 10400-T <input type="checkbox"/> SANS 10400-K and SANS 10400-T	<input type="checkbox"/>
<b>N: Glazing</b>	<input type="checkbox"/>	<input type="checkbox"/>	The type and fixing of glazing is in accordance with <input type="checkbox"/> SANS 10400-B <input type="checkbox"/> the detailed requirements of SANS 10400-N	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> The selection of the glazing is in accordance with the detailed requirements of SANS 10400-N	<input type="checkbox"/>
<b>O: Lighting and ventilation</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> The lighting in a habitable room, bathroom, shower room and room containing a toilet pan complies with the requirements of SANS 10400-T and the detailed requirements of SANS 10400-O	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	The ventilation is in accordance with the requirements of SANS 10400-T and <input type="checkbox"/> is in accordance with the detailed requirements of SANS 10400-O <input type="checkbox"/> is the subject of a rational design	<input type="checkbox"/>
<b>P: Drainage</b>	<input type="checkbox"/>	<input type="checkbox"/>	The design of the drainage system is <input type="checkbox"/> in accordance with the detailed requirements of SANS 10400-P <input type="checkbox"/> the subject of a rational design or rational assessment (or both) <input type="checkbox"/> the subject of an Agrément certificate	<input type="checkbox"/>
<b>Q: Non-water-borne means of sanitary disposal</b>	<input type="checkbox"/>	<input type="checkbox"/>	The means of sewage disposal where water-borne sewerage disposal is not available <input type="checkbox"/> is in accordance with the detailed requirements of SANS 10400-Q <input type="checkbox"/> is the subject of a rational design or rational assessment (or both) <input type="checkbox"/> is the subject of an Agrément certificate <input type="checkbox"/> comprises pail closets which are emptied by or on behalf of a local authority	<input type="checkbox"/>
<b>R: Stormwater disposal</b>	<input type="checkbox"/>	<input type="checkbox"/>	The means for the control and disposal of stormwater is <input type="checkbox"/> in accordance with the detailed requirements of SANS 10400-R <input type="checkbox"/> the subject of a rational design	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> The means for the control and disposal of stormwater in interconnected complexes is the subject of a rational design	<input type="checkbox"/>



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1		2	3	4		5
Applicability to application (tick column 2 or 3)			Means of satisfying requirements of functional regulations (tick relevant boxes in columns 4 or 5)			
Regulation	Yes	No	Deemed-to-satisfy requirements contained in the relevant parts of SANS 10400			Regulation AZ4(1)(b)(ii)
S: Persons with disabilities	<input type="checkbox"/>	<input type="checkbox"/>	The means for providing facilities for persons with disabilities is <input type="checkbox"/> in accordance with the detailed requirements of SANS 10400-S <input type="checkbox"/> the subject of a rational design			<input type="checkbox"/>
T: Fire protection	<input type="checkbox"/>	<input type="checkbox"/>	The fire protection measures provided are <input type="checkbox"/> in accordance with the detailed requirements of SANS 10400-T <input type="checkbox"/> the subject of a rational design or rational assessment			<input type="checkbox"/>
V: Space heating	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> The provision of space heating is in accordance with the detailed requirements of SANS 10400-V			<input type="checkbox"/>
W: Fire installation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> The fire installations comply with the detailed requirements of SANS 10400-W			<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	The supply of water is <input type="checkbox"/> in accordance with the detailed requirements of SANS 10400-W <input type="checkbox"/> the subject of a rational design			<input type="checkbox"/>
XA: Energy Efficiency in Buildings			The building is so designed that <input type="checkbox"/> orientation and shading are in accordance with the requirements of SANS 204 <input type="checkbox"/> external walls are in accordance with the detailed requirements of SANS 10400-XA <input type="checkbox"/> fenestration is in accordance with SANS 10400-XA <input type="checkbox"/> roof assembly construction is in accordance with SANS 10400-XA <input type="checkbox"/> floors with in-slab heating is in accordance with SANS 10400-XA <input type="checkbox"/> services that use energy or control the use of energy is in accordance with SANS 204 <input type="checkbox"/> hot water systems is in accordance with SANS 10400-XA or <input type="checkbox"/> a competent person certifies that fenestration is in accordance with SANS 204 or <input type="checkbox"/> a competent person certifies that the building has a theoretical annual energy consumption and demand in accordance with SANS 10400-XA or <input type="checkbox"/> a competent person certifies that the building has a theoretical annual energy consumption and demand less than or equal than a reference building that complies with the requirements of SANS 10400-XA			



**SCHEDULE B: APPROVED COMPETENT PERSON APPOINTMENTS***(Attach duly completed Form 2 to this Form. Schedule B is to be completed before plan approval.)*

1	2	3
Category of competent person	Nature of duties	Name of person
<b>Competent person registered as a professional architect or professional engineer</b>		
Competent person	<b>Duty 1:</b> Demonstrating compliance with the requirements of the National Building Regulations in terms of Regulation <b>AZ4(1)(b)(ii)</b>	
<b>Competent person satisfying the definitions provided in SANS 10400 in relation to the duties that are to be performed in terms of a specific part of SANS 10400</b>		
Competent person (built environment)	<b>Duty 2:</b> Rational design and rational assessment of flat roofs and related gutters	
Competent person (civil engineering)	<b>Duty 3:</b> Design and inspection of services in dolomite land in terms of SANS 10400-B	
	<b>Duty 4:</b> Specify and inspect, as relevant, deep footings, soil rafts, compaction of in-situ soil or sub-surface drains in terms of SANS 10400-H	
	<b>Duty 5:</b> Design and inspect slabs and fills in terms of SANS 10400-J	
	<b>Duty 6:</b> Rational design of control and disposal of stormwater in terms of SANS 10400-R or Regulation <b>R1(3)</b>	
	<b>Duty 7:</b> Rational design of control and disposal of stormwater in interconnected complexes in terms of SANS 10400-R	
Competent person (dolomite land)	<b>Duty 8:</b> Categorization of dolomite land in terms of SANS 10400-B	
Competent person (engineering geology) or Competent person (civil engineering)	<b>Duty 9:</b> Rational design or assessment of excavations in terms of SANS 10400-G or Regulation <b>G1(3)</b>	
Competent person (fire protection)	<b>Duty 10:</b> Rational design or rational assessment of fire protection system in terms of SANS 10400-T or Regulation <b>T1(2)</b>	
Competent person (geotechnical)	<b>Duty 11:</b> Undertake geotechnical investigation in accordance with the requirements of SANS 10400-H or Regulation <b>F3</b>	
	<b>Duty 12:</b> Design and inspect geotechnical solutions or soil improvements in terms of SANS 10400-H	
Competent person (mechanical engineering)	<b>Duty 13:</b> Rational design of ventilation system in terms of SANS 10400-O and Regulation <b>O4</b>	
Competent person (sanitation)	<b>Duty 14:</b> Rational design or rational assessment of drainage system in terms of SANS 10400-P or Regulation <b>P2(2)</b>	
	<b>Duty 15:</b> Rational design or rational assessment of sewage disposal in terms of SANS 10400-Q or Regulation <b>Q3</b>	



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1	2	3
Category of competent person	Nature of duties	Name of person
Competent person (structures)	<b>Duty 16:</b> Rational design or rational assessment of structural system in terms of SANS 10400-B taking account of parts H, J, K, L, M, N of SANS 10400 or Regulations <b>A1(3)(e)</b> and <b>A23(4)</b>	
	<b>Duty 17:</b> Rational design of roof in terms of parts B and L of SANS 10400 where the foundations, floors and walls are in accordance with the rules provided in parts H, J and K of SANS 10400	
Competent person (wet services)	<b>Duty 18:</b> Rational design of supply of water to fire installations in terms of SANS 10400-W or Regulation <b>W4</b>	
Competent person (energy efficiency)	<b>Duty 19:</b> Rational design or rational assessment of fenestration in terms of SANS 204	
	<b>Duty 20:</b> Rational design or rational assessment of annual energy consumption and demand in terms of SANS 10400-XA	
	<b>Duty 21:</b> Rational design or rational assessment of annual energy consumption to a reference building in terms of SANS 10400-XA	
<b>Competent person not satisfying the definitions provided in SANS 10400 in relation to the duties that are to be performed in terms of a specific part of SANS 10400*</b>		

\* Insert data in columns 1 to 3; state duty number and attach more pages, if necessary.



**NATIONAL BUILDING REGULATIONS AND  
BUILDING STANDARDS ACT, 1977 (Act No. 103 of 1977)**

<b>FORM 2</b>	<b>APPLICATION FOR ACCEPTANCE AS AN APPROVED COMPETENT PERSON IN TERMS OF REGULATION A19</b>
<i>(To be completed and submitted for all appointments in terms of Regulation A19)</i>	
To: <span style="float: right;"><i>(Name of Local Authority)</i></span> *Erf/Holding/Portion No.: *Township/Agricultural holding/Farm name:. Street address:  Nature of project: <i>(Insert proposed new building(s), or building alteration, building addition, re-erection of building, refurbishment of building or structural repair to existing building, as relevant.)</i>	
<b>SECTION 1: DECLARATION BY OWNER</b>	
*I <input type="checkbox"/> / We <input type="checkbox"/> Of <span style="float: right;"><i>(Name of owner)</i></span> <span style="float: right;"><i>(Address)</i></span>  Tel. No.:  hereby confirm that *I <input type="checkbox"/> / We <input type="checkbox"/> have appointed  <div style="text-align: center;"><i>(Name of Competent Person)</i></div> Professional registration number: Registration council: <i>(Insert number and Engineering Council of South Africa (ECSA) / South African Council for Natural Scientific Professions (SACNSP) / South African Council for the Architectural Professions (SACAP))</i>	
in terms of Regulation <b>A19(1)</b> as the Competent Person for the work, duties and responsibilities set out herein, and *I <input type="checkbox"/> / we <input type="checkbox"/> understand and accept that the onus is on *me <input type="checkbox"/> / us <input type="checkbox"/> to –	
i) inform the Competent Person when the work is due to start on site; and  ii) notify the local authority in writing should the appointment be terminated before the work for which this person was appointed is completed, and to make another appointment in terms of Regulation <b>A19(2)</b> ;  iii) extend the above appointment to meet the requirements of Regulations <b>A19(7)</b> and <b>A19(8)</b> where applicable	
Signature of owner: <span style="float: right;">Date</span>  <i>(* Tick the appropriate box.)</i>	



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**SECTION 2: DECLARATION BY APPOINTED COMPETENT PERSON**

I, \_\_\_\_\_ (Name)  
Address: \_\_\_\_\_

Tel. No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

Email: \_\_\_\_\_  
of \_\_\_\_\_

(If representing a partnership, association, company or incorporated body, the name thereof)  
accept the appointment made in section 1 and undertake and accept full responsibility for

- i) \*The rational design  /rational assessment  /geotechnical investigation  in respect of the above project and in accordance with the \*rational design/rational assessment/geotechnical investigation requirements of the National Building Regulations for the applicable work described herein, and, where relevant, for the inspection, in respect of work contemplated in section 3 of this Form, and accept that the provisions of Regulations **A19(6), (7) and (8)**, and, where applicable, Regulation **A14** shall apply to the duties and responsibilities of any appointment;
- ii) providing the local authority with such drawings, details and particulars as are and may be required by the National Building Regulations;
- iii) notifying the local authority in writing should
- it appear that any work is being carried out in a manner which might endanger the strength, stability or serviceability of the building or any adjoining building, structure or property; and
  - my appointment be terminated before the work for which I was appointed is complete;
- iv) submitting to the local authority in terms of section 14(2A) of the National Building Regulations and Building Standards Act, Form 4 on completion of the relevant work, where required, and
- v) maintaining contact with the owner of the project as to when my services may be required, and declare that –
- i) I am competent to undertake the \*rational design  /rational assessment  /geotechnical investigation  and any associated inspection work in relation to the applicable work(s) contemplated in section 3 of this Form and in support of my declaration of competence submit that (tick appropriate option)
- I satisfy the relevant definition for competent person contained SANS 10400 in all respects in relation to the works contemplated; or
- I have the necessary qualifications, experience and contextual knowledge to undertake such work as set out in the attached declaration\*\*;
- ii) I shall satisfy Regulation **AZ4** by (tick appropriate option)
- complying with all the relevant requirements of SANS 10400; or
- reliably demonstrating, or predicting with certainty, to the satisfaction of the appropriate local authority, that an adopted building solution has an equivalent or superior performance to a solution that complies with the relevant requirements of SANS 10400;
- iii) I am  /am not  \* an employee of the owner and have /do not have  \* professional indemnity cover;
- iv) my professional registration is current and is not suspended or terminated and is appropriate in relation to the services required; and
- v) all the information given is, to the best of my knowledge and belief, true and correct.

Signature of Competent Person: \_\_\_\_\_

Date \_\_\_\_\_

Professional registration number: \_\_\_\_\_  
(Insert number)

Registration council:  
(Insert ECSA, SACAP or SACNSP)

(\* Tick the appropriate box.)

(\*\* Attach declaration setting out qualifications, experience and contextual knowledge relating to the work contemplated.)



SECTION 3: DESCRIPTION OF APPLICABLE WORK			
Tick if applicable	Nature of duties	Initials of:	
		Owner	Competent person
<input type="checkbox"/>	<b>Duty 1:</b> Demonstrating compliance with the requirements of the National Building Regulations in terms of Regulation <b>AZ4(1)(b)(ii)</b>		
<input type="checkbox"/>	<b>Duty 2:</b> Rational design and rational assessment of flat roofs and related gutters		
<input type="checkbox"/>	<b>Duty 3:</b> Design and inspection of services in dolomite land in terms of SANS 10400-B		
<input type="checkbox"/>	<b>Duty 4:</b> Specify and inspect, as relevant, deep footings, soil rafts, compaction of in-situ soil or sub-surface drains in terms of SANS 10400-H		
<input type="checkbox"/>	<b>Duty 5:</b> Design and inspect slabs, and fills in terms of SANS 10400-J		
<input type="checkbox"/>	<b>Duty 6:</b> Rational design of control and disposal of stormwater in terms of SANS 10400-R or Regulation <b>R1(3)</b>		
<input type="checkbox"/>	<b>Duty 7:</b> Rational design of control and disposal of stormwater in interconnected complexes in terms of SANS 10400-R		
<input type="checkbox"/>	<b>Duty 8:</b> Categorization of dolomite land in terms of SANS 10400-B		
<input type="checkbox"/>	<b>Duty 9:</b> Rational design or assessment of excavations in terms of SANS 10400-G or Regulation <b>G1(3)</b>		
<input type="checkbox"/>	<b>Duty 10:</b> Rational design or rational assessment of fire protection system in terms of SANS 10400-P or Regulation <b>T1(2)</b>		
<input type="checkbox"/>	<b>Duty 11:</b> Undertake geotechnical investigation in accordance with requirements of SANS 10400-H or Regulation <b>F3</b>		
<input type="checkbox"/>	<b>Duty 12:</b> Design and inspect geotechnical solutions or soil improvements in terms of SANS 10400-H		
<input type="checkbox"/>	<b>Duty 13:</b> Rational design of ventilation system in terms of SANS 10400-O and Regulation <b>O4</b>		
<input type="checkbox"/>	<b>Duty 14:</b> Rational design or rational assessment of drainage system in terms of SANS 10400-P or Regulation <b>P2(2)</b>		
<input type="checkbox"/>	<b>Duty 15:</b> Rational design or rational assessment of sewage disposal in terms of SANS 10400-Q or Regulation <b>Q3</b>		
<input type="checkbox"/>	<b>Duty 16:</b> Rational design or rational assessment of the structural system in terms of SANS 10400-B taking account of parts H, J, K, L, M, N of SANS 10400 or Regulations <b>A1(3)(e)</b> and <b>A23(4)</b>		
<input type="checkbox"/>	<b>Duty 17:</b> Rational design of roof in terms of parts B and L of SANS 10400 where the foundations, floors and walls are in accordance with the rules provided in parts H, J and K of SANS 10400		
<input type="checkbox"/>	<b>Duty 18:</b> Rational design of supply of water to fire installations in terms of SANS 10400-W or Regulation <b>W4</b>		
<input type="checkbox"/>	<b>Duty 19:</b> Rational design or rational assessment of fenestration in terms of SANS 204		



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<input type="checkbox"/>	<b>Duty 20:</b> Rational design or rational assessment of annual energy consumption and demand in terms of SANS 10400-XA		
<input type="checkbox"/>	<b>Duty 21:</b> Rational design or rational assessment of annual energy consumption to a reference building in terms of SANS 10400-XA		



**SECTION 4: ACCEPTANCE OF APPOINTED COMPETENT PERSON BY LOCAL AUTHORITY**

Based on the information and undertakings provided, the competent person is (tick relevant box(es))

- accepted as an approved competent person
- not accepted as an approved competent person for the following reasons:
- incorrect or incomplete information has been provided (Regulation **A19(9)(c)(i)**);
  - is not in possession of the required professional indemnity insurance cover (Regulation **A19(9)(c)(ii)**);
  - is not professionally registered with a relevant statutory council (Regulation **A19(9)(c)(iii)**);
  - is inadequately qualified or has insufficient experience or contextual knowledge to make the required determinations (Regulation **A19(9)(c)(iv)**);
  - is under investigation by a relevant disciplinary tribunal (Regulation **A19(9)(c)(v)**).

For and on behalf of the Local Authority:

*(Name of official )*

Signature:

Date



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**NATIONAL BUILDING REGULATIONS AND  
BUILDING STANDARDS ACT, 1977 (Act No. 103 of 1977)**

<b>FORM 3</b>	<b>DECLARATION BY A COMPETENT PERSON APPOINTED TO DESIGN A COMPONENT OR AN ELEMENT OF A SYSTEM</b>
<p><i>(This form is to be completed:</i></p> <ul style="list-style-type: none"> <li>• <i>by those persons who are not appointed in terms of Form 2; and</i></li> <li>• <i>before the commencement of any construction or installation activities.</i></li> </ul> <p><i>This form shall be submitted to the approved competent person, i.e. the person who assumes overall responsibility for the system.)</i></p>	
<p><b>TO: APPROVED COMPETENT PERSON:</b> .....</p> <p align="right"><i>(Name of competent person approved in terms of Form 2)</i></p> <p>*Erf/Holding/Portion No.:</p> <p>*Township/Agricultural holding/Farm name:</p> <p>Street address:</p> <p>Nature of project: <i>(Insert proposed new building(s), or building alteration, building addition, re-erection of building, refurbishment of building or structural repair to existing building, as relevant.)</i></p>	
<p><b>SECTION 1: DECLARATION BY APPOINTED COMPETENT PERSON</b></p> <p>I, ..... <span style="float: right;"><i>(Name)</i></span></p> <p>Address .....</p> <p>Tel. No.: ..... Fax. No.: .....</p> <p>Email: .....</p> <p>of .....</p> <p align="center"><i>(If representing a partnership, association, company or incorporated body, the name thereof)</i></p> <p>undertake and accept full responsibility for –</p> <p>i) *the rational design/rational assessment in respect of:</p> <p align="right"><i>(Describe scope of work)</i></p> <p>in accordance with the *rational design/rational assessment requirements of the National Building Regulations, and for the inspection, where relevant.</p> <p>ii) providing the Approved Competent Person with such drawings, details and particulars as are and may be required for such person to discharge his obligations in terms of the National Building Regulations;</p>	



iii) notifying the approved competent person in writing should –

a) it appear that any work is being carried out in a manner which might endanger the strength, stability or serviceability of the building or any adjoining building, structure or property; and

b) my appointment be terminated before the work for which I was appointed is complete;

iv) informing the Approved Competent Person when the work is due to start on site and when the work is completed; and

v) completing and submitting section 3 to the Approved Competent Person, where the work relates to the structural fire protection or fire installation system and when requested to do so on completion of the relevant work for which I am responsible, where relevant.

and declare that –

i) I am competent to undertake the \*rational design/rational assessment and any associated inspection work in relation to the applicable work(s) contemplated in this Form and in support of my declaration of competence submit that (tick appropriate option):

I satisfy the relevant definition for competent person contained in SANS 10400 in all respects in relation to the works contemplated; or

I have the necessary qualifications, experience and contextual knowledge to undertake such work as set out in the attached declaration\*\*;

ii) I shall satisfy Regulation **AZ4** by (tick appropriate option)

complying with all the relevant requirements of SANS 10400; or

reliably demonstrating, or predicting with certainty, to the satisfaction of the appropriate local authority, that an adopted building solution has an equivalent or superior performance to a solution that complies with the relevant requirements of SANS 10400;

iii) I am  /am not \* an employee of the owner and have  /do not have \* professional indemnity cover;

iv) my professional registration is current and is not suspended or terminated and is appropriate in relation to the services required; and

v) all the information given is, to the best of my knowledge and belief, true and correct.

Signature of Competent Person

Date

Professional registration number:

Registration council:

(Insert number and Engineering Council of South Africa (ECSA)/South African Council for the Architectural Professions (SACAP /South African Council for Natural Scientific Professions (SACNSP))

(\* Tick the appropriate box.)

(\*\* Attach declaration setting out qualifications, experience and contextual knowledge relating to the work contemplated.)



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**SECTION 2: CRITICAL DESIGN INFORMATION**

*(Competent person to complete section or attach information to this form)*

Design assumptions and criteria:

Specifications for materials:

Drawings prepared to communicate design to constructor or installer:

Nature and extent of inspections during construction:

Features requiring special attention:

**SECTION 3: CERTIFICATE OF COMPLETION OF THE STRUCTURAL OR FIRE PROTECTION OR FIRE INSTALLATION SYSTEM**

I,  
*(Name of approved competent person)*

hereby certify that for the above project, the portion of \*

- the structural system  
 the fire protection system  
 the fire installation system

for which I have taken responsibility has, to the best of my knowledge, been designed and \*constructed  /erected  /installed  in accordance with the application in respect of which approval was granted in terms of section 7 of the Act and that it satisfies the requirements of the National Building Regulations.

Signature of Competent Person:

Date

Professional registration number:  
*(Insert number)*

Registration council:

*(\* Tick relevant box(es).)*



