

BUILDING CONTROL – WHY? WHEN? HOW?



DRAKENSTEIN
MUNISIPALITEIT • MUNICIPALITY • UMASIPALA
Paarl | Wellington | Gouda | Saron | Simondium

It is the sole responsibility of every Building Control office to enforce the regulations and requirements as set out in the National Building Regulations and Building Standards Act* (103 of 1977) as amended from time to time [**NBR Act***].

Any Building work as defined in the **NBR Act** is required to have approved plans prior to commencing with the proposed work, the definition of which is as follows:

- a) any other 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 -*
- (i) the accommodation or convenience of human beings or animals;*
 - (ii) the manufacture, processing, storage, display or sale of any goods;*
 - (iii) the rendering of any service;*
 - (iv) the destruction or treatment of refuse or other waste materials;*
 - (v) the cultivation or growing of any plant or crop;*
- (b) any wall, swimming bath, swimming pool, reservoir or bridge or any other structure connected therewith;*
- (c) any fuel pump or any tank used in connection therewith;*
- (d) any part of a building, including a building as defined in paragraph (a), (b) or (c);*
- (e) any facilities or system, or part or portion thereof, within or outside but incidental to a building, for the provision of a water supply, drainage, sewerage, stormwater disposal, electricity supply or other similar service in respect of the building*

WHY – BUILDING PLAN APPROVAL



Section 4(1) and (4) of the **NBR Act** states the following:

- 1) **No person** shall without the prior approval in writing of the local authority in question, erect any building in respect of which plans and specifications are to be drawn and submitted in terms of this Act.
- 4) **Any person** erecting any building in contravention of the provisions of subsection (1) shall be **guilty of an offence** and liable on conviction to a fine not exceeding R100 for each day on which he was engaged in so erecting such building.

When Building Plans are drawn up and submitted, it is not only required to be compliant with the **NBR Act**, but other applicable legislation too. These are, but not limited to:

- a. *Architectural Profession Act 44 of 2000*
- b. *Spatial Planning and Land Use Management Act 16 of 2013*
- c. *National Heritage Resources Act 25 of 1999*
- d. *Road Traffic Management Corporation Act 20 of 1999*
- e. *National Environmental Management Act 107 of 1998*
- f. *Drakenstein Municipal By-Laws:*
 - [Building Control Bylaw](#)
 - [Outdoor Advertising and Signage Bylaw](#)

MINOR BUILDING WORK – SECTION 13

The **NBR Act** states very clearly in *Part A: General Principles and Requirements* (this was previously Part A: Administration), that any building work that is defined as **minor building work** requires authorisation by the Local Authority's Building Control Officer before one can commence with any work. The **NBR Act** is clear in terms of compliance with the regulations and **minor building work** must comply with the regulations.

The definition of **minor building work** in terms of the Law as contemplated in **Section 13** of the **NBR Act** means -

(a) the erection of any –

(i) poultry house not exceeding 10m² in area;

(ii) aviary not exceeding 20m² in area;

(iii) solid fuel store not exceeding 10m² in area and 2m in height;

(iv) tool shed not exceeding 10m² in area;

(v) child's playhouse not exceeding 5m² in area;

(vi) cycle shed not exceeding 5m² in area;

(vii) greenhouse not exceeding 15m² in area;

(viii) open-sided car, caravan or boat shelter or a carport where such shelter or carport does not exceed 40m² in area;

(ix) any free-standing wall constructed of masonry, concrete, steel, aluminium or timber or any wire fence where such wall or fence does not exceed 1,8m in height at any point above ground level and does not retain soil;

cont...

MINOR BUILDING WORK – SECTION 13



cont...

(x) any pergola;

(xi) private swimming pool;

(xii) change room, not exceeding 10m² in area, at a private swimming pool;

(b) the replacement of a roof or part thereof with the same or similar material;

(c) the conversion of a door into a window or a window into a door without increasing the width of the opening;

(d) the making of an opening in a wall which does not affect the structural safety of the building concerned;

(e) the partitioning or the enlarging of any room by the erection or demolition of an internal wall if such erection or demolition does not affect the structural safety of the building concerned;

(f) the erection of any solar water heater not exceeding 6m² in area on any roof or 12m² when erected other than on any roof; and

(g) the erection of any other building where the nature of the erection is such that in the opinion of the building control officer it is not necessary for the applicant to submit, with his application, plans prepared in full conformity with these regulations;

TEMPORARY BUILDINGS – REGULATION A23



DRAKENSTEIN
MUNISIPALITEIT • MUNICIPALITY • UMASIPALA
Paarl | Wellington | Gouda | Saron | Simondium

As described in **Regulation A23** of the **NBR Act**, temporary buildings are also required to obtain authorisation from the Local Authority. These buildings include builders' sheds, on-site toilets, and any other structure one might want to erect (or be obligated to erect) for the construction of a building.

Before granting such authorisation the local authority may require the submission of -

(a) a statement of the period for which authorization is required;

(b) a site plan;

(c) layout drawings in sufficient detail to enable the local authority to determine the general size, form, materials of construction and use of the proposed building; and

(d) any structural detail required by the local authority to determine the structural safety of the proposed building.

BUILDING SITE INSPECTIONS & OCCUPANCY CERTIFICATE



DRAKENSTEIN
MUNISIPALITEIT • MUNICIPALITY • UMASIPALA
Paarl | Wellington | Gouda | Saron | Simondium

A building plan application is approved in terms of **Section 7** or **Section 13** (Minor Building Works) of the **NBR Act** and is only **valid for 12 or 6 months** respectively after the date of approval, unless an inspection is requested for the proposed building work whilst the approval is still valid.

Regulation A22 of the **NBR Act** stipulates the various inspections which are required to be performed on an approved building plan in order to meet the minimum standards. The inspection request is to be completed on the prescribed forms and submitted **at least 2 working days** before the inspection is required, unless indicated otherwise. These inspections are, in no specific or applicable order:

1. *Intention to Commence (4 days notice period)*
2. *Intention to Demolish (10 days notice period and approved demolition permit)*
3. *Trench Inspection (prior to the concrete footings being poured and only poured on **approval** of this inspection)*
4. *Excavation Inspection (Deep excavation)*
5. *Drainage Inspection*
6. *Completion Inspection*

Only on **approval** of the Completion Inspection may application be made in terms of **Section 14** of the **NBR Act** for an Occupancy Certificate, if applicable. The required certification will be indicated on the Completion Inspection approval documentation provided. An invoice would be provided to the applicant and only once the proof of payment is returned, will the process commence. Legislatively, the Local Authority has **14 days** in which to provide an outcome, whether it be Approval or Refusal and requiring further documentation.

BUILDING PLAN APPROVAL VALIDITY PERIOD



DRAKENSTEIN
MUNISIPALITEIT • MUNICIPALITY • UMASIPALA
Paarl | Wellington | Gouda | Saron | Simondium

Section 13 (Minor Works) building plan approval is only valid for **6 months** from the date of approval as per the **NBR Act**. Should the Owner not be in a position to commence with the erection of the proposed structure within that timeframe, an application can be made for an **Extension of Validity Period** which would afford another stipulated period of time in which to commence. This application must be made **prior** to the plan lapsing, with valid reason for not commencing, and the approval thereof at the discretion of the Building Control Officer.

Section 7 building plan approval is only valid for **12 months** from the date of approval as per the **NBR Act**. Should the Owner not be in a position to commence with the erection of the proposed structure within that timeframe, an application can be made for an **Extension of Validity Period** which would afford another stipulated period of time in which to commence. This application must be made **prior** to the plan lapsing, with valid reason for not commencing, and the approval thereof at the discretion of the Building Control Officer.

BUILDING PLAN SUBMISSION PROCESS



SUBMISSION OF DOCUMENTATION

The owner appointed Architectural professional would be required to upload the following minimum documentation onto the Collaborator portal:

1. Municipal application form
2. SACAP compliance form
3. SANS 10400 Form 1 & 2 (appointment forms)
4. Title deed of property
5. Surveyor General diagram of property
6. Building plans signed by the Owner

SCRUTINY FEES & CIRCULATION

Once submitted, the scrutiny fees are calculated and provided to the applicant. Once the Proof of Payment has been uploaded, the application is then circulated to the Technical departments.

A maximum time limit to receiving an outcome (either approval or amendments required) is legislatively prescribed as 30 days for structures less than 500m², and 60 days for structures greater than 500m².

RECOMMENDATION & OUTCOME

On completion of the circulation, the Building Control Officer provides their recommendation based on the comments provided by the various departments. This recommendation would either support the approval or request amendments to the application documentation.

The appointed decision maker would then review the recommendations and provide an outcome to the applicant.

If an Approval is granted, congratulations, but you're not done yet...



DRAKENSTEIN

MUNISIPALITEIT • MUNICIPALITY • UMASIPALA

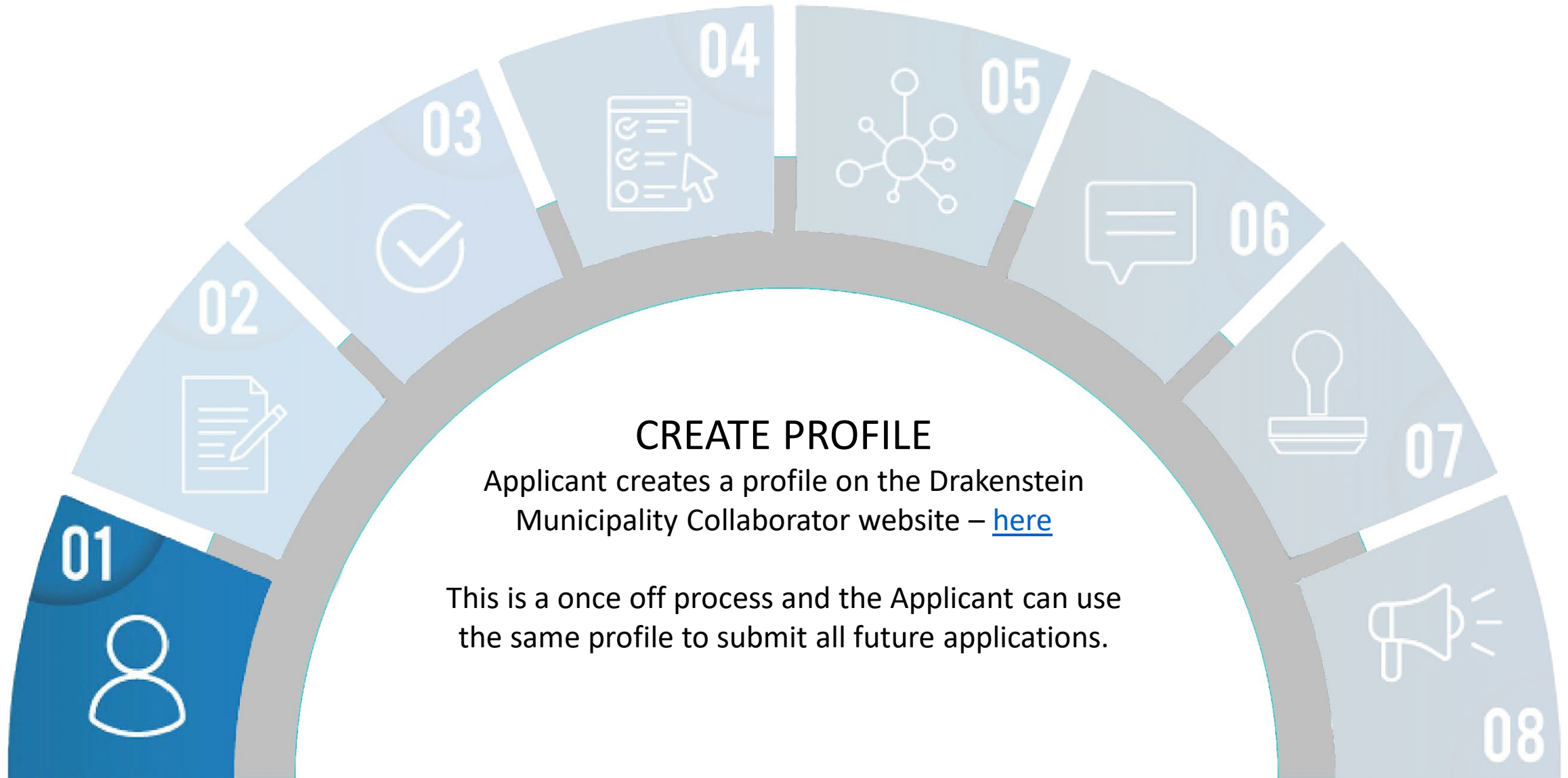
Paarl | Wellington | Gouda | Saron | Simondium

BUILDING PLAN SUBMISSION PROCESS

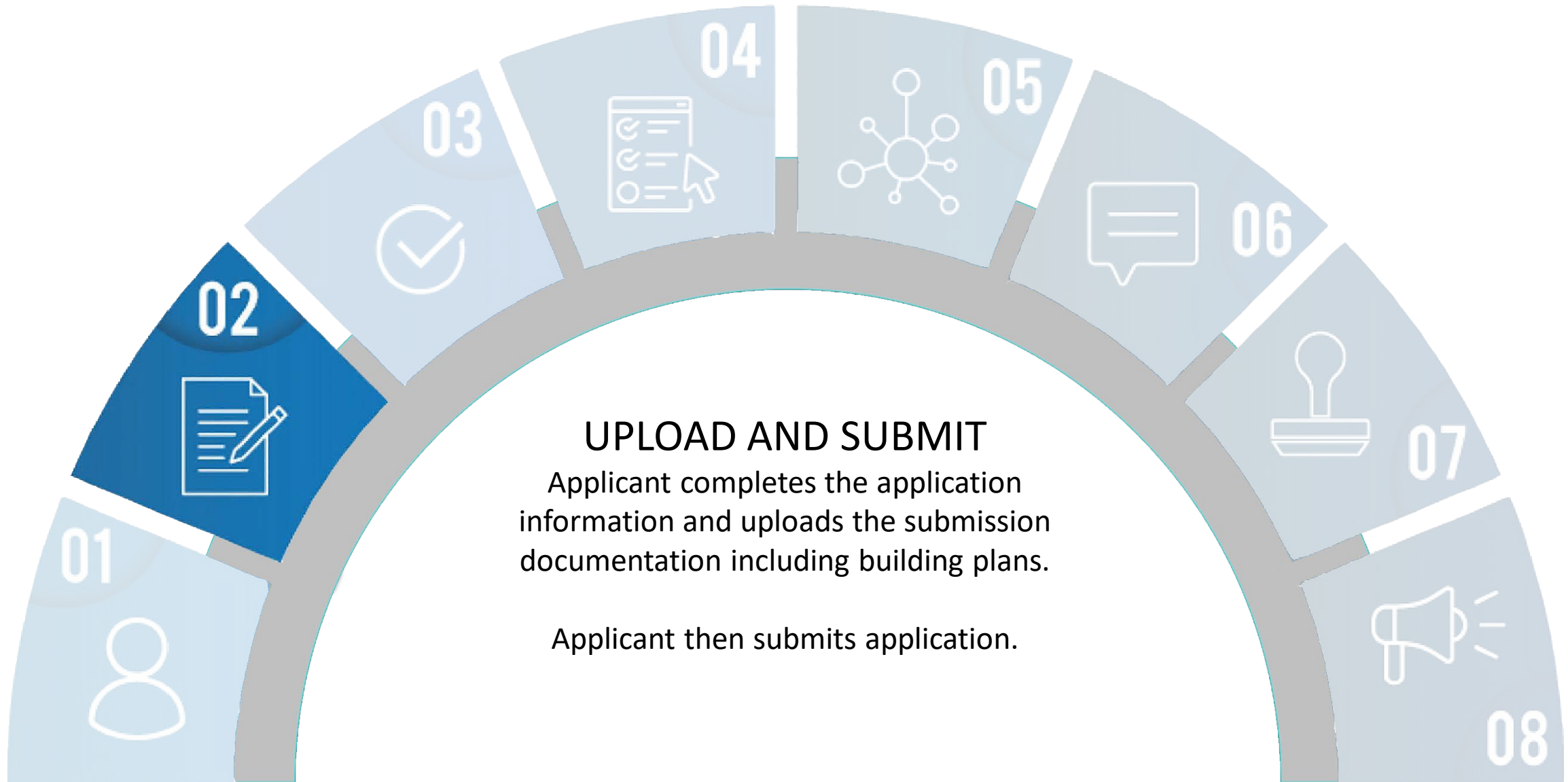
BUILDING PLAN SUBMISSION PROCESS



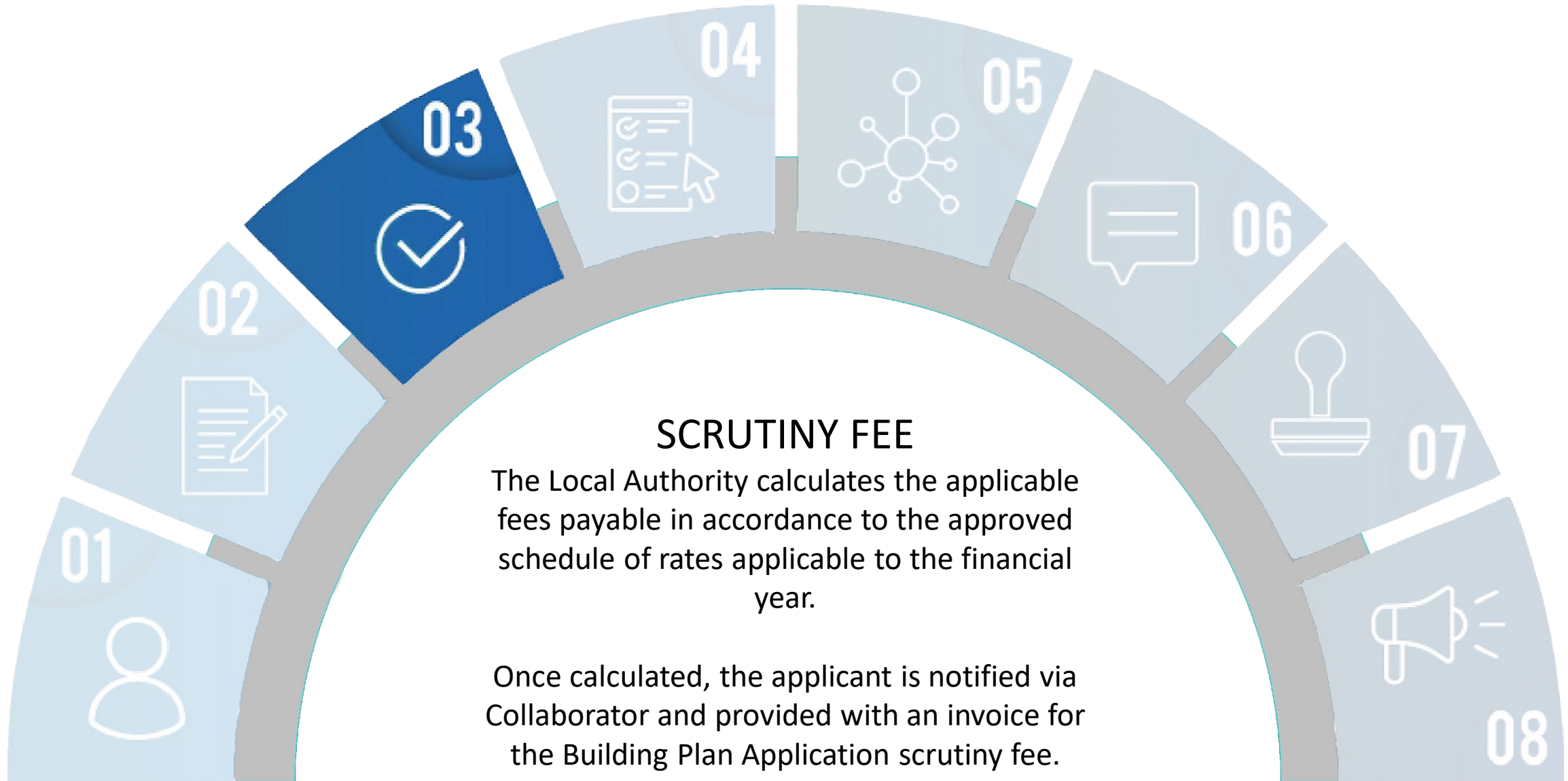
DRAKENSTEIN
MUNISIPALITEIT • MUNICIPALITY • UMASIPALA
Paarl | Wellington | Gouda | Saron | Simondium



BUILDING PLAN SUBMISSION PROCESS



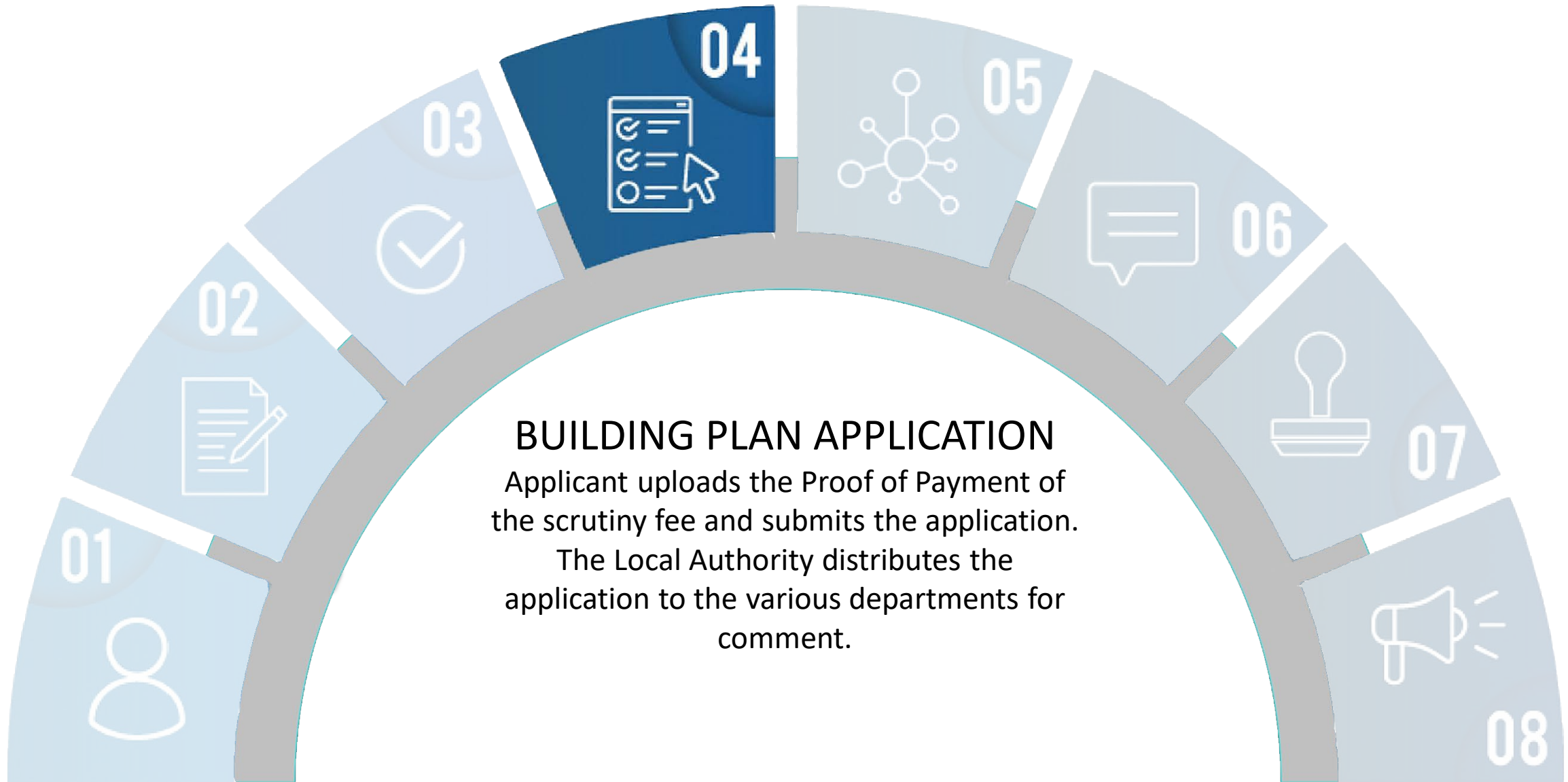
BUILDING PLAN SUBMISSION PROCESS



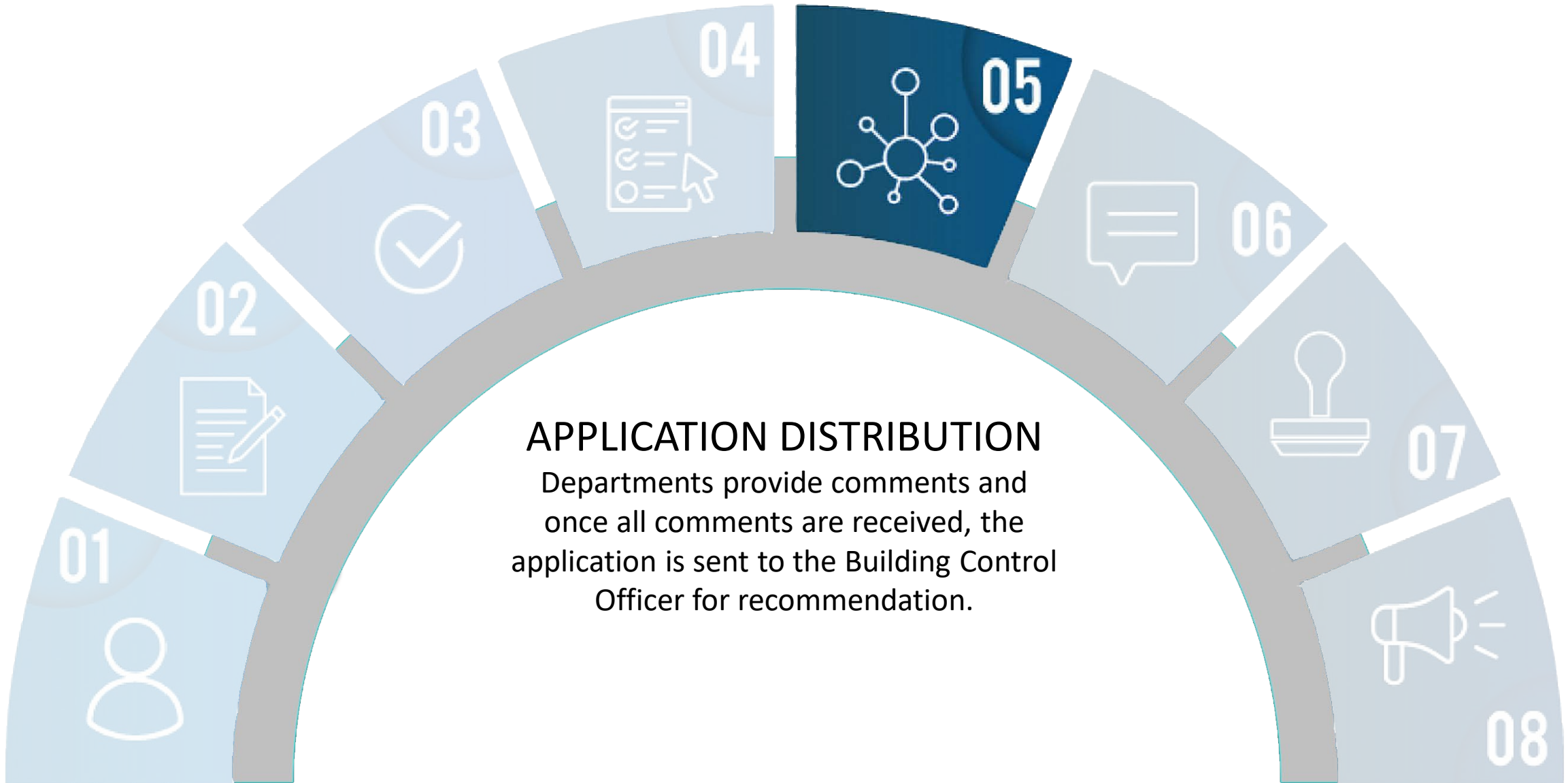
BUILDING PLAN SUBMISSION PROCESS



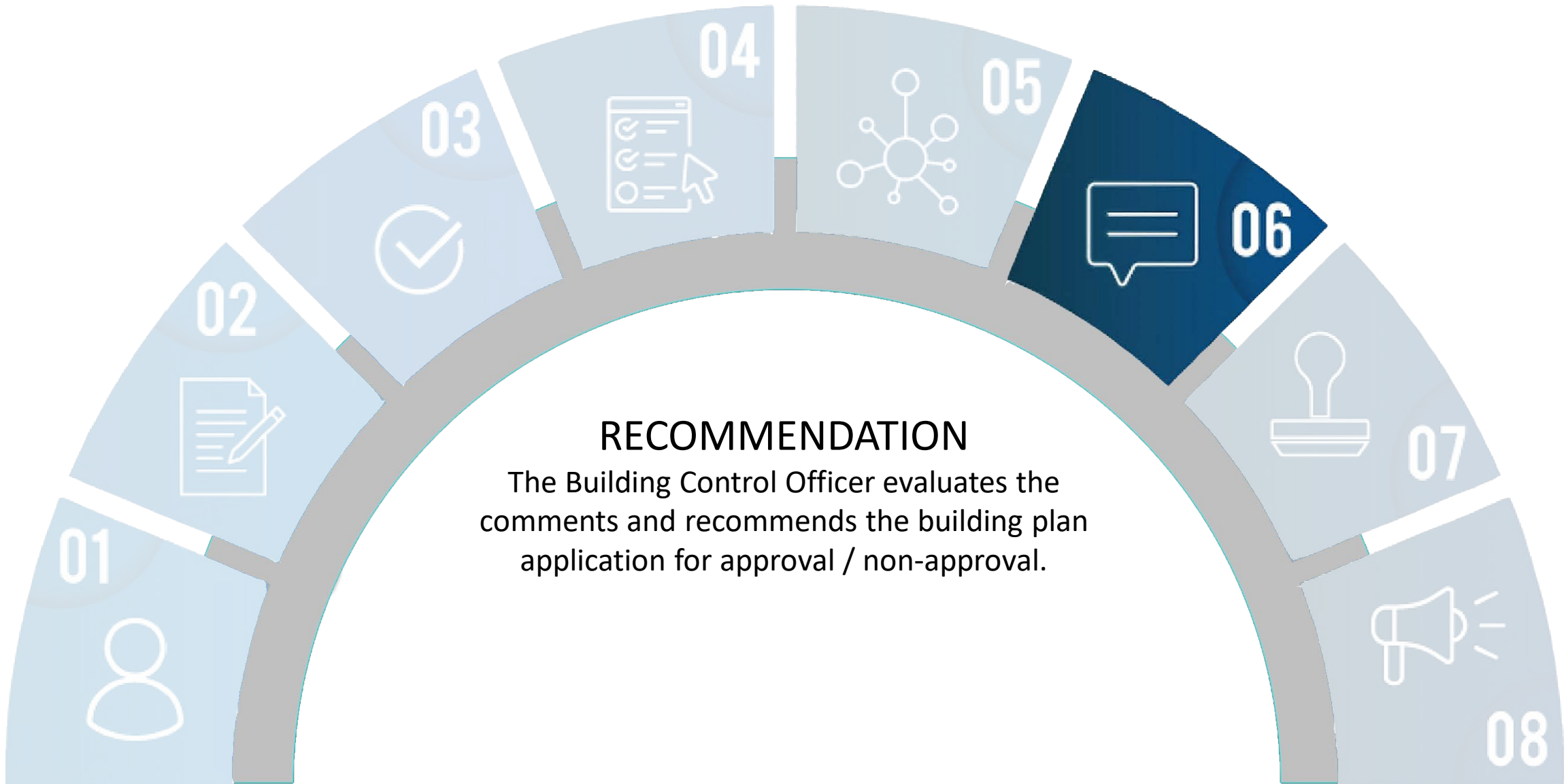
DRAKENSTEIN
MUNISIPALITEIT • MUNICIPALITY • UMASIPALA
Paarl | Wellington | Gouda | Saron | Simondium



BUILDING PLAN SUBMISSION PROCESS



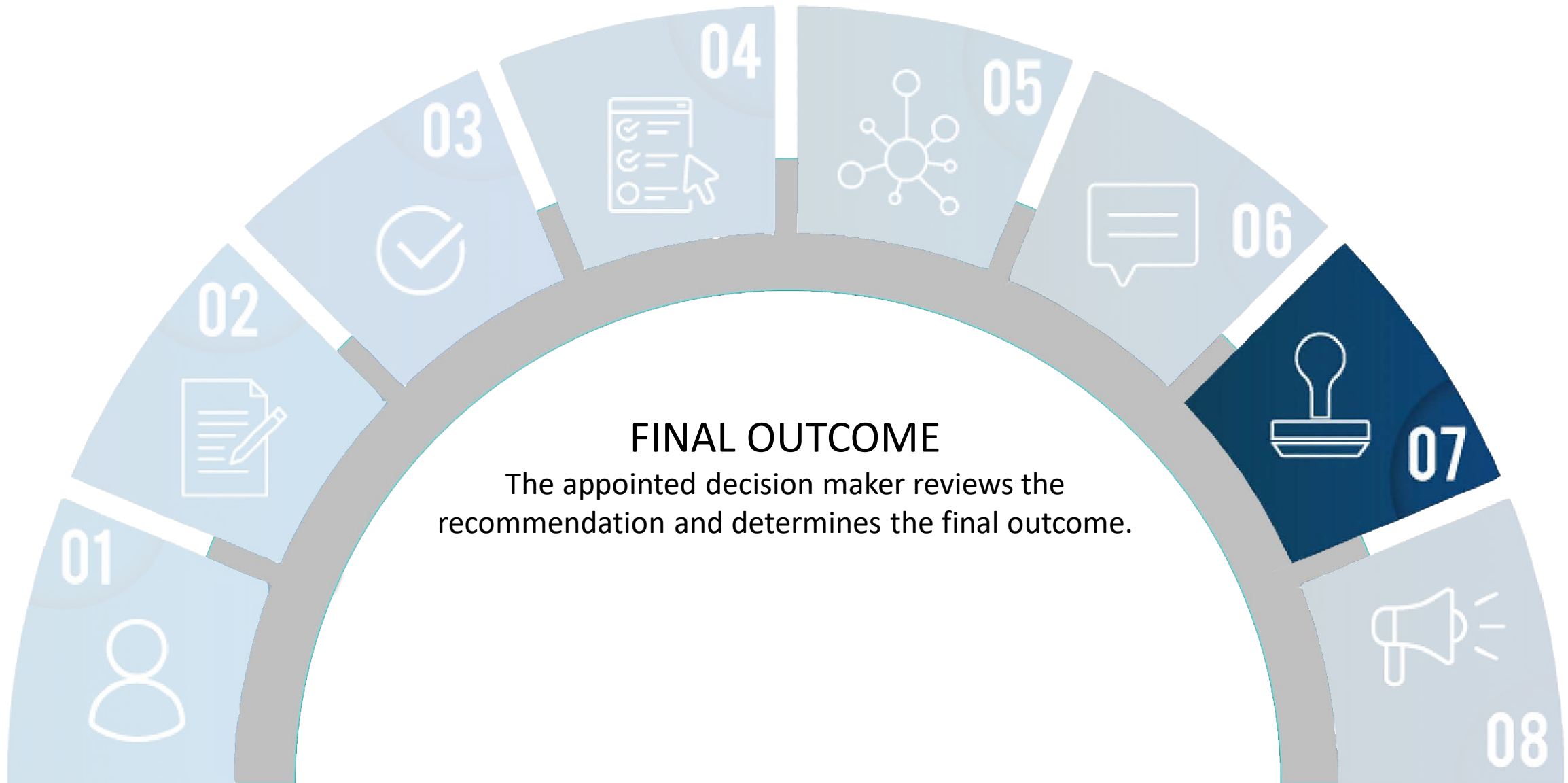
BUILDING PLAN SUBMISSION PROCESS



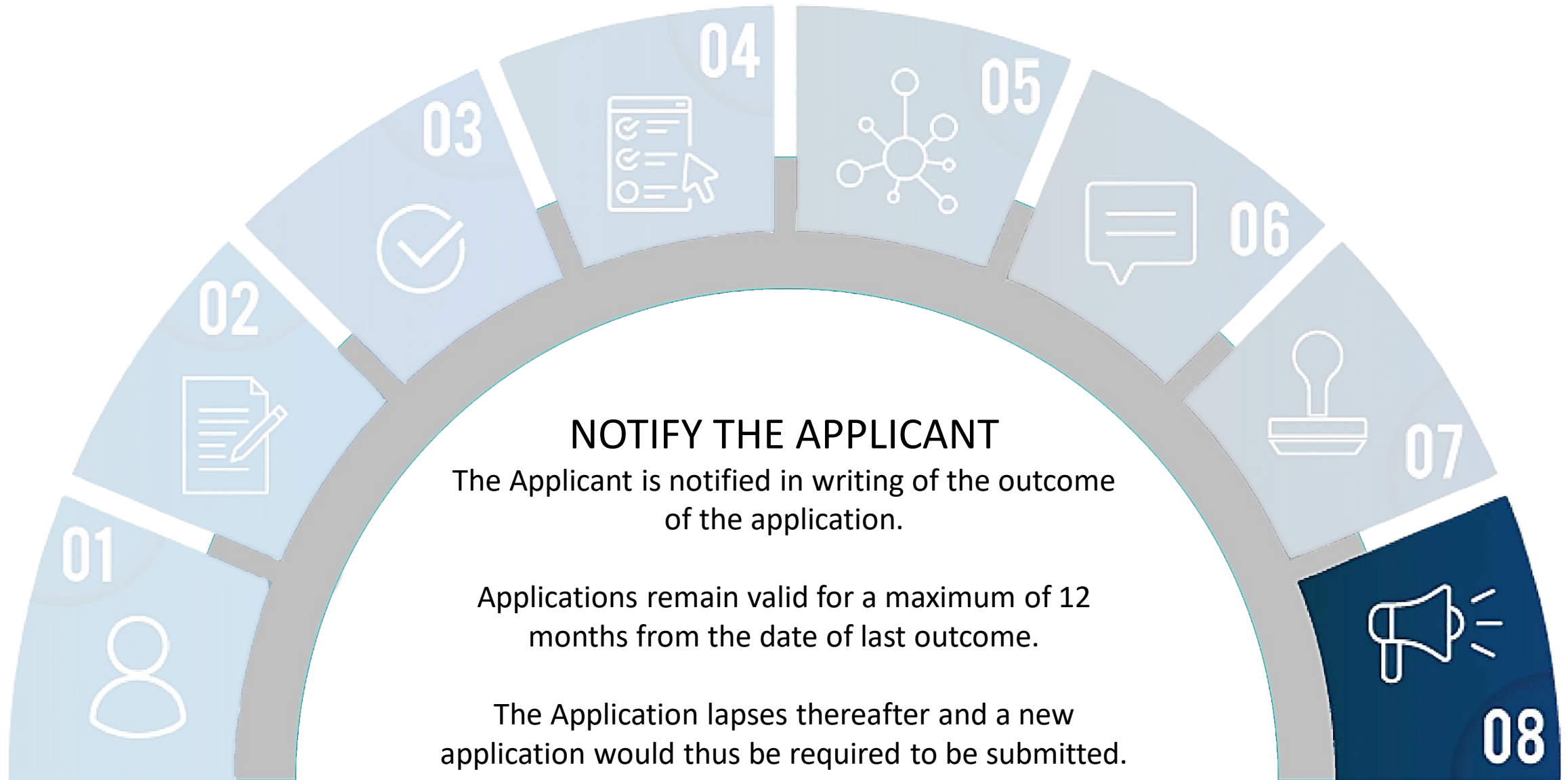
BUILDING PLAN SUBMISSION PROCESS



DRAKENSTEIN
MUNISIPALITEIT • MUNICIPALITY • UMASIPALA
Paarl | Wellington | Gouda | Saron | Simondium



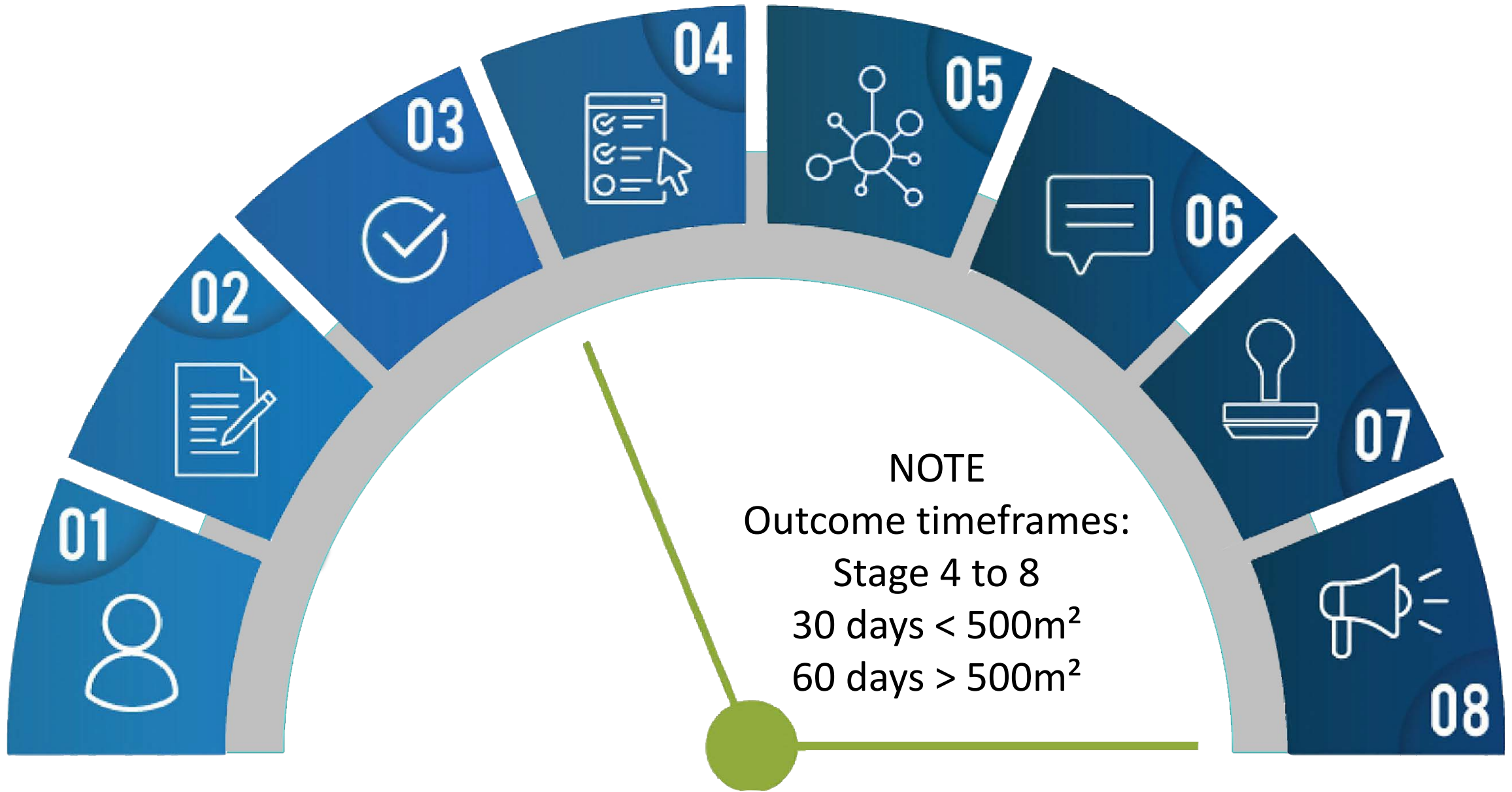
BUILDING PLAN SUBMISSION PROCESS



BUILDING PLAN SUBMISSION PROCESS



DRAKENSTEIN
MUNISIPALITEIT • MUNICIPALITY • UMASIPALA
Paarl | Wellington | Gouda | Saron | Simondium



NOTE

Outcome timeframes:

Stage 4 to 8

30 days < 500m²

60 days > 500m²



DRAKENSTEIN

MUNISIPALITEIT • MUNICIPALITY • UMASIPALA

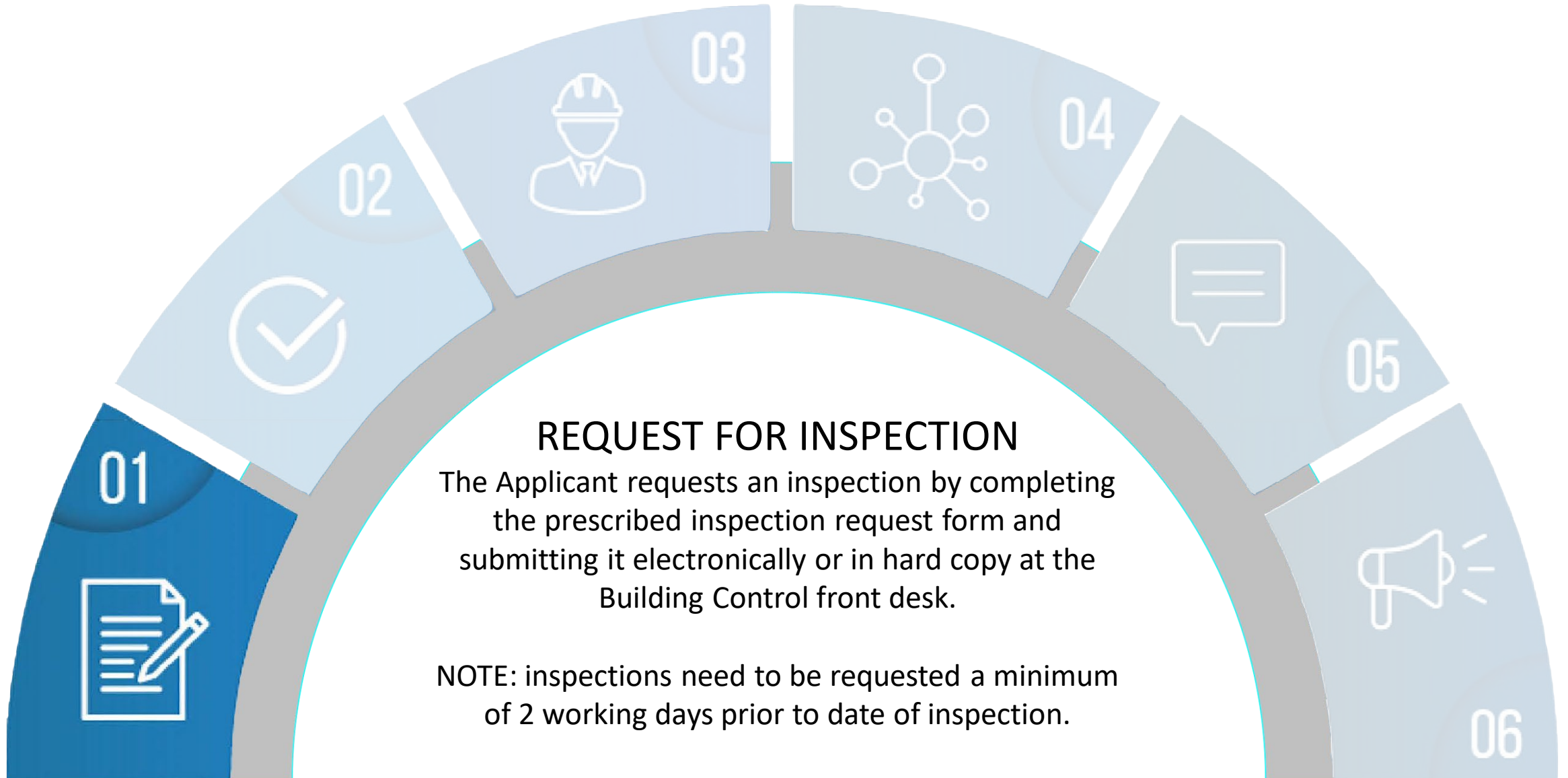
Paarl | Wellington | Gouda | Saron | Simondium

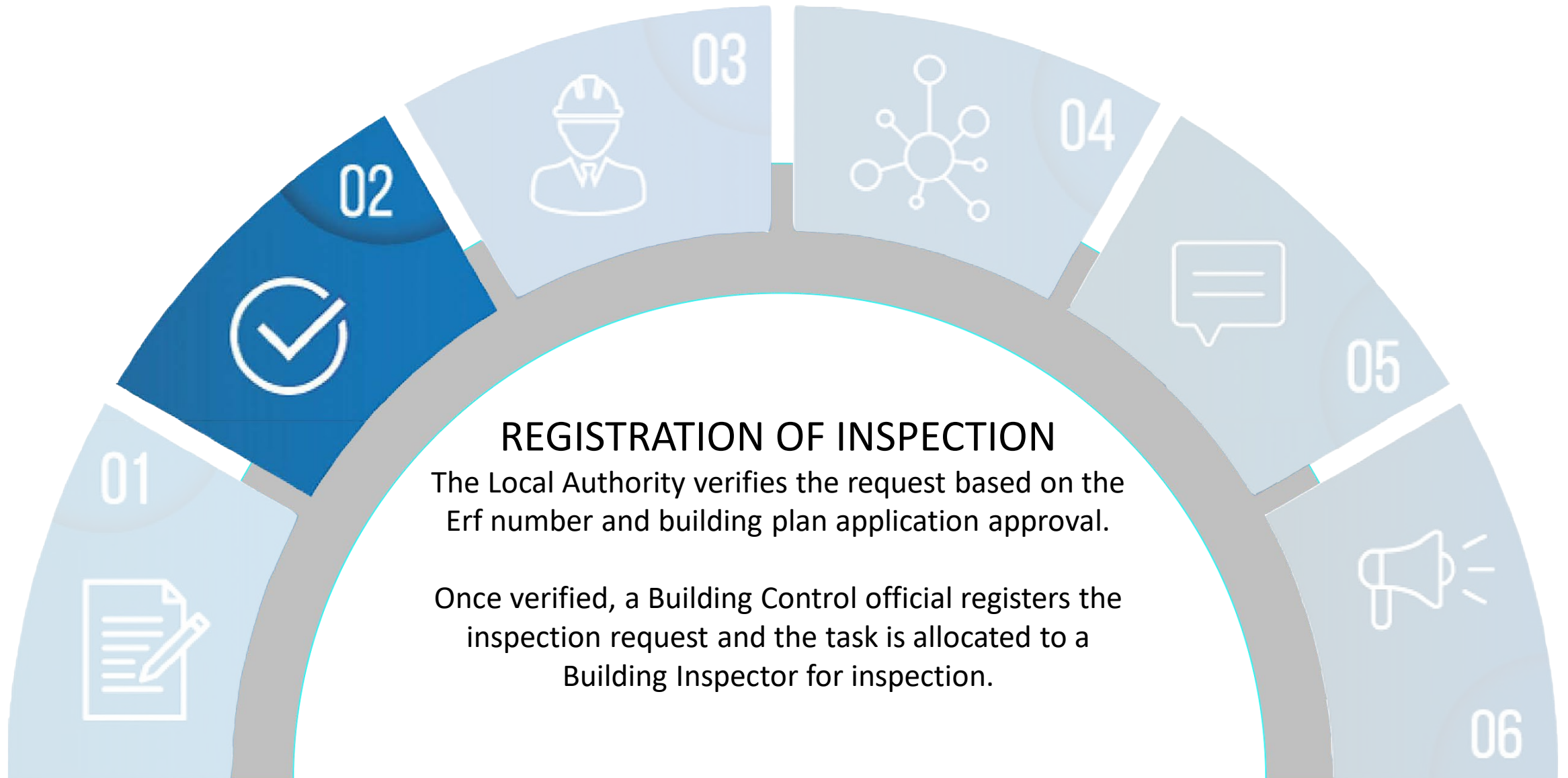
REGULATION A22 INSPECTION PROCESS

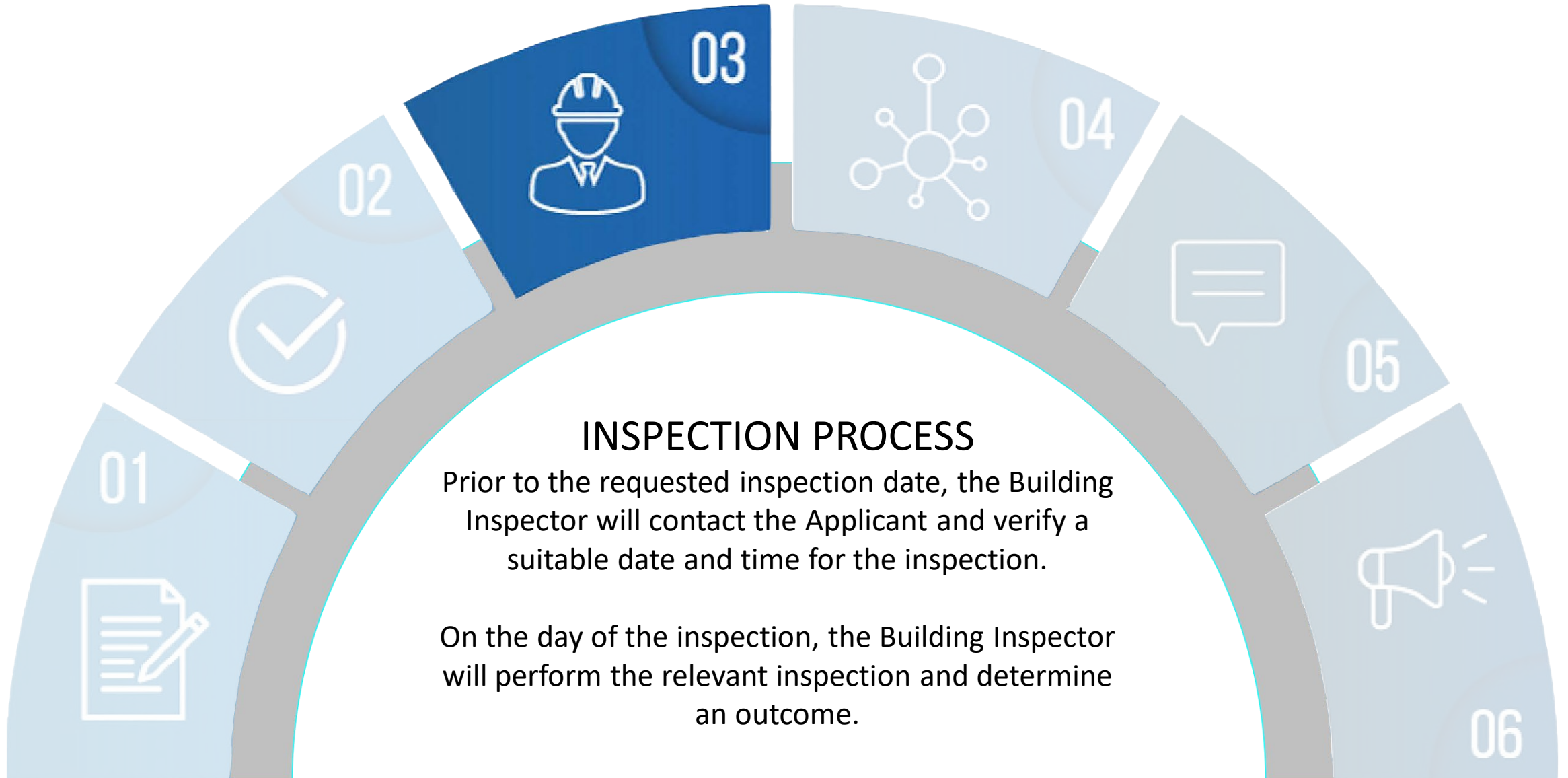
REGULATION A22 INSPECTION PROCESS



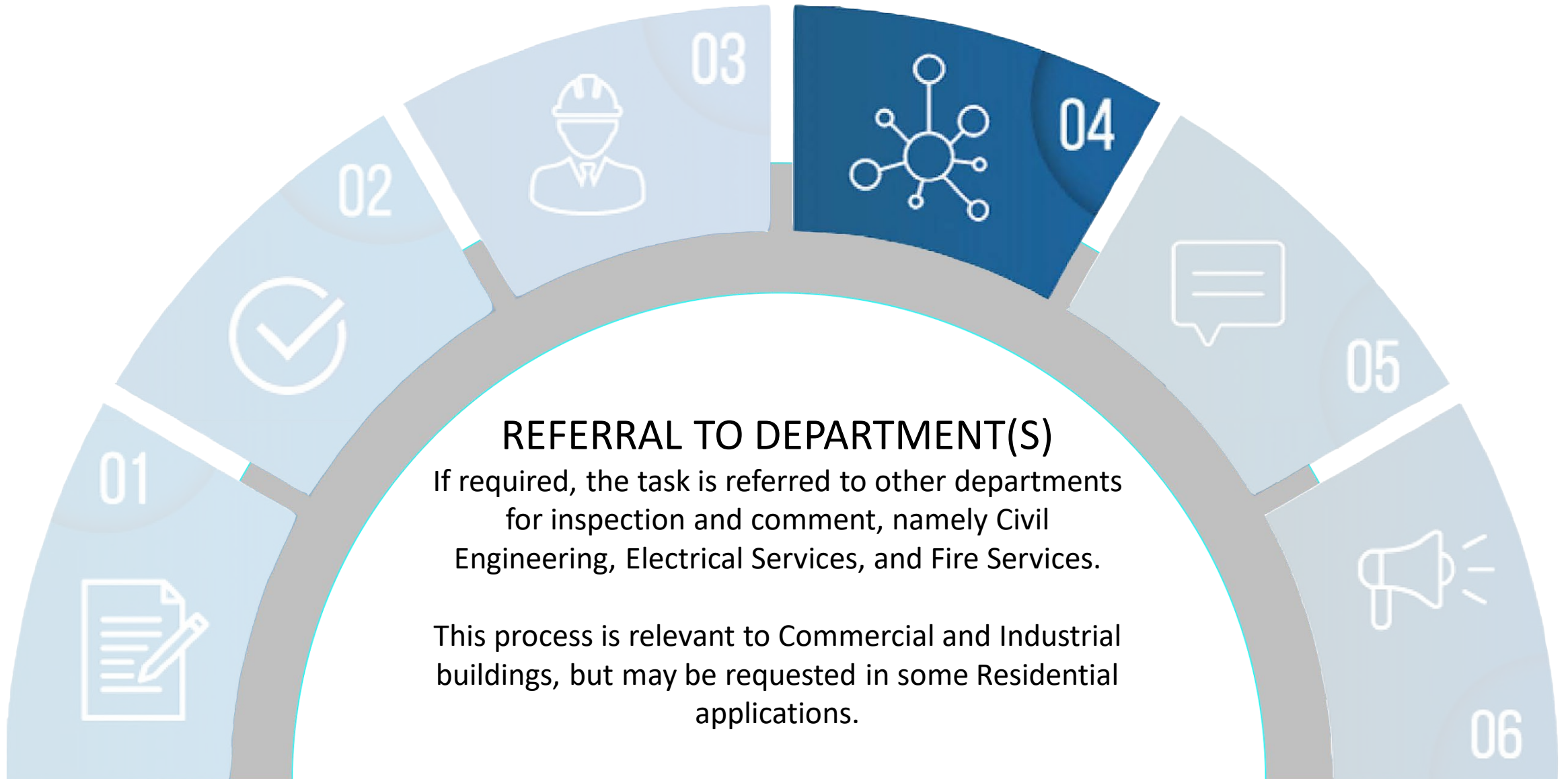
DRAKENSTEIN
MUNICIPALITEIT • MUNICIPALITY • UMASIPALA
Paarl | Wellington | Gouda | Saron | Simondium







REGULATION A22 INSPECTION PROCESS



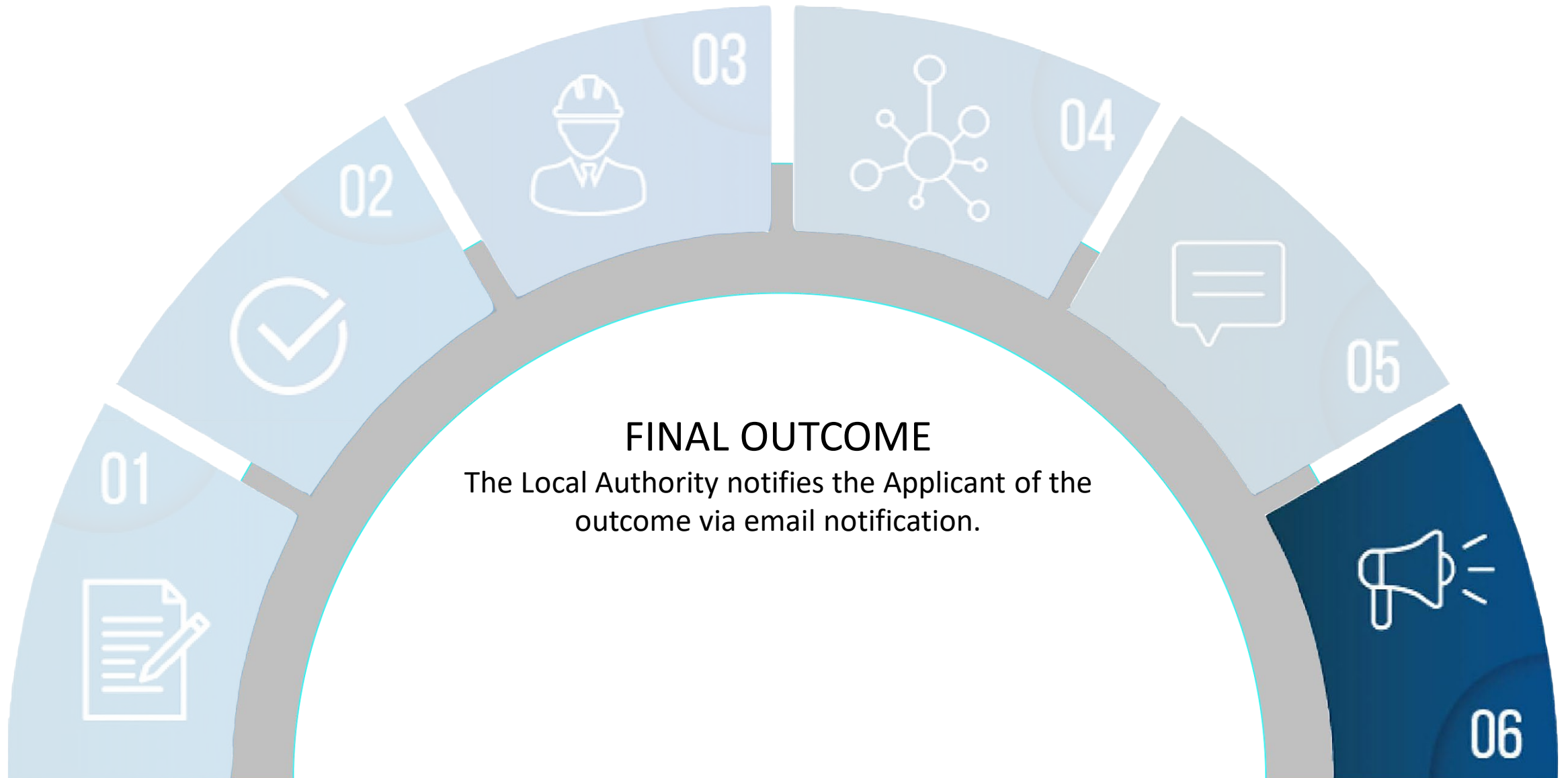
REGULATION A22 INSPECTION PROCESS



REGULATION A22 INSPECTION PROCESS



DRAKENSTEIN
MUNICIPALITEIT • MUNICIPALITY • UMASIPALA
Paarl | Wellington | Gouda | Saron | Simondium



REGULATION A22 INSPECTION PROCESS



PRESCRIBED INSPECTION REQUEST FORM

DEPARTMENT: PLANNING AND DEVELOPMENT
DIVISION: PLANNING SERVICES
SECTION: BUILDING CONTROL



1

Requested date of inspection Time

NOTICE OF INTENTION TO COMMENCE DEMOLISH TRENCH INSPECTION EXCAVATION INSPECTION
(Tick relevant box)

Erf/Farm no Portion Application reference no
Site address Allotment area

I hereby give notice, in terms of National Building Regulations A22, that the building work as described above is now ready for inspection and hereby confirm that I am compliant with the Occupational Health and Safety Act, Act No 83 of 1993.
(Note: Submission of notice to be made two working days before the inspection is required.)

Owner name Requester name
Requester email address Contact number

Signature of owner/authorized agent Date
INSPECTION REQUEST MAY BE E- MAILED TO : buildingcontrolinspection@drakenstein.gov.za

DEPARTMENT: PLANNING AND DEVELOPMENT
DIVISION: PLANNING SERVICES
SECTION: BUILDING CONTROL



2

Requested date of inspection Time

NOTICE FOR THE INSPECTION OF THE DRAINAGE INSTALLATION IN ACCORDANCE WITH THE APPROVED PLAN

Erf/Farm no Portion Application reference no
Site address Allotment area

I hereby give notice, in terms of National Building Regulations A22, that the building work as described above is now ready for inspection and hereby confirm that I am compliant with the Occupational Health and Safety Act, Act No 83 of 1993.
(Note: Submission of notice to be made two working days before the inspection is required.)

Owner name Requester name
Requester email address Contact number

Signature of owner/authorized agent Date
INSPECTION REQUEST MAY BE E- MAILED TO : buildingcontrolinspection@drakenstein.gov.za

DEPARTMENT: PLANNING AND DEVELOPMENT
DIVISION: PLANNING SERVICES
SECTION: BUILDING CONTROL



3

Requested date of inspection Time

NOTICE OF COMPLETION OF WORK IN ACCORDANCE WITH THE APPROVED PLAN

Erf/Farm no Portion Application reference no
Site address Allotment area

I hereby give notice, in terms of National Building Regulations A22, that the building work as described above is now ready for inspection and hereby confirm that I am compliant with the Occupational Health and Safety Act, Act No 83 of 1993.
(Note: Submission of notice to be made two working days before the inspection is required.)

Owner name Requester name
Requester email address Contact number

Signature of owner/authorized agent Date
INSPECTION REQUEST MAY BE E- MAILED TO : buildingcontrolinspection@drakenstein.gov.za



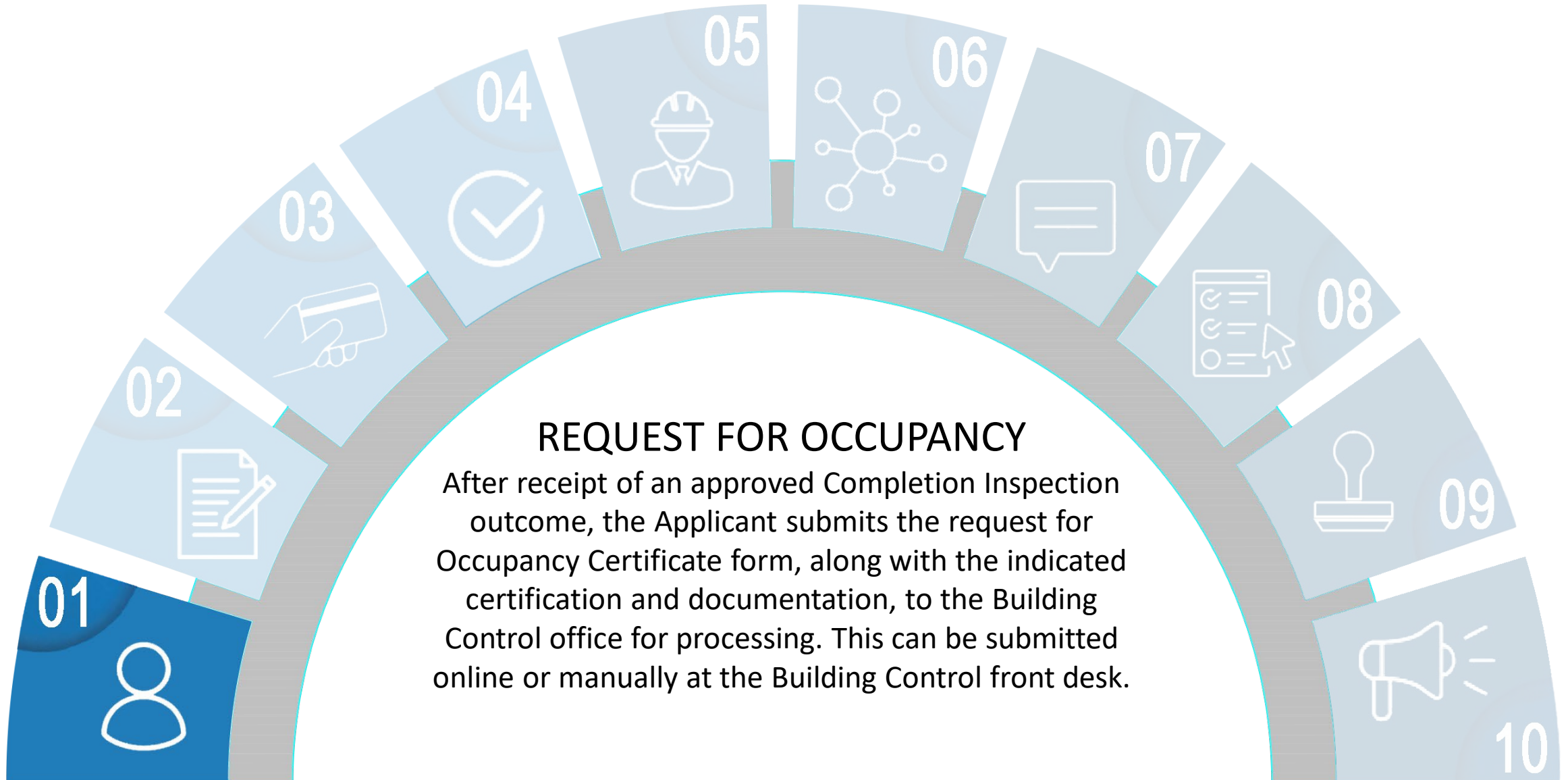
DRAKENSTEIN

MUNISIPALITEIT • MUNICIPALITY • UMASIPALA

Paarl | Wellington | Gouda | Saron | Simondium

OCCUPANCY CERTIFICATE PROCESS

OCCUPANCY CERTIFICATE PROCESS



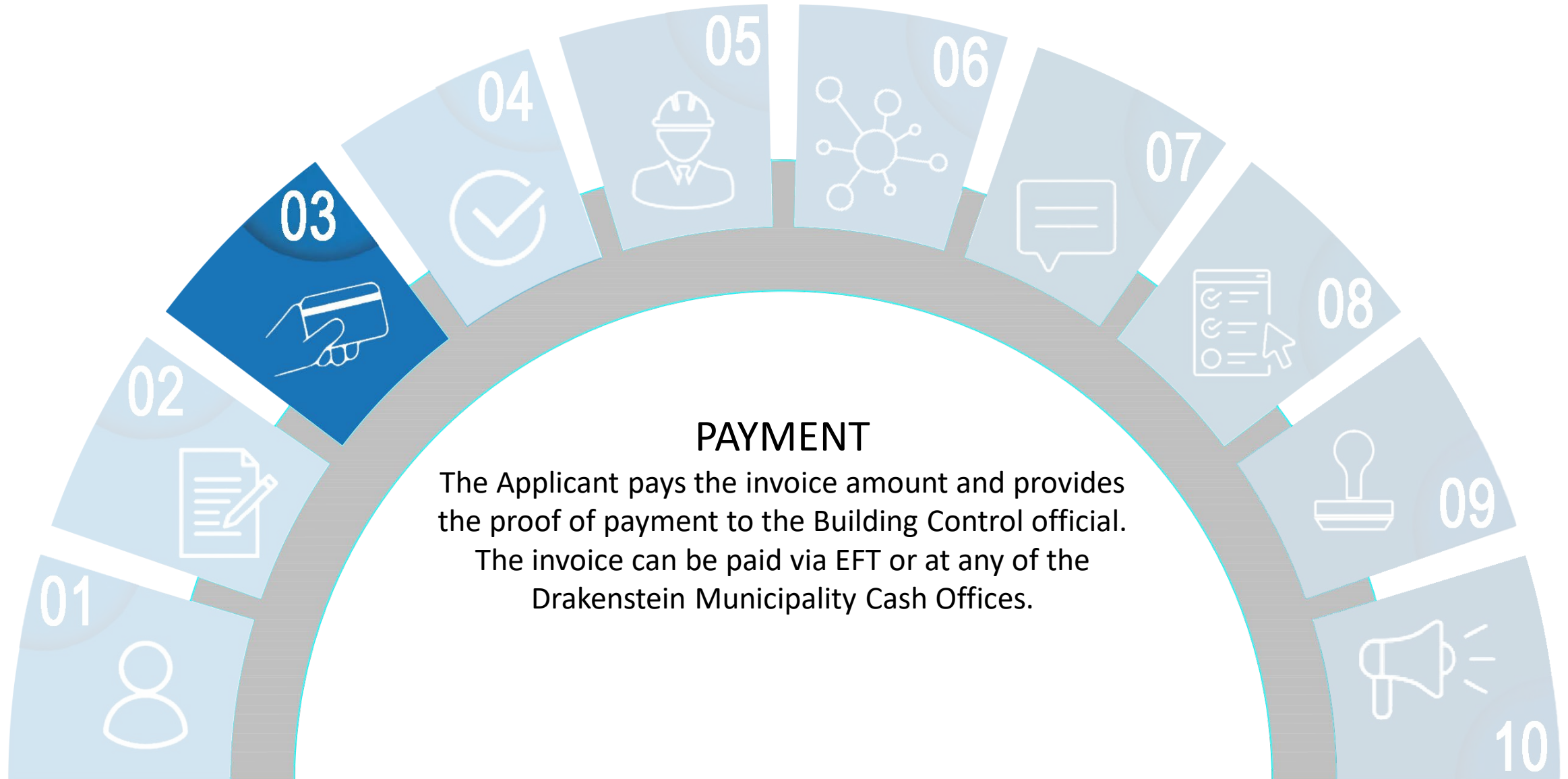
OCCUPANCY CERTIFICATE PROCESS



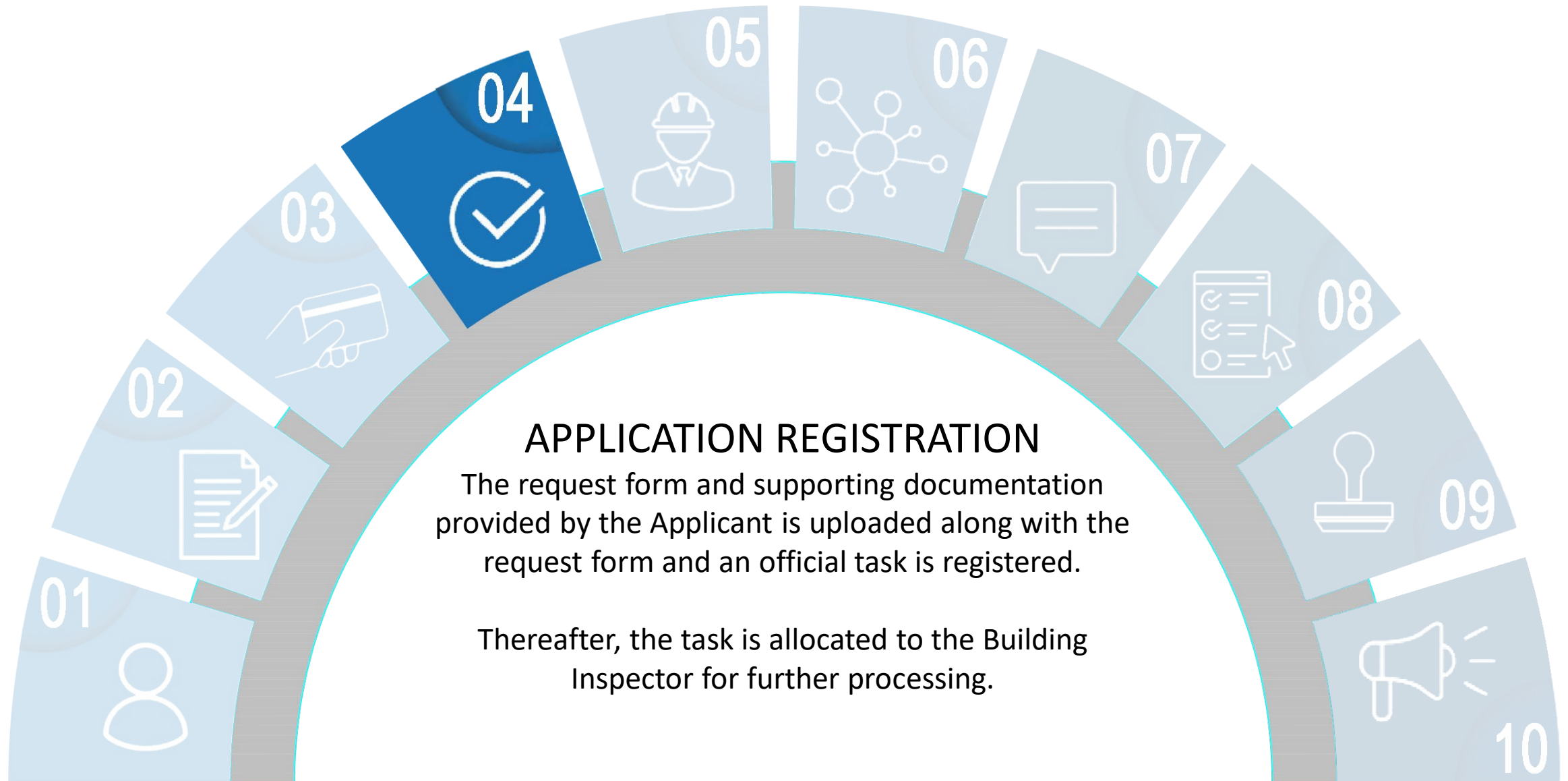
OCCUPANCY CERTIFICATE PROCESS



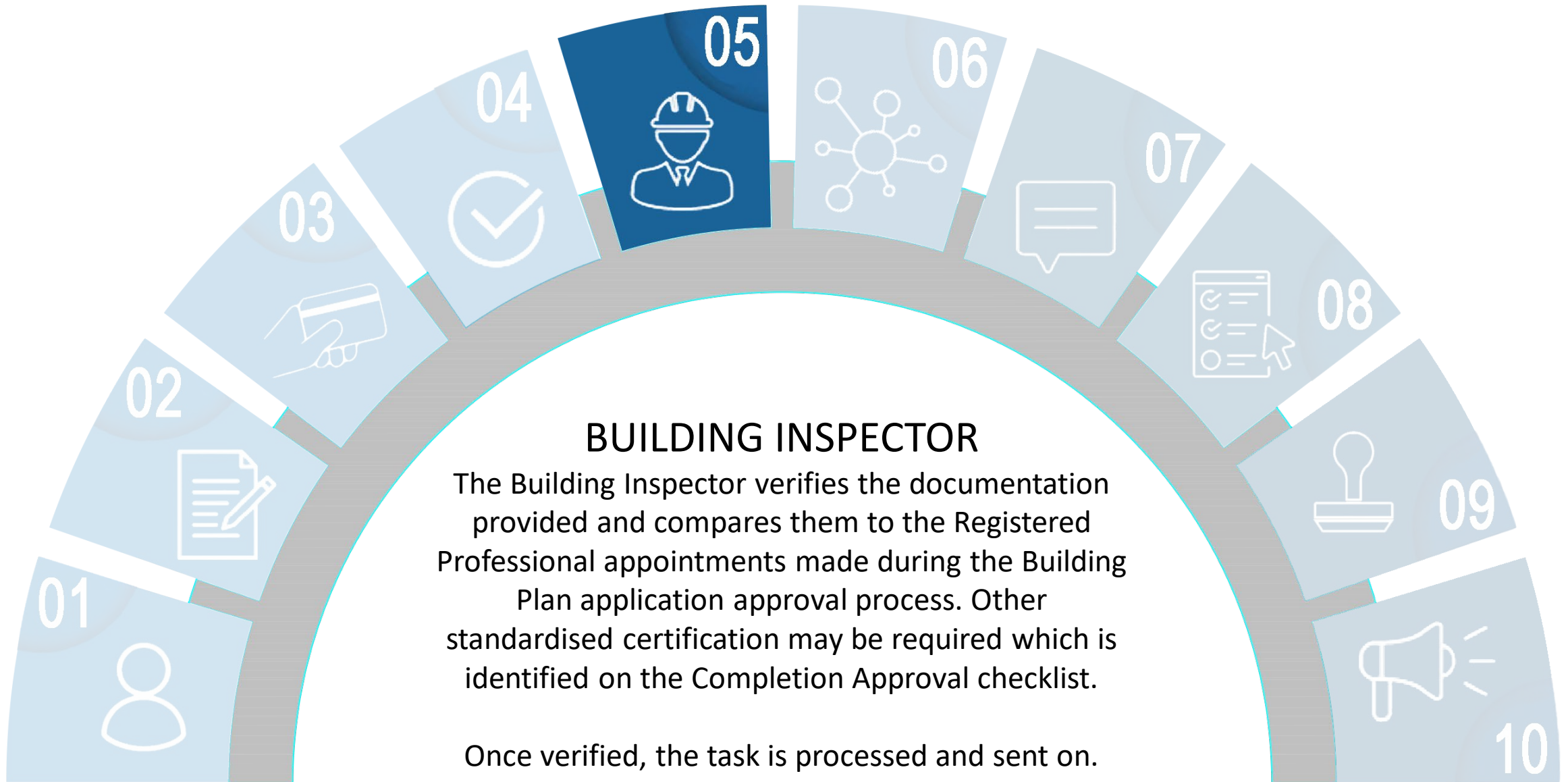
DRAKENSTEIN
MUNISIPALITEIT • MUNICIPALITY • UMASIPALA
Paarl | Wellington | Gouda | Saron | Simondium



OCCUPANCY CERTIFICATE PROCESS



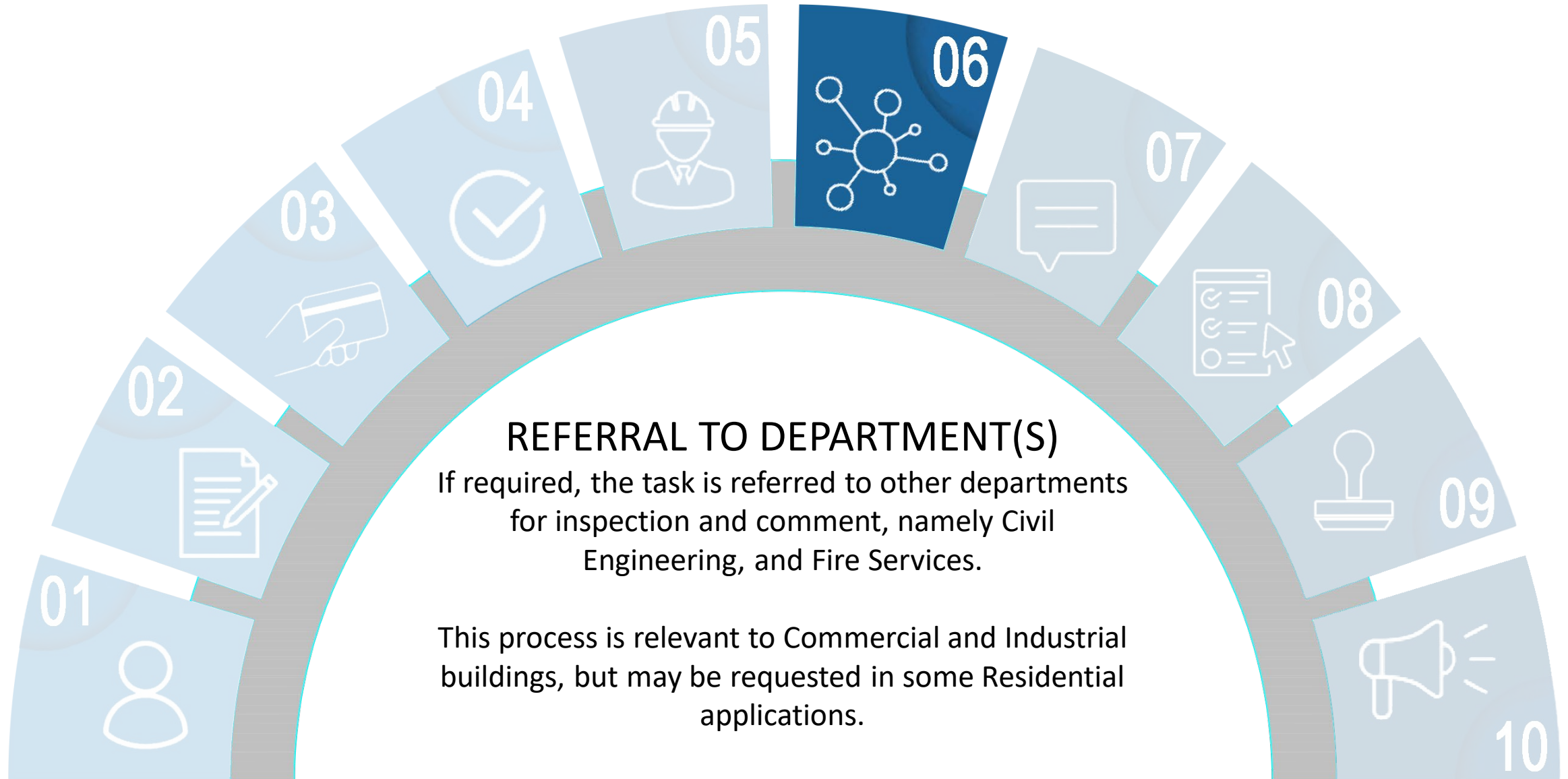
OCCUPANCY CERTIFICATE PROCESS



OCCUPANCY CERTIFICATE PROCESS



DRAKENSTEIN
MUNISIPALITEIT • MUNICIPALITY • UMASIPALA
Paarl | Wellington | Gouda | Saron | Simondium



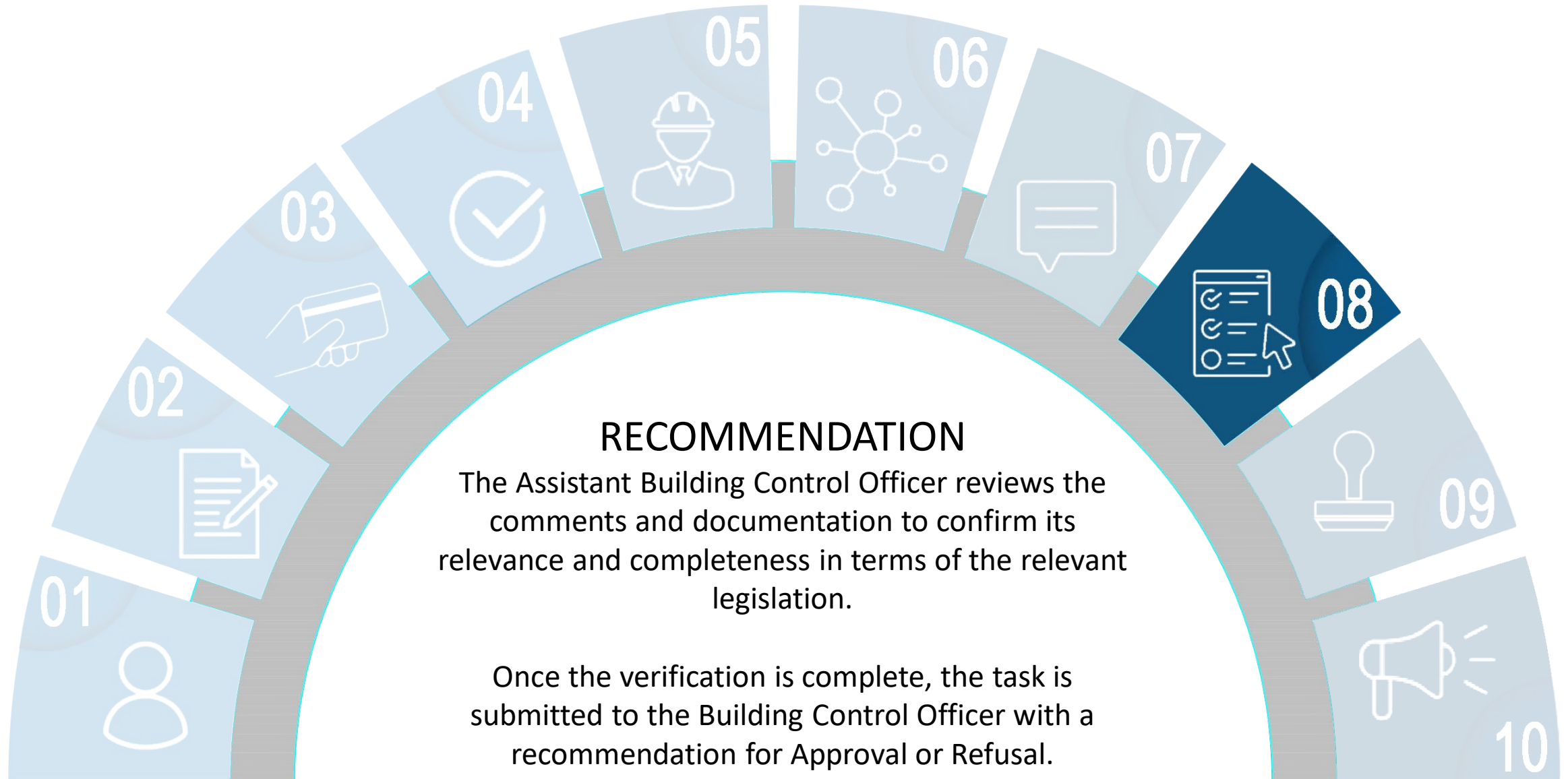
OCCUPANCY CERTIFICATE PROCESS



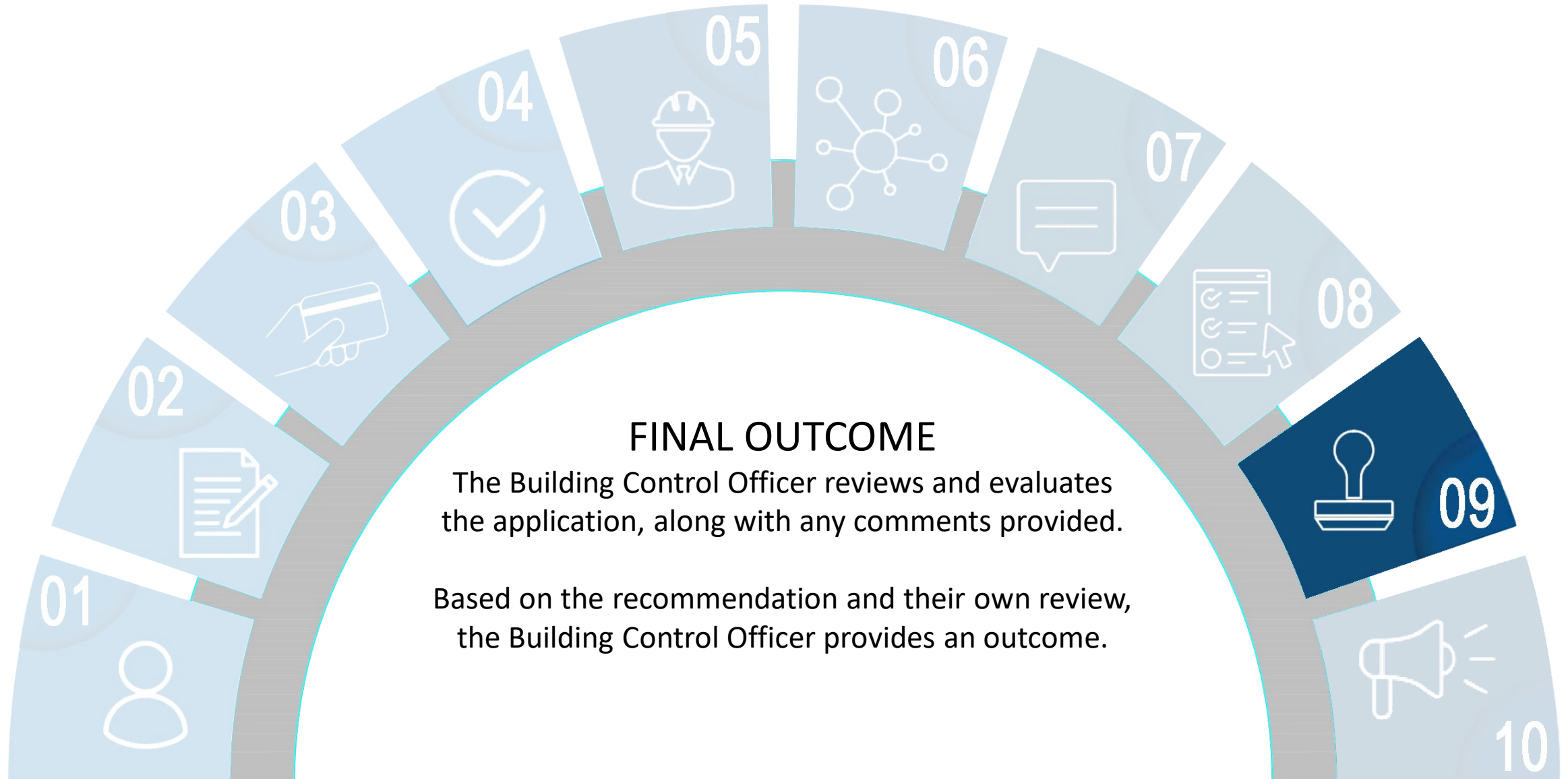
DRAKENSTEIN
MUNICIPALITEIT • MUNICIPALITY • UMASIPALA
Paarl | Wellington | Gouda | Saron | Simondium



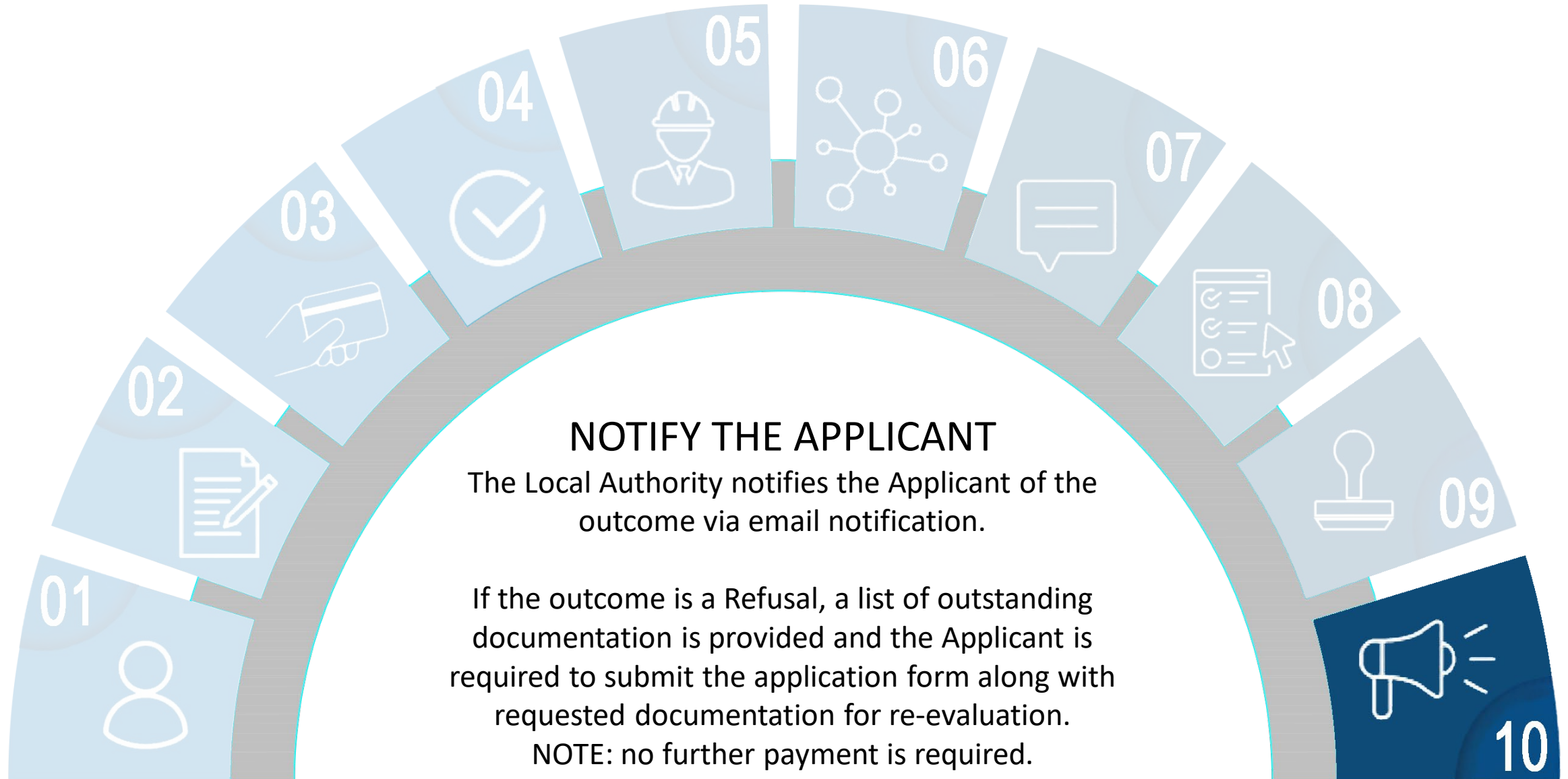
OCCUPANCY CERTIFICATE PROCESS



OCCUPANCY CERTIFICATE PROCESS



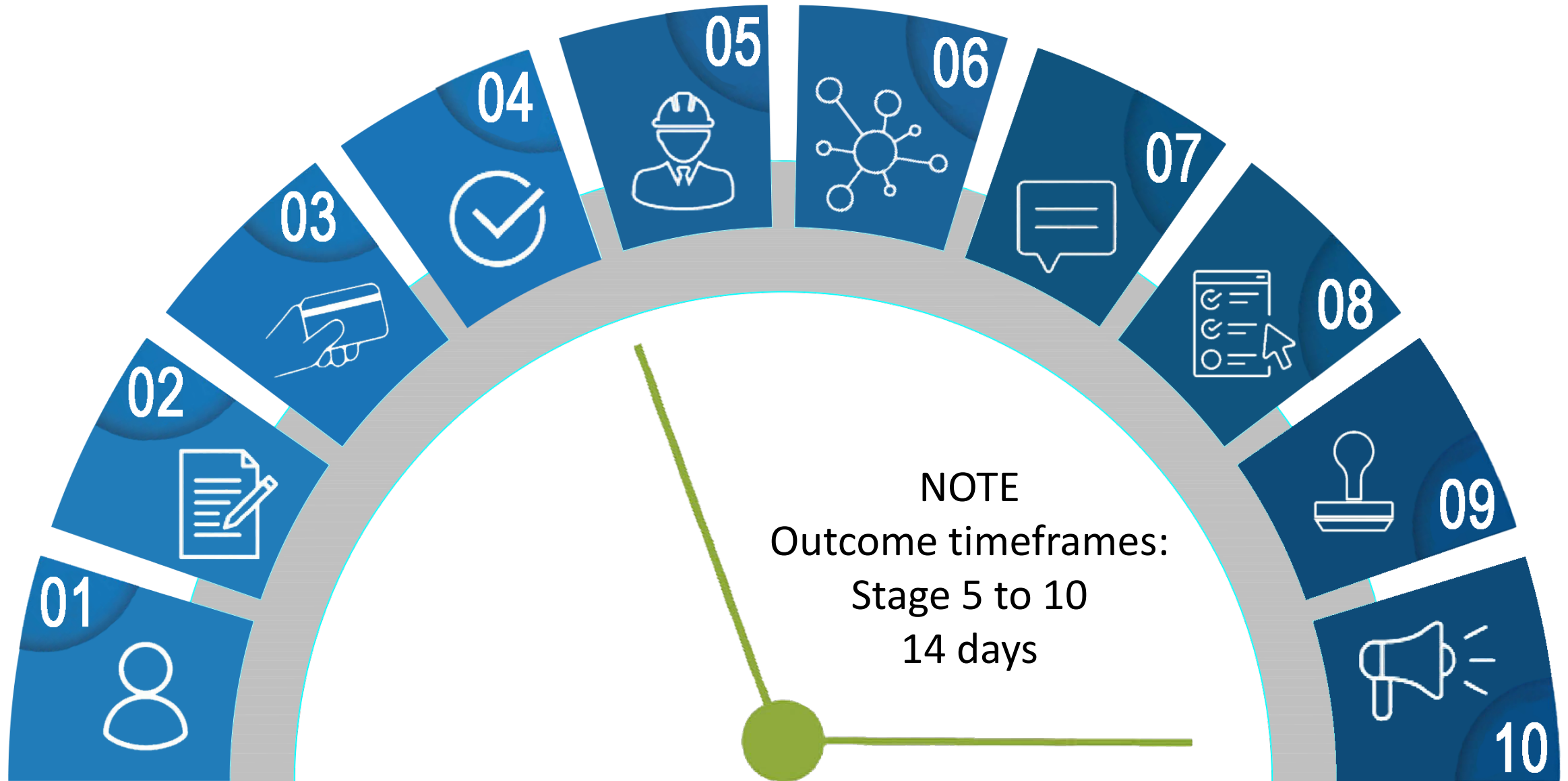
OCCUPANCY CERTIFICATE PROCESS



OCCUPANCY CERTIFICATE PROCESS



DRAKENSTEIN
MUNICIPALITEIT • MUNICIPALITY • UMASIPALA
Paarl | Wellington | Gouda | Saron | Simondium



Thank You

Any queries related to the building control process, submitted plan progress or further information required, please contact the Drakenstein Building Control on 021 807 6244, or send an email to buildingcontrol@drakenstein.gov.za