

~~BRONKHORSTSPRUIT TOWN PLANNING SCHEME TOWN~~

PART 1 - GENERAL

CLAUSE 1
Authority
This Town Planning Scheme has been prepared in terms of the Town Planning and Townships Ordinance, 1955 (Ordinance 25 of 1955) as amended and supercedes the Bronkhorstspuit Town Planning Scheme 1 of 1955 together with all previous amendments of the latter Scheme.

CLAUSE 2
Area of Scheme
The area to which this Scheme applies is circumscribed on the Map.

CLAUSE 3
Responsible Authority
The Town Council of Bronkhorstspuit shall be the authority responsible for enforcing and carrying into effect the provisions of this Scheme.

CLAUSE 4
Definitions
For the purposes of this Scheme, unless the context requires otherwise, or it is otherwise expressly provided, the following words and expressions have the respective meanings hereby assigned to them:

"ADMINISTRATOR" means the officer as defined in section 1 of the Ordinance.

"AGRICULTURAL USE" means land used or a building designed or used for the purposes of arable land, grazing ground, pig farming, horticulture, poultry farming, dairy farming, breeding and keeping of livestock, beekeeping, forestry, mushroom and vegetable farming, floriculture, orchards and any other activities normally regarded as incidental to farming activities or associated therewith, but does not include a nursery.

"ANNEXURE" means the documents containing, inter alia, stipulations, restrictions and special rights and conditions applicable to that property, as shown on the "A"-series of the Map and forming part of this scheme.

"BASEMENT" of a building means any cellar of which no part of the ceiling is more than one (1) metre above the natural ground level.

"BUILDING" shall also include a structure of any nature or description whatsoever.

"BUILDING LINE" means an imaginary line on a property usually parallel to and at a specified distance from a boundary and between which line and boundary no buildings may be erected.

"BUILDING RESTRICTION AREA" means an area on which no building may be erected except those allowed elsewhere in this Scheme.

"BY-LAWS" means the by-laws, orders or municipal regulations for the time being in force in the area of the Scheme.

"COMMERCIAL USE" means land used or a building designed or used for such purposes as distribution centres, wholesale trade, storage, computer centres, warehouses, cartage- and transport services and laboratories and may also include offices such as are usually ancillary to or reasonably necessary in connection with the main use.

"CONTROLLING AUTHORITY" means the controlling authority as defined in section 1 of the Advertising on Roads and Ribbon Development Act, 1940 (Act 21 of 1940) or the Commission as defined in section 1 of the National Roads Act, 1971 (Act 54 of 1971), as the case may be.

"COVERAGE" means the extent of a property which may be covered by buildings, as seen vertically from the air, expressed as a percentage of the area of the property.

"DATE OF PROMULGATION" means the date on which the Administrator gave notice of the approval of this scheme in the Provincial Gazette.

"DRIVE-IN RESTAURANT" means land used or a building designed or used as a restaurant or cafe from which food and refreshments are served to patrons who mainly remain seated in motor-cars.

"DWELLING UNIT" means a self-contained suite of rooms mutually connected and containing not more than one kitchen designed or used as a residence for a single family, but excludes any form of temporary structure: Provided that where reference is made to a single dwelling unit in this Scheme it shall mean an ordinary dwelling house.

"ERECTION OF A BUILDING" also includes the structural alteration of, or the making of any addition to a building.

"ERF" means any erf as defined in the Ordinance.

"EXISTING BUILDING" means a building erected in accordance with building plans approved by the local authority or a building considered by the local authority to be lawful and the building operations of which:-

- were completed on or before the date of promulgation or
- in the opinion of the local authority, were commenced within a reasonable time before date of promulgation, but were only completed thereafter, or
- were completed in accordance with the conditions imposed by the local authority when granting its permission.

"EXISTING USE" means an existing use as contemplated in section 41 of the Ordinance.

"FAMILY" means a household all the members of which are controlled by a single family head : Provided that, with the exception of unmarried children, every member of the household shall be a dependant as defined in relation to a tax payer in the income Tax Act, 1962 (Act 58 of 1962) of the said family head.

"FLOOR AREA" means the total of the gross areas occupied by a building at the floor level of each storey : Provided that when determining floor area the following areas shall not be included :

- a. unroofed buildings and areas occupied by external fire-escapes;
- b. parking areas for occupants of the building;
- c. passages in a dwelling unit, entrance passages, excluding entrance halls and front porches; where such entrance passages and passages are enclosed by an outer wall or window;
- d. accommodation for the lift motor and other mechanical or electrical equipment necessary for the proper use of the building;
- e. accommodation for a servant on the roof of a building : Provided that the floor area excluded in this manner shall not exceed three percent of the permissible floor area for such building;
- f. a verandah or balcony in a building : Provided that such verandah or balcony shall not be enclosed other than with a parapet or gauze screen ; or
- g. areas justifiably used for cleaning, maintenance and care of the buildings, excluding dwelling units for caretakers, supervisors, cleaners and maintenance staff.

"FLOOR AREA RATIO" or "F A R" means the ratio obtained by dividing the floor area of a building by the total area of the property on which the building has been erected, thus -

$$\text{FAR} = \frac{\text{Floor area of a building}}{\text{total area of the property on which the building has been erected.}}$$

"FILLING STATION" means land used or a building designed or used for the purposes of fuelling, washing, polishing and lubrication of motor vehicles, including incidental and routine maintenance but excluding public garage, panel beating, spray painting and any major repairs.

"LOCAL AUTHORITY" means the Town Council of Bromontsberuit.

"MAP" means the local authority's map as defined in Regulations 2 and 4 of Part I of the Regulations promulgated under Administrator's Notice 977 dated 31 December 1965, and as amended from time to time.

"MOTOR DRIVE YARD" means land used or a building designed or used for the purposes of dumping and abandoning used motor vehicles and parts thereof, other than for the purposes of resale or further use.

"MUNICIPAL PURPOSES" means such purposes as the local authority may be authorised to carry out in terms of the Local Government Ordinance, 1939 (Ordinance 17 of 1939), as amended, or any other legislation.

"NOXIOUS INDUSTRIAL USE" means the use of land or a building designed or used for the purpose of carrying on an offensive trade as set out in Item 1 of Schedule 1 to the Licences Ordinance, 1974 (Ordinance 19 of 1974).

"OCCUPANT" in relation to any building, structure or land means and includes: Any person occupying such building, structure or land or legally entitled to occupy it, or any person having the charge or management thereof, and includes the agent of any person who is absent from the area or whose whereabouts are unknown.

"OFFICE" means a building or part of a building used or designed to be used for administrative and/or clerical purposes.

"OFFICE USE" means the use of land or a building designed or used as professional suites, offices or for similar business purposes but does not include a shop, service industry, a place of instruction or place of amusement, or any use mentioned, whether by way of inclusion or exclusion, in the definition of "institution", "public garage", "filling station", "drive-in restaurant", "industrial use", "light industrial use", "commercial use" or "noxious industrial use".

"OPEN SPACE" means the Town Planning and Townships Ordinance, 1965 (Ordinance 25 of 1965) with any amendments thereof and including the regulations framed thereunder.

Part 1

"PORTENTOUS" means buildings other than the main building which in the opinion of the local authority are ordinarily utilized in connection with the particular use.

"OWNER" in relation to any building, structure or land means and includes:

- the person in whose name the title to such building, section, structure or land is registered and includes the holder of the stand licence; or
- if such person or holder is deceased, insolvent, mentally disordered or defective, a minor, or under any legal disability, the person in whom the administration of that person's or holder's estate is vested, whether as executor, guardian or in any other capacity whatsoever; or
- if the premises are subject to a lease which is required to be registered in terms of the Formalities in Respect of Leases Act, 1969 (Act 13 of 1969), the lessee.
- a duly authorised representative of such person as in (a), (b) and (c) above.

"PAN HANDLE" means the access section whereby the area of the pan handle portion, which is fit to be built upon, obtains access.

"PAN HANDLE PORTION" means that portion of a property which obtains access by means of a pan handle.

"PAN HANDLE SUBDIVISION" means a subdivision resulting in one or more of the portions created by such subdivision to obtain access by means of a pan handle.

"PARKING GARAGE" means land used or a building designed or used exclusively for the parking of motor vehicles not being for trade or sale.

"PLACE OF AMUSEMENT" means land used or a building designed or used as a public hall, theatre, cinema, music hall, billiard saloon, sports arena, skating rink, dance hall or the like with a view to financial gain.

"PLACE OF INSTRUCTION" means land used or a building designed or used as a school, college, technical institute, academic lecture hall, or other centre of education or instruction and includes a hostel appertaining thereto, a monastery, convent, public library, art gallery, museum and gymnasium, but does not include a building designed for use wholly or principally as a reformatory or industrial school.

"PLACE OF PUBLIC WORSHIP" means land used or a building designed or used as a church, chapel, oratory, meeting-house, synagogue, mosque or other place of public devotion, and includes a building such as a Sunday school, rectory and an institute or social hall on the same site as, and associated with, any of the foregoing buildings but shall not include a funeral chapel.

"PRIVATE OPEN SPACE" means an open space to which the general public has no right of access and which is used as a private sport- and play ground or as an ornamental garden.

"PROPERTY" means any land which is registered as a separate unit in the Deeds Office.

"PUBLIC OPEN SPACE" means an open space to which the general public has access and includes, inter alia, a park, garden, play park, recreational park or square.

"PUBLIC GARAGE" means land used or a building designed or used for the purposes of storage, repair, parking, fuelling and sale of motor vehicles and motor accessories and includes on the same site the conduct of a retail trade or incidentally incidental to or reasonably necessary in connection with a public garage but excluding panel beating, spray painting and a parking garage.

"REFRESHMENT ROOM" means and includes a restaurant, tea room or café designed and used for the preparation and retail trade of meals and refreshments and may in addition also include the retail sale of fresh produce, cold drink, smoking requisites, literature and confectionery but excluding a hotel, residential club, boarding house and drive-in restaurant.

"REGULATIONS" means the regulations promulgated by the Administrator in terms of Section 95 of the Ordinance.

"RESIDENTIAL USE" means the use of land or a building designed or used for the purposes of a boarding house, residential club or hostel but does not include any building mentioned whether by way of inclusion or exclusion in the definitions of "place of instruction", "institution", "dwelling unit" and "hotel".

"RETAIL TRADE" means any trade other than "wholesale trade" as defined in this Scheme.

"SCRAP YARD" means any piece of land or building used for the stacking, storing or preparation for resale of used material of whatever description.

"SERVICE INDUSTRY" means a use which in the opinion of the local authority is a small scale industry incidental to the needs of the local community and the retail trade and which, in the opinion of the local authority, will not interfere with the amenity of surrounding properties or use of nuisance value by virtue of noise, appearance, smell or activities or for any other reason whatsoever, but excludes a public garage.

"SHOP" means land used or a building designed or used for the purposes of carrying on retail trade and the necessary accompanying storage and packaging and also includes a use on the same site which is ordinarily incidental to the conduct of the retail business thereon: provided that the floor space of such ancillary activities shall not exceed 10% of the gross floor space and provided further that such activities shall not give rise to any disturbance or nuisance. A noxious industrial use, filling drive-in restaurant, scrap yard, commercial use, public station, parking garage, place of amusement or public garage, inter alia, shall not be considered ancillary activities to a "shop" for the purposes of this Scheme.

"SITE" means in relation to a building also the area occupied by any building, yard, court yard or garden used in connection therewith.

"SITE DEVELOPMENT PLAN" means a plan drawn to a scale of 1:500 or such other scale as may be approved by the local authority and which reflects at least the following:

- a. the siting, height and coverage of all buildings,
- b. open spaces, children play grounds (if included in the proposed development) as well as site establishment,
- c. entrances and exits from the property and any proposed subdivision thereof,
- d. subdivisional lines if the property is to be subdivided,
- e. accesses to buildings and parking areas,
- f. building restriction areas (if any),
- g. parking areas and, where required by the local authority, motor- and pedestrian traffic system,
- h. elevational treatment of all buildings.

PART II - USES; DENSITIES; FLOOR AREA RATIOS; SUBDIVISIONS; HEIGHT; COVERAGE; BUILDING LINES; PARKING AND LOADING SPACES; OPEN SPACES AND USE OF ANNEXURES

Tables stipulating uses, restrictions, requirements and conditions in the various use zones of the Scheme are grouped together in the Compilation of Tables which shall be interpreted subject to the provisions of clause 5 below.

CLAUSE 5
Provisions and
Tables
"A" to "H"

- a. General Provisions, Explanatory Notes and Use of Annexures
- i. Where an entry has not been made under a column against any use in the Compilation of Tables the local authority may in its discretion specify a restriction when granting its special consent to an application;
- ii. upon approval of an amendment scheme the affected property or building shall, in addition to the requirements of the Scheme, be entitled to the use and further be subject to special conditions, restrictions, densities, floor area ratio, open space requirements, height, coverage, building lines and parking and loading requirements as shown on the relevant Annexures to the Scheme, if any;
- iii. the provisions, conditions and restrictions of Annexures shall prevail should they be in conflict with any other clause or provision of this Scheme;
- iv. Annexure references shall be inscribed on the Map;
- v. the number of the relevant annexure sheet shall be inscribed in black within or adjacent to the figure of the property as shown on the Map;
- vi. densities, heights and coverages specified in the compilation of tables or annexures as the case may be shall apply to all properties not within the confines of a height zone shown on the B-series of the Map. If any property falls within a height zone, shown on the B-series of the Map, the qualified density, height or coverage specified under table "H", for the relevant height zone shall apply to such property;
- vii. except that alterations or extensions to existing buildings must be undertaken in accordance with the provisions of the Scheme, existing buildings must not be affected by the provisions of the Scheme which would otherwise make such buildings illegal: Provided that this sub-clause shall not apply to existing buildings in terms of Section 41 of the Ordinance.

"BUILDING" means land used for building basic or other buildings and includes a meeting and buildings and includes a masonic temple and a non-residential club but excluding a place of amusement.

"SPECIAL CONSENT" means the local authority's written consent in relation to an application contemplated in clause 14.

"SPECIAL USE" means land used for a building designed or used for any use other than one of the uses specifically defined in this Scheme and/or mentioned in the definitions.

"STOREY" in relation to the height of buildings as prescribed in this scheme means a maximum height of 6m on the ground floor and not more than 4.5m on any floor above the ground floor. (A permissible height of three storeys would mean the ground floor and two additional floors.)

"STREET" or "ROAD" includes the whole or part of any street, road, island, footway, bridge, subway, avenue, lane, sanitary lane or thoroughfare shown on the general plan of a township, or in respect of which the public has acquired a prescriptive or other permanent right-of-way and shall also include a road reserve.

"WHOLESALE TRADE" means trade which is restricted to the sale of goods or produce to licensed retailers.

"ZONE" means a portion of the area of this Scheme shown on the Map by distinctive notations or edging, or in some other distinctive manner for the purpose of indicating the restrictions imposed on the erection and use of buildings or the use of land.

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b. Provisos to Table "A" (Land Uses)

- i. The uses permitted in a use zone or in a use zone only with the special consent of the local authority, are shown in columns 3 and 4, respectively, (Table "A") of the Compilation of Tables.
- ii. Subject to the provisions of (iii) no uses other than those given under column 3, Table "A", of the Compilation of Tables, shall be permitted in a use zone.
- iii. Application may be made for the special consent of the local authority for a use stipulated under column 4, Table "A", of the Compilation of Tables: Provided that if any title restriction or the provisions of any law prohibits or restricts the proposed use, the local authority shall not grant its special consent until the applicant has obtained any concessions required in terms of such title restriction or law.
- iv. the local authority may, in its discretion grant an application to erect a single dwelling unit with or without outbuildings in the following use zones if such dwelling unit is required for a caretaker:
 - Commercial
 - Business 1, 2 and 3
 - Public Open Space
 - Industrial 1, 2 and 3
 - Municipal
- v. the local authority may permit the erection of a single dwelling unit with or without outbuildings on an erf in a business 1, 2 and 3 use zone if the property is vacant and development for business purposes is not likely to be required on the erf in the foreseeable future: Provided that the residential use of the property shall be terminated as soon as the erf is used for the purposes of its zoning;

- vi. an existing building which is not in conformity with the provisions of this scheme relating to the erection and use of buildings and use of land but which is lawful otherwise, may with the written approval of the local authority be -
 - altered structurally, or
 - rebuilt on its existing site, or
 - extended,
 subject to the coverage, height, building line, parking, floor area ratio and aesthetic requirements of this scheme and any other conditions the local authority may deem fit: Provided that no extension shall exceed ten percent (10%) of the original floor area.
- vii. an application for special consent to erect an additional single dwelling unit on a property in the agricultural use zone, shall be granted only if the local authority is satisfied that:-
 - the additional single dwelling unit is required exclusively in connection with agricultural uses; and
 - the extent of the agricultural uses warrants the services of a farm foreman/manager in addition to the full time attention of the owner/occupant of the existing single dwelling unit; and
 - such agricultural uses already exist on the property and are not merely intended uses; and
 - such single dwelling unit will not be in conflict with the title conditions of the property;
- viii. no person shall use or allow any building or portion thereof to be used for a use other than that for which it has been erected, unless such building has been altered for any such proposed new use, and any necessary approval of the local authority has been obtained therefor;
- ix. subject to the provisions of Clause 14 hereof where any application is made to the local authority for its special consent to the use of land and/or the erection and use of a building in a use zone in which a building of the type proposed may be erected and used only with the special consent of the local authority, the local authority may give or withhold such consent and shall be entitled to impose such conditions as it may deem fit governing the erection or use of such building:

Provided that consideration shall be given to the question whether the use to which it is proposed to put the land or whether the use for which the building is intended or designed will cater mainly for the needs of the inhabitants in the immediate vicinity in which the land or building is or will be situated and whether such use is likely to cause injury to the amenity of the neighbourhood, including, without prejudice to the generality of the foregoing, in the case of an industrial building, injury due to the emission of smoke or fumes, or of dust, noise or smell;

- x. notwithstanding anything to the contrary in this scheme, no land in a residential use zone may be used for the purposes of parking, storage or garaging of any vehicle (other than motor cars, motor cycles and caravans as defined in the Road Traffic Ordinance, 1966 (Ordinance 21 of 1966)), unless permitted by the local authority in writing;
- xi. no land except land in a commercial or industrial use zone shall be used for the parking, storage or garaging of heavy vehicles and extra heavy vehicles as contemplated in section 58 of the Road Traffic Ordinance, 1966, (Ordinance 21 of 1966) without the special consent of the local authority: Provided that this restriction shall not apply while such vehicle is being loaded or unloaded;
- xii. in this clause the expression "erection and use" of a building for a particular use includes the conversion of such building, to that use, whether such conversion includes the structural alteration of the building or not;
- xiii. no land shall be used for the purposes of refuse tipping, sewage disposal, scrap yard, stock yard, ash dump, motor grave yard or cemetery without the special consent of the local authority;
- xiv. notwithstanding anything to the contrary in Table "A" of this Scheme, application may be made for the local authority's special consent to establish, a picnic or pleasure resort, kennels, animal hospital, horse riding school, caravan park, nursery, nursery school, crèche or place of public worship on any property in an agricultural use zone;

xv. the removal of soil, sand, clay, or stone from any property shall not be permitted except with the special consent of the local authority and subject to such requirements and guarantees that the surface shall be restored satisfactorily as the local authority may determine;

xvi. retail trade is prohibited in use zone XI, except retail trade which the Administrator may approve and which is directly related and ancillary to the main use.

c. Provisos to Table "B" (Densities, Floor Area Ratios, and Subdivisions)

- i. No dwelling unit shall be so erected that the number of dwelling units on an existing erf exceeds the number specified in Table "B" read in conjunction with Clause 5(a)(vi) and Table "H" where applicable for such density zone in which the existing erf is situated, nor shall any dwelling unit be erected on a site having an area less than that specified in the said table for the density zone in which the site is situated. Further no building may be erected so that either a larger floor area ratio is occupied or resulting in a larger number of dwelling units per hectare than that stated in columns 8 and 9, respectively, of Table "B" read in conjunction with Clause 5(a)(vi) and Table "H" where applicable;
- ii. the erection of more than one dwelling unit on an existing erf in the residential 2, 3 and 4 use zones shall only be allowed in accordance with a site development plan approved by the local authority;
- iii. an application for the approval of the local authority to subdivide land shall be in the form and accompanied by such documents as may be required by the local authority;
- iv. where one dwelling unit only has been erected on an existing erf in the residential 1 use zone the local authority may grant special consent to the erection of an additional dwelling unit, the floor space of which shall not exceed 75m²: Provided that
 - subject to sub-clause (i) and the 75m² maximum area restriction, the floor area of the flatlet shall not exceed one third (1/3) of the floor area of the existing dwelling unit, and
 - the additional dwelling unit shall be attached to the original dwelling unit to the satisfaction of the local authority;
- v. all erven shown on a general plan approved prior to 1 September 1970 and controlled in this scheme by a density stipulation shall be entitled to a maximum relaxation of one percent (1%) of the area prescribed by this density stipulation and provided further that the Administrator shall be entitled to apply the said relaxation in respect of erven shown on a general plan which was approved subsequent to 31 August 1970;

- vii. the provisions of Table "B" shall not be construed as prohibiting the erection of a dwelling unit or a semi-detached dwelling upon a vacant existing erf the area of which is smaller than the minimum area specified for the density zone in which such erf is situated at the date of promulgation of this scheme, if the erection of such dwelling unit or semi-detached dwelling would otherwise have been permissible;
- viii. subject to the provisions of this scheme relating subdivision of land, a pan handle subdivision must comply with the following standards:
 - Except with the written permission of the local authority the "pan-handle" must be not less than 4 metres wide along its entire length;
 - the area of the pan handle portion, excluding the area of the pan handle, must comply with the density stipulations of this scheme applicable to the particular erf;
 - except with the written permission of the local authority the slope of the pan handle shall not exceed 1:8;
 - a pan handle shall only give access to the property of which it forms part;
 - the registered owner of the pan handle portion shall construct the driveway of the pan handle at his own cost and to the satisfaction of the local authority, prior to or simultaneous with the erection of any building on the pan handle portion, and shall thereafter maintain the driveway in a dust free condition at his own cost and to the satisfaction of the local authority;
 - the registered owner of the pan handle portion shall to the satisfaction of the local authority erect screen walls or plant dense hedges along the edges of the pan handle and any other boundaries the local authority may require. The extent, material, design, height, position and maintenance of such screen walls or hedges shall be to the satisfaction of the local authority.

d. Provisos to Table "C" (Height)

- i. No building may exceed the height in storeys as indicated in column 9 of Table "C": Provided that
 - (aa) if the particular property falls within any height zone shown in Table "H", the height for the relevant height zone shall be permissible;
 - (bb) the local authority may permit an increase in the number of storeys prescribed in any height zone if satisfied that a higher height is necessary and/or desirable on account of the topography and locality of the site;
 - (cc) for the purposes of this clause, basements shall not be included in the calculations when determining height provided that the floor area ratio, as computed elsewhere in this scheme, shall not be exceeded;
- ii. if parking is provided on the ground floor of a building, accommodation may also be provided on this floor for an entrance hall, lift/s. facilities for the service and maintenance of the building and amenities for the occupants of the building and a caretaker's flat, on condition that the combined area of the aforementioned uses may not exceed 20% of the area of the erf which may be covered by the building;
- iii. the height of any single dwelling unit in the residential 1 and agricultural use zones shall be restricted to two storeys: Provided that when an additional storey is required as a result of the excessive slope of the building site, or the impractical form of the site, or the proximity or height of buildings on adjacent erven, it may be permitted with the written consent of the local authority;
- iv. any storey which is as far as the ground floor is concerned exceeds 6 metres in height and as far as any floor above ground floor is concerned exceeds 4,5 metres in height shall for the purposes of this scheme be deemed as a pro rata plurality of storeys;
- v. no account must be taken of any chimney, ornamental tower, turret or other similar architectural feature or of any lift room or room in which mechanical equipment is housed;

- vi. subject to sub-clause (i) above, no part of a building shall project above a line drawn from a point at street level on the opposite boundary of the street at an angle of 45 degrees to the horizontal;
- vii. if a building is built at the corner of two intersecting streets of unequal width, the permissible height of that part of the building for a distance of sixteen (16) metres, measured from the corner of the intersection, along the narrower street shall be determined by reference to the width of the wider street;
- viii. if 75% or more of the floor area of any storey of a building in a business 1 or residential 4 use zone is used for the parking of motor vehicles belonging to the occupants and/or patrons of the building, such floor shall not be taken into account for the purposes of the height restrictions as set out in Table "C" of this Scheme.

e. Provisos to Table "D" (Coverage)

- i. No building may be erected in such way that the coverage exceeds that authorised in Table "D" read in conjunction with Clause 5(a)(vi) and Table "H": Provided that, a verandah and/or balcony other than a verandah and/or balcony of a dwelling unit at ground floor shall not be taken into consideration in determining the coverage of such building when the exterior of the verandah and/or balcony is not closed off except by a parapet of not more than 1 metre in height or a gauze screen: Provided further that any building not covered with a roof shall, for the purposes of coverage, be excluded from the calculation;
- ii. Where a proposed building is designed for more than one use, the minimum portion of the site to be occupied by the buildings at the floor level of each storey, shall comply with the provisions of Table "D" in respect of the predominant use of such storey.

Restriction Areas

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- i. Except with the written approval of the local authority no building shall be erected closer to a boundary than the distance shown under Table "E": Provided that when a building line restriction shown elsewhere in this scheme is in conflict with any stipulation under Table "E" such building line shall apply;
- ii. the area between the boundary and the building line applying to such boundary shall be open space and shall allow unobstructed access to authorised persons at all times: Provided that such area may be landscaped and also be used for the parking of motor vehicles;
- iii. the local authority may, upon receipt of a written application, allow the erection of a building in the building restriction area in the case of corner even if, as a result of the slope, area of the site or adjoining land or the proximity of buildings erected within the building restriction area, compliance with such building line requirements will unreasonably hamper the development of the site. In the residential 2 use zone the local authority may make a concession with regard to the building restriction area when considering a site development plan if, in the opinion of the local authority, it will result in an improvement of the development of the erf;
- iv. for the purpose of this clause a sanitary lane shall not be regarded as a street;
- v. building lines imposed in terms of the provisions of this scheme shall not be construed as replacing building lines laid down by title conditions, the controlling authority or stipulated by other legislation;
- vi. where shops, service industries, office uses, and (if permitted) commercial uses, light industrial uses and industrial uses erected in any business use zone conform to a building line shown under Table "E", no goods, merchandise, wares or other obstructions excluding the parking of motor vehicles shall be placed, deposited, kept, stored or displayed, on the area between the street boundary and any such building line except with the special consent of the local authority;

vii. the local authority may permit the erection of a gate house between the building line and the street boundary of an erf, and a farm stall between the building line and the road boundary on a holding or farm portion, subject to such conditions as it may deem fit;

viii. before considering an application to relax a building line the local authority shall satisfy itself that no relaxation is required in terms of title conditions or other legislation such as the Advertising on Roads and Ribbon Development Act, 1940 (Act 21 of 1940) or the Roads Ordinance, 1957 (Ordinance 22 of 1957);

ix. the relaxation of a building line by the local authority shall not be construed as reducing any building line restriction imposed by virtue of any law or contained in the title deed of the property or imposed by the controlling authority.

g. Provisos to Table "F" - (Parking and Loading Spaces)

- i. Effective parking, manoeuvring and loading spaces shall be provided on all properties in accordance with the requirements set out under columns 12 and 13, Table "F", and shall be sited and constructed to the satisfaction of the local authority;
- ii. the gross area per space shall be determined by the local authority and shall apply in the case of new buildings (other than a single dwelling unit) and/or additions to existing buildings (other than a single dwelling unit);
- iii. visitor's parking spaces reflected under column 12, Table "F", may not be allocated temporarily or permanently whether it be for payment or not;
- iv. the local authority may permit the provision of parking spaces to its satisfaction elsewhere than on the property, or a monetary contribution in lieu thereof, which contribution shall be based on the municipal valuation of the property which is to be acquired, calculated to the nearest parking space and used solely for the provision and development of public parking facilities in the vicinity of the property;
- v. the facilities to be provided for parking in terms of this clause, shall not be used for the purposes of exhibition, sale, repair or maintenance of vehicles or for any purpose other than the parking of vehicles;
- vi. if additions to any existing building (other than a single dwelling unit) are undertaken which, in the opinion of the local authority, are not of such extent as to warrant the provision of parking and manoeuvring space, the local authority may, in its discretion, relax the requirements of Table "F";
- vii. the local authority may, after receipt of building plans submitted in terms of its by-laws, require the owner to submit, for its approval, proposals for the provision of suitable and sufficient facilities on the erf for the loading, unloading, fuelling or parking of vehicles;
- viii. if the local authority requires the submission of any proposals in terms of this clause or if the owner submits proposals together with any building plan, the local authority shall within a reasonable period, either approve the proposals with or without modification or disapprove of them and, in the event of refusal, furnish reasons for such refusal to the applicant in writing.

h. Provisions to Table "G" (Open Spaces)

- i. The minimum area of land which is to be provided as a children playing area by any owner of land in the area of the scheme when any property is utilized for the erection of dwelling units is shown under Column 14, Table "G" of the compilation of tables;
- ii. unless determined otherwise by the Administrator and subject to the provisions of sections 61(1), 62 and 53 of the Ordinance, an owner of a township shall be required to provide the public open space prescribed in Column 13, Table "G". Such public open space shall consist of a property with a minimum area of 1 000m². If the property so determined shall be smaller than the 1 000m² minimum in extent, a cash endowment, equal to the land value of the required public open space shall be paid to the local authority and such endowment shall be used for the provision of adequate public open space in the vicinity of the township;
- iii. where a cash endowment, as determined in the foregoing sub-clause, is required, such amount shall be calculated according to the ruling valuation of erven in the area of the land concerned.

14. no owner or occupier of a building in respect of which proposals in terms of this clause are required shall undertake or knowingly permit the loading, unloading, parking or fuelling of vehicles other than in accordance with approved proposals unless such requirements have been relaxed or altered by the local authority;

15. the parking and loading spaces required in terms of this scheme for places of instruction may be reduced by the local authority.

(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	
DETAL 2	Single dwelling unit with or without outbuildings	Place of Public Worship Place of Instruction Social Hall Institution Special Use	20	Existing	100 sq. ft.	100							
					150 sq. ft.	200							
					200 sq. ft.	300							
					250 sq. ft.	400							
					300 sq. ft.	500							
					350 sq. ft.	600							
					400 sq. ft.	700							
					450 sq. ft.	800							
					500 sq. ft.	900							
					550 sq. ft.	1,000							
DETAL 3	Dwelling units with or without outbuildings Residential Use	Place of Public Worship Place of Instruction Social Hall Institution Special Use	20	Existing	100 sq. ft.	100							
					150 sq. ft.	200							
					200 sq. ft.	300							
					250 sq. ft.	400							
					300 sq. ft.	500							
					350 sq. ft.	600							
					400 sq. ft.	700							
					450 sq. ft.	800							
					500 sq. ft.	900							
					550 sq. ft.	1,000							
DETAL 4	Dwelling units with or without outbuildings Residential Use	Place of Public Worship Place of Instruction Social Hall Institution Special Use	20	Existing	100 sq. ft.	100							
					150 sq. ft.	200							
					200 sq. ft.	300							
					250 sq. ft.	400							
					300 sq. ft.	500							
					350 sq. ft.	600							
					400 sq. ft.	700							
					450 sq. ft.	800							
					500 sq. ft.	900							
					550 sq. ft.	1,000							

[illegible]

DATE	NOTATION	USE PERMITTED	NOTATION ON MAP	USES PERMITTED ONLY WITH SPECIAL CONSENT OF LOCAL AUTHORITY	MAX. NO. OF DWELLING UNITS ALLOWED		MAX. HEIGHT (METERS)	MAX. COVERAGE ALLOWED AS % OF SITE	FROM STREET BOUNDARY (METERS)	NUMBER OF SPACES TO BE PROVIDED		AREAS AS OPEN SPACE
					Number Per ha.	ONE PER erf (area in m ²)				Parking Spaces	Loading Spaces	
	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
		Uses permitted with special consent of local authority										
		Single Dwelling unit with or without outbuildings Agricultural Use						2	---	---	---	---
		Additional Dwelling unit with or without outbuildings (See Clause 5(b)(iv) Special Use						2	---	---	---	---
		Public Open Space						---	---	---	---	---
		Private Open Space						---	---	---	---	---
		Single Dwelling unit with or without outbuildings Special Use Agricultural Use						---	---	---	---	---
		Stalls Purposes						---	---	---	---	---
		S.A.R. Purposes						---	---	---	---	---
		See Annexure "A"						---	---	---	---	---
		Institution					1.0	3	70	8	1 per 2 beds where applicable otherwise 1 per 100m ² floor space	---
		Place of Public Worship Place of Instruction Social Hall							50	8	1 per 6 seats	---
		Residential Use							50	8	1 per bedroom suite plus 6 per 100m ² public room	---
		Single Dwelling unit with or without outbuildings Special Use							50	8	---	---
		Place of Amusement Social Hall							70	8	1 per 6 seats	---
		Place of Instruction							70	8	1 per 6 seats	---
		Drive-in Restaurant Parking Garage Special Use							20	8	---	---
		Parking Garage							85	8	---	---
		Rest Room and public conveniences							40	8	10% of site area paved	---
		Waiting Station							---	---	---	---
		Drive-in Restaurant							---	---	---	---
		Public Garage							---	---	---	---
		Waiting Station							---	---	---	---
		Special Use							---	---	---	---

Zoning District	Use Permitted	Use Permitted only with special consent of local authority	Maximum Allowed			F.A.R.	Maximum Height in Feet	Floor Coverage Ratio as % of Lot	Front Street Setback (Feet)	Number of Spaces to be Provided		Area: Side
			Number	Per Acre	Per 1000 sq. ft.					Parking Spaces	Loading Spaces	
INDUSTRIAL 1	(2) Light Industrial Use		(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
	Commercial Use							75	5	1 per 1000 sq. ft. floor space		
	Industrial Use							75	5			
	Service Industry							60	5			
INDUSTRIAL 2	Refreshment Room							75	5	40% of site area paved		
	Public Garage							60	5			
	Special Use							75	5			
	Parking Garage							60	5			
INDUSTRIAL 3	Light Industrial Use							75	5	1 per 1000 sq. ft. floor space		
	Commercial Use							75	5			
	Industrial Use							75	5			
	Service Industry							60	5			
COMMERCIAL	Refreshment Room							75	5	40% of site area paved		
	Public Garage							60	5			
	Special Use							75	5			
	Parking Garage							60	5			
DUCCATIONAL	Place of Instruction							75	5	1 per 1000 sq. ft. floor space		
	Place of Public Worship							75	5			
	Special Use							75	5			
	Public Garage							60	5			
RESIDENTIAL	Municipal purposes							75	5	1 per 6 seats		
	Cemetery							75	5			
	Sewerage farm purposes							75	5			
	Public Garage							60	5			

(a) Where land is used, or a building or proposed building is designed or used for more than one purpose such land or building shall for the purposes of Clause 5 hereof, be deemed to be used or designed partly for each of those uses but for the purposes of any other provision of this Scheme such land or building shall be deemed to be used or designed for its predominant use and the local authority may, and shall, if the person having control of, or proposing to erect the building, requests clarification for that purpose, decide which is the predominant use.

(b) The local authority shall give written notice of any decision under this clause to the applicant.

CLAUSE 6
Buildings
used for
more than
one purpose

TABLE "H" - ENCOMPASSING HEIGHT ZONES 1 to 9

Height zone number	Notation on Map (B-series)	Density	Height	Coverage
(1)	(2)	(3)	(4)	(5)
		Maximum no. dwelling units per net ha (for Residential use zone only)	F.A.R. for all uses except in Residential use zone	Maximum height allowed in stores for all uses
				Maximum coverage allowed as % of erf for all uses except in Residential use zone.
(6)				
0	H0	Prescriptions in accordance with compilation of tables		
1	H1	10	-	2
2	H2	15	0,4	2
3	H3	20	0,5	2
4	H4	25	0,6	2
5	H5	30	0,35	2
6	H6		0,6	2
7	H7		1,0	2
8	H8		1,2	2
9	H9		1,4	3

CLAUSE 7
Special
Exceptions

Without prejudice to any powers of the local authority derived from any law, or to any other provision of this Scheme, nothing in this Scheme contained shall be construed as prohibiting or restricting or as enabling the local authority to prohibit or restrict the practice, subject to compliance with the by-laws of the local authority, by any occupant of a dwelling unit or residential use, in the Residential 1, 2, 3 and 4 use zone of a profession or occupation which does not involve either:

- (i) any industrial, light industrial, commercial or noxious industrial use, filling station, scrap yard, public garage or parking garage; or
- (ii) the public display of goods whether in a window or otherwise; or
- (iii) the display of any nameplate, notice or sign other than a notice or sign ordinarily exhibited on a dwelling unit to indicate the name and profession or occupation of the occupant; or
- (iv) the employment of more than two persons; or
- (v) an interference with the amenities of the neighbourhood; or
- (vi) the boarding or treatment of animals.

CLAUSE 8
Permission
granted before approval of this Scheme

Any consent granted for the use of land, or the erection, alteration to or addition of any building or the carrying out of any works in terms of the provisions of a town-planning scheme in operation prior to the approval of this scheme shall, subject to the provisions of section 41 of the Ordinance, be deemed to be a consent granted in terms of the relevant provisions of this scheme.

Where permission to erect any building or execute any work or to use any building or land for any particular purpose or to do any other act or thing is granted under this Scheme, and conditions have been imposed, the conditions shall have the same force and effect as if they were part of this Scheme.

CLAUSE 10
Binding
force of
conditions

(a) Splaying of Corners

In any town in the corners of all road junctions shall be splayed for a distance from the intersection of the road boundaries of (5 cotangent a/2) metres (calculated to the nearest 0.5 metres) where "a" is the angle of intersection of the road boundaries.

(b) Allowance for Splayed Corners

In calculating the area of a corner property the portion thereof cut off by the splay in accordance with sub-clause (a) hereof, shall be deemed to be a part of the property for the purposes of Tables "B", "D" and "G".

(c) Prohibition of Access to certain Roads/Streets

Where access from any property to any road or street or portion thereof in the area of the Scheme is prohibited such prohibition shall be indicated by means of a distinctive no-access line on the Map. No access or egress shall be allowed over this line unless the local authority has consented thereto in writing after receipt of a written application.

The local authority may, when granting any consent contemplated herein impose such conditions as it may deem fit. A consent granted in terms of this clause shall not be construed as a relaxation of any restriction on access imposed by any other law, or contained in the title deed of the property or imposed by the controlling authority.

CLAUSE 9

Splaying of
Corners: Lines
of No-access
new streets
and street
widening

CLAUSE 12
Conditions
in Townships

An erf in any township established within the area of this scheme and any erf or other property rezoned hereafter, shall, in addition to any other conditions, which may be specifically imposed, be subject to the following conditions unless any such erf or property is specifically exempted.

(1) ALL USE ZONES

(a) Except with the written permission of the local authority and subject to such conditions as the local authority may impose:

- (i) neither the owner nor any other person shall, except to prepare the erf for building operations, excavate any material thereon;
- (ii) neither the owner nor any other person shall sink any well or bore hole on the erf or extract any subterranean water therefrom;
- (iii) neither the owner nor any other person shall for any purpose whatsoever manufacture or cause to be manufactured any tiles or earthenware pipes or other articles of like nature on the property. (This condition shall not be applicable to any erven in the Industrial 1, 2 and 3 use zones).

(b) Where, in the opinion of the local authority it is impracticable for stormwater to be drained from higher lying erven direct to a public street or stream the owner of the lower lying erf shall be obliged to accept and/or permit the passage over the erf of such stormwater: Provided that the owners of any higher lying erven, the stormwater from which is discharged over any lower lying erf, shall negotiate point of discharge and shall be liable to pay a proportionate share of the cost of any pipeline or drain which the owner of such lower lying erf may find necessary to lay or construct for the purpose of conducting the water so discharged over the erf.

(c) If a property is affected by a 1:50 year flood line no building may be erected below the elevation of such flood line unless the local authority has approved specific proposals relating to the manner of construction, siting of buildings, materials used, alteration of flood line by raising the natural elevation of the land, etc.

(d) If the erf is enclosed, the fencing or other enclosing material shall be subject to approval by the local authority and shall be erected and maintained to the satisfaction of the local authority.

CLAUSE 11 Nothing in this Scheme shall be deemed to prevent the Special Local Authority.

(a) from erecting, maintaining, or using any building or work, or land, in any part of the area of this Scheme for the purpose of any undertaking which it may be empowered to carry out under any legislation, or

(b) from allowing the occasional letting of a site in the area of the Scheme for the purpose of amusement parks, circuses, church gatherings, etc., subject to such conditions as the local authority may think fit; or

(c) from allowing the owner of any land or building to temporarily use such land or building for purposes not contemplated for that use zone or by any other provision of this scheme, subject to compliance with the provisions of this scheme relating to the granting of the special consent of the local authority and subject further to such conditions as the local authority may impose: Provided that such consent shall, in addition to any condition imposed by the local authority, be subject to the following conditions:

(i) No building or structure of a permanent nature which may hinder the use of the land for the purpose contemplated in the zoning thereof in this scheme shall be erected on the land.

(ii) The local authority shall be entitled to withdraw the approval issued in terms of this sub-clause by a written notice of not less than 30 days to the owner if the use of such property is inconsistent with the purposes for which approval was granted or where the exercising of the approved use adversely affects the amenity of the neighbourhood.

(iii) Any permission granted in terms of this clause shall be valid for such period not exceeding 12 months as the local authority may determine. Provided that the local authority may from time to time on the written request of the owner extend such period for periods not exceeding 12 calendar months.

(e) The siting of buildings, ingress to and egress from the erf to the public street system, construction and maintenance of internal roads and landscaping of the erf shall be done in consultation with and to the satisfaction of the local authority: Provided that the landscaping requirement shall not be applicable to the Residential 1 use zone.

(f) The owner shall be responsible for the maintenance of the entire development of the erf. If the local authority is of the opinion that the premises or any part of the development is not kept in a satisfactory state of maintenance, then the local authority shall be entitled to undertake such maintenance at the registered owner's cost.

(g) The loading and off-loading of goods shall only take place within the boundaries of the erf to the satisfaction of the local authority unless loading facilities have been provided by the local authority in the street reserve (This condition shall not apply in the Residential 1 use zone and neither in the Residential 2 use zone if sub-division of the land into separate units has been effected).

(2) RESIDENTIAL USE ZONES

In addition to the conditions set out in (1) above the properties shall be subject to the following conditions:

(a) Any dwelling units and Residential uses in the Residential 2 Use Zone:

(i) A site development plan shall be submitted to and approved by the local authority prior to the approval of any plans submitted in terms of the by-laws;

(ii) no deviation from the approved site development plan shall be allowed except with the local authority's prior written approval of such deviation;

(iii) no individual dwelling unit in a group may be transferred prior to finalising erf subdivisions for the particular phase and all buildings and other development designs for the group in question have been completed;

(iv) subject to the provisions of section 84 of the Ordinance but notwithstanding any provision included in this scheme the local authority may consent to the subdivision of the erf where such subdivision corresponds with the stipulations of the approved subdivisional proposals, as indicated on the approved site development plan applicable to the erf;

(c) notwithstanding the provisions of Table "F" the street building lines on the erf may be relaxed by the local authority if the amending site development plan contains alternative acceptable proposals;

(vi) if it is not the intention to develop the whole of the erf simultaneously, the grouping of the dwelling units and programming of the development must be shown clearly on the site development plan;

(vii) where a site development plan submitted to the local authority for approval contains subdivisional proposals the applicant must signify at the consideration of the application whether such subdivisional proposals are acceptable to the Director of Local Government where such application for subdivision must be directed to the Administrator in terms of the Ordinance.

(b) Any dwelling units and Residential uses in the Residential 3 and 4 use zones. Where development takes place at a density not higher than 20 dwelling units per net ha it will be subject to the provisions of Clause 12(2)(a), where the development takes place at a density higher than 20 dwelling units per net ha the following conditions will apply:-

(i) a site development plan shall be submitted to and approved by the local authority prior to the approval of any plans submitted in terms of the by-laws;

(ii) no deviation from the approved site development plan shall be allowed except with the local authority's prior written approval of such deviation;

(iii) notwithstanding the provisions of Table "F" the street building lines on the erf may be relaxed by the local authority if the amending site development plan contains alternative acceptable proposals;

(iv) the area of the erf which is made available for a children play area in accordance with Table "G" for pre-school children may include paved areas and lawns while play apparatus based on the inhabitants' needs shall be supplied and installed by the owner of the erf to the satisfaction of the local authority.

(5) PUBLIC GARAGE USE ZONE AND/OR PUBLIC GARAGE RIGHTS

In addition to the conditions set out in (1) above the properties with the rights of a public garage shall be subject to the following conditions:

- (a) A screen wall, the extent, material, design, height, position and maintenance of which is to the satisfaction of the local authority shall be erected to the satisfaction of the local authority.
- (b) No material of whatever nature shall be stored or stacked higher than the height of the screen wall.
- (c) No repairs to vehicles or equipment of any nature may be performed outside the garage building or screen wall.
- (d) No material or equipment of any nature may be stored or stacked outside the garage building or screen wall: Provided that the local authority may repeal this requirement for erven with public garage rights where it is located in and/or adjacent to and/or surrounded by industrial 1, 2 and 3 zones: Provided further that fuel pumps and/or oil and fuel installations may to the satisfaction of the local authority be located outside the building and/or screen wall.
- (e) No spray painting or panel beating may be exercised in a residential area.
- (f) The whole of the area on which any vehicle will be refuelled, repaired or serviced shall be paved to the satisfaction of the local authority.
- (g) No motor wreckages of whatever nature shall be stored on the property.

Conditions 5(a), (b) and (c) may be repealed by the local authority for erven with public garage rights where it is located in and/or adjacent to and/or surrounded by industrial 1, 2 and 3 zones.

(3) INDUSTRIAL USE ZONES

In addition to the conditions set out in (1) above the erven shall be subject to the following conditions:

- (a) In the case of Industrial 1, 2 and 3 use zones, the owner or occupier may sell goods which have been wholly or partly manufactured or processed or assembled on the erf and, with the written approval of the local authority, other goods which have not been manufactured on the erf: Provided that such other goods shall form part of, or be connected with the selling of, and/or for use with or together with goods which are wholly or partly manufactured or processed or assembled on the erf: Provided further that a public garage shall not be included in the foregoing description.

Uses permitted in this use zone may include the erection of buildings to be used as offices, laboratories, store-rooms or other buildings incidental to or required in connection with the industrial use exercised on the erf.

- (b) The owner or occupier may erect a refreshment room on the erf, for the use of his own employees only.

- (c) Prior to submitting building plans for a proposed industrial use in the Industrial 1, 2 and 3 use zones for consideration the owner shall obtain the local authority's written confirmation that the proposed industrial use falls within the ambit of the relevant definition as well as the local authority's conditions governing an industry of the particular nature.

(4) COMMERCIAL USE ZONE

In addition to the conditions set out in (1) above the erven shall be subject to the following condition:

- The owner or occupier may erect a refreshment room on the erf, for the use of his own employees only.

PART III - GENERAL APPEARANCE AND CONVENIENCE

CLAUSE 13
Appearance of
Buildings;
Submission of
Drawings and
Particulars;
Removal of
Injurious Condi-
tions

- (a) The local authority may, if in its opinion any proposed building in any use zone in respect of which building plans have been submitted to it for approval will disfigure the environment or may for any reason whatsoever be detrimental to the amenity of the area, require the person who submitted such building plans to furnish such further information, plans, models or other sufficient indication of the proposed building (hereafter referred to as "the particulars") as it may, in its discretion, deem necessary, before considering such building plans in terms of the provisions of its building bylaws.
- (b) The local authority shall within a reasonable time (not exceeding 90 days) from the date of submission to it of the particulars, approve or disapprove the building plans, and it shall forthwith in writing notify the person who submitted them of its decision and if it disapproves such plans, it shall at the same time furnish reasons for such refusal.
- (c) Where in the opinion of the local authority the general amenity of the neighbourhood in any use zone is injured by:
 - (i) any works of any nature undertaken or proposed with, or
 - (ii) any use of any nature made of any building, structure, curtilage or land, or
 - (iii) the condition of any building, structure, work, activity, curtilage or land,
 the local authority may serve a notice on the owner or occupant of the property on which the injurious work, use or conditions exist or are being carried out, requiring the owner or occupant to take action to abate and/or make good the aforementioned injurious work, use or conditions and to ensure that the abatement be completed within a specified period.

PART IV - MISCELLANEOUS PROVISIONS

- (a) A person intending to apply for any special consent of the local authority required under this Scheme shall, before making such application, publish at his own expense once a week for two (2) consecutive weeks, both in English in an English newspaper, and in Afrikaans in an Afrikaans newspaper, or, if the notice is published in a bilingual newspaper, in both official languages in such newspapers, circulating in each case in the area, a notice of his intention to make such application, and shall post and maintain conspicuously for fourteen (14) days such notice on some part of the building or land, and shall, with such application, lodge with the local authority proof of such publication and posting.
- The notice shall state that any person having any representations or objections with regard to the erection and use of the proposed building or to the proposed use of the land may lodge such objection, together with the grounds thereof or submit such representation with the local authority and with the applicant in writing within twenty-one (21) days after the date of the last advertisement and shall further state where the plans, if any, may be inspected.
- (b) The local authority shall take into consideration any objections or representations received within the said period of twenty-one (21) days and shall notify the applicant and the persons, if any, from whom objections or representations were received, of its decision in writing.
 - (c) The decision of the local authority shall not take effect until the expiration of twenty-eight (28) days from the date on which the applicant and the objectors and those who offered representations, if any, are notified thereof, or, if an appeal has been lodged, until such appeal is disposed of.
 - (d) This clause shall not apply in respect of any application for the consent of the local authority which is not a "special consent".

CLAUSE 15
Appeal against
& Decision of
the Local
Authority

Appeals may be lodged in terms of the Statute
against any decision of the local authority.

CLAUSE 16
Serving of
Notices

(a) Any order, notice or other document, required or authorised to be served under this Scheme may be signed by the Town Clerk or other official duly authorised thereto, and may be served by delivery of a copy thereof in one or other of the following manners :

(i) to the said person personally, or to his duly authorised agent; or

(ii) if delivery can not be effected in terms of the preceding paragraph at his residence or place of business or employment; to some person apparently not less than sixteen (16) years of age and apparently residing at or employed there; or

(iii) if there is no such person on the premises as is mentioned in the preceding paragraph by fixing such order, notice, or other document, on some conspicuous part of the premises and by depositing such order, notice or other document by prepaid registered post in an envelope on which is written his last known address, which may be his last known abode, place of employment, or post office box number; or

(iv) if such person has chosen a domicilium citandi, at the domicile so chosen.

(b) When the service of any notice is effected in accordance with the provisions of paragraphs (iii) and (iv) of the preceding sub-clause such service shall be deemed to have been effected at the time when the letter containing such order, notice, or other document, would have been delivered in the ordinary course of post and, in proving such service, it shall be sufficient to prove that the order, notice, or other document, was properly addressed and registered.

Any order, notice, or other document, required to be given to the owner or occupier of any particular premises, may be addressed by the description of the "owner" or "occupant" of such premises in respect of which the order, notice, or other document, is given, without further name or description.

CLAUSE 17
Entry and In-
spection of
Premises

(a) If access to a property within the area of the Scheme shall be barred for any reason, the local authority shall have power, by its duly authorised officers, to enter into and upon such property at all reasonable times, for the purpose of any in-
spection which the local authority may deem neces-
sary or desirable for the purposes of this Scheme.

(b) No person shall in any way hinder, obstruct, or interfere with any duly authorised officer of the local authority, or cause or in so far as he has any authority, permit such officer to be hindered, obstructed or interfered with in the exercise of his powers hereby granted.

The ordinance will determine when an offence has been committed.

CLAUSE 18
Contravention
of Scheme

A register, as prescribed in the Regulations, must be kept.

CLAUSE 19
Register of
consents and
conditions

The local authority shall permit any interested person to inspect at any reasonable time the Scheme deposited in the offices of the local authority.

CLAUSE 20
Availability
of Scheme for
Purposes of In-
spection

This Scheme shall be known as the Gronkhorspruit Town Planning Scheme, 1980.

CLAUSE 21
Short Title