

LETHLABILE

TOWN PLANNING SCHEME

1990



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TOWN PLANNING SCHEME, 1990

PART 1

GENERAL

1. Contents of the scheme

This scheme is divided into parts relating to the following matters respectively:

PART 1: GENERAL

PART 2: BUILDING LINES, AND LINES OF NO ACCESS

PART 3: BUILDING RESTRICTIONS AND USE OF LAND

PART 4: GENERAL AMENITY AND CONVENIENCE

PART 5: MISCELLANEOUS

2. Definitions

(1) In this scheme the following words and expressions have the respective meanings hereby assigned to them, except where the context requires otherwise or it is otherwise expressly provided:

"agricultural purposes":- means purposes normally associated with or reasonably necessary in connection with the use of land and buildings for agricultural purposes and includes dwelling units necessary for and related to the bona fide agricultural use of their property;

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"annexures to the Scheme":- an annexure as referred to in regulation 11 forming part of a scheme;

"Area":- the area described in clause 3 hereof;

"building" includes:-

- (a) a structure of any nature;
- (b) part of a building;

"building line":- means the line delimiting the area measured from a boundary of an erf within which building is restricted as provided in clause 8;

"business purposes":- means use of a building or land for an office (including a professional suite, medical consulting rooms, bank or building society), shop, showroom, warehouse, restaurant or other business or commercial purposes other than for a place of instruction, public garage, industry, noxious industry, builder's yard or scrapyard;

"consent":- means consent of the local authority under Chapter VII of the regulations;

"commercial use":- land used or a building designed or used for such purposes as distribution centres, wholesale trade, storage, warehouses, cartage and transport services, laboratories and computer centres and may include offices which are directly related and subservient to the main use which is carried out

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on the land or in the building and such industries as are supplementary and subservient to the main commercial use carried out on the property;

"coverage":- means the area of an erf or site covered by buildings measured over the external walls as seen vertically from above and expressed as a percentage of the area of the land;

"dwelling unit":- means an interconnected suite of rooms designed for human habitation that may contain a kitchen or scullery;

"erf":-

(a) means a piece of land:-

- (i) registered in a deeds registry or other registration office as an erf, site, lot, plot or stand;
- (ii) shown as an erf on a general plan of an approved township;

(b) includes:

- (i) more than one erf if such erven are tied or consolidated;
- (ii) every defined portion of a piece of land laid out as a township but not approved or recognised as such under any law;
- (iii) part of an erf;
- (iv) a farm portion or part thereof which is subject to the scheme;

"Floor area":- means floor area capable of occupancy by a tenant measured from:

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- (a) the exterior of an outside wall;
- (b) the centre of a partition wall;

"government purposes":- includes the erection or use of a building or the use of land for such purposes by the Trust;

"ground storey":- means a floor:

- (a) at ground level; and
- (b) having its entrance directly accessible from ground level by means of a ramp, stairway or similar structure;

"industry":- means use of a building or land for the manufacture, assembly or processing of a product or the breaking up of a product or raw materials, but does not include a noxious industry;

"institution":- means a building designed or primarily used as a charitable institution, hospital, nursing home, sanatorium, clinic or other institution, whether public or private;

"map":- the scheme map as defined in Regulation 10 and as amended from time to time by any approved amendment scheme;

"municipal purposes":- includes the erection or use of a building or the use of land for such purposes by the Trust;

"noxious industry":- includes an industry or trade that by virtue of noise or effluents is dangerous or

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harmful to the health and welfare of the general public, such as but not limited to -

- (a) smelting of ores and minerals;
- (b) production of sulphur dyes;
- (c) sintering of sulphurbearing materials;

"occupant":- means a person in actual occupation of a building or land, without reference to the title under which he occupies;

"parking area":- means a building or land or part thereof used for the parking of motor vehicles;

"place of instruction":- means land used or a building designed or primarily used as a school, technical college, lecture hall, institute, other educational centre, crèche, convent, monastery, public library, art gallery, museum, gymnasium or similar centre;

"place of public worship":- means a building designed for use or primarily used as a church, chapel, oratory, house of worship, other place of public devotion or place of religious instruction, and a institution on the same site associated with such building and intended to be used for social intercourse and recreation, but does not include a funeral chapel;

"public garage":- means land primarily used or a building designed for the maintenance, repair or fuelling of vehicles and ancillary purposes;

"public open space":- means land zoned public open space for use by the public as an open space, park,

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garden, playground, recreational ground or square;

"regulations":- means the Land Use and Planning Regulations, 1990;

"restaurant":- means a building designed for use or used for the preparation, service and consumption on the site of food or liquid refreshments;

"shop":- means land used or a building designed or primarily used for carrying on retail trade and including a use on the same site incidental and subordinate to the conduct of the retail trade, such as storage and packaging;

"social hall":- means a building designed for use or primarily used for social assembly, gathering, meeting or recreational purposes;

"street or road":- the area or portion of any street, road, bridge, subway, tunnel, avenue, lane, driveway, sanitary lane, thoroughfare or right of way, shown on the general plan of a township, agricultural holdings or other division of land, in respect of which the public has acquired a right of way by prescription or any other means;

"zone":- means an area shown on the scheme map in which specific rights, obligations and restrictions have been imposed on the use of the land or the erection or use of buildings, including density, height, coverage, parking and loading.

- (2) A word to which a meaning has been assigned in the regulations shall bear that meaning.

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3. Area of Scheme

The area to which this Scheme applies shall be shown on the Map by the following notation:



The area which abuts the straight edge of the notation is the area within the Scheme whilst the area which abuts the semi-circular edge of the notation is not within the Scheme.

4. Responsible authority

The local authority shall be the authority responsible for enforcing and carrying into effect the provisions of this Scheme.

5. Use of annexures

- (1) Special rights, conditions and restrictions which may apply to any property within any use zone may be indicated in an annexure to the Scheme.
- (2) The special conditions and restrictions referred to in sub-clause (1) shall:-
 - (a) be in addition to the general conditions, restrictions and other provisions of the Scheme; and
 - (b) prevail should they conflict with any such other conditions, restrictions or provisions in the Scheme.
- (3) An annexure contemplated in sub-clause (1) shall consist of:-

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- (a) a sheet upon which is inscribed the number of such annexure, a description of the property to which it applies, the special rights, conditions and restrictions applying to the property, and the number and name of the relevant Scheme in terms of which the annexure was prepared; and
- (b) a diagram of the property concerned, which diagram shall accord with the layout shown on the Map.

(4) The number of the relevant annexure shall be inscribed in a double circle within or next to the figure of the relevant property on the Scheme Map and if it be inscribed next to such figure, it shall be joined to the figure by means of a line.

6. Protection of existing buildings

Except that the rebuilding of or addition to existing buildings, with the exception of any structural alteration which, in the opinion of the local authority, is of a limited extent such as the removal of non-weight bearing internal walls, the erection of removable partitioning, safes and toilets inside an existing building, or repair work inside or outside a building shall conform to the provisions of the scheme, existing buildings shall not be effected by the provisions of the Scheme which would otherwise make such buildings illegal: Provided that in cases where alterations of or additions to existing buildings are, in the opinion of the local authority, not of a limited extent, the provisions of the Scheme shall apply only to the parts of the building which are being altered or extended.

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PART 2

BUILDING LINES, AND LINES OF NO ACCESS

7. Lines of no access

- (1) Subject to subclause (2), there shall be no access between an erf and a public street or road across a boundary line where such access is prohibited.
- (2) The local authority may grant consent to a relaxation of an access restriction.
- (3) In considering an application for consent for access, the local authority shall have regard to:
 - (a) unreasonable interference by the access restriction with the development of the erf;
 - (b) any other relevant factor.
- (4) The local authority shall not grant consent to relaxation of an access restriction between an erf and a provincial or national road without approval of the controlling authority concerned.
- (5) A line of no access shall be shown on the map by the following symbol:



8. Building lines

- (1) Subject to subclause (2), the building line applicable to an erf is shown in Table A;
- (2) The local authority may in addition to a building line referred to in subclause (1) impose a building li-

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ne which is a fixed distance from a street boundary of an erf, if engineering services have been installed in the building restriction area defined by that imposed line.

(3) Subject to subclause (4), no building other than a boundary fence, garden wall or fence, pergola, garden ornament or temporary building required in connection with building operation shall be erected between a building line and the boundary to which it relates.

(4) The local authority may consent to the erection of a building in the building restriction area concerned.

(5) A consent referred to in subclause (4) may be valid for:-

- (a) the life of the building; or
- (b) any shorter or longer periods specified by the local authority, including a period ad infinitum.

(6) A local authority shall in considering an application for consent referred to in subclause (4) have regard to:-

- (a) the possibility of future street improvements;
- (b) slope of the land;
- (c) location of other buildings;
- (d) arrangement of the buildings on the erf;
- (e) any other relevant factor.

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TABLE A

BUILDING LINES

Purposes for which buildings may be erected and used	Location on site of building restriction areas	Minimum distance between building line and site boundary
Places of instruction, places of public worship, social halls, sport and recreational purposes, institutions	Rear and both sides	3 metres
All other uses	Rear and one side <i>3m ✓</i>	1 metre

3m Voor. ✓

PART 3

BUILDING RESTRICTIONS AND USE OF LAND

9. Extended Residential Use

(1) Subject to subclause (2) and (3), an erf used for residential purposes may be used also for:-

- (a) any social and religious activities;
- (b) the carrying on of any occupations, including the rendering of services; and
- (c) any professions and trades, including retail trades.

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- (2) The dominant use of an erf referred to in subclause (1) shall remain residential.
- (3) No activity, occupation, profession or trade referred to in subclause (1) shall:-
 - (a) be noisome or noxious;
 - (b) interfere with the amenity of the neighbourhood.

10. Erection and use of buildings or use of land



- (1) Land may be used and a building may be erected and used in a use zone referred to in column (1) of Table B only for the purpose specified for that zone in columns (2) of Table B.
- (2) Land may be used or a building may be erected and used for a purpose specified in column (3) of Table B only with consent.
- (3) The local authority shall when considering an application referred to in subclause (2) have regard to:-
 - (a) whether such use or building is likely to cause injury to the amenity of the area including increased traffic, parking difficulties, the emission of smoke or the creation of noise;
 - (b) any other relevant factor.
- (4) If the rights obtained by virtue of a consent contemplated in subclause (3) are not exercised within a period of 24 months of its grant, the consent may lapse after notice by the local authority to the holder of the consent use, unless a condition on which the consent was granted specifically provides otherwise.

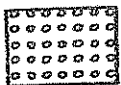

- (5) The local authority may on good cause shown extend the period contemplated in subclause (4).

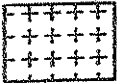
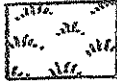

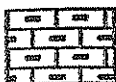
TABLE B



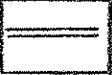
NOTE: An extensive meaning of many of the uses mentioned in this table will be found in clause 2 (Definitions).


USES

(1) Use Zone and No- tation on Map	(2) Purposes for which buildings may be erected and used or for which land may be used (primary uses)	(3) Purposes for which buildings may be erected and used or for which land may be used only with consent of the local autho- rity (consent uses)	(4) Purposes for which buildings may not be erected and used or for which land may not be used without re- zoning on applica- tion to the plan- ning officer
1: Resi- dential 	Dwelling units	Places of public worship, place of instruction, social halls, sport and recreational purpo- ses, institutions, medical suites, special purposes	Uses not under column (2) or (3)
2: Business 	Business purposes, dwelling units, places of public	Uses not under co- lumn (2) or (4)	Noxious industries

<i>Purpose</i>			
(1) Use Zone and No- tation on Map	(2) Purposes for which buildings may be erected and used or for which land may be used (primary uses)	(3) Purposes for which buildings may be erected and used or for which land may be used only with consent of the local authority (consent uses)	(4) Purposes for which buildings may not be erected and used or for which land may not be used without re- zoning on applica- tion to the plan- ning officer
	worship, places of instruction, social halls, sport and recreational purposes, institutions, ware-houses		
3: Indus- trial 	Industry, business purposes, public garages, scrap-yards, warehouses and other storage, parking areas	Noxious industries, special purposes	Uses not under column (2) or (3)
4: Commu- nity Facili- ties 	Places of public worship, places of instruction, so- cial halls, sport and recreational purposes, institu- tions, crèches	<u>Dwelling units</u> , special purposes	Uses not under Column (2) or (3)

<p>(1) Use Zone and No- tation on Map</p>	<p>(2) Purposes for which buildings may be erected and used or for which land may be used (primary uses)</p>	<p>(3) Purposes for which buildings may be erected and used or for which land may be used only with consent of the local autho- rity (consent uses)</p>	<p>(4) Purposes for which buildings may not be erected and used or for which land may not be used without re- zoning on applica- tion to the plan- ning officer</p>
<p>5: Municipal</p> 	<p>Municipal purposes</p>	<p>Dwelling units, government purpo- ses, special purposes</p>	<p>Uses not under Column (2) or (3)</p>
<p>6: Agricultural</p> 	<p>Agricultural purposes</p>	<p>Parking areas, special purposes</p>	<p>Uses not under Column (2) or (3)</p>
<p>7: Public Open Spaces</p> 	<p>Parks, sports and recreational purposes and buildings used in connection therewith</p>	<p>Parking areas, special purposes</p>	<p>Uses not under Column (2) or (3)</p>
<p>8: Parking</p> 	<p>Parking areas</p>	<p>Uses not under column (2) or (4)</p>	<p>Noxious industries 16/ ...</p>

(1) Use Zone and No- tation on Map	(2) Purposes for which buildings may be erected and used or for which land may be used (primary uses)	(3) Purposes for which buildings may be erected and used or for which land may be used only with consent of the local autho- rity (consent uses).	(4) Purposes for which buildings may not be erected and used or for which land may not be used without re- zoning on applica- tion to the plan- ning officer
9: Govern- ment 	Government purpo- ses, railway pur- poses	Dwelling units, municipal purposes, special purposes	Uses not under under column (2) or (4)
10: Special 	Special purposes shown in an anne- xure	Special purposes shown in an anne- xure	Uses not under column (2) or (3)
11: Road 	Public thoroughfare	Parking	Uses not under column (2) or (3)

(1) Use Zone and No- tation on Map	(2) Purposes for which buildings may be erected and used or for which land may be used (primary uses)	(3) Purposes for which buildings may be erected and used or for which land may be used only with consent of the local autho- rity (consent uses)	(4) Purposes for which buildings may not be erected and used or for which land may not be used without re- zoning on applica- tion to the plan- ning officer
12: Undeter- mined 	Nothing	Nothing	Uses not under column (2) or (3)

Provided that:

notwithstanding anything to the contrary contained in this scheme, it shall be competent for the local authority to consent to the temporary use of any land or building within any use zone, for any of the following:

- (a) The erection and use of temporary buildings or the use of existing buildings for purposes of site offices, store-rooms, workshops or such other uses as are, in the opinion of the local authority, necessary during the construction of any permanent building or structure on the land: Provided that such consent shall ipso facto lapse upon completion of the permanent building or structure;

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- (b) The ad hoc use of the land or buildings for concerts, fairs, circuses, bazaars, or public gatherings;
- (c) The use of the land or buildings thereon for state or municipal purposes.

Provided that any such consent shall be for a period not exceeding 12 months which period may be extended by the local authority for further periods not exceeding 12 months subject thereto that the total of such periods shall not exceed 5 years.

- (6) No person shall use or cause or permit any building or portion thereof to be used for a purpose other than that for which it has been erected, unless the necessary consent of the local authority has been obtained therefor.
- (7) Subject to the provisions of regulation 27 & 28 (Advertisement and objections), the local authority may, where any application is made to it for its special consent to 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 local authority's special consent, give or withhold its consent, and shall, in giving its special consent, be entitled to impose such conditions governing the erection or use of such buildings as it may deem fit: Provided that consideration shall be given to the question whether the use for which the building is intended or designed might possibly cause injury to the amenity of the neighbourhood.

- (8) In this clause the expression "the erection and use" of a building for a particular use, includes the conversion of the building for that use whether or not involving the structural alteration thereof.
- (9) Nothing herein contained shall be deemed to grant exemption from any of the local authority's by-laws not inconsistent herewith.
- (10) No person shall spoil or waste land in Use Zone 7 so as to destroy or impair its use for the purpose for which it is zoned.

11. Conditions applicable to all erven

- (1) Except with the written consent of the local authority, and subject to such conditions as it may impose, neither the owner nor any other person shall:-
 - (a) have the right, save and except to prepare the erf for building purposes, to excavate any material therefrom;
 - (b) sink any wells or boreholes thereon or abstract any subterranean water therefrom; or
 - (c) make, or permit to be made, on the property for any purpose whatsoever, any tiles or earthenware pipes or other articles of a like nature. (This condition shall not apply to erven in Use Zone 3 (Industrial)).
- (2) 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 the owner of the lowerlying erf shall be obliged to accept and permit the passage over the erf of such stormwater:

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Provided that the owners of any higher lying erven, the stormwater from which is discharged over any lower lying erf, 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.

- (3) The siting or buildings, including outbuildings, on the erf and entrances to and exits from the erf to a public street system, shall be to the satisfaction of the local authority.
- (4) No material or goods of any nature whatsoever shall be dumped or placed within the building restriction area along any street, and such area shall be used for no other purpose than the laying out of lawns, gardens, parking or access roads: Provided that if it is necessary for a screen wall to be erected on such a boundary, this condition may be relaxed by the local authority and subject to such conditions as may be determined by it.
- (5) A screen wall or walls shall be erected and maintained to the satisfaction of the local authority as and when required by it.
- (6) If the property is fenced, such fence and the maintenance thereof, shall be to the satisfaction of the local authority.
- (7) The registered owner is responsible for the maintenance of the whole development on the property. If the local authority is of the opinion that the property, or any portion of the development is not being satis-

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factorily maintained, the local authority shall be entitled to undertake such maintenance at the cost of the registered owner.

12. Conditions applicable to Public Garage erven

- (1) No material or equipment of any nature whatsoever shall be stored or stacked to a height greater than the height of the screen wall: Provided that the local authority may relax this condition where the erf is situated within, adjacent to, or surrounded by industrial uses.
- (2) No repairs of any nature to vehicles or equipment shall be effected outside the garage building, except in an area which is screened to the satisfaction of the local authority for that purpose: Provided that the local authority may relax this condition where the erf is situated within, adjacent to, or surrounded by industrial uses.
- (3) No material or equipment of any nature shall be stored or stacked outside the garage building, except in an area which is screened to the satisfaction of the local authority for that purpose: Provided that fuel pumps or oil and fuel installations shall be sited outside the building to the satisfaction of the local authority: Provided further that the local authority may relax this condition where the erf is situated within, adjacent to, or surrounded by industrial uses.

13. Conditions applicable to townships or erven in dolomite areas or on land with detrimental soil conditions

- (1) In addition to any condition specified in column (3)

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of Table "C" in respect of any specified erf or township, such erf or, if no erf in a township is specified, all erven in such township shall be subject to the following conditions:

- (a) No french drain shall be permitted on the erf;
- (b) Trenches and excavations for foundations, pipes, cables or for any other purpose, shall be properly refilled with damp soil in layers not thicker than 150mm, and shall be compacted until the same grade of compaction as that of the surrounding material is obtained to the satisfaction of the local authority;
- (c) All pipes which carry water shall be watertight and shall be provided with watertight flexible couplings;
- (d) The entire surface of the erf shall be drained to the satisfaction of the local authority in order to prevent surface water from damming up, and water from roof-gutters shall be discharged away from the foundations;
- (e) Proposals to overcome detrimental soil conditions to the satisfaction of the local authority shall be contained in all building plans submitted for approval and all buildings shall be erected in accordance with the precautionary measures accepted by the local authority;
- (f) If required, a soil report drawn up by a qualified person acceptable to the local authority indicating the soil conditions of the erf and recommendations as to suitable founding methods and depths shall be submitted to the local authority simultaneously with the submission of building plans, prior to the commencement of any building operations on the erf;

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- (g) The owner shall ensure that water is conveyed away from the foundations of the buildings on the erf by means of drain pipes and does not otherwise collect on the erf.

TABLE C

TOWNSHIP (1)	ERF DESCRIPTION (2)	CONDITIONS (3)

14 Parking and loading

- (1) Effective parking with the necessary manoeuvring area, shall be provided on the property to the satisfaction of the local authority.
- (2) Subject to subclause (3), the parking and loading spaces specified in Table D shall be provided.
- (3) The local authority may grant consent to the provi-

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sion of fewer spaces than specified by subclause (2).

- (4) In considering an application referred to in subclause (3), the local authority shall have regard to:
- (a) the likelihood of a reduction in parking provision causing injury to the amenity of the area including increased traffic and parking difficulties;
 - (b) any other relevant factor.
- (5) The local authority may as an alternative to the provision of parking spaces on an erf grant consent to the provision of the required number of parking spaces elsewhere than on the erf concerned.

TABLE D
PARKING

Use	Site Area	Minimum parking requirements	Minimum loading requirements
(1) More than one dwelling unit		1 space per 2 dwelling units	
(2) Shops, banks building societies, medical consulting	a) less than 500 square metres	a) Nil	

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Use	Site Area	Minimum parking requirements	Minimum loading requirements
rooms and restaurants	b) 500 square metres to 2999 square metres c) 3000 square metres and over	b) 3 spaces per 100 square metres of floor area c) 4 spaces per 100 square metres of floor area	1 space per 1000 square metres of floor area 1 space per 1000 square metres of floor area
(3) Business purposes other than those to which (2) applies		2 spaces per 100 square metres of floor area	
(4) Industry		1 space per 100 square metres of floor area	1 space per 1000 square metres of floor area

Use	Site Area	Minimum parking requirements	Minimum loading requirements
(5) Social halls, sports and recreational purposes, places of public worship		1 space per 10 seats or per 100 square metres of floor area, whichever is the greater	
(6) Any other uses or use zones		As required by the local authority	As required by the local authority

(6) The owner of a building in respect of which parking spaces are required in terms of this clause shall keep such parking spaces in a proper condition for such purpose to the satisfaction of the local authority.

(7) The levying of a parking fee for the hire of parking spaces provided in terms of this clause shall not be regarded as a business.

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15. Number of dwelling units which may be erected

The number of dwelling units that may be erected on an erf shall be limited only by the height and coverage provisions of this scheme.

16. Number of Storeys (height)

(1) Subject to the provisions of subclause (3), no building shall be erected so as to contain a number of storeys, other than a basement storey, in excess of three.

(2) A building shall be deemed to have one ground storey only.

(3) The local authority may grant consent to a building containing storeys additional to those permitted by subclause (1).

(4) In considering an application referred to in subclause (3), the local authority shall have regard to:-

(a) the effect on the surrounding area, including possible obstruction of view, overshadowing or breaking of the natural skyline;

(b) any other relevant factor.

(5) The local authority may grant a consent referred to in subclause (3) subject to a condition imposing a building line or coverage requirement other than as provided in these clauses.

17. Coverage

- (1) Subject to subclause (2), no building, including a basement storey, shall be erected so as to cover a greater proportion of its erf than the maximum permissible coverage specified for the purpose for which such building is to be erected or used in Table E.
- (2) The local authority may grant consent to the increase of coverage beyond the maximum permitted in terms of subclause (1).
- (3) In considering an application referred to in subclause (2), the local authority shall have regard to:
 - (a) possible future road improvements;
 - (b) the location of essential services;
 - (c) any other relevant factor.

TABLE E
COVERAGE

Purpose for which building may be erected and used	Coverage
Dwelling units, places of instruction, places of public worship, social halls, sport and recreational purposes	60%
All other purposes	80%

18. Splaying of corners

Except where otherwise shown on the Map, the corners of all streets or road junctions shall be splayed from the junction of the street boundaries for a distance of $5 \cot a/2$ metres (calculated to the nearest metre) where "a" is the angle of intersection of the street boundaries.

19. Consolidation

- (1) Two or more contiguous pieces of land shall not be consolidated unless consent is obtained;
- (2) In considering an application for consent to consolidate, the local authority shall have regard to:-
 - (a) services along any common boundary of the erven which stood to be consolidated.
 - (b) any other relevant factor.

PART 4

GENERAL AMENITY AND CONVENIENCE

20. Removal of injurious conditions in private gardens

Where the amenity of any use zone is in the opinion of the local authority injured by the condition of any garden, curtilage, building or any development on any erf in the area, the local authority may serve a notice on the owner or occupant of the premises on which the injurious condition exists, requiring him, within such period not being less than twenty-eight (28) days from the date of the service upon him of the notice, to take such action as may be

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necessary to abate the injurious condition and the said notice may specify the measures to be taken to abate the injurious condition.

PART 5

MISCELLANEOUS

21. Binding force of conditions

Where permission to erect any building or execute any works or to use any building or land for a particular purpose granted in terms of the Scheme, and conditions have been imposed, the conditions shall have the same force and effect as if they were part of the Scheme and shall be regarded as though they were part of this Scheme.

22. Entry and inspection of properties

- (1) The local authority shall have the power, through its duly authorised officers, and after giving not less than forty-eight (48) hours notice to the owner or occupant of any property within the area, to enter into and upon such property at any time between the hours of 09h00 and 16h00 for the purpose of any inspections which the local authority may deem necessary or desirable for the purpose of the Scheme.
- (2) No person shall in any way hinder, obstruct, or interfere with any authorised officer of the local authority, or in so far as he has any authority, permit such officer to be hindered, obstructed or interfered with in the exercise of the powers hereby conferred upon him.

23. Service of notices

- (1) Any order, notice or other document required or authorised to be served under the Scheme shall be signed by the Town manager or other official duly authorised thereto by the local authority and shall be served by delivering it in one or other of the following manners:
- (a) To said person personally, or to his duly authorised agent;
 - (b) if service cannot be effected in terms of subclause (a), 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;
 - (c) if there is no such person as mentioned in subclause (b) on the premises, by fixing such order, notice or other document to some conspicuous part of the premises and by dispatching a copy of 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 business or employment, or post office box number; and
 - (d) if such person to be served has chosen a domicilium citandi, at the domicile so chosen.
- (2) Where any service is effected in accordance with the provisions of the preceding subclause (1)(c), 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,

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it shall be sufficient to prove that the order, notice or other document was properly addressed and registered.

- (3) Any order, notice or other document, which in terms of the provisions of this scheme is required to be given to the owner or occupant of any particular premises, may be addressed to the "owner" or "occupant" of such premises, in respect of which the order, notice or other document is given, without any further name or description.

24. Conflict between Scheme, Title Conditions and Township Conditions

No consent of the local authority given under the provisions of this Scheme shall be construed as conferring upon any person the right to use any land or to erect or use any building thereon in any manner or for any purpose which is prohibited in any conditions against the title of transfer of the land or imposed in respect of the land under any law relating to the establishment of townships.

25. Title

This Scheme shall be known as the Lethlabile

TOWN PLANNING SCHEME, 1990.

**TRANSVAALSE
PROVINSIALE ADMINISTRASIE**



**TRANSVAAL
PROVINCIAL ADMINISTRATION**

NAVRAE • ENQUIRIES:

VERW • REF:

TEL:

T C VAN DYK

GO 15/8/2/1/349-5

326-7301 X129

015357

LANDMETER-GENERAAL
PRIVAATSAK/PRIVATE BAG X291
1993 -10- 21
PRETORIA 0001
SURVEYOR-GENERAL

DIE LANDMETER GENERAAL
PRIVAATSAK X291
PRETORIA
0001

18 OKTOBER 1993

Vir aandag: Mev van Zyl

STRAATSLUITING: LETLHABILE - EENHEID A

Aangeheg vind u dokumente onderteken deur die Administrateur soos benodig.

Vir u verdere afhandeling.

19

STREEKDIREKTEUR
GEMEENSKAPSONTWIKKELING
PRETORIA

LB217

WvZ

U.A.

TAM GEMEENSKAPSONTWIKKELING
DIREKTORAAT: STADS- EN STREEKBEPANNING (RES VAN TRANSVAAL)
LEERNOMMER: GO 15/16/3/349-1

UITVOERENDE KOMITEE

GOEDKEURING VAN WYSIGINGSKEMA KRAGTENS REGULASIE 21 VAN DIE
GRONDGEBRUIK- EN BEPLANNINGSREGULASIES (R1 888 VAN 10 AUGUSTUS
1990) VIR 'N GEDEELTE VAN 'N PAD, LETHABILE-EENHEID A

*Hulle sal die te
toestem
stuur
au*

OORWEEG:

'n Memorandum van die Beplanningsbeampte (Tak: Gemeenskaps-ontwikkeling) in bostaande verband.

BESLUIT:

DAT-

- 1) die aansoek om 'n gedeelte van 'n pad, Eenheid A, Lethabile te hersoneer vanaf "pad" tot "Besigheid" goedgekeur word onderworpe aan die volgende voorwaardes:
 - a) kostes as gevolg van dienste veranderings deur die applikant gedra word;
 - b) 'n volledige dienste en terreinontwikkelingsplan aan die beplanningsbeampte voorgelê word vir goedkeuring;
- 2) die skema in werking tree op die datum van die Kennisgewing in die Offisiële Koerant; en
- 3) Kaart 1 en die skemaklousules voorgelê word vir onder-tekening deur die Administrateur.

566P/1k

BESLUIT RESOLUTION	316	U.K.
1993-03-24		
<i>[Handwritten Signature]</i>		
SEKRETARIS / SECRETARY		

Benewens die voorwaardes uiteengesit in die Grondgebruik- en Beplanningsregulasies, 1990 is die erf ook aan die volgende onderworpe:

GEBRUIKSONE X "BESIGHEID"

- (a) Die erf mag gebruik word soos in die aansoek uiteen gesit.

In addition to the conditions as set out in the Land use and Planning Regulations, 1990 the erven shall also be subject to the following:

USE ZONE X "BUSINESS"

- (a) The erven may be used as set out in the application.

GEDEELTE VAN 'N PAD

LETHABILE B

[Handwritten Signature]
 BEPLANNINGSBEAMPTTE

APPROVED

GOEDKEUR

[Handwritten Signature]
 ADMINISTRATEUR

DATE 11/10/93

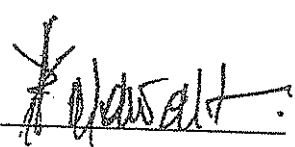
DATUM

LETlhABILE DORPSBEPLANNINGSKEMA, 1990

WYSIGINGSKEMA 1

Die Letlhabile Dorpsbeplanningskema, 1990 wat in werking getreë het op 10 Augustus 1990 kragtens Goewermentskennisgewing No. R.1888 van 10 Augustus 1990, word hiermee soos volg gewysig en verander:

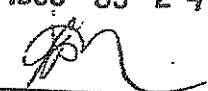
1. Deur die wysiging van die uitlegplan van die dorp Letlhabile, Eenheid A soos getoon op Kaart 1, Wysigingskema 1.
2. Deur die byvoeging van Bylae B tot die uitlegplan en die Skema.



BEPLANNINGSBEAMPTE


ADMINISTRATEUR

Erhvanvorm/3

BESLUIT RESOLUTION	316	U.K.
1993 -03- 2 4		
		
SEKRETARIS / SECRETARY		