

PERI-URBAN AREAS
TOWN PLANNING SCHEME
1975

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ADMINISTRATOR'S NOTICE 1515

27 August 1975

PERI-URBAN AREAS TOWN-PLANNING SCHEME, 1975

It is hereby notified in terms of section 36(1) of the Town-planning and Townships Ordinance, 1965, that the Administrator has approved the Peri-Urban Areas Town-planning Scheme, 1975.

The scheme clauses are filed with the Director of Local Government, Pretoria, and the Secretary, Transvaal Board for the Development of Peri-Urban Areas, Pretoria and are open for inspection at all reasonable times.

This scheme is known as Peri-Urban Areas Town-planning Scheme, 1975.

TRANSVAAL BOARD FOR THE DEVELOPMENT OF PERI-URBAN AREAS

PERI-URBAN AREAS TOWN PLANNING SCHEME

NOTE: This is a translated document and the Afrikaans version is, therefore, the official document.

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PERI-URBAN AREAS TOWN PLANNING SCHEME

1. DEFINITIONS

- 1.1 In this scheme, except where the context determines otherwise or it is otherwise expressly provided, the following words and expressions will have the respective meanings hereby assigned to them:
- 1.2 The definitions contained in section 1 of the Town Planning and Townships Ordinance, 1965 (Ordinance No. 25 of 1965) will mutatis mutandis apply to this scheme.
- 1.3 "ACCOMMODATION ESTABLISHMENT" means a building used or designed for the purposes of providing board, lodging and meals to human beings at a fee as defined in the Hotels Act, 1965 (Act No. 70 of 1965).
- 1.4 "AGRICULTURAL BUILDING" means a building designed for use in connection with and which may ordinarily be incidental to or reasonably necessary for the use of the property concerned as agricultural land, but does not include a "cultivation shed".
- 1.5 "AGRICULTURAL HOLDING" means a holding established in accordance with the Agricultural Holdings (Transvaal) Registration Act, 1919 (Act No. 22 of 1919) or any amendment thereof.
- 1.6 "ANNEXURE" means the plan on which the particulars of a specific portion of the area of this scheme are recorded and which is numbered and added at the end of these clauses.
- 1.7 "AREA" means the area defined in clause 2 hereof.
- 1.8 "BUILDING SITE" in relation to a building, means that portion of a area of a property covered or intended to be covered by a building, structure or any particular part thereof.
- 1.9 "BUSINESS BUILDING" means a building used or designed for use as a consulting room, show room, travel bureau, house agency, duplicating business and/or the businesses of a hair dresser, photographer and similar purposes but does not include a building defined in any other way in this scheme.
- 1.10 "BY-LAWS" means the by-laws of the local authority controlling the area at the given time.
- 1.11 "COMMERCIAL PURPOSES" means the utilisation of land or buildings for the use of any commercial or business activity except dwelling houses, flets, retail trade or manufacturing, and may with the consent of the Minister of Planning and the Environment include any activity or building which falls within the scope of a "factory" as defined in the Factories, Machinery and Building Work act, 1941 (Act No. 22 of 1941) and any amendment thereof, where such building or activity is complimentary or related to

the commercial - or trade activity and also includes such uses as offices in relation to the main commercial use exercised on the premises, distribution centres, wholesale, storage, warehouses, cartage, transport and laboratories.

- 1.12 "CONTROLLING AUTHORITY" in relation to a national road means the National Transport Commission and in relation to any other road, not under the control of a local authority, the Administrator.
- 1.13 "COVERAGE" means the portion of a property which is covered by buildings and is expressed as a percentage of the area of the property.
- 1.14 "CULTIVATION SHED" means a building or structure used or designed for the purposes of raising plants or animals and/or animal products, independently from the land outside the building, as for instance a building or structure used for the raising of mushrooms or chickens, laying or incubating of eggs (battery systems); for the purposes of this scheme such a building is not considered an "agricultural building".
- 1.15 "DESIGNATION" in relation to land is a reference to the purposes for which the land may be used and the manner in which, buildings may be erected and used on land and the expressions "use designation" "density designation" and "height designation" indicate the uses, maximum density and maximum height permissible on the land.
- 1.16 "DWELLING HOUSE" means a building designed for and/or used as a residence by one family together with such buildings as are reasonably accessory and/or necessary to and used in connection therewith.
- 1.17 "ERECTION OF A BUILDING" also includes the alteration or extension of a building.
- 1.18 "EXISTING USE" means an existing use of land or buildings which is not in accordance with the provisions of this scheme as defined in section 41 of the Town Planning and Townships Ordinance, 1965 (Ordinance No. 25 of 1965) or any amendment thereof.
- 1.19 "FAMILY" means a household composed in such a manner that all the members of the household are controlled and provided for solely by a single family head: Provided that, with the exception of unmarried children, every member of the household shall be a dependent, as defined in relation to a taxpayer in the Income Tax Act, No. 58 of 1962, of the said family head.
- 1.20 "FARM PORTION" means any portion of land which is not an erf, agricultural holding, road or street and which is registered as a separate unit in the Deeds Office.
- 1.21 "FLAT" means any suite of rooms not forming a single dwelling house but constitutes a complete dwelling unit designed for use by one family, and which forms part of a building consisting of two or more dwelling units.
- 1.22 "FLOOR SPACE RATIO (F.S.R.)" is the ratio obtained by dividing the total area of all storeys (except a basement, open roofs and

floor spaces solely utilised for the parking of motor vehicles or storage purposes for the residents of the building or buildings) of the proposed building or buildings, which area is measured across the outer walls and includes every form of space except decorations (such as steeples, spires and bell towers) and space reasonable or necessary for the cleaning, maintenance, care or mechanical equipment of the building, by the area of the erf, i.e.

$$\text{F.S.R.} = \frac{\text{total area of all floors of the building or buildings as set out above}}{\text{Total area of the erf}}$$

- 1.23 "FUNERAL PARLOUR" means a building used or designed for use as a mourning or funeral chapel and includes such other buildings designed for use in connection therewith and which is normally ancillary to or reasonably necessary for the business of a funeral undertaker.
- 1.24 "HEIGHT" means the height of a building expressed in the number of storeys of which it consists; provided that -
- (a) the height of one storey shall not exceed five (5) metres; and
- (b) towers, architectural features and basements, which are not designed for living, working, sleeping or storage purposes, shall not be regarded as storeys for the purposes of this scheme.
- 1.25 "HOTEL" means an accommodation establishment registered as an hotel in terms of the Hotels Act, 1965 (Act No. 70 of 1965).
- 1.26 "INDUSTRIAL BUILDING" means a building, other than a noxious industrial building, used or designed for use as a factory within the meaning of the Factories, Machinery and Building Work Act, 1941 (Act No. 22 of 1941) and any amendment thereof and includes an office or other building on the same property the use of which, in the opinion of the local authority, is incidental to or reasonably necessary in connection with the use of such factory.
- 1.27 "INDUSTRIAL USE" means such industrial and/or trade purposes (for example factories, warehouses, workshops and similar purposes) as approved by the local authority in writing and for purposes incidental therewith. No retail trade whatsoever may be conducted thereon or therefrom except as specified herein. The prohibition on retail trade as specified above, does not prohibit the owner of the property with the written consent of the local authority to sell on property goods which have been wholly or partially manufactured, processed or assembled on the property or an other goods which, although not manufactured, processed or assembled on the property, form part of or are connected to the sale of and/or used in or together with goods wholly or partially manufactured, processed or assembled on the property. For the purposes of this clause the expression "purposes incidental thereto" shall mean -

- (i) the erection and use on the property of buildings for residential purposes for managers and caretakers of works, warehouses or factories and, with the written consent of the Administrator after consultation with the local authority and subject to such conditions as imposed by the Administrator, provision can be made for the accommodation of an unqualified person as defined in the Group Areas Act, 1966 (Act No. 36 of 1966), such person being bona fide and essentially and full-time employed by the industry conducted on the property; and
- (ii) the erection of buildings to be used as offices or store-rooms by the owner or occupier of the property.

No restaurant, tearoom or Bantu eating-house shall be erected on the property except for the use of persons bona-fide employed by the industry conducted on the property.

- 1.28 "INSTITUTION" means a building used or designed to be used as a nursery school or crèche, public or charitable institution, hospital, nursing home, sanatorium or clinic, whether public or private, and may include a dispensary and consulting rooms coupled thereto, but does not include a reformatory and a school for the mentally handicapped.
- 1.29 "LOCAL AUTHORITY" means the Transvaal Board for the Development or Peri-Urban Areas.
- 1.30 "MAP" means the map marked "Map No. 3" and which can include the whole area or portions thereof as defined in the Regulations promulgated by Administrator's Notice No. 977, dated 21st December, 1965, and as amended from time to time.
- 1.31 "NOXIOUS INDUSTRIAL BUILDING" means a building used or designed for the purposes of conducting a noxious industry as in section 95(1) of the Local Government Ordinance, 1939 (Ordinance No. 17 of 1939) or any amendment thereof.
- 1.32 "OCCUPIER" in relation to any building, structure or land, means and includes anyone actually occupying such building, structure or land, or who is entitled thereto, or anyone in control thereof, and includes the agent or any person absent from the area or of unknown address.
- 1.33 "OFFICE" means a building used or designed to be used for administrative purposes and includes a bank, building society office or similar commercial establishment and professional consulting room but does not include any type of building referred to under the definition of a "public office".
- 1.34 "ORDINANCE" means the Town Planning and Townships Ordinance, 1965 (Ordinance No. 25 of 1965) or any amendment thereof.
- 1.35 "PLACE OF AMUSEMENT" means a building used or designed for use as a public hall, theatre, cinema, music hall, concert hall, billiard room, sports stadium, skatingrink or dance hall or any other purpose which may, in the opinion of the local authority, readily be included hereunder.

- 1.36 "PLACE OF INSTRUCTION" means a building used or designed for use as a school, college, university, academy, research institute, technical institute, lecture room, or other educational centre and includes a hostel in connection therewith, a convent, public library, art gallery, museum or gymnasium but does not include a building defined as an "institution".
- 1.37 "PLACE OF PUBLIC WORSHIP" means a building used or designed for use as a church, temple, chapel, oratory, cathedral, mosque, synagogue or other place of public devotion and includes a parsonage and a building used or designed to be used for the purposes of a Sunday School. It may also include any other building used or designed to be used for social gatherings and recreation on the same property and appurtenant to any of the foregoing buildings such as a church hall but does not include a "funeral parlour".
- 1.38 "PRIVATE OPEN SPACE" means any land used or reserved in terms of this scheme for use as a private sports, play and recreation ground or as an ornamental garden, but does not include a "Public Resort".
- 1.39 "PROPERTY" means a farm portion, erf or agricultural holding registered as a separate unit in the Deeds Office.
- 1.40 "PUBLIC GARAGE" means a building used or designed for the purposes of storing, selling, repairing and refuelling motor vehicles or for any one or more of these uses by trading or for gain and may include a stores section for the sale of motor accessories and spare parts but does not include a motor scrap yard or panel-beating business: provided that motor accessories and spare parts may not be displayed in such a manner as to be visible from any street.
- 1.41 "PUBLIC OFFICE" means a building used or designed for use as a government or municipal office and includes a court room, town hall, police station and post office.
- 1.42 "PUBLIC OPEN SPACE" means any portion of land used or reserved in this scheme for use by the public as an open space, park, garden, play or recreation area or square, but does not include a "Public Resort".
- 1.43 "PUBLIC RESORT" also means a place of rest, holiday place, caravan park, camping place and picnic place, but does not include a "Private Open Space".
- 1.44 "RESIDENTIAL BUILDING" means a building used or designed for human habitation together with such outbuildings as are ordinarily used in connection therewith and includes blocks of flats, semi-detached residences, tenements, boarding houses, accommodation establishments, residential clubs and hostels. It does not include a "dwelling house", "institution" or "place of instruction".

- 1.45 "SHOP" means a building used or designed for the purpose of conducting a retail business and includes an accompanying store-room and a small workshop which is reasonably necessary and incidental to the specific retail business.
- 1.46 "SOCIAL HALL" means a building used or designed for use for social gatherings, meetings and recreation and includes a freemason's, club building (without board and lodging) but does not include a "place of amusement".
- 1.47 "SPECIAL BUILDING" means a building used or designed for any use other than a use for which buildings defined herein are designed and which, in the opinion of the local authority, belongs in the use zone in which the building is to be situate.
- 1.48 "STREET" OR "ROAD" includes the whole or part of any street, road, bridge, sub-way, lane, alley, arcade, sanitary alley, servitude of right-of-way or passage indicated on an approved surveyor general diagram or general plan of a township or agricultural holdings or in respect of which the public or the local authority gained a right of thoroughfare, by way of superannuation or otherwise, and includes all land which is reserved, intended, designated or defined for the purposes of vehicular traffic in terms of any legal provision as well as the area taken up by a specific road reserve.
- 1.49 "WAREHOUSE" means a building used or designed for the purposes of storing goods and includes buildings for a trade which usually requires great areas such as the business of a wholesaler, cartage contractor, building contractor, building materials dealer, agricultural requisites dealer and/or a dealer in other heavy equipment.
- 1.50 "WORKSHOP" means a building used or designed for the purpose of conducting a retail business in goods manufactured, processed, assembled or repaired wholly or partially on the property and in any case a building not classified as a factory in terms of the Factories, Machinery and Building Work Act, 1941 (Act No. 22 of 1941) or any amendment thereof.
- 1.51 "ZONE" means a portion of the area, shown on the annexures to this scheme by means of distinctive colouring, hatching or edging or in some other distinctive manner for the purposes of indicating the restrictions imposed by this scheme on the erection and use of buildings or the use of land and the expressions "density zone", "use zone" and "height zone" mean the zones indicating the restrictions as to density, use and height of buildings, respectively.

2. AREA OF SCHEME

The area to which this scheme applies shall consist of the whole area over which the local authority has been appointed by the Administrator in terms of section 14(1) of the Transvaal Board for the Development of Peri-Urban Areas Ordinance, 1943 (Ordinance No. 20 of 1943) or any amendment thereof, including any area or areas added thereto in terms of section 14(2) of the foregoing ordinance, before commencement of

this scheme, but excluding land which by virtue of any law relating to mining is proclaimed or deemed to be proclaimed mining land or land on which prospecting digging or mining operations are being carried on or which refers to the erection of a dwelling or business in connection with mining-, digging - or prospecting operations, and within the areas of any draft, interim or proclaimed town planning schemes: Provided that the properties included in "Table A" also form part of the scheme area.

TABLE A

DESCRIPTION OF PROPERTY	AMENDMENT SCHEME NO.	DATE OF APPROVAL

3. RESPONSIBLE AUTHORITY

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

4. RESERVATION OF LAND

The several pieces of land indicated on the maps and as specified in column 1 of Table B, are reserved to be used for the respective purpose reflected in column 2 of the table and, except as hereinafter provided, shall not be used for any other purposes whatsoever except for municipal purposes:

TABLE B

Reference to reserved land on annexures to this scheme (1)	Uses for which land is reserved (2)
Hatched light green	Existing public open spaces <i>XVI</i>
Hatched dark green with numbers	Proposed public open spaces <i>XVII</i>
Hatched light green: broad end narrow lines	Existing private open spaces <i>XVIII</i>
Hatched dark green: broad and narrow lines with numbers	Proposed private open spaces <i>XIX</i>
Cross hatched light green	Existing cemeteries
Cross hatched dark green with numbers	Proposed cemeteries
Cross hatched brown	Bantu areas
Cross hatched green and brown	Sewage disposal works

Cross hatched blue and green with blue edging	Aerodrome
Edged green in broad lines	Mint
Edged brown in broad lines	Government purposes
Uncoloured and marked "SAR/SAS"	South African Railways
Coloured red and numbered	Proposed new streets and road widenings
Red lines with figures	Buildings lines

5. ROADS, STREETS AND BUILDING LINES

5.1 In any township established after the commencement of this scheme, or any subdivision allowed under this scheme, the corners of all new road junctions shall be splayed for a distance from the intersection of the road boundaries of $6 \cot \frac{a}{2}$ metres (calculated to the nearest metre) where "a" is the angle of the intersection of the road boundaries.

5.2 Except in cases where a building line is expressly provided for in the conditions of establishment or title deeds of a property or where a building line is laid down by the controlling authority in terms of the title deeds or other legislation, building lines shall be required along all streets and roads as determined by the local authority when permission is granted in terms of this scheme for the erection of a building or upon the approval of building plans. Such building lines shall in any event be based on the following general restrictions:

- (a) Farm Portions - 30 metres from the boundary of any road in respect of which a building line has not already been fixed and 5 m from any other boundary.
- (b) All other properties (excepting farm portions) - 7,5 metres from the boundary of any road in respect of which a building line has not already been fixed and in the case of agricultural holdings 5 m from any other boundary.

5.3 No building other than boundary walls, fences or temporary structures related to building operations shall be erected on the land between the building line and the road or street boundary: provided that the local authority may in its discretion permit the erection of a building in front of a building line, under the local authority's control and direction, if on account of the gradient of the property or adjoining land, or the proximity of other buildings already built in front of the building line, or as a result of other special circumstances, compliance with the requirements of the building line will unreasonably interfere with the development of the property.

5.4 No goods, merchandise, commodities or any other obstructions shall, without the permission of the local authority, be placed, kept or displayed on a property between the street boundary and the building line.

6. ERECTION AND USE OF BUILDINGS AND USE OF PROPERTY

6.1 The purposes for which buildings and properties -

- (a) may be erected and used
- (b) may be erected and used only with the special consent of the local authority upon following the procedure laid down in clause 7 of this scheme; and,
- (c) may not be erected and used;

in each of the use zones specified in Table D are shown respectively in the third, fourth and fifth columns of the table: provided that -

- (i) unless indicated differently on the annexures to this scheme, the whole area of the scheme shall be considered to be a use zone with a use designation of "undetermined", as specified in Table D;
- (ii) nothing in this scheme shall be construed as to prohibit any person from erecting or using any buildings on a property for any purpose distinctly authorised by the title deeds of the property, or specifically allowed by the controlling authority in terms of the title deeds of the property, or awarded by the Administrator in pursuance of any other legislation;
- (iii) a lawfully existing building or a lawfully existing use which is not in conformity with the provisions of this scheme may, subject to the provisions of section 41 of the ordinance, be maintained and used for its existing use only, but not for a different or similar use, and that it may be altered, extended or rebuilt on the same place and with the same floor space as occupied by the existing buildings and, further, that it may be extended vertically and/or horizontally with the special consent of the local authority in terms of clause 7 of this scheme but for the purposes of the existing use only: provided that such extensions shall only be considered if the granting thereof shall not be in conflict with fitting restrictions already imposed by other authorities unless the extensions have been endorsed by the relevant authorities;
- (iv) a property situate in any use zone shall, where applicable, over and above the provisions of the scheme, be entitled to the uses and further be subject to special conditions and restrictions in accordance with the requirements as shown in the annexures, and that the

foregoing conditions and restrictions shall apply if they are contrary to any other clause or provision of the scheme;

- (v) the local authority may grant consent uses on farm portions and agricultural holdings in accordance with the provisions of clause 7 of the scheme, on condition that the proposed uses shall not be situated within a distance of 5 km from a property on which a similar use exists or on which similar rights may lawfully be exercised;
- (vi) in cases where any restrictions in respect of the use of a property have been registered in the relevant title deeds and approval of such rights may be authorised by the Administrator by virtue of the removal, amendment or suspension of the restrictions, or may be allowed by the controlling authority or Townships Board, the consent of the local authority in terms of clause 7 of the scheme is not necessary;
- (vii) the following conditions shall apply to all erven in the area of the scheme;
 - (a) Neither the owner nor any other person shall have the right to make or permit to be made upon the erf for any purposes whatsoever any bricks, tiles or earthenware pipes or other articles of a like nature.
 - (b) Neither the owner nor any other person shall have the right save and except to prepare the erf for building purposes, to excavate therefrom any material or to continue an existing use without the written consent of the local authority.
 - (c) Except with the consent of the local authority no animal as defined in the Local Authorities Pounds Regulations, as published under Administrator's Notice No. 2 of 1929, shall be kept or stabled on the erf.
 - (d) Except with the written consent of the local authority no wood and/or iron buildings or buildings of unburnt clay brick shall be erected on the erf.
 - (e) Except with the written approval of the local authority and subject to such conditions as the local authority may impose, neither the owner nor any occupier of the erf shall sink any wells or boreholes thereon or abstract any sub-terrestrial water therefrom.
 - (f) Where 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 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 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;

(g) Provision must be made for the attractiveness and maintenance of the land and gardens to the satisfaction of the local authority.

(viii) in addition to the conditions set out in sub-clause (vii) hereof, all special residential erven in the area of the scheme shall also be subject to the following conditions:-

(a) The main building, which shall be a completed building and not one partly erected and intended for completion at a later date, shall be erected simultaneously with or before the erection of the outbuildings.

(b) If the erf is fenced, or otherwise enclosed, the fencing or other enclosing device shall be erected and maintained to the satisfaction of the local authority.

6.2 No person shall use any building or portion thereof, or cause or allow such building or portion to be used for any purposes other than that for which it was erected, unless such building has been adapted to such proposed new use and the necessary consent of the local authority has been obtained in terms of clause 7 of the scheme.

6.3 No property situated in any use zone shall be used for the purposes of a dumping ground, stock-yard, automobile demolition ground, scrap-yard, sewage disposal works or cemetery except with the written consent of the local authority in terms of clause 7 of the scheme.

6.4 Except with the written consent of the local authority in terms of clause 7 of the scheme the removal of soil, sand, gravel, stone or similar material shall not be permitted on any property and the local authority may in addition to any requirements which may be imposed under clause 7.3 of the scheme also require that guarantees be furnished that the surface shall be restored satisfactorily, as determined by the local authority.

6.5 No property situated in any use zone shall be used for the parking of trucks, trailers or similar vehicles, which are not used exclusively in connection with agricultural operations carried out on the property concerned, except with the written consent of the local authority in terms of clause 7 of the scheme.

6.6 No flats, as defined in this scheme, may be erected on farm portions and agricultural holdings within the area of the scheme.

7. CONSENT OF LOCAL AUTHORITY, ADVERTISEMENT AND APPEAL

7.1. Any person intending to apply to the local authority for its consent to erect and use a building or to use land wholly or partially for any purpose requiring the consent of the local authority in terms of clause 6 of the scheme shall, before making such application, publish at his own expense once a week for two consecutive weeks, both in English in an English newspaper and in Afrikaans in an Afrikaans newspaper circulating in the particular territory in each case, a notice of his intention to make such application and shall, simultaneous with the first advertisement, post and maintain conspicuously for fourteen (14) days a similar notice on some part of the building or property and shall together with such application, lodge with the local authority proof of such publication and posting; the notice and poster shall state that any person having any objections to the erection and/or use of the proposed building or to the proposed use of the land shall lodge such objections, together with the grounds therefor, with the local authority and with the applicant in writing within fourteen (14) days after the date of the last advertisement and shall further state where the plans, if any, may be inspected.

7.2 The local authority shall take into consideration any objections received within a period taken from the date of the first publication to fourteen (14) days after the date of the last publication and shall notify the applicant and the persons from whom objections were received of its decision, and the applicant and any of the persons aforesaid, if aggrieved by the decision, may appeal.

7.3 Subject to the provisions of clauses 7.1 and 7.2 hereof the local authority may, when application is made for its consent to use land or to erect and use a building in a use zone where a building of the proposed description may only be erected and used with the consent of the local authority, grant or refuse consent and in granting consent shall be entitled to impose such conditions as in its discretion may seem necessary for and appropriate to the use of the land or the erection and use of such building: provided that any concession granted thus by the local authority may at any time be suspended and/or revoked after a ninety (90) day period of notice if the conditions, subject to which approval was granted, are not complied with satisfactorily after the consent use has been exercised.

7.4 Any person aggrieved by the decision of the local authority or the imposition of any conditions under clause 7.3 may appeal.

7.5 Where objection against the granting of approval has been lodged with the local authority, the decision of the local authority shall only take effect after the expiration of twenty eight (28) days from the date on which the applicant and objectors were notified thereof, or, if an appeal has been lodged under the provi-

sions of these clauses, after such appeal has been finalised.

8. BUILDING PLANS, DRAWINGS, DETAILS AND EXTERNAL APPEARANCE OF BUILDINGS

8.1 The building and sewerage by-laws of the local authority and any amendment thereof shall, where not in conflict with the stipulations contained in this scheme, apply to the area of the scheme and plans must be submitted for the approval of the local authority in accordance with the stipulations of the said by-laws before any building work is commenced with; provided that this sub-clause shall not apply to dwelling houses and agricultural buildings erected on farm portions in extent twenty two (22) hectares and larger.

8.2 The external appearance of all buildings must, in accordance with the consideration of the local authority, comply with the requirements of good architecture so that the attractiveness of the area be not spoilt.

8.3 Subject to the provisions of clause 8.1 hereof no wood and/or iron buildings or buildings of unburnt clay brick or prefabricated buildings shall be erected in the area except with the written consent of the local authority.

9. ADVERTISEMENTS AND HOARDINGS

No advertisement hoarding shall be erected and no advertisement be displayed prior to obtaining the written consent of the local authority: provided that such applications shall not be considered in cases where any other legislation related to advertisements or advertisement hoardings is affected unless the approval of the relevant authority, in terms of the legislation concerned is produced.

10. BUILDINGS USED FOR MORE THAN ONE PURPOSE

10.1 When a building is used or a proposed building is designed for more than one use it shall for the purposes of clauses 1.1 to 1.51 hereof be considered as used or partly designed for each of those uses but for the purposes of the remaining provisions of this scheme it shall be considered as used or designed for the predominant use and the local authority may, and shall, if called upon to do so by the person in control or proposing to erect the building, decide which use predominates.

10.2 The local authority shall advise the applicant of any decision taken under clause 10.1.

11. NUMBER OF DWELLING HOUSES, CONSOLIDATION AND SUBDIVISION

11.1 No land shall be consolidated without the written consent of the local authority and no land shall be subdivided without the written consent of the local authority, except in cases where the consent of the Administrator, controlling authority or Minister of Agriculture is required and produced; and in granting a consent to subdivision or consolidation the local authority may impose

such conditions as, in its discretion may seem necessary with regard to sound development or any other matter with a bearing on the subdivision or consolidation.

11.2 The local authority shall not consent to the subdivision of property into portions smaller than those reflected on the density designation or on the annexures.

11.3 Except with the written consent of the local authority not more than one dwelling house may be erected on one property anywhere in the area, except when the approval of the controlling authority or Townships Board is required and produced: provided that the provisions of this sub-clause shall not apply to the usual housing on farm portions of non-European farm labourers.

12. PARKING, TURNING, LOADING AND OTHER SPACES

12.1 Any person erecting residential buildings, shops, business buildings, places of public worship, or other buildings in the area, whether in accordance with the use designation of the land or with the consent of the local authority shall provide parking spaces on the property in the following ratio -

12.1.1 Flats

- (a) Covered and paved parking in the ratio of one (1) parking space for every single bedroom unit as well as comma five (0,5) parking space for every additional bedroom per flat unit together with the necessary manoeuvring shall be provided on the erf for use by tenants.
- (b) Parking shall be provided for visitors in the ratio of one (1) parking space for every four (4) flat units.
- (c) Parked cars and parking areas shall be sited in such a manner as not to be seen from outside the erf.

12.1.2 Shops and Offices

- (i) Free, effective and paved parking shall be provided on the property in the ratio of six (6) parking spaces for every hundred (100) square metre gross rentable shop area.
- (ii) Effective and paved parking shall be provided on the property in the ratio of two comma five (2,5) parking spaces for every hundred (100) square metre office area. In addition hereto four (4) parking spaces shall be provided for every doctors consulting room.

12.1.3 Places of Public Worship

Parking shall be provided on the property to the satisfaction of the local authority in the ratio of one (1) parking space for every six (6) seats.

12.1.4 Commercial uses

Parking space shall be provided on the property for employees in the ratio of one comma five (1,5) parking spaces to a hundred (100) square metre gross floor area of commercial use and two (2) parking spaces to a hundred (100) square metre office area.

Parking for visitors and clients shall be provided on the property to the satisfaction of the local authority.

12.1.5 Industrial Uses

Parking for employees shall be provided on the property in the ratio of comma seven (0,7) parking space to a hundred (100) square metre gross industrial area and two (2) parking spaces to a hundred (100) square metre gross office area.

Parking for visitors and clients shall be provided on the property to the satisfaction of the local authority.

12.2 In addition to the abovementioned parking requirements, sufficient space for the movement and turning of motor vehicles shall be provided on the property to the satisfaction of the local authority.

12.3 Sufficient space for the loading and unloading of goods or for re-fuelling vehicles shall be provided to the satisfaction of the local authority for every building or portion thereof used or intended or designed for use as a residential building, institution, shop, business building, workshop, industrial building, noxious industrial building or public garage.

13. ENTRY AND INSPECTION OF PROPERTIES

13.1 Duly authorised officials of the local authority shall have the right, after giving at least forty eight (48) hours notice to the owner or occupier of any property within the area, to enter such property at any time between eight (8) o'clock in the morning and five (5) o'clock in the afternoon for the purposes of carrying out any inspection which the local authority may deem necessary or desirable for the enforcement of this scheme.

13.2 No person shall in any way whatsoever hinder, obstruct or interfere with a duly authorised official of the local authority in the exercise of the powers granted under clause 13.1.

14. APPEALS

- 14.1 Where an appeal against the decision of the local authority is made, the appeal shall be lodged with the Townships Board and written notice of the appeal shall at the same time be given to the local authority.
- 14.2 If the appeal is against a decision of the local authority such appeal shall be noted within twenty eight (28) days from the date reflected on the notice conveying the decision of the local authority.
- 14.3 If the decision is one which the local authority is required to give upon the application of any person or upon the submission by any person of plans and proposals, an appeal shall, in addition, lie against a refusal of the local authority to give, or an unreasonable delay on its part in giving a decision, as if it was an appeal against a decision of the local authority.

15. CONDITIONS ARE BINDING

- 15.1 Where consent is granted in terms of this scheme to erect any building or execute any works or to use any building or property for a specific purpose, or to do or conduct any other thing and conditions are imposed, the conditions shall have the same force and effect as if they were part of the scheme.
- 15.2 Where, in the execution of the scheme, any difficulties are experienced with the interpretation of a word, or definition or any clause of this scheme, the ruling of the local authority shall be decisive.

16. CONTRAVENTION OF SCHEME AND TITLE CONDITIONS

- 16.1 Any person who contravenes any provision of this scheme or fails to give effect to an instruction or notice issued in terms of the provisions of this scheme, or fails to comply with a condition imposed in terms of the provisions of the scheme, or knowingly allows such a thing to happen, shall in terms of this scheme be guilty of an offence.
- 16.2 No consent granted by the local authority in terms of 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 in any manner or for any purpose which is prohibited by any other legislation controlling the use of the property.

17. TITLE

This scheme shall be known as the Peri-Urban Areas Town Planning Scheme, 1975.

PPdJ/mc.

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TABLE C

1 2 3 5

USE ZONE	MAX. COVERAGE	F.S.R.s	HEIGHT	REMARKS
I. Residential No. 1 <i>1 person</i>	30%	0,3	2	
II. Residential No. 2 <i>20 units per 1/4 - 25</i>	40%	0,6	3	Not more than two storeys may be erected until the premises are connected to a public sewerage system.
III. Residential No. 3	30%	0,4	2	
IV. Business No. 1	40%	0,4	-	
V. Business No. 2	60%	1,0	-	Not more than two storeys may be erected until the premises are connected to a public sewerage system.
VI. Industrial No. 1	60%	1,2	-	Not more than two storeys may be erected until the premises are connected to a public sewerage system.
VII. Industrial No. 2	60%	1,2	-	Not more than two storeys may be erected until the premises are connected to a public sewerage system.
VIII. Industrial No. 3	60%	1,2	-	Not more than two storeys may be erected until the premises are connected to a public sewerage system.
IX. Commercial	80%	1,0	-	Not more than two storeys may be erected until the premises are connected to a public sewerage system.
X. General	40%	0,3	2	
XI. Special	See Annexures			
XII. Institutional	40%	0,3	-	See Annexures

opening

Density

TABLE C

1 USE ZONE	2 MAX. COVERAGE	3 F.S.R.#	4 HEIGHT	5 REMARKS
XIII. Agricultural	5%		2	
XIV. Undetermined	(.10%)		(1)	

*Floor space ratio
 Table/Built-upon-landlike gebiede (2)

USE ZONE	REFERENCE OR ANNEXURES	PURPOSES FOR WHICH BUILDINGS MAY BE USED AND ERECTED	USES FOR WHICH BUILDINGS MAY BE USED AND ERECTED ONLY WITH THE SPECIAL CONSENT OF THE LOCAL AUTHORITY	PURPOSES FOR WHICH BUILDINGS MAY NOT BE USED AND ERECTED
I Residential No. 1	Density colour.	Dwelling houses	Places of instruction Places of public worship Institutions Social halls Special buildings	Other uses not specified under columns 3 and 4
II Residential No. 2	Hatched orange over a density colour	Dwelling houses Block or blocks of flats	Places of public worship Social halls	Other uses not specified under columns 3 and 4
III Residential No. 3	Cross hatched orange over a density colour where indicated	Dwelling houses Block or blocks of flats	Places of public worship	Other uses not specified under columns 3 and 4
IV Business No. 1	Cross hatched black over a density colour where indicated	Shops Offices Professional rooms	Places of instruction Social halls, Places of amusement, Dry-cleaners, Fish Friers Fish mongers, Laundrettes, Bakeries, Confectioneries, Places of public worship	Other uses not specified under columns 3 and 4

TABLE D

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TABLE D (Continued)

USE ZONE	REFERENCE ON ANNEXURES	PURPOSES FOR WHICH BUILDINGS MAY BE USED AND ERECTED	PURPOSES FOR WHICH BUILDINGS MAY BE USED AND ERECTED ONLY WITH THE SPECIAL CONSENT OF THE LOCAL AUTHORITY	PURPOSES FOR WHICH BUILDINGS MAY NOT BE USED AND ERECTED
V Business No. 2	Hatched black; over a density colour where indicated	Shops Offices Professional rooms	Places of public worship; Places of instruction; Drycleaners and Fish Friers, Fish Mongers, Launderettes Bakeries Confectioneries Social halls Places of amusement	Other uses not specified under columns 3 and 4
VI Industrial No. 1	Cross hatched violet; over a density colour where indicated	Industrial uses	As defined	Other uses not specified under columns 3 and 4
VII Industrial No. 2	Hatched violet; over a density colour where indicated	Industrial uses	As defined	Offensive trades and other uses not specified under columns 3 and 4
VIII Industrial No. 3	Hatched violet, broad and narrow lines; over a density colour where indicated	Workshops Warehouses Public Garages	Industrial buildings Shops Special buildings Business buildings	Offensive trades and other uses not specified under columns 3 and 4
IX Commercial	Cross hatched green and red	Uses as defined		Uses as defined and other uses not specified under columns 3 and 4

Duplicate diskette (2) /mc/table

	REFERENCE	ANNEXURES	PURPOSES FOR WHICH BUILDINGS MAY BE USED AND ERECTED	PURPOSES FOR WHICH BUILDINGS MAY BE USED, AND ERECTED ONLY WITH THE SPECIAL CONSENT OF THE LOCAL AUTHORITY	PURPOSES FOR WHICH BUILDINGS MAY NOT BE USED AND ERECTED
X Special		Hatched black broad and narrow lines	See annexures	See annexures	See annexures
XI Institutional		Hatched blue	Institutions Places of public worship Places of instruction	Dwelling houses Residential buildings Special buildings Social halls	Other uses not specified under columns 3 and 4.
XII Educational		Cross hatched blue and orange	Places of instruction Places of public worship	Dwelling houses Residential buildings Institutions Special buildings	Other uses not specified under columns 3 and 4.
XIII Municipal		Cross hatched blue	Municipal purposes Public offices	Dwelling houses Places of public worship Places of instruction Institutions Special buildings	Other uses not specified under columns 3 and 4.
XIV Agricultural		Hatched brown, broad lines	Dwelling houses Agricultural buildings	Places of public worship, Places of instruction, Cultivation sheds, Special buildings	
XV Undetermined		Cross hatched orange and brown	Dwelling houses Agricultural buildings	All other uses (See clauses 6.1(c)(v) and 6.1(c)(vi) of Scheme)	

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TABLE C

1. USE ZONE	2. MAX COVERAGE	3. F.S.R.	4. HEIGHT	5. REMARKS
I. Residential No. 1 (1 per erf)	30%	0,3	2	
II. Residential No. 2 (20 - 25 units per ha)	40%	0,6	3	Not more than two storeys may be erected until the premises are connected to a public sewerage system.
III. Residential No. 3	30%	0,4	2	
IV. Business No. 1	40%	0,4	-	
V. Business No. 2	60%	1,8	-	Not more than two storeys may be erected until the premises are connected to a public sewerage system.
VI. Industrial No. 1	60%	1,2	-	Not more than two storeys may be erected until the premises are connected to a public sewerage system.
VII. Industrial No. 2	60%	1,2	-	Not more than two storeys may be erected until the premises are connected to a public sewerage system.
VIII. Industrial No. 3	60%	1,2	-	Not more than two storeys may be erected until the premises are connected to a public sewerage system.
IX. Commercial	80%	1,0	-	
X. General	40%	0,3	2	
XI. Special	See Annexures			See Annexures