

C O N T E N T S

PART 1: GENERAL

1.	CONTENTS OF THE SCHEME	1
2.	DEFINITIONS	1 - 12
3.	AREA OF SCHEME	12
4.	RESPONSIBLE AUTHORITY	12
5.	USE OF ANNEXURES	12 - 13
6.	PROTECTION OF EXISTING BUILDINGS	13

PART 2: STREETS, BUILDING LINES, BUILDING RESTRICTION AREAS AND LINES OF ACCESS

7.	LINES OF NO ACCESS	14
8.	BUILDING LINES	14 - 23
9.	RELAXATION AND OBSERVANCE OF BUILDING LINE REQUIREMENTS	23
10.	PHYSICAL BARRIERS	23 - 28

PART 3: BUILDING RESTRICTIONS AND USE LAND

11.	BUILDINGS USED FOR MORE THAN ONE PURPOSE	28 - 29
12.	ERECTION AND USE OF BUILDINGS OR USE OF LAND	29 - 43
13.	CONDITIONS APPLICABLE TO ALL ERVEN	43 - 45
14.	CONDITONS APPLICABLE TO RESIDENTIAL 2 ERVEN	45 - 47
15.	CONDITIONS APPLICABLE TO RESIDENTIAL 3 AND 4 ERVEN	47 - 48
16.	CONDITIONS APPLICABLE TO PUBLIC GARAGE ERVEN	49
17.	CONDITONS APPLICABLE TO TOWNSHIPS OR ERVEN IN DOLOMITE AREAS OR ON LAND WITH DETRIMENTAL SOIL CONDITIONS	49 - 51
18.	PARKING	51 - 54
19.	ADVERTISEMENT AND OBJECTIONS	54 - 55
20.	SAVING FOR SPECIAL PURPOSES	56 - 57
21.	TEMPORARY SIGNS FOR THE SALE OR LEASE OF SITES OR BUILDINGS	57
22.	NUMBER OF DWELLING HOUSES WHICH MAY BE ERECTED AND SUBDIVISIONS	57 - 60
23.	ALLOWANCE FOR SPLAYING OF CORNERS	60

24.	HEIGHT, COVERAGE, FLOOR AREA RATIO AND NUMBER OF DWELLING UNITS PER HECTARE	60 - 67
25.	RESTRICTIONS ON HEIGHT OF BUILDINGS	67 - 68
26.	RESTRICTION ON COVERAGE OF BUILDINGS	68
27.	FLOOR AREA RATIO OR NUMBER OF DWELLING UNITS PER HECTARE	69
PART 4: GENERAL AMENITY AND CONVENIENCE		
28.	REMOVAL OF INJURIOUS CONDITIONS IN PRIVATE GARDENS	69
PART 5: MISCELLANEOUS		
29.	BINDING FORCE OF CONDITIONS	69
30.	ENTRY AND INSPECTION OF PROPERTIES	70
31.	SERVICE OF NOTICES	70 - 71
32.	CONFLICT BETWEEN SCHEME, TITLE CONDITIONS AND TOWNSHIP CONDITIONS	72
33.	TITLE	72

VANDERBIJLPARK TOWN PLANNING SCHEME, 1987

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: STREETS, BUILDING LINES, BUILDING RESTRICTIONS AREAS AND LINES OF NO ACCESS

PART 3: BUILDING RESTRICTIONS AND USE OF LAND

PART 4: GENERAL AMENITY AND CONVENIENCE

PART 5: MISCELLANEOUS

2. DEFINITIONS

In this Scheme the following words and expressions have the respective meanings hereby assigned to them, except where the context otherwise required or it is otherwise expressly provided:

"Administrator" - the Administrator as defined in the ordinance.

"Agricultural building" - a building designed for use in connection with, and which is ordinarily incidental to, or reasonably necessary in connection with the use of the land on which the building is situated as agricultural land, and may include a dwelling house.

"Agricultural holding" - land laid out in terms of the Agricultural Holdings (Transvaal) Registration Act, 1919 (Act 22 of 1919).

"Agricultural land" - arable land, meadow or pasture land, market gardens, poultry farms and pig farms, land used for bee-farming, nursery gardens, plantations and orchards.

"Annexures to the Scheme" - an annexure as contemplated in clause 5.

"Area" - the area described in Clause 3 hereof.

"Basement" - any storey of a building which is below the level of the ground storey of the building.

"Board" - the Townships Board as established in terms of the provisions of the Ordinance.

"Building" - includes a construction or structure of any nature.

"Building line" - a line indicating the furthestmost boundary of a building restriction area from a street, proposed street, streetwidening, or any other boundary of a property other than a street boundary and which is at a stipulated distance from the boundary of a property.

"Building pit (shaft)" - a part of a building containing lift shafts, conveniences or enclosed stairs.

"Building restriction area" - an area wherein no building, except that permitted in the Scheme, may be erected.

"Builders yard" - land which is or buildings which are used for the storage of materials -

- (a) required for or normally used in building operations; or
- (b) derived from demolition or excavation or excavations operations; or
- (c) required or normally used for improvements to land, such as material for the construction of streets, the installation of essential services, or for any other building works, whether used for public or private purposes, or land or buildings used for the preparation for use of materials thus stored but does not include a builder's yard established for the purpose of temporarily storing such materials in connection with and for the duration of construction or building works, in the vicinity of such builder's yard and does not include the storage at a "Shop" or a "Warehouse".

"By-laws" - the municipal instructions or regulations which are in force within the Scheme

area by virtue of, section 2 of the Local Government Ordinance, 1939 (Ordinance 17 of 1939).

"Central Area" - is the area as indicated on Annexure 1.

"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 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 and which have been approved by the relevant Minister in terms of the Physical Planning Act, 1967 (Act 88 of 1967).

"Controlling Authority" - 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" - the area of a property covered by buildings measured over the external wall as seen vertically from above and expressed as a percentage of the area of the property.

"Domestic industry" - a use as defined under "Industry" where not more than seven (7) persons are employed on the premises, whether as directors, partners or employees but which is not a "Noxious activity".

"Drive-in restaurant" - land used or a building designed or used as a place of refreshment from where food and refreshments are served to clients who mainly remain seated in parked vehicles.

"Dwelling house" - a single detached dwelling unit.

"Dwelling unit" - means an interconnected suite of rooms which may not include more than one kitchen, designed for occupation and use by a single family and also includes such outbuildings and servant's quarters as are ordinarily incidental thereto.

"Erection of a building" - includes the structural alteration of or the making of any addition to a building other than a structural alteration which, in the opinion of the local authority, is of a

limited extent such as, inter alia 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.

"Erf" - as defined in the Ordinance

"Existing building" - a building erected in accordance with building plans approved by the local authority and which is otherwise lawful, the construction of which -

- (a) completed on or before the "Fixed date"; or
- (b) was, in the opinion of the local authority, commenced within a reasonable time before the "Fixed date", but was completed thereafter; or
- (c) was completed in accordance with the conditions of any permission granted by the local authority pending the preparation and coming into force of the Scheme.

"Existing erf" - any erf as defined in the Ordinance and includes any portion of an erf the subdivision of which was approved prior to the "Fixed date" and is registered in a Deeds Registry.

"Existing use" - as defined in section 41 of the Ordinance.

"Family" - a man or women, or both, with or without their parents, and with or without the children of one or the other or both, who all live together.

"Filling station" - land used or a building designed or used for the purposes of fuelling, washing, polishing and lubricating of motor vehicles, including incidental and routine maintenance but excluding a "Public Garage", panelbeating, spray-painting and any major repairs.

"Fixed date" - the date on which the Administrator gave notice in the Provincial Gazette that this Scheme had been approved.

"Floor area" - the sum of the gross area occupied in a building at the floor level of each storey:

Provided that in the calculation of the floor area the following areas shall not be included:

- (a) Unroofed buildings, open roofs and areas occupied by external fire-escapes;
- (b) parking spaces for the occupants of the building;
- (c) entrance passages and corridors (excluding entrance halls, porches and corridors in a dwelling unit or a residential building where such entrance halls, porches and corridors are not enclosed by outer walls or windows);
- (d) accommodation for the lift motors and other mechanical or electrical equipment necessary for the proper use of the building;
- (e) housing for servants on the roof of a building: Provided that the floor area thus excluded shall not exceed three percent of the permissible floor area of such building;
- (f) a verandah or balcony in a building: Provided that such verandah or balcony shall not be enclosed except by means of a parapet at most one metre (1 m) high or a wire gauze screen; and
- (g) areas reasonably used for the cleaning, maintenance and care of the building or buildings, except dwelling units for supervisors, cleaners and caretakers.

"Floor area ratio" or "F.A.R." - the ratio obtained by dividing the floor area of a building or buildings by the total area of the property on which the building is erected, thus -

F.A.R. = $\frac{\text{Floor area of a building or buildings}}{\text{Total area of the property on which the building(s) is erected.}}$

"Ground floor" - the storey on which there is an entrance or entrances to the building from the lowest natural ground level.

"Gross leasable floor area" - means the floor area designed for occupation and control by a lessee, or which is suitable for such purpose, measured

from the centre line of joint partitions and/or the outer surface of external walls.

"Hotel" - a building which is registered as an hotel in terms of section 1 of the Hotels Act, 1965 (Act 70 of 1965).

"Industry" - a factory as defined in the Factories, Machinery and Building Works Act, 1941 (Act 22 of 1941) and a works as defined in the Mines and Works Act, 1956 (Act 27 of 1956) and including offices which are directly related to and subservient to the main use conducted on the property.

"Institution" - a building designed and used as a public institution or charitable institution, hospital, nursing home, sanatorium, clinic whether public or private, but does not include institutions which primarily use offices or which primarily perform administrative work.

"Land" - also includes land covered by water.

"Light industry" - an "industry" in which the power source is such that no single motor is rated at more than 3 kW with a total maximum of 24 kW for all motors: Provided that a total demand of 49 kVa on the site shall not be exceeded and the maximum number of workers actively engaged on the site shall be restricted to twenty (20).

"Living room" - a room designed or used for human occupation in accordance with the standards prescribed in the By-Laws, but does not include a storeroom, a kitchen, a scullery, a toilet, a bathroom or a passage.

"Local authority" - the City Council of Vanderbijlpark.

"Map" - the Scheme map marked "Map 3" as defined in the Regulations and as amended from time to time by any approved amendment scheme.

"Motor sales market" - land used, with or without buildings, for the sale or display of vehicles, but does not include any form of workshop.

"Municipal purposes" - 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 law.

"Noxious industry" - panel-beating, spray-painting, blood boiling, bone boiling, tallow melting, fat melting or extracting, soap boiling, tripe boiling or cleaning, skin storing, bone storing, fellmongering, skin curing, blood drying, gut scraping, leather dressing, tanning, glue making, size making, charcoal burning, brick burning, lime burning, manure making, manure storing, parchment making, malt making, yeast making, cement works, coke ovens, salt glazing, sintering of sulphur bearing materials, viscose works, smelting of ores and minerals, calcining, puddling and rolling of iron and other metals, conversion of pig iron into wrought iron, reheating, annealing, hardening, forging, converting and carburising iron and other metals, works for the production of, or which employ, carbon bisulphide, cellulose lacquers, cyanogen or its compounds, hot pitch of bitumen, pulverised fuel, pyridine, liquid or gaseous sulphur dioxide and sulphur chlorides, works for the production of amyl-acetate, aromatic ethers, butyric acid, caramel, enamelled wire, glass, hexamine, iodoform, lampblack, B-naphthol, resin products, salicylic acid, sulphonated organic compounds, sulphur dyes, ultramarine, zinc chloride and zinc oxide and oil refining and works dealing with the processing or refining of petrol or oil or their products:

Provided that:

- (1) when a certificate, issued by the Medical Officer of Health of a local authority in consultation with the Inspector of Factories, is produced, declaring that the process intended to be used in connection with any of the foregoing activities or factories will eliminate all nuisances or threats to the health in the neighbourhood due to:
 - (a) vapour or effluvia;
 - (b) fluids or liquid wastes originating from the property if it is the intention to purify the wastes according to the soil treatment method, the piece of land and its position in relation to streams or water courses must be mentioned; and
 - (c) solid waste material,

the local authority may consent to the erection of such a building in Industrial Zones 1 and 3.

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

"Office" - a building or part of a building which is used for or designed to be used for administrative, clerical or professional purposes and includes a bank, building society and an insurance society.

"Ordinance" - the Town Planning and Townships Ordinance, 1965 (Ordinance 25 of 1965), as amended.

"Outbuilding" - a building other than the main building which, in the opinion of the local authority, is ordinarily necessary in connection with the use of the main building.

"Owner" - in relation to a building or land -

- (a) the registered owner;
- (b) the holder of a stand licence;
- (c) a lessee by virtue of a lease which is registered by law;
- (d) the person who administers the estate of any person mentioned in (a), (b) or (c) above, whether as executor, administrator, guardian or in any other capacity;
- (e) any person who receives payment from any occupant or other person who would receive payment should such building or land be leased, whether for his own account or as agent for any person who is entitled thereto or who has an interest therein; and
- (f) a properly authorised agent of such owner as determined in (a) to (e) above.

"Parking garage" - land used or a building designed or used exclusively for the parking of motor vehicles not being for trade or sale.

"Place of amusement" - land used or a building designed or used as a public hall, theatre, cinema, music-hall, concert hall, billiard saloon, sports stadium, skating rink, dance hall or for other recreational purposes, or for trade or industrial exhibitions with a view to profit.

"Place of instruction" - a building designed for use or used as a school, college, technical college, lecture hall, institute, or other educational centre and includes a crèche, a convent or monastery, a public library, art gallery, museum or gymnasium.

"Place of public worship" - a building designed for use, or used as a church, chapel, oratory, house of worship, synagogue or other place of public devotion, and includes a building designed and used as a place of religious instruction or an institution on the same property as and associated with any of the foregoing buildings which is intended to be used for social intercourse and recreation but shall not include a funeral chapel which shall be deemed to be a "Special use".

"Place of refreshment" - includes a restaurant, tearoom or coffee-shop and means a building which is not an hotel, residential club, drive-in restaurant or boarding house, but which is designed and used for the preparation or the retail sale of meals, refreshments, as well as the retail sale of fresh produce, mineral waters, tobacco, reading material and sweets.

"Podium" - the lower section of a building immediately above ground level but not exceeding three (3) storeys, which serves as a platform for a superstructure and which is wider than such superstructure.

"Private club" - land used or a building designed to be used as a private meeting-place for a group of people with a collective aim.

"Private open space" - land zoned for use as private grounds for sport, play, rest, and recreation area or as an ornamental garden to which the general public will have no admission, except with consent.

"Property" - any portion of land which is registered as a separate unit in a Deeds Registry.

"Public garage" - a building which, for the purpose of reward, is used for the maintenance, repair or fuelling of vehicles and associated purposes, excluding panel-beating and spray-painting, and may include any one or more of the following uses: parking, or storage of vehicles, the sale of spare parts, accessories, fuels and lubricants for vehicles as well as the sale of new or used vehicles.

"Public open space" - land zoned for use by the public as an open space, and includes a park, garden, playground, recreation park or square.

"Regulations" - the Townplanning and Townships Regulations published by the Administrator in terms of the Ordinance.

"Residential building" - a building, other than a "dwelling house" or "hotel", designed for use, or used for human habitation, and includes a boarding house, a residential club, a hostel or tenements but does not include any building mentioned whether by way of inclusion or exclusion in the definitions of "Place of instruction", "Institution" and "Dwelling unit".

"Retail trade" - any trade other than "Wholesale trade" as defined in this Scheme.

"Scrap-yard" - land or building used as a junk-yard or scrap-yard for the dismantling, stacking, storing or preparation for resale of any used material, scrap metals, scrap vehicles, scrap machinery, or any other scrap materials, whether or not such dismantling or storage with a view to the disposal or re-use of such scrap.

"Service industry" - a use which, in the opinion of the local authority, is a small scale industrial activity 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 be of nuisance value by virtue of noise, appearance, smell or activities or for any other reason whatsoever, but excludes a "Public garage" and "Filling station".

"Shop" - land used or a building designed or used for the purposes of carrying on retail trade and the necessary accompanying storage and packaging,

and includes any accompanying use on the same site which is incidental and subordinate to the conduct of the retail business: Provided that such accompanying storage and packaging and accompanying use shall not give rise to any disturbance or nuisance. The following uses shall not be considered as incidental to a "Shop": A "Noxious activity", "Drive-in restaurant", "Place of refreshment", "Scrap-yard", "Commercial use", "Warehouse", "Public garage", "Filling station", "Parking garage", "Place of amusement", "Motor sales market" and a fish fryer.

"Site" - includes the area of any building, yard, courtyard or garden.

"Site Development Plan" - a plan which shows the proposed development of a property and any salient natural features thereof.

"Slab block" - a building or that part of a building erected upon a podium, which has its one axis longer than the other and may include a projecting service core sited approximately at the middle of the longer side, or, with the consent of the local authority, in any other position.

"Social hall" - a building designed for use as or used for social assemblies, gatherings, meetings and recreational purposes and includes a masonic temple and a non-residential club but does not include a "place of amusement".

"Special consent" - the written consent of the local authority granted in terms of the provisions of clause 18 (Advertisements and Objections) of the Scheme.

"Special use" - land used or a building designed or used for any use other than one of the uses defined in this Scheme or mentioned in any definition.

"Storey" - the space in a building between one floor level and the following floor level or ceiling or roof above.


"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, or in respect of which the public has acquired a right of way by prescription or any other means.

"Warehouse" - a building or use of land for the exclusive purpose of storage of goods, which in the opinion of the local authority are not dangerous, noxious or unsightly, and includes wholesale trade, and may also include ancillary office accommodation which is subsidiary to the main use, but excludes any retail trade on the property of such building, unless the special consent of the local authority has been obtained.

"Wholesale trade" - trade which is restricted to the sale of goods or products to licenced retailers.

"Zone" - a part of the area of this Scheme, shown on the Map, by means of a distinctive notation or edging, or other distinctive manner for the purpose of indicating the restrictions imposed on the erection and use of buildings or the use of land, and the expressions "Density Zone", "Use Zone" and "Height Zone" mean zones indicating restrictions as to density, use and height of buildings respectively.

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 condition, restriction or provision in the Scheme.
- (3) An annexure contemplated in sub-clause (1) shall consist of -
- (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 Map 3 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, other than existing buildings in terms of section 41 of the Ordinance, shall not be affected 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.

PART 2

STREETS, BUILDING LINES, BUILDING RESTRICTION
AREAS, LINES OF NO ACCESS AND PHYSICAL BARRIERS

7. LINES OF NO ACCESS

Entrance to and exit from a property or to a public street or road where it is prohibited across any boundary line, shall be shown on the Map by the following symbol  :

Provided that the local authority may, on receipt of a written application, relax the access restriction subject to such conditions as it may deem desirable, if as a result of exceptional circumstances, observance of the access restriction would interfere with the development of the property to an unreasonable degree: Provided further that no such relaxation shall be granted in respect of entrance to or exit from a property from or to a provincial or national road without the approval of the "Controlling authority".

8. BUILDING LINES

- (1) No building or structure other than boundary walls, fences or temporary buildings or structures which are required in connection with building operations being executed on the property shall be erected within any building restriction area.
- (2) Any building line along a proposed new road or widening shall be measured from that boundary of such proposed road or widening which is the common boundary of the road or widening and the remaining part of the property to which the building line applies.
- (3) Building lines applicable to any erf or property shall be as shown on the map or annexure or in Tables "A", "B" or "C" hereunder as the case may be:

TABLE "A"

Use Zones (1)	Building line in metres		
	on street boundaries (2)	on rear boundaries (3)	on other boundaries (4)
Residential 1 and 2	5		2
Residential 3 and 4	8		2
Business 1, 2, 3 and 4	5		-
Industrial 1, 2 and 3	6		-
Commercial	6		-
Public Garage	8	5	5
Agricultural	10	5	5
All other Use Zones	5	5	5

Provided that -

- (a) in respect of the streets and portions of streets or erven designated in column (2) of Table "B", the applicable building line shall be as shown in column (3) of the said table.

TABLE "B"

Township, farm or agricultural holding (1)	Street, portion of street or erf number (2)	Building line in metres (3)
Lasiandra Agricultural Holdings	All streets	30
Mantervrede Agricultural Holdings	All streets	30
Staalrus Agricultural Holdings	All streets	35
Stefano Park Agricultural Holdings	All streets	30
Stefano Park Extension 1 Agricultural Holdings	All streets	30
Stefano Park Extension 2 Agricultural Holdings	Holding 118	7,5
	All other streets	30
Stefano Park Extension 3 Agricultural Holdings	All streets	30
Sylviavale Agricultural Holdings	All streets	30
Vanwaartshof Agricultural Holdings	All streets	30
Sub-division of the farm Zuurfontein 591-IQ (Known as Barnastaal) Portions 49 - 62 and Remainder 31)	From the centre of the road	100

(1)	(2)	(3)
Bonanné	Erf 21 abutting on streets Erven 334, 335 and 336 Abutting streets Other boundaries	5 8 5
Flora Gardens	Erven 159,160 and 164 abutting streets Other boundaries Erf 163 abutting all boundaries	 8 5 8
Vanderbijl Park Central East 1	All streets	6
Vanderbijl Park Central East 2	All streets	6
Vanderbijl Park Central East 3	All corner erven abutting streets All other streets	4 6
Vanderbijl Park Central East 4	All streets	6
Vanderbijl Park Central East 5	Erf 27 - abutting streets Other boundaries All other streets	10 6 6
Vanderbijl Park Central East 6 Extension 1	All streets	3
Vanderbijl Park South East 1	All streets	6
Vanderbijl Park South East 2	Erven 518 and 519 abutting streets Other boundaries All other streets	8 5 6

(1)	(2)	(3)
Vanderbijl Park South East 3	All streets	5
Vanderbijl Park South East 6	All streets	6
Vanderbijl Park South East 7	All streets	8
Vanderbijl Park Central West 1	All streets	6
Vanderbijl Park Central West 2	All streets	6
Vanderbijl Park Central West 3	All streets	6
Vanderbijl Park Central West 4	All streets	6
Vanderbijl Park Central West 5	All streets	6
Vanderbijl Park Central West 5 Extension 1	All streets	6
Vanderbijl Park Central West 6	All streets	6
Vanderbijl Park Central West 6 Extension 1	Erf 600 abutting northern boundaries abutting western boundaries All other streets	7,62 15,24 6
Vanderbijl Park Central West 6 Extension 2	All streets	6

[illegible]

[illegible]

[illegible]

- (b) the building lines indicated in Table "C" shall apply to the erven and properties designated therein and such building lines shall not be relaxed, modified or amended in any way whatsoever without the written consent of the relevant "Controlling Authority".

TABLE "C"

Description of property (1)	Applicable position (2)	Building line in metres (3)
Staalrus Agricultural Holdings	Abutting Road P156-3	36,21
Stefano Park Agricultural Holdings	Abutting Road P156-3	59,82
Stefano Park Agricultural Holdings Extension 1	Abutting Road P156-3	59,82
Vanderbijl Park South West 2 Erf 403 Erven 397, 404	Abutting Road P155-1 Abutting Road P155-1 Abutting William Nicol Street	30 30 16
Erven 258 - 269	Abutting William Nicol Street	16
Vanderbijl Park South West 5 Extension 3 Erf 1338	Abutting Road P155-1	16
Vanderbijl Park South West 5 Extension 4 Erf 1316	Abutting Road P155-1	16
Flora Gardens Erven 1 - 32	Abutting Road P155-1	15

[illegible]

9. RELAXTION AND OBSERVANCE OF BUILDING LINE REQUIREMENTS

The local authority may on written application by the owner -

- (1) subject to the provisions of proviso (b) to clause 8(3) -
 - (a) permit the erection of a building in the building restriction area in the case of corner erven or if, due to the gradient of the property or of the adjoining land, or the proximity of buildings which have already been erected in front of the building line, compliance with the building line requirements will hamper the development of the property to an unreasonable extent;
 - (b) relax the building restriction area for erven zoned Residential 2, 3 and 4 on consideration of the site development plan, if such relaxation would, in its opinion, result in an improvement in the development of the erf;
 - (c) permit the erection of a swimming pool or a tennis court within the building restriction area; and
 - (d) relax the building line on any boundary other than a street boundary of any erf upon consolidation of such erf with an adjoining erf.

10. PHYSICAL BARIERS

Physical barriers as indicated in Table "D" shall be erected and maintained to the satisfaction of the Controlling Authority.

TABLE "D"

Description of Property (1)	Applicable Position (2)	Physical Barrier (3)	National Road/ Provincial Road (4)
Bonanné 434 tot 442 en 450 451	South-east boundary North-west boundary	1,3m high wire fence 1,3m high wire fence	Service road number 3 Service road number 3
Vanderbijl Park Central West 6 Extention 1 96	South and south-west boundary	1,3m high wire fence	P156-2
Vanderbijl Park Central East 6 Extension 2 199	West and south boundary	1,3m high wire fence	Andries Potgieter Boulevard
Vanderbijl Park South West 2 George Grey Street 404 397 403	West boundary West and south boundary West boundary West boundary	1,3m high wire fence 1,3m high wire fence 1,3m high wire fence 1,3m high wire fence	P155-1 P155-1 P155-1 P155-1
South West 5 Extention 4 1316	West and south boundary	1,3m high wire fence	P155-1

[illegible]

[illegible]

(1)	(2)	(3)	(4)

PART 3

BUILDING RESTRICTIONS AND USE OF LAND

11. BUILDINGS USED FOR MORE THAN ONE PURPOSE

- (1) Where a building is used, or a proposed building is designed, for more than one use it shall for the purpose of clauses 11, 17, 18 and 23 (erection and use of buildings or use of land, parking, advertisement and objections, height, coverage, floor area ratio and number of dwelling units per hectare) hereof, be treated as being used

or partly designed for each of those uses but for the purposes of the other provisions of this part of the Scheme, it shall be treated as though it were being used or designed for its predominant use and the local authority shall, when considering a building plan, or if the person having control of the erection of a building, or proposing to erect a building makes an application for that purpose, decide which is the predominant use.

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

12. ERECTION AND USE OF BUILDINGS OR USE OF LAND

- (1) This clause does not prohibit the erection of entrance structures (other than entrance halls and entrance passages), pergolas, garden ornaments, garden walls and fences.

- (2) (a) The purpose for which buildings may in each of the use zones specified in Table "I":

- (i) be erected and used;




- (ii) be erected and used only with the special consent of the local authority; or



- (iii) not be erected and used;


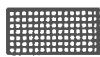

are shown in the third, fourth and fifth columns of the said Table.





- (b) For the purpose of this clause the expressions "the erection and use of building" includes the use of land.

TABLE "E"



Use Zones	Notation as shown on the A Series of the Map	Buildings which may be erected and pur- poses for which they may be used with the special consent of the local authority	Buildings which may be erected and pur- poses for which they may be used only	Buildings which may not be used or erected
(1)	(2)	(3)	(4)	(5)
1. Residential 1		Dwelling houses	Places of public worship, places of instruc- tion, social halls, institu- tions, special uses	Buildings not in columns (3) and (4)
2. Residential 2		Dwelling units	Places of public worship, places of instruc- tion, social halls, institu- tions, special uses	Buildings not in columns (3) and (4)
3. Residential 3		Dwelling units	Special uses, hotels, social halls, places of public worship	Buildings not in columns (3) and (4)





(1)	(2)	(3)	(4)	(5)
4. Residential 4		Dwelling units, residential buildings	Hotels excluding an off-sales places of public worship, places of instruction, social halls, institutions, special uses, places of refreshment	Buildings not in columns (3) and (4)
5. Business 1		Places of refreshment, shops, hotels, dwelling units, residential buildings, places of public worship, places of instruction, social halls, public garages, dry-cleaners and offices	Buildings not in columns (3) and (5)	Noxious industries




(1)	(2)	(3)	(4)	(5)
6. Business 2		Places of refreshments, shops, dwelling units, dry-cleaners and offices	Buildings not in columns (3) and (5)	Noxious industries, industries (Excluding dry-cleaners), warehouses and public garages
7. Business 3		Places of refreshment, shops, offices and dry-cleaners	Laundrettes, places of instruction, social halls, places of amusement, places of public worship, special uses, confectioners and fish fryers	Buildings not in columns (3) and (4)
8. Business 4		Offices, dwelling units, residential buildings, social halls, places of instruction, places of public worship and places of refreshment	Special uses, institutions and shops	Buildings not in columns (3) and (4)






(1)	(2)	(3)	(4)	(5)
9. Special		As shown on relevant Annexure	As shown on relevant Annexure	Buildings not in columns (3) and (4)
10. Industrial 1		Industries, (Excluding noxious industries) public garages, places of refreshment for own employees only, and ware houses	Buildings not in columns (3) and (5)	Noxious industries dwelling units, residential buildings and hotels
11. Industrial 2		Industries noxious industries and places of refreshment for own employees only, and warehouses	Buildings not in columns (3) and (5)	Dwelling units, hotels and residential buildings
12. Industrial 3		Such industrial or commercial purposes (excluding noxious industries) as the local authority	Special uses	Buildings not in columns (3) and (4)




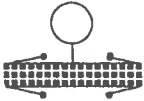
(1)	(2)	(3)	(4)	(5)
		<p>may approve in writing, places of refresh- ment for own employees only, offices and other uses supple- mentary to and directly related to and sub- servient to the main use, retail trade in goods which are entirely or part- ially manufac- tured processed or assembled on the property, or any other goods which although not manu- factured, processed or assembled</p>		

(1)	(2)	(3)	(4)	(5)
		on the property form part of or are connected to the sale of or are used in or together with goods which are entirely or partially manufactured, processed or assembled on the property		
13. Commercial		Commercial uses, places of refreshment for own employees only	Retail trade which is directly related to and subordinate to the main commercial use special uses	Buildings not in columns (3) and (4)
14. Institutional		Institutions, places of public worship and places of instruction	Social halls, special uses, dwelling units, residential buildings related to the main use set out in column (3)	Buildings not in columns (3) and (4)

(1)	(2)	(3)	(4)	(5)
15. Educational		Places of instruction, social halls and places of public worship	Dwelling units, institutions and special uses	Buildings not in columns (3) and (4)
16. Amusement		Places of amusement and social halls	Places of instruction, special uses and places of refreshment	Buildings not in columns (3) and (4)
17. Municipal		Municipal purposes, agricultural buildings and agricultural land	-	Buildings not in column (3)
18. Agricultural		Agricultural buildings and agricultural land	-	Buildings not in column (3)

(1)	(2)	(3)	(4)	(5)
19. Public garage		Public garage	Places of refreshment, dwelling unit for caretaker, special uses, panel-beating and spray-painting work-shops (except in an area which, in the opinion of the local authority is a residential area)	Buildings not in columns (3) and (4)
20. Parking		Parking garage	Rest rooms and public conveniences	Buildings not in columns (3) and (4)
21. Public open space		Parks, public sport and recreation grounds, public open space, gardens, play parks and squares	-	Buildings not in column (3)

(1)	(2)	(3)	(4)	(5)
22. Private open space		Private open space and only one dwelling unit for a caretaker	Private clubs, agricultural buildings, agricultural land, nurseries and special uses	Buildings not in columns (3) and (4)
23. Cemetery		Cemetery	Special uses	Buildings not in columns (3) and (4)
24. Sewerage farm		Sewerage farm	Agricultural buildings and agricultural land	Buildings not in columns (3) and (4)
25. Aerodrome		Aerodrome and buildings necessary for the use of the aerodrome	Dwelling units for key personnel, places of refreshment, shops, commercial and special uses which are sub-servient and related to the uses mentioned in column (3)	Buildings not in columns (3) and (4)
26. Government		State purposes	-	-

(1)	(2)	(3)	(4)	(5)
27. S.A.R.		Railway purposes	-	Buildings not in column (3)
28. Reservoir		Reservoir and buildings in connection therewith	-	Buildings not in column (3)
29. Existing Public roads		Street or road	-	-
30. Proposed new roads and widenings		Proposed new roads and widenings	-	-

Provided that -

(i) A dry-cleaner practising his trade in Use Zones 5, 6, or 7 shall be subject to the following conditions:

(aa) Only chemicals of a non-flammable or non-explosive character as approved by the local authority shall be used in the cleaning process.

(bb) Steam and hot water shall be provided by means of electric boilers only or, with the local authority's consent, by means of gas or automatic oil operated boilers.

- (cc) The public shall not be allowed in the work section which shall be partitioned off from public view.
- (dd) Provision for the disposal of fumes shall be made to the satisfaction of the local authority.
- (ii) A fish monger or a fish fryer shall provide equipment and storage facilities to the satisfaction of the local authority and shall take measures to the satisfaction of the local authority to prevent or limit any smoke, fumes, smells or nuisance.
- (iii) 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:
 - (aa) The erection and use of temporary buildings or the use of existing buildings for purposes of site offices, storerooms, workshops or such other uses as are, in the opinion of the local authority necessary during the construction of only permanent building or structure on the land: Provided that such consent shall ipso facto lapse upon completion of the permanent building or structure.

(bb) The ad hoc use of land or buildings for concerts, fairs, circuses, bazaars, or public gatherings.

(cc) 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.

(iv) The sale of sand, stone, cement, timber, firewood, coal, bulk building supplies and bulk supplies of petroleum products may be permitted by the written consent of the local authority in use zones 10 and 11.

(3) 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 therefore.

(4) Subject to the provisions of clause 18 (Advertisement and objections) hereof, 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.

- (5) 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.
- (6) Nothing herein contained shall be deemed to grant exemption from any of the local authority's by-laws not inconsistent herewith.
- (7)
 - (a) No person shall spoil or waste land in Use Zones 21, 22, 23, 24, 28 and 30 so as to destroy or impair its use for the purpose for which it is zoned.
 - (b) No "Proposed new road and widening" shall be deemed to be a public street until it or any portion thereof falls within any township which may be established on the land traversed by such proposed road or widening, or it is proclaimed as a public road, or until it vests in the local authority for that purpose under any law.

13. 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 Zones 10, 11 and 12 (Industrial 1, 2 and 3).)
- (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: 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 of buildings, including outbuildings, on the erf entrances to and exits from the erf to a public street system shall be to the satisfaction of the local authority.
- (4) The main building, which shall be a completed building and not one which has been partly erected and is to be completed at a later date, shall be erected simultaneously with, or before, the outbuildings.
- (5) The loading and off-loading of goods shall take place only within the boundaries of the erf to the satisfaction of the local authority, unless the local authority has provided loading facilities in the streetreserve. (This condition shall not apply to erven in Use Zones Residential 1, and Residential 2 (if subdivision into separate dwelling units has taken place).)

- (6) 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.
- (7) A screen wall or walls shall be erected and maintained to the satisfaction of the local authority as and when required by it.
- (8) If the property is fenced such fence, and the maintenance thereof shall be to the satisfaction of the local authority.
- (9) 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 satisfactorily maintained the local authority shall be entitled to undertake such maintenance at the cost of the registered owner.

14. CONDITIONS APPLICABLE TO RESIDENTIAL 2 ERVEN

- (1) The internal roads on the erf shall be constructed and maintained by the registered owner to the satisfaction of the local authority.
- (2) A site development plan, drawn to a scale of 1:500, or such other scale as may be approved by the local authority shall be submitted to the local authority for approval prior to the submission of any building plans. No building shall be erected on the erf before such site development plan has been approved by the local authority and the whole development on the erf shall be in accordance with the approved site development plan: Provided that the plan may, from time to time be amended with the written consent of the

local authority: Provided further that amendments or additions to buildings which in the opinion of the local authority will have no influence on the total development of the erf, shall be deemed to be in accordance with the approved site development plan. Such site development plan shall show at least the following:

- (a) The siting, height, coverage, number of dwelling units per hectare, and where applicable the floor area ratio of all buildings and structures;
 - (b) open spaces, children's playgrounds, screen walls or other acceptable methods of screening, and landscaping;
 - (c) vehicular entrances and exits to and from the erf (as well as any proposed subdivision of the erf) to any existing or proposed public street;
 - (d) the proposed subdivisional lines, if the erf is to be subdivided;
 - (e) entrances to buildings and parking areas;
 - (f) building restriction areas (if any);
 - (g) parking areas and, where required by the local authority, vehicular and pedestrian traffic systems;
 - (h) the elevational treatment of all buildings and structures; and
 - (i) the grouping of the dwelling units and the programming of the development of the property if it is not proposed to develop the whole property simultaneously.
- (3) The erf or any group as contemplated in 13(2)(i) above, may not be subdivided into sites with single dwelling units thereon before the development plan proposals, buildings and structures for the particular erf or group have been fully implemented.

- (4) Buildings may be sited contrary to any provision of the local authority's building by-laws, if such siting is in accordance with an approved site development plan.
- (5) Subject to the provision of section 84 of the Town Planning and Townships Ordinance 1965, (Ordinance 25 of 1965), but notwithstanding any other provision contained herein, the local authority may consent to the subdivision of the erf, where such subdivision corresponds with the subdivisional proposals indicated on the approved site development plan applicable to the erf.

15. CONDITIONS APPLICABLE TO RESIDENTIAL 3 AND 4 ERVEN

- (1) In Use Zones 3 and 4 where development takes place at a density not greater than 20 dwelling units per hectare the provisions of clause 13 shall apply.
- (2) Where the development takes place at a density greater than 20 dwelling units per hectare the following conditions shall apply:
 - (a) The registered owner of the erf shall make available and accessible, to the satisfaction of the local authority, at least 250 m² of the erf as children's play area which area may include paved areas and lawns. Play apparatus, according to the requirements of the residents, shall be provided on the erf by the registered owner to the satisfaction of the local authority.
 - (b) A site development plan, drawn to a scale of 1:500, or such other scale as may be approved by the local authority, shall be submitted to the local authority for approval prior to the submission of any building plans. No building shall be erected on the erf before such site development plan has been approved by the local authority and the whole development on the erf shall be in accordance with the approved site

development plan: Provided that the plan may from time to time be amended with the written consent of the local authority. Provided further that amendments or additions to buildings which in the opinion of the local authority will have no influence on the total development of the erf, shall be deemed to be in accordance with the approved site development plan. Such site development plan shall show at least the following:

- (i) The siting, height, floor areas, floor area ratio and coverage of buildings and structures and the number of dwelling units per hectare;
- (ii) open spaces, children's playground and landscaping;
- (iii) entrances to and exits from the erf, internal roads and parking areas;
- (iv) entrances to buildings and parking areas;
- (v) building restriction areas;
- (vi) parking areas and, where required by the local authority, the vehicular and pedestrian traffic systems;
- (vii) the elevational treatment of all buildings and structures; and
- (viii) the proposed subdivisional lines, if the erf is to be subdivided.

16. 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.

17. 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) of Table "E" 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 150 mm 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.

TABLE F

Township (1)	Erf description (2)	Conditions (3)
Vanderbijl Park Central East 4	All erven	Foundations for all buildings shall be to the satisfaction of the local authority. On erven where collapsing sands are present, the excavations for foundations shall be taken through to the underlying gravel layer. On erven where heaving clay is present, foundations shall be reinforced by at least 38 mm steel bars, and two (2) layers of brick reinforcement shall be provided above lintel height.

18. PARKING

- (1) Effective and paved parking as set out in Table "F" together with the necessary manoeuvring area, shall be provided on the property to the satisfaction of the local authority.

TABLE G

Use Zone/Use (1)	Minimum parking requirement (2)
Residential 2 and in other use zones except in Residential 1 where dwelling units at a density of 20 dwelling units per hectare, or less are erected	(i) 1 Covered parking space per dwelling unit; and (ii) 1 Uncovered parking space per dwelling unit if so required by the local authority

(1)	(2)
Residential 3 and 4 and in other use zones except in Residential 1 where dwelling units at a density greater than 20 dwelling units per hectare, are erected	<p>(i) 1 Covered parking space per dwelling unit of 3 living rooms or less;</p> <p>(ii) 1 Covered and 1 uncovered parking space per dwelling unit with 4 or more living rooms; and</p> <p>(iii) 1 Uncovered parking space per 3 dwelling units for visitors</p>
Shops, excluding shops in Use Zone 5 (outside the CBD)	6 Parking spaces per 100 m ² gross leasable shop floor area
Shops in Use Zone 5 (inside the CBD)	5 Parking spaces per 100 m ² gross leasable shop floor area
Use Zones Industrial 1, 2 and 3	<p>(i) 1 Parking space per 100 m² gross leasable industrial floor area; and</p> <p>(ii) 2 Parking spaces per 100 m² gross leasable office and commercial floor area</p>
Industries in any other use zone than Industrial 1, 2 and 3	2 Parking spaces per 100 m ² gross leasable industrial floor area
Use Zone Commercial and Offices in Use Zones Business 1, 2, 3 and 4	4 Parking spaces per 100 m ² gross leasable floor area
Places of Public worship	1 Parking space per 6 seats
Places of Amusement	1 Parking space per 4 seats
Hotels	1 Parking space per bedroom or suite, plus 6 parking spaces per 100 m ² public room floor area

(1)	(2)
Hospitals and Nursing Homes	0,7 Parking spaces per bed
Public Garages	40 Per cent of the area of the site including the area around fuel pump islands, but excluding workshops, show rooms, work areas, lubricating and washing areas
Any other uses or use zones	As required by the local authority

Provided that the local authority may, on receipt of a written application, relax or waive the provisions of Table "H" in the "Central Business District" as demarcated on Annexure 1, if -

- (a) the local authority is of the opinion that adequate parking already exists in the vicinity of the site;
- (b) a cash contribution for parking is paid to the local authority in accordance with section 22 of the Ordinance in lieu of the provision of parking spaces. Such contribution for parking shall be used solely for the provision of parking in the vicinity of the site:

Provided further that any owner may provide the parking area required in terms of this clause on any alternative site approved by the local authority.

- (2) 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.

- (3) 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.

19. ADVERTISEMENTS AND OBJECTIONS

- (1) This clause shall not apply to garden ornaments, entrance structures (other than entrance passages, and entrance halls), boundary fences, garden walls, fences, pergolas and any other structure which is not covered by a roof.
- (2) (a) Any person (hereinafter called "the applicant") intending to apply to the local authority for special consent to the erection and use of a building or to the use of land in any use zone whether wholly or partially for any purpose requiring the local authority's special consent shall submit such application to the local authority in writing.
 - (b) The applicant shall -
 - (i) publish at his own expense, a notice containing full particulars of the consent for which he is applying, and the land to which it relates once per week for two consecutive weeks in a newspaper as contemplated in section 110 of the Constitution of the Republic of South Africa Act, 1961 (Act 32 of 1961) which circulates in the area; and
 - (ii) post and maintain a similar notice in a conspicuous place on each separate portion of the land or building to which such consent applies for a period of not less than 14 consecutive days calculated from the date of the first notice in the newspaper mentioned in subclause (i) above.

(c) The notices mentioned -

- (i) in subclauses (b)(i) and (ii) shall contain the name and address of the applicant and shall state that any objection or representation in connection with such application shall be submitted in writing simultaneously to the local authority and the applicant within 28 days calculated from the date of the first notice in the newspaper; and
 - (ii) in subclause (b)(ii) shall not be smaller than 594 mm by 420 mm and any letter thereon shall be at least 6 mm in height.
- (d) The applicant shall, simultaneously with the submission of the application, submit a certificate that the notice referred to in subclause (b)(ii) was properly posted and maintained.
- (3) The local authority shall take into consideration any objection or representation received within the said period of twenty-eight (28) days and shall notify the applicant and any person from whom any objection or representation was received of its decision.
- (4) The decision of the local authority shall not take effect until the expiration of fifty-six (56) days from the date on which the applicant is notified thereof, or if an appeal has been noted in terms of the provisions of the Ordinance, until such appeal has been disposed of.
- (5) The provision of subclause (4) shall not apply if no objection to the application was received as contemplated in subclause (3).

20. SAVING FOR SPECIAL PURPOSES

- (1) Without prejudice to any power of the local authority derived from any law, or to the remainder of this scheme, nothing in the foregoing provisions of this part of the Scheme shall be construed as prohibiting or restricting or enabling the local authority to prohibit or restrict the following:
- (a) The exploitation of minerals on any land not included in an approved township by underground or surface working.
 - (b) The use of land or the erection of buildings required for the purposes of a recreation or sportsground not being a recreation or sportsground ordinarily open to the public on payment of a fee.
 - (c) The letting of a dwelling house or dwelling unit in such a manner that a maximum of one family with four other persons are accommodated therein.
 - (d) The occasional use of a place of public worship, place of instruction, or institution, as a place of amusement or social hall.
 - (e) The practise, subject to the provisions of any applicable by-law, in or from any dwelling unit, dwelling house or residential building of a profession or occupation by a person who, with his family permanently occupies such dwelling unit, dwelling house or residential building for residential purposes: Provided that such practise shall not involve the following:
 - (i) The use of the building as an "Industry" or "Noxious activity".
 - (ii) The public display of goods whether in a window or otherwise.

- (iii) The exhibition of any notice or sign board, other than a notice or sign board ordinarily exhibited on a dwelling house or dwelling unit to indicate the name and profession or occupation of the occupant.
- (iv) Interference with the amenities of the neighbourhood.
- (v) The employment of any employee: Provided that the local authority may consent to the employment or taking into partnership of a maximum of two persons.

21. TEMPORARY SIGNS FOR THE SALE OR LEASE OF SITES OR BUILDINGS

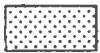
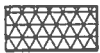


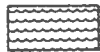


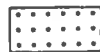






- (1) No person shall without the written consent of the local authority simultaneously display on one site more than two temporary signs for the sale or lease of sites of buildings or permit such display: For the purposes of this clause a "temporary sign" shall -
 - (a) not be larger than 600 mm by 460 mm and at its highest point shall not be higher than 2,5 m above ground level;
 - (b) not have letters figures or symbols larger than 150 mm; and
 - (c) be removed within seven days after the end of the sale or the conclusion of the contract of lease.

22. NUMBER OF DWELLING HOUSES WHICH MAY BE ERECTED AND SUBDIVISIONS

- (1) No dwelling house shall be erected in such a manner that the number of dwelling houses on an existing erf exceeds the number specified in Table "H" for the density zone in which the existing erf is situated.

DENSITY ZONES

TABLE "H"

Notation as shown on the "B"-series of the Map (1)	Number of dwelling houses per existing erf (2)	Minimum area of site required per dwelling house in square metre (3)
	1	-
	1	100
	1	200
	1	300
	1	400
	1	500
	1	700
	1	1000
	1	1250
	1	1500
	1	2000
	1	2500
	1	3000
	1	4000

Provided that -

- (a) in those areas in which in terms of Table "G" only one dwelling house per existing erf is permitted, the local authority may consent to the subdivision of only the following existing erven, if such subdivision will not cause the coverage permitted under Tabel "I" to be exceeded:
 - (i) An existing erf, subject thereto that any portion so created (including the remainder) which is smaller in extent than 90 per cent of the area of the existing erf shall not be used as the site of a dwelling house.
 - (ii) If an erf created by the consolidation of two or more erven is subdivided, the number of new erven created shall not exceed the number of erven which were so consolidated and the extent of any new erf created shall not be less than 90 per cent of the area obtained by dividing the area of the consolidated erf by the number of erven created by the subdivision.
- (2) The local authority shall not, in those areas in which in terms of Table "G" a minimum area of a site is required for a dwelling house, approve of any subdivision of land whereby any portion (including the remainder) of such land shall have an area of less than such minimum. The local authority may, however, consent to the subdivision of land into portions smaller than such minima, provided that no such smaller portion shall be used as a site for a dwelling house.
- (3) All erven shown on a general plan approved before 1 September 1970 shall be entitled to a relaxation of the density provisions in terms of Table "H" of a maximum of a (one) per cent of the area determined by these provisions.

- (4) In Use Zones where dwelling houses may be erected and where no density zone is applicable, only one dwelling house may be erected per existing erf.

23. ALLOWANCE FOR SPLAYING OF CORNERS

- (1) In calculating the area of a corner erf the portion thereof cut off by the splay shall be included in the area of the erf for the purpose of Table "H".
- (2) Upon the subdivision of any land, where any portion of such land is physically separated by the execution or proposed execution of public works, and provided that such portion does not fall below 75 per cent of the minimum area as laid down in column (3) of Table "H" for the said land, the portion so separated may be regarded as as existing erf.

24. HEIGHT, COVERAGE, FLOOR AREA RATIO AND NUMBER OF DWELLING UNITS PER HECTARE

- (1) Table "I" sets out the height in storeys, the coverage, the floor area ratio (F.A.R.) and the number of dwelling units per hectare permitted, in the corresponding height zones.
- (2) The appropriate height zone is indicated by means of the notation as set out in column (2) of Table "I" on the B-series of the Map.

TABLE "I"

HEIGHT ZONE	NOTA- TION as shown on the "B"- series of the Map	HEIGHT (STOREYS) Height in differ- ent height zones and where the uses or use zones are not specifi- cally men- tioned, the height is applicable to all uses	COVERAGE % Coverage in different height zones and where the uses or use zones are not specifically mentioned, the coverage is applicable to all uses, except Residential 2	F.A.R. Floor area ratio in differ- ent height zones and where the uses or use zones are not specifi- cally mention- ed, the floor area ratio is applic- able to all uses, except Residen- tial 2	Number of dwell- ing units per hectare for Resi- dential 2 only
(1)	(2)	(3)	(4)	(5)	(6)
0	Area not bor- dered	2	1. Dwelling units and dwelling houses 50% 2. Hotels 60% 3. Residential buildings in: Use Zones 4 and 8 60%		

(1)	(2)	(3)	(4)	(5)	(6)
			<p>Other use zones 50%</p> <p>4. Shops and offices in:</p> <p>Vanderbijl Park</p> <p>Vanderbijl Park</p> <p>Central East</p> <p>1 and 2</p> <p>Vanderbijl Park</p> <p>Central West</p> <p>2 and 6 100%</p> <p>Vanderbijl Park</p> <p>Central West</p> <p>6 Ext. 1</p> <p>Vanderbijl Park</p> <p>South West</p> <p>1</p> <p>Vanderbijl Park</p> <p>South West</p> <p>5 Ext. 2</p> <p>Vanderbijl Park</p> <p>South East</p> <p>1</p> <p>All other townships 80%</p> <p>5. Industries, noxious industries, and warehouses 85%</p> <p>6. Use Zone 19 60%</p> <p>7. Places of Amusement in:</p> <p>Vanderbijl Park 100%</p> <p>Other townships 75%</p> <p>8. Other uses or use zones not mentioned above 75%</p>		

(1)	(2)	(3)	(4)	(5)	(6)
1	<div>H1</div> <div>★★★★</div>	3	<div>1. Dwelling units and dwelling houses 50%</div> <div>2. Hotels 60%</div> <div>3. Residential buildings in: Use Zones 4 and 8 60% Other use zones 50%</div> <div>4. Shops and offices in: Vanderbijl Park Central East 1 and 2 Vanderbijl Park Central West 2 and 6 Vanderbijl Park Central West 6 Ext. 1 Vanderbijl Park South West 1 100% Vanderbijl Park South West 5 Ext. 2 Vanderbijl Park South East 1 All other townships 80%</div> <div>5. Industries, noxious industries and warehouses 85%</div> <div>6. Places of Amusement in: Vanderbijl Park 100% Other townships 75%</div> <div>7. Other uses or use zones not mentioned above 75%</div>		

(1)	(2)	(3)	(4)	(5)	(6)
2	<div data-bbox="300 376 352 421" style="border: 1px solid black; border-radius: 50%; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;">H2</div> <div data-bbox="276 434 376 456" style="display: flex; justify-content: space-around; margin-top: 5px;"> ★★★★ </div>	4	<div data-bbox="635 376 1098 1680"> <div>1. Dwelling units and dwelling houses 50%</div> <div>2. Hotels 60%</div> <div>3. Residential buildings in: Use Zones 4 and 8 60%</div> <div>Other use zones 50%</div> <div>4. Shops and offices in: <div style="border: 1px solid black; padding: 2px; display: inline-block;"> Vanderbijl Park Vanderbijl Park Central East 1 and 2 Vanderbijl Park Central West 2 and 6 Vanderbijl Park Central West 6 Vanderbijl Park 100% South West 1 Vanderbijl Park South West 5 Ext. 2 Vanderbijl Park South East 1 </div> All other townships 80% </div> <div>5. Industries, noxious industries and warehouses 85%</div> <div>6. Places of Amusement in: Vanderbijl Park 100% Other townships 75% </div> <div>7. Other uses or use zones not mentioned above 75%</div> </div>		

(1)	(2)	(3)	(4)	(5)	(6)
3	<div data-bbox="300 398 363 443" style="border: 1px solid black; border-radius: 50%; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center;">H3</div> <div data-bbox="276 465 387 499" style="margin-top: 5px;">*****</div>	6	<div data-bbox="639 398 1098 1742"> <div>1. Dwelling units and dwelling houses 50%</div> <div>2. Hotels 60%</div> <div>3. Residential buildings in: Use Zones 4 and 8 60%</div> <div>Other use zones 50%</div> <div>4. Shops and offices in: <div style="border: 1px solid black; padding: 2px;"> Vanderbijl Park Vanderbijl Park Central East 1 and 2 Vanderbijl Park Central West 2 and 6 Vanderbijl Park Central West 6 Ext. 1 </div> 100% Vanderbijl Park South West 1 Vanderbijl Park South West 5 Ext. 2 Vanderbijl Park South East 1 All other townships 80% </div> <div>5. Industries, noxious industries and warehouses 85%</div> <div>6. Places of Amusement in: Vanderbijl Park 100% Other townships 75% </div> <div>7. Other uses or use zones not mentioned above 75%</div> </div>		

(1)	(2)	(3)	(4)	(5)	(6)
4	<div>H4</div> <div>★★★★</div>	8	<div>1. Dwelling units and dwelling houses 50%</div> <div>2. Hotels 60%</div> <div>3. Residential buildings in Use Zones 4 and 8 60%</div> <div>Other use zones 50%</div> <div>4. Shops and offices in:</div> <div> <div>Vanderbijl Park</div> <div>Vanderbijl Park</div> <div>Central East</div> <div>1 and 2 100%</div> <div>Vanderbijl Park</div> <div>Central West</div> <div>2 and 6</div> <div>Vanderbijl Park</div> <div>Central West</div> <div>6 Ext. 1</div> <div>Vanderbijl Park</div> <div>South West</div> <div>1 100%</div> <div>Vanderbijl Park</div> <div>South West</div> <div>5 Ext. 2</div> <div>Vanderbijl Park</div> <div>South East</div> <div>1</div> </div> <div>All other townships 80%</div> <div>5. Industries, noxious industries and warehouses 85%</div> <div>6. Places of Amusement in:</div> <div> <div>Vanderbijl Park 100%</div> <div>Other townships 75%</div> </div> <div>7. Other uses or use zones not mentioned above 75%</div>		

(1)	(2)	(3)	(4)	(5)	(6)
5	(H5) *****	2	-	-	10
6	(H6) *****	2	30	0,4	1
7	(H7) *****	2	30	0,5	20
8	(H8) *****	3	40	0,6	-
9	(H9) *****	2	30	0,35	25
10	(H10) *****	2	40	0,8	30
11	(H11) *****	2	60	1,0	-
12	(H12) *****	2	60	1,2	-
13	(H13) *****	3	70	1,4	-

25. RESTRICTIONS ON HEIGHT OF BUILDINGS

No buildings shall be higher than the number of storeys set out in column (3) of Table "I" or on the applicable Annexure:

Provided that -

- (1) the local authority may permit the number of storeys prescribed in any height zone to be increased by 1 (one) storey if it is satisfied that a greater height is necessary or desirable as a result of the topography and location of the site;
- (2) any chimney, ornamental tower, tower-like projection or similar architectural feature of lift servicing room or room wherein mechanical or electrical equipment is installed, shall not be taken into account;
- (3) where 75 per cent or more of a floor is used for the parking of vehicles, it shall not be counted as a storey;

- (4) in Use Zones 21 (Public open space) and 22 (Private open space) buildings may not exceed one (1) storey in height unless otherwise permitted in the Scheme;
- (5) for the purposes of this clause basements shall not be included in height, provided further that the floor area ratio as determined in the Scheme is not exceeded; and
- (6) for the purposes of this clause the maximum height of a storey shall not exceed 6 m in respect of the ground storey and 4,5 m in respect of any other storey.

26. RESTRICTION ON COVERAGE OF BUILDINGS

- (1) No building shall be erected with a greater coverage than that set out in column (4) of Table "I" or on the applicable Annexure:

Provided that -

- (a) where a proposed building is designed for more than one use, the maximum portion of the site which may be covered by buildings at the floor level of each storey shall be in accordance with the coverage shown in Table "I" for the predominant use of the particular storey; and
- (2) For the purposes of this clause -
 - (a) a building includes fire escapes and all outbuildings on the same site;
 - (b) the space occupied by sky-lights, parapets, pitched roofing or similar projections and chimneys shall count as unoccupied space; and
 - (c) all structures which are not covered by a roof shall not be taken into account in the calculation of coverage.

27. FLOOR AREA RATIO OR NUMBER OF DWELLING UNITS PER HECTARE

- (1) No building shall be erected in such a way that it has a greater floor area ratio than indicated in Table "I" column 5 or on the applicable Annexure.
- (2) The number of dwelling units set out in Table "I", column (6) may not be exceeded.

PART 4

GENERAL AMENITY AND CONVENIENCE

28. 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 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

29. 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.

30 . 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 purposes of any inspection 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.

31. 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 Clerk 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 the said person personally, or to his duly authorised agent;
 - (b) if service cannot be effected in terms of sub-clause (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 is mentioned in sub-clause (b) on the premises, by fixing such order, notice or other document to some conspicuous part of the premises and by despatching 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 sub-clause (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, 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.

32. 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 condition registered against the title deed of the land or imposed in respect of the land under any law relating to the establishment of townships.

33. TITLE

This Scheme shall be known as the VANDERBIJLPARK TOWN-PLANNING SCHEME, 1987.

