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Your Ref:	Our Ref:
Room 201, Bram Fischer Building	Date: 20 January 2021

Cllr Duladi Leech
Mangaung Metro Municipality

Dear Councilor

THE RULE 38 QUESTION: NUMBER 5 DU PLESSIS AVENUE, LANGENHOVEN PARK

With reference to your letter dated 19 September 2019 regarding the above-mentioned matter bears reference.

More and more owners of residences in Langenhoven Park have over the past year converted their properties into illegal businesses and or Student Houses. With specific reference to Erf 128 Langenhoven Park the DA would like to ask the following Rule 38 Questions:

1. **Was an inspection done on the said premises?**
 - Yes
2. **If so; when was the inspection done?**
24 October 2019
3. **If so; which findings were made during the inspection?**
 - Illegal land use (business operating student accommodation)
 - Illegal land use and illegal building work, contravention notices issued
4. **Has the owner submitted any building plans for the said premises?**
 - No (only for residential purposes)
5. **If so; when were the building plans submitted?**
 - Not applicable

6. If so; when were the plans approved by the metro?

- Not applicable

7. If so; has the property been changed according to these building plans?

- Not applicable

8. For which use does the owner intend to use the premises?

- The premises are used for residential (student accommodation)

9. What is the zoning of the said residence?

- Residential see attached zoning certificate

10. Is the owner currently using the property as a Student House?

- Residential (student accommodation)

11. If so; does the owner have the necessary permission from the metro to do so?

- No, hence the issuance of contravention notices

12. If not; has a warning and or fine been issued?

- Only contravention notices issued, fines will be issued in 30 days after expiration of contravention notice.

13. If so; when was this done?

- 27 & 29 October, 2019

Yours faithfully


Adv. Tankiso Mea
City Manager

HOD M. Mea e.n. Lu.



MANGAUNG
METRO MUNICIPALITY
METRO MUNISIPALITEIT
LEKGETLA LA MOTSE

DIRECTORATE
CORPORATE SERVICES

COUNCILLORS

Office of the City Manager

22 SEP 2019

Mangaung Metropolitan
Municipality

2 September 2019

To: Adv. T. Mea.
City Manager Mangaung Metro

Cc: Cllr. M. Siyonzana
Speaker Mangaung Metro

Cc: Cllr. O. Mlamleli
Executive Mayor Mangaung Metro

*M. Mea RA
22/09/2019*

Rule 38 Question: Number 5 Du Plessis Avenue, Langenhoven Park

More and more owners of residences in Langenhoven Park have over the past year converted their properties into illegal businesses and or Student Houses. With specific reference to Erf 128, Langenhoven Park the DA would like to ask the following Rule 38 Questions:

1. Was an inspection done on the said premises?
2. If so; when was the inspection done?
3. If so; which findings were made during the inspection?
4. Has the owner submitted any building plans for the said premises?
5. If so; when were the building plans submitted?
6. If so; when were the plans approved by the metro?
7. If so; has the property been changed according to these building plans?
8. For which use does the owner intend to use the premises?
9. What is the zoning of the said residence?



10. Is the owner currently using the property as a Student House?
11. If so; does the owner have the necessary permission from the metro to do so?
12. If not; has a warning and or fine been issues?
13. If so; when was this done?

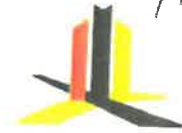
Thanking you in anticipation



Cllr Dulandi Leech
082 341 4879
dulandi@da.fs.org.za



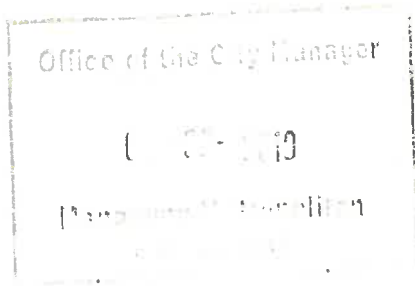
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DIRECTORATE
CORPORATE SERVICES

COUNCILLORS



2 September 2019

To: Adv. T. Mea.
City Manager Mangaung Metro

Cc: Cllr. M. Siyonzana
Speaker Mangaung Metro

Cc: Cllr. O. Mlamleli
Executive Mayor Mangaung Metro

M. Mea HA
02/09/2019

Rule 38 Question: Number 6 Totius Avenue, Langenhoven Park

More and more owners of residences in Langenhoven Park have over the past year converted their properties into illegal businesses and or Student Houses. With specific reference to Erf 128, Langenhoven Park the DA would like to ask the following Rule 38 Questions:

1. Was an inspection done on the said premises?
2. If so; when was the inspection done?
3. If so; which findings were made during the inspection?
4. Has the owner submitted any building plans for the said premises?
5. If so; when were the building plans submitted?
6. If so; when were the plans approved by the metro?
7. If so; has the property been changed according to these building plans?
8. For which use does the owner intend to use the premises?
9. What is the zoning of the said residence?

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10. Is the owner currently using the property as a pub and or other business?
11. If so; does the owner have the necessary permission from the metro to do so?
12. If not; has a warning and or fine been issues?
13. If so; when was this done?

Thanking you in anticipation



Cllr Dulandi Leech
082 341 4879
dulandi@da.fs.org.za



Our ref: MM/TW/SG
Erf: 252 Langenhovenpark
Date: 25 October 2019

Attention: J.S. Matsoso

Sir

ZONING AND PERMISSIBLE USES: PORTION 1 AND REMAINDER OF ERF 252 LANGENHOVENPARK, BAINSVLEI, BLOEMFONTEIN

In terms of the approved Bainsvlei Town Planning Scheme (B.T.P.S), the above-mentioned properties are zoned "Special Residential 1" and may only be used for the following purpose:

Dwelling houses

With special consent of the Mangaung Metropolitan Municipality, they may also be used for the following purposes:

Places of public worship
Places of instruction
Community Halls
Institutions
Intermediate residential buildings and
Nurseries

The development restrictions applicable on "Special Residential 1" are as follow:

- COVERAGE:** 50%
- HEIGHT:** No building with more than three storeys may be erected in the area, provided that:
- a) if a building is designed with a parking area on the ground level a further storey shall be permitted if the parking area covers at least 60% of the ground floor.
- SIDE SPACES:** 1m (if the erf is smaller than 1 500m²)
- STREET BUILDING LINE:** 9m from the street boundary

For any further possible restrictions see the title deed of the above-mentioned properties.

Yours faithfully


.....
S.M. MAHAO
ACTING GENERAL MANAGER: TOWN AND REGIONAL PLANNING

25/10/19
.....
DATE


.....
B.S. MTHEMBU
HEAD OF DIRECTORATE: PLANNING

28/10/2019
.....
DATE

Our Ref: Mr. J.S. Matsoso

Your Ref: Erf 252

Date: 29 October 2019

Tel no: 051 4058690 (between 08:00 – 09:00 &
15:00-16:00)

E. & S.R. Coetzee
P/a 5 du Plessis Road
Langenhoven Park
BLOEMFONTEIN
9301

NOTICE IN TERMS OF THE NATIONAL BUILDING REGULATIONS AND BUILDING STANDARDS ACT (NO. 103 OF 1977), AS AMENDED: ERF 252, 5 DU PLESSIS ROAD, LANGENHOVEN PARK, BLOEMFONTEIN.

A notice issued accordingly the provision of Regulation A25(6) of the National Building Regulations and Building Standards, enact in terms of the Act on National Building Regulations and Standards, Act Nr.103 of 1977 (hereafter "the Act") in respect of the premises described above and ordering you as the owner to comply within the period specified.

1. In terms of Section 4(1) of the above-mentioned Act:

"No person shall without the prior approval in writing of the local authority in question, erect any building in respect of which plans, and specifications are to be drawn and submitted in terms of this Act".

2. In terms of Regulation A 22 of the above-mentioned Regulations:

(1)(a) ***"No work in connection with the erection or demolition of any building shall be commenced on the site unless notice, in the form required by the local authority, has been given to such local authority by the owner of such building, stating the date on which such erection or demolition will commence".***

(1)(b) ***"Such notice shall in the case of the erection of a building be given at least four days, exclusive of a Saturday, Sunday or public holiday, and in the case of the demolition of a building, at least ten days, exclusive of a Saturday, Sunday or public holiday, before such work commences."***

(3) ***"No owner shall construct any foundation until the trenches or excavations have been inspected and approved by the local authority, and such owner shall not backfill or enclose a drainage installation until such installation has been inspected, tested and approved by the local authority: Provided that this requirement shall not apply if such inspection and testing has not been carried out by the end of working day which has the first date mentioned in sub regulation (2)."***

(4) ***"Any owner who fails to comply with the requirements of this regulation shall be guilty of an offence."***

3. 'building' includes-

- (a) any other structure, whether of a temporary or permanent nature and irrespective of the materials used in the erection thereof, erected or used for or in connection with-
- (i) the accommodation or convenience of human beings or animals;
 - (ii) the manufacture, processing, storage, display or sale of any goods; [Sub-para (ii) substituted by s. 1 (b) of Act 62 of 1989.]
 - (iii) the rendering of any service;
 - (iv) the destruction or treatment of refuse or other waste materials;
 - (v) the cultivation or growing of any plant or crop;
- (b) any wall, swimming bath, swimming pool, reservoir or bridge or any other structure connected therewith;
- (c) any fuel pump or any tank used in connection therewith;

- (d) any part of a building, including a building as defined in paragraph (a), (b) or (c);
- (e) any facilities or system, or part or portion thereof, within or outside but incidental to a building, for the provision of a water supply, drainage, sewerage, stormwater disposal, electricity supply or other similar service in respect of the building;

4. In terms of Regulation A25 (7) of the above-mentioned Regulations:

"Whether or not a notice contemplated in sub-regulation (6) has been served, the local authority may serve a notice on the owner of any building contemplated in sub-regulation (4) or (5), ordering such owner to rectify or demolish the building in question by a date specified in such notice."

5. In terms of Regulation A25 (10) of the above-mentioned Regulations:

"Where any building, excluding a temporary building, is being or has been erected without the prior approval contemplated in section 4(1) of the Act, the local authority shall serve a notice on the owner of such building, calling upon him to obtain the approval, in writing, as required by the Act, by a date specified in such notice."

6. In terms of Regulation A25 (11) of the above-mentioned Regulations:

"Any person who fails to comply with any notice contemplated in this regulation shall be guilty of an offence."

7. On 25 October 2019 an inspection in respect of the above-mentioned property was conducted, wherein it was revealed that building operations have being commence with, without the prior approval of the Local Authority.

8. In terms of Regulation A22 of the National Building Regulations and Building Standards Act (103 of 1977), you are hereby ordered to stop all building-operations immediately on receipt of this notice, apply for the said foundation inspection, submit as well an engineer certificate.

9. You are further required in terms of Regulation A25 (7) & (10) of the National Building Regulations and Building Standards Act (103 of 1977), to demolish OR submit an application within 30 working days from date of this notice for consideration, in respect of the building work referred to in paragraph 7 above.

Failure to comply with this notice shall constitute an offence and will result in legal proceedings being instituted against you without further notice.

Should you have any queries regarding this notice, kindly contact the Building Inspector during the office hours as mentioned above.

Yours faithfully

N.C. Fourie
Senior Building Inspector
for Building Control Officer
(DULY AUTHORIZE SECTION 6 (4) ACT 103/1977)



RECEIPT OF NOTICE BY : DATE

