

F6 CONTROL OF UNREASONABLE LEVELS OF DUST AND NOISE

- (1) The owner of any land on which excavation work is in progress or on which any building is being erected or demolished shall take precautions in the working area and on surrounding roads and footways to limit to a reasonable level the amount of dust arising from the work or surroundings thereof.
- (2)
- (a) No person shall during the course of any building, demolition or excavation work use any machine, machinery, engine, apparatus, tool or contrivance, which in the opinion of the local authority may unreasonably disturb or interfere with the amenity of the neighbourhood:
- (i) on a public holiday or Sunday
 - (ii) before 06:00 or after 17:00 on any Saturday; and
 - (iii) before 06:00 or after 18:00 on any day other than those days contemplated in subparagraphs (i) and (ii)
- (b) The prohibition in paragraph (a) shall not apply in any circumstances in which the use of such machine, machinery, engine, apparatus, tool or contrivance -
- (i) is urgently necessary in order to preserve the life, safety or health of any person;
 - (ii) is urgently necessary to preserve property;
 - (iii) has been authorized by the local authority; or
 - (iv) is necessary for the execution of work being carried out on behalf of any public authority.
- (3) Any owner or person who contravenes a provision of this regulation shall be guilty of an offence. ● ● ●

F7 CUTTING INTO, LAYING OPEN AND DEMOLISHING CERTAIN WORK

- (1) Where the local authority on reasonable grounds, believes that any work carried out in connection with the erection of any building is not in accordance with the provisions of these regulations or any approval or authority granted thereunder, such local authority may, in order to establish whether such work is in accordance with such provision, approval or authority, by notice in writing, order the owner of such building -
- (a) to supply satisfactory proof that such work is in accordance with such provision, approval or authority; or
 - (b) to cause such work to be cut into, laid open or demolished to the extent required by the local authority; or
 - (c) to cause a test of such work to be carried out within such time and to such extent and by such person as it specified in such notice.
- (2) (a) Where such local authority orders the owner to cause a test to be carried out as contemplated in [sub-regulation \(1\)\(c\)](#), a written report in regard to such test shall be submitted by the owner to the local authority, which report shall be signed by the person who carried out the test and which shall contain details in regard to the testing apparatus, methods and materials used in the test, the conditions under which such test was carried out and the results obtained during the test and at the conclusion thereof.
- (b) Where as a result of a report contemplated in paragraph (a) the local authority is not satisfied that the work concerned is in compliance with the requirements referred to in [sub-regulation \(1\)](#), the local authority may, by notice served on the owner, order the owner to take such steps as it deems necessary, and within such period as is stated in such notice, to ensure that there is such compliance, or the local authority may in such

notice order the owner to cause such work to be cut into, laid open or demolished as contemplated in [sub-regulation \(1\)\(b\)](#).

- (3)
- (a) Any owner having been ordered to cause any work to be cut into, laid open, demolished or tested in terms of this regulation shall not continue with such work or with any other work affected thereby unless the local authority has authorized him, in writing, to continue.
 - (b) Where the local authority is satisfied that work on the affected part of the building may proceed, it shall forthwith give authorization to so proceed.
- (4) Where such cutting into, laying open, demolishing or testing reveals that a contravention of the requirements of these regulations, or of any approval or authority granted by the local authority, has taken place, or if the necessity for such cutting into, laying open, demolishing or testing is attributable wholly or partly to any contravention of the proviso to [sub-regulation A4\(1\)\(b\)](#) or the requirements of regulation [A22](#) or [A25](#), the cost of such work and any making good subsequent thereto shall be borne by the owner, and in any other case by such local authority.
- (5) Any owner who contravenes any provision of this regulation or who fails to comply with any notice served on him in terms thereof, shall be guilty of an offence.

F8 WASTE MATERIAL ON SITE

- (1) Where in the opinion of the local authority, excessive rubble, rubbish, other debris or combustible waste material is allowed to accumulate on a site before or during building operations, it may, by written notice, order the owner of such site to have such rubble, rubbish, other debris or combustible waste material removed within the period specified in such notice.
- (2) Any owner who fails to comply with such notice shall be guilty of an offence and the local authority may remove the said rubble, rubbish, other debris or combustible waste material from such site and may recover the costs of such removal from the owner.

F9 CLEANING OF SITE

- (1) Any owner or person erecting or demolishing any building shall remove any surplus material and matter arising from such erection or demolition from the site and from any other land or public street or public place affected by such material or matter during or after the completion of such erection or demolition, failing which the local authority may, by written notice, order the owner of such building to have such surplus material and matter removed within a period specified in such notice.
- (2) Any owner or person who fails to comply with a provision of [sub-regulation \(1\)](#) or a notice served on him in terms thereof, shall be guilty of an offence.

F10 BUILDER'S SHEDS

- (1) Any owner or person carrying out or performing work in connection with the erection or the demolition of any building, may erect on the site of such work such temporary builder's sheds as may be necessary.
- (2) The construction and location of such sheds shall be to the satisfaction of the local authority and such sheds shall be maintained in good order.
- (3) Subject to the provisions of [sub-regulation \(6\)](#) such sheds shall only be used for a purpose connected with the carrying out or the performance of the work referred to in [sub-regulation \(1\)](#).
- (4) Where such sheds are not constructed, located or maintained in terms of this regulation, the local authority may