

STAD BELLVILLE CITY



STAD SAANLEGSKEMA TOWN PLANNING SCHEME

BELLVILLE MUNICIPALITY

TOWN PLANNING SCHEME - 1972 (AMENDED 1987)

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1.

DEFINITIONS

In this statement, and in any note on the Map, and in any amendment or addition to either of the foregoing which may hereafter be made or be proposed to be made, and in any provisions hereafter prescribed or proposed to be prescribed by the Administrator in terms of sub-section (1) of Section 35 bis of Ordinance 33 of 1934, and in any departure from the Scheme or conditions attached to any such departure authorised by the Administrator in terms of the said Ordinance, the following words and expressions and any words and expressions defined in any other section shall have the meanings hereinafter assigned to them; except where a contrary intention clearly appears from the text:

B. "basement storey" means any storey beneath the ground storey.

"block of flats" a building containing two or more dwelling units;

"boundary" in relation to a site or erf means one of the lines separating such site or erf from another site or erf or from a street;

"building" means in addition to the meaning assigned thereto in paragraphs (a) and (b) of section 1 of Ordinance No. 15 of 1952, any structure or erection whatsoever irrespective of its nature or size;

"building line" means a line between which and any boundary the erection of buildings or structures is wholly or partially prohibited in terms of this scheme or any law;

"bulk" means the total area of all floors of all buildings which area is covered by a roof, slab or projection from any such building; such area shall be measured from the external surfaces of the walls of any such buildings but shall not in any event exceed the maximum permissible bulk as herein defined; provided that for the purpose of determining the bulk of any building -

(1) the following areas shall be excluded:-

- (i) any floor area including basement area to be used solely by the occupants of residential accommodation on site for garaging or parking purposes or which is specially set aside for free parking to the general public;
- (ii) the area covered by the projection of eaves;
- (iii) every internal courtyard, lightwell or other uncovered shaft where the area of such courtyard, well or shaft exceeds 9 square metres;
- (iv) any covered paved area at ground floor level which forms part of a yard;
- (v) any arcade with a width of 6 metres or more;

- (2) All balconies, terraces, verandahs or stairs above the ground floor level whether or not covered by any roof, slab or any other covering shall be included;
- (3) any area required for street widening or new streets in the A, C and D Zones may be included in the site area for the purpose of calculating maximum permissible bulk, if it is surrendered to the Council, provided that land required for the statutory widening of proclaimed roads shall be dealt with in accordance with a policy as laid down by the Provincial Administration. Any street widening to be donated to the Council as part of any development contribution prescribed by the Provincial Administration on rezoning of an erf shall not be included in the area when determining the "maximum permissible bulk."

The "maximum permissible bulk" means the factor specified in these regulations for a specified zone multiplied by the nett area of the site or by the nett area of that portion of the site which falls within the zone to which such factor applies; provided that where a site falls within two or more zones to which different factors apply, the "maximum permissible bulk" for the whole site shall be the total of the "maximum permissible bulk" for each portion of such site as falls within the zone concerned;

"business premises" or "offices" mean a building designed to comprise offices and includes a bank, stock or produce exchange and buildings designed for similar uses, but does not include a place of assembly or amusement, an institution, shop, public garage, industrial building or noxious industrial building;

- C. "canopy" means a cantilevered or suspended roof or slab (not being the floor of a balcony) projecting from the wall of a building;

"cluster erf" means a piece of land in a cluster site intended for the erection of a single dwelling.

"cluster scheme" means a property (or properties) in respect whereof the Council and the Administrator have approved a plan showing the sub-division thereof into cluster sites, roads and public open space. (A common area or areas may in certain cases be shown at this stage.)

"cluster site" means a piece of land in a cluster scheme which may be sub-divided in a number of cluster erven with or without public or private roads and with a common area or areas.

"Cluster Housing Zone" means land formally zoned for such use, but does not imply approval for later cadastral subdivision.

"combined building" means a building, the several parts of which fall into two or more of the categories of building defined in this section.

"common area" means the land intended to be in common ownership and for the common use of the owners of cluster erven in a cluster site or cluster scheme, and it may include private roads providing access to all or certain cluster erven.

"common boundary" in relation to a site, means a boundary of such site other than a street boundary;

"Council" means the Municipal Council of Bellville.

"coverage" means the total percentage area of nett area of the site that may be covered by buildings, measured over the outside walls and covered by a roof or projection provided that the area covered by a maximum eaves projection of 0,75 metres shall be excluded for the purpose of determining the maximum permissible coverage;

- D. "Drive-in restaurant" means any land or building used for a restaurant or cafe from which food and refreshments are served to patrons who remain seated in motor-cars parked in the vicinity of such restaurant or cafe;

"dwelling-house" means a building containing only one dwelling unit;

"dwelling unit" means a self-contained interleading group of rooms used only for the living accommodation and housing of a single family together with such outbuildings as are ordinarily used therewith.

- E. "erection" in relation to a building includes -

- (a) the alteration, subdivision or conversion of, or addition to a building,
- (b) the re-erection or repair of a building which has been completely or partially destroyed or demolished, and "erect" has a corresponding meaning;

"erf" has the same meaning as in Ordinance No 33 of 1934 as amended.

- F. "Family" means -

- (a) a single person maintaining an independent household, or
- (b) two or more persons related by blood or marriage maintaining a common household, or
- (c) ~~1/2~~ two, three or four unrelated persons maintaining a common household;

and including not more than three persons lodging or boarding with a family;

"first storey" means the first storey, not being a mezzanine storey, above the ground storey, and "second storey" etc have the corresponding meaning;

"floor" does not include a flat roof or terrace to which occupants of a building have access.

"guesthouse" means a building, excluding a hotel, boarding house or hostel, consisting of a number of dwelling units or rooms which are equipped for and may be utilised by travellers or holiday-makers solely for accommodation which in the opinion of the Council is of a short-term nature; provided that the individual dwelling units or rooms be marketed only by means of renting;

"garage" means a building used for the housing of motor cars or lorries and which complies with the requirements of clause 5.5 of this Scheme;

"ground floor" means the floor of the ground storey, and "first floor" etc., have a corresponding meaning;

"ground level" in relation to a building means the finished level of the surface or the ground surrounding and immediately adjoining the building when erected;

"ground storey" of a building or division of a building means the lowest storey (not being mezzanine storey) which is not a basement storey.

"group erf" means a piece of land in a group site intended for the erection of a single dwelling.

"group site" means a portion of land in a group zone which may be sub-divided into a number of group erven with or without public street and with or without public open space.

"Group Housing Zone" means land which has been formally zoned for such use. Such zoning should however, not be interpreted as implying later cadastral subdivision.

H. "height of building" means the height of the point of such building or portion above the mean level of the ground; provided that where the roof of such building or portion is sloping, that portion thereof which is above the mean level of such roof may be disregarded;

"Home Owners' Association" means an association registered in terms of the Companies Act with legal capacity to be charged and summonsed in its own name, membership whereof shall be compulsory for all owners of cluster erven in the cluster site (or sites) for which it was founded.

- I. "industrial building" means a building, other than a noxious industrial building, designed for use as a factory within the meaning of Factories, Machinery and Building Work Act, No. 22 of 1941 and includes any office, caretaker's quarters or other building, the use of which is incidental to, and such as would ordinarily be incidental to, or reasonably necessary in connection with the use of such factory on the same site;
- "institution" means a building or portion of a building designed for use as a charitable institution and/or the administration thereof, and includes a building designed for use as a hospital, clinic, or dispensary, whether private or public, but does not include -
- (a) a hospital, sanatorium, dispensary or clinic for the treatment of infections or contagious diseases;
 - (b) premises licensed under Act No. 38 of 1916 for the detention of mentally disordered persons; or
 - (c) a mental hospital;
- L. "land" includes land covered with water and any right in or over land. Any reference to land is limited in the area;
- "lateral boundary" of a site or an erf means a boundary other than a street boundary or a rear boundary;
- "laundrette" means a building used as a laundry and conforming to the restrictions prescribed for laundrettes in this Statement;
- "level of the ground" means the ground level;
- "light industrial building" means an industrial building in which the only power-driven machinery is driven by electricity, no single motor being rated at more than 7,5 kW with a total maximum of 22,5 kW for all motors per site, provided that motors driving air compressors (excluding compressors with a motive power), welding generators, lifts, air purifiers or generators for current transformation, may exceed the maximum kW;
- "licensed hotel" means a building designed to comply with the requirements of a hotel as laid down in the Liquor Licensing Act. No. 30 of 1928, as amended, and includes premises for off-sales of liquor;
- M. "map" means the map or plan indicating the town planning provisions in force at the time;
- "motor vehicle" means any vehicle designed or intended for propulsion by other than human or animal power and includes a motor cycle and a trailer or caravan but does not include a vehicle moving exclusively on rails;
- N. "noxious industrial building" means a building designed or used for the purpose of carrying on an offensive trade such as set out in Government Notice No. 1606 of 1934, with any additions made thereto in terms of the Public Health Act. No. 36 of 1919, and any amendments thereto;

- O. "occupier" in relation to any building, structure or land means and includes -

any person in actual occupation of, or legally entitled to occupy such building, structure or land; or any person having the charge or management thereof and includes the agent of any person absent from the area or whose whereabouts is unknown;

"outbuilding" means a subsidiary and single storeyed structure used or intended to be used for the housing of servants, the garaging of motor vehicles and for storage purposes, ordinarily and reasonably required in conjunction with the main structure;

"owner" has the meaning thereto assigned by section 49 of the Land Survey Act. No. 9 of 1927, as amended;

- P. "parking garage" means a building or portion of a building used solely for the purpose of parking motor vehicles for the purpose of gain, but shall exclude parking accommodation required in terms of the provisions of this scheme;

"place of assembly" means -

- (a) a public hall, social hall, theatre, cinema, music hall, concert hall, dance hall, exhibition hall;
- (b) a sports ground or amusement park, sports arena or similar undertakings open to the public on payment of an entrance charge;
- (c) a billiard saloon or skating rink;
- (d) a non-residential club;
- (e) any other place of public assembly, (including a funeral parlour) whether used for purpose of gain or not, which does not fall within the scope of the definitions of place of public worship, place of instruction, or institutional building;

"place of instruction" means a building designed for use as a school, college, technical institute, academy, lecture hall, or other educational centre, and includes a hostel appertaining thereto, a monastery, convent, public library, art gallery, museum, gymnasium, but does not include a building designed for use wholly or principally as a certified reformatory or industrial school, or as a school for mentally defective children;

"place of public worship" means a building designed primarily as a church, synagogue, chapel or other place of public devotion, and includes any building incidental thereto but excludes funeral parlours, including any chapel forming part thereof;

"premises" means the area of the erf less any land required for road widening purposes;

"private open space" means any land used or reserved in this scheme for use as a private ground for sports, play, rest and recreation or as an ornamental garden or pleasure ground;

"public garage" means a trade or business in respect of which a licence is required in terms of Item 27 of the First schedule to the Registration and Licensing of Business Ordinance No. 15 of 1953, as amended, and shall include the trade or business of fuelling motor vehicles for payment or reward.

"public place" or "public open space" means any land used or reserved in this scheme for use by the public as an open space, park, garden, playground, recreation ground or square;

"putting course" means any land or buildings used for an outdoor miniature golf course;

R. "rear boundary" of a site or erf means every boundary thereof, (other than a street boundary), which is parallel to, or is within 45° of being parallel to every street boundary of such site or erf, and which does not intersect a street boundary;

"resident" in relation to any building, structure or land means and includes any person habitually, physically residing in or upon such building, structure or land;

"residential building" means a building (other than a dwelling house, block of flats or licensed hotel) for human habitation, together with such out-buildings as are ordinarily used therewith and includes tenements, residential clubs and hostels, but does not include any building mentioned whether by way of inclusion or exclusion in the definition of "place of instruction" and "institutional building".

S. "Service Station" means a building for the retail supply of petrol or other liquid fuel for motor vehicles and carrying out of servicing and minor repairs and adjustments to such vehicles. The workshop area provided in a Service Station may not exceed 150 square metres;

"shop" means a building -

(a) for the purpose of carrying on a retail trade, or

(b) for the purpose of carrying on a retail trade and repairing or manufacturing goods sold in such trade, provided such repair or manufacture does not constitute a factory within the meaning of the Factories Act. No. 22 of 1941,

and includes a laundrette and a dry cleanette but does not include any other industrial building or a public garage;

"site" in connection with a building is a portion of an erf or a combination of erven, less any land required for road purposes, legally used as the premises for one set of buildings;

"special building" means any electricity sub-station, pumping station or other building required in connection with the provision of public services;

"storey" without in any way limiting its ordinary meaning, includes
(a) all parts of a storey below the ceiling level thereof, and

(b) in the case of a topmost storey, also the roof thereof; and

(c) in the case of a lowest storey, also any foundation walls or other sub-structure; and

(d) part of a storey;

"street" shall have the same meaning thereto assigned by section 2 of Ordinance No. 19 of 1951;

"Street boundary" means a boundary of an erf which forms the boundary of a street, provided that -

(a) where a portion of an erf has been encroached upon by the use of that portion by the public as a street and it is necessary in the opinion of the Council that that portion should continue to be used as a street or part of a street, the street boundary is the line separating that part of the erf encroached upon from the remainder of the erf; and

(b) where the portion of an erf is reserved for use as a new street or a street widening the street boundary is the line separating that portion from the remainder of the erf; and

(c) where land, other than land reserved in the Statement or under any law, is or is to be used as a new street, the street boundary is the boundary of an erf which forms the boundary of such new street; and

(d) where the portion of an erf abutting a street is in terms of the Scheme, required to be surrendered to the Council, as a condition precedent to the granting of approval to the proposed erection of a building, the street boundary is the line between the portion of the erf so to be surrendered and the remainder of the erf;

provided that where in terms of paragraphs (a) and (d) two or more different positions for the street boundary are prescribed, the street boundary is the line or lines which is or are the furthest from the centre-line of the street;

"Street frontage" in relation to a site, means each street boundary thereof between points where such street boundaries change direction, provided that where two or more consecutive street boundaries intersect with an included angle or included angles exceeding 135° , so that the angle included between the first and last of such consecutive boundaries also exceeds 135° , such consecutive boundaries shall be deemed to be one street boundary; and any street boundary which is less than 3 metres in length may be deemed part of one other street boundary which intersects it;

"street level" in relation to a particular site, means the level of the surface of a constructed street, or the proposed level, as prescribed by the Town Engineer, of the surface of a street which has not been constructed or is to be reconstructed, such level being taken at the street boundary abutting such site;

"structure" without in any way limiting its ordinary meaning, includes any building, wall, fence, pillar, pergola, steps, landing, terrace, swimming pool, petrol pump or underground tank, and any portion of a structure;

"sub-zone" means an area of land represented on the Map in a distinctive manner for the purpose of controlling inter alia, the coverage, floor area, height and spaces about buildings.

T. "Town Engineer" means the Town Engineer of the Municipality of Bellville;

"transport business" is an undertaking for the removal or transporting of furniture, materials or goods and operating more than one motor vehicle;

U. "used", in addition to its ordinary meaning, includes designed or intended to be used;

"use zone" means an area of land represented on the Map in a distinctive manner for the purpose of controlling the purposes for which buildings may be erected and used and for which land may be used, provided that any land not so represented shall be deemed to fall into an Undetermined Use Zone.

W. "warehouse" means a building for the storage of goods and the transaction of wholesale business related to such goods;

"width" in relation to a street means the shortest distance between the street boundaries thereof, provided that for the purposes of this definition the provisions of paragraphs (a) to (d) of the definition of "street boundaries" shall be disregarded except where the land referred to in any such paragraph has become vested in the Council;

Z. "zone" means a Use Zone or Sub-zone;

"zone boundary" means a line forming the boundary between two different Use Zones or Sub-zones.

2.

PREAMBLE

2.1 Purpose of the Scheme

The general purpose of the Scheme is a co-ordinated development of the Area of the Municipality (including where necessary the reconstruction of any part thereof which has already been subdivided and built upon) in such a way as will most effectively promote the health, safety and welfare of the community.

2.2. Notations on Map

The meanings to be assigned to the various distinctive notations employed are set out on the Map.

2.3 Conflict of Laws

Nothing in the Scheme or in any consent given in terms thereof shall be deemed to retract from any rights the Council possesses by virtue of any servitude, contract or agreement.

Except where the contrary is specifically stated in the Scheme, nothing in any provision of the Scheme shall be deemed to override or absolve compliance with any other provisions of the Scheme.

(Note: The Scheme does not override or supercede any law nor does it absolve compliance therewith or with any condition registered against the title deeds of any land or imposed and in force under Ordinance 10 of 1912, Ordinance 13 of 1927, Ordinance 33 of 1934, Ordinance 19 of 1951 or any other law. When the Scheme is approved by the Administrator and such approval is proclaimed in the Provincial Gazette in terms of Section 41(2) of Ordinance 33 of 1934, the approved Scheme will will in terms of Section 43 of the said Ordinance override the requirements of any other Ordinance or regulations framed thereunder which may be in conflict with such provisions, subject to the provisions of Section 35(3) of the said Ordinance relating to the widths and boundaries of certain roads).

2.4 Evasion of Intent of Scheme

The Council shall refuse its consent to anything requiring such consent which in its opinion constitutes or facilitates an evasion of the intent of the Scheme or of any of its provisions.

2.5 Area of Scheme

The provisions of this Statement shall apply to the whole of the area of the Municipality.

2.6 Map and Schedules: Reference by Public

A copy of the Map shall be available at the offices of the Town Engineer for reference by the public during such hours as may be prescribed by the Council for this purpose.

2.7 Method of Measuring Distances, etc.

2.7.1 Where reference is made or implied in this Statement to the distance between a building and a boundary, such distance shall be measured in the following manner:

2.7.1.1 Such boundary and all points of such building shall be projected onto a horizontal plane, and all measurements shall be made in such plane.

2.7.1.2 The distance between a point on a building and a boundary shall be measured at right angles to such boundary.

2.7.2 Where reference is made in this Statement to a portion of a boundary "opposite" a building, such portion shall be defined by drawing lines in the manner prescribed in subsection (1), from points on such building, at right angles to such boundary.

2.7.3 Where reference is made in this Statement to the mean level of the ground or of a roof, parapet or other thing, such mean level shall be calculated in accordance with recognised geometric principles; provided that in any case where the levels involved are so irregular that calculation in accordance with such principles is impracticable or leads to a result which is not in accordance with the intent of the Scheme, the Town Engineer shall determine such mean level in accordance with such intent.

RESERVATION OF LANDS

3. The several pieces of land specified in column (1) of Table "A" are reserved for use for the respective purposes indicated in column (2) of Table "A" and except as hereinafter provided, shall not be used for any other purpose whatsoever.

TABLE "A"

(1)	(2)
<u>Indication on map of lands reserved:</u>	<u>Uses for which lands are reserved;</u>
(a) Dark red	New streets and proposed street widening
(b) Hatched dark red	Street closures - use of land to be determined after closure.
(c) Dark Green	Public space or public open space.
(d) Yellow Green	Private open space.

Indication on map of lands reserved:	Uses for which lands are reserved:
(e) Dark green with "CEM" superimposed.	Cemetery purposes.
(f) Light brown with "LA" superimposed.	Local Authority purposes.
(g) Light red with "GOV" superimposed.	Government purposes.
(h) Light blue with "E" superimposed.	Educational purposes.
(i) Dark purple	Railway purposes.
(j) Light brown with "P" superimposed	Public parking purposes.
(k) Light brown	Existing streets.
(l) Light blue	Proclaimed main roads.
(m) Red	Other main roads.

4.1 Save with the consent of the Council and the Administrator no person shall erect a building, or execute works, or make excavations on land reserved under Clause 3 hereof other than buildings, works or excavations required for or incidental to the purpose for which the land is reserved, provided that nothing herein contained shall be deemed to absolve any person from due compliance with the provisions of the Council's Regulations in so far as they are not in conflict herewith.

4.2 Save as provided in sub-clause 4.1 no person shall spoil or waste land reserved under Clause 3 hereof so as to destroy or impair its use for the purpose for which it is reserved. Provided that the Council may consent to the deposit on such land of waste materials or refuse.

4.3 In giving its consent under this Clause the Council may impose such conditions as it thinks fit.

4.4 Subject to the provisions of any law, nothing in this Clause shall be construed as prohibiting the reasonable fencing of the land.

4.5 Any buildings erected on land reserved under Table "A" shall comply in all respects with the provisions of the scheme relating to that type of building.

5. ERECTION AND USE OF BUILDINGS

5.1 The purpose for which buildings may be erected or used or may be erected and/or used only with the special consent of the Council, in each of the Use Zones specified in Table "B" are shown in columns (2) and (3) of the Table, respectively.

Any use not reflected in columns (2) and (3) may not be permitted in the relative zone. No land shall be used for a purpose for which a building may not be erected or used on such land, provided that where a building may be erected and used for a particular purpose on land with the special consent of the Council such land may be used for such purpose with such special consent.

Where there is doubt or dispute as to the category into which a building falls, such building shall be deemed, until the contrary is proved, to fall into such category as the Town Engineer shall determine, having regard to the intent of the Scheme.

Where different parts of a building are situated in different Use Zones, the erection and use of each part shall be in conformity with the provisions applicable to the Use Zone into which such part falls.

5.2 Subject to the provisions of Clause 6 hereof where any application is made to the Council for its consent to the erection and use of a building in a zone in which a building of the type proposed may be erected and used only with the Council's special consent, the Council may give or withhold its consent and shall in giving its consent be entitled to impose such conditions as it may deem fit governing the erection or use of such building. In considering such applications regard shall be given to the question whether the use for which the building is intended or designed is likely to cause injury to the amenity of the neighbourhood including in the case of an industrial building, injury due to the emission of smoke or fumes, or dust, noise or smell.

5.3.1 Where permission to erect any building or execute any works or to use any building or land for any particular purpose or to do any other thing, is granted under this scheme and conditions have been imposed, such conditions shall have the same force and affect as if they were part of this scheme.

5.3.2 Nothing herein contained shall be deemed to exempt or excuse compliance with any of the Council's Regulations.

5.4 No land comprised in any zone shall be used for the purpose of builder's yard, refuse tipping, storeyard, coal depot, motor graveyard, sewage disposal or cemeteries without the consent of the Council.

5.5 Parking and Maintenance of Motor Vehicles: A transport business or depot for the parking or maintenance of vehicles used in conjunction with a transport business, may not be established in any zone other than areas zoned for light industrial or general industrial use; provided that administrative offices connected with such a business may be situated in use zones A, B, C or D.

6. ADVERTISEMENT AND APPEAL IN CERTAIN CASES

- 6.1 An application for the Council's consent to the erection and use of a building or to the use of land in any zone referred to in Table "B", either wholly or partially, for any purposes for which the Council's special consent is required, shall be advertised as defined in Ordinance 15 of 1985 and shall state that objections to such application, may be lodged in writing with the council within 21 days of the date of notification.
- 6.2 Upon making application for the Council's special consent to the erection of a building or buildings such person shall submit with such application;
 - 6.2.1 a sketch design of the proposed building or buildings;
 - 6.2.2 a layout plan showing the location of the site together with the location and description of all buildings on surrounding sites;
 - 6.2.3 a motivation report for the proposed development including an indication of the accommodation and facilities to be provided and the bulk and coverage factors which the development represents in relation to the site.
- 6.3 The Council shall take into consideration any objections received within the said period of fourteen (14) days and shall notify the applicant and the persons, if any, from whom objections were received of its decision.
- 6.4 Any decision given in terms of this clause shall be by resolution taken by a majority of the total number of Councillors assigned to the Municipality.

7. SAVING FOR SPECIAL PURPOSES

- Without prejudice to any powers of the Council derived from any other law, nothing in this scheme shall be construed as prohibiting or restricting or enabling the Council to prohibit or restrict -
- 7.1 the letting, subject to the Council's Regulations relating to lodging and boarding-houses, by any occupant of a dwellinghouse, of any part of the house otherwise than as a tenement;
 - 7.2 the occasional use of a place of public worship, place of instruction or institution, as a place of amusement or social hall;
 - 7.3 the use by any resident of a dwelling house, flat or residential building or of any portion thereof as medical doctor's or dentists' surgery, consulting and waiting rooms, as well as a veterinary's consulting room for the purpose of treating only domestic animals (household pets), provided the resident himself is the user.

- 7.4 The use of part of a dwelling house, flat or residential building by a resident therein for the conduct by himself of a profession or occupation provided that -
- 7.4.1 such a dwelling house, flat or residential building or any portion thereof shall not be used as a shop, business premises, industrial building or noxious industrial building;
 - 7.4.2 no goods shall be publicly displayed;
 - 7.4.3 no advertising sign or notice shall be displayed other than an unilluminated sign or notice, not projecting over a street and not exceeding 1858 cm² in area, indicating only the name and profession or occupation of the resident;
 - 7.4.4 no activity shall be carried on which is or which is likely to be a source of nuisance, disturbance or annoyance to residents of other dwelling houses, flats or residential building or portions thereof.
- 7.5 The use of a residential site or part of the site as a guesthouse subject thereto that -
- 7.5.1 Parking be provided on the site to the satisfaction of the Director : Civil Engineering Services, by and at the cost of the owner.
 - 7.5.2 No advertising sign or notice be displayed other than an unilluminated sign or notice, not projecting over a street and not exceeding 2 000cm² in size, indicating only the name of the guesthouse.
 - 7.5.3 The written consent/comments of all the surrounding land owners who may be affected by the usage, be obtained.
 - 7.5.4 The owner or approved/appointed person live on the premises except where a few units are grouped together and can be managed by one person.
 - 7.5.5 No activity be carried out which is, or is likely to be, a source of nuisance, disturbance or annoyance to residents of this area.

8. DENSITY CONTROL

Where the site of a building or buildings falls into two or more Use Zones the permissible Coverage or Bulk for such site shall not exceed the sum of the Permissible Coverage or Bulk respectively for each portion of the site.

The following restrictions indicated on Table B shall apply in the relative zones indicated on the map:

8.A. Central Business Area:

8.A.1 Street Boundary:

All buildings erected in this zone must comply with the street building lines as stipulated in Clause 8.A.5.1 and the land falling within the street boundary (vide definition of "street boundary") must be made available to the Council for street purposes. (See also definition of "Bulk").

8.A.2 Coverage:

In this zone the area at the respective floor levels of all the buildings on the site in relation to the nett site area shall not exceed the following percentages:-

<u>Purpose</u>	<u>Coverage</u>
Shops and Business Premises	90 %
Service Stations, Garages (Public and Parking) and Places of Assembly.....	80 %
Licensed Hotels	80 %
Block of Flats and Residential Buildings (allowed above 1st floor)	50 %
Places of Public Worship, Places of Instruction and Institutions	80 %

8.A.3 Maximum Permissible Bulk:

The maximum permissible bulk factor for different uses in this zone is given in the table below provided that the overall permissible bulk factor for all buildings on any site shall not exceed 3,0

Shops and Business Premises	3,0
Licensed Hotels	2,25
Residential Buildings and Blocks of Flats ...	1,0
Places of Assembly	2,0
Places of Instruction and Institutions	2,0
Public & Parking Garages, Service Stations ..	1,5

Use - Zone	Purpose for which buildings may be erected and used	Purpose for which buildings may be erected and used only with the special consent of the Council	Use <u>not</u> allowed
A. Central Business Area			
(Coloured blue on map and marked "A")	Shops (excluding wholesale) business premises, licensed hotels, residential buildings and flats (the latter two uses above first floor level only and subject to Council's consent)	Places of public worship, places of instruction, institutions, places of assembly, premises for wholesalers (provided adequate provision is made for loading and off-loading on site), service stations, parking garages, fish frying business on Lots 520-522, 543-545 and 466, Central Bellville, drive-in restaurants, special buildings.	All uses not mentioned in columns 2 and 3 No further service stations after 11th May 1970.
B. City Centre Business Area			
(Coloured blue on map and marked "B")	As for A above, subject to provision in column 4.	As for A above, subject to provision in column 4.	1. Not more than 2 service stations shall be permitted in this Zone. 2. Funeral parlours and all other uses not mentioned in columns 2 and 3.
C. Secondary Business Area			
(Coloured blue on map and marked "C")	Shops, business premises, flats above first floor.	Service Stations, licensed hotels, institutions, places of public worship, funeral parlours, fish frying business, wholesalers, places of assembly and places of instruction, drive-in restaurants, putting courses, special buildings.	All uses not mentioned in columns 2 and 3. No further service stations after 11th May 1970.
D. Local Shopping Area			
(Coloured blue on map and marked "D")	Shops, business premises, flats (above first floor only).	Places of public worship, drive-in restaurants.	Service stations, licensed hotels, places of assembly and all other uses not mentioned in columns 2 & 3
DA Special Zone for Services Stations			
(Coloured blue and marked "DA")	Service Stations	Shop	All uses not mentioned under columns 1 & 2.
E. Sanlam Head Office Site			
(Coloured pink)	All activities connected with the business of Sanlam and its associated companies, hostels, cafeteria, restaurant, swimming bath, recreation hall, sportsground buildings, welfare buildings, private places of amusement, private theatres, caretaker's cottages and covered parking areas.		Flats, shops, business premises (other than those mentioned in column 2), public garages, industrial buildings.
EA Office Park Zone			
(Coloured blue on map and marked "E")	Business premises	Institutional buildings, places of instruction.	All uses not mentioned under columns 1 & 2.
EB Special Zone for Office purposes			
(Coloured blue with cross hatching)	Business premises	Institutional buildings, places of instruction.	All uses not mentioned under columns 1 & 2.

Use - Zone	Purpose for which buildings may be erected and used	Purpose for which buildings may be erected and used only with the special consent of the Council	Use <u>not</u> allowed
F. <u>Light Industrial Areas</u> (Coloured purple with cross hatching on map)	One flat per erf is part of an allowable use above first floor level. Light industrial, subject to the provision of clause 8.F.1.1.	(i) Business premises, shops, public garages, warehouses, special buildings. (ii) A second flat per erf as part of an allowable use provided the floor area occupied on one erf by such a use exceeds 750 m ² .	Noxious industrial buildings and all uses not mentioned in columns 2 & 3. No further service stations along Durban Road after 11th May, 1970.
FA <u>Industrial</u> (Coloured pink with cross hatching on map)	Industrial buildings and warehouses, subject to the provisions of clause 8.F.1.1.	Public garages and special buildings.	Noxious industrial buildings, dwellings and residential buildings, except as allowed under industrial buildings.
FB <u>The Escom Oakdale Site</u> (Coloured pink with cross hatching on map)	The activities of Escom, i.e. sub-stations, test department, control department, offices and will also include a cafeteria, swimming bath, recreational halls, sports ground buildings, caretaker's cottages, covered parking areas.	Industrial buildings and stores.	All uses not mentioned in columns 2 & 3.
FC <u>Industrial (Eastern Areas)</u> (Coloured light purple on map)	Industrial - subject to the provisions of clause 8.F.1.1	Warehouses, public garages and special buildings.	Noxious industrial buildings, dwellings except as allowed under definition industrial buildings.
G. <u>General Residential Areas</u> Orange	Blocks of flats and residential buildings, group housing, cluster housing.	Places of public worship, places of assembly, institutions, places of instruction, licensed hotels which do not conduct off-sales establishments, special buildings.	All uses not mentioned in columns 2 & 3.
G2 <u>Special General Residential Areas</u> (Coloured orange marked G2)	As above, subject to special conditions to be complied with before zoning applies.	As above and in column 2.	All uses not mentioned under columns 2 & 3.
G3 <u>Special General Residential Areas</u> (Coloured orange marked G3)	As for G2 Group Housing, cluster housing	As for G	As for G
G4 <u>Low Density General Residential Areas</u> (Coloured orange marked G4)	As for G	As for G	As for G
H. <u>Single Residential Areas</u> (Coloured yellow on map)	Dwelling houses	Places of public worship, institutional buildings, places of instruction, doctor's consulting rooms provided the doctor resides on the premises, special buildings.	All uses not mentioned under columns 2 & 3.
HA <u>Group Housing</u> (Coloured orange with cross hatching)		As for H	As for H
HB <u>Cluster Housing</u> (Coloured yellow with cross hatching)		As for H	As for H

- 8.A.4 Maximum Height;
There shall be no restriction on the height of any building in this zone.
- 8.A.5 Building Lines:
- 8.A.5.1. Street improvement line as shown on the map:
- 8.A.5.1.1 Subject to the provisions of section 146 of Ordinance No. 15 of 1952, as amended, business premises (and flats above the first floor) may be erected on the street boundary where no other building line is indicated on the map. (See definition of "street boundary")
- 8.A.5.1.2 All other buildings shall be set back 4,5 metres from the street boundary.
- 8.A.5.2 Lateral Boundaries:
- 8.A.5.2.1 Buildings on the ground floor may be erected on the lateral boundary of an erf (vide 8.A.5.5) provided that shops, business premises and Places of Assembly may be erected on the lateral boundary of an erf up to a maximum height of 14 metres or 3 storeys.
- 8.A.5.2.2 Subject to the provisions of 8.A.5.2.1 all buildings above the ground storey may be erected on the lateral boundary of an erf for a maximum distance of 14 metres measured from the street building line and thereafter shall be set back 4,5 metres from the lateral boundary, (vide 8.A.5.5).
- 8.A.5.3 Rear Boundaries:
- 8.A.5.3.1 Shops, Business Premises and Places of Assembly may be erected on the rear boundary of an erf (vide 8.A.5.5).
- 8.A.5.3.2 All other buildings shall not be erected nearer than 4,5 metres from the rear boundary of an erf.
- 8.A.5.4 A building or portion of a building may only be erected on the lateral or rear boundary of a property if no windows, doors or ventilation openings are inserted in any wall on such boundary.
- 8.A.5.5 In the event of the common boundary between two erven forming the boundary between this zone and a residential zone, the side or rear space, as the case may be, applicable to the latter shall apply on both sides of the boundary in so far as it is more restrictive, but in any event shall not be less than 4,5 metres.

8.A.6

Basements:

Subject to the provisions of Section 146 of Ordinance No. 15 of 1952, as amended, the building line provisions need not be complied with in so far as basements are concerned.

8.A.7

Projections:

In this zone projections, excluding advertising signs approved by the Council in accordance with the provisions of any other laws, over streets and building lines shall be limited to minor architectural features and one cantilevered open canopy to within 600 mm. of the pavement edge; provided no portion of any projection shall be less than 3 metres above the pavement and there shall be no access from the building to the canopy.

8.A.8

Provisions for On-Site Parking:

In this zone the following minimum provision shall be made on the site for parking and garaging vehicles and for loading and off-loading facilities:-

8.A.8.1.1

Shops and Business Buildings:

8.A.8.1.1.1

To prevent congestion of traffic on any street or proposed street on which the proposed building will overlook or abut, the Council may demand from the owner that he shall lodge proposals with the Council for approval, showing in which manner he will provide on the site adequate and suitable space for the work in connection with the loading and off-loading of goods, or the supply of fuel to vehicles, which may probably result from the use of the building.

8.A.8.1.1.2

The owner and occupier of the building in respect of which proposals as regards this clause have been demanded, may not permit that the loading and off-loading of goods or the supply of fuel to vehicles may be done in a manner contrary to the approved proposals.

8.A.8.1.2

Blocks of Flats and Residential Buildings:

One parking bay for each dwelling unit (flat) or in the case of hotels, boarding houses and residential buildings, each 2 bedrooms, plus an additional twenty bays in the case of a licensed hotel. Of the parking bays so prescribed one bay for every four dwelling units or every five bedrooms in the case of hotels, boarding houses and residential buildings and the 20 additional parking bays prescribed for a licensed hotel shall be provided uncovered on the site and clearly demarcated and suitably sign posted to the Council's satisfaction for the use by visitors to the premises.

8.A.8.1.3

Places of Assembly:

A minimum area shall be provided on the basis of one parking bay for every twenty seats provided in the building subject to a minimum of 15 parking bays for each funeral parlour.

8.A.8.4 Public Garages and Service Stations:

8.A.8.4.1 4 Parking bays exclusive of showroom and workshop areas for every grease bay or wash bay provided not less than 8 parking bays shall be provided at each public garage or service station.

8.A.8.4.2 10 Parking bays for each 100m² of shop floor area with a minimum of 4 for a shop.

8.A.8.4.5 Putting Courses, Miniature Golf Courses and Drive-in Restaurants (See paragraph 8.A.14.3)

8.A.8.2 No parking area in the case of the general residential zones to which these provisions also apply by virtue of clause 8.G.1.5 shall be laid out within 4,5 metres of a street boundary (vide definition of street boundary), provided that such parking area will be allowed up to the street boundary should its level be at least 2 metres lower than that of the adjacent sidewalk.

8.A.8.3 The vehicular access/exit ways to the site shall be restricted to not more than one each per site per street abutting the site, provided that in the case of public garages and service stations the provisions of clause 8.A.13 shall apply.

8.A.8.4 The vehicular access/exit ways to the site shall be restricted to a maximum width of 6 metres where they cross the street boundary, provided that in the case of public garages the provisions of clause 8.A.13 shall apply.

8.A.8.5 No vehicular crossing over the pavement shall be located nearer than 4,5 metres to any street corner (i.e. the point of intersection of two street boundaries) provided that in the case of public garages and service stations, the provisions of clause 8.A.13 shall apply where more restrictive than the provisions of this sub-clause.

8.A.8.6 Such parking areas shall be properly constructed to the satisfaction of the Council and parking bays clearly demarcated.

8.A.8.7 Such parking areas shall be used exclusively for the parking or standing of vehicles lawfully coming thereon and shall not be used for trading purposes or any other purposes.

8.A.8.8 Where a parking area adjoins a street a low wall of min. height of 215 mm and 102 mm thickness shall be built on the street boundary excepting at the entrances.

8.A.8.9 Where a parking area is provided at the rear of a site adjoining a residential area, a suitable wall shall be erected along the boundary to protect to protect the amenities of the residential area.

3.A.8.10 The manner in which it is intended that vehicles shall park or stand on such parking areas and the means of gaining access and exit shall be shown on a plan to be submitted to the Council which may approve, disapprove or impose such conditions as it may deem fit. The Council may impose more restrictive requirements than those of sub-clauses 8.A.8.2 to 8.A.8.10 if considered necessary from any traffic point of view.

8.A.9 Places of Assembly:

Where premises are to be used as a place of assembly, there shall be provided a foyer with a minimum area of 0,217 square metre per seat for one quarter of the total seating capacity and a minimum frontage of 1 metre for each 100 seats licensed by the Council in the building.

8.A.10 Blocks bounded by Voortrekker Road, Durban Road, Erin, Teddington, Vrede and Kort Streets:

The following additional provisions shall apply:-

The erven fronting onto Teddington and Vrede Streets shall only be used for the purpose of a single residence provided that such erven may be used for the purposes permitted in Sub-zone A if they are developed for these purposes in conjunction with the erven fronting onto Voortrekker or Durban Roads, further provided that the ground required for road widening as indicated on the map is transferred to the Council, free of charge.

8.A.11 Funeral Parlours with Chapels:

The following additional provisions shall apply:-

8.A.11.1 For the purpose of these provisions, "intersection" and "traffic island" shall have the meaning assigned thereto in regulations relating to public garages.

8.A.11.2 No funeral parlour with a chapel shall be permitted on a site abutting a street of less than 12,5 metres in width.

8.A.11.3 No funeral parlour with a chapel shall be permitted nearer than 100 metres from -

8.A.11.3.1 the intersection of a declared road, proclaimed road, prospective main road, or any other street to which the provisions of section 146 of the Divisional Council's Ordinance, 1952 (Ordinance No. 15 of 1952) apply with any other street of like status;

8.A.11.3.2 any road whether existing or provided for in the town-planning scheme; and

8.A.11.3.3 any intersection where traffic is controlled, or is proposed to be controlled in terms of the town-planning scheme, by a traffic island.

8.A.12 Dry Cleanettes and Laundrettes:

Dry cleanettes and laundrettes may be established in this zone provided that they comply with the following provisions:

8.A.12.1 The floor area of the shop for receiving and returning clothes, the workshop and the space used for the clothes-racks together shall not exceed 255 square metres;

- 8.A.12.2 The minimum distance between the boundaries of any two dry cleanettes or laundrettes, unless situated on opposite sides of a street shall be 60 metres;
- 8.A.12.3 Only gas, electricity or illuminating paraffin shall be used for the production of steam or hot water;
- 8.A.12.4 The solution used in the cleaning process shall be non-inflammable;
- 8.A.12.5 The combined capacity of the dry cleaning machines that may be installed shall not exceed 19 kilograms dry weight of clothing or other articles per cleaning operation per half hour cycle;
- 8.A.12.6 The combined capacity of the washing machines that may be installed shall not exceed 28 kilograms dry weight of clothing or other articles per washing operation;
- 8.A.12.7 In any establishment comprising either a dry cleanette or a laundrette or a combination of both, the maximum personnel shall be 12;
- 8.A.12.8 Each individual application for the establishment of a laundrette or a dry cleanette in this zone shall be submitted to the Council for its special consent and the Council shall be furnished with full information as to the maximum and minimum capacities of the machines to be operated, the number of employees and floor space to be occupied;
- 8.A.12.9 If the Council is of the opinion that the site of a proposed dry cleanette or laundrette is unsuitable on the grounds of possible nuisance, danger to public health, etc., it shall submit the application, together with its view and recommendations and the reasons therefore to the Administrator whose decision shall be final.

8.A.13 Public Garages and Service Stations;

The following additional provisions shall apply:-

- 8.A.13.1 In this regulation unless inconsistent with the context -
- "boundary" in relation to a road means the boundary of the width of a road as fixed by or under any law;
- "intersection" means the area embraced within the prolongation of the lateral boundaries of two public roads which join each other at, or approximately at right angles, or the area within which traffic travelling on different roads joining, at any other angle may come into conflict;
- "Public Garage" means a trade or business in respect of which a licence is required in terms of Item 27 of the First Schedule to the Registration and Licensing of Business Ordinance No. 15 of 1953, as amended, and shall include the trade or business of fuelling motor vehicles for payment or reward.

"traffic island" means any raised area in a roadway intended for the physical separation of traffic or for the exclusive use of pedestrians, or for both;

and any other word or expression to which a meaning is assigned in the Divisional Council's Ordinance, 1952 (Ordinance No. 15 of 1952), has the meaning so assigned to it.

- 8.A.13.2 Notwithstanding any provisions of this town-planning scheme no person shall erect a public garage which does not conform to the requirements hereafter set forth, except where the Council on good cause shown and with the approval of the Administrator, authorises otherwise.
- 8.A.13.3 No engineering work which causes objectionable noise or in the course of which obnoxious or harmful gases, fumes or odours are released, no spray-painting and no panel-beating, shall be carried on at a public garage unless such garage is situated on land which may be used for industrial purposes.
- 8.A.13.4 No motor vehicle fuel pump shall be erected within 3,5 m of the road boundary measured from the nearest edge of the base or island on which the pump is erected, and no pumps for the supply of motor vehicle fuel to the public shall be erected on any premises with a continuous frontage of less than 30 m on the boundary of a public road or public roads.
- 8.A.13.5 The vehicular access and exit ways to and from the premises of a public garage shall where they cross the road boundary be not more than 10 metres wide, and a wall at least 102 mm thick and 215 mm high shall be erected on the road boundary between the points of access and exit. The wall shall be continued along such boundary unless the premises are otherwise enclosed. The vehicular access and exit ways to and from motor vehicle fuel pumps at a public garage shall be restricted to one each for every continuous frontage of 30 metres which the premises whereon such pumps are erected have on the boundary of a public road or public roads.
- 8.A.13.6.1 In an urban area the vehicular access and exit ways to and from the premises of a public garage, where they cross the road boundary shall -
- 8.A.16.6.1.1 not be less than 30 m from the nearest point of -
- (a) the intersection of a declared road, proclaimed road, prospective main road, or any other road to which the provisions of section 146 of the Divisional Council's Ordinance, 1952 (Ordinance No. 15 of 1952) apply, with any road of like status;
 - (b) an intersection where traffic is controlled, or is in terms of a town-planning scheme proposed to be controlled, by a robot or traffic island;

- 8.A.13.6.1.2 not be less than 1,5 metre from the lateral boundary of the premises;
- 8.A.13.6.1.3 in the case of an intersection other than on referred to in paragraph 1 -
- (a) if the corner at the intersection is not splayed, not be less than 10 metre from such corner, or
 - (b) if the corner at the intersection is splayed, not be less than 10 metre from such corner or 5 metre from the point where the line of splay meets the road boundary, whichever is the greater distance from the corner.
- 8.A.13.6.2 In sub-regulation 8.A.13.6.1.3 "corner" means the corner formed by the road boundaries or the prolongation of the road boundaries bordering the premises of a public garage.
- 8.A.13.7 In an area other than an urban area the vehicular access and exit ways to and from the premises of a public garage shall, where they cross the road boundary, be not less than 500 m from the nearest point of -
- (a) the intersection of a declared road, proclaimed road or prospective main road with any other road of like status;
 - (b) an intersection where traffic is controlled, or is in terms of a town-planning scheme proposed to be controlled, by a robot or traffic island;
 - (c) any vehicular access and exit ways where they cross the road boundary to and from motor vehicle fuel pumps on the premises of another public garage on the same side of the road.
- 8.A.13.8 Any part of the premises of a public garage which is used for the storage of disused motor vehicles or parts of motor vehicles, any other scrap whatsoever, or empty containers such as oil drums and packing cases, or for the assembly, repair, painting or dismantling of motor vehicles shall, unless it is enclosed by buildings at least 2 metre high, be enclosed with a wall at least 2 metres high.
- 8.A.13.9 At every public garage provision shall be made on the premises for an easily accessible and usable parking area, exclusive of showroom and workshop areas, to the extent as laid down in 8.A.8.1.4
- 8.A.14 Putting Courses and Drive-in Restaurants:-
- 8.A.14.1 No putting courses or drive-in restaurant shall be established or operated except in accordance with the provisions of this clause.

- 8.A.14.2 No putting course or drive-in restaurant and the necessary parking area shall be permitted on a site abutting a road of less than 12,5 metres in width. No vehicular entrance/exit for these undertakings shall be nearer than 100 m from an intersection as defined in clause 8.A.13.1 where two proclaimed roads meet or where traffic is controlled by robots or traffic islands.
- 8.A.14.3 Provision shall be made on the site of every putting course for a parking area on the basis of 3 parking bays to every 2 holes in a putting course, provided that where a putting course is adjacent to a drive-in restaurant and the parking area for the two undertakings are not clearly separated, 50 parking bays must be provided for the drive-in restaurant in addition to the parking facilities prescribed for the putting course. The provisions of clauses 8.A.8.2 to 8.A.8.10 shall be applicable, mutatis mutandis, to any parking area required in terms of this clause.
- 8.A.14.4 The boundary of a putting course shall be set back at least 4,5 metres from the statutory boundary of any street abutting the course to provide suitable standing room for spectators off the street and pavement.
- 8.A.14.5 Sanitary facilities shall be provided on the site of every putting course and drive-in restaurant to an extent prescribed by the Medical Officer of Health and shall be located in positions approved by the Council.
- 8.A.14.6 Where the Council deems it necessary in the interests of amenity, the site of every putting course and/or drive-in restaurant shall be screened and landscaped in a manner prescribed by the Council.
- 8.A.14.7 A putting course shall not be operated later than such closing hour as the Council may prescribe.
- 8.A.14.8 Any buildings or structures erected on the site of a putting course and/or a drive-in restaurant shall fully comply with the provisions stipulated in the town planning scheme for the zone in which the site is located.
- 8.A.14.9 Any public address or sound system at a putt-putt course and/or drive-in restaurant shall at all times be operated in such a manner that the Council is satisfied that no nuisance whatsoever is caused to the occupants of nearby properties.
- 8.A.14.10 In addition to the advertising of the proposed establishment of a putting course and/or a drive-in restaurant for the purpose of the Council's special consent, the notice of surrounding owners shall be drawn in writing to the aforesaid advertisement.
- 8.A.15. Combined Buildings:
In the case of combined buildings, the provisions shall be calculated in respect of each floor for the use to which such floor is to be put, and the sum of the provisions so arrived at applied to the whole building. Where it is intended to use any one floor of a building for more than one use, the more restrictive provision shall apply.

8.B. CITY CENTRE BUSINESS AREA:

The provisions of Zone A shall apply to this zone, subject to the following:-

8.B.1 No business zoning whatsoever is attached to any erf in this zone until such time as the ground required for road widening purposes, as indicated on the map, has been transferred to the Council, free of charge. Until such time, the area is zoned for single residential purposes.

8.B.2 Provision for Parking:

8.B.2.1.1. The owners of the properties in this zone shall make provision on the site for parking of vehicles in the ratio of one parking bay for each 60 square metres of floor area in the buildings erected on such properties devoted to shop or business purposes in addition to the parking requirements as set out for Zone A.

The number of parking bays to be provided in respect of shops, business premises and cinemas shall be reduced by the number of parking bays on the portion of the properties made available to the Council for street purposes in terms of provision 1 above.

8.B.2.1.2 As an alternative to the provisions of paragraph 8.B.2.1.1 the owner of any property may acquire in the area indicated by "PH" on the map an area of land of the same extent as he would have had to provide for shop and business parking on his site provided he transfers the land so acquired free and unconditionally to the Council for parking purposes.

8.B.2.1.3 As a further alternative to the provisions of 8.B.2.1.2, the owner of any property may pay to the Council a cash sum equal to its rateable valuation per square metre multiplied by the area of land to be supplied in accordance with the requirements of 8.B.2.1.1 in which event the Council shall acquire the necessary land in the area indicated with "PH" on the map. for the purpose of 8.B.2.1.1, 8.B.2.1.2 and 8.B.2.1.3, one parking bay shall be taken to be 30 square metres in area.

8.B.3 Information in respect of New Street Boundaries:

Block No.	Street Boundaries
A.	
9,45 m from centre line	Barnard Street
14,17 m " " "	Voortrekker Road
9,45 m " " "	Amden Street
14,17 m " " "	Dirkie Uys Street

Block No.	Street Boundaries		
B.	9,45 m from centre line 18,89 m " " " 6,30 m " " " 14,17 m " " "	Amden Street Voortrekker Road Retief Street Dirkie Uys Street	
C.	6,30 m from centre line 18,89 m " " " 15,74 m " " " 14,17 m " " "	Retief Street Voortrekker Road Plein Street Dirkie Uys Street	
D.	14,17 m from centre line 9,45 m " " " 14,17 m " " " 15,74 m " " "	Maritz Street Retief Street Dirkie Uys Street Plein Street	
E.	14,17 m from centre line	Paarl Road	
F.	25,19 m Binnehof from Plein Street Boundary 14,17 m from centre line 15,74 m " " " 18,89 m " " "	Paarl Road Plein Street Voortrekker Road	
G.	14,17 m from centre line 18,89 m " " " 14,17 m " " " "Binnehof" 25,19 m from Voortrekker Road Boundary and 25,19 m from Mazzur Street boundary.	Paarl Road Voortrekker Road Mazzur Street	
H.	18,89 m from centre line 14,17 m " " " 7,87 m " " "	Voortrekker Road Mazzur Street Petrusa Street	
J.	14,17 m from centre line 7,87 m " " " 9,45 m " " "	Mazzur Street Petrusa Street End Street	
K.	14,17 m from centre line 9,45 m " " " 14,17 m " " "	Mazzur Street End Street du Toit Street (Paarl Road)	
L.	14,17 m from centre line 14,17 m " " "	Mazzur Street du Toit Street (Paarl Road)	
M.	14,17 m from centre line 14,17 m " " " 9,45 m " " "	Plein Street Maritz Street Retief Street	

Block No.		Street Boundaries
N.	14,17 m from centre line	Dirkie Uys Street and Maritz Street
	9,45 m " " "	Retief Street
P.	14,17 m from centre line	Paarl Road
	14,17 m " " "	Mazzur Street
	14,17 m " " "	Plein Street

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8.C. SECONDARY BUSINESS AREAS:

The provisions of Zone A shall apply except for the following:-

8.C.1. Coverage:

Not to exceed 75% of the total area of the site.

8.C.2 Bulk:

The maximum permissible bulk factor on the site in this zone shall be 2,0; provided that the maximum permissible bulk factor allowable for residential use on any site shall be 1,0.

8.C.3 Height:

Subject to the compliance with the foregoing restrictions, the building not to exceed six storeys or 20 metres in height measured to the top floor ceiling.

8.C.4 Space about Buildings:

8.C.4.1 Street building line:

All buildings must be set back at least 4,5 metres from the statutory street boundary of a proclaimed road or 3 metres from the street boundary of any other street provided that should a street be less than 12,5 metres in width a strip of land sufficient to widen such a road to 12,5 metres must be made available to the Council for street purposes, (see definitions of "street boundary" and "bulk") provided that on Raglan Street the building line shall be 6 metres.

8.C.4.2 Rear and Side Boundaries:

No point on the building other than garages to be nearer to the side or back boundaries of the site than 3 metres or $\frac{1}{2}$ height of the building, whichever is the greater. On each side of the site, however, the building may be built up to the side boundary for a distance not exceeding 13 m from the building line provided that no doors or windows overlook the boundary. Outbuildings not exceeding 3 m in height and garages may be built on the side boundary. Where this zone adjoins a residential zone the more restrictive side and/or rear space restrictions shall apply on both sides of the common boundary.

8.C.5 Land required for street widening and new streets as indicated on the map, must be made available to the Council. (See definitions of "Street boundary" and "bulk".)

8.C.6 Special conditions for the northern portion of Lot 15 and Lot 17, Bellville West Township:

8.C.6.1 The building on the northern portion of the erf may only be used for the purpose of the erection of a medical or paramedical centre.

- . 8.C.6.2 The ground floor of the proposed building may only be used for parking, except where the owner prefers to provide an equal or larger area in the basement for such purpose.
- . 8.C.6.3 No vehicular access shall be provided from Fairway Street.
- 8.C.6.4 The vehicular access from Broadway Street shall be at least 18 metres from the boundary of Voortrekker Road.
- 8.C.6.5 A 6 metre building line shall apply on Fairway Street.

8.D. LOCAL SHOPPING AREA:

The provisions of Zone A shall apply except for the following cases:

8.D.1 Coverage:

66% of site

8.D.2 Bulk:

The maximum permissible bulk factor in this zone shall be 1,16 of which not more than 0,66 may be used for business purposes and not more than 0,50 for residential purposes.

8.D.3 Height:

Maximum height of 3 storeys, or 11 metres.

8.D.4 Space about Building:

8.D.4.1 The building must be set back at least 3 metres from the street boundary of any street except Barnard Street, Raglan and Mabel Streets where the street building line will be 6 metres and 12th Avenue where the street building line will be 4,5 metres.
Cantilevered canopies may extend 2,5 metres over the B.L.
Street building lines: the street building line shall be 4,5 metres in cases where the street width is less than 12,5 m.

8.D.4.2 Rear and Side Boundaries:

No point on the building other than garages to be nearer to the side or back boundaries of the site than 3 metres or $\frac{1}{2}$ height of the building, whichever is the greater.
On each side of the site, however, the building may be built up to the side boundary for a distance not exceeding 13 metres from the road building line provided that no doors or windows overlook the boundary. Outbuildings not exceeding 3 metres in height and garages may be built on the side boundary.

Where this zone adjoins a residential zone the more restrictive side and/or rear space restrictions shall apply on both sides of the common boundary.

8.D.5 Land required for street widening and new streets, as indicated on the map, must be made available to the Council. (See definitions of "Street boundary" and "bulk").

8.D.6 Special Conditions applicable to Erven Nos. 822, 823, 852, 853, 940 and 941, Oakdale:

No business zoning exists until:

8.D.6.1 The erven concerned are consolidated.

8.D.6.2 A 7,5 metres width of ground has been transferred to the Council free of charge along Barnard Street and this ground has been converted into an approved parking area at the expense of the owners.

8.DA. SPECIAL ZONE FOR SERVICE STATIONS:

The provisions of the A Zone shall apply excluding those dealing with the maximum permissible bulk factor which will be 0,80 in this zone.

8.DA.1 Special conditions applicable to Erven 1 - 3 and a portion of Erf 8, Meyerhof:

8.DA.1.1 A 7,5 metres building line is applicable on the common boundary with the remaining single residential portion of Erf 8, Meyerhof.

8.DA.1.2 A 2,7 metres high wall shall be erected along the common boundary with all adjoining single residential erven and a suitable barricade shall be erected along the full length of Herta Louw Street to prevent vehicular access to and from the garage site.

8.DA.1.3 Development of these plots is subject to the condition that the remainder of Erf 8, Meyerhof, be consolidated with Erf 9, Meyerhof.

8.DA.2 Special conditions applicable to Remainder of Erven 1, 2, & 3, Kassels Valley:

8.DA.2.1 No entrance to the site be permitted from the main road or within a distance of 45 metres from the intersection of the Kasselsvlei Road Extension and the Main Road;

8.DA.2.2 Access is restricted to the Beroma Township road opposite the shopping centre and not closer than 30 m. to the Glenhaven Road intersection;

8.DA.2.3 A building line of 20 m. from the Kasselsvlei Road Centre line is imposed;

8.DA.2.4 A fence is erected along the three boundaries to which access is being prohibited.

8.E THE SANLAM HEAD OFFICE SITE:

8.E.1 Height:

Maximum 37 metres. With the approval of the Administrator and the Council this height may be exceeded, but it may be subject to additional conditions which the Administrator or Council may impose.

8.E.2 Street building Line:

No nearer than 4,5 metres from a public street.

8.E.3 Provision of On-Site Parking:

Parking to be provided on the site on the basis of one parking space for every 112 square metres of floor area of all buildings as mentioned in Table B.

8.EA OFFICE PARK ZONE

8.EA.1 Coverage:

Not to exceed 40% of the total area of the site.

8.EA.2 Height:

Maximum height of 3 storeys (offices). If the ground floor is utilized for parking, a fourth storey may be allowed with Council's consent.

8.EA.3 Parking:

Parking must be provided on site to a ratio of 2 parking bays per 100m² floor area.

8.EA.4 Building Lines:

Street building line : 4,5 metres.
Rear and side building lines : 4,5 metres or half height of the building, whichever is the greater.

8.EB SPECIAL ZONE FOR OFFICE PURPOSES

The provisions of zone A shall apply except for the following:

8.EB.1 Coverage:

Not to exceed 75% of the total area of the site.

8.EB.2 Bulk:

The maximum permissible bulk factor in this zone, shall not exceed : 3.

8.EB.3 Height:

There shall be no restriction on the height of buildings.

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8.EB.4 Parking:

Parking must be provided on site to a ratio of 2 parking bays per 100m² floor area.

8.EB.5 Building Lines:

Street building line : 4,5 metres.

Rear and side building lines : 4,5 metres or half height of the building, whichever is the greater.

8.F LIGHT INDUSTRIAL ZONE

8.F.1 Provisions of Zone A to apply to all business premises:

Excepting for light industrial and industrial buildings the provisions of Zone A will apply.

8.F.2 Coverage:

Maximum coverage shall be 75%.

8.F.3 Maximum permissible bulk is 1,5.

8.F.4 Building Line:

No building or any portion thereof except boundary walls and fences shall be erected nearer to the boundaries than the distances mentioned hereunder.

3 metres or as indicated on the map, from the street.

8.F.5 Loading and Unloading:

For the purpose of loading and unloading vehicles, there shall be provided on the site a bay or bays to the Council's satisfaction, in accordance with Table C hereunder:

8.F.5.1 Table C

<u>Gross floor area of the building to nearest square metre</u>	<u>Required loading and Unloading Area</u>
0 - 2500m ²	1 Bay
2502 - 5000m ²	2 Bays
5001 - 10000m ²	3 Bays
Every additional 10 000m ² or portion thereof	1 additional bay

8.F.5.2 Such bay or bays shall have vehicular access (which shall be to the satisfaction of the Council, and shall not be less than 5m wide and if carried through a building, not less than 3m in height) to a street.

8.F.5.3 Provided that no vehicular access be permitted to the erven along Edward Street between Durban Road and Raglan Street, should the longest side of the loading area, as required above, not be situated rectangularly to the street, and that such access in the street in any case not be wider than 5 metres and that not more than one vehicular entrance per erf be permitted.

8.F.6 Parking:

For the purpose of on-site parking, the Council, in the case of each light industry or industry established, shall apply one of the following requirements that in the Council's opinion would relate best to the particular light industry or industry being established -

- 8.F.6.1 Number of parking bays to be provided on the site, based on the gross floor area of the building.
- 8.F.6.1.1 One bay for every 100m² of floor area up to 1 500m².
- 8.F.6.1.2 One bay for every 200m² in excess of 1 500m².
- 8.F.6.2 25% of the bays in 8.F.6.1.2 shall be set aside and sign-posted for use by visitors.
- 8.F.6.3 Number of parking bays provided on the site based on the total number of estimated employees in terms of the Factories Act No 22 of 1941, as amended.
- 8.F.6.3.1 Up to 25 employees - 1 bay for every 4 persons or part thereof.
- 8.F.6.3.2 Thereafter for the next 25 persons - one bay for every 5 persons or part thereof.
- 8.F.6.3.3 Thereafter for the next 50 persons - one bay for every 10 persons or part thereof.
- 8.F.6.3.4 Thereafter for any further number of persons employed - 1 bay for every 25 persons or part thereof.
- 8.F.6.4 Parking for the shop must be provided to the satisfaction of the Council.
- 8.FA. INDUSTRIAL ZONE
- The provisions of Zone 8.F. shall apply except for the following:
- 8.FA.1 Railway Line Boundary
- A building line of 18,25 metres measured from the main railway line shall be applicable in the following areas:
- On the southern side of the railway line from Bellville to Paarl;
- On the northern side of the railway line from Bellville to Strand.
- 8.FA.2 Special Conditions applicable to Triangle Farm
- 8.FA.2.1 No industrial zoning whatsoever is attached to any erf in this zone until that portion of the site falling within the street boundaries, shown on the map, is surrendered to the Council for street purposes and until a cash payment of 15% of the municipal valuation of the land (as detailed on folio 11353, Council resolution No 8 of 3/3/1966) in lieu of open space provision has been made to the Council.
- 8.FA.2.2 No solid burning fuels may be used in any industry established in this area.
- 8.FA.3 Special Conditions applicable to the Block bordered by Bridge Road, Ferguson Street, Strand Road and Old Kasselsvlei Road
- 8.FA.3.1 The same conditions as for 8.FA.2 will apply.

- 8.FB. The Escom Oakdale Site:
- 8.FB.1 Height:
Maximum 18.25 metres. With the approval of the Administrator and the Council, this height may be exceeded, but it may be subject to additional conditions which the Administrator or Council may impose.
- 8.FB.2 Coverage:
Maximum coverage allowed shall be 50%.
- 8.FB.3 Bulk:
Maximum permissible bulk shall be 1,5.
- 8.FB.4 Building Line:
4,5 metres from a public street or erf boundary.
- 8.FB.5 Provision of On-site Parking:
Parking to be provided on the site on the basis of one parking space for every 112 square metres of floor area of all buildings allowed as mentioned in Table B.
- 8.FC. Special Conditions applicable to the Industrial Area bounded by Shirley Park & Loumar Townships on the southern side and by the Old Paarl Road on the Northern side:
- 8.FC.1 All buildings erected in this zone must comply with the street building lines as laid down and the land which falls within the street boundaries, (See definition of "street boundary") as well as the land reserved for open space, must be made available to the Council.
- 8.FC.2 No buildings may be erected on the portion of an erf which is indicated as public open space on the plan.
- 8.FC.3 A building line of 18,89 metres is applicable along the boundaries of the Bellville/Paarl Railway Line.
- 8.FC.4 Erven 371, 371/4, 371/3 and 372 may not be used for industrial purposes or the existing industries may not be extended until the owner has constructed a 2,1 metre high brick or concrete wall to the satisfaction of the local authority, on the boundary of the buffer strip as indicated on the map. The wall must be erected on the industrial side of the buffer strip and maintained by the owner to the satisfaction of the local authority.
- 8.FC.5 No solid burning fuels may be used by any industry in this zone.
- 8.FC.6 No private accesses to La Belle Road and Old Paarl Road are permitted.

8.G. GENERAL RESIDENTIAL AREAS:

The following restrictions shall apply to residential buildings in general residential zones;-

		Residential Buildings and Blocks of Flats:	Licensed Hotels:	Institu- tional bdgs.:
8.G.1.1	Min. size of site	1 000 sq. m	4 000 sq. m.	2 000 sq. m.
8.G.1.2	Max. coverage	33%	33%	33%
8.G.1.3	<u>Spaces about blgs.</u>			
8.G.1.3.1	<u>Street building line:</u> No building or struc- ture, except boundary walls and fences, shall be erected nearer than $\frac{1}{2}$ height (with a min. of 7,5 m) from any street boundary (vide definition of "street boundary") of the site, provided that where an adjoining street is less than 15 metres in width the min. building line becomes 9 metres.			
8.G.1.3.2	Lateral Space	:)	$\frac{1}{2}$ height of building with	
8.G.1.3.3	Rear Space	:)	a minimum of 4,5 metres.	
	Provided that where sites are situated adjoining a public open space, the Council may consent to relax the building lines on those boundaries abutting on the open space.			
	Further provided that outbuildings with the consent of the Council may be erected in the lateral and rear spaces for a distance of 10,5 metres reckoned from rear boundary, or in the case of corner sites, from the point furthest from the street abutting the site, on condition that an outbuilding may only be erected nearer to any lateral or rear boundary of a site than the distance laid down for the main building if no windows or doors are inserted in any wall facing such boundary.			
8.G.1.4	Maximum permissible bulk:	0,90	0,90	0,90
8.G.1.5	<u>Parking</u> - The requirements in respect of minimum on-site parking prescribed for flats and residential buildings in the business zone shall be complied with in all respects. (See 8.A.8.1.2)			

- 9 8.G.1.6 No building may be erected in this zone on any site unless -
- 8.G.1.6.1 the site abuts a street of at least 12,5 metres in width which street shall be connected by a street or streets of not less than 12,5 metres in width to a main road.
- 8.G.1.6.2 When an owner prefers to surrender the land between the present site boundary and the street boundary (vide definition of street boundary) or a line 8 metres from the centre line of the abutting road, whichever is the greater, to the Council such area surrendered may be included in the area of the site for the purpose of determining the maximum permissible bulk.
- 8.G.1.7 Maximum height - There shall be no height restrictions, but the street, lateral and rear spaces shall be half the height of the buildings at least.
(See also 8.G.1.3.1 and 8.G.1.3.3 and 8.G.1.3.4)
- 8.G.1.8 No servant's quarters shall be permitted in this zone without the consent of the Council. In giving it's consent, the Council shall have the right to restrict the number of servant's quarters allowed per block of flats as well as regulate the situation in which these are to be provided.
- 8.G.1.9 Special conditions for Lots 153 - 155, Kempenville Ext. 1:
The erven shall only be used for the erection of an Old Age Home.
- 8.G.1.10. Special conditions for properties along the Western side of Victoria Street and Erf 256 Oakdale Township(excluding Erven 239 and 240, Oakdale. :
The provisions for the G-Zone shall apply subject to the following conditions:-
- (a) The change in zoning from single residential zone to general residential zone shall only be of force and come into effect when these erven are consolidated so that they have the same frontage on Victoria Street and Durban Road or consolidated with an adjoining erf in Victoria Street so that they have a consolidated site area of at least 893 sq. metre after allowance has been made for road widening; and
- (b) The owners shall cede to the Council a 3 metre wide strip of land on Victoria Street, free of charge, for road widening purposes.

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SPECIAL PROVISIONS FOR LOTS 33-43, 47-51, 55-64, 77-81, 82-87, 94-97, 98-101, 102-106, 107-111, 112-116, 117-121, 122-126, 127-131, 132-136, 137-141, 142-146, 147-151, 152-156, 157-161, 162-166, 167-171, 172-176, 177-181, 182-186, 187-191, 192-196, 197-201, 202-206, 207-211, 212-216, 217-221, 222-226, 227-231, 232-236, 237-241, 242-246, 247-251, 252-256, 257-261, 262-266, 267-271, 272-276, 277-281, 282-286, 287-291, 292-296, 297-301, 302-306, 307-311, 312-316, 317-321, 322-326, 327-331, 332-336, 337-341, 342-346, 347-351, 352-356, 357-361, 362-366, 367-371, 372-376, 377-381, 382-386, 387-391, 392-396, 397-401, 402-406, 407-411, 412-416, 417-421, 422-426, 427-431, 432-436, 437-441, 442-446, 447-451, 452-456, 457-461, 462-466, 467-471, 472-476, 477-481, 482-486, 487-491, 492-496, 497-501, 502-506, 507-511, 512-516, 517-521, 522-526, 527-531, 532-536, 537-541, 542-546, 547-551, 552-556, 557-561, 562-566, 567-571, 572-576, 577-581, 582-586, 587-591, 592-596, 597-601, 602-606, 607-611, 612-616, 617-621, 622-626, 627-631, 632-636, 637-641, 642-646, 647-651, 652-656, 657-661, 662-666, 667-671, 672-676, 677-681, 682-686, 687-691, 692-696, 697-701, 702-706, 707-711, 712-716, 717-721, 722-726, 727-731, 732-736, 737-741, 742-746, 747-751, 752-756, 757-761, 762-766, 767-771, 772-776, 777-781, 782-786, 787-791, 792-796, 797-801, 802-806, 807-811, 812-816, 817-821, 822-826, 827-831, 832-836, 837-841, 842-846, 847-851, 852-856, 857-861, 862-866, 867-871, 872-876, 877-881, 882-886, 887-891, 892-896, 897-901, 902-906, 907-911, 912-916, 917-921, 922-926, 927-931, 932-936, 937-941, 942-946, 947-951, 952-956, 957-961, 962-966, 967-971, 972-976, 977-981, 982-986, 987-991, 992-996, 997-1001, 1002-1006, 1007-1011, 1012-1016, 1017-1021, 1022-1026, 1027-1031, 1032-1036, 1037-1041, 1042-1046, 1047-1051, 1052-1056, 1057-1061, 1062-1066, 1067-1071, 1072-1076, 1077-1081, 1082-1086, 1087-1091, 1092-1096, 1097-1101, 1102-1106, 1107-1111, 1112-1116, 1117-1121, 1122-1126, 1127-1131, 1132-1136, 1137-1141, 1142-1146, 1147-1151, 1152-1156, 1157-1161, 1162-1166, 1167-1171, 1172-1176, 1177-1181, 1182-1186, 1187-1191, 1192-1196, 1197-1201, 1202-1206, 1207-1211, 1212-1216, 1217-1221, 1222-1226, 1227-1231, 1232-1236, 1237-1241, 1242-1246, 1247-1251, 1252-1256, 1257-1261, 1262-1266, 1267-1271, 1272-1276, 1277-1281, 1282-1286, 1287-1291, 1292-1296, 1297-1301, 1302-1306, 1307-1311, 1312-1316, 1317-1321, 1322-1326, 1327-1331, 1332-1336, 1337-1341, 1342-1346, 1347-1351, 1352-1356, 1357-1361, 1362-1366, 1367-1371, 1372-1376, 1377-1381, 1382-1386, 1387-1391, 1392-1396, 1397-1401, 1402-1406, 1407-1411, 1412-1416, 1417-1421, 1422-1426, 1427-1431, 1432-1436, 1437-1441, 1442-1446, 1447-1451, 1452-1456, 1457-1461, 1462-1466, 1467-1471, 1472-1476, 1477-1481, 1482-1486, 1487-1491, 1492-1496, 1497-1501, 1502-1506, 1507-1511, 1512-1516, 1517-1521, 1522-1526, 1527-1531, 1532-1536, 1537-1541, 1542-1546, 1547-1551, 1552-1556, 1557-1561, 1562-1566, 1567-1571, 1572-1576, 1577-1581, 1582-1586, 1587-1591, 1592-1596, 1597-1601, 1602-1606, 1607-1611, 1612-1616, 1617-1621, 1622-1626, 1627-1631, 1632-1636, 1637-1641, 1642-1646, 1647-1651, 1652-1656, 1657-1661, 1662-1666, 1667-1671, 1672-1676, 1677-1681, 1682-1686, 1687-1691, 1692-1696, 1697-1701, 1702-1706, 1707-1711, 1712-1716, 1717-1721, 1722-1726, 1727-1731, 1732-1736, 1737-1741, 1742-1746, 1747-1751, 1752-1756, 1757-1761, 1762-1766, 1767-1771, 1772-1776, 1777-1781, 1782-1786, 1787-1791, 1792-1796, 1797-1801, 1802-1806, 1807-1811, 1812-1816, 1817-1821, 1822-1826, 1827-1831, 1832-1836, 1837-1841, 1842-1846, 1847-1851, 1852-1856, 1857-1861, 1862-1866, 1867-1871, 1872-1876, 1877-1881, 1882-1886, 1887-1891, 1892-1896, 1897-1901, 1902-1906, 1907-1911, 1912-1916, 1917-1921, 1922-1926, 1927-1931, 1932-1936, 1937-1941, 1942-1946, 1947-1951, 1952-1956, 1957-1961, 1962-1966, 1967-1971, 1972-1976, 1977-1981, 1982-1986, 1987-1991, 1992-1996, 1997-2001, 2002-2006, 2007-2011, 2012-2016, 2017-2021, 2022-2026, 2027-2031, 2032-2036, 2037-2041, 2042-2046, 2047-2051, 2052-2056, 2057-2061, 2062-2066, 2067-2071, 2072-2076, 2077-2081, 2082-2086, 2087-2091, 2092-2096, 2097-2101, 2102-2106, 2107-2111, 2112-2116, 2117-2121, 2122-2126, 2127-2131, 2132-2136, 2137-2141, 2142-2146, 2147-2151, 2152-2156, 2157-2161, 2162-2166, 2167-2171, 2172-2176, 2177-2181, 2182-2186, 2187-2191, 2192-2196, 2197-2201, 2202-2206, 2207-2211, 2212-2216, 2217-2221, 2222-2226, 2227-2231, 2232-2236, 2237-2241, 2242-2246, 2247-2251, 2252-2256, 2257-2261, 2262-2266, 2267-2271, 2272-2276, 2277-2281, 2282-2286, 2287-2291, 2292-2296, 2297-2301, 2302-2306, 2307-2311, 2312-2316, 2317-2321, 2322-2326, 2327-2331, 2332-2336, 2337-2341, 2342-2346, 2347-2351, 2352-2356, 2357-2361, 2362-2366, 2367-2371, 2372-2376, 2377-2381, 2382-2386, 2387-2391, 2392-2396, 2397-2401, 2402-2406, 2407-2411, 2412-2416, 2417-2421, 2422-2426, 2427-2431, 2432-2436, 2437-2441, 2442-2446, 2447-2451, 2452-2456, 2457-2461, 2462-2466, 2467-2471, 2472-2476, 2477-2481, 2482-2486, 2487-2491, 2492-2496, 2497-2501, 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5687-5691, 5692-5696, 5697-5701, 5702-5706, 5707-5711, 5712-5716, 5717-5721, 5722-5726, 5727-5731, 5732-5736, 5737-5741, 5742-5746, 5747-5751, 5752-5756, 5757-5761, 5762-5766, 5767-5771, 5772-5776, 5777-5781, 5782-5786, 5787-5791, 5792-5796, 5797-5801, 5802-5806, 5807-5811, 5812-5816, 5817-5821, 582

- 8.G2.4 The building erected on each block shall have the following height above the Durban Road street level:-
- | | | |
|---------|---|------------|
| Block A | : | 15 storeys |
| Block B | : | 15 storeys |
| Block C | : | 19 storeys |
| Block D | : | 16 storeys |
| Block E | : | 16 storeys |
| Block F | : | 15 storeys |
- 8.G2.5 No vehicular access to the premises shall be permitted from Durban Road and no separate garage blocks will be permitted unless these are constructed on the road improvement line of Durban Road and below the street level of this road.
- 8.G2.6 Every building shall be designed by a registered architect.
- 8.G2.7 Only Blocks C, D and F may be utilised partially for D zone business purposes; provided that shops so designed shall form an integral part of the blocks of flats and shall not front or have display windows on Durban Road, and that the floor area permitted for business purposes shall not exceed 500 square metres in each case.
- 8.G2.8 All land required along Durban Road for widening it to its statutory width shall be veded to the Council free of charge.

8.G3. SPECIAL GENERAL RESIDENTIAL AREA:

The provisions of sub-zone G shall apply to this zone subject to the following:-

8.G3.1 Street Boundary:

No buildings may be erected in this zone unless that portion of the site falling within the street boundaries shown on the map is made available to the Council, free of charge, for street purposes.

8.G3.2 Coverage:

The maximum coverage shall be 25% calculated on the remainder of the site after the set-back of the boundaries provided for in 8.G3.1.

8.G3.3 Bulk:

The maximum bulk factor shall be 0,5 calculated on the remainder of the site after the set-back of the boundaries provided for in 8.G3.1.

8.G3.4 Height:

The maximum permissible height shall be 3 storeys.

8.G4. LOW DENSITY GENERAL RESIDENTIAL:

The provisions of sub-zone G shall apply to this zone in all respects but the following:-

8.G4.1 the maximum coverage shall be 25%

8.G4.2 the maximum permissible bulk factor shall be 0,4;

8.G4.3 the maximum permissible height shall be three storeys.

8.H. SINGLE RESIDENTIAL AREAS:

8.H.1 Dwelling-houses:

8.H.1.1 Building Lines:

Excepting for a maximum eaves projection of 0,75 m no building or any portion thereof except boundary walls and fences shall be erected on a site nearer than -

8.H.1.1.1 Street Building Line:

3,5 metres minimum in the case of Boston Estate, but excluding Lincoln Street where it shall be 5 metres.

6 metres in the case of the internal main roads, Barnard, Mabel and Raglan Streets. All other instances 4,5 metres minimum.

Provided that, in the case of subdivisions in Bellville South in accordance with subclause 9.1 of this scheme, the building line from the boundary nearest to the street in the case of the subdivided portion shall be at least 3 m.

8.H.1.1.2 3 metres to the rear boundary;

8.H.1.1.3 1,5 metre to the lateral boundary;

8.H.1.2.1 Notwithstanding these building lines but subject to the Council's consent, an outbuilding used solely for the housing of motor vehicles may be erected within such side and rear spaces and any other outbuildings may be erected within the rear space and side space for a distance of 11 metres measured from the rear boundary of the site, or in the case of corner sites, from the point furthest from the streets abutting the site; provided that the 11 m restriction can be relaxed by Council after the adjoining or affected owner's consent has been obtained in writing and subject further to the street building line being complied with.

8.H.1.2.2 An outbuilding in terms of sub-pragraph 8.H.1.2.1 may only be erected nearer to a lateral or rear boundary of a site than the distance laid down for dwelling-houses, if no doors or windows are inserted in any wall facing such boundary.

8.H.1.2.3 Notwithstanding these building lines but subject to the consent of the adjoining owner or owners affected, being obtained in writing, the Council may permit a relaxation of the rear and lateral building lines, provided that the Council shall ensure that -

8.H.1.2.3.1 means of access at least 1 metre wide other than through a building will be provided from a street to every unbuilt portion of the site of a dwelling other than a courtyard in a building;

- 8.H.1.2.3.2 no windows are inserted in any wall of a dwelling which is less than 1,5 m away from any lateral or rear boundary.
- 8.H.1.2.4 Notwithstanding these building lines but subject to the Council's consent, a swimming bath may be permitted within the side, rear or front space.
- 8.H.1.2.5 Notwithstanding these building lines, but subject to the approval of the Council, a carport may be erected within the street and side building line distances; subject to the following conditions:-
- 8.H.1.2.5.1 The roof shall rest on poles of planed wood, steel pipes or brick pillars with a maximum dimension of 320 mm horizontal measurement (or 320 mm diameter for pipe), of which a maximum of four may be fixed on one side.
- 8.H.1.2.5.2 The sides shall not be covered.
- 8.H.1.2.5.3 The roof may be erected on the street boundary, but shall not slope towards the street and shall be provided with drain pipes.
- 8.H.1.2.5.4 The roof shall be concealed by a suitable fascia or architectonically designed in such other effective way as will be acceptable to the local authority.
- 8.H.1.2.5.5 Where such structure is erected less than 0,75 m from a lateral boundary, the consent of the adjoining owner and the approval of the Chief Fire Officer shall be obtained.
- 8.H.2 Coverage:
50% maximum
- 8.H.3 Bulk:
Maximum permissible bulk 0,75.
- 8.H.4 Places of Instruction, Places of Public Worship and Institutional Buildings:
- 8.H.4.1 Except for boundary walls and fences no building erected or used for these purposes may be nearer than 9 metres from any boundary of the site.
- 8.H.4.2 Parking: Places of Public Worship:
The requirements in respect of minimum on-site parking prescribed for places of assembly in the business zone shall be complied with.
- 8.H.5 Special Conditions applicable to the Eastern Area of Bellville, bounded on the Southern Side by the Bellville/Paarl Railway Line and the National Road on the Northern side as indicated on Plan T.P. 280D
- 8.H.5.1 No private vehicular access will be allowed onto the 32 metre main roads.
- 8.H.5.2 A building line of 18,89 m is applicable on the northern side of the Bellville/Paarl Railway Line.

8.HA. Group Housing Zone:

- 8.HA.1 The street boundary line shall be 5 metres, but the Council may relax it, if the traffic and development in the vicinity permit it.
- 8.HA.2 No lateral or rear building line is required, except where a group erf adjoins another zoning; in such case the lateral building line of the other zone shall apply on both sides of the boundary with a minimum of 3 metres on the side of the group erf; provided that should the Council's Chief Fire Officer consider it in the interest of fire safety, a lateral or rear boundary line shall be maintained in particular circumstances as he may require.
- 8.HA.3 A maximum height of 8 metres shall apply in the zone.
- 8.HA.4 Parking shall be provided for at least two vehicles in respect of each group erf.
- 8.HA.5 Only common aerials approved by the Council may be erected.
- 8.HA.6 Each group erf shall be provided with an enclosed service yard and a private garden of an area at least 40% of the floor area of the building thereon or 50 m², whichever is the biggest.
- 8.HA.7 A storeroom with a minimum internal area of 2 m² shall be provided on each group erf if no alternative storage space is provided to the satisfaction of the Council for use by the residents concerned.
- 8.HA.8 The density shall be related to the density of single residential development in the particular area in a ratio of not more than 2:1, and the maximum density shall in any event -
- (1) in the case of a site of which portion will be required for road(s) and/or public open space purposes, not be more than 30 dwelling units per hectare of the whole site. i.e. before deduction of the road(s) and/or public open space;
 - (2) in those cases where the group site was originally planned as such and public open space and/or road(s) have already been suitably provided to cater therefor and need not be deducted from the site, not be more than 40 dwelling units per hectare of the total area of the site.
- 8.HA.9 A minimum of 80 m² open space per dwelling unit shall be provided and in this context the term "open space" means public open space excluding roads and private yards. This requirement falls away -
- (1) in cases where public open space has been suitably provided in the vicinity to cater for group housing on the particular site;
 - (2) in cases where it may be impractical to provide open space (or to provide all the open space required), in which event a cash endowment may be paid in lieu of the required open space (or the shortfall).

8.HB. Cluster Housing:

- 8.HB.1 The street boundary line shall be 5 metres, but the Council may relax it if the traffic and development in the vicinity permit it.
- 8.HB.2 No lateral or rear building line is required, except where a cluster erf adjoins another zone; in such case the lateral building line of the other zone shall apply on both sides of the boundary with a minimum of 3 metres on the side of the cluster erf; provided that should the Council's Chief Fire Officer consider it in the interest of fire safety, a lateral or rear boundary line shall be maintained in particular circumstances, as he may require.
- 8.HB.3 A maximum height of 8 metres shall apply in the zone.
- 8.HB.4 Parking shall be provided on each cluster erf for at least one vehicle with one additional parking bay elsewhere, to the satisfaction of the Council.
- 8.HB.5 Only common aerials approved by the Council may be erected.
- 8.HB.6 Each cluster erf shall be provided with an enclosed service yard and a private garden of an area at least 40% of the floor area of the building thereon or 50 m², whichever is the biggest.
- 8.HB.7 A storeroom with a minimum internal area of 2 m² shall be provided on each cluster erf if no alternative storage space is provided to the satisfaction of the Council for use by the residents concerned.
- 8.HB.8 The density shall be related to the density of single residential development in the particular area in a ratio of not more than 2:1, and the maximum density shall in any event -
- (1) in the case of a site of which portion will be required for road(s) and/or public open space purposes, not be more than 30 dwelling units per hectare of the whole site, i.e. before deduction of the road(s) and/or public open space;
 - (2) in those cases where the cluster site was originally planned as such and public open space and/or road(s) have already been suitably provided to cater therefor and need not be deducted from the site, not be more than 40 dwelling units per hectare of the total area of the site.
- 8.HB.9 A minimum of 80 m² open space per dwelling unit shall be provided and in this context the term "open space" means public open space excluding roads and private yards. This requirement falls away -
- (1) in cases where public open space has been suitably provided in the vicinity to cater for cluster housing on the particular site;

- (2) in cases where it may be impractical to provide open space (or to provide all the open space required), in which event a cash endowment may be paid in lieu of the required open space (or the shortfall).

8.HB.10

The width of private roads in the lay-out shall be at least 7 metres.

9.

MISCELLANEOUS

9.1

NUMBER OF BUILDINGS PER ERF

Except in the case of places of instruction no erf may be occupied by more than one building together with the outbuildings ordinarily used therewith.

Where the Council considers it advisable two dwellings per erf may be erected in the single residential areas of Blocks A and B of Superblock 2 and in Superblocks 3, 4, 5 and 6 in Bellville South, with it's consent.

10.

EXTERNAL APPEARANCE OF BUILDINGS

Any person intending to erect a building in any use zone shall furnish the Council (in addition to any plans and particulars required to be submitted under Council's regulations) with drawings or other sufficient indication of the external appearance of the proposed building, including such description of the materials to be used in its construction as may be necessary for the purpose.

The drawings shall be upon suitable and durable material to a scale of not less than 1 : 100, except, that where the building is so extensive as to render a smaller scale necessary, the drawings may be to a scale 1 : 200.

The Council may insist on such changes in the external appearance and building material as it may deem fit.

11.

AMENITY

Where the amenity of any use zone or of any public or private open space is injured by the condition of any garden, curtilage or private open space in the area, the Council may serve a notice on the owner or occupier of the premises on which the injurious condition exists, requiring him, within such period, not being less than 28 days from the date of service of the notice, as may be specified in the notice; to take such action as may be necessary to abate the injury, and the said notice may specify the measures to be taken to abate the injury.

12.

USE OF OUTBUILDINGS BEFORE COMPLETION OF MAIN BUILDING:

No outbuilding may be used for any other purpose than that approved by the Council and such outbuildings may not be used or occupied until the main building is completed.

13.

LOADING AND OFF-LOADING FACILITIES:

13.1

Except in the commercial and industrial zones for the purpose of preventing obstruction of traffic on any street or proposed street on which the proposed building would front or abut the Council may require the owner to submit for its approval proposals for securing, to the satisfaction of the Council, suitable and sufficient accommodation within the site for any loading, unloading or fuelling of vehicles which are likely to be habitually involved in connection with the use of the building.

13.2

No owner or occupier of the building in respect of which proposals under this clause have been required shall undertake or knowingly permit the habitual loading or unloading or fuelling of vehicles otherwise than in accordance with approved proposals.

14.

ADVERTISEMENTS:

No advertisements may be displayed in use zones G, G2, G3, G4 or H, provided that the provisions of this clause shall not apply to a brass plate or board, not exceeding 600 mm x 450 mm in size, affixed to the fence or entrance door or gate of a dwelling and in the case of a residential building to the wall of the entrance hall, or the entrance door of a flat, or to the display of an advertisement relating solely to an entertainment, meeting, auction or sale to be held upon or in relation to the premises upon which such advertisement does not contain letters, figures or advertising emblems or devices exceeding 150 mm in height and does not exceed a height of 3,5 metres from the ground.

15.

PROCEDURE:

15.1

Where permission to erect any building or execute any works or to use any building or land for any particular purpose or to do any other act or thing, is granted under this scheme, and conditions have been imposed, the conditions shall have the same force and effect as if they were part of this scheme.

15.2

The Council shall keep, so as to be available for inspection at all reasonable times by any person interested, a record of approvals, consent, authorities or permissions granted by it, or on appeal from its decision under any provisions of this scheme, and of any conditions imposed or agreed between the Council or approved or imposed by the Administrator or refusals by the Council or the Administrator and the applicant in connection therewith.

15.3

The Council shall permit any person to inspect at any reasonable time the scheme and map deposited in the offices of the Council, provided that any information given in regard to the scheme to any person shall only be valid if it is in writing and signed by the official duly authorised thereto by the Council.

15.4

The provisions of section 260 of Ordinance No. 19 of 1951; as amended, shall mutatis mutandis apply to this scheme.

16.

ZONING OF PROPERTIES EXEMPTED FROM THE PAYMENT OF RATES:

Notwithstanding any other provisions of this scheme any property on which municipal rates are not required to be paid shall not be used without the consent of the Council and the Administrator for any other purpose than that which qualified it for such rate exemption.

17. APPROVED TOWNSHIPS:

17.1 Notwithstanding the foregoing provisions, the conditions relating to use, maximum coverage and height and building lines imposed by the Administrator in the approval of townships, shall apply in so far as such conditions are more restrictive than the provisions of the town planning scheme.

17.2 The layout plan of a township approved by the Administrator subsequent to the coming into operation of these provisions, shall form part of the town planning scheme and the map shall be amended accordingly.

18. BUILDING LINES:

18.1 Where any street-, lateral- or rear building line has been laid down in this scheme no building (as defined) may be erected between the erf boundary and the distance therefrom as laid down, with the exception of garden walls and fences.

18.2 Where shops, business premises and (if allowed) industrial buildings are situated in a general business or light industrial zone, no person shall place, deposit, keep or display any goods, merchandise, wares or any obstruction on the piece of land between the front main wall of any building and the street kerb.

19. BUILDINGS ON BOUNDARIES:

Where a building or portion of a building is allowed to be erected on the lateral or rear boundaries of an erf, no windows, doors or ventilation openings may be inserted in any wall on such a boundary.

20. COMBINED BUILDINGS:

In the case of combined buildings the allowable area of each floor must be calculated in accordance with the use for which it is intended. Where any floor is intended to be put to more than one use, the more restrictive provision shall apply. The same rule shall apply in respect of building lines.

21. CORNER SITE:

21.1 In the case of corner sites all boundaries not fronting on a street will be considered as lateral boundaries. (See def. of Street, Rear & Lateral Boundaries).

21.2

When a building occupies a site at the corner of two intersecting streets of unequal width the allowable height on that part of the building for a distance of 15 metres measured along the narrower street, shall be determined by reference to the width of the wider street.

22.

NON-CONFORMING PREMISES:

Before a registration certificate or licence of the Council is issued in respect of any premises for which there is no current licence at the date of coming into force of these provisions, or when additions or alterations are made to any building in this zone, all the buildings on the site shall be made to comply with the provisions of the town planning scheme, the regulations of the Council and any other laws which may be applicable.

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