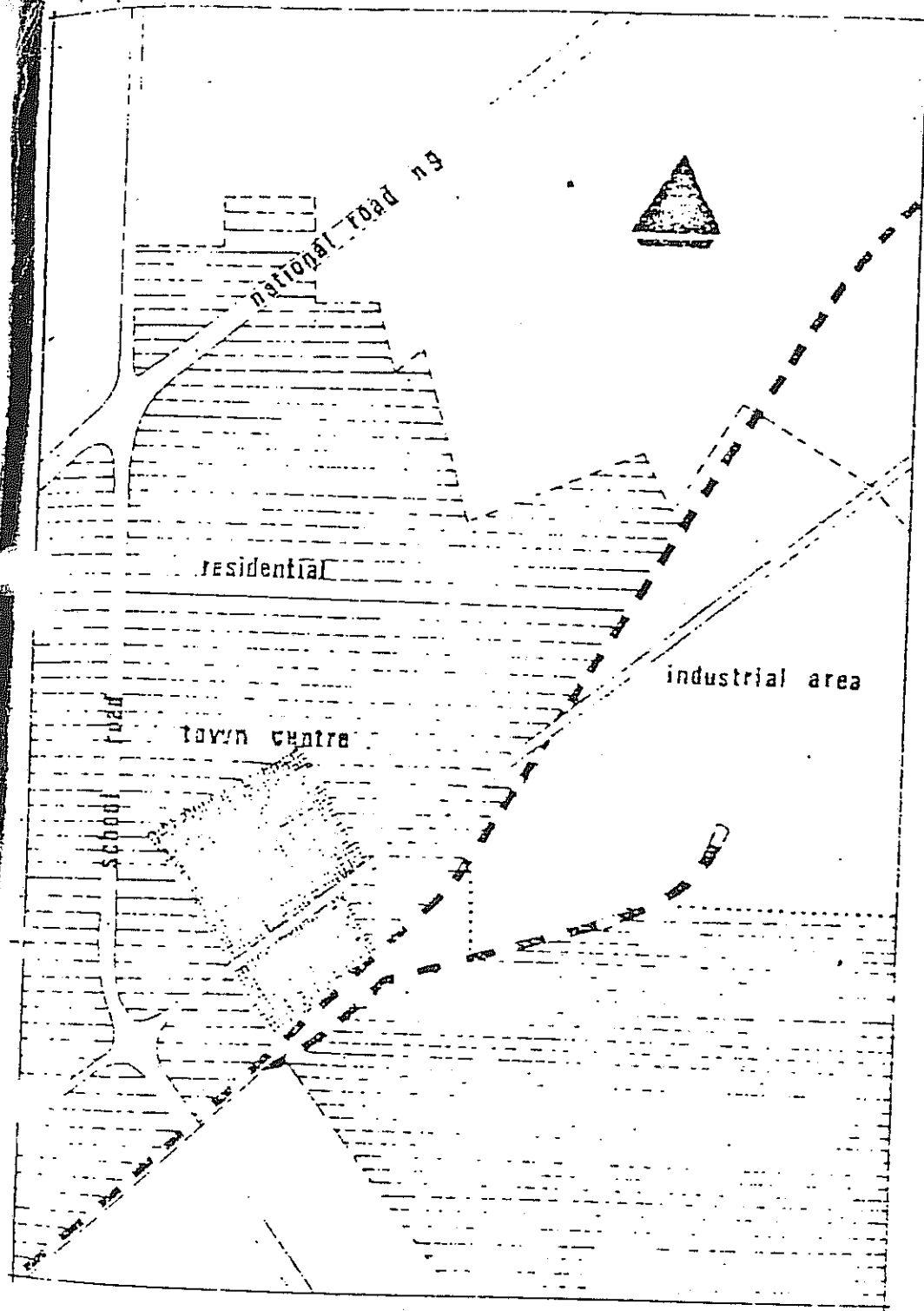




TOWN PLANNING SCHEME 1977 REGULATIONS

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EDER ACTING DEPUTY MUNICIPALITY

BRECKENFELL MUNICIPALITY

TOWN PLANNING SCHEME 1977

REGULATIONS

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BRACKENFELL MUNICIPALITY
TOWN PLANNING SCHEME 1977
REGULATIONS

1.

Definitions

In this scheme -

"agricultural building" means a building used or intended to be used in connection with, and which would ordinarily be incidental to, or reasonably necessary in connection with the use of the site of that building as agricultural land and includes a dwelling-house;

"basement" means that portion of a building the finished floor level of which is at least 2m below a level halfway between the highest and lowest natural ground levels immediately contiguous to the building;

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

"building" means in addition to the meaning assigned thereto in paragraphs (a) and (b) of section 2(VIII) Ordinance No. 18 of 1976, any structure or erection whatsoever irrespective of its nature or size;

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

(a) any floor area, including basement area which is to be used solely by the occupiers of residential accommodation on the site for garaging or parking purposes, and the area covered by the projection of eaves shall be excluded, but

(b) all balconies, terraces, verandahs or stairs above the floor level of the ground floor whether or not they are covered by any roof, slab or other covering, shall be included.

"business premises" means a building used or intended to be used as shops and/or offices and includes a bank, professional chambers, doctors' surgeries, stock or produce exchange and buildings designed for similar uses, but does not include a place of assembly, an institution, public garage, industrial building or noxious industrial building;

"Council" means the Municipality of Brackenfell

"coverage" means the total percentage area of 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 1 m shall be excluded for the purpose of determining the maximum permissible coverage;

"drive-in restaurant" means any land or buildings used for a restaurant or cafe from which food and refreshment 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;

"erection" in relation to a building includes -

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

"ground floor" means the lowest floor of a building not being a basement;

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 "industrial building" means a building, other than a noxious industrial building, used or intended to be used as a factory within the meaning of the Factories 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;

"institutional building" means a building or portion of a building used or intended to be used as a charitable institution and/or the administration thereof, and includes a hospital, clinic or dispensary, whether private or public used in connection therewith, but does not include -

- (a) a hospital, sanatorium, dispensary or clinic for the treatment of infectious or contagious diseases;
- (b) premises licensed under Act No. 18 of 1973 for the detention of mentally disordered persons, or
- (c) a mental hospital;

"land" includes land covered with water and any right in or over land. Any reference to land is limited to land in the area of the Municipality of Brackenfell

"lateral boundary" of a site or an erf means a boundary other than a street boundary or a rear boundary;

"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 4 kw with a total maximum of 23 kw for all motors per site;

"licensed hotel" means a building designed to comply with the requirements of a hotel as laid down in the Liquor Act No. 30 of 1928, as amended, and includes premises for off-sales of liquor;

"map" means the map or plan indicating the town planning provisions in force at the time;

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"maximum bulk" means the factor prescribed 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 bulk for the whole site shall be the total of the maximum bulk for each portion of such site as falls within the zone concerned;

"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;

"noxious industrial building" means a building used or intended to be 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 Public Health Act No. 63 of 1977, and any amendments thereto;

"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;

"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, or
- (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 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, *crèche, but does not include a building used or intended to be used wholly or principally as a certified reformatory or industrial school, or as a school for mentally defective children;

"place of public worship" means 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;

"private open space" means any land 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 Businesses 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;

"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 ~~tenement house~~) for human habitation, together with such outbuildings 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 definitions of "place of instruction" and "institutional building";

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

"street" shall have the meaning assigned thereto by section 2 of Ordinance No. 20 of 1974;

"street boundary" means the boundary of an erf or site which forms the boundary of a street, provided that where a portion of an erf or site is reserved in terms of the town planning scheme or any other law

for use as a new street or a street widening, the street boundary is the boundary of such proposed new street or proposed street widening;

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

"zone" means a portion of the area shown on the map in a distinctive manner for the purpose of indicating the restrictions imposed by this scheme on the erection and use of buildings and the use of land.

2.

Area of Scheme

2.1

The area to which this scheme applies shall be the Municipality of Brackenfell

Reservation of Land for Government, Local Authority and Public Purposes

The land specified by colour on the zoning map in column (1) of Table "A" is 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)
Indication on map of land reserved	Uses for which land is reserved
2.1 <u>Dark brown</u>	<u>Main Roads & proposed Main Roads.</u>
2.2 <u>Light brown</u>	<u>Existing Streets.</u>
2.3 <u>Dark red</u>	<u>New streets & street widenings.</u>
2.4 <u>Hatched dark red</u>	<u>Street closures - use of land to be as shown between hatching, otherwise to be determined after closure.</u>
2.5 <u>Grey</u>	<u>Railway</u>
2.6 <u>Light brown with "P" superimposed</u>	<u>Parking.</u>
2.7 <u>Ochre</u>	<u>Local authority.</u>
2.8 <u>Pink with dark pink border</u>	<u>Government.</u>
2.9 <u>Light blue with "SCHOOL" superimposed</u>	<u>Education.</u>
2.10 <u>Dark green</u>	<u>Public open space.</u>
2.11 <u>Light green border</u>	<u>Private open space.</u>
2.12 <u>Light green</u>	<u>Nature reserve</u>
2.13 <u>Pink border</u>	<u>Escom servitude.</u>
2.14 <u>Light orange with dark orange border</u>	<u>Institution</u>
<u>Use of Reserved Land</u>	

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.

2. Save as provided in subclause 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.

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

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

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.

Use of Land in specified use zones

The land specified by colour on the zoning map in column (1) of Table B.1 is use-zoned for the respective purposes indicated in column (2) of Table B.1 and shall not be used for any other purpose whatsoever.

Table B.1

	(1)	(2)
	Indication on zoning map of land use zoned	Use zones
5.2.1	Yellow	Single residential.
5.2.2	Yellow with orange border	Group housing.
5.2.3	Orange border	General residential.
5.2.4	Light blue with dark blue border	Central business.
5.2.5	Dark blue	Local business.
5.2.6	Light orange with dark orange border	Institution.
5.2.7	Light purple with dark purple border	Industrial.
5.2.8	Light purple	Light industrial.
5.2.9	Pale yellow	Residential.
5.2.10	Blank (uncoloured)	Undetermined.

Erection and Use of Buildings in specified use zones

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.2" are shown in columns (2) and (3) of that 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.

Table "B.2"

	(1)	(2)	(3)
	Use Zone	Purposes for which buildings may be erected and used	Purposes for which buildings may be erected and used only with the special consent of the Council
5.4.1	Agricultural.	Agricultural buildings subject to only one dwelling per erf.	Putting courses.
5.4.2	Single residential.	Dwelling-houses, places of instruction.	Place of public worship.
5.4.3	Group housing	Group housing devel- opment in accordance with Clause B.7	Dwelling houses. 8./....

(1)

(2)

(3)

Use Zone

Purposes for which
buildings may be
erected and used

Purposes for which
buildings may be
erected and used only
with the special consent
of the Council

General residential.

Blocks of flats, places
of instruction, ~~and~~
~~residential build-~~
~~ings~~ ~~subject to Class~~
~~8.7~~

Place of public worship,
institutional buildings,
and group housing
subject to Class
8.7

Business. *Central*

Blocks of flats and
residential buildings
above ground floor,
business premises,
licensed hotels,
places of assembly.

Public garages, places
of instruction, putting
courses and drive-in
restaurants.

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Minor business.

Blocks of flats above
the ground floor,
shops, dwelling-
houses.

Putting courses and
drive-in restaurants.

Light industrial.

Warehouses.

Light industrial build-
ings, public garages,
putting courses and
drive-in restaurants.

Industrial.

Industrial buildings,
warehouses, public
garages.

Putting courses and
drive-in restaurants.

Residential

Dwelling-houses,
blocks of flats,
places of instru-
ction, residential
buildings.

Places of public
worship, institu-
tional buildings.

Undetermined.

Existing uses only.

Special Condition

The Residential zone shall not be subdivided or developed
except for Agricultural or for Single Residential purposes
unless an outline development plan has been prepared for
the area to provide for a maximum of 50 acres per hectare
with the necessary facilities, e.g. schools, public open
spaces, etc.

Imposed Conditions

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, such conditions shall have the same force and effect as if they were part of this scheme.

5.47 Application for special consent

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.

5.48 Compliance with regulations

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

6. Advertisement of intended application for special consent

Any person intending to make application to the Council for its consent to the erection and use of a building or to the use of land in clauses 5.4.2, 5.4.3 and 5.4.4 whether wholly or partially for any purpose requiring the Council's special consent, shall before making such application, publish at his own expense once a week for two consecutive weeks, in English and Afrikaans newspapers circulating in each case in the area, a notice of his intention to make such application, and shall post and maintain conspicuously for fourteen (14) days such notice on some part of the building or land, and shall with such application, lodge with the Council proof of such publication and posting. The notice shall state that any person having any objections to the erection and use of the proposed building or to the proposed use of the land may lodge such objection with the Council and also, with the applicant in writing within fourteen (14) days after the date of the last advertisement, and shall further state where the plans, if any, may be inspected.

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.

Any decision of the Council given in terms of this section shall be by special resolution of the Council as defined in Ordinance No. 20 of 1974, as amended.

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 the following or enabling the Council to prohibit or restrict the following:-

7.1 The letting, subject to the Council's Regulations relating to lodging and boarding-houses, by any occupier of a dwelling-house, 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 doctors or a dentist's 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 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 1 858 cm² in area, indicating only the name and profession or occupation of the resident;

7 4 no activities shall be carried on which are or are likely to be a source of nuisance, disturbance or annoyance to residents of other dwelling-houses, flats or residential buildings or portions thereof.

8. Density Control

The following restrictions shall apply in the relative zones:-

8.1 Agricultural Zone

No building or any portion thereof except boundary walls or fences may be erected in this zone nearer than 33 m from any boundary of the site.

8.2 Single Residential Zone8.2.1 Dwelling-houses8.2.1.1 Building Lines

No building or any portion thereof, except

- (a) Boundary walls and fences,
- (b) Buildings or storeys of buildings the ceiling levels of which are below ground level,
- (c) Stairs, open and uncovered stoeps
- (d) Entrance steps and landings,
- (e) Eaves, for a distance of 1 M;
- (f) Cornices, chimney breasts, percolas, flower boxes, water-pipes, drain-pipes and minor decorative projections not projecting more than 300 mm from a wall of a building,
- (g) Screenwalls not exceeding 2.0 M in height above ground provided that it is not less than 4.60 M from the streetboundary, and swimming pools not above ground level; and
- (h) Driveway yards

shall be erected on a site nearer than

8.2.1.1.1 4,50 m to any street boundary;

* 8.2.1.1.2 3 m to the lateral boundaries and the rear boundary.

* 8.2.1.2 Relaxations of Building Lines

Notwithstanding these building lines but subject to the consent of the affected adjoining owners first being obtained in writing, the Council may permit a relaxation of the lateral and/or rear building lines in the case of a dwelling-house, provided that the Council shall ensure that -

8.2.1.2.1 a means of access at least 1 m wide other than through a building shall be provided from a street to every unbuilt upon portion of the site of a dwelling other than a courtyard within a building;

8.2.1.2.2 no windows are inserted in any wall of a dwelling which is less than 1,5 m away from any lateral and/or rear boundaries;

8.2.1.3

Outbuildings

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 outbuilding may be erected within the rear space and side space for a distance of 11 m 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 the Council after the adjoining or affected owners' consent has been obtained in writing and subject further to the street building line being complied with, and

8.2.1.4

an outbuilding in terms of subparagraph 8.2.1.3 may only be erected nearer to a lateral or rear boundary of a site than the distance laid down for dwelling-houses, if no windows or doors are inserted in any wall facing such boundary.

8.2.2

Places of Instruction, Places of Public Worship

Except for boundary walls and fences no building erected or used for these purposes may be nearer than 10 m from any boundary of the site.

8.2.3

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.

8.2.4

Maximum coverage for all buildings in this zone shall be 50%.

8.3

General Residential Zone

The restrictions applying to flats, licensed hotels, residential and institutional buildings in this zone shall be -

		<u>Blocks of flats</u>	<u>Licensed hotels</u>	<u>Other residential and institutional buildings</u>
8.3.1	<u>Minimum size of site...</u>	1 000 m ²	4 000 m ²	2 000 m ²
8.3.2	<u>Maximum coverage.....</u>	25%	25%	25%
8.3.3	<u>Maximum bulk.....</u>	.75	.75	.75

8.3.4

Spaces about buildings:-

3.4.1

No building or structure, except boundary walls and fences, shall be erected nearer than 8 m from any street boundary (vide definition of "street boundary") of the site or the new street boundary provided for in clause 8.3.7.2, whichever is the more restrictive on the site or erf.

8.3.4.2

Lateral Space:

8.3.4.3

Rear Space:

} 4,5 m or $\frac{1}{2}$ the height of the building, whichever is the greater.

*8.3.4.4

Outbuildings

Outbuildings with the consent of the Council may be erected in the lateral and rear spaces for a distance of 11 m reckoned from the rear boundary, 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 the Council after the adjoining or affected owners' consent has been obtained in writing and subject further to the street building line being complied with.

3.4.5

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.

8.3.5

Height

No building in this zone shall exceed a height of ~~(not more than 3)~~ storeys.

8.3.6

Parking

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.

8.3.7

Street width:

No building may be erected in this zone on any site unless -

8.3.7.1

the site abuts a street of at least 12,5 m in width which street shall be connected by a street or streets of not less than 12,5 m in width to a street of greater width, and

6.3.7.2

all street boundary walls or fences of the site are erected at a distance of not less than 8 m from the centre line of the abutting street or streets and the land between such boundary walls or fences and the legal street boundary is made up as part of such street. The portion(s) of the site falling within 8 m of the centre line of the abutting street(s) shall be excluded for the purpose of determining the coverage and bulk on the remainder of the site, provided, however, that if the owner transfers the said portion(s) of the site to the Council free of compensation, such portion(s) may be included for the purpose of determining the permissible bulk on the remainder of the site. The Council shall pay the cost of survey and transfer.

.8

Other Buildings

The provisions prescribed for places of instruction and public worship in the single residential zone, including the provision of on-site parking, shall apply to such buildings in this zone.

Let lines

15

bulk 1

6.4 Central Business Zone

6.4.1. Coverage and Height

The extent to which erven may be covered by development and the height of buildings is controlled by the bulk factor, building lines and parking requirements, provided that any development that exceeds 3 storeys, is subject to the special approval of Council and must be advertised in terms of Clause 6 hereof. 3

6.4.2 Maximum Bulk

No building in this zone shall exceed a bulk factor of 0,5 (nil comma five) except in the case of erf 2055 where the bulk shall not exceed 1,0 (one comma nil)

6.4.3 Building Lines 0,5

6.4.3.1 The building lines from the statutory boundaries of Kruispad and Old Paarl Road, the boundaries of Frans Conradie Drive and Jenette Street and the common boundary with the residential area must be 8 m or half the height of the building, whichever is the greater.

6.4.3.1.1 The building line from the railway property must be 60 m.

6.4.3.1.2 All other buildings shall be set back 4,5 m from the street boundary.

6.4.3.2 Lateral Boundaries

6.4.3.2.1 Buildings on the ground floor may be erected on the lateral boundary of an erf (but see 8.4.3.4.2).

6.4.3.2.2 Buildings above the ground floor may be erected on the lateral boundary of an erf for a maximum distance of 12,5 m measured from the street boundary or the street building line, whichever applies in terms of subparagraph 8.4.3.1 and thereafter shall be set back 4,5 m or $\frac{1}{2}$ the height of the building, whichever is the greater, from the lateral boundary (but see 8.4.3.4.2).

6.4.3.3 Rear Boundaries

6.4.3.3.1 Buildings on the ground floor may be erected on the rear boundary of an erf (but see 8.4.3.4.2).

6.4.3.3.2 Buildings above the ground floor shall not be erected nearer than 4,5 m or $\frac{1}{2}$ height of the building, whichever is the greater, from the rear boundary of an erf.

8.4.3.4

Further Restrictions

8.4.3.4.1

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.

8.4.3.4.2

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.

8.4.4

Basements

Subject to the provisions of section 17 of Ordinance No. 19 of 1976, as amended, the building line provisions need not be complied with in so far as basements are concerned.

.5

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 0,5 m of the pavement edge, provided no portion of any projection shall be less than 3 m above the pavement and there shall be no access from the building to the canopy.

8.4.6

Provisions for On-Site Parking (For loading and off-loading facilities see clause 9.3).

8.4.6.1

In this zone minimum provision shall be made on the site to the Council's satisfaction for parking and garaging at all times or as it may please the Council of vehicles of the owner and the general public, on the following basis:-

8.4.6.1.1

Business Premises (Including Shops)

30 m² for every 60 m² of the gross floor area of that portion of the building devoted to these uses.

8.4.6.1.2

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.

8.4.6.1.3

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.

Further parking and site access requirements

8.4.6.2

8.4.6.2.1

No parking area in the case of the general residential zones to which these provisions also apply by virtue of clause 8.3.6 shall be laid out within 4,5 m of a street boundary (vide definition of street boundary).

8.4.6.2.2

Vehicular access/exit to the northern portion is to be from Frans Conradie Drive and one access road from the Old Paarl Road that will be pointed out by the Provincial Roads Engineer and to the southern portion is to be from Station Street and the extension of Paradys Street and not from the Old Paarl Road, otherwise 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 in the case of public garages the provisions of clause 8.4.9 shall apply.

8.4.6.2.3

The vehicular access/exit ways to the site shall be restricted to a maximum width of 6 m where they cross the street boundary, provided that in the case of public garages the provisions of clause 8.4.9 shall apply.

8.4.6.2.4

No vehicular crossing over the pavement shall be located nearer than 5 m to any street corner (i.e. the point of intersection of two street boundaries) provided that in the case of public garages, the provisions of clause 8.4.9 shall apply where more restrictive than the provisions of this subclause.

8.4.6.2.5

Such parking areas shall be properly constructed to the satisfaction of the Council.

8.4.6.2.6

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 purpose.

8.4.6.2.7

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 subclause 8.4.6.2 if considered necessary from any traffic point of view.

8.4.6.2.8

Provision must be made in the long term development of the business centre for an efficient and properly developed pedestrian passage from the station to Link Road with the possibility of a subway under the Old Paarl Road.

8.4.6.3

Parking Alternatives

8.4.6.3.1

As an alternative to the provisions of paragraph 8.4.6.1.1, the owner may, with the consent of the Council, where it is of the opinion that it is undesirable or impractical from a planning point of view to provide the required parking area on the site, acquire the prescribed area of land for the parking facilities elsewhere in a position approved by the Council provided he registers a notarial deed against such land to the effect that the Council and the public shall have a free access thereto for the purpose of parking, and the owner shall be bound to level the land and surface and maintain it to the satisfaction of the Council, the cost of registration of the servitude to be borne by the Council.

4.6.3.2

As an alternative to 8.4.6.3.1, the owner may, with the consent of the Council, pay a cash sum to the Council, equal to the ratable valuation per square metre of the land on which the building is erected, multiplied by the area of the land which is required to be provided in terms of paragraph 8.4.6.1.1, in which event the Council shall itself acquire the necessary land for such parking purposes.

4.7

Places of Assembly

Where a building or portion of a building is to be used as a place of assembly, there shall be provided for such place of assembly a foyer with a minimum area of 0,25 m² per seat for one quarter of the total seating capacity and a minimum frontage of 1'm for each 100 seats in the building licensed by the Council.

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 as well as the premises itself shall be made to comply with the provisions of the scheme, the regulations of the Council and any other laws which may be applicable.

6.4.9

Public Garages

The provisions of the Standard Regulations relating to Public Garages promulgated under P.N.871 dated 20 Oct. 1973, as amended from time to time, shall apply.

6.4.10

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.

8.4.11

Blocks of Flats and Residential Buildings

Flats and residential buildings, other than licensed hotels in this zone may only be erected above the ground floor.

8.4.12

Awnings

The use of awnings or vertical blinds installed at the end of verandahs and parallel to the facade of the building shall only be permitted in the Central Business Zone, if they conform to the following conditions:-

- (a) The minimum above the floor of the pavement when completely stretched out shall be 2.2 m.
- (b) Their upkeep and cleanliness must be maintained.
- (c) Any subscriptions, legends or the like thereon shall be subject to the approval of the Council.
- (d) They may not be made fast to the pavements by means of ropes - the necessary equipment must be used.

8.4.2213

Dry Cleanettes and Laundrettes

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

8.4.12.1

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 275 m².

8.4.12.2

The minimum distance between the boundaries of any two dry cleanettes or laundrettes, unless situated on opposite sides of a street shall be 60 m.

8.4.12.3

Only gas, electricity or illuminating paraffin shall be used for the production of steam or hot water.

8.4.12.4

The solution used in the cleaning process shall be non-inflammable.

8.4.12.5

The combined capacity of the dry cleaning machines that may be installed shall not exceed 20 kg dry weight of clothing or other articles per cleaning operation per half hour cycle.

8.4.12.6

The combined capacity of the washing machines that may be installed shall not exceed 27 kg dry weight of clothing or other articles per washing operation.

8.4.12.7

In any establishment comprising either a dry cleanette or a laundrette or a combination of both, the maximum personnel shall be 12.

8.4.12.8

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.

8.4.12.9

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 therefor to the Administrator whose decision shall be final.

8.4.14

Landscaping

A developer in the Central Business Zone will be required to landscape the portion of the property not built upon by various means, including the planting of trees, shrubs, grass, etc., and the provision of suitable furniture such as lamp posts, the design of which must receive the approval of Council.

Funeral Parlours with Chapels

The following additional provisions shall apply:-

For the purpose of these provisions, "intersection" and "traffic island" shall have the meanings assigned thereto in P.N.871 of 20 Oct. 1973, referred to in clause 8.4.9 relating to public garages.

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

No funeral parlour with a chapel shall be permitted nearer than 100 m from -

the intersection of a declared road, proclaimed road, prospective main road, or any other street to which the provisions of section 17 of the Ordinance No. 19 of 1976 apply with any other street of like status;

any road whether existing or provided for in the town planning scheme, and

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

Local Business Zone

The restrictions applying to shops and flats in the business zone and dwelling-houses in the single residential zone shall apply in this zone, provided -

no erf shall form the site of both a dwelling-house and a shop, and not more than one floor of business premises and one floor of flats shall be erected on a site in this zone.

The Central Business Zone coverage and bulk shall not apply to this zone. The maximum bulk shall be 1.16 of which not more than 0.66 and 0.5 may be utilized for shop development and flats respectively.

Light Industrial and Industrial Zones

The maximum coverage in this zone shall be 75%.

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.

Table "C"

<u>Gross floor area of building (to the nearest m²)</u>	<u>Required loading and unloading area</u>
0 - 2 500 m ²	1 bay
2 501 m ² - 5 000 m ²	2 bays
5 001 m ² - 10 000 m ²	3 "
Every additional 10 000 m ² or portion thereof	1 additional bay

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

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: -

Number of parking bays to be provided on the site, based on the gross floor area of the building.

1 Bay for every 100 m² of floor area up to 1 500 m².

1 Bay for every 200 m² of floor area in excess of 1 500 m².

25% of the bays in 8.6.3.1.2 shall be set aside and sign-posted for use by visitors.

Number of parking bays to be provided on the site based on the total number of estimated employees (Bantu excluded), in terms of the Factories Act No. 22 of 1941, as amended.

- 8.6.3.2.1 Up to 25 employees - 1 Bay for every 4 persons or part thereof.
- 8.6.3.2.2 Thereafter, for the next 25 persons - 1 Bay for every 5 persons or part thereof.
- 8.6.3.2.3 Thereafter, for the next 50 persons - 1 Bay for every 10 persons or part thereof.
- 8.6.3.2.4 Thereafter, for any further number of persons employed - 1 Bay for every 25 persons or part thereof.

8.6.4 Street widths and building lines

8.6.4.1 All street boundary walls or fences of the site shall be erected at a distance of not less than 8 m from the centre line of the abutting street or streets and the land between such boundary walls or fences and the legal street boundary shall be made up as part of such street. The portion(s) of the site falling within 8 m of the centre line of the abutting street(s) shall be excluded for the purpose of determining the coverage on the remainder of the site, provided, however, that if the owner transfers the said portion(s) of the site to the Council free of compensation such portion(s) may be included for the purpose of determining the coverage on the remainder of the site. The Council shall pay the cost of survey and transfer.

8.6.4.2 No building or any portion thereof, except boundary walls and fences, shall be erected nearer than 3 m from any street boundary of the site (vide definition of "street boundary") or the new street boundary in the preceding subclause 8.6.4.1, whichever is the more restrictive on the site.

8.6.4.3 Where the boundary of a site forms the common boundary between this zone and any residential or business zone, the relevant building lines applicable in such residential or business zone shall apply on both sides of such common boundary.

8.6.5 Height

No building in the light industrial zone shall exceed a height of (suggest 2) storeys.

9. Miscellaneous

9.1 Number of Buildings per Erf

Except in the case of places of instruction no erf shall form the site of more than one building together with such outbuildings as are permitted under the scheme.

9.2 External Appearance of Buildings

Any person intending to erect any building shall furnish the Council for its consideration if it so requires (in addition to any plans and particulars required to be submitted under any of the 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 for that 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 of 1:200. The Council may require such alteration to the external appearance and building materials as it may deem necessary.

9.3 Loading and Off-Loading Facilities

9.3.1 Except in the light industrial 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.

9.3.2 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.

9.4 Use of Outbuildings Prior to Completion of Main Building

No outbuildings may be used for any purpose other than that for which the plans have been approved by the Council and no such outbuilding may be used until the main buildings are completed or occupied.

9.5 Council's duties under this scheme.

9.5.1 The Council shall keep, so as to be available for inspection at all reasonable times by any person interested, a record of approvals, consents, 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.

9.5.2 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.

Service of Documents

The provisions of section 211 of Ordinance No. 20 of 1974, as amended, shall mutatis mutandis apply to this scheme.

Approved Townships

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.

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.

General Amenity and Convenience

(a) Where the amenity of any area is injured by the condition of any garden or outillage in the area, the Council may serve a notice on the owner or occupier of the premises on which the injurious conditions exist, requiring him, within such period not being less than twenty eight (28) days from the date of service of the notice, to take such action as may be necessary to abate the injury and the said notice may specify the measure to be taken to abate the injury.

(b) The Council may take similar action to require the owner, or occupier, of a building to attend to the upkeep, cleanliness and renovation of the building if the Council consider it necessary.

(c) Any person on whom a notice is served under this Clause may appeal.

(d) The hanging of clothing, or the depositing of objects and goods in places that are not the proper ones for that purpose, or that are visible from a public road, is forbidden.

Advertisements

(a) No advertisement hoardings shall be erected or advertisements displayed without the consent of the Council.

Provided that the consent of the Council, granted under this Clause, shall not in any way be taken to excuse compliance with the by-laws of the Council, if any, relating to the erection and display of advertisement hoardings and advertisements.

(b) If an application is made to the Council for its consent under this Clause, the Council shall be entitled to impose such conditions as it may deem fit for governing the erection and use of any such hoarding.

(c) The Council may, subject to the provisions of this Clause, authorise the display of any particular class of advertisement either unconditionally or subject to conditions in respect of the position or manner which, or the period in which the advertisement may be displayed.

(d) Notwithstanding anything contained in this Clause, advertisement hoardings and advertisements shall be subject to the following conditions:-

(i) They shall not be allowed where their use is likely to cause injury to the amenities of the neighbourhood,

(ii) Advertisements which project over the carriageways of roads shall have a minimum clearance above the ground of 6 metres and those over pavements a minimum clearance of 2.5 metres above the pavement,

(iii) The Council may require that lettering employed on buildings must be in harmony with

- (iv) If the Council so requires, drawings with details must be submitted of proposed advertisements.
- (v) No advertisement may obstruct or intercept doors or windows above the ground floor.
- (vi) When placed on buildings they shall be incorporated in the architectural design of the building.
- (vii) All advertisement hoardings and advertisements shall be maintained in a clean and orderly condition.
- (viii) Any alteration to an advertisement or hoarding shall be subject to the approval of the Council.
- (ix) Posters and programmes may be fixed to the outside of public buildings and places of assembly as long as they refer exclusively to the entertainments provided therein and if they are placed in suitable positions and of a size approved by the Council.
- (a) Any person aggrieved by the decision of the Council or the conditions imposed by the Council may appeal.

Ramps over Pavements

- (1) Ramps over pavements for the passage of vehicles may only be erected under the following conditions:-
 - (a) The approval of the Council must be obtained.
 - (b) They may not be of a greater width than 4.5 metres with curved corners of a maximum radius of 1 metre, and
 - (c) No ramp shall be less than 9 metres from the road intersection.
- (2) Existing ramps not in accordance with the provisions of this Clause must be altered to comply within one year after the approval of the Scheme.

Putting Courses and Drive-In Restaurants: Special Provisions

No putting course or drive-in restaurant shall be established or operated except in accordance with the provisions of this clause.

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 m in width. No vehicular entrance/exit for these undertakings shall be nearer than 100 m from an intersection as defined in P.N.520/1971 referred to in clause 8.4.9, where two proclaimed roads meet or where traffic is controlled by robots or traffic islands.

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 areas 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 clause 8.4.6.2 shall be applicable, *mutatis mutandis*, to any parking area required in terms of this clause.

The boundary of a putting course shall be set back at least 3 m from the statutory boundary of any street abutting the course to provide suitable standing room for spectators off the street and pavement.

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.

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.

A putting course shall not be operated later than such closing hour as the Council may prescribe.

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.

Any public address or sound system at a putt-putt course and/or a 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.

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.

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9.11.10

Notice is hereby given in terms of provisions of Section 35 bis (5) of Ordinance 33 of 1934 that the Administrator has in terms of section 35 bis of the said Ordinance amended the Town Planning Regulations of Brackenfell relating to Group Housing by the substitution of clause 8.7 for a revised clause. (AF.372/6/0/3). — W. P. Visser, Town Clerk. D/5. K.12.

27283

"Group housing zone"
Official Gazette

Clause 1. Definitions

4156

Friday, 1 May 1981

For group housing purposes the following definitions must be inserted in Clause 1. 'Definitions', either alphabetically or as an addendum to the Clause:-

English Regulations

"Common area" means land which is intended for the common ownership and for common use by owners of group housing erven in a group housing site (or sites) and may include private roads which provide access to all or certain of the group housing erven;

"Group housing" means a group of separate and/or coupled or linked individual dwellings on smaller than conventional erven, and planned, designed and built as a harmonious architectural entity with a medium-density character and with structures which may vary between single- and double storeys;

"Group erf" means a portion of land in a group site approved for the erection of a dwelling unit as part of a group housing scheme;

"Group site" means a portion of land in a group housing zone which can be subdivided into a number of group erven with or without public or private street and/or open space;

"Home-owners' association" means an association with jurisdiction registered in terms of the Companies Act, No. 61 of 1973, membership of which shall be compulsory for all owners of group housing erven in the group site (or sites) which it was established;

"Parking bay" means an area with minimum dimensions of 5.5 m by 2.5 m which is clearly outlined and demarcated for the parking of one motor vehicle, and which is accessible to the satisfaction of the local authority.

BRACKENFELL MUNICIPALITY: PROPOSED
AMENDMENT TO TOWN PLANNING BY-LAWS:
NOTICE 9/1981

Notice is hereby given in terms of provisions of Section 35 bis (5) of Ordinance 33 of 1934 that the Administrator has in terms of section 35 bis of the said Ordinance amended the Town Planning Regulations of Brackenfell relating to Group Housing by the substitution of clause 8.7 for a revised clause. (AF372/6/0/3). — W. P. Visser, Town Clerk D/5. K.12.

27283

Official Gazette

4156

Friday, 1 May 1981

8.7

Group Housing Zone

8.7.1

The objectives which are reflected in the definition of group housing (as contained in the definition) must be carefully implemented.

8.7.2

Density

The maximum density shall be 30 units per gross hectare or a 4:1 ratio in relation to the surrounding single residential density, whichever is the lower. Should a group site originally have been planned as such and open space and/or road is thus already provided on an adequate basis and does not need to be deducted from the site, the maximum density shall be 40 units per gross hectare subject to the above 4:1 ratio.

8.7.3

Please note: Gross hectare is the area of the group site in hectare.

Open Space

8.7.3.1

A minimum of 80 m² per dwelling unit shall be provided and in this context the term "open space" means public and common open space excluding roads, service yards and private outdoor spaces. This requirement falls away (partially or in full) -

8.7.3.2

in cases where public open space has been suitably provided (partially or in full) in the vicinity, to the satisfaction of the Administrator with a view to group housing on the particular site.

8.7.4

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 to be determined by the Administrator may be paid in lieu of the required open space (or the shortfall).

Service Yard and Private Outdoor Space

A group erf and buildings thereon shall be designed to provide a service yard of adequate area to the satisfaction of the local authority. In addition to the service yard a private outdoor space being in total at least 40% of the gross floor area must be provided on each group erf to the satisfaction of the local authority, provided that the outdoor space comprises at least one usable area (outside the building) of at least 50 m (exclusive of parking areas) and has in shape a ratio not exceeding 2:1. The service yard must be enclosed by a wall or walls (or other structure/ or structures of suitable material) of at least 2 m high for the purpose of screening it from public and private view. In special cases, as may be determined by well-founded considerations, based on architectural design, a reduction of the 50 m minimum standard may be considered by the Administrator.

8.7.5

Street building lines

Street building lines may be zero except where there are one or more openings (apart from doors, ventilators and windows of which the sills are higher than the top of a door) and except as may be required for safe traffic movement or for other reasons such as nearby development, in which case the minimum building line must be 2 m. These provisions do not affect existing statutory building lines which shall be duly observed or in respect of which the necessary relaxations must be obtained.

8.7.6

Side and rear building lines

No side or rear building lines need be provided other than those that may be required for fire fighting purposes, or unless a group erf abuts on another zone. In the latter case the side and rear building lines shall be 3 m except where the abutting zone is a public place, a single residential zone or a special residential zone in which case the side and rear building lines shall be 1,5 m.

8.7.7

Height of buildings

The maximum permissible height of buildings shall be 8 m measured from the mean ground level of the building to the top of the parapet or cornice in the case of a flat roof, or to a point midway between the eaves and the ridge in the case of a pitched roof. Basements are not taken into account for the purposes of this clause.

Storeroom

A storeroom with a minimum internal floor area of 2 m² shall be provided on each group erf unless a lock-up garage is provided on the erf.

Parking

Off-street parking for at least two motor vehicles per group erf shall be provided on the group site, except in very exceptional cases where a standard of one parking place per group erf may be considered provided that the group site and the adjacent street were planned accordingly in advance. Lock-up garages shall be excluded from the calculations for the purpose of determining the areas of the service yard and outdoor space.

7.9

Roads

The minimum road width for private roads shall be 7 m and for public roads 10 m. In special cases, depending on architectural design, a minimum width of 8 m may be considered in the case of public roads with limited vehicular use (culs-de-sac, crescents and loops), provided the following limits are not exceeded if the street width is less than 10 m:-

Culs-de-sac of less than 10 m in width;

Maximum length: 70 m

" units to be served: 10

Crescents and loops of less than 10 m in width:

Maximum length: 100 m

" units to be served: 16

Joint Services

The provision of joint services with regard to different group erven, in order to save on service costs, is permissible, but separate meters shall be provided where applicable.

Television antennae and radio aeriaks

Attention is invited to the Council's regulations in this regard.

Aesthetic and Environmental Care

Where paving, landscaping, other treatment (such as the provision of public open space outside of the site in respect of which application is made or additional open space within the site in respect of which application is made) or other aesthetic requirements are considered necessary to make the site suitable for group housing, this may be required by the authorities and such requirements shall be executed to their satisfaction at the expense of the owner.

Educational Places

With the exception of boundary walls and fences no building which is erected or used for this purpose may be nearer than 10 m from the boundary of the site.

P.K. 600/1992

20 November 1992

ADMINISTRASIE: VOLKSRAADDEPARTEMENT VAN PLAASLIKE BESTUUR.
BEHUISING EN WERKEORDONNANSIE OP GRONDGEBRUIKBEPLANNING, 1985
(ORDONNANSIE 15 VAN 1985)MUNISIPALITEIT VAN BRACKENFELL:SONERINGSKEMA:WYSIGING VAN SKEMAREGULASIES

Kragtens die bevoegdheid my verleen by artikel 9(2) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr 15 van 1985) (Kaap), saamgelees met Proklamasie Nr R.37 van 1989 en Goewermentskennisgewing Nr 382 van 7 Februarie 1992, wysig ek, JACOBUS THERON ALBERTYN, namens die Minister van Plaaslike Bestuur: Volksraad, hierby die Skemaregulasies van die Munisipaliteit van Brackentell, welke Skemaregulasies op 16 Januarie 1974 in werking is getree, deur die invoeging van 'n addisionele sone soos volg:

Invoegsel by woordbepaling na "sone":

SPESIALE GEBRUIK beteken 'n gebruik wat sodanig is, of ten opsigte waarvan die grondgebruikbeperkings sodanig is, dat daar in hierdie regulasies nie daarvoor voorsiening gemaak word nie; en wat ten volle omskryf word, en ten opsigte waarvan die grondgebruikparameters ten volle omskryf word, by wyse van voorwaardes van goedkeuring of by wyse van bepalinge wat op die spesiale sone van toepassing is; en dit omvat 'n bewaringsgebruik.

Invoegsel by Tabel B.1 na sub-paragraaf 5.2.10 van die volgende:

5.2.11 (1) Lig pers met donker pers arsering
(2) Spesiale sone

Invoegsel by Tabel B.2 na sub-paragraaf 5.4.10 van die volgende:

5.4.10 (1) Spesiale
(2) Spesiale Gebruik
(3) Geen

Invoegsel van die volgende na sub-paragraaf 8.8 aan die onderpunt van by 25A:

8. SPESIALE SONE

Indien spesiale faktore die skepping van 'n nuwe sone vir 'n perseel of persele op die soneringskaart regverdig sonder dat die skepping van 'n nuwe sone in die Skemaregulasies geregtig is, word sodanige grond gesoneer as 'n spesiale sone op die soneringskaart. Elke sodanige stuk grond wat as sodanig gesoneer word en ten opsigte waarvan die grondgebruikbeperkings verskil van dié van ander grond wat as sodanig gesoneer is, word apart genommener op die soneringskaart. 'n Spesiale sone kan uit verskillende stukke grond bestaan mits die grondgebruikbeperkings dieselfde is. Aan elke spesiale sone ten opsigte waarvan die grondgebruikbeperkings verskil van dié van ander spesiale sones, word 'n aparte nommer toegeken (van 1 af) en elke nommer, met die gepaardgaande grondgebruikbeperkings, word as 'n aparte spesiale sone beskryf in 'n aannagsei by hierdie Skemaregulasies.

Aanhangsel aan die einde van die regulasies:

AANHANGSEL

- (1) Gedeelte van Erf 3418: Die grondgebruik op hierdie eiendom word beperk tot die vervaardiging of besigheid om 'n bierbrouery te beoefen deur die verwerking van mout, hops, gis, suiker en glukose in bier en aanverwante produkte. Die grondgebruikbeperkings wat sal geld op hierdie erf is soortgelyk aan dié vir nywerheidssonerings.

JACOBUS THERON ALBERTYN, MINISTERIELE VERTEENWOORDIGER: SUIDWES-KAAP

20 November 1992.

15/11/311
15/412/46
15/4/4/34

P.N. 600/1992

20 November 1992

ADMINISTRATION: HOUSE OF ASSEMBLYDEPARTMENT OF LOCAL GOVERNMENT.
HOUSING AND WORKSLAND USE PLANNING ORDINANCE, 1985
(ORDINANCE 15 OF 1985)MUNICIPALITY OF BRACKENFELL:ZONING SCHEME:AMENDMENT OF SCHEME REGULATIONS

Under the powers vested in me by section 9(2) of the Land Use Planning Ordinance, 1985 (Ordinance No 15 of 1985) (Cape), read with Proclamation No R.37 of 1989 and Government Notice No 382 of 7 February 1992, I, JACOBUS THERON ALBERTYN, on behalf of the Minister of Local Government: House of Assembly, hereby amend the Scheme Regulations of the Municipality of Brackenfell, which came into effect on 16 January 1974, by the insertion of an additional zone as follows:

Insertion of the following definition after "site":

SPECIAL USAGE means a use which is such, or in respect of which the land use restrictions are such, that it is not catered for in these regulations; and which is set out in detail, and in respect of which the land use parameters are set out in detail, by means of conditions of approval or by means of regulations applicable in the special zone; and it includes a conservation usage.

Addition to Table B.1 after sub-paragraph 5.2.10 of the following:

5.2.11 (1) Light purple with dark purple hatching
(2) Special zone

Addition to Table B.2 after sub-paragraph 5.4.10 of the following:

5.4.10 (1) Special
(2) Special Usage
(3) None

Addition of the following after sub-paragraph 8.8 at the bottom of page 25A:

8.9 SPECIAL ZONE

If special factors justify the creation of a new zone on the zoning map for a site or sites without justifying the creation of a new zone in the Scheme Regulations, such site shall be zoned as a special zone on the zoning map. Every such portion of land which has been zoned as such and of which the land use restrictions differ from other land which has been zoned as such, shall be given a separate number on the zoning map. A special zone may consist of different portions of land, provided the land use restrictions are the same. Each special zone of which the land use restrictions differ from that of other special zones shall be given a separate number (from 1 onwards) and each number, with the accompanying land use restrictions, shall be described as a separate special zone in an annexure to these Scheme Regulations.

Annexure to the end of the regulations:

ANNEXURE

- (1) Portion of Erf 3418: The land use on this erf shall be restricted to the conducting of the trade or business of a brewery by the processing of malt, hops, yeast, sugar and glucose in beer and related products. The land use restrictions which will apply in respect of this erf are similar to those applying to industrial zones.

JACOBUS THERON ALBERTYN, MINISTERIAL REPRESENTATIVE: SOUTH-WESTERN CAPE

20 November 1992.