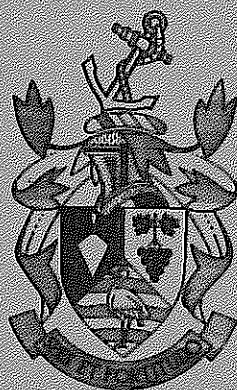


THE
DIVISIONAL COUNCIL
OF THE CAPE



TOWN PLANNING REGULATIONS
REVISED DECEMBER 1973

THE DIVISIONAL COUNCIL OF THE CAPE

TOWN PLANNING REGULATIONS

VIDE, TOWNSHIPS ORDINANCE NO. 33 OF 1934

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ADOPTED BY:

- 1) SPECIAL TOWN PLANNING COMMITTEE : 20.11.1968
- 2) COUNCIL : 26.11.1968
- 3) PROVINCIAL ADMINISTRATION : 26.2.1969

PART I

INTRODUCTORY

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PART I
INTRODUCTORY

T H E S T A T E M E N T

S E C T I O N . 1

1. The CAPE DIVISION area, 670 square miles in extent, is comprised of the urbanised area approximately 160 sq. miles in extent shown coloured yellow with the remaining extent being the rural area coloured green on plan C.D.2.
2. The rural land falls almost entirely under the control of this Council and can be referred to as the SECTION A (CAPE PENINSULA) the SECTION B (CAPE FLATS) and the SECTION C (NORTHERN AREA) and depicted on plan C.D.1.
3. SECTION A (CAPE PENINSULA) contains the Local or Scheme areas of HOUT BAY, CONSTANTIA, NOORD-HOEK and KOMMETJIE, SCARBOROUGH Township, the detailed planning maps references TP-HB1, TP-C1, TP-N1, TP-K1, TP-S1, and the CAPE OF GOOD HOPE NATURE RESERVE, Map C.D.3, the remaining land being the TABLE MOUNTAIN PRESERVATION AREA and Rural land as shown on the overall plan for Section "A".
4. SECTION B (CAPE FLATS) is to the East and South of the urban areas. The local or scheme areas of GRASSY PARK, LOTUS RIVER and BISHOP LAVIS urban settlements are situated within this section and shown on scheme plans TP-GP1, TP-LR1, TP-BL1, respectively. Included in this area is the ELSIES RIVER LOCAL AREA being planned for redevelopment, TP-ER1. The rest of the CAPE FLATS area is receiving the consideration of the JOINT TOWN PLANNING COMMITTEE.

5. SECTION C (NORTHERN AREA) extends from the BELLVILLE, GOODWOOD urban areas northwards to the boundary of the DIVISION and depicted on Plan CD1. Local area schemes for MELKBOS-STRAND Plan TP-M1, BLOUBERGSTRAND Plan TP-B1, show the schemes for these seaside resorts with minor modifications contained therein. The layout proposal shown on Plan TP-B4, is an extension to BLOUBERGSTRAND and it is anticipated as a peri-urban settlement that can function as a commuter suburb, or fulfil any housing requirements at any time for the present, or future when a National or Regional resources survey may dictate the need.

6. The CAPE DIVISION as a sub-region covers an area of approximately 670 sq. miles, and approximately 160 sq. miles of this area falls under the control of 9 urban authorities or Municipalities with a combined population of all races of just over 800 000 persons. The remaining area approximately 500 square miles is predominantly rural land under the jurisdiction of the Council, and embraces approximately 17 local areas of varied functions and character, they are in the nature of URBAN settlements in the RURAL AREA. The combined population in this area is approximately 165 000 persons.

7. In the preparation of the schemes and in the drafting of the regulations for the Council's area, it must be noted that it is estimated that in the Municipality of Cape Town, there exists a mean population density of under 30 persons per 0,4 hectares net, and a mean density of approximately 8 persons per 0,4 hectares net, when considering the combined urban areas controlled by all Municipal Authorities within the Cape Town Metropolitan Area.

8. The foregoing facts must show that the existing urban areas are still very much underdeveloped. It has been calculated that with the existing regulations controlling development in Cape Town it can provide for this City's normal increase in population until the turn of the century. The implementations of the Group Areas Act will make further land available to cater for white population housing requirements.
9. The whole of the Council Area, with the exception of the Cape Flats Area, is submitted as a proposed Town Planning Scheme, but it is being presented in the various sections as mentioned in the beginning of this statement.
10. All land in the area will be specifically zoned or designated.
11. The number of use zones have been kept to a minimum and only the principal or basic zones are employed, as is usual in regional or rural planning. This method, with a certain flexibility of the conditional uses, or uses permitted by special consent of Council and the Administrator, will allow a gradual pattern of development to emerge within the rural area or around the Local areas.
12. It is proposed that the scheme be reviewed every five years after being accepted by Council. In this manner all and any variations or amendments can be examined together with any change which may be necessary to keep the planning and development in line with the times and circumstances.
13. The following are the use zones proposed:
RURAL, AGRICULTURAL, SINGLE RESIDENTIAL, SPECIAL RESIDENTIAL, GENERAL RESIDENTIAL, COMMERCIAL,

SERVICE INDUSTRY, GENERAL INDUSTRY, NOXIOUS
INDUSTRY AND AMENITY.

14. The RURAL ZONE is all the land within the Council's jurisdiction not zoned or designated for any other purpose. This land may be used for any type of farming and in particular of an extensive nature, without special consent having to be obtained before commencement of operations; this does not include buildings or structures which would have to comply with the building clauses and provisions. It is in this zone wherein any use or activity whatever may be permitted by consent of Council and Provincial Administration. The subdivision sizes would be not less than 21,5 hectares per section.
15. The AGRICULTURAL ZONE is the next breakdown from the rural and will be for the preservation of the highly fertile soils or for intensive farming as opposed to the extensive farming. It can be expected that due to rural labour moving to the urban work areas, that local farming methods become more mechanised and intensive than present methods. Farming activity in this zone would be more refined and the subdivision sizes proposed should not be less than 8000 m² holdings.
16. A SPECIAL RESIDENTIAL ZONE is included in the scheme. This zone provides for the subdivision and disposal of certain large tracts of land, either worked out farms or land not particularly suitable for farming but where the rural character of the area is to be preserved. This zone would become select residential estate districts, while at the same time assisting owners to dispose of large non-productive holdings should they so wish. Subdivision to be permitted to be not less than 8000 m² sites.

17. The SINGLE RESIDENTIAL ZONE allows for the establishment of detached single family dwellings only. The attendant places of assembly such as churches or nursery schools may be consented to by Council conditionally. The minimum subdivision sizes in this zone may vary, but will not be less than 650 m^2 per plot, except with the special consent of Council.

18. The GENERAL RESIDENTIAL ZONE will fulfil some needs in certain areas, in particular in that portion of land in Beach Estate below Victoria Avenue in Hout Bay where the land is of such topography and stability that it would be particularly uneconomic or impractical to erect dwelling houses on the approved $15,75 \text{ m}$ by $31,5 \text{ m}$ plots. This zone will now allow flats to be built, provided the plots have a minimum size of $31,5 \text{ m} \times 31,5 \text{ m}$. The bulk factor will be determined by the permissible site coverage multiplied by the number of floors permitted as specified in Part IV, Section 5. This incentive, it is hoped, will induce or encourage development where land has been lying dormant for many years, and where development has now only reached approximately 15% of the developable area. No flats will be permitted on plots less than $31,5 \text{ m} \times 31,5 \text{ m}$ in this zone (900 m^2).

A height limitation of two storeys or 8 m for flats on sites 900 m^2 - 1800 m^2 in area, and three storeys or $11,0 \text{ m}$ for flats on sites 1800 m^2 and over will be imposed.

Included in the uses which may be permitted by special consent or conditionally will be flats in excess of the 3 storey height limitation.

19. The COMMERCIAL ZONE permits the uses of retail shops, offices, hotels, etc. with certain specified retail uses such as auction rooms,

VI.

funeral parlours, places of assembly, etc. to be permitted by special consent of Council. There is no sub-zoning of this use zone i.e. minor or major zones as the development in this Council's area is not sufficiently urbanised to warrant it. Should the need arise for the facility of a business in one of the other than residential zones, this may be permitted by special consent of Council and the consent of the Administrator. It must be remembered that there are no large areas of virgin land zoned residential and, when a scheme area is reviewed and residential zoning is indicated, its attendant zones will also be considered.

20. A SERVICE INDUSTRIAL ZONE is introduced, and the provisions of this zone are for truly light industry or service industry as defined in Section 2 of these regulations. This zone is closely allied to the Commercial Zone and its related uses. It can also meet the need of a nursery industrial area as and when this is required. The maximum allowable floor area is restricted to 300 m² with a maximum power supply of 3 x 1,5 kilowatt motors per site.
21. The GENERAL INDUSTRIAL ZONE will allow any industrial use including service industry, storage or scrap yards, but will exclude any noxious uses.
22. The NOXIOUS INDUSTRIAL ZONE may be allowed by special consent, and subject to the provisions of any Laws and regulations governing Noxious Industries and any conditions which may be deemed necessary for any industry or use specified as dangerous or noxious or which, in the

VII.

opinion of Council, is dangerous or noxious. The minimum subdivision standards in this zone are 8000 m² per site.

23. An AMENITIES ZONE is to make provision for the National, Regional and Local populations or tourists' recreational and amenity needs. These zones are primarily projects which require special planning treatment and staged programming by Council. These schemes may be developed departmentally or by private enterprise upon Council and Provincial Administration's acceptance of the project.

The two major areas which will necessitate detailed investigation and planning are the Amenity Zones of Noordhoek and Hout Bay. Submitted with the proposed scheme plans for these two districts are rough sketch plans showing examples of what is envisaged in these amenity zones. Any of the smaller areas may be planned and developed by their owners, subject to the Council's and Administrator's approval thereof. See also Special Areas.

24. Provision is made in the scheme to DEFER any use zone until such time as the development of the zone becomes a need. This deferment of a zone will not be attached to any existing zone, but will only apply to land where it is obvious that this use would be required in an area in the near future, and when a scheme is reviewed the deferment can be uplifted.
25. Special Areas: This designation embodied in the scheme regulations and enumerated therein, makes provision for special regulations for certain works such as access restrictions to

scenic drives, or covers certain developed areas wherein the regulations in general would be anomalous and make the predominant development non-conforming.

26. SPECIAL TYPES OF BUILDINGS:

The buildings specified in this section of the scheme regulations will, in addition to the provisions of the regulations, be subject to all the requirements issued in the Provincial Notices as published from time to time. Building in this category will include Service Stations, Garages, Drive-In Cinemas, Motels, etc. and any other building which the Administrator or the Council from time to time may decide will require special control measures.

27. SUBDIVISION OF LANDS:

The standard area and frontage requirements are calculated to provide sites suitable in shape and adequate in area for that particular use zone provided for in this authority's region. Too frequently subdivisions are approved and when development is proposed it is found that compliance with building requirements is not always possible, or that the cost involved in making the land buildable would be exorbitant. Land is often sold unidentified, in different parts of the country, and it is the local authority's duty to safeguard the public from the high pressure land speculators.

28. GROUP AND CLUSTER HOUSING:

See Part X, Sections 1 and 2.

29. PARKING REQUIREMENTS:

The provisions of this part of the scheme must be enforced more rigidly than probably any other requirement in the regulations generally. The parking requirements are based pro-rata to the total floor area of each use. An additional proviso ensures that Council may demand additional parking and loading facilities where the traffic generation potential is calculated to be more excessive than envisaged by this scheme.

30. EXCEPTIONS TO STANDARD REQUIREMENTS:

Bearing in mind the vast extent and diversity of character and nature of the land under Council's jurisdiction, a certain amount of flexibility is provided for in dispensation and relaxation in minor provisions of the Town Planning Scheme.

These relaxations will not transgress any principles of planning nor allow for the abuse of the intent of the regulations or the Town Planning Scheme.

31. MISCELLANEOUS:

Part IX of the statement concludes with a number of provisions covering the screening of unsightly sites, maintenance of land and buildings, registration of objects and places of historical or scientific interest, etc.

32. This in brief, it is hoped, will introduce the reasons for drafting the Town Planning Regulations in this manner to suit the character and function that dictated the Town Planning Scheme for the Divisional Council of the Cape.

S E C T I O N . . . 2 .

DEFINITIONS:

(1) "ADMINISTRATOR"

means the Administrator of the Province of the Cape of Good Hope.

(2) "ACCESSORY BUILDING"

means a building, the use of which is incidental to that of any other building or buildings on the site; and in relation to a site on which no building has been erected, incidental to a use then permitted on that site.

(3) "AFFORESTATION"

means land used for the growing, cultivation and felling of trees, and operations incidental thereto, but not including saw-milling, processing, treatment or other operations of a like or similar nature.

(4) "AGRICULTURAL BUILDING"

means a building designed for use 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 or farming land and includes in this connection a dwelling house.

(5) "AGRICULTURAL FARMING"

means arable, meadow or pasture land, market gardens, nursery garden, poultry farming and land used for the purpose of breeding or keeping domestic animals, including horses, poultry breeding, chin-chilla, mink and other fur or food producing farming and bee-keeping and includes any buildings connected therewith.

(6)/....

(6) "BALCONY"

means a floor projecting outside a building at a level higher than that of the ground floor thereof, enclosed only by low walls or railings or by main containing walls of rooms abutting such projecting floor, and includes a roof, if any, over such floor or any pillars supporting such roof.

(7) "BASEMENT STOREY"

in relation to a building or a division of a building, means any storey thereof, the floor of which is 2,0 metres or more below the mean level of the ground.

(8) "BLOCK OF FLATS"

means a building containing two or more dwelling units, except semi-detached or terraced houses.

(9) "BOARDING HOUSE"

means a residential building, not being a licensed hotel, in which board and lodging are provided or are intended to be provided for four or more boarders or lodgers, for reward or payment; and includes a private or unlicensed hotel and a private residential club.

(10) "BUILDING"

means:

- (a) Any structure, whether of a permanent or temporary nature, erected or used for the housing or accommodation of human beings or animals, or for the storage, manufacture or sale of goods and materials, or for the destruction or treatment of refuse or other waste material, and

(b)/....

- (b) A wall, swimming pool, swimming bath reservoir, water-tower, bridge summerhouse and hothouse, and any structure appurtenant thereto, and
- (c) Any structure, erection or thing whatsoever, irrespective of its nature or size; provided that scaffolding approved by the Engineer and used in the erection of a building shall not be deemed to be a building or part of a building.

(11) "BUILDING LINE"

means a line being the distance stipulated from the boundary wherein the erection of buildings or structures is wholly or partially prohibited in terms of this scheme or any law.

(12) "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 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.

(13)/....

(13) "CANOPY"

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

(14) "CARAVAN"

means any vehicle permanently fitted out for use by persons for living and sleeping purposes, whether or not such vehicle is a trailer, on condition that it is currently licensed and insured in terms of the Road Traffic Ordinance, 1966 (Ordinance No. 21 of 1966) and the Motor Vehicle Insurance Act 1942 (Act No. 29 of 1942 as amended) respectively.

(15) "CARAVAN PARK"

means any land used or intended to be used for the accommodation of caravans. It does not include :

- (a) a caravan within the curtilage of a dwelling,
- (b) the use of land as a caravan site by travelling showmen,
- (c) the use of land on which caravans are located for permanent residential purposes,
- (d) caravan sales yards.

(16) "CLUSTER HOUSING"

See part X Section 1.

(17) "COMBINED BUILDING"

means a building used or designed for more than one use.

(18) "COMMERCIAL VEHICLE"

shall mean a goods vehicle designed principally to carry goods.

(19)/....

(19) "CONDITIONAL USE"

in relation to land and to any building in any zone means any use specified in this Statement as a use that is permitted only if the Council consents and only subject to such conditions as the Council may impose whether generally or in respect of the particular use or in respect of the particular site.

(20) "COUNCIL"

means the Divisional Council of the Cape.

(21) "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 1,0 metre shall be excluded for the purpose of determining the maximum permissible coverage and shall include outbuildings or accessory buildings.

(22) "DRIVE-IN RESTAURANT"

means any land or buildings used for a restaurant or café from which food and refreshment are served to patrons who remain seated in motor cars parked in the vicinity of such restaurant or café.

(23) "DWELLING HOUSE"

means a building containing only one dwelling unit.

(24) "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. No "Dwelling Unit" shall consist of less than one bed-sitting room, one bathroom and W.C., together with not more than one kitchen (the bathroom and W.C. may be communal) except that in the case of "service"

flats/....

flats where the equivalent of kitchen facilities is provided in the form of a café or restaurant in the same building and which is intended, inter alia, to cater for the occupants of the building.

(25) "EAVES"

mean a portion of a roof projecting beyond the face of a building, including any gutters thereto, provided that such portion is not more than 1,0 metre in horizontal width measured inwards from the outer edge thereof.

(26) "ENGINEER"

means the Engineer of the Divisional Council of the Cape, his deputy or assistant, or any other person authorised for the time being to perform any of the Engineer's functions, or any officer or other person appointed by the Council to control any of the matters contained in this Statement.

(27) "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.

(28) "ERF"

means a piece of land:

- (a) registered in the Deeds Registry or in the office of the Surveyor-General as an erf, stand, lot or plot by means of a Title Deed or General Plan, or;
- (b) shown as an erf, stand, lot or plot on a valid plan of subdivision approved by any competent authority, and includes a public place as defined in Section 2 of Ordinance 19 of 1951.

(29) "EXISTING USE"

means in relation to any building or land, a use of that building or land for any purpose of the same character as that for which it was last used before the Material Date, or, in the case of an existing building which has not been used before that date, the use for any purpose for which it was designed; provided that if at any time after the Material Date the existing use of a building is discontinued for a period of 6 months no use of that building at any subsequent date shall be deemed to be an existing use thereof.

(30) "FLAT"

means one of two or more dwelling units contained in a block of flats and shall include Maisonettes and a residence erected over a shop or other building.

(31) "GARAGE"

means a building used for the housing of motor vehicles.

(32) "GOODS VEHICLE"

shall have the same meaning as "COMMERCIAL VEHICLE".

(33) "GROUND FLOOR"

means the lowest floor of a building, not being a basement.

(34) "GROUP HOUSING"

See Part X, Section 2.

(35) "HABITABLE ROOM"

means any living room and includes lounge, dining-room, offices, bedroom, hall logia but excludes kitchen, bathroom and W.C.

(36)/.....

(36) "HEIGHT"

The height of each residential building shall be measured from the level of the floor of the lowest habitable room or the mean ground level, to the top of the parapet or cornice in the case of a flat roof, or to a point midway between the eave and the ridge in the case of a pitched roof. The height of all buildings other than residential shall be measured from the mean level of the ground on the side nearest the street to the top of its parapet, cornice or other solid element 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.

In all cases, whichever height is the lesser.

In all cases the following shall be excluded from the height: chimneys, ventilator shafts, water tanks, stairway or elevator penthouses, steeples, towers and such finials or similar parts of the building as constitute only decorative fixture.

(37) "HOTEL"

shall have the same meaning as assigned to the Licensed Hotel defined herein.

(38) "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 of the same site.

(39) "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/...

or public, used in connection therewith, but does not include:

- (a) a hospital, sanatorium, dispensary or clinic for the treatment of infectious or contagious disease; or
- (b) premises licensed under Act No. 38 of 1916 for the detention of mentally disordered persons; or
- (c) a mental hospital.

(40) "LAND"

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

(41) "LATERAL BOUNDARY"

of a site or an erf means a boundary other than a street boundary or a rear boundary.

(42) "LICENSED HOTEL"

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

(43) "MAP"

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

(44) "MATERIAL DATE"

shall mean the date from which the provisions of Chapter IV of the Townships Ordinance No. 33 of 1934 apply to the area concerned, viz. 13th November, 1959.

(45) "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/..

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.

(46) "MEAN GROUND LEVEL"

means the average finished level of the surface of the ground immediately abutting the elevational plane of a building or proposed building.

(47) "MEDICAL ROOM"

means professional or consulting room of registered medical practitioners or opticians.

(48) "MOTEL"

means land and one or more buildings principally for the day-to-day accommodation of travellers by road and their vehicles, and includes as accessory to the principal use any services or amenities provided on the site such as fuelling of vehicles, shops, restaurants, bath houses and swimming pools, playgrounds and the like.

(49) "MOTOR VEHICLE"

means any vehicle designed or intended for propulsion by other than human or animal power and includes a motorcycle and a trailer or caravan but does not include a vehicle moving exclusively on rails.

(50) "NON-CONFORMING"

in relation to a site or a building, to the use of a site or a building, means a site or a building or a use of either that does not conform with the provisions of this scheme.

(51) "NOXIOUS INDUSTRIAL BUILDING"

means a building used or intended to be used for the purpose of carrying on an offensive trade which is set out in Government Notice No. 1606 of 1934, with any additions made thereto in terms of Public Health Act No. 36 of 1919, and any amendments thereto.

(52) "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.

(53) "PERMITTED USE"

means every predominant use, whether or not approval has been obtained, and every conditional use that is prermitted by Council as in accordance with this scheme.

(54) "PETROL FILLING STATION"

means an establishment for the fuelling, lubrication and minor servicing of motor vehicles, not including engine or body repairs or overhaul or trimming or spray painting.

(55) "PLACE OF ASSEMBLY"

means a building or portion of a building designed for use as a public hall, social hall, theatre, cinema, music hall, concert hall, dance hall, exhibition hall, billiard saloon, indoor sports, games or amusement, but does not include special places of assembly, a place of Worship, Place of Instruction, Institution or Drive-In Cinema.

(56) "PLACE OF INSTRUCTION"

means a building used as a school, college, technical institute, academy, research laboratory, lecture hall, convent, monastery, public library, art gallery, museum, gymnasium or for other instruction, but does not include a reformatory.

(57)/...

(57) "PLACE OF PUBLIC WORSHIP"

means a Church, Synagogue, Chapel, Mosque or other place of public devotion, but excludes funeral parlours including any chapel forming part thereof.

(58) "PREDOMINANT USE"

in relation to land in any zone, means any use specified in this Statement as a predominant use, being a use that is permitted as of rights.

(59) "PRIVATE GARAGE"

means a garage other than a public garage as herein defined and includes a car port.

(60) "PUBLIC GARAGE"

means trade or business in respect of which a licence referred to in Item 15 of Part 1 of the Second Schedule to the Licences Act, 1962 (Act No. 44 of 1962), is required, and shall include the trade or business of fuelling motor vehicles for payment or reward.

(61) "PUBLIC OPEN SPACE OR PUBLIC PLACE"

means any land used or reserved in this scheme for use by the public as an open space, park, garden playground, recreation ground and ancillary facilities.

(62) "PUBLIC UTILITY"

means any building or land required in connection with the provision of public services and includes an electricity sub-station and a sewage pumping station.

(63) "PUTTING COURSE"

means any land or building used for an outdoor miniature golf course.

(64) "REAR BOUNDARY"

in relation to a site 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.

(65) "REAR SPACE"

means the space between the rear boundary of the site and a line parallel thereto extending across the full width of the site; provided that in the event of there being no rear boundary, as in a triangular site, the boundary of the rear space shall be the converging side boundaries of the site and a circle drawn with the apex as centre and a radius of 10 metres.

(66) "RESIDENTIAL BUILDING"

means a building (other than a dwelling house, block of flats, multi-unit dwelling or licensed Hotel) for human habitation, and includes 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".

(67) "RURAL"

means all land falling under the control of the Cape Divisional Council not otherwise defined, designated or zoned.

(68) "SERVICE INDUSTRY"

means any industry, repair or servicing which will not give rise to smoke, odours, dust, noise or vibrations likely to be detrimental to the amenities of the neighbourhood. The area of any building therein not to exceed 300 m^2 and in which no solid fuel is used in connection with any industrial process and in which the only power driven machinery

used/....

used is that driven by electricity, no single motor being rated at more than 1,5 Kilowatts with a maximum of three (3) motors per site.

(69) "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, or petrol service station.

(70) "SIDE BOUNDARY"

See lateral boundary.

(71) "SIDE SPACE" or "SIDE YARD"

means a yard between the side boundary of the site and a line parallel thereto, extending from the front boundary to the rear boundary.

(72) "SIGN"

includes every advertising or business device, or matter of any kind whether consisting of a specially constructed device, structure, erection or apparatus, or painted, printed, written, carved, inscribed, endorsed, projected onto, or otherwise fixed to or upon any building wall, boarding, pole, structure or erection of any kind whatsoever, or on any rock, stone, tree, or other natural object, if such advertising or business device, or matter, is visible from any public place.

(73)/....

(73) "SITE"

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

(74) "SPECIAL PLACES OF ASSEMBLY"

means any profit making sporting or recreational activity and include the following:

Putting course or miniature golf course
Amusement hall
Roller skating rink
Athletic ground
Football ground
Fun fair
Race-course
Sports ground
Stadium or similar enterprise
Cricket Ground
Soccer field
Hockey field
Riding stables
Drive-In Cinema.
Rugby Field.

(75) "STABLES"

shall mean private or domestic stables, being not for profit making or business purposes, subject to the Medical Officer of Health's approval.

(76) "STOREY"

shall have the following meaning;

- (a) basement with the floor level more than 2 metres below the mean natural ground level shall not count as a storey and may be ignored in calculating the floor area or bulk provided they are not used for residential purposes or as a shop or factory or workplace, but may be used for parking or garages;
- (b) a roof containing a habitable room is a storey;
- (c) a storey shall not be higher than 4,0 metres. If a storey is greater than this it shall be counted as more than one storey;
- (d) Lift, meter and similar rooms and architectural features which are in proportion to the building do not constitute a storey;

- (e) these definitions apply for the scheme only
and do not affect definitions by the By-Laws.

(77) "STREET"

shall have the meaning thereto assigned by Section 2 of Ordinance No. 19 of 1951.

(78) "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.

(79) "TRADESMEN'S STOREROOMS"

A building not exceeding 40 m^2 in floor area situated on the same site with a residential building and used for the storage only of plant and materials in connection with the business of a builder, painter, paper-hanger, plumber, electrician or person conducting any other business connected with the building trade who is resident on the same site, but shall not include the carrying on of any business activity in the building or on the site or any repairs to plant stored or vehicles used in conjunction with the storeroom. This conditional use could include hawkers storage, the site area to be not less than 1000 m^2 . All material to be stored within the confines of the storeroom which shall not display notices or advertisements.

(80) "YARD"

means a part of a site which is required by this scheme to be unoccupied and unobstructed by buildings from the ground upwards, except as otherwise provided by this scheme.

(81) "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.

S E C T I O N . 3

IMPLEMENTATION OF THE TOWN PLANNING SCHEME

GENERAL OBLIGATIONS

Subject to the provisions of the Townships Ordinance No. 33 of 1934 and all regulations made thereunder, no person shall depart or permit or suffer any departure from the requirements and provisions of the scheme, nor shall any person use or permit the use of any land or building or undertake or permit any new work or any reconstruction, alteration or modification of any existing work if the use, new work, reconstruction, alteration or modification does not conform with the scheme, or would tend to prevent or delay the effective operation of the scheme.

S E C T I O N . 4

APPLICATIONS FOR PERMITS OR APPROVALS:

REQUIREMENTS

In addition to the information required by any law, the applicant for any permit or approval in accordance with this Statement shall supply the following:-

- (a) a fully dimensioned locality plan in duplicate of the property concerned to a scale of 1:500

showing/...

showing the boundaries of the properties, the public streets or other public open spaces in the vicinity, and the positions of all existing and proposed buildings on the site and access thereto. Where the site is excessively large, a figure dimensioned site plan to a scale adequate to show clearly the information required may be acceptable.

- (b) dimensioned drawings on durable material in duplicate, showing all floor plans, the elevations and a cross section of all the proposed buildings to a scale of not less than 1:100.
- (c) in the case of all buildings or land use, the portion of the site intended to be set aside and maintained for parking, loading, unloading or fuelling of vehicles shall be detailed.
- (d) a legal description of the land concerned and the name or names of the owners and (in the cases where the application is not made by or on behalf of the owner) a statement that the applicant has legal option to purchase the land.
- (e) a completed and signed form, a replica of which is set out in Appendix "A".

S E C T I O N . . . 5

APPROVALS BECOME INVALID

Every planning approval granted in accordance with this statement shall lapse and become invalid if application for a building permit is not made within 6 months of the date of the planning approval and work commenced within 6 months of date of approval of the permit.

S E C T I O N . . . 6

BUILDING USE : INTERPRETATION

Most forms of development involve the erection of buildings and the term "Building Use" is therefore used to describe the various forms of development for which planning consent will be requested. Town Planning Control, however, applies to the land and any buildings which may be erected thereon, and it should be noted that some proposals for development do not involve the erection of buildings, for example, a timber yard, car sales yard, or private sports ground.

S E C T I O N . . . 7

CONDITIONAL USES : IMPOSITIONS

All conditions imposed in respect of the Conditional Use shall attach to the land or buildings in respect of which such conditional use is approved. The Engineer shall maintain a register of conditional uses setting out:

- (i) a description of the land concerned;
- (ii) a description of the conditional use approved and the date of such approval;
- (iii) a list of the conditions imposed.

The register shall be made available for inspection by any member of the public during normal office hours.

SECTION 8

DETRACT FROM AMENITIES

If, in the opinion of the Council, the establishment of a conditional use on any land or in any building may detract from the amenities of the neighbourhood, it shall give written notice to owners and occupiers of adjoining land and may, if it thinks fit, advertise the proposal in such manner as the Council may deem necessary.

SECTION 9

INSPECTIONS

The Council may appoint any person or persons to inspect any land or buildings in the scheme area in connection with this statement and the Townships Ordinance. No person shall refuse entry to a duly appointed person for the purpose of carrying out his duties under the scheme during reasonable hours.

SECTION 10

CONFLICT OF LAWS

The scheme provisions shall apply over and above the By-Laws where they are more restrictive than the By-Laws. Where the By-Laws are more restrictive or where the scheme makes no provision, the By-Laws shall apply.

SECTION 11/....

S E C T I O N 11
.....

APPROVED TOWNSHIPS

- (a) 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.
- (b) The layout plan of a Township approved by the Administrator subsequent to the coming into operation of those provisions shall form part of the Town Planning Scheme and the map shall be amended accordingly.

S E C T I O N 12
.....

NON-CONFORMING PREMISES

- (a) An existing building which does not conform to any or all of the provisions of the scheme relating to the zone in which it is situated may be repaired, altered or modified (but not rebuilt) so long as the repair, alteration or modification does not increase the extent to which the building fails to conform to the provisions of this scheme and does not tend to prevent, or in the case of alterations or modifications, does not tend to delay the effective operation of this scheme; provided the Council may require notice of the proposal to be given to neighbouring owners if deemed necessary by it.

(b)/...

- (b) Any addition, repair or alteration to a non-conforming building consented to by Council prior to this scheme becoming operative but not completed at that date may be carried out if substantially commenced within six months after that date.
- (c) If an existing building which does not conform to any or all of the provisions of this scheme in respect of yard, height, site, floor area and coverage requirements of the zone in which such building is situated, is wholly destroyed or damaged or partially destroyed to the extent that it is necessary to pull down a substantial part of the remaining portion thereof before reconstruction, the Council may grant its consent to the erection of a building on the site, subject to such conditions as to partial or complete conformity with the provisions of this scheme as it may think fit to impose.
- (d) Before 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 a Commercial or Industrial zone, all the buildings on the site shall be made to comply with the provisions of the scheme, the regulations of the Council and any other laws which may be applicable.

S E C T I O N . 13

USE OF LAND

The use of land in any use zone (whether there is a

building/...

building on the land or not) for a purpose for which in that zone a building may be erected or used, or in any use zone in which a building may be erected or used only with the consent of the Council, shall not be commenced without the consent of the Council.

S E C T I O N . 14.
.....

USE OF OUTBUILDINGS PRIOR TO
COMPLETION OF MAIN BUILDING.

No outbuilding 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.

S E C T I O N . 15
.....

SCHEME MAY BE INSPECTED

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 there-
to by the Council.

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P A R T I I

U S E Z O N E S

SECTIONS 1 - 18 INCLUSIVE

PAGES 25 - 37 INCLUSIVE

PART II

USE ZONES

SECTION 1

GENERAL

METHOD OF PRESENTATION

This statement specifies the types of zones within the Cape Division, the predominant and conditional uses of land and buildings within each zone, the conditions which, when the scheme is being written, can be specified to apply to certain conditional uses of land, and the bulk and location requirements in respect of buildings for certain uses within each zone.

SECTION 2

STANDARD NOTATION AND THE
TREATMENT OF RESERVED LANDS

- (a) The land specified in Column 1 of the following Table "A" is reserved for use for the respective purposes indicated in Column 2 of Table "A".
- (b) For the purposes of this scheme every designated open space and (subject to the provisions of the Townships Ordinance 33 of 1934 and the prerogatives of the State) every reserve, is reserved for the particular purpose for which it is designated or reserved under the Scheme.

TABLE "A"/....

TABLE "A"

<u>COLUMN 1</u>		<u>COLUMN 2</u>
Indication on Map of lands reserved.		Use for which lands are reserved
COLOUR	SYMBOL SUPER- IMPOSED	
GREEN	P.P. or O.S.	Public Place or Open Space
YELLOW BROWN	CEM.	Cemetery
GREEN GREY	STATE	Government Purposes
GREEN GREY	L.A.P.	Local Authority Purposes
GREEN GREY	ED.	Educational Purposes
DARK GREY		Railway Purposes

Broad Hatched in Colour of Appropriate Use Zone

LIGHT GREY	Car parking	Public Parking Purposes
DARK BROWN BROKEN LINE		Existing Streets
RED		New Streets and street widening
RED HATCHED		Street Closures
LIGHT PURPLE WITH BLUE BORDER	W.W. ELECT. SEWERAGE	Public Utilities
RED	CIVIC	Civic or Community Purposes
LIGHT BLUE BORDER		Scheme Boundary
ORANGE WITH GREEN BORDER	L.A. GOV.PVT.	Housing Scheme Areas
LIGHT YELLOW		Single Residential
DARK BROWN		Special Residential
ORANGE		General Residential
BLUE		Commercial
LIGHT PURPLE	Service	Service Industry
RED PURPLE	Gen.Ind.	General Industry
RED PURPLE	Noxious	Noxious Industry
DARK GREEN BROWN		Rural
YELLOW GREEN	Hatched Lines	Amenities
LIGHT GREEN BROWN		Agricultural
COLOUR OF USE ZONE	Hatched Lines	Deferred Use

S E C T I O N . . . 3 .

THE USE OF LAND AND BUILDINGS AND
REGULATIONS CONCERNING APPLICATION

(a) PREDOMINANT USES

Subject to the provisions of this Statement, consent of Council shall not be required under this Statement for the use of any land or building for any use specified at that time and permitted as a predominant use in the zone in which it is situated, if that use is in accordance with every requirement set forth in this code in respect of it as a predominant use.

(b) CONDITIONAL USES

Subject to the provisions of this scheme, the use of any land or building for any use specified and permitted at that time as a conditional use in the zone and partition in which it is situated, is permitted subject in each case to the consent and prohibitions as to location, height, yards, position of buildings on sites, coverage, drainage disposal of effluents, and preservation of amenities as are stipulated in this Statement relating to the zone, and to such special conditions, restrictions and prohibitions (whether in respect of the same matter or other matters) as the Council may think fit to impose.

S E C T I O N 4

NOTIFICATION OF PROPOSALS

(a) OBJECTIONS CALLED FOR TO ESTABLISH CONDITIONAL USES

If, in the opinion of the Council, the establishment of a conditional use on any land or in any building may detract from the amenities of the neighbourhood, it shall give written notice to owners and occupiers of adjoining land and may, if it thinks fit, and at the expense of the applicant, give notice of the proposal once a week for two consecutive weeks, in English and Afrikaans newspapers circulating in each case in the area. The notice shall state that any person having any objections to the proposal may lodge such objections with the Council, in writing, within 14 days after the date of the last advertisement and shall further state where the plans, if any, may be inspected.

(b) COUNCIL'S CONSIDERATION OF OBJECTIONS.

The Council shall take into consideration any objections received within the said period of 14 days and shall notify the applicants and the persons, if any, from whom objections were received, of its decision.

(c) RIGHT OF APPEAL

Any person who feels aggrieved by the decision of the Council may appeal to the Administrator and for this purpose the decision of the Council shall not take effect until the expiration of twenty-eight (28) days from the date on which the applicant and the objectors, if any, are notified thereof, or if an appeal has been made to the Administrator, until such appeal is disposed of.

(d)/.....

- (d) Any decision of the Council given in terms of this Section shall be by special resolution of the Council as defined in Ordinance No. 15 of 1952, as amended.

S E C T I O N . 5
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USE ZONES

SINGLE DWELLING RESIDENTIAL

- | (a) <u>PREDOMINANT USES</u> | (b) <u>CONDITIONAL USES</u> |
|-----------------------------|--|
| 1. Dwelling House | 1. Place of Instruction. |
| 2. Outbuildings | 2. Place of Worship |
| | 3. Institution. |
| | 4. Parks, playgrounds and Scenic Reserves. |
| | 5. Nursery schools or creches |
| | 6. Stable (private) |
| | 7. Group Housing |
| | 8. Cluster Housing |
| | 9. Tradesmen's Storerooms |
| | 10. Buildings accessory to use of buildings or land for any of the uses specified in this Section. |

S E C T I O N . 6
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SPECIAL RESIDENTIAL

(a) PREDOMINANT USES

1. Dwelling House
2. Outbuildings

(b) CONDITIONAL USES

1. Place of Instruction
2. Place of Worship
3. Institution
4. Agricultural nurseries or similar undertakings (stables private)
5. Parks, playgrounds etc. Nature Reserves.
6. Nursery Schools or creches
7. Cluster Housing
8. Tradesmen's Storerooms
9. Group Housing
10. Buildings accessory to use of buildings or land for any of the uses specified in this Section.

S E C T I O N . 7
.

GENERAL RESIDENTIAL

(a) PREDOMINANT USES

1. Flats
2. Outbuildings
3. Dwelling Houses

(b) CONDITIONAL USES

1. Creches
2. Place of Worship
3. Institution
4. Hotels - which do not conduct off-sales establishments.
5. Parking space for hire
6. Parks, playgrounds, scenic reserves, nature reserves.
7. Place of Instruction
8. All residential buildings not permitted as a Predominant Use
9. Special Places of Assembly
10. Cluster Housing
11. Group Housing.

12. Restaurants within the flats building. No external display or advertising shall be permitted.
13. Buildings accessory to use of buildings or land for any of the uses specified in this Section.

SECTION 8

COMMERCIAL ZONES

- | (a) <u>PREDOMINANT USES</u> | (b) <u>CONDITIONAL USES</u> |
|---|---|
| 1. Shops (except pet shops & car sales) | 1. Pet shops and car sales yards |
| 2. Offices above ground floor level | 2. Parking lots and Parking building. |
| 3. Hotels and non-residential clubs | 3. Administrative, Commercial and professional offices on ground floor level. |
| 4. Theatres and halls, places of public or private worship or entertainment, or public or private assembly. | 4. Flats, above ground floor only. |
| | 5. Auction Rooms |
| | 6. Warehouse directly supplying retail outlets provided it does not occupy more than 50% of the floor area of the building. |
| | 7. Funeral Parlour |
| | 8. Institution |
| | 9. Fish Shop |
| | 10. Public Garage |
| | 11. Libraries |
| | 12. Petrol Filling Station |
| | 13. Special Places of Assembly |
| | 14. Buildings accessory to use of buildings or land for any of the uses specified in this Section. |

S E C T I O N . 9

SERVICE INDUSTRY

(a) PREDOMINANT USES

1. Service Industrial Building.
2. Wholesale Warehouse
3. Petrol Filling Station

(b) CONDITIONAL USES

1. Shops
2. Place of Worship
3. Place of Assembly
4. Place of Instruction
5. Public Garage
6. Storage Building
7. Living quarters for a Caretaker or other persons whose employment requires their living on the premises
8. Special Places of Assembly.
9. Buildings accessory to use of buildings or land for any of the uses specified in this Section.

S E C T I O N . 10

INDUSTRIAL GENERAL

(a) PREDOMINANT USES

1. Public Garage
2. Industrial Building
3. Service Industrial Building
4. Wholesale Warehouse
5. Storage Building
6. Storage Yard
7. Scrap Yard

(b) CONDITIONAL USES

1. Place of Instruction
2. Place of Assembly
3. Restaurants, Cafés or eating houses
4. Living quarters for a Caretaker or other persons whose employment requires their living on the premises.
5. Special Places of Assembly
6. Buildings in excess of 11,0 metres in height.
7. Buildings accessory to use of buildings or land for any of the uses specified in this Section.

S E C T I O N . 11.
.....

NOXIOUS INDUSTRIAL

(a) PREDOMINANT USES

1. Any industry set out in the Service Industrial or Industrial General Zones.

(b) CONDITIONAL USES

1. Any industry which is specified as dangerous or noxious under the Health Act and its amendments.
2. Any industry which, in the opinion of the Council, should be subject to special conditions.

S E C T I O N . 12.
.....

RURAL ZONE

(a) PREDOMINANT USES

1. Forestry, farming of any kind excepting the housing or keeping of animals in any building or enclosure within 30 metres from any residential building or less than 30 metres from any boundary of the site.
2. Parks and scenic reserves and nature reserves.
3. Agricultural Buildings.

(b) CONDITIONAL USES

1. Mining and processing of materials occurring naturally in vicinity.

2. Places for the disposal of refuse, including tips.
3. Earthworks and contractors' yards.
4. Building accessory to buildings or to the use of land for any of the foregoing uses.

(c) CONDITIONS RELATING TO
CERTAIN CONDITIONAL USES

1. All spoil, waste or effluent shall be disposed of as to minimise damage to property or disfigurement to the countryside.
2. The site of excavating heaps, dumps, spoil or other materials at any workings or plant which cause or are likely to cause damage to property or disfigurement to the countryside shall be progressively restored to a reasonable natural state by levelling or back filling where possible, and by the planting of grass or trees and, on completion of the work, by the removal of the plant and buildings.

S E C T I O N . 13.
.....

AGRICULTURAL ZONE

(a) PREDOMINANT USES

1. Agricultural Buildings.
2. Agricultural Farming.

(b)/....

(b) CONDITIONAL USES

1. Churches and places of public or private worship.
2. Halls and places of assembly and buildings connected with recreation.
3. Educational and residential institutions, hospitals, nursing homes, convalescent homes, charitable and philanthropic institutions and boarding housing and hostels used in connection therewith.
4. Farming other than agricultural farming.
5. Special Places of Assembly.
6. Cluster Housing.
7. Tradesmen's Storerooms.

S E C T I O N 14.

AMENITIES ZONE

- (a) There shall be no predominant uses in this zone.
- (b) All proposed uses or development projects in this zone will be considered on merit and its compatibility in harmonising, blending and improving the facilities of the amenity area having regard to the natural surroundings or any scheme envisaged for that particular amenity area.
- (c) All uses in this zone will be conditional until such time as a specific use is authorised by the Administrator and is rezoned for that use.

(d)/...

- (d) All bulk, height, coverage and density requirements, including building line requirements, will be subject to Council's recommendations to the Administrator and his approval thereto.

S E C T I O N . 15.
.

USE ZONES DEFERRED

The deferred zone indicates the future potential use for which the land could possibly be rezoned on the review of the Town Planning Scheme. Land in any deferred zone may not be used except with the prior approval of the Council and the Administrator for any use other than the use for which such land was used on the material date.

S E C T I O N . 16.
.

USES NOT EXPRESSLY MENTIONED
PUBLIC UTILITIES

Every public utility shall be deemed to be a conditional use in every zone and partition thereof.

S E C T I O N . 17.
.

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 :

- (a) The/...

- (a) The use of land or the erection of buildings required for the purpose of a sports or recreation ground not being a sports or recreation ground ordinarily open to the public on payment of a charge.
- (b) The letting by any occupant of a dwelling house or any part of the house otherwise than as a separate tenement or dwelling unit.
- (c) The occasional use of a place of worship, place of instruction, or institution as a place of assembly.
- (d) Medical rooms forming part of a dwelling unit for the sole use of the occupant of the relevant dwelling unit.
- (e) For further reference re Medical and Professional Rooms see Appendix B.I.

S E C T I O N . 18.
.....

LAND TO BE SUITABLE FOR PROPOSED USE

Notwithstanding conformity with the zoning requirements of the scheme, no building shall be erected or placed and no use shall be established on any land which is not suitable for the use proposed; and for the purpose of determining whether any land is suitable for any particular use, regard shall be had to the best use of the land and its economic servicing and development or redevelopment, to geological conditions, to liability to flooding, erosion, or landslip, to stability of foundations, and to access, safety, health and amenities.

P A R T I I I

S I T I N G O F B U I L D I N G S

SECTIONS 1 - 3 INCLUSIVE

PAGES 39 - 41 INCLUSIVE

PART III

SITING OF BUILDINGS

SECTION 1

BUILDING LINES : GENERAL

- (a) The building lines prescribed on all roads shall be $\frac{1}{4}$ of that road reserve, but the minimum shall be not less than 8,0 metres.
- (b) In the Rural Zone no building or portion thereof except boundary walls or fences may be erected nearer than 30 metres from any boundary on the site.
- (c) In the Agricultural Zone no building or portion thereof except boundary walls or fences may be erected nearer than 10 metres from any boundary of the site.
- (d) Subject to Section 146 of Ordinance 15 of 1952, Council may relax the building line if, on account of the level of the site, or adjoining land, or the proximity of buildings already in front of the building line, or any other special circumstances, compliance with the building line would seriously hamper the development of the site, provided that no side or rear space may be relaxed without the written consent of the adjoining owner.
- (e) Subject to Section 146 of Ordinance 15 of 1952, Council may in special circumstances relax the building line if the architectural effect will enhance the appearance of the street and contribute to the public amenity,

provided/...

provided that no side or rear space may be relaxed without the written consent of the adjoining owner.

- (f) Where, in the opinion of the Council, a service road or parking facilities are not considered to be necessary, the building line requirements for commercial buildings may be varied.
- (g) Swimming pools may be sited within the building line provided they do not protrude above the ground. Vide: Administrator's memorandum dated the 8th November, 1968, Ref. AF.20/1/40.

S E C T I O N . 2

MINIMUM STREET WIDTHS

No building may be erected in General Residential, Service Industrial or General Industrial Zones on any site unless:

- (i) 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 street of greater width, and
- (ii) all street boundary walls or fences of the site are erected at a distance of not less than 10 metres 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.
- (iii) In the Residential Zones the portion(s) of the site falling within 10 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/...

site, provided however, that if the owner transfers the said portion(s) of the site to Council free of compensation, such portion(s) may be included for the purpose of determining the permissible bulk on the remainder.

- (iv) In the Industrial Zones the portion(s) of the site falling within 10 m of the centre line of the abutting street(s) shall be excluded for the purpose of determining the parking requirements on the remainder of the site, provided however, that if the owner transfers the said portion(s) of the site to Council free of compensation, such portion(s) may be included for the purpose of calculating the parking requirements on the basis of 5,7 m per "in line" or "kerb-side" parking bay.

S E C T I O N . 3

SITING AND ELEVATIONAL TREATMENT

- (i) Where a site has two parallel street frontages, the siting and elevational treatment of the buildings shall be to the satisfaction of the Engineer.
- (ii) In Cluster Housing Projects the siting and elevational treatment shall be subject to Part X Section 1 of this Statement.
- (iii) In Group Housing Projects, the siting and elevational treatment shall be subject to Part X, Section 2 of these regulations.

P A R T I V

BULK AND HEIGHT AND SPACE

ABOUT BUILDINGS

REQUIREMENTS:

SECTIONS 1 - 12 INCLUSIVE

PAGES 43 - 53 INCLUSIVE

PART IV

BULK AND HEIGHT AND SPACE

ABOUT BUILDINGS:

REQUIREMENTS :

S E C T I O N . 1

RURAL ZONE : FOR PREDOMINANT USES

(a) SIDE SPACES

Minimum width 30 metres from any side boundary.

(b) REAR SPACE

Minimum depth 30 metres from rear boundary.

(c) HEIGHT OF BUILDINGS

Maximum height excluding chimneys, masts etc.
8 metres.

(d) COVERAGE

Subject to compliance with all building line and space about building requirements, the total area of dwellings which may be permitted on an erf is 500 m² including labourers' accommodation.

Council may relax this requirement, subject to sufficient evidence being provided that such additional accommodation is required for bona-fide farming activities on the property. Where the area of the site is less than the minimum required in Part VI Section 2(a), the maximum coverage shall be restricted to that applicable to the "Agricultural zone", as detailed in Part IV, Section 2(d).

(e) FOR CONDITIONAL USES

As above, provided the Council may impose more restrictive conditions, except in the case of Group or Cluster Housing, where the requirements

as laid/....

as laid down in Part X, Sections 1 and 2 shall apply, where allowed under Part 2.

(f) PARKING

See requirements Part V, Section 1.

S E C T I O N . 2

AGRICULTURAL ZONE: FOR PREDOMINANT USES

(a) SIDE SPACES

Minimum width 10 metres from any side boundary.

(b) REAR SPACE

Minimum depth 10 metres from any rear boundary.

(c) HEIGHT OF BUILDINGS

Maximum height excluding chimneys, masts, etc.
8 metres.

(d) COVERAGE

Subject to compliance with all building line and space about building requirements the total area shall not exceed:

(i) dwelling: 300 m² including labourers' accommodation.

(ii) accessory and/or agricultural buildings
500 m².

(iii) Council may relax the requirements in (i) and (ii) above, subject to sufficient evidence being provided that such additional accommodation is required for bona-fide farming activities on the property.

Where the area of the site is less than the minimum required in Part VI Section 2(b), the maximum coverage shall be restricted to that applicable to the "Single Residential Zone", as detailed in Part IV, Section 4, read in conjunction with Part II, Section 5(a).

(e) FOR CONDITIONAL USES

As above, provided the Council may impose more restrictive conditions, except in the case of Group or Cluster Housing. Where the requirements, as laid down in Part X, Sections 1 and 2 shall apply where allowed under Part 2.

(f) PARKING

See requirements Part V, Section 1.

S E C T I O N 3
.....

SPECIAL RESIDENTIAL ZONE : FOR PREDOMINANT USES

(a) SIDE SPACE

10 metres from any side boundary.

(b) REAR SPACE

10 metres from any rear boundary.

(c) HEIGHT

Maximum excluding chimneys, masts, etc. 11,0 metres or 3 storeys.

(d) CONDITIONAL USES

As above, provided the Council may impose more restrictive conditions, except in the case of Group or Cluster Housing, where the requirements as laid down in Part X, Sections 1 and 2 shall apply, where allowed under Part 2.

(e) PARKING.

See requirements Part V, Section 1.

S E C T I O N . 4
.....

SINGLE RESIDENTIAL ZONE :
FOR PREDOMINANT USES

MINIMUM WIDTHS

(a) SIDE SPACES

(i) Where the frontage of an erf is less than 18 metres in length, 1 metre to any lateral boundary provided that the aggregate side space shall be not less than 3,5 metres and further that no windows are inserted in any wall which is less than 1,5 metres from any lateral boundary.

(ii) Where the frontage of an erf is between 18 and 22 metres in length, 1,5 metres to any side boundary, provided the aggregate side space shall be not less than 5 metres.

(iii) Where the frontage of an erf exceeds 22 metres in length, 2,5 metres to any side boundary provided the aggregate side space shall be not less than 6 metres.

MINIMUM DEPTH

(b) REAR SPACE

6 metres from rear boundary.

(c) HEIGHT OF BUILDINGS

Maximum excluding chimneys, masts, etc. 8 metres.

(d) COVERAGE

50% of site area.

(e) CONDITIONAL USES

As above provided the Council may impose more restrictive conditions, except in the case of Group or

Cluster/...

Cluster Housing, where the requirements as laid down in Part X, Sections 1 and 2 shall apply where allowed under Part 2.

(f) PARKING

See requirements Part V, Section 1.

S E C T I O N . 5
.

GENERAL RESIDENTIAL ZONE

(1) PREDOMINANT USES

(a) MINIMUM SITE AREA

900 sq. metres.

(b) SIDE SPACE

(i) Where the height of the building does not exceed 2 storeys or 8 metres, the minimum side space shall not be less than 4,5 metres.

(ii) Where the height of the building does not exceed 3 storeys or 11 metres, the minimum side space shall not be less than 6,0 metres.

(c) REAR SPACE

The minimum rear space shall not be less than 6,0 metres.

(d) HEIGHT

Height of buildings excluding chimneys, masts, etc.

(i) Where the area of an erf is not less than 900 m^2 in area the height of any building shall not exceed 2 storeys or 8,0 metres.

(ii) Where the area of an erf is not less than 1800 m^2 in area the height of any building shall not exceed 3 storeys or 11,0 metres.

(e)/...

(e) COVERAGE

(i) If the area of an erf is not less than 900 m² the permissible coverage shall not exceed 30%.

(ii) If the area of an erf is not less than 1800 m² the permissible coverage shall not exceed 35%.

(2) CONDITIONAL USES

(i) Except in the case of dwellings and medical rooms, no site shall have an area of less than 1800 m² in extent.

(ii) No side space or rear space shall be less than 9,5 metres in width.

Notwithstanding the foregoing conditions (i) and (ii), all other provisions of this statement or any other law shall apply.

(iii) In the case of Cluster Housing the requirement as laid down in Part X, Section 1 shall apply.

(3) PARKING

See requirements Part V, Section 1.

S E C T I O N . 6
.

COMMERCIAL ZONE

(1) PREDOMINANT USES

(a) SIDE SPACES

(i) A minimum side space of 4,5 metres on any one side boundary except where alternative direct vehicular access to the rear of the site is provided.

(ii)/....

(ii) There shall be no windows or apertures on the side boundaries.

(iii) Any windows or lighting to habitable rooms from a side boundary shall observe the same side space as would apply in the general residential zone.

(b) REAR SPACES

Minimum depth 4,5 metres from rear boundary.

(c) HEIGHT

Height of buildings excluding chimneys and masts.

Maximum height to be in accordance with that of the immediate surrounding residential zone or 11,0 metres whichever is the lesser.

(2) CONDITIONAL USES

Notwithstanding any other requirements:

- (a) Where business and residential uses are combined, the site shall have open space about the building not less than an area equal to the total residential floor area, for the use of residents.
- (b) To comply with any Provincial Administration standards pertaining to any particular use as set out in Appendix "B".
- (c) Combined Bulk Factor not to exceed 1,00.

(3) PARKING AND LOADING REQUIREMENTS.

See requirements Part V, Section 1. (page 55)

S E C T I O N . 7
.

SERVICE INDUSTRIAL ZONE

(1) PREDOMINANT USES

(a) SIDE SPACES

(i) A minimum side space of 4,5 metres on any one side boundary, except where direct vehicular access to the rear of the site is provided.

(b) REAR SPACES

(i) 6,0 metres from rear boundary.

(c) HEIGHT OF BUILDINGS

Maximum excluding chimneys, masts, etc. 8,0 metres or 2 storeys.

(2) CONDITIONAL USES

- (a) Any conditions which may be resolved by Council
- (b) To comply with any Provincial Administration requirements pertaining to any particular use as set out in Appendix "B".

(3) PARKING AND LOADING REQUIREMENTS

See Part V, Section 1.

S E C T I O N . 8
.

INDUSTRIAL GENERAL ZONE

(1) PREDOMINANT USES

(a) SIDE SPACES

(i) A minimum side space of 4,5 metres on any one side boundary, except where direct vehicular access to the rear of the site is provided.

(b)/...

(b) REAR SPACES

- (i) 6,0 metres from any rear boundary.

(2) CONDITIONAL USES

- (a) Any condition which may be resolved by Council.
(b) Compliance with any Provincial Administration requirements pertaining to any particular use, as set out in Appendix "B".

(3) PARKING AND LOADING REQUIREMENTS

See Part V, Section 1.

S E C T I O N . 9

NOXIOUS INDUSTRIAL ZONE

All bulk, height and location requirements shall be determined by the Council, provided it does not exceed the requirements as stated in Section 8 above.

S E C T I O N . 10

AMENITY ZONE

- (a) All proposals shall conform to an overall development plan prepared by Council for that zone.
(b) In the absence of an overall development plan, any proposals shall be subject to bulk, height and location requirements as determined by Council and the Administrator.

SECTION 10.
.....

AMENITY ZONE

(a) All proposals shall conform to an overall development plan prepared by Council for that zone.

(b) In the absence of an overall development plan, any proposals shall be subject to bulk, height and location requirements as determined by Council.

SECTION 11.
.....

OUTBUILDINGS MAY BE SITED

(a) Notwithstanding the space about buildings requirements, but subject to Council's consent, a domestic outbuilding not exceeding 3.0 Metres in height may be erected in the lateral and rear spaces for a distance of 12.0 Metres reckoned from the rear boundary or, in the case of corner sites, from the point furthest from the streets 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.

3510

POLICY IN RESPECT OF GARAGE SITING IN SINGLE DWELLING ZONES IN APPROVED SINGLE RESIDENTIAL TOWNSHIPS, VIDE PROVINCIAL ADMINISTRATION LETTER NO. AF.20/1/304 DATED THE 2ND MAY, 1963, FILE A. 13649.

S E C T I O N 11
.....

(a)

BUILDINGS MAY BE SITED

Notwithstanding the space about building requirements, this Council may approve, subject to any conditions which it may deem necessary, the erection of a domestic building on one lateral boundary of the site provided a minimum side space of 3,5 metres is observed on the alternate boundary.

Notwithstanding any other provisions, a garage intended as an adjunct to the dwelling may, where the slope of the erf up from the level of the abutting street is such that in the opinion of the local authority it cannot reasonably be sited at a distance of 15 feet from the street line, be erected at such lesser distance therefrom as the local authority may approve, provided that not more than 50 per cent of the cubic measure of such garage may project above natural ground level and that in no event shall any such garage be erected at less than 1,5 metres from the street line.

(b)

TOWN PLANNING SCHEME

The Council to approve of the erection of outbuildings or accessory buildings in side and rear spaces in accordance with its scheme regulations irrespective of whether the outbuilding or accessory building can be sited in an alternative position, provided:

- (i) The Council is satisfied that the adjoining property will not be adversely affected or the residential accommodation on the erf on which the outbuilding or accessory building is erected is not deprived of essential light and air; and
- (ii) Where the Council has doubt as to whether the adjoining property may or may not be adversely affected, written confirmation be

obtained/...

obtained from the owner thereof that he has no objection to the erection of the outbuilding or accessory building in the proposed position.

(c)

APPROVED TOWNSHIPS

The erection of outbuildings or accessory buildings to be approved by the Council and the Provincial Administration on the same basis as set out in (b)(i), except that as title deeds are involved, the written consent of the owner of the relevant adjoining property be obtained in every instance.

S E C T I O N . 12 .

SPACE BETWEEN BUILDINGS

- (a) No outbuilding or accessory building shall be erected in such position that the distance between it and a dwelling house or block of flats on the land in the same erf is less than 3,0 metres. When attached to a dwelling house or block of flats, the specified requirements regarding space about buildings shall apply except in the case of garages or car ports.
- (b) The Council may relax the space between buildings in special circumstances or where the erf size is limited but shall be not less than 1,0 metre.

Vide: Ref. AF.20/1/301 dated 26th January 1970.

P A R T V

VEHICLES, PARKING, LOADING
AND ACCESS

SECTIONS 1 - 5 INCLUSIVE

PAGES 55 - 60 INCLUSIVE

PART VVEHICLES, PARKING, LOADING AND
ACCESSS E C T I O N . 1PARKING REQUIREMENTS

In every case where a building is erected or reconstructed and in every case where there is a change of use of any land or building there shall be provided space for garage accommodation or off-street parking as follows :

(a) GENERAL

DESCRIPTION	UNIT	NO. OF CARS PER UNIT
1. Residential	1-4 Dwelling Units	2
2. Residential	5 or more Dwelling Units	1,5
3. Residential	1 Bedroom Unit	,75
4. Approved Pensioner Res.	1 Unit	,25
5. Boarding House	Each Bedroom	1
6. Licensed Hotels	Each Bedroom	1
	Each 20 m ² Bar space	1
	Each 6,0 m ² Diningroom	1
7. Hospitals	Each 2 beds	1
8. Shops	Each 35 m ² (Gross)	3
9. Offices	Each 45 m ²	2
10. Warehouse	Each 45 m ²	1
11. Industrial Building	Each 45 m ²	1
12. Public Garage (See Appendix "B")	Each Lubrication or repair bay	5
	Persons employed (1 per person (minimum 3))	1
13. Hostels or education	Each 10 students	1
Institutions other than primary or post primary schools.	Each teacher	1
14. Institution or Orphanage	Each 2 members of staff	1
15. Theatres/Cinemas/Halls/Churches/Mortuary Chapels and any use not expressly mentioned.	As required by the Council but shall not be less than one for every 4 seats, except in the non-white areas when the requirements shall be 1 parking space for every 20 seats.	
16. Cluster Housing:	See Part X, Section I.	
17. Group Housing :	See Part X, Section 2.	

NOTE/...

REVISED ON-SITE PARKING REQUIREMENTS FOR
COMMERCIAL SITES. BAYS 2.5m x 5.5m

Floor area (Nett) sq. metre	No. of Parking Bays	Floor area (Nett) sq. metre	No. of Parking Bays
50	1	1050	45
100	2	1100	50
150	3	1150	55
200	4	1200	60
250	5	1250	65
300	6	1300	70
350	7	1350	75
400	8	1400	80
450	9	1450	85
500	10	1500	90
550	13	1550	97
600	16	1600	104
650	19	1650	111
700	22	1700	118
750	25	1750	125
800	28	1800	132
850	31	1850	139
900	34	1900	146
950	37	1950	153
1000	40	2000	160

For every 50 m² in excess of 2 000 m² four additional parking bays should be provided.

Mosque at 1 bay per 20 people/seats.
each person 0.8m² nett floor area.

NOTE: Of the above prescribed parking requirements, a minimum of 25% to be uncovered.

(b) GENERAL PROVISIONS AS TO PARKING SPACES

The provision of parking required in respect of any residential site may be made as part of the yard space of that site, provided that the requirements of landscaping of the site are complied with.

(c) SIZE AND ACCESS

- (i) Every parking space shall be of a usable shape and shall have an area of not less than 18 m^2 exclusive of drives and aisles.
- (ii) Every parking space shall be provided with such access and aisles as are necessary to the satisfaction of the Engineer, for the ingress and egress of motor vehicles from and to the street and for the manoeuvring of motor vehicles within the site.

(d) SCREENING FROM RESIDENTIAL ZONES

Parking in a zone other than a residential zone shall be effectively screened on any side which adjoins a residential zone by a wall or a hedge or other suitable planting, maintained to the satisfaction of the Engineer.

S E C T I O N . 2
· · · · ·

PROVISION FOR LOADING OF VEHICLES

(a) GENERAL REQUIREMENTS IN INDUSTRIAL
AND COMMERCIAL ZONES

Every person who proposes to erect, construct or reconstruct a building in a commercial or industrial zone shall provide within the site suitable and efficient accommodation for any loading, off-loading or fuelling of vehicles which is likely to arise from the use of the building.

(b) REAR ACCESS

The Council may require every owner or occupier of a building in a commercial or industrial zone to provide adequate vehicular access to the rear of the premises, either over his own land or by dedication of a service lane or otherwise.

(c) BACKING OF VEHICLES TO AND FROM
THE STREET

In all General Residential, Commercial and Industrial zones, off-street parking and loading facilities shall be so arranged that vehicles using them can be driven forwards into the site from the street and onto the street from the site except that an alternative arrangement may be approved where the vehicular access to the site is obtained from a service lane or a minor street, where traffic will not be disrupted by the backing of vehicles to and from the street.

S E C T I O N . 3
.

ALTERED BUILDINGS

Wherever in any building there is a change of use or increase in floor area, the requirements of this statement as to off-street parking, and as to loading and unloading for the new use or floor area, shall be complied with.

S E C T I O N . 4
.

VEHICULAR ACCESS TO SITES

- (a) No vehicular access shall be located nearer than 12,5 metres from an intersection, measured from the nearer reserve of the intersecting street, except in special circumstances when Council may relax this requirement to not less than 5 metres.
- (b) In the case of a site to which vehicular access can be provided from a service lane or road, no vehicular access shall be located on a public street.
- (c) The width of any vehicular entrance to a site shall not exceed 3,5 metres in the case of a single access or 6,5 metres in the case of a double access, except that the Engineer may approve of an entrance of greater width where additional width is required due to special features of the site where such additional width does not interfere with pedestrian traffic passing the entrance.
- (d) Vehicular access shall be metalled and sealed and provided with channels and

sumps/...

sumps for stormwater disposal to the satisfaction of the Engineer and shall comply with the following :

- | | | |
|-------|---|--|
| (i) | For residential buildings containing not more than 6 units. | Total width of carriageway 3,5 metres. |
| (ii) | For residential buildings containing more than 6 units. | Total width of carriageway 6,5 metres. |
| (iii) | For Single Residential Dwellings: | Width of carriage-way 3,5 metres. |

S E C T I O N . 5

GENERAL

- (a) All 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.
- (b) 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 more restrictive requirements than that stated in Section 4 relating to vehicular access to sites if it is considered necessary from any traffic point of view.
- (c)(i) As an alternative to the provisions relating to shops, offices, warehouses and industrial buildings, the owner may, with the consent of the Council, where it is the opinion that it is undesirable or impractical from a planning point of view to provide the

required/...

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 free access thereto for the purpose of parking, and the owner shall be bound to level this 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.

- (c)(ii) As an alternative to the foregoing, the owner may, with the consent of the Council, pay a cash sum to the Council equal to the market valuation per square metre of land on which the building is erected or such sum as may be agreed upon by the Council multiplied by the area of the land which is required to be provided for the parking for shops, offices, warehouses and industrial buildings.
- (d) Notwithstanding the foregoing provisions of this chapter, Council may require additional off-street parking or loading facilities in regard to any particular building or use and its traffic generation potential.

P A R T V I

SUBDIVISION OF LAND

STANDARD AREA AND FRONTAGE
REQUIREMENTS

SECTIONS 1 - 10 INCLUSIVE

PAGES 62 - 66 INCLUSIVE

PART VISUBDIVISION OF LANDSTANDARD AREA AND FRONTAGE REQUIREMENTSSECTION 1GENERAL

Subject to the provisions of this Statement, every subdivision of land shall be so designed as to provide sites that meet with the requirements of this Statement for the "Permitted" and "Conditional" uses and for the bulk and location of buildings, being requirements that apply in that zone: Except in cases where subdivision took place before the "Material" date.

SECTION 2

MINIMUM AREAS AND FRONTAGES:
SUBJECT TO PART VIII

<u>ZONE</u>	<u>MIN. AREA</u>	<u>MIN. FRONTAGE</u>
(a) RURAL	21,5 hectares	-
(b) AGRICULTURAL		
(i) Noordhoek/Sunnydale/ Kommetjie Complex	4000 m ²	31,5 metres
(ii) Other Areas	8000 m ²	60 metres
(c) SPECIAL RESIDENTIAL	8000 m ²	60 metres
(d) SINGLE RESIDENTIAL	650 m ²	22,5 "
Places of Assembly	3600 m ²	31,5 "
Nursery Schools or creches	1800 m ²	31,5 "
(e) GENERAL RESIDENTIAL	900 m ²	31,5 "
Places of Assembly	3600 m ²	
Creches or Nursery schools	1800 m ²	
(f) COMMERCIAL		
Shops and Offices	450 m ²	15,5 metres
Hotels & Places of Assembly	3600 m ²	31,5 "
(g) SERVICE INDUSTRY	450 m ²	15,5 "
Filling Station	900 m ²	31,5 "
Places of Assembly	3600 m ²	31,5 "
(h) INDUSTRIAL GENERAL	1800 m ²	31,5 "
Shops	450 m ²	15,5 "

<u>ZONE</u>	<u>MIN.AREA</u>	<u>MIN.FRONTAGE</u>
(i) NOXIOUS INDUSTRY	8000 m ²	60 metres
(j) AMENITY ZONE		
(All subdivision in this zone will be conditional subject to consent of Council and the Provincial Administrator and Surveyor-General.)		
(k) Shopping Complexes specified in special areas Part VIII Section 7, Subdivision Restricted.		

S E C T I O N . 3

STREET GRADIENTS

No new street shall have a gradient steeper than 1 in 10 without the special consent of Council.

S E C T I O N . 4

SUBDIVISION TO CONFORM WITH PLANNING PRINCIPLES

- (a) Notwithstanding that a scheme of subdivision may comply with the requirements of the scheme in respect of frontage and area, the Council shall not recommend approval of the scheme of subdivision if this site is not suitable or if the use proposed or the arrangement of sites or shape of any proposed site is not in conformity with the principles of sound town and country planning.
- (b) Provided that in determining whether a site is suitable, regard shall be had to the best use of land and its economic servicing and development, the geological conditions and to liability to flooding, erosion and land-slip, and to access, safety, health and amenities.

SECTION 5

EXCEPTIONS TO STANDARD REQUIREMENTS

- (a) In all zones the Council may permit the subdivision of land so as to produce an erf of less than the minimum standard area and frontage herein prescribed, if the applicant satisfies the Council either that the sub-standard frontage or area, as the case may be, is appropriate to the proposed use and approval thereof is necessary to avoid undue hardship.
- (b) Provided that no sub-standard erf shall be permitted if it is likely to cause demand to be made for an extension which is not in the economic interest of the region or locality of any public service or to cause existing or proposed public services to be uneconomically used; or
- (c) If it is likely to lead to any obstruction to or other interference with the free movement of traffic on State highways or important traffic routes.
- (d) In the case of Group or Cluster Housing the size and shape of the erven shall be determined as required in Part X, Sections 1 and 2 of these regulations.

SECTION 6

BOUNDARY ADJUSTMENTS

In any zone the requirements of this Statement shall not apply to a subdivision if the Council is satisfied that the subdivision is intended solely for the adjustment of boundaries which will leave each of the adjusted allotments of substantially the same area as before.

S E C T I O N 7
o . . a a o a o .

PUBLIC UTILITIES

In any zone the requirement of this scheme shall not apply to a site or allotment which is being or has been reduced to not less than four-fifths of the standard in any one or more respects by the sale or acquisition thereof with the approval of Council for the purpose of public utility, nor shall those requirements apply to the part so taken or sold.

S E C T I O N 8

COMMERCIAL ZONE

Notwithstanding the provisions of this scheme, the Council may approve of sites with less than the prescribed minimum area or frontage in this zone, where such sites are included in a comprehensive scheme of development which is approved by Council.

S E C T I O N 9
a o n a c a e e c

PLAN OF SUBDIVISION FOR COUNCIL

Subject to the further requirement of any by-law on the subject, a copy of every subdivisional plan shall be supplied to the Council for its record.

S E C T I O N 10
* * * * *

EXISTING BUILDINGS TO CONFORM

Notwithstanding any other provision of this Statement, any scheme of subdivision of land on which buildings exist shall be so arranged that the buildings conform with the provisions of this Statement after subdivision except that Council may approve of schemes of subdivision subject to a condition that buildings which will not conform after subdivision be removed.

P A R T V I I

SPECIAL TYPES OF BUILDINGS

SECTIONS 1 and 2

PART VII

SPECIAL TYPES OF BUILDINGS

S E C T I O N . 1

GENERAL

The provisions of this Chapter relating to certain types of buildings shall be in addition to any other provisions applicable to such buildings in terms of any other chapter.

S E C T I O N . 2

SPECIAL BUILDINGS

Subject to any Provincial Administration or Council Regulations current at that time:

See Appendices B.

- (a) Service Stations.
- (b) Drive-In Cinemas.
- (c) Garages.

P A R T V I I I

S P E C I A L A R E A S

SECTIONS 1-9 INCLUSIVE

PAGES 70-73 INCLUSIVE

PART VIII

SPECIAL AREAS

S E C T I O N . 1

GENERAL

The provisions of this chapter are special provisions applicable to all sites within the following specified areas, and are in addition to the general provisions of the scheme elsewhere.

(i) Housing Schemes

Any proposed uses of land and proposed forms of buildings to be erected within land forming part of a Council Housing Scheme and shown on a layout plan approved by or submitted to the competent housing authority shall be deemed to be provisions of this chapter.

(ii) Local Areas

Local Areas existing at the time of the acceptance of this scheme including Plans numbers :

(a)	TP-AIR	BELHAR
(b)	TP-B1	BLOUBERGSTRAND
(c)	TP-AIR2/1A	BOQUINAR LOCAL AREA
(d)	TP-C1	CONSTANTIA
(e)	TP-E5	EDWARD LOCAL AREA
(f)	TP-ER4	ELSIES RIVER LOCAL AREA
(g)	TP-E1	EPPING GARDEN VILLAGE
(h)	TP-GP1	GRASSY PARK - LOTUS RIVER
(i)	TP-HB	HOUT BAY & HOUT BAY HARBOUR
(j)	TP-K	KOMMETJIE
(k)	TP-AIR	MATROOSFONTEIN
(l)	TP-M1	MELKBOSSTRAND
(m)	TP-N	OCEAN VIEW
(n)	TP-CF	PHILIPPI LOCAL AREA (INDUSTRIAL)
(o)	TP-PA	PHILADELPHIA LOCAL AREA
(p)	TP-N	SUNVALLEY
(q)	TP-PA	WETTON LOCAL AREA
(r)	TP-ZV1	ZEEKOEVLIE

(iii)/...

(iii) Special Restrictions

The siting of all Single Residential dwellings on approved or existing erven as at 1st December, 1968 in (ii) a-r above, shall be :

- (a) 4,75 m Building line on all roads.
- (b) 3,15 m Rear Space
- (c) 1,5 m Lateral building line or side space
- (d) 50% Coverage of the Site Area.
- (e) 8 m or 2 storeys height limitation.

(iv) Island Glades Marina, Noordhoek

Special restrictions re: Siting of Buildings.
(See Appendix BIII)

(v) Other Use Zones

The General Provisions of the Statement shall apply to all other use zones.

S E C T I O N 2 .

NATURE RESERVES AND CONSERVATION AREAS

The following Nature Reserves or Conservation areas shall be subject to Council's Authority and all its relevant regulations:

- (i) Cape of Good Hope Nature Reserve.
- (ii) Rondevlei Wild Bird Sanctuary.
- (iii) Table Mountain Preservation Areas within the Council's Scheme Area.
- (iv) Bel Ombre Vineyard (Public Open Space)

S E C T I O N 3 .

CAPE FLATS AREA

All projects within this Area not mentioned elsewhere shall be subject to the Council's recommendation and the Administrator's approval thereto.

S E C T I O N . 4
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ELSIES RIVER REDEVELOPMENT SCHEME

Subject to the provisions of the Provincial Administration directive Reference AF.20/7/2/17 dated 4th May, 1970.

S E C T I O N . 5
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DUYNEFONTYN (MELKBOSSTRAND VICINITY)

Special Development Control

Special development control provision within a specified area taken from a point, the co-ordinate values being Y + 52472 m, x + 3727730 m and a radius of 8,047 km.

- (i) A general maximum height limitation of 8 m or 2 storeys, whichever is the lesser.
- (ii) A low residential density throughout this area.

S E C T I O N . 6
.

Agricultural proclaimed area Proclamation No. 1760/1968.

Development in this area subject to approval by the Department of Planning and the Council.

S E C T I O N . 7
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SHOPPING COMPLEXES

- (a) Constantia shopping complex. Contained within an area bounded by the Constantia/Hout Bay Road, the Spaanschemat and Ladies Mile Roads.

(b)/...

- (b) The Town and Country Shopping Complex,
Tokai Road.
- (c) The Noordhoek Shopping and Service Industry
complexes as depicted on Scheme Plan TP-N6.

SECTION 8

Development Control of Shopping and Service
Industry complexes as detailed in Section 7 above:

All development within these shopping complexes
shall be subject to Council's approval of a com-
prehensive development plan for these defined
site areas.

SECTION 9

HOUT BAY: SPECIAL AREA (RESIDENTIAL.)

1. The maximum number of dwellings permitted on
any erf subject to an application for sub-
division or development for residential use
shall not exceed 3,5 per hectare, calculated
on the gross area of the erf, and to the
nearest whole unit.
2. No subdivided erf shall have an area of less
than 650 m², nor shall any erf have a width,
measured on the street building line, of less
than 20 metres, unless Sections 1 and 2 of
Part X of Council's Town Planning Regulations
covering Group and Cluster housing are satis-
fied.
3. The maximum height of any building shall be
8 metres.
4. The normal provisions of the Townships Ordinance
with regard to the minimum provision of public
open space and the payment of endowments, shall
apply.

P A R T I X

M I S C E L L A N E O U S

SECTIONS 1-11 INCLUSIVE

PAGES 75-83 INCLUSIVE

PART IX

MISCELLANEOUS

SECTION 1

NUMBER OF BUILDINGS PER ERF

Where it is proposed to erect more than one building on an erf or a combination of erven forming a site, and the Council is of opinion that such proposal is likely to constitute an evasion of the intents of the scheme or of the Townships Ordinance No. 33 of 1934, and that a plan of subdivision of the land concerned ought first to be submitted, the Council shall refuse to consider such proposal until such plan of subdivision has been submitted, approved and acted on.

SECTION 2

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 insofar as basements are concerned.

SECTION 3

PROJECTIONS

Projections, excluding advertising signs approved by the Council in accordance with the provisions
of any/...

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

S E C T I O N . 4

SCREENING OF UNSIGHTLY SITES

Any land used as or in connection with a builders' yard, a timber yard, a coal yard or a cartage contractor's business or for any similar purpose shall be screened from view from any street or public place by a wall at least 2,5 metres high.

S E C T I O N . 5

EXTERNAL APPEARANCE OF BUILDINGS

No buildings shall be so constructed or finished or left unfinished that its external appearance would disfigure the neighbourhood or tend to depreciate the value of adjoining properties.

S E C T I O N . 6

MAINTENANCE OF LAND AND BUILDINGS

All land and buildings shall be so maintained as to preserve the amenities of the neighbourhood in which they are situated.

S E C T I O N . 7
.

CONTROL OF ADVERTISING

To conform to the standard regulations relating to advertising signs and the disfigurement of the front or frontages of streets. See EN.593/1958 dated the 26th September, 1958 as amended.

S E C T I O N . 8
.

AIRPORT RESTRICTIONS

All development or projects shall observe the airport or aircraft requirements in force at that time.

S E C T I O N . 9
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OBJECTS AND PLACES OF HISTORICAL OR
SCIENTIFIC INTEREST OR NATURAL BEAUTY

(a) DESIGNATION AND REGISTRATION

In respect of any object or place of historical or scientific interest or natural beauty which is specified in the scheme statement as intended to be preserved, the Council shall enter particulars thereof in a register to be kept at the office of the Council, and shall forthwith notify the owner and occupier of land upon which any such object or place is situated that it has been registered and is required under the scheme to be preserved. The register shall be open at all reasonable times for inspection by persons interested.

(b)/....

(b) PRESERVATION

No person shall, without the written consent of Council, destroy, remove, or damage any object or place registered by Council as aforesaid.

(c) CANCELLATION OF REGISTRATION

The Council may at any time cancel such registration and shall thereupon make an appropriate alteration in the register and notify accordingly the owner or occupier of the land upon which the object or place is situated.

S E C T I O N 10
• • • • •

SCHEME TO BE REVIEWED

- (a) The scheme shall be reviewed at five-yearly periods commencing from the Council's date of acceptance of this revised scheme and statement viz. 26th November, 1968.
- (b) Any other sections or phases of Town Planning Schemes not enumerated herein, will be reviewed at five-yearly periods commencing from the date of Council's acceptance of the scheme plans.

S E C T I O N 11
• • • • •

POWERS AND DUTIES OF THE COUNCIL PENDING
APPROVAL OF SCHEME

(Section 57 of Townships Ordinance No. 33 of 1934 as amended).

57.(1) Subject to the provisions of section thirty five bis, a scheme in the course of preparation or awaiting approval shall not be amended in such a way as to substitute, nullify or alter any provision thereof -

- (a) which has been resolved upon by the local authority or a town planning committee;
- (b) under which the local authority has acted under sub-section (2) or sub-section (3);
- (c) concerning which an officer of the local authority has given information to any member of the public; or
- (d) prescribed by the Administrator under sub-section (1) of section thirty-five bis.

(2) Where its approval is in law required for -

- (a) the erection or alteration of or addition to a building, or the carrying out of any work whatsoever,
- (b) any land or building being put or converted to any use,

a local authority shall not, except with the prior consent of the Administrator, grant such approval if such erection or alteration of or addition to a building, or such work or use would not conform to the proposed provisions of a scheme in the course of preparation or awaiting approval or, unless the Administrator in any particular case directs otherwise, to any proposed new provision or proposed amending provision of a scheme in the course of preparation or awaiting approval where such new or amending provision has, after having been resolved upon by the local authority or a town planning committee, been submitted to the Administrator under sub-section (1) of section thirty-five bis or has been referred by the Administrator to the local authority under that sub-section.

(2) bis/...

(2) bis. Where its approval is in law required for the erection or alteration of or addition to a building a local authority shall not except with the prior consent of the Administrator, grant such approval if in its opinion such erection, alteration or addition would facilitate the use of such building in a manner in conflict with the provisions of a scheme in the course of preparation or awaiting approval.

(3) Notwithstanding that the approval of the local authority is not required under any other law for any land or building being put or converted to any use, no person shall use or permit the use of any land or building for a purpose for which, or in a manner in which, it was not used on, and without discontinuance since, the first day of June, 1950, or on, and without discontinuance since, the date on which this Chapter became applicable to the local authority, whichever is the later date, or if such building was erected after such date, for a purpose or in a manner other than that for which it was erected, unless -

- (a) he has obtained written confirmation from the local authority that such use would not conflict with the proposed provisions of a scheme in the course of preparation or awaiting approval, or
- (b) if such use does so conflict with such proposed provisions, the local authority has with the consent of the Administrator approved such use;

provided that if in any proceedings it is alleged that any land or building was not used for a specified purpose or in a specified manner on or without discontinuance since the first day of June, 1950, or the date on which this Chapter became applicable to the local authority, the onus of proving the contrary shall be on the person who uses it or permits the use thereof for such purpose or in

such manner; provided further that the cessation of a use for a period of not more than six months shall not be deemed to be a discontinuance of such use.

(3) bis. No person shall use or permit the use of any portion of the site of a building erected after the first day of June, 1950, or after the date on which this Chapter became applicable to the local authority, whichever is the later date, for a purpose or in a manner other than that shown on the plans for such building as approved by the local authority, or as amended with the approval of the local authority subject to the provisions of sub-section (2), sub-section (2) bis or sub-section (3).

(4) Any person who has without reference by the local authority to the Administrator been refused approval in terms of sub-section (2) or sub-section (2) bis or paragraph (b) of sub-section (3) may appeal to the Administrator whose decision shall be final. Where the property of the appellant or any portion thereof is in terms of the scheme reserved for future road purposes, public place or local authority purposes and the Administrator is satisfied that such reservation is causing the appellant undue prejudice or hardship he may, after reference to the local authority, direct the local authority to acquire such property or portion thereof in terms of the powers conferred on it for the acquisition of land and the local authority shall forthwith take the necessary steps to acquire such land.

Application of regulations to local authorities

57 bis. The Administrator may by notice in the Provincial Gazette apply any regulations made under section sixty and relating to town planning to any or all local authorities to which the provisions of this Chapter are not generally applicable in terms of this Ordinance.

(VI) DISTANCES FROM PROCLAIMED ROADS AND
DECLARED ROADS.

(Section 35 (3) of Townships Ordinance No. 33
of 1934, as amended).

35(3) The provisions of any other ordinance in so far as they relate to the determination of the boundaries and widths of, and the erection of structures within a specified distance of the boundaries of, proclaimed roads and declared roads, shall be deemed and be taken to be part of every scheme, except in so far as a scheme :-

- (i) provides for a proclaimed road or declared road a width greater than that determined by or under such other ordinance, or
- (ii) requires structures to be at a distance from the boundary of the width of a proclaimed road or declared road greater than that determined by or under such other ordinance.

(VII) APPLICATION OF PROVISIONS OF CHAPTER 4 OF
TOWNSHIPS ORDINANCE NO. 33 OF 1934, AS
AMENDED.

(Section 32 of the Townships Ordinance No. 33
of 1934, as amended)

32(1) Any local authority which has not been required to prepare and submit a scheme as aforesaid may on its own initiative and with the prior consent of the Administrator prepare and submit to the Administrator a scheme in respect of all the land situate within its area or such portion thereof as the Administrator may approve.

(2) After receipt of the consent of the Administrator in terms of sub-section (1) notice of intention to prepare a scheme hereunder for submission to the Administrator shall be given by the local authority by means of an advertisement once a week for three consecutive weeks in the Provincial Gazette and in a

newspaper/...

newspaper circulating in the area of the local authority. The provisions of this Chapter shall then apply to such local authority as from the date of the said advertisement.

(The advertisement referred to above, appeared in the Provincial Gazette, "Die Burger" and "The Cape Times", on the following dates: 30th October, 1959, 6th November, 1959 and 13th November, 1959).

P A R T X

CLUSTER AND GROUP HOUSING

SECTIONS 1 & 2 INCLUSIVE

PAGES 85-93 INCLUSIVE

P A R T XCLUSTER AND GROUP HOUSINGS E C T I O N 1
.DEVELOPMENT GUIDE FOR CLUSTERS(a)DEFINITIONS

1. Cluster: Means a concentrated and inter-related group of residential dwelling units, having an area or areas of land under common ownership, which may be erected after consent in principle by the Council and the Administrator and in full compliance with the provisions and procedure as related hereunder and all other laws and regulations applicable.
2. Individual Dwelling Unit Erf: Those portions of the site for which approval has been granted for erection thereon of dwelling units with outbuildings or outbuildings separately and in respect of which diagrams are to be framed or which will become erven on a general plan.
3. Effective Area: The effective area is that portion of the site which contains the "cluster" and the private open space attaching to it. It shall be deducted from the overall site area, and shall be registered under a separate diagram.
4. Private Area: The area set aside for private common use shall be that portion of the effective area which excludes the individual dwelling unit erven. It shall form that portion of the effective area which the owners of the individual dwelling unit erven own through their membership of the Home Owners' Association. The control of this area shall be exercised as defined in (g)4 below.
5. Public Area: The area or areas are those portions of the site required for public use,

and may/...

and may include public open space, streets, footwalks or land to be used for any other purpose decided on by the Local Authority.

(b) D E F I N I T I O N

1. Home Owners' Association: Is an Association registered in terms of the Companies and Associations Trustees Act 1873 (Cape Act No. 3 of 1873) with legal personality capable of suing and being sued in its own name, membership of which shall be compulsory by all individual dwelling unit erven owners.

(c) P R O C E D U R E

1. The local authority and the Provincial Administration shall work in close collaboration when examining and approving plans. The character of the area, aesthetics, topography, accessibility and availability of services and amenities shall be among the criteria. The local authority shall make recommendations on applications, but final approval and conditions shall come from the Administrator.

2. A preliminary plan of subdivision shall be submitted indicating only (1) the public road system (2) public area or areas (3) the effective area or areas. The subdivision of the area into individual dwelling unit erven need not be shown initially but the maximum number of units shall be shown.

3. No application to subdivide an effective area into cluster or individual dwelling unit erven and private area shall be considered without an architect first providing drawings of plans and elevations of the proposed structures in terms of Part 4 of this code, allowable extension thereto,

and their/....

and their siting and relationship to one another in the clusters. The building plans shall include details of exterior wall finishes and colours, roofing materials and colours, and the treatment of the driveways, accessways and footpath paving in and around clusters, to the satisfaction of the Local Authority.

(d) BUILDING CONTROL

1. Side space - no restriction, other than that required for health and fire fighting purposes.
2. Dwelling units shall be designed to provide an enclosed service yard and a private garden or outdoor living area of at least 40% of the floor area with a minimum of 50 m².
3. Street building line - no restriction other than that required for safe traffic movement.
4. Except with the consent of the relevant authorities the maximum permissible height of building shall be 8 metres 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.
5. Parking accommodation shall be provided within the effective area for at least three motor vehicles per dwelling unit, (at least one of which shall be a covered garage). An area of 18 square metres shall be provided for each vehicle.
6. No aerial which can be visible from any point outside such erf shall be erected on an individual dwelling unit erf, or attached to the dwelling.

(e)/...

(e) SERVICES

1. Services, to approved standards, shall be provided by the developer. The basis for such provision shall be agreed to by the local authority and ratified by the Administrator.
2. Where it is not possible to connect into a foul sewer system, the developer shall provide an approved package plant or other form of on-site sewage disposal to the satisfaction of the local authority who, with interested neighbouring developers, may share in the cost of providing such package plant which shall in due course connect into a main sewerage reticulation.

(f) PUBLIC AREA

1. Public open space, public roads and streets, within the development shall vest in the local authority. An agreement, subject to the approval of the Administrator shall be entered into between the developer and the local authority with regard to the responsibility for the maintenance of such open space to the satisfaction of the local authority. The period of such maintenance shall not exceed 3 years from the occupation of the first dwelling.

(g) MAINTENANCE

1. After the agreed maintenance period has elapsed the further maintenance of the public open space shall be the responsibility of the local authority.
2. An additional special rate may be levied on the owners within a cluster as a contribution towards the maintenance of such public open space.

3. Pedestrian and vehicular accesses to the dwelling units, garden area and all services within the private areas shall be maintained by the Home Owners Association.

4. A Home Owners Association shall be formed by the developer for the purpose of carrying out the functions mentioned in the foregoing paragraph 3 as well as for controlling the external appearance and maintenance of buildings and other matters pertaining to the well-being of the clusters and any other matters as required by the Administrator, all subject to the satisfaction of the local authority. The constitution of this Association shall be subject to the approval of the local authority.

The Council shall be empowered to enter into an agreement with a Home Owners' Association to undertake such functions on its behalf together with such management function as shall be required to run the Association.

S E C T I O N . . . 2 .

GROUP HOUSING

<u>(a)</u>	<u>DEFINITION</u>
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1. Group Housing zone: Means an area allocated to the building of grouped dwellings, which may be erected (after consent in principle by the Council and the Administrator and in full compliance with the provisions and procedure as related hereunder and all other laws and regulations applicable), and includes public areas, such as pedestrian ways, playlots, squares, off-street parking areas, and any other use necessary to provide community facilities.

2. Grouped/...

2. Grouped Dwellings Erf - Means a site which shall be used solely for the purposes of erecting thereon grouped dwelling units, either attached or detached. Such grouped dwellings erf shall be capable of being subdivided into a prescribed number of individual dwelling unit erven in such manner that there shall be no common area remaining after subdivision.

3. Dwelling Unit - Means a self-contained interleading group of rooms used only for the living accommodation and housing of a single family and anything appurtenant, accessory and of a nature customarily incidental thereto.

4. Individual Dwelling Unit Erf - Those portions of the site for which approval has been granted for erection thereon of dwelling units with outbuildings or outbuildings separately and in respect of which diagrams are to be framed or which will become erven on a general plan.

(b) PROCEDURE

1. Local Authorities may zone land for Group Housing use in terms of the Townships Ordinance No. 33 of 1934, as amended.

2. Any application for zoning or rezoning for Group Housing use shall include a preliminary plan showing :

2.1 The area or areas to be set aside for grouped dwellings erven.

2.2 The public areas, including circulation systems, parking etc.

2.3 Community facilities, such as playlots, nursery schools, Old Age Homes, etc.

3. Any application to zone, rezone or develop within an existing Group Housing zone shall include a set of drawings prepared by an Architect. These drawings shall show the proposed subdivisions as

well as/...

well as plans, elevations and sections of the proposed structures in terms of Section 5 of this Code. Allowable extensions and their siting and relationship to one another on the grouped dwellings erf shall also be shown. These drawings shall also include details of exterior wall finishes and colours, roofing materials and colours. The treatment of footways, accessways and public areas abutting the grouped dwellings erven shall also be shown.

4. The final plan of subdivision shall only be considered once the construction of an approved set of dwelling units within a Grouped Dwellings Erf has been completed to the satisfaction of the Local Authority.

(c) PLANNING AND BUILDING CONTROL

1. Density.

1.1 Public Open Space, including land set aside for public off-street parking, shall not be less than 3,0 hectares per 1000 population. Where the zone is considered by the Administrator to be of such a scale that additional public open space is required, an additional 1,0 hectare per 1000 shall be provided, or an equivalent cash endowment be paid for the acquisition of such public open space outside the zone.

The above standards shall be applied proportionately to each development according to the projected population within it.

1.2 On Grouped Dwellings Erven, the nett density shall not exceed 35 dwelling units per hectare for single storey unit types, or 45 dwelling units per hectare for multi-storey dwelling types. The maximum density where a mix of such dwelling types is planned shall not exceed the weighted average calculated on the proportion of each type of unit in the development.

2. There/...

2. There shall be no side space restriction other than that required for fire fighting purposes, or when a Grouped Dwelling Erf abuts an erf with a different zoning. In the latter case a 3 metre side and rear space shall be provided.
3. Dwelling units shall be designed to provide an enclosed service yard as well as a private garden, or outdoor living area, of at least 40% of the floor area, with a minimum of 50 square metres.
4. Except with the consent of the relevant authorities the maximum permissible height of a building shall be 8 metres 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.
5. There shall be no street building line restriction other than that required for safe traffic movement.
6. Parking accommodation shall be provided in the design for at least 2 motor vehicles on each individual dwelling unit erf as defined in 4 above. When deemed necessary, the Administrator may require additional parking.
7. A storeroom with a minimum internal area of two square metres shall be provided on each dwelling erf, if no lock-up garage is provided on the erf.
8. Unless with special consent no consideration for a proposal to subdivide will be given to existing and future pairs of semi-detached dwellings.
9. The provision of landscaping, paving and any other treatment considered necessary for the successful operation and maintenance of the zone shall be subject to an agreement, with the approval of the Administrator, entered into between the local authority and the developer.

NOTE :

1. Attention is drawn to the possible payment of an Enhancement Levy upon the rezoning of land.

(See Ordinance No. 33 of 1934, Section 35 ter and its attendant subsections.
Provincial Notice 484/1973.

2. OFFICIAL INTERPRETATION: The English copy of the Town Planning Statement and Regulations will be the official version.

APPENDIX A

DIVISIONAL COUNCIL OF THE CAPE

Application for Council's approval under the provisions of
the Town Planning Scheme to a building or a land use proposal
at

1. DESCRIPTION OF LAND

Lot No.

Township

2. OWNER OF LAND

Name

Address

3. (a) Is the application made by or on behalf of the owner?

YES/NO

(b) If not, has the applicant an option to purchase the land,

YES/NO.

4. Description of proposal including intended use (full motivation
to be affixed please)

.....

5. PRESENT USE OF PROPERTY

.....

6. Section 35 ter of Ordinance 33 of 1934.

Is the property subject to an enhancement levy?

7. If so: Has an agreement been reached between the developer
or the property owner and the Council regarding the payment
of the enhancement levy?

8. APPLICANT: Name

Address:

Telephone

Relationship to Owner Owner/Architect/
Agent/Solicitor etc.

SIGNATURE:

DATE :

REGULATIONS RELATING TO PUBLIC GARAGES

1. In these regulations 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 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 (Ordinance 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 15 of 1952), has the meaning so assigned to it.

2. Notwithstanding any provisions of a town planning scheme no person shall erect a public garage which does not conform to the requirements hereafter set forth, except where the local authority on good cause shown and with the approval of the Administrator, authorises otherwise.

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 panelbeating, shall be carried on at a public garage unless such garage is situated on land which may be used for industrial purposes.
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.
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 m 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 m which the premises whereon such pumps are erected have on the boundary of a public road or public roads.
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 -
 - (i) 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

Councils Ordinance, 1952 (Ordinance 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;
 - (ii) not be less than 1,5 m from the lateral boundary of the premises;
 - (iii) in the case of an intersection other than one referred to in paragraph (i) -
 - (a) if the corner at the intersection is not splayed, not be less than 10 m from such corner, or
 - (b) if the corner at the intersection is splayed, not be less than 10 m from such corner or 5 m from the point where the line of splay meets the road boundary, whichever is the greater distance from the corner.
- (2) In subregulation (1)(iii) "corner" means the corner formed by the road boundaries or the prolongation of the road boundaries bordering the premises of a public garage.
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. 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 m high, be enclosed with a suitable brick or concrete screen wall at least 2 m high.
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 of at least 120 m² for every grease bay or wash bay.
10. These regulations shall override any provisions of a town planning scheme or regulations in so far as they are in conflict with these regulations.
11. The regulations published under Provincial Notice 520 of 1971 are hereby repealed.

+++++

EXTRACT FROM THE DIRECTOR OF LOCAL GOVERNMENT'S
CIRCULAR LG/PB. 96, FILE AFO/1/26.

ADMINISTRATION OF TOWN PLANNING SCHEMES:
POLICY REGARDING DOCTORS' SURGERIES IN
RESIDENTIAL AREAS.

1. The purpose of this circular is to bring to your attention the policy decided upon by the Executive Committee and to clarify the way in which such applications should be dealt with.
2. The Executive Committee has resolved that -
 - (a) excepting as provided below, the use of residential premises for professional purposes cannot be agreed to;
 - (b) as in the past no objection can be raised to persons utilising rooms in their own homes for the carrying on of their professions, provided that such use is limited to the owner/occupier of the premises who must be resident therein. (Where Council's Town Planning Regulations do not already cover this aspect, there is no objection to the Regulations being amended accordingly);
 - (c) a sympathetic approach be adopted to applications by medical practitioners (not dental practitioners) for the establishment of consulting rooms/surgeries in residential areas even if they do not reside on such premises, particularly in cases where there are no suitable premises in the vicinity.

3. The Executive Committee has further indicated that it is prepared to delegate power to local authorities to approve of such consulting rooms for a single medical practitioner on the basis of paragraph 2(c) above by special resolution, provided the Council is satisfied in every case that it will not cause any annoyance or inconvenience to the surrounding inhabitants. This circular can, therefore, be regarded as the Administrator's authority, in terms of Section 1 of Ordinance 13 of 1965, for the delegation to your Council/Board to dispose of such applications.

4. Where, however, a group or partnership of practitioners wishes to establish consulting rooms/surgeries in a residential area and such application is supported by the local authority, a fully motivated application with a local authority's zoning map illustrating the position, must be submitted to the Administration for consideration in the same way as is at present the case with departures from and amendments to Town Planning schemes.

=====

AFO/1/62 - MAY, 1973

PRINCIPLES ADOPTED BY THE ADMINISTRATOR FOR THE CON-
SIDERATION OF DRIVE-IN CINEMAS.

- 1.(a) The site selected must be satisfactory mainly in relation to the planning of the neighbourhood, the roads leading to it and the control of traffic.
- (b) The use of the property shall be limited to -
 - (i) a drive-in cinema;
 - (ii) a business connected with a drive-in cinema and carried on under a general and aerated or mineral water dealer's licence and a restaurant refreshment or tea-room keeper's licence, and
 - (iii) a house for one family with the usual outbuildings, or a residential building comprising not more than three flats and the usual outbuildings, for occupation by the owner of the cinema or people employed at the cinema.
2. The proposal must be advertised by the local authority in the Provincial Gazette and in English and Afrikaans newspapers once a week for at least three weeks, and a fortnight from the date of last publication given for submission of objections. The promoters shall pay the cost of the advertisement.
3. Before the cinema is opened, the junctions of the roads to and from the cinema with proclaimed roads shall be constructed by, or at the cost of the promoters in accordance with designs and standards approved in consultation with the Provincial Roads Engineer.
4. Before the final layout plans are approved -
 - (a) the /...

- (a) the local authority and the Provincial Roads Engineer shall determine what arrangements, if any, are required to provide suitable access to the cinema and for the control of traffic, the cost thereof to be borne by the promoter, and
- (b) satisfactory arrangements must have been concluded between the local authority and the promoter in regard to the provision of any other services which may be required.

5. No work on the construction of the cinema shall be commenced until the final layout plans showing the access, exit, internal and emergency roads, the number and position of parking bays to be provided on the site inside and outside the viewing area (the number of parking bays outside the viewing area to be not less than those in the viewing area and not less than 50% of those parking bays outside the viewing area should be located before the ticket gates), the position of the screen and other structures, have been approved by the local authority and the Provincial Administration. The screen shall be so designed that the front of it shall not be visible from any proclaimed road in the vicinity, and it shall be so designed that it shall be wind-resisting.

6. All buildings, structures, boundary walls and fences on the site shall be erected in accordance with plans approved by the local authority. The whole area of the drive-in cinema, other than points of entrance and exits, shall be enclosed with a screening wall, fence or other structure at least 1,8 m high to the satisfaction of the local authority. All sanitary and health requirements imposed by the local authority shall be fully met.

7. Arrangements shall be made to the satisfaction of the local authority for the drainage of the site and the disposal of stormwater. No public address or sound system shall be capable of being heard by a person with normal hearing from outside the viewing area of the cinema.

8. No advertising visible from outside the site shall be permitted on fences, hoardings or other structures on the site except advertisements, of a size approved by the local authority and not in conflict with any other law, indicating the existence of a drive-in cinema, the programme being shown and coming attractions.

9. Protective measures to the satisfaction of the local authority shall be provided against fire hazards.

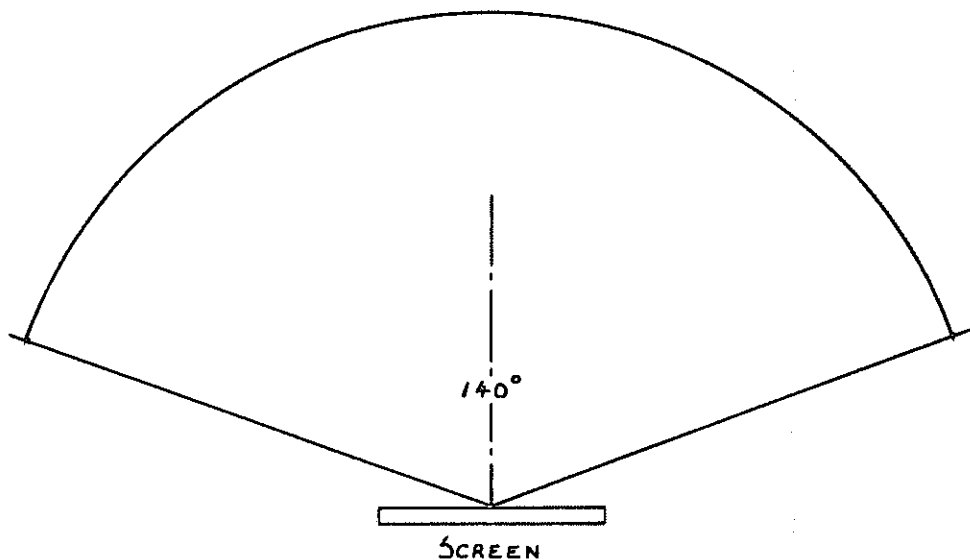
10. The promoters shall provide lighting on the site to the satisfaction of the local authority for the safe movement and control of traffic, and shall enter into an agreement with the local authority for the provision of such additional lighting as the local authority may consider necessary to facilitate the movement and control of traffic at junctions of the roads to and from the cinema with proclaimed roads.

11. The approval of the site for a drive-in cinema shall lapse unless the final plans required in terms of paragraph 5 above are submitted for the approval of the Administrator within 12 months from the date of the approval of the site for a drive-in cinema and unless bona fide construction of the cinema is commenced within 12 months from the date of the approval of the layout plan by the Administration and the construction of the cinema completed within 12 months from the date on which construction was commenced.

LOCATION OF DRIVE-IN CINEMAS

1. The following requirements are laid down by the Provincial Roads Engineer in his minute R/PO.29 dated 29th March, 1972 in respect of the relationship of Drive-in Cinemas and proclaimed roads.

2. Visibility of Screens. The screen shall not be visible from any proclaimed road if the viewing face can be seen from any point on such roads situated within one kilometre of the screen and within an included angle of 140 degrees located symmetrically about a line normal to the centre of the screen base.



3. Access must be on an illuminated road where the speed limit of 60 km/h is already or could reasonably be imposed. Drive-in cinemas will not be permitted access to proclaimed roads or on minor roads, particularly in close proximity to its junction with a major rural road and where the flow is entirely via the major route.

4. The location would also have to be in accordance with the latest principles adopted by the Administrator for the consideration of drive-in cinemas, file reference AFO/6/9 (Paragraphs 1(a), 3, 4 and 5 dealing specifically with access from public roads and traffic control at such points of access).

5. In addition to the requirements stated above, the layout will be examined to ensure that its operation will cause minimal congestion and disruption of traffic on public roads.

APPENDIX BIII

EXTRACT FROM THE PROVINCIAL ADMINISTRATION MODEL
CLAUSES AFO/1/61 NOVEMBER 1973 APPLICABLE TO IS-
LAND GLADES MARINA VIDE DIRECTOR OF LOCAL GOVERN-
MENT'S REFERENCE AF20/1/1148 DATED 1ST MAY 1974.

1. SINGLE RESIDENTIAL ZONE.

1.2 Dwelling-houses

1.2.1 Building lines

No building or any portion thereof except boundary walls and fences shall be erected on a site nearer than -

(a) 4,50 m to any street boundary;

(b) 3 m to the lateral boundaries and the rear boundary.

2. RELAXATIONS OF BUILDING LINES

2.1 Notwithstanding these building lines 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 -

(a) 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

(b) 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.

3. OUTBUILDINGS.

3.1 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 outbuilding may be erected within the rear space and side space for a distance of 11m 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 11m restriction can be relaxed by the Council subject to the street building line being complied with, and

3.2 an outbuilding in terms of subparagraph 3.1 above 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.

4. 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.

5. GENERAL RESIDENTIAL ZONE.

5.1 Spaces about buildings

- a) 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 6.2 whichever is the more restrictive on the site or erf.
- b) Lateral space)
Rear space) 4,5 m or $\frac{1}{2}$ the height of the building,
) whichever is the greater.

5.2 Outbuildings

- a) 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 and subject to the street building line being complied with.
- b) 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.

6. STREET WIDTHS.

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

- a) 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
- b) 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.

6.2 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.

7. BUSINESS ZONE

7.1 Building lines

7.1.1 Street Boundaries

- a) Subject to the provisions of Section 146 of Ordinance No. 15 of 1952, as amended, business premises and flats above the ground floor may be erected on the street boundary (vide definition of "street boundary").
- b) all other buildings shall be set back 4,5 m from the street boundary.

7.2 Lateral Boundaries

- a) Buildings on the ground floor may be erected on the lateral boundary of an erf (but see 8.1b)
- b) 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 7.1.1 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 8.1b)

7.3 Rear Boundaries

- a) Buildings on the ground floor may be erected on the rear boundary of an erf (but see 8.1b)
- b) 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. FURTHER RESTRICTIONS

- 8.1 a) 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.

- 8.1 b) 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.

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.

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.

THE DIVISIONAL COUNCIL OF THE CAPE
DIE AFDELINGSRAAD VAN DIE KAAP

DATE/DATUM 15th November, 1972.
REF./VERW. JM/BD
G.P. 4546
H 1/133

MEMORANDUM TO/AAN

MESSRS. MILLAR
SEARSON
McCLEMENT
SLABBERT
WILDING
v.d. MERWE
LONGO
HOWARD
→ ZINN
MATHEW

INSTRUCTION NO. 251

CONSTRUCTION OF HAWKERS STORES

Please note that it has been decided as a matter of policy, to permit one hawkers storeroom on any erf where the plan is recommended for approval by the Medical Officer of Health, provided the dimensions of the store do not exceed 2,5 m x 2,5 m and the construction is in accordance with plan no. 286 L, prepared by this Council.

If any owner wishes to construct any hawkers store with dimensions greater than those stipulated above, then the area of the property on which the structure is to be erected, must not be less than 1 000 m² in accordance with Clause 72, page 15 of the Council's Town Planning Statement.

1ccom

for ENGINEER.

- (e) Cloakrooms, washrooms and toilets
 (f) Staircases, lightwells and liftshafts
 (g) Showcases, lock-up storerooms, coldrooms and offices
 angilliary to retail premises.

In view of the preceding comparative study and motivation the proposed amendment to PART V - VEHICLES, PARKING, LOADING AND ACCESS

SECTION 1 is as follows:

- The schedule headed (a) GENERAL is to be amended so as to delete adjacent to "8. Shops" the words and figures "Each 35 m² (Gross) 3" and to substitute in its place the words "Refer to paragraph (e) below".

- Insert after paragraph (d) a new paragraph as follows:

(e) PARKING FOR SHOPS

The provision of on site parking required in respect of shops and shopping centres to be calculated from the following table:

CATEGORY	COVERAGE (nett)	UNIT	NO. OF BAYS PER UNIT
A	0 - 999 m ²	50 m ²	1
B	1000 - 1499 m ²	50 m ²	2
C	1500 - 1999 m ²	50 m ²	3
D	2000 m ² +	50 m ²	4

The calculation is to be based on the coverage (nett) of the entire project according to the category within which it falls. In the case of additions or alterations the calculation is to be based once again on the coverage nett of the entire project and if necessary on the basis of another category.

Coverage nett figures are to be rounded off to the nearest whole unit of 50 m².

RECOMMENDATION: It is recommended that Council's Town Planning Scheme Regulations be amended accordingly."

(RECOMMENDED ITEM)

FILE : REFERENCE TO SOCIAL PLANNING BOARD

The Council's Town Planning Regulations were advertised for objections from 4 October to 22 November 1974. Before an analysis of these objections, together with a recommended set of amendments could be submitted to Council, it was proposed that they be scrutinised by a legal consultant for consistency. Nearly 18 months has passed, and no opinion has yet been forwarded to Council.

During this period, the Regulations have effectively been "out of bounds" in terms of new amendments as these would have complicated both their scrutiny and approvals processes.

Certain amendments must now be made on an urgent basis, and decisions are being taken by Council which are inconsistent with the present Regulations with regard to Group and Cluster Housing. I thus wish to propose that the following amendments be made to the Council's Town Planning Regulations, as adopted by Council on 31 October 1972 and advertised on 4 November 1974 :-

PAGE IV

16. A Special Residential Zone is included in the Scheme. This zone provides for the development and subdivision of portions of land to an intermediate density.

This zone will be sub-zoned into two categories :-

- (a) Sub-zone I which will conform to the provisions of the Group and Cluster Housing Regulations; and
- (b) Sub-zone II which will be governed by the provisions of the Housing and Community Development Acts for low rise housing schemes financed by the State.

Page 29 - Section 5(6) Delete 7 and 8.

Page 30 Section 6:

Special Residential:

- (a) Predominant uses.
1. Dwelling Houses
 2. Outbuildings.

(2)
(b) Conditional Uses

1. Group Housing
2. Cluster Housing
3. Institutions
4. Buildings accessory to the use of buildings or land being used for any of the uses specified in this section.

Page 35 Section 13(b) Delete 6

Page 45 Section 3

Special Residential Zone

(a) For predominant uses:

As for Single Residential Section 4(a) to (d) inclusive.

(b) For Conditional Uses:

Sub-zone I - As specified for Group and Cluster Housing in part X Sections 1 and 2.

Sub-zone II - As required by the provisions of the Housing and Community Development Act.

(c) Parking: As specified for the relevant zones in (a) and (b) above.

Page 62 Section 2

(c) Special Residential

Sub-zone I - as specified in Part X, Section 1 and 2.

Sub-zone II - as required by the provisions of the Housing and Community Development Acts.

The effect of the above amendments will be broadly as follows:

1. Group and Cluster Schemes will be only permitted within a Special or a General Residential area, and thus a formal re-zoning would be required should this form of development be applied for in zones of lower intensity use.
2. A sub-zone is created within which the form of low rise development now in common use within Housing schemes can be identified, and controlled should these units be sold.

In addition to the above, certain difficulties have been experienced with regard to the definition of Coverage of Commercial and Industrial buildings for parking measurements. The following additional definition is required on page 5:-

123 MAY 1967
RFR/OW

WFO: RICHMOND

MEMORANDUM TO TOWN PLANNING RECORDS

Please submit the attached item to the Works Committee of
15 June, for consideration.

ENGINEER

→ ~~SECRETARY RECORDS~~
TOWN PLANNING RECORDS

The nett coverage for the purposes of calculating the floor area on which to base the parking requirements as set out in Part V Section 1(a) of these regulations shall disregard the following buildings or portions of buildings:-

- (a) Basements
- (b) Sloeps
- (c) Entrance steps or landings.
- (d) Pergolas, flower boxes, chimney breasts and minor decorative projections.
- (e) Cloakrooms, washrooms and toilets
- (f) Staircases, lightwells and liftshafts.
- (g) Showcases, lock-up storerooms, coldrooms and offices ancilliary to retail premises.

Page 55 Section 1

(a) 8 Delete (Gross) and substitute (Nett Coverage)

10 Warehouse. Add "(Nett Coverage)" after "Each 45 m²"

11 Industrial Buildings.. Add
(Nett Coverage)" after each 45 m²

RECOMMENDATION:

It is thus recommended that the Council's Town Planning Scheme be amended accordingly.

