

PAROW

TOWN PLANNING SCHEME

PAROW TOWN PLANNING SCHEME

REGULATIONS

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PAROW TOWN PLANNING SCHEME

(As approved by Administrator on 1970-08-28 in terms of Sect. 41 of Ord. 33 of 1934)

REGULATIONS

PART 1

Clause 1: INTERPRETATION OF TERMS

In this scheme unless the context otherwise requires,

"Administrator" means the Administrator of the Cape Province.

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

"area of erf" means the surveyed area of such erf, taking into account any line prescribed, or resurveyed areas of such erf, but excludes the area of such erf which

- a) has been encroached upon by the use of such portion by the public as a street or part of a street, and which in the opinion of the Council should continue to be used as a street or part of a street; or
- b) is reserved for street purposes under any other law;
- c) has been expropriated under any law.

"basement" means that portion of a building the finished floor level of which is at least 1,80 metre (6 feet) below the mean level of the ground immediately surrounding the building.

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

"building" means in addition to the meaning assigned thereto in paragraphs (a) and (b) of section 1 of Ordinance No. 18 of 1976, any structure or erection whatsoever irrespective of its nature or size.

"bulk" means the maximum total floor area of all floors of all buildings which may be erected on an erf, measured over the outside walls and covered by a roof or projection and shall not in any event

exceed the "maximum bulk" as herein defined, provided that,

- a) any floor area, including basement area, to be used solely by the occupants of residential accommodation on the site for garaging or parking purposes or which is specially set aside for free parking to the general public shall be excluded for the purpose of calculating the maximum bulk of the building, and
- b) any covered flat roof or terrace which is designed and used as a communal recreation area with access and egress available to all occupants of the building and is so arranged as not to be capable of being subdivided or allocated for the exclusive use of individual tenants, shall be excluded.

"business premises" means a building used for business purposes and includes offices, a bank, professional chambers, stock or produce exchange and buildings designed for similar uses, but does not include a shop, a place of assembly or amusement, an institution, petrol service station, public garage, industrial building or noxious industrial building.

"Council" means the Municipal Council of Parow.

"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 0,9 metre (3 ft) shall be excluded for the purpose of determining the maximum permissible coverage.

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

"dwelling house" means a building containing only one dwelling unit.

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

"erection" in relation to a building includes -

- a) the alteration, subdivision or conversion of, or addition to a building, and
- b) the re-erection or repair of a building

which has been completely or partially destroyed or demolished, and "erect" has a corresponding meaning.

"feet" means English feet.

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

"industrial building" means a building, other than a noxious industrial building, used or intended to be used as a factory within the meaning of the Factories Act, No. 22 of 1941, and includes any office, caretaker's quarters, or other building the use of which is incidental to, and such as would ordinarily be incidental to, or reasonably necessary in connection with the use of such factory on the same site.

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

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

"land" includes land covered with water and any right in or over land. Any reference to land is limited to land in the area, to which this Town Planning Scheme applies.

"lateral or side boundary" of a site or erf means a boundary other than a street boundary or a rear boundary.

"light industrial building" means an industrial building or a building used or constructed or designed or adapted to be used as an industrial building, in which the power machinery installed is only driven by electricity, no single motor being rated at more than 5 horsepower with a total maximum of 30 horsepower for all motors per site, the maximum number of employees in such establishment being restricted to twenty.

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

"map" means the plan marked map no. 3 which is the map forming part of this Town Planning Scheme.

"material date" means the date upon which the Council resolved to prepare a Town Planning Scheme.

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

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

"noxious industrial building" means a building used or intended to be used for the purpose of carrying on an offensive trade such as set out in Government Notice No. 1606 of 1934, with any additions made thereto in terms of Public Health Act No. 63 of 1977.

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

"owner" means the person registered in the Deeds Registry as the owner of the land and includes the liquidator of a company or a legal representative acting within the authority conferred upon him by law.

"parking garage" means a building or any land designed or adapted to be used for the purpose of parking, washing and servicing of motor vehicles but does not include a building any part of which is designed or adapted for use as a workshop for the repair of motor vehicles or for the sale of petrol, oil and accessories.

"place of assembly" means -

a) a public hall, social hall, theatre, cinema, music hall, concert hall, dance hall, exhibition hall;

b) a sports ground or amusement park, sports arena or similar undertakings open to the public on payment of an entrance charge;

- c) a billiard saloon or skating rink;
- d) a non-residential club;
- e) any other place of assembly, (including a funeral parlour) whether used for purpose of gain or not, which does not fall within the scope of the definitions of a place of public worship, place of instruction, or institutional building.

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

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

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

"public garage" means a building or part of a building other than a parking garage used or constructed or designed or adapted for the purpose of carrying on a trade or business in respect of which a licence referred to in Item 15 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.

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

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

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

"scheme" means the Parow Town Planning Scheme adopted by the Council in terms of Section 35 bis of Ordinance No. 33 of 1934, and as amended from time to time. The term "date of introduction" of this scheme shall mean the said date upon which this scheme was so adopted.

"scrap yard" means any land or building used for the storage of builder's materials, or used for the stacking, storing or preparation for re-sale of scrap material.

"service station" means a building for the retail supply of petrol or other liquid fuels and servicing or minor adjustments to motor vehicles. The workshop area may not exceed 140 sq. metres (1,500 sq. ft) exclusive of any lubrication or wash bays.

"shop" means a building -

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 does not include any other industrial building or a public garage.

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

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

"street boundary" means the boundary of an erf or site which forms the boundary of a street, provided that where a portion of an erf or site is reserved in terms of the Town Planning Scheme or any other law for use as a new street or a street widening, the street boundary is the boundary of such proposed new street or proposed street widening.

"terrace" means a floor area created on a flat roof over a portion of a storey of a building resulting from the setting back of portion of the storey above such storey.

"Unauthorised building" means the use of any land or buildings or the erection of a building which is in contravention of the provisions of Ordinance No. 33 of 1934 or the provisions of the Town Planning Scheme.

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

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

Clause 2: AREA AND PURPOSE OF SCHEME

The area to which this Scheme applies shall be the Municipality of Parow. The general purpose of the Scheme is a co-ordinated and harmonious development of the area of the Municipality of Parow (including where necessary the reconstruction of any part thereof which has already been subdivided and built upon) in such a way as will most effectively tend to promote health, safety, order, amenity, convenience and general welfare as well as efficiency and economy in the process of such development.

Clause 3: CONFLICT OF LAWS AND EVASION OF SCHEME

1. Nothing in the scheme or in any consent given in terms thereof shall be deemed to detract from any rights the Council possesses by virtue of any servitude, contract or agreement.
2. Except where the contrary is specifically stated in the Scheme, nothing in any provision of the Scheme shall be deemed to override or absolve compliance with any other provisions of the Scheme.
3. The Council shall refuse its consent to anything requiring such consent which in its opinion constitutes or facilitates an evasion of the intent of the Scheme or of any of its provisions.
4. All measurements given in this Town Planning Scheme are given in the metric system except where specifically denoted otherwise. English foot measurements in brackets, given in conjunction with metric measurements are included for the sake of clarity only and have no lawful meaning.

In case of dispute the metric measurement will be the deciding factor.

PART 11

Clause 4: RESERVATION OF LAND

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

TABLE "A"

<u>MAP REFERENCE</u>	<u>USES FOR WHICH LAND IS RESERVED</u>
a) Dark Red	New streets and proposed street widenings
b) Green	Street closures.
c) Dark Green	Public open space
d) Yellow Green	Private open space
e) Yellow Green marked "Cem"	Cemetery
f) Red Brown with "LA" superimposed	Local authority purposes
g) Red	Government purposes
h) Light blue with E superimposed	Educational
i) Light Brown with P superimposed	Public Parking purposes
j) Uncoloured	Existing streets

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

- b) Save as provided in sub-clause 2(a) above no person shall spoil or waste land reserved in terms of clause 4.1 hereof so as to destroy or impair its use for the purpose for which it is reserved; provided that the Council may consent to the depositing on such land of waste materials or refuse.
- c) Land reserved in terms of clause 4.1 may continue to be used for the purpose for which it was used on the material date until such time as the Council has in terms of the Ordinance or any other law required the owner to use or set such land aside for the purpose for which it is reserved or until the land has been transferred to the Council or to the authority for whose purpose it has been reserved.
- d) Subject to the provisions of any other law, nothing in this Clause shall be construed as prohibiting the reasonable fencing of the land.
- e) Any buildings erected on land reserved under Table "A" shall comply in all respects with the provisions of the Scheme relating to that type of building.
- f) In giving its consent under this clause the Council may impose such conditions as it deems fit.

PART 111

Clause 5: ERECTION AND USE OF BUILDINGS AND USE OF LAND

1. Land may not be used for any purpose other than that specified in Table B, Column 3 and a purpose usually associated therewith or consequent thereon provided that with the special consent of the Council land may be used for the purposes set out in Table B, Column 4 and a purpose usually associated therewith or consequent thereon. The use of land for purposes other than that specified in this Clause, is prohibited.

TABLE "B"

Primary

Special Consent

Zone	Map Reference	Purposes for which land may be used	Purposes for which land may be used with the special consent of the Council
A. Single Residential	Yellow	Erection of and use as: dwelling houses	Erection of and use as: Place of public worship, place of instruction, agricultural building. *
B. General Residential	Orange	Erection of and use as: dwelling houses, blocks of flats, residential buildings	Erection of and use as: Place of instruction, place of worship, institutional building, licensed hotels, group housing
C. General Business	Dark Blue	Erection of and use as: Blocks of flats and residential buildings above the ground floor only, licensed hotels, shops, business premises, parking garages	Erection of and use as: Service Stations, laundrettes and dry-cleanettes, place of instruction, place of assembly, place of worship, institutions, warehouses, drive-in restaurants, putting course, fish frying business
D. Local Business	Light Grey	Erection of and use as: dwelling houses, shops business premises, blocks of flats and residential buildings above the ground floor only	Erection of and use as: Place of public worship, place of instruction, institutions, place of assembly, Service Station, Drive-in Restaurant, Putting courses, fish frying business
E. Light Industrial	Blue purple		Erection of and use as: light industrial buildings, warehouses, laundrettes and dry-cleanettes, public garages, service stations, business premises, places of instruction, drive-in restaurants
F. General Industrial (1)	Red purple Hatched	Erection of and use as: industrial buildings excluding scrap yards, warehouses, laundrettes and dry-cleanettes	Erection of and use as: Public garages, service stations, business premises, place of instruction, drive-in restaurant

G. General Industrial (11)	Red purple	Erection of and use as: Industrial buildings, scrap-yards, warehouses, laundrettes and dry-cleanettes, public garage	Erection of and use as: Business premises, place of instruction, service stations, drive-in restaurants
H. Institutional	Hatched Red	Erection of and use as: Place of public worship	Erection of and use as: Institutional Building, place of instruction
I. Undetermined	Uncoloured	-	all uses
J. Special	Hatched Black and Numbered	Details of permitted uses and conditions appear in Appendix 1	

2. Subject to the provisions of Clause 7 hereof, where any application is made to the Council for its consent to the erection and use of a building in a zone in which a building of the type proposed may be erected and used only with the Council's special consent, the Council may give or withhold its consent and shall in giving its consent be entitled to impose such conditions as it may deem fit governing the erection or use of such building. In considering such applications regard shall be given to the question whether the use for which the building is intended or designed is likely to cause injury to the amenity of the neighbourhood including, in the case of an industrial building, injury due to the emission of smoke or fumes, or dust, noise or smell.
3. Nothing herein contained shall be deemed to exempt or excuse compliance with any of the Council's Regulations.

Clause 6: SPECIAL PURPOSES

1. 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 letting, subject to the Council's Regulations relating to lodging and boarding-houses, or any part of the house otherwise than as a tenement;

- b) the occasional use of a place of public worship, place of instruction or institution as a place of assembly.
 - c) the use by any occupant of a dwelling house, flat or residential building or of any portion thereof as a doctor's surgery, consulting and waiting rooms.
2. Notwithstanding any other provisions of the Scheme, no land may be used as a drive-in theatre without the consent of the Administrator.
3. Notwithstanding any other provisions of this Scheme no land or buildings shall be used for the purpose of a fish meal factory without the prior consent of the Administrator who may impose such conditions as he may deem fit.
4. Where in a single residential zone it appears to the Council that having regard to the character of the neighbourhood an existing dwelling house is too large for further occupation as a single family dwelling, the Council may by special consent authorise the conversion of such dwelling house into not more than two separate units of accommodation, provided that no authority shall be granted by the Council unless:
- a) the dwelling house was erected before the material date.
 - b) the erf on which the dwelling house exists is not less than 990 sq. m. (10,000 Cape sq. ft.)
 - c) each unit of accommodation created by such conversion is 140 sq. metres (1,500 sq. ft.) or more.
 - d) provision can be made on the erf for the parking of at least two vehicles.
5. No shop or other building in a shopping zone shall be erected unless the Council is satisfied that such shop or building will constitute an integral portion of a comprehensive and co-ordinated development of the shopping zone in question.
6. The Council may permit any one or more of the following shops or activities, viz.:

Hairdressing saloons
Book shops or news agents
Florists
Curio shops
Theatre booking agents

to be established:

- a) in any hotel which has been classified and graded under categories A, B or C of the second Schedule to Government Notice No. 583 of 1966, or any amendment thereof made in terms of section 71 bis (3) of the Liquor Act 1928,
- b) by special consent in any hotel other than those referred to in sub-paragraph (a) hereof,

provided that no external advertising of any shop or activity shall be permitted and access thereto shall be gained only from within the hotel.

- 7. Notwithstanding any other provisions of this scheme, the occupant or owner of a dwelling house, block of flats or residential building shall not park or cause to be parked on the site of a dwelling house, block of flats or residential building more than one public motor vehicle as defined in the Road Traffic Ordinance No. 21/1966 which is used for business purposes or for financial gain, provided that public motor vehicles as defined in the Road Traffic Ordinance No. 21/1966 may be parked for the purpose of loading and unloading of goods normally required in connection with the servicing of a dwelling house, block of flats or residential building.
- 8. No person shall park any public motor vehicle as defined in the Road Traffic Ordinance No. 21/1966 in a public street within the Municipal Area of Parow for longer than 10 hours per week, provided that parking during the period 08h00 to 19h00 excluding Saturdays and Sundays shall not be taken into account.

Clause 7 : ADVERTISEMENT AND APPEAL IN CERTAIN CASES

- 1. Any person intending to make application to the Council for its consent to the erection and use of a building or to the use of land in Zones (B), (C) and (D) in Table "B" whether wholly or partially for any purpose requiring the Council's

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

2. The Council shall take into consideration any objections received within the said period of fourteen (14) days and shall notify the applicant and the persons, if any, from whom objections were received of its decision.
3. Any decision of the Council given in terms of this section shall be by special resolution of the Council as defined in Ordinance No. 20 of 1974, as amended.
4. Every special consent granted by the Council for the use of land or for the erection of buildings shall lapse if such use or erection is not commenced within 1 year of the date of granting by the Council of such special consent, provided that where the Council is satisfied that the failure to commence building has resulted from the application of any Government legislation or regulation relating to building control, such consent shall not lapse and shall be extended by the Council for such period as it may deem fit.

*NIB Bulletof zone code
regulation*

PART IV

Clause 8 : DENSITY CONTROL

The following restrictions shall apply in the relative zones:-

A. SINGLE RESIDENTIAL

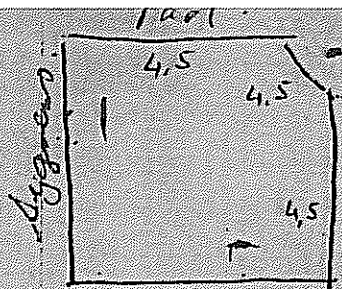
1. Within the housing zone National Road No 7

a) No buildings or any portion thereof except boundary walls and fences shall be erected on a site nearer than:

- Front*
✓ i) 4,5 metres (15 ft) to any street boundary.
- Rear*
✓ ii) 3 metres (10 ft) to the rear boundary.
- Side*
iii) 2,5 metres (8 ft) to any lateral boundary if the frontage of an erf exceeds 22 metres (72 ft) provided that the aggregate side space may not be less than 6 metres (20 ft).
- 2m ingression*
iv) 1,5 metres (5 ft) to any lateral boundary if the frontage of an erf is between 19 metres (62 ft) and 22 metres (72 ft) provided that the aggregate side space may not be less than 4,5 metres (15 ft).
- 1,5*
v) 1 metre (3 ft) to any lateral boundary if the frontage of an erf is less than 19 metres (62 ft) provided that the aggregate side space shall not be less than 3,5 metres (12 ft) and further that no windows are inserted in any wall which is less than 1,5 metres (5 ft) from any lateral boundary.

b) i) Notwithstanding the building lines mentioned in sub-paragraph (a) above, and subject to the Council's consent, an outbuilding used solely for the housing of motor vehicles and not exceeding 3 metres (10 ft) in height measured from the ground floor of the outbuildings to the wall plate thereof may be erected within such side and rear spaces and any other outbuilding of the same height may be erected within the rear space and side space for a distance of 35 ft measured from the side boundary of the site.

ii) An outbuilding in terms of sub-paragraph (b) (i) 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.

Sydney.

Bulk NA

coverage 50%

- iii) Notwithstanding these building lines but subject to the consent of the adjoining owner or owners affected being obtained in writing, the Council may permit a relaxation of the rear and lateral building lines.

Height restrictions for Pitched roof 2-4

2. Dwelling houses South of National Road N1

a) No buildings or any portion thereof except boundary walls and fences shall be erected on a site nearer than:

i) 4.5 metres (15 ft) to any street boundary.

ii) 3 metres (10 ft) to the rear boundary.

* iii) 4.5 metres (5 ft) to any lateral boundary if the frontage exceeds 22 metres (72 ft) provided that the aggregate side space shall be not less than 14.8 metres (14.8 ft).

iv) 4.5 metres (5 ft) to any lateral boundary if the frontage of an erf is between 19 metres (62 ft) and 22 metres (72 ft).

v) 3 metres (3 ft) to any lateral boundary if the frontage of an erf is less than 19 metres (62 ft).

b) The prescriptions under item 1(b)(i) - (iii) for dwelling houses north of National Road N1 shall also apply to dwellings south of National Road N1.

3. 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 9 metres (30 ft) from any boundary of the site.

4. Agricultural buildings

No building or any portion thereof except boundary walls or fences may be erected nearer than 31 metres (100 ft) from any boundary of the site.

5. Places of public worship

The requirements in respect of minimum on-site

9333 865

8414

EXEMPTED

17

parking prescribed for places of assembly in the general business zone shall be complied with.

6. Should a building plan for the erection of a dwelling not incorporate a garage the Council shall, before approving the building plan, ensure that there be left on the site an area suitable for the erection of a garage, should the need therefor occur later.

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

B. ~~GENERAL RESIDENTIAL ZONE~~

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

1. In Bulk zone 1

	Blocks of flats	Licensed hotels	Residential and institutional buildings
a) minimum size of site	990 sq.m (10 000 Cape sq. ft.)	3,965 sq.m (40,000 Cape sq.ft.)	1,980 sq.m (20,000 Cape sq.ft.)

b) maximum coverage	33 ¹ /3%	33 ¹ /3%	33 ¹ /3%
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c) maximum bulk

<u>Size of Site</u>	<u>Bulk factor</u>
990-2,474 sq.m (10,000-24,999 (Cape sq. ft.))	0.75
2,475-2,974 sq.m (25,000-29,999 do)	1.00
2,975 & over sq.m (30,000 and over do)	1.20

2. In Bulk zones 2 and 3

	Blocks of flats	Licensed hotels	Residential and institutional buildings
a) minimum size of site	990 sq.m (10,000 Cape sq. ft.)	3,965 sq.m (40,000 Cape sq. ft.)	1,980 sq.m (20,000 Cape sq. ft.)

b) maximum coverage	33 ¹ /3%	33 ¹ /3%	33 ¹ /3%
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c) maximum bulk

<u>Size of Site</u>	<u>Bulk factor</u>
990-2,474 sq.m (10,000-24,999 Cape sq. ft.)	0.75
2,475-2,974 sq.m (25,000-29,999 do.)	0.80
2,975-3,964 sq.m (30,000-39,999 do.)	0.85
3,965 sq.m and over (40,000 and over do.)	0.90

3. Building lines

- a) No building or structure except boundary walls and fences shall be erected, in the case of sites abutting major arterial roads including national roads, nearer than 15 metres (50 ft) or in the case of other streets, nearer than 7,5 metres (25 ft) from any street boundary.
- b) No building or structure except boundary walls and fences may be erected nearer to the lateral and rear boundaries than 4,5 metres (15 ft) or half the height of the building, whichever is the greater:

Provided that outbuildings with the consent of the Council may be erected in lateral and rear spaces for a distance of 11 metres (35 ft) 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.

4. The requirements in respect of minimum on-site parking prescribed for flats, licensed hotels and residential buildings in the general business zone shall be complied with in all respects.
5. Except with the consent of the Council no building may be erected in this zone on any site unless:
 - i) the site abuts a street of at least 12,50 metres (50 ft) in width which street shall be connected by a street or streets of not less than 12,5 metres (40 ft) 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 8 metres (25 ft) 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.

Until such time as the owner has not complied with this requirement the Lot will remain single residential.

The maximum bulk may, however, be assessed on the gross area of the site.

6. The provisions prescribed for dwelling houses, 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. Group Housing

- a) Group housing may be erected with the special consent of the Council.
- b) The following definitions and By-Laws with regard to the erection of group housing will be applicable:

A. DEFINITIONS

1. "Common area" means land which is intended for the common ownership and for common use of owners of group housing erven in a group housing site (or sites) and may include private roads which provide access to all or certain of the group housing erven;
2. "Group housing" means a group of separate and/or coupled and/or linked individual dwellings on smaller than conventional erven, and planned, designed and built as a harmonious architectural entity with a single residential character;
3. "Group erf" means a portion of land in a group site approved for the erection of a single dwelling as part of a group housing scheme;
4. "Group site" means a portion of land in a group housing zone which can be subdivided into a number of group erven with or without public or private street and/or open space;
5. "Home-owners' association" means an association with jurisdiction registered in terms of the Companies Act, No. 61 of 1973, membership of which shall be compulsory for all owners of group housing erven in the group site (or sites) for which it was established.

B. BY-LAWS

1. The objectives which are reflected in the definition of group housing (as contained in the definition) must be carefully implemented in particular as far as it concerns the single residential character.

2. Density

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

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

3. Open space

- a) A minimum of $80m^2$ per dwelling unit shall be provided and in this context the term "open space" means public and common open space excluding roads, service yard and private outdoor spaces. This requirement falls away (partially or in full) -
- i) in cases where public open space has been suitably provided (partially or in full) in the vicinity, to the satisfaction of the Administrator with a view to group housing on the particular site.
 - ii) in cases where it may be impractical to provide open space (or to provide all the open space required) in which event a cash endowment to be determined by the Administrator may be paid in lieu of the required open space (or the shortfall).

4. Service yard and private outdoor space

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

5. Street building lines

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

6. Side and rear building lines

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

7. Height of buildings

The maximum permissible height of buildings shall be 8m 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 ridges in the case of a pitched roof.

8. Storeroom

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

9. Parking

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

10. Roads

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

a) Cul-de-sac of less than 10m in width

Maximum length : 70m

" units to be served : 10

b) Crescents and loops of less than 10m in width

Maximum length : 100m

" units to be served: 16

11. Joint services

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

12. Television antennae and radio aerials

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

13. Aesthetics and environmental care

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

c. General business zone

1. Coverage

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

a) In bulk zone 1

Blocks of flats above the ground floor	50%
Licensed hotels & residential buildings	70%
Shops	90%
Business premises	80% 90%
Places of instruction, worship and assembly	80%
Institutions	70%
Parking garages	90%
Petrol service stations, warehouses	80%

b) In bulk zone 2

Blocks of flats above the ground floor	50%
Licensed hotels & residential buildings	60%
Shops	80%
Business premises	70% 80%
Places of instruction, worship and assembly	70%
Institutions	60%
Parking garages	80%
Petrol service stations, warehouses	70%

c) In bulk zone 3

Blocks of flats above the ground floor	40%
Licensed hotels & residential buildings	50%
Shops	50%
Business premises	50%
Places of instruction, worship and assembly	50%
Petrol service stations, warehouses	50%
Institutions	50%

Provided that the coverage in respect of shops and business premises applicable to those business erven on the northern side of Voortrekker Road between Wicht and Van Riebeeck Streets shall be as follows:

Shops	80%
Business premises	70% 80%

d) Arcades

The area of an arcade shall be excluded from the coverage calculations subject to the following conditions:

- i) The public shall at all times, day and night, have free access to the arcade;
- ii) the maintenance of the arcade and its cleaning will remain the responsibility of the owner and of his successors in title;

- iii) the arcade to be at all times adequately lighted;
- iv) the arcade shall provide to the public an unobstructed access from one street to another; its floor area shall as much as possible be at the same level than the pavements to which it connects, unnecessary steps and gradients being avoided;
- v) the arcade shall be at least 3m (10 ft) wide and the floor to ceiling height shall be not less than 2.60m (8' 6");
- vi) no articles shall be displayed or offered for sale in the area mentioned sub (v), nor shall any trading operations take place in such area.

2. Height control

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- a) Notwithstanding any provisions in this scheme in respect of maximum height no part of any building or structure shall project above or beyond a line drawn towards the site containing the building or structure at an angle of 58° to the horizontal from any point on that street boundary which is opposite the street boundary of the site concerned, such line being aligned so as to be at right angles to the street boundary of the site concerned.
- b) Where a site fronts onto streets of varying widths the height calculated for the wider of the two streets shall be applicable for a distance of 15 m (50 ft) from the corner along the narrower street.
- c) In the case of petrol service stations and warehouses, no building in this zone shall exceed a height of three storeys.

3. Bulk

No building shall be erected, altered or extended so as to exceed the bulk factor applicable for that type of building in the particular bulk zone concerned, provided that the total bulk shall not exceed a maximum bulk factor of 3.0, 2.5 and 1.5 in bulk zones 1, 2 & 3 respectively.

a) Bulk zone 1

Blocks of flats above the ground floor	1.5
Licensed hotels and residential buildings	2.0
Shops	3.0
Business premises	3.0
Places of instruction, worship & assembly	2.0
Institutions	2.0
Parking garages	2.0

b) Bulk zone 2

Blocks of flats above ground floor	1.5
Licensed hotels and residential buildings	1.5
Shops	2.5
Business premises	2.0
Places of instruction, worship & assembly	1.5
Institutions	1.5
Parking garages	2.0

c) Bulk zone 3

Blocks of flats above ground floor	0.75
Licensed hotels, and residential buildings	1.0
Shops	1.5
Business premises	1.0
Places of instruction, worship & assembly and institutions	1.0

d) Hotels : Calculation of actual floor area.

- 1) In calculating the actual floor area of a hotel the actual floor area of the following portions of such hotel shall be disregarded if all the conditions set out in sub-section (3) are complied with:
 - a) Rooms of such hotel used by residents as lounges, dining-rooms and recreation rooms, and other rooms for the communal use of residents of such hotel.
 - b) Store-rooms and staff quarters appurtenant to such hotel.
- 2) The following rooms are not included in the rooms referred to in paragraphs (a) and (b) of sub-section (1) :-
 - a) Rooms ordinarily accessible to or used by non-residents of such hotel.
 - b) Rooms falling within the definition of a shop, business premises or place of assembly.
 - c) Any other rooms which in the opinion of the Council are not customarily incidental to a hotel.
- 3) The conditions to be complied with in order that the provisions of sub-section (1) shall apply to a hotel are the following:-
 - a) Such hotel shall contain not less than 50 bedrooms for residents.
 - b) Not less than 75% of the bedrooms for residents shall be provided with private bathrooms; a "private bathroom" shall mean a bathroom exclusive to a bedroom or to a suite of not more than two bedrooms.
 - c) The nett floor area of the bedrooms for residents shall be not less than 20% of the actual floor area of the building comprising or containing such hotel; "nett floor area" shall not include the area of corridors, lobbies, bathrooms, cupboards or walls.
 - d) The actual floor area of the rooms specified in paragraph (a) of sub-section (1) (not being rooms referred to in sub-section (2)) shall be not less than 15% of the actual floor area of the building comprising or containing such hotel.

Provided that for the purposes of paragraphs (c) and (d) the actual floor area of the building comprising or containing such hotel shall, notwithstanding the provisions of sub-section (1), include the actual floor area of rooms specified in paragraphs (a) and (b) of the said sub-section

4. Building lines

A. Bulk zones 1 & 2

1. Street boundaries

- i) Subject to the provisions of section 17 of Ordinance No. 19 of 1976 as amended, shops, business premises, parking garages, light industrial buildings, flats above the ground floor and warehouses may be erected on the street boundary.
- ii) all other buildings shall be set back 4.5m (15 ft) from the street boundary.

11. Lateral boundaries

Buildings may be erected on the lateral boundary for a distance of 13m (45 ft) back from the building line and thereafter shall be set back a distance of 4.5m (15 ft) or half the height of the building, provided that a building comprising shops and/or business premises may be erected on the lateral boundary for the first two storeys.

111. Rear boundaries

Buildings on the ground floor may not be erected nearer than 4.5m (15 ft) to the rear boundary, provided that a building comprising shops and/or business premises may be erected on the rear boundary for the first two storeys.

B. Bulk zone 3

1. Street boundaries

All buildings shall be set back a distance of 4.5m (15 ft) from the street boundary.

11. Lateral boundaries

All buildings may be erected on the lateral boundary for a maximum distance of 12m (40 ft) measured from the street building line, and thereafter shall be set back a distance of 4.5m (15 ft) or half the height of the building whichever is the greater.

111. Rear boundaries

Buildings shall not be erected nearer than 4.5m (15 ft) or half the height of the building whichever is the greater from the rear boundary of an erf.

IV. Exceptions

The building lines in respect of shops and business premises applicable to those business erven on the northern side of Voortrekker Road between Wicht and Van Riebeeck Streets shall be the same as the building lines applicable to shops and business premises in bulk zones 1 and 2 as detailed under 4.A above.

C. In the event of the common boundary between two erven forming the boundary between bulk zones 1, 2 and 3 and a residential zone, the lateral or rear space as the case may be applicable to the residential zone shall also apply to the business erf in so far as it is more restricted but shall in any event be not less than 4.5m (15 ft.)

D. Notwithstanding the provisions of sub-paragraphs A and B hereof, where the building forms part of a comprehensive development scheme, the Council may impose such side or rear spaces as it deems fit.

5. Basements

Subject to the provisions of section 175 of Ordinance No. 19 of 1976, as amended, the building line provisions need not be complied with in so far as basements are concerned.

6. Projections

In this zone projections, excluding advertising signs approved by the Council in accordance with the provisions of any other law, over streets and building lines shall be limited to minor architectural features and one cantilevered open canopy which may be erected to within 0,6m (2 ft.) of the pavement edge or 2m (6' 4") from the front of the building whichever dimension is the lesser, provided no portion of any projection shall be less than 3m (10 ft.) above the pavement level and there shall be no access from the building to the canopy.

7. Provisions for on-site parking

1. In this zone minimum provision shall be made on the site for parking and garaging of vehicles on the following basis:

a) Shops and business premises

In every new building containing shops and business premises in Bulk zone 3 provision shall be made for parking on the basis of 5½ car parking spaces per 100 sq.m of gross floor area devoted to these uses, provided that this provision shall not apply to those business erven situated on the northern side of Voortrekker Road between Wicht and Van Riebeeck Streets.

b) Blocks of flats, residential buildings and licensed hotels

One parking bay for each dwelling unit, or in the case of licensed hotels and residential buildings, one parking

bay for each 2 bedrooms, plus an additional twenty parking bays in the case of a licensed hotel. Of the parking bays so prescribed, one bay for every four dwelling units or every five bedrooms in the case of licensed hotels and residential buildings, shall be provided uncovered on the site. At least 15 of the 20 additional parking bays required for a licensed hotel shall be provided uncovered on the site. All such parking bays shall be clearly demarcated and suitably sign-posted to the Council's satisfaction for the use by visitors to the premises.

c) Places of assembly and public worship

A minimum area shall be provided on the basis of one parking bay for every ten seats in a place of assembly and for every twenty seats in a place of public worship, subject to a minimum of 15 parking bays for each funeral parlour.

d) Service Stations

120 sq.m (1,200 ft.) exclusive of showroom and workshop areas for every grease bay or wash bay.

e) Institutional buildings

A minimum area shall be provided on the basis of 1 parking space for every two beds.

11.a) No parking area in the case of the general residential zones to which these provisions also apply by virtue of clause 8 B.5 shall be laid out within 4.5m (15 ft.) of a street boundary.

b) The parking facilities including ingress and egress to the site shall be situated, designed, constructed, marked and maintained to the satisfaction of the Council, provided that in the case of service stations, the provisions of clause 10 shall apply.

c) The manner in which it is intended that vehicles shall park on such parking areas and the means of gaining ingress and egress shall be shown on a plan to be submitted to the Council who may approve, disapprove or impose such conditions as it may deem fit.

d) The facilities to be provided for parking in terms of this clause shall not be used for the purpose of exhibition, sale, repair or maintenance of vehicles or for any purpose other than the parking of vehicles.

8. Non-Conforming Premises

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

9. Combined Buildings

In the case of combined buildings, the provisions shall be calculated in respect of each floor for the use to which such floor is to be put, and the sum of the provisions so arrived at applied to the whole building. Where it is intended to use any one floor of a building for more than one use, the more restrictive provision shall apply.

10. Blocks of flats and residential buildings

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

11. Foyer for places of assembly

Where a building or portion of a building is to be used as a place of assembly, there shall be provided for such place of assembly a foyer with a minimum area of $0.25m^2$ per seat for one quarter of the total seating capacity and a minimum frontage of 1 metre for each 100 seats in the building licensed by the Council.

12. Side streets along Voortrekker Road and Picton Street in Bulk Zones 1 and 2

No shops, business premises, petrol service stations, parking garages or places of assembly shall be erected on any of the above side streets unless the street has been closed to vehicular traffic or the owner has surrendered to the Council free of charge that portion of the site falling within 9.5 metres (30 ft.) of the centre line of such side street. Any such land so surrendered may be included for the purpose of calculating the permissible bulk of the building to be erected on the remainder of the site.

Local Business

1. Coverage

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

Dwelling houses, flats and residential buildings above ground floor	40%
Shops and business premises	50%
Places of instruction, worship and assembly, institutions and petrol service stations	40%

2. Bulk

No building shall be erected, altered or extended so as to exceed the bulk factor applicable for that type of building as stated below, nor shall any building exceed a maximum bulk factor of 1.16.

Shops	1.16
Business premises	0.66
Blocks of flats above ground floor	0.50
Residential buildings, places of instruction, worship and assembly and institutions	0.75

3. Building lines

The provisions applying to the General Business Zone in Bulk Zone 3 and dwelling houses in the single residential zone shall apply in this zone.

4. Basements and projections

The provisions applying to the General Business Zone shall apply in this zone.

5. Height

No building in this zone may exceed a height of three storeys.

6. Parking

In every new building containing shops and business premises provision shall be made for parking on the basis of $5\frac{1}{2}$ car parking space per 100m² of gross floor area devoted to these uses, provided that the Council at its discretion may modify or waive either wholly or partially the provisions of this sub-clause in respect of this zone. The further parking requirements applicable in the general business zones will also be applicable in this zone.

Light & General Industrial

1. Coverage

In these zones the respective floor levels of all the buildings of any site in relation to the site area shall not exceed the following percentage:-

light industrial buildings, public garages
and warehouses in light industrial zone,

industrial buildings including warehouses,
public garages and scrap yards,

petrol service stations, business premises
and places of instruction

70%

80%

60%

2. Loading and unloading

For the purpose of loading or unloading vehicles there shall be left on the site a space or spaces calculated on the following basis:

Floor area of building
in sq. metres

Required extent of
loading/unloading area

up to 2,500
2,501 to 5,000
5,001 to 10,000
every additional 10,000
or fraction thereof

1 bay
2 bays
3 bays

1 additional bay

Such bay or bays shall have, to the satisfaction of the Council, vehicular access to a street and every such bay shall be at least 8 metres long and 4.5 metres wide..

③ Parking

i) In the case of light industrial and general industrial buildings there shall be provided to the satisfaction of the Council sufficient accommodation for the parking of motor cars calculated on the following basis:

1 car parking bay per 100 sq. m of building
area up to 1,500 sq. m;

1 car parking bay per 200 sq. m of building area
over 1,500 sq. m.

ii) The facilities to be provided for parking in terms of this clause shall not be used for the purpose of exhibition, sale, repair or maintenance of vehicles or for any purpose other than the parking of vehicles.

4. Building lines

i) All street boundary walls or fences of the site shall be erected at a distance of not less than 8 metres (25 Cape feet) from the centre line of the abutting street or streets. The land between such boundary walls or fences and the legal street boundary shall be used for off street parking of customers' and employees' cars. Where such off street parking has been provided, the requirements under Clause 3 supra may be reduced by the number of parking spaces provided under this clause.

*See also
(ii) of volger's
blatky.*

(ii) No building or any portion thereof, except boundary walls and fences shall be erected nearer than ~~4~~ ^{4m.} metres (10 ft) from any street boundary of the site (vide definition of "street boundary") or the new street boundary in the preceding sub-clause (i) which ever is the more restrictive on the site.

(iii) In the event of the common boundary between two erven forming the boundary between this zone and any residential or business zone, the lateral or rear space as the case may be applicable to the residential and/or business erven shall also apply to the industrial erf in so far as it is more restricted but shall in any event be not less than 4.5m.

(iv) For the application of the above prescribed building lines "building" shall include transformers or other contrivances related to the supply of electrical power to a particular site and any structure for the housing thereof.

5. Height

all
No building in ~~the light~~ industrial zones shall exceed a height of three storeys.

6. General amenity

i) No industry which can be classified as an offensive trade, nor any industry which is likely to cause smoke, smell, fumes, noise or dust in any quantity, nor any industry whose effluent the Council will not accept in its sewers, shall be permitted;

ii) Only electricity, gas or oil shall be used for power;

iii) Any scrap yard or other use of land or building which would in the opinion of the Council distract from the visual character of the area, shall be screened by the provision of a wall having a minimum height of 2 metres (7 ft) and constructed to the satisfaction of the Council.

iv) No Bantu labour may be employed on a site zoned for light industrial purposes.

7. Business premises

When granting its special consent for the erection of business premises the Council shall, with due regard to the merits of each application, determine the maximum permissible bulk and prescribe the minimum number of parking bays to be provided on the site.

F. INSTITUTIONAL ZONE

The provisions applying to places of public worship and places of instruction in the Single Residential Zone shall apply in this zone.

This provision applying to institutional buildings in the General Business Zone shall apply in this zone.

G. UNDETERMINED ZONE In this zone no person shall erect, alter or extend any building, nor shall he use any building or land for a purpose for which, or in a manner in which, it was not used on the material date, without the consent of the Council and the Administrator.

PART V

MISCELLANEOUS PROVISIONS

Clause 9 : NUMBER OF BUILDINGS PER ERF

- a) Except in the case of places of instruction no erf shall form the site of more than one building together with such outbuildings as are ordinarily used in connection therewith.
- b) Notwithstanding the provisions of sub-clause (a) hereof where any erf is not less than 3,965 sq. m. (40,000 sq. ft) in extent, the Council may by special consent permit:
 - i) in general residential zones more than one building of the type referred to in column 3 of Table B in respect of such use zone, and
 - ii) in general business zones more than one building of the type referred to in column 3 of Table B in respect of such use zone.
- c) Notwithstanding the provisions of sub-clause (b) hereof more than one building on a site will only be permitted if the buildings are so arranged that possible future subdivision is completely ruled out.

Clause 10: PUBLIC GARAGES AND SERVICE STATIONS

The following additional provisions shall apply in terms of Provincial Notice No. 871/1973 dated 1973-10-19:

- 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 45 of the First Schedule to the Licences Ordinance 1981 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 Roads Ordinance No. 19 of 1976, 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 gasses, 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 3,5m 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 30m 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 10m wide, and a wall at least 102mm thick and 215mm 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 30m 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 30m 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 the Roads Ordinance No. 19 of 1976, 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 1.5m 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 of the intersection is not splayed, not be less than 10m from such corner, or

b) if the corner at the intersection is splayed, not be less than 10m from such corner or 5m 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 500m 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 2m high, be enclosed with a suitable brick or concrete screen wall at least 2m 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 sq. m 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.

Clause 11 : DRY-CLEANNETTES AND LAUNDRETTES

Dry-cleannettes and laundrettes may be established in the General Business Zone provided that they comply with the following provisions:

- a) The floor area of the shop for receiving and re=turning clothes, the workshop and the space used for the clothes-racks together shall not exceed 250 sq. m.
- b) The minimum distance between the boundaries of any two dry-cleannettes or laundrettes, unless situated on opposite sides of a street shall be 60 metres.
- c) Only gas, electricity or illuminating paraffin shall be used for the production of steam or hot water.
- d) The solution used in the cleaning process shall be non-inflammable.
- e) The combined capacity of the dry-cleaning machines that may be installed shall not exceed 20 kilograms dry weight of clothing or other articles per cleaning operation per half hour cycle.
- f) The combined capacity of the washing machines that may be installed shall not exceed 30 kilograms weight of clothing or other articles per washing operation.
- g) In any establishment comprising either a dry-cleannette or a laundrette or a combination of both, the maximum personnel shall be 12.
- h) Each individual application for the establishment of a laundrette or a dry-cleannette in the General Business Zone shall be submitted to the Council for its special consent and the Council shall be furnished with full information as to the maximum capacities of the machines to be operated, the number of employees and floor space to be occupied.
- i) If the Council is of the opinion that the site of a proposed dry-cleannette or laundrette is unsuitable on the grounds of possible nuisance, danger to public health, etc. it shall submit the application, together with its view and recommendations and the reasons there=for to the Administrator whose decision shall be final.

Clause 12 : FUNERAL PARLOURS WITH CHAPELS

The following additional provisions shall apply:

- a) For the purpose of these provisions, "intersection"

and "traffic island" shall have the meanings assigned thereto in clause 10, relating to public garages.

- b) No funeral parlour with a chapel shall be permitted on a site abutting a street of less than 13 metres in width.
- c) No funeral parlour with a chapel shall be permitted nearer than 100 metres from -
 - i) the intersection of a declared road, proclaimed road, prospective main road, or any other street to which the provisions of the Roads Ordinance No. 19 of 1976 apply, with any other street of like status.
 - ii) any road whether existing or proposed and
 - iii) any intersection where traffic is controlled, or is proposed to be controlled by a traffic island.

Clause 13: EXTERNAL APPEARANCE OF BUILDINGS

Any person intending to erect any building shall furnish the Council for its consideration if deemed necessary by the Engineer, and in addition to any plans and particulars to be submitted under the Council's Building Regulations, with drawings or other sufficient indication of the external appearance of the proposed building, including detailed description of the materials to be used for that purpose.

The Council may require such alteration of the external appearance and building materials as it may deem necessary.

All drawings shall be upon suitable and durable material, in duplicate, to the following scales:-

site plans, sewerage and drainage plans	1 : 200
working drawings	1 : 100 or
	1 : 50

except that where the building is so extensive as to render a smaller scale necessary the drawings may be to a reduced scale to be approved by the Engineer.

Clause 14 : LOADING AND OFF-LOADING FACILITIES

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

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

Clause 15 : PUTTING COURSES AND DRIVE-IN RESTAURANTS : SPECIAL PROVISIONS

1. No putting course or drive-in restaurant shall be established or operated except in accordance with the provisions of this clause.
2. No putting course or drive-in restaurant and the necessary parking area shall be permitted on a site abutting a road of less than 13 metres (40 Cape ft) in width. No vehicular entrance or exit for these undertakings shall be nearer than 100 metres from an intersection as defined in clause 10, where two proclaimed roads meet or where traffic is controlled by robots or traffic island.
3. Provision shall be made on the site of every putting course for a parking area on the basis of 3 parking bays to every 2 holes in a putting course, provided that where a putting course is adjacent to a drive-in restaurant and the parking area for the two undertakings are not clearly separated, 50 parking bays must be provided for the drive-in restaurant in addition to the parking facilities prescribed for the putting course. The provisions of clause 8.C.7.11 shall be applicable, mutatis mutandis, to any parking area required in terms of this clause.
4. The boundary of a putting course shall be set back at least 3 metres from the statutory boundary of any street abutting the course to provide suitable standing room for spectators off the street and pavement.
5. Sanitary facilities shall be provided on the site of every putting course and drive-in restaurant to an extent prescribed by the Medical Officer of Health and shall be located in positions approved by the Council.
6. Where the Council deems it necessary in the interest of amenity, the site of every putting course and/or drive-in restaurant shall be screened and landscaped in a manner prescribed by the Council.
7. A putting course shall not be operated later than such closing hour as the Council may prescribe.
8. Any buildings or structures erected on the site of a putting course and/or a drive-in restaurant shall fully comply with the provisions stipulated in the Scheme for the zone in which the site is located.
9. Any public address or sound system at a putting course and/or a drive-in restaurant shall at all times be

operated in such a manner that the Council is satisfied that no nuisance whatsoever is caused to the occupants of nearby properties.

10. In addition to the advertising of the proposed establishment of a putting course and/or a drive-in restaurant for the purpose of the Council's special consent, the notice of surrounding owners shall be drawn in writing to the aforesaid advertisement.

Clause 16 : SALE OF MOTOR VEHICLES

Notwithstanding any other provision of these regulations, no motor vehicle shall be displayed for sale on an open lot.

~~Motor cars shall only be displayed for sale inside show rooms.~~

DELETED AF. 140/6/0/3dd
19/12/86

PART VI

Clause 17 : PROCEDURE

1. Where permission to erect any building or execute any works or to use any building or land for any particular purpose or to do any other act or thing, is granted under this Scheme, and conditions have been imposed, the conditions shall have the same force and effect as if they were part of this Scheme.
2. The Council shall keep, so as to be available for inspection at all reasonable times by any person interested, a record of approvals, consents, authorities or permissions granted by it, or an appeal from its decision under any provisions of this Scheme, and of any conditions imposed or agreed between the Council or approved or imposed by the Administrator or refusals by the Council or the Administrator and the applicant in connection therewith.
3. The Council shall permit any person to inspect at any reasonable time the Scheme and Map deposited in the offices of the Council, provided that any information given in regard to the Scheme to any person shall only be valid if it is in writing and signed by the official duly authorised thereto by the Council.
4. The provisions of section 213 of Ordinance No. 20 of 1974 as amended shall mutatis mutandis apply to this Scheme.

Clause 18 : APPROVED TOWNSHIPS

1. Notwithstanding the foregoing provisions, the conditions relating to use, maximum coverage and height and building

lines imposed by the Administrator in the approval of townships, shall apply in so far as such conditions are more restrictive than the provisions of the Scheme.

2. The layout plan of a township approved by the Administrator subsequent to the coming into operation of these provisions, shall form part of the Town Planning Scheme and the Map shall be amended accordingly.

Clause 19 : SHORT TITLE

This Scheme shall be known as the Parow Town Planning Scheme.

AMENDMENT TO THE PAROW TOWN PLANNING SCHEME BY-LAWS TO
AUTHORISE THE COUNCIL TO CONTROL THE ERECTION OF CAR
PORTS ON STREET AND LATERAL BOUNDARIES (NOTICE No.
43/1977 OF 12.7.1977).

A. by the addition after Clause 8:A:1: (b) (iii) of the following
new By-laws:-

(iv) notwithstanding these building lines, but subject
to the approval of the Council, a carport may be
erected within the street and lateral building
line distances, subject to the following conditions:-

(a) The roof shall rest on poles of planed hardwood,
steel pipes or brick pillars with a maximum dimension
of 320 mm. horizontal measurement or 320 mm. diameter
for steel pipes, of which a maximum of four (4) may
be erected on one side;

* (b) The sides of the carport shall not be covered;

(c) The roof may be erected on the street boundary,
but shall not slope towards the street and shall be
provided with proper drain pipes;

(d) The roof covering shall be concealed properly by
a suitable fascia board and the structure shall be
architecturally designed so as to be acceptable to
the Council;

* (e) Where such structure is being erected less than
1,00 m. from a lateral boundary, the written consent
of the adjoining owner shall be obtained;

(f) No application shall be considered unless it is
accompanied by a detailed building plan, properly
drawn in accordance with the Council's Building
By-laws;

(g) This By-law shall not be applicable where it is
in conflict with existing township conditions and/or
title conditions and/or conditions of sale where
such conditions may be in existence.

B. that the wording of Clause 8:A:2:(b) be amended to read as
follows:-

"(b) the prescriptions under item 1(b)(i) to (iv) for
dwelling houses north of the National Road N.9
shall also apply to dwellings south of National
Road N. 9."

*Parow Council: ① Bure verbaat die pool se
toestemming ook kry.
② Wabo. 6,5 meter woor.*

MUNISIPALITEIT RAWSONVILLE:

VOORGESTELDE HERSONERING VAN ERWE 201 EN 202, RAWSONVILLE

Kennisgewing geskied hiermee ingevolge die bepalings van artikel 15 van die Ordonnansie 15 van 1985 dat 'n aansoek om herosonering van die herosonering van Erwe 201 en 202 vanuit Residensiële Sone I na Sakesone II ontvang is.

Verdere besonderhede lê ter insae in die Munisipale Kantoor, Le Seurstraat, Rawsonville gedurende gewone kantoorure en besware, indien enige, teen die aansoek om herosonering moet skriftelik aan die ondergetekende gerig word voor of op 13 Januarie 1991. — W. J. Mandy, Stadsklerk, Rawsonville Munisipaliteit, Le Seurstraat, Rawsonville 6845, 14 Desember 1990. 29146

STAD KAAPSTAD:

SLUITING VAN 'N GEDEELTE VAN OPENBARE OOP RUIMTE UIT VICTORIAWEG, BAKOVEN (L.7/1/12/TK) (PLAN ST.10414)

Die gedeelte van Openbare Oop Ruimte vanuit Victoriaweg, Bakoven, wat met die letters A-D op Plan ST.10414 aangedui word, word hiermee ingevolge artikel 137 van Munisipale Ordonnansie 20 van 1974 gesluit. (S.31/12/20 (p. 144)). — S. Evans, Stadsklerk, Burgerentrum, Kaapstad, 21 Desember 1990. 29147

MUNISIPALITEIT PAROW:

SONERINGSKEMA: WYSIGING VAN SKEMAREGULASIES

Ingevolge artikel 9(2) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) wysig die Administrateur hierby die skemaregulasies van die Munisipaliteit van Parow soos volg:

(i) deur paragraaf (b) van die omskrywing van "vergaderplek" deur die volgende paragraaf te vervang:

"(b) 'n sportterrein, vermaaklikheidspark, sportstadion, dergelyke plek wat by betaling van toegangsgeld vir die publiek toeganklik is of plek van vermaaklikheid."

(ii) deur die volgende paragraaf, na paragraaf (e) van die omskrywing van "vergaderplek" in te voeg:

(f) enige perseel waar meer as twee (2) van enige van die volgende:

- video-speelmasjiene
- biljartafels
- of enige ander vermaaklikheidsapparaat

aangehou en vir gebruik van die algemene publiek beskikbaar gestel word" 29148

MUNISIPALITEIT MALMESBURY:

KENNISGEWING NO. 56/1990

VOORGESTELDE HERSONERING VAN ERF 677

Kennisgewing hiermee ingevolge artikel 15 van Ordonnansie 15 van 1985 dat 'n aansoek om herosonering van die herosonering van Erf 677, vanaf enkelwoning na sake sone.

Nadere besonderhede met betrekking tot die voorstel lê ter insae in die kantoor van die ondergetekende gedurende gewone kantoorure en besware, indien enige, moet skriftelik by die ondergetekende ingedien word voor of op 10 Januarie 1991. — Stadsklerk, Munisipale Kantoor, Malmesbury, 30 November 1990. 29151

RAWSONVILLE MUNICIPALITY:

PROPOSED REZONING OF ERVEN 201 AND 202, RAWSONVILLE

Notice is hereby given in terms of section 17(2)(a) of Ordinance 15 of 1985 that an application has been received for the rezoning of Erven 201 and 202 from Residential Zone I to Business Zone II.

Further particulars are available for scrutiny at the Municipal Offices, Le Seur Street, Rawsonville during normal office hours and objections, if any, against the application for rezoning must be lodged in writing with the undersigned on or before 13 January 1991. — W. J. Mandy, Town Clerk, Municipal Office, Le Seur Street, Rawsonville 6845, 14 December 1990. 29146

CITY OF CAPE TOWN:

CLOSURE OF A PORTION OF PUBLIC OPEN SPACE, OFF VICTORIA ROAD, BAKOVEN (L.7/1/12/TK) (PLAN ST.10414)

The portion of Public Open Space, off Victoria Road, Bakoven shown lettered A-D on Plan ST.10414, is hereby closed in terms of section 137 of Municipal Ordinance 20 of 1974. (S.31/12/20 (p. 144)). — S. Evans, Town Clerk, Civic Centre, Cape Town, 21 December 1990. 29147

PAROW MUNICIPALITY:

ZONING SCHEME:

AMENDMENT OF SCHEME REGULATIONS

In terms of section 9(2) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the Administrator hereby amends Part I of the scheme regulations of Parow Municipality as follows:

(i) by the substitution for paragraph (b) of the definition of "place of assembly" of the following paragraph:

(b) a sports ground or amusement park, sports arena, similar undertaking open to the public on payment of an entrance charge or place of entertainment"

(ii) by the insertion of the following paragraph after paragraph (c) of the definition of "place of assembly":

(f) any site where more than two (2) of any of the following:

- videogame machines
- pool tables
- or any other amusement apparatus

are kept or are available for use by the general public." 29148

MALMESBURY MUNICIPALITY:

NOTICE NO. 56/1990

PROPOSED REZONING OF ERF 677

Notice is hereby given in terms of section 17 of Ordinance 15 of 1985 that an application has been received for the amendment of the Council's zoning scheme by the rezoning of Erf 677, in extent 829 m², from single residential zone to business zone.

Particulars of the proposal are available for inspection at the office of the undersigned during ordinary office hours and objections thereto, if any, must be lodged in writing with the undersigned on or before 10 January 1991. — Town Clerk, Municipal Office, Malmesbury, 30 November 1990. 29151

PAROW MUNICIPALITY:

ZONING SCHEME

AMENDMENT OF SCHEME REGULATIONS

In terms of section 9(2) of Ordinance 15 of 1985 the Administrator hereby amends the Zoning Scheme Regulations of Parow Municipality, as follows:

1. In Part I, clause 1, by the insertion of the following definition after the definition of "ground floor":
"guest house" means a dwelling house used to accommodate visitors by the provision of overnight facilities with or without the provision of meals, provided that the landlord and/or his family remain residing on the property".
2. In Part III, clause 5, Table "B", paragraph A, by the insertion of the words "guest house" after the words "agricultural building" in the column headed "Purposes for which land may be used with the special consent of the Council".

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