

TABLE VIEW

TOWN PLANNING SCHEME

P R E L I M I N A R Y

MUNICIPALITY OF MILNERTON
C A P E

STATEMENT NO. 4 (2)

TOWN PLANNING SCHEME
F O R
TABLE VIEW

MUNICIPALITY OF MILNERTON, CAPE

STATEMENT OF THE TOWN PLANNING SCHEME FOR TABLE VIEW.

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CHAPTER 1 : INTRODUCTORY

The Statement

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The provisions hereinafter set forth comprise the Preliminary Statement of the Proposed Town Planning Scheme of that part of the Municipality delimited in Section 7 below, and shall be read in conjunction with the Map. This Statement is arranged as follows:-

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Definitions

In this Statement, and in any not on the Map, and in any amendment or addition to either of the foregoing which may hereafter be made or be proposed to be made, and in any provisions hereafter prescribed or proposed to be prescribed by the Administrator in terms of sub-section (1) of section 35 bis of Ordinance 33 of 1934, and in any departure from the Scheme or conditions attached to any such departure authorised by the Administrator in terms of the said Ordinance, or any conditions attached to any approval by Council in terms of this Scheme, the following words and expressions and any words and expressions defined in any other section shall have the meanings hereinafter assigned to them:

- A "Actual Coverage" in relation to a building and any floor level thereof, means the area which is covered by such building above such level, calculated in the manner hereafter prescribed;
- "Actual Floor Area" in relation to a building or buildings, means the total floor area of such building or buildings, inclusive of the areas covered by walls of such building or buildings, calculated in the manner hereafter prescribed;

"area of an erf" means the surveyed area of such erf, taking into account any red line, prescribed or re-surveyed 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 a part of a street and which in the opinion of the Council should continue to be used as a street or a part of a street; or
- (b) is reserved under Chapter II of this Statement; or
- (c) is reserved for street purposes under any law; or
- (d) abuts a street and is in terms of the Scheme required to be surrendered to the Council as a condition precedent to the granting of approval to the proposed erection of a building; and is not land referred to in paragraph (a), (b), (c) or (e); or
- (e) has been expropriated under any law; provided that for the purposes of calculating Permissible Floor Area the area of any land referred to in paragraph (d) may be included in the area of the erf concerned if such land is surrendered to the Council by the owner free and unconditionally;

"area of a site" means the area of the erf or the total area of the erven comprising the site of a building;

- 3 "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 floors and includes a roof, if any, over such floor and pillars supporting such roof;

"basement storey" in relation to a building or a division of a building, means any storey thereof, the floor level of which is 6 ft. or more below the mean level of the ground;

"Block of Flats" means:-

a building which is not a double dwelling house, containing two or more Dwelling Units;

"boundary", in relation to a site or erf means one of the straight lines separating such site or erf from another site or erf or from a street; provided that where two sites or erven or a site and an erf or a site or erf and a street are separated by a curved or irregular line the Town Engineer may substitute for such line one or more straight lines approximating as closely as possible to the mean position of such curved or irregular line, and such straight lines shall, for the purposes of section 9 be deemed boundaries of such site or erf;

"building" without in any way limiting its ordinary meaning, includes:-

- (a) any roofed structure -
- (b) any external stairs, steps or landings of a building and any gallery, canopy, balcony, stoep, verandah, porch or similar feature of a building;
- (c) any walls or railings enclosing any feature referred to in paragraph (b);
- (d) any portion of a building; and
- (e) any structure except a swimming pool not projecting above ground level referred to in the definition of "building" in Section 2 of Ordinance 19 of 1951.

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

"Business Premises" means a building used for business purposes and includes an Office Building, a building used for wholesale trade and a laboratory, but does not include a Shop, Service Station, Place of Assembly, Institution, Industrial Building or Special Industrial Building;

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

"cleanette" means a building used as a dry cleaning works and conforming to the restrictions prescribed for cleanettes in Chapter IX of this statement.

"Combined Building" means a building, not being a building falling into any other category of building defined in this section, the several parts of which fall into two or more such categories;

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

"cornice" means a cornice or portion thereof which is not more than 3 feet in horizontal width measured inwards from the outer edge thereof;

"Council" means the Council of the Municipality;

D "division", in relation to a building, means a portion thereof bounded entirely by one or more external walls and one or more imaginary vertical planes each of which extends continuously from the ground to the roof of the

D building. Where the configuration of the site or the building renders this desirable having regard to the intent of this statement, the Town Engineer may require or permit that a building be deemed to be divided into divisions defined by him and every such division shall be deemed, for the purposes of this statement, a separate building.

"Double Dwelling House" means a single storeyed building containing only two Dwelling Units;

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

"Dwelling House" means a building containing only one dwelling unit";

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

E "eaves" means a portion of a roof projecting beyond the face of a building, including any gutters thereto;

- "erection" in relation to a building structure, includes:-
- (a) the alteration, sub-division or conversion of, or addition to, a building or structure, and
 - (b) the re-erection of a building or structure which has been wholly or partly demolished.

and "erect" has a corresponding meaning;

"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; or
- (b) shown as an erf, stand, lot or plot on a valid plan of sub-division approved by any competent Authority,

and includes a public place as defined in section 2 of Ordinance 19 of 1951;

"entrance steps and landings" means steps and landings of a building, including any low walls or railings thereto, if such steps and landings are not within the main containing walls of such building and are of one of the following classes:-

- (a) where the ground floor is above the mean street level at the street boundary at points opposite such steps and landings:
steps and landings which are at or below the ground floor level;
- (b) all other cases:
steps and landings are not more than 4'5" above the mean street level at the street boundary at points opposite such steps and landings.

F "family" means -

- (a) a single person maintaining an independent household, or

- F
- (b) two or more persons related by blood or marriage maintaining a common household, or
 - (c) two, three or four unrelated persons maintaining a common household;

and subject to the provisions of section 22, including not more than three persons lodging or boarding with a family;

"feet" and "square feet", unless the contrary is stated, mean English feet and English square feet;

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

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

- G
- "garage" means a building used for the housing of motor cars and lorries;

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

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

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

- H
- "habitable" applied to a room shall mean a room constructed or adapted to be inhabited;

"height" means :-

- (a) in relation to a point on a building ; the height of such point above the mean level of the ground, and
- (b) in relation to a building or a division thereof; the height of the highest point of such building or division above the mean level of the ground; provided that -
 - (i) where the roof of such building or division is a sloping one the portion thereof which is above the mean level of such roof may be disregarded;
 - (ii) where a parapet or gable extends above the roof level the topmost 3 ft. of such parapet or gable (measured vertically) may be disregarded, and any part of the remaining portion of such parapet or gable which is above the mean level of such remaining portion may be disregarded;
 - (iii) the topmost 3 ft. of any parapet at the edge of a terrace or flat roof may be disregarded; and
 - (iv) lift motor rooms, bulkheads over stairs, water tanks, chimneys, currets, open railings and other like features above the general roof level may be disregarded;

H "hotel" means a hotel or boarding house, but does not include any Shop, Business Premises or Place of Assembly attached to or adjoining a hotel if such Shop, Business Premises or Place of Assembly are ordinarily accessible to or used by non-residents of such hotel and does not include a Licensed Hotel;

I "Industrial Building" means -
 (a) a building (not being a Service Station, a Special Industrial Building, a laundrette or a flue-netto) which in terms of Section 3 of the Factories Act (Act 22 of 1941) as amended, is a factory; and
 (b) a warehouse, depository or store other than a store appurtenant, accessory and of a nature customarily incidental to a Shop, Business Premises or other building falling into any other category defined in this section; and
 (c) residential accommodation for a caretaker to an Industrial Building and his family;

"Institution" means a hospital, nursing home, clinic, homes for aged, indigent, handicapped or disabled persons or persons otherwise unable to care for themselves, and orphanage and an animal hospital, but does not include a Place of Instruction;

"intersection of streets" means the area of street which is common to such streets and to the imagined prolongations of such streets across one another, together with any area of street forming a splayed corner between such streets; provided that where a street bends in such a way that the centre line thereof on either side of such bend include an angle of less than 135° the portions of the street on each side of the bend shall be deemed separate streets;

L "lateral boundary" of a site means a common boundary other than a rear boundary;

"laundrette" means a building used as a laundry and conforming to the restrictions prescribed for laundrettes in Chapter IX of this statement;

"level of the ground" means the ground level;

"licensed hotel" means a building licensed as a hotel under the Liquor Licensing Act of 1928; as amended;

"low wall or railing", in relation to a stoep, verandah, porch, balcony, terrace, flat roof, stair, steps, landing or similar feature, means an enclosing wall or railing of not more than 3 feet 6 inches above the floor level of such stoep, verandah, porch or other feature;

M "Map" means:

- (a) The map listed in Schedule 1
- (b) any map or plan referred to or included in this statement; and
- (c) any map or plan approved by the Council and the Administrator and referred to in any annotation or any map or plan referred to in paragraph (a) or (b).

M "mean level of the ground" means -

- (a) for the purpose of defining which storey of a building or a division thereof is the basement storey, the ground storey and so on : the mean level of the ground immediately abutting such building or division, averaged around the perimeter of such building or division;
- (b) for the purposes of determining the height of a building or division thereof in order to apply any provision of the Scheme other than one referred to in paragraph (c) : the mean level of the ground as determined as in paragraph (a); and
- (c) for the purpose of determining the height of a point on a building or a division thereof in order to apply any provision of the Scheme which limits the height of such point in relation to its distance from the boundary : the mean level of the ground immediately abutting that elevational plane of such building or division which contains such point or lies between such point and the boundary concerned, averaged along such elevational plane.

"Montague Gardens Township : Extension No. 1" means the area defined as such in Section 7 of this Statement and as indicated on the Map:

"Municipality" means the Municipality of Milnerton;

O "Office Building" means a building comprising offices, consulting rooms, waiting rooms and anything ancillary thereto;

"opposite" has the meaning thereto assigned by sub-section (2) of section 9;

"outbuilding" means a building or division of a building, not being defined a building or division falling into any other category defined in this Section, which is appurtenant, accessory, and of a nature customarily incidental to any building or division of a building falling into such other category, and is on the same site as such building or division of a building, provided that no division of a building shall be deemed an Outbuilding to another division of such building unless every room or compartment in the former division is accessible from the outside without the necessity for passing through the latter division of such building;

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

P

"Pergola" means any horizontal or approximately horizontal grille or framework such that the area in horizontal projection of the solid portions thereof does not exceed 10% of the total area thereof;

"Permissible Coverage", in relation to a site means an area which may not be exceeded by the Actual Coverage of buildings on such site;

"Permissible Floor Area", in relation to a site, means a floor area which may not be exceeded by the Actual Floor Area of buildings on such site;

"Place of Assembly" means

- (a) a meeting hall, theatre, cinema, music hall, concert hall, dance hall, church hall or a Show and Exhibition Building;
 - (b) a boxing area, skating rink, ~~billiard saloon, amusement arcade~~ or other building used for indoor sports, games or amusements;
 - (c) a building used in connection with outdoor sports or races, including a grandstand, stadium, dressing room and appurtenant accommodation; and
 - (d) a non-residential club,
- but does not include a Place of Worship, Place of Instruction, Institution or Drive-in Cinema. *or place of entertainment*

"Place of Instruction" means a school, college or other educational building and any boarding establishment appurtenant thereto, whether or not on the same site as such school or other building, and a creche, nursery school, monastery, convent, public library, art gallery, museum or gymnasium;

"Place of Worship" means a church, chapel, synagogue, mosque or other place of worship but does not include a funeral parlour;

"porch" means a roof (not being the floor of a balcony) projecting or extending from a building for the sole purpose of forming a sheltered approach to an entrance of such building at or below the ground floor thereof, together with any paved area thereunder and any low walls or railings enclosing such paved area and any pillars supporting such roof;

"Public Garage" means a building (not being a Service Station) used for the repair and servicing of motor vehicles;

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

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

R

"rear boundary" in relation to a site, means every common boundary thereof which is parallel to or within less than 45° of being parallel to, every street boundary of such site, and which does not intersect a street boundary;

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 "Place of Entertainment" means a billiard or snooker saloon, amusement arcade or any section of a building where the following are used or provided for use by the general public:

- (a) A pool or snooker table.
- (b) Any mechanical, electro-mechanical, electrical or electronic device or contrivance designed or adapted to be used for amusement by playing any game therewith and set in operation by the insertion of a coin, disc or token therein or in a device or contrivance attached thereto or coupled therewith;

R "Regulations" means the regulations framed under section 60 of Ordinance 13 of 1934 promulgated under Provincial Notice 460 of 1937, as amended;

"Residential Building" means a building other than a Dwelling house, Double Dwelling House, Block of Flats, or Outbuildings, which is used for human habitation, and includes a Hotel, a building let in rooms and a residential club, but does not include an Institution or Place of Instruction.

S "Scheme" means the Proposed Town Planning Scheme of the Municipality of Milnerton referred to in sub-regulation (1) of regulation 8 of the regulations and comprises this Statement and the Map;

"Scrap or Salvage Building" means a building used for one or more of the following purposes:-

(a) the storage, depositing or collection of scrap or waste material or articles whose value lies mainly or entirely in that of the material of which they are composed;

(b) the dismantling of second-hand vehicles or machines for the purpose of recovering spare parts or material therefrom;

(c) the storage or sale of second-hand pipes, poles, steel sections, wire, timber, tyres, bricks, containers or other articles capable of being left in the open without serious detriment thereto;

"Service Station" means a building for the retail supply of petrol or other liquid fuel to motor vehicles, and carrying out of servicing and minor repairs and adjustments to such vehicles;

"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;

"Show and Exhibition Building" means a building used for exhibitions of trade, industry or agriculture or for fairs or shows;

"Site" in relation to a building or structure means the erf on which such building or structure is erected and any other erven required to be combined with such erf in order that the provisions of the Scheme may be complied with;

"Site area" means the area of a site;

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

S "Special Industrial Building" means any building which is used for or in connection with

- (a) the carrying on of a scheduled process, as defined in section 1 of the Atmospheric Pollution Prevention Act 1965 (Act No. 45 of 1965); or
- (b) the manufacture of explosives, as defined in section 1 of the Explosives Act (Act No. 26 of 1956); or
- (c) any of the industries, businesses or trades referred to in the Offensive Trades Regulations promulgated under Government Notice No. 1606 of 1934, as amended".

"stoep" means an uncovered paved area or projecting floor outside and immediately adjoining a building at or below the level of the ground floor thereof and includes any low walls or railings enclosing such paved area or floors; provided that for the purposes of this definition an area or floor covered only by features referred to in paragraph (d) of section 35 shall be deemed uncovered;

"storey" without in any way limiting its ordinary meaning, includes:

- (a) all parts of a storey below the ceiling level thereof;
- (b) in the case of a topmost storey, also the roof thereof;
- (c) in the case of a lowest storey, also any foundation walls or other sub-structure; and
- (d) part of a storey;

and in determining the number of storeys in a building and the designation of a particular storey, the following provisions shall apply:-

- (i) ~~Basement storeys~~ and ~~mezzanine storeys~~ shall be disregarded in counting the number of storeys, provided that if a mezzanine storey exceeds 25% of the floor area of the storey immediately below it, it shall be regarded as a storey,
- (ii) Any storey (not being a basement or mezzanine storey) having a floor-to-ceiling height exceeding 16 feet shall be taken as two storeys; if exceeding 24 feet, three storeys, and so on; provided that where the floor or ceiling of a storey is not level, or has different levels, the mean level shall be taken;

"street" means a public street as defined in section 2 of Ordinance 19 of 1951;

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

- (a) where a portion of an erf has been encroached upon by the use of that portion by the public as a street and it is necessary in the opinion of the Council that that portion should continue to be used as a street or part of a street, the street boundary is the line separating that part of the erf encroached upon from the remainder of the erf; and
- (b) where the portion of an erf is reserved under Chapter II of the Statement or under any law for use as a new street or a street widening the street boundary is the line separating that portion from the remainder of the erf; and
- (c) where land, other than land reserved in Chapter II of the Statement or under any law, is or is to be used as a new street, the street boundary is the boundary of an erf which forms the boundary of such new street; and

S (d) where a portion of an erf abutting a street is in terms of the Scheme, required to be surrendered to the Council, as a condition precedent to the granting of approval to the proposed erection of a building, the street boundary is the line between the portion of the erf so to be surrendered and the remainder of the erf; provided further that where in terms of paragraphs (a) to (d) two or more different positions for the street boundary are prescribed, the street boundary is the line or lines which is or are such that none of such positions is further from the centre-line of the street than such line or lines;

"**street frontage**" in relation to a site, means each street boundary thereof between points where such street boundaries change direction, provided that where two or more consecutive street boundaries intersect with an included angle or included angles exceeding 135° , so that the angle included between the first and last of such consecutive boundaries also exceeds 135° , such consecutive boundaries shall be deemed to be one street boundary; and any street boundary which is less than 10 ft. in length may be deemed part of one other street boundary which intersects it;

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

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

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

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

"**this Statement**" means the Final Statement as referred to in section 1;

"**Town Engineer**" means the Town Engineer of the Municipality;

"**Truckers' Inn**" means a building primarily intended for use as a restaurant or cafe by lorry drivers.

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

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

- V "verandah" means a covered paved area (not being an area which is part of a yard or a parking area) or projecting floor outside and immediately adjoining a building, at or below the level of the ground floor thereof, and includes both such area or floor and the roof or other feature covering it, as well as any low walls or railings enclosing such paved area or floor; provided that for the purposes of this definition an area or floor covered only by features referred to in paragraph (c) of section 35 shall be deemed uncovered;
- W "width" in relation to a street means the shortest distance between the street boundaries thereof; provided that for the purposes of this definition the provisions of paragraphs (a) to (d) of the definition of "street boundaries" shall be disregarded except where the land referred to in any such paragraph has become vested in the Council;
- Z "Zone" means the Use Zone or Sub-zone;
- "Zone boundary" means a line forming the boundary between two different Use Zones or Sub-zones.

Purpose of the Scheme.

- 3 The general purpose of the Scheme is a co-ordinated and harmonious development of the area of the Municipality (including where necessary the reconstruction of any part thereof which has already been sub-divided 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.

Notations on Map

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

Conflict of Laws.

- 5 (1) Nothing in the Scheme or in any consent given in terms thereof shall be deemed to retract from any rights the Council possesses by virtue of any servitude, contract or agreement.
- (2) Except where the contrary is specifically stated in the Scheme, nothing in any provisions of the Scheme shall be deemed to override or absolve compliance with any other provisions of the Scheme.

(NOTE: The Scheme does not override or supercede any law or does it absolve compliance therewith or with any condition registered against the title deeds of any land or imposed and in force under Ordinance 10 of 1912, Ordinance 13 of 1927, Ordinance 33 of 1934, Ordinance 19 of 1951 or any other law, When the Scheme is approved by the Administrator and such approval is proclaimed in the Provincial Gazette in terms of Section 41(2) of Ordinance 33 of 1934, the approved Scheme will in terms of Section 43 of the said Ordinance override the requirements of any other Ordinance or regulations framed thereunder which may be in conflict with such provisions, subject to the provisions of Section 35(3) of the said Ordinance relating to the widths and boundaries of certain roads).

Evasion of Intent of Scheme.

6. 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.

Area of Scheme

- 7 The provisions of this Statement shall apply to that area of the Municipality of Milnerton as indicated on Maps TV.2 and TV . 3.

Map : Reference by Public

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

Method of Measuring Distances, etc.

- 9 (1) Where reference is made or implied in this Statement to the distance between a building and a boundary, such distance shall be measured in the following manner:-
- (a) Such boundary and all points of such building shall be projected onto a horizontal plane, and all measurements shall be made in such plane;
- (b) The distance between a point on a building and a boundary shall be measured at right angles to such boundary.
- (2) Where reference is made in this Statement to a portion of a boundary "opposite" a building, such portion shall be defined by drawing lines in the manner prescribed in sub-section (1), from points on such building, at right angles to such boundary.
- (3) Where reference is made in this Statement to the mean level of the ground or of a roof, parapet or other thing, such mean level shall be calculated in accordance with recognised geometric principles; provided that in any case where the levels involved are so irregular that calculation in accordance with such principles is impracticable or leads to a result which is not in accordance with the intent of the Scheme, the Town Engineer shall determine such mean level in accordance with such intent

Public Open Spaces and Recreation

- 10 The pieces of land so specified on the Map are reserved for use as public open spaces or recreation, provided that with the consent of the Administrator and subject to the provisions of any other law, the Council may let portions thereof to sporting and other societies.

Gardens

- 11 The portions of land indicated as new streets or streets to be closed are reserved for such purposes.

Restrictions on reserved land

- 12 (1) Except with the special consent of the Council, no building or structure shall be erected and no works or excavations shall be executed on land referred to in section 10 other than buildings, structures, 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 insofar as they are not in conflict herewith.
- (2) No such land shall be used in such manner or for such purpose as in the opinion of the Council is likely to destroy or impair its use for the purpose for which it is reserved.
- (3) IN giving its consent under sub-section (1) the Council may prescribe requirements in respect of any proposed building or structure to be erected or works or excavations to be executed on such land, and may impose conditions with respect to the removal or alteration of such building or structure or works, or the reinstatement of the land, or the removal of waste materials or refuse, or otherwise as it thinks fit, and all such requirements and conditions shall be deemed to be provisions of the Scheme.
- (4) Nothing in this section shall be construed as prohibiting the reasonable fencing of any such land, subject to the provisions of any other law.

CHAPTER III : USE ZONING

Use Zones and Sub-zones

- 13 (1) The area of the Scheme is divided into the following Use Zones for the purpose of controlling the use of buildings and land:-
- (a) single dwelling residential
 - (b) general residential
 - (c) business
 - (d) entertainment
 - (e) public open space and recreation
- (2) The General Residential Use Zone and Business Use Zone are further divided into sub-zones for the purpose of controlling inter alia the permitted buildings, coverage, floor area, height and spaces about buildings. The designations of the Zones and Sub-zones are set out in Column 2 of the following table (Table III I).

TABLE III.1 : DESIGNATIONS OF ZONES AND SUB-ZONES

Zone 1	Designations of Zones & Sub-Zones 2
Single Dwelling Residential	SD1
General Residential	GR2/1 GR3/1 GR4 GR5 GR6
Business:- General Business	GB2
Minor Business	MB1
Entertainment	E
Public Open Spaces and Recreation	FOS/REC
Local Authority, Government & Community Purposes	COM

Classification of Buildings

- 14 (1) Every building shall for the purposes of the Scheme be classified in terms of Section 2 into one or more of the following categories:-

Dwelling House	Shop
Detached Dwelling House	Business premises
Block of Flats	Service Station
Residential Building	
Place of Instruction	Industrial building
Institution	Special Industrial Building
Place of Worship	Show and Exhibition building
Place of Assembly	Combined building
Licensed Hotel	Special building
	Outbuilding

- (2) Where a building is used for different purposes simultaneously or at different times it shall be deemed to fall into each of the categories concerned.
- (3) Where there is doubt or dispute as to the category into which a building falls, such building shall be deemed until the contrary is proved, to fall into such category as the Town Engineer shall determine having regard to the intent of the Scheme.

Permitted uses of buildings

- 15 (1) The categories of buildings which
- may be erected and used;
 - may be erected and used only with the special consent of the Council; and
 - may not be erected.

In each of the Use Zones and Sub-Zones specified in Table III.1 are indicated in Table III.2 below. In the table, column 1 contains the building categories defined in sub-section (1) of section 13, and columns 2 to 5 are headed with the zone and sub-zone designations prescribed in column 2 of the Table III.1. In the body of the table the designation 'P' denotes buildings which are permitted; the designation 'X' denotes buildings which are permitted only with the special consent of the Council, and the designation 'O' denotes categories of buildings which are not permitted.

TABLE III.2 : BUILDINGS PERMITTED IN VARIOUS USE ZONES

Building Categories	Use Zone and Sub-Zone Designations										
	ED1	GR2/1	GR3/1	GR4	GR5	GR6	GB2	M91	E	POS/REC.COM	
1	2	3	4	5	6	7	8	9	10	11	12
Dwelling house	P	P	P	O	P	P	O	O	O	O	-
Double dwelling house	O	X	X	X	X	X	O	O	O	O	-
Block of flats	O	P	P	P	P	P	P	P	O	O	-
Residential building	O	P	P	P	P	P	P	P	O	O	-
Place of Worship	X	X	X	X	X	X	O	O	O	O	-
Place of instruction	X	X	X	X	X	X	O	O	X	O	-
Institution	X	X	X	X	X	X	O	O	X	O	-
Place of assembly	O	O	O	O	O	O	X	O	X	O	-
Licensed hotel	O	O	O	O	O	P	P	O	O	O	-
Shop	O	O	O	O	O	O	P	P	X	O	-
Business premises	O	O	O	O	O	O	P	P	O	O	-
Funeral parlours	O	O	O	O	O	O	P	P	O	O	-
Service station	O	O	O	O	O	O	X	X	O	O	-
Industrial building	O	O	O	O	O	O	O	O	O	O	-
Special industrial building	O	O	O	O	O	O	O	O	O	O	-
Show and exhibition building	O	O	O	O	O	O	X	X	X	O	-
Special building	X	X	X	X	X	X	X	X	X	X	-
Drive-in-restaurant	O	O	O	O	O	O	X	X	X	O	-
Combined building	O	O	O	O	O	O	P	P	X	O	-
Golfing course	O	O	O	O	O	O	X	X	X	O	-
Outbuilding	P	P	P	P	P	P	P	P	P	O	-
Public garage	O	O	O	O	O	O	O	O	O	O	-
place of entertainment	O	O	O	O	O	O	X	X	X	O	-
group housing	O	O	O	O	O	O	X	X	X	O	-

15. (2) The erection and use of a Double Dwelling House shall be permitted only where the Council is satisfied that such erection and use will not conflict with the existing or intended character of the locality concerned.
- (3) No residential accommodation may be provided on the ground floor in Zones GB2 and M91.
- (4) In the Entertainment Zone any shop, if permitted, shall be an ancillary use to the main use of a building erected on the site.

- ¹⁷
16 (1) The erection and use of buildings otherwise than as is permitted in terms of sections 14 and 17 are prohibited.
- (2) Notwithstanding anything to the contrary in the Scheme, the erection and use of buildings for the following purposes are prohibited :-
- public garages
 - drive-in cinemas
 - fishmeal factories
 - truckers inns
 - industrial and special industrial buildings

Combined Building or more than one building on site

- ¹⁸
17 (1) Subject to the provisions of section 20, the erection and use of a Combined Building shall be deemed to comply with sections 14 and 16 only if the erection and use of each of the several divisions of such building as fall into different categories specified in section 13 are wholly in conformity with the provisions of the Scheme applicable to the erection and use of a building of each of the categories in question.
- (2) Notwithstanding the provisions of sub-section (1) it shall not be permissible to erect a Combined Building containing both an Industrial Building and a Dwelling House, Double Dwelling House, Block of Flats or Residential Building, or to erect on the site of an industrial building a dwelling house or other building mentioned in this sub-section.

Outbuilding

- ¹⁹
18 (1) For the purposes of this Chapter, an Outbuilding to a building falling into any category specified in section 14 shall be deemed to fall into such category.
- (2) Except with the consent of the Council, no person shall use or occupy an Outbuilding before the erection of the outbuilding to which it is an Outbuilding.

Building in more than one Use Zone.

- ²⁰
19 Where different divisions of a building are situated in different Use Zones, the erection and use of each such division shall be in conformity with the provisions applicable to the Use Zone into which such division falls.

Subsidiary Uses : when permitted

- ²¹
20 (1) Notwithstanding anything to the contrary in this Chapter the erection and use of a division of a building in contravention of sections 16 and 17 shall be permitted in the case of the following divisions of a building:-
- (a) a division of a dwelling unit used by an occupant thereof for the conduct of a profession or occupation, may be permitted with the special consent of the Council provided that:-

(i) such/.....

- 20 (1) (a) (i) such division shall not be used as a Shop, Business Premises, Industrial Building or Special Industrial Building;
- (ii) no goods shall be publicly displayed;
- (iii) no advertising signs or notice shall be displayed other than an illuminated sign or notice not projecting over a street, and not exceeding 2 sq. ft. in area, indicating only the name and profession or occupation of the occupant;
- (iv) no activities shall be carried on which are or are likely to be a source of nuisance, disturbance or annoyance to occupants of other Dwelling Units.
- (2) Notwithstanding anything to the contrary in this Chapter, the sale of mineral waters to residents of a Hotel or residential club in a General Residential Use Zone shall be permissible provided that no advertisements in connection therewith are publicly displayed.

Use of Land and Change of Use

21

- 21 (1) In this section the verb "to use" in relation to land, shall include "to erect structures (not being buildings) on such land".
- (2) No land falling into a Use Zone (whether or not such land is or is not part of the site of a building) shall be used for a purpose for which a building may not be erected or used on such land, provided that where a building may be erected and used for a particular purpose on land with the special consent of the Council such land may be used for such purposes with such special consent.
- (3) No land shall be used for parking of vehicles in conjunction with, or as a means of vehicular access to and egress from, any building or land used for a particular purpose if the land first mentioned may not in terms of sub-section 2 be used for that particular purpose.
- (4) No persons shall use or cause or allow to be used any building or division thereof for use other than that for which it has been erected unless such building has been altered for any such proposed new use and any necessary consent of the Council has been obtained therefor.
- (5) No building for use or occupation by non-european domestic servants shall be erected in any use zone in a position which would be likely to cause injury to the amenities of the neighbourhood.
- (6) No land comprised in any use zone shall be used for the purpose of refuse-tipping, motor graveyard, store yard, scrap yard, or cemeteries, without the consent of the Council.
- (7) Removal of injurious conditions in private gardens, etc. Where the amenity of any use zone is injured by the conditions of any garden or curtilage in the area, the Council may serve a notice on the owner or occupier of the premises on which the injurious conditions exist, requiring him, within such period, not being less than twenty-eight days

from/.....

"Bykomstige gebruike: wanneer toegelaat

21(1) Ondanks die bepalings van afdelings 15 tot 18, maar onderworpe aan die bepalings van subafdeling (2), mag 'n deel van 'n woonhuis, dubbele woonhuis of buitegeboue daarvan deur die bewoner daarvan gebruik word—

(a) om 'n beroep, 'n kunsvorm of die bedryf van snyer, breier, tuisbakker of tuisfynbakker, tikster, rekenaaroperateur, foto-graaf, manikuns, chiropraktisyn, voetkundige, masseur, haarkapper of barbier, skoonheidskundige, skoenmaker, boekbin-der, fotokopieerder, letterskilder, stoffeerder, gordynmaker, kopieerder, graveerder, etsen, leerwerker, hoedemaker, sif-drukker, rottangwerker en pottbakker te beoefen, en

(b) vir enige ander aktiwiteit ten opsigte waarvan die spesiale toestemming van die raad vooraf verkry is. By sy besluit om spesiale toestemming te verleen al dan nie, neem die raad alle faktore in ag wat hy as ter sake beskou ten opsigte van elke spesifieke saak, en sodanige spesiale toestemming word nie verleen indien die raad van mening is dat die aktiwiteit wat in sodanige deel van 'n woonhuis, dubbele woonhuis of buitege-boue, daarvan beoefen word of beoefen gaan word, nadelig vir die residensiële omgewing is of sal wees of 'n bron van steurnis is of sal wees nie.

(2) Enige gebruik toegelaat ingevolge subafdeling (1) is onderworpe aan die volgende voorwaardes:

(a) Die toestemming van die omliggende eienaars wat geraak word, soos bepaal deur die raad, moet verkry word.

"Subsidiary uses: when permitted

21(1) Notwithstanding the provisions of sections 15 to 18, but subject to the provisions of subsection (2), part of a Dwelling House, Double Dwelling House or outbuildings thereto may be used by the occupant thereof for—

(a) the conduct of a profession, an art or the trade of tailor, dressmaker, knitter, homebaker or confectioner, typist, com-puter operator, photographer, manicurist, chiropractor, chiro-podist, masseur, hairdresser or barber, beautician, shoemaker, bookbinder, photocopier, signwriter, upholsterer, curtain-maker, duplicator, engraver, etcher, leatherworker, milliner, silkscreener, caneworker and potter, and

(b) any other activity in respect of which the special consent of the Council has first been obtained. In deciding whether or not to grant its special consent, the Council shall have regard to all factors which it considers relevant to each particular case and shall not grant such special consent if it is of the opinion that the activity carried on, or to be carried on, in such part of a Dwelling House, Double Dwelling House or outbuildings thereto is or will be detrimental to the residential environment or is or will be a source of nuisance.

(2) Any use permitted in terms of subsection (1) shall be subject to the following conditions:

(a) The consent of the surrounding affected owners as deter-mined by the Council shall be obtained.

(b) die toegelate gebruike in subafdeling (1) gemeld, word be-perk tot die inwonende eienaar van die eiendom.

(c) Behalwe met die spesiale toestemming van die raad mag geen advertensietekens of kennisgewing buite 'n enkele onver-ligte teken of kennisgewing wat nie oor 'n straat uitsteek nie en nie 'n oppervlakte van 0,2 m² oorskry nie en wat slegs die naam en beroep, kunsvorm, bedryf of aktiwiteit van die bewo-ner aantoon, vertoon word nie.

(d) Die raad kan die werklike vloeroppervlakte van enige ge-bou en die oppervlakte van die perseel van sodanige gebou wat vir of in verband met sodanige gebruik aangewend kan word, beperk.

(e) Die raad kan, indien hy van mening is dat enige beroep, kunsvorm, bedryf of aktiwiteit op 'n wyse beoefen word wat nadelig is of kan word vir die residensiële omgewing of 'n bron van steurnis is of kan word 'n skriftelike kennisgewing aan die persoon beteken wat sodanige beroep, kunsvorm, bedryf of aktiwiteit beoefen, waarin hy versoek word om teen 'n datum wat in sodanige kennisgewing gespesifiseer word—

(i) die instruksies wat in sodanige kennisgewing uiteengesit is, na te kom, en

(ii) op te hou om die betrokke perseel vir sodanige beroep, kunsvorm, bedryf of aktiwiteit te gebruik.

(3) Ondanks enige strydige bepaling in hierdie hoofstuk, is die oprigting en gebruik van 'n deel van 'n gebou in stryd met afde-lings 27 en 18 toelaatbaar in 'n deel van 'n winkel wat gebruik word as 'n Nywerheidsgebou, indien sodanige deel behoort by, bykomstig is tot en van 'n aard is wat gewoonlik gepaard gaan met die handel wat in sodanige winkel gedryf word; met dien ver-stande dat die werklike vloeroppervlakte van die deel wat aldus gebruik word, nie 50% van die werklike vloeroppervlakte van die deel wat nie aldus gebruik word, oorskry nie."

(b) The permitted uses referred to in subsection (1) shall be limited to only the resident owner of the property.

(c) Except with the special consent of the Council, no advertis-ing sign or notice other than a single unilluminated sign or no-tice not projecting over a street and not exceeding 0,2 m² in area, which indicates only the name and profession, art, trade or activity of the occupant shall be displayed.

(d) The Council may limit the Actual Floor Space of any building and the area of the site of such building which may be utilised for or in connection with such use.

(e) The Council may, if it is of the opinion that any profession, art, trade or activity is being conducted in a manner which is or is likely to be detrimental to the residential environment or a source of nuisance, serve a notice in writing on the person con-ducting such profession, art, trade or activity calling upon him to—

(i) comply with instructions set out in such notice, and

(ii) cease using the premises in question for such profession, art, trade or activity by a date specified in such notice.

(3) Notwithstanding anything to the contrary in this chapter, the erection and use of part of a building in contravention of sections 17 and 18 shall be permitted in part of a Shop used as an Indus-trial Building if such part is appurtenant, accessory and of a nature customarily incidental to the trade conducted in such Shop; provided that the Actual Floor Area of the part so used shall not exceed 50% of the Actual Floor Area of the part not so used."

11
21 (7) from the date of service of the notice as may be specified in the notice, to take such action as may be necessary to abate the injury, and the said notice may specify the measures to be taken to abate the injury.

(8) Where shops, business premises and (if permitted) industrial buildings erected in a business zone conform to a building line fixed under section 44 hereof no goods, merchandise, wares or other obstructions shall be placed, deposited, kept or displayed between the building line and street boundary.

Letting of rooms in Dwelling Units.

23
22 (1) Nothing in sections ¹⁷~~16~~ and ¹⁸~~17~~ shall be construed as prohibiting the occupation of rooms in a Dwelling Unit by lodgers.

(2) Where rooms in a Dwelling Unit are occupied by lodgers, the following conditions shall be complied with:-

- (a) every such room shall have an entrance inside the dwelling unit;
- (b) such rooms shall not be converted to or used as separate dwelling units;
- (c) not more than three lodgers shall be permitted to lodge in any one dwelling unit.

(3) The terms "lodge" and "Lodger" shall include "board" and "Boarder".

Conditions imposed on erection and use of buildings

24
23 (1) Subject to the provisions of section ²⁵~~24~~, where any application is made to the Council for its consent to the erection and use of a building in a zone in which such a building 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 of whether the use for which the building is intended or designed is likely to cause injury to the amenity of the neighbourhood.

(2) Nothing contained in this section shall be deemed to exempt or exclude compliance with any of the Council's Regulations.

Advertisement in certain cases

25
24 (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 (a) to (d) as defined in section 12(1) 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

- 25
24 (1) weeks, in English and Afrikaans newspapers circulating in each case in the area, a notice of his intention to make such application, and shall post and maintain conspicuously for fourteen (14) days such notice on some part of the building or land, and shall with such application, lodge with the Council proof of such publication and posting. The notice shall state that any person having any objections to the erection and use of the proposed building or to the proposed use of the land may lodge such objection with the Council and also with the applicant in writing within fourteen (14) days after the date of the last advertisement, and shall further state where the plans, if any, may be inspected.
- (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. 19 of 1951, as amended.

CHAPTER IV : ERVEN : SIZES, ETC.

Minimum Sizes of Sites

- 26
25 (1) No building comprising or containing a Double Dwelling House shall be erected on a site having an area less than 8,500 Cape sq.ft. 789 45
- (2) No building comprising or containing an Institution or Place of Instruction shall be erected on a site having an area less than 20,000 Cape sq.ft. 1828 4

Number of Buildings on an erf or site

- 27
26 (1) Not more than one building falling wholly or partly into any of the following categories shall be erected on any erf or on any combination of erven forming a site:-

Dwelling house
Double dwelling house

- (2) 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 the opinion that such proposal is likely to constitute an evasion of the intent of the Scheme or of the Township 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 and approved.

Subdivision of Erven

28

27 (1) The following subdivision of land are prohibited:-

- (a) Any subdivision which would give rise to a contravention of or aggravate an existing contravention of the Scheme; and
 - (b) Any subdivision which in the opinion of the Council would constitute or facilitate an evasion of the intent of the Scheme or of any of its provisions..
- (2) The subdivisions referred to in sub-section (1) include any subdivision for the purpose of registering a lease, provided that the Council may submit to the Surveyor General for transmission to the Townships Board in terms of section 9 of Ordinance No. 33 of 1934, a recommendation that a minor subdivision for the purpose of registering a lease be approved, subject to such conditions as it may recommend.

Combination of Erven29
28

Where two or more erven are to form the site of a building, or where two or more erven are required, in order that the provisions of the Scheme may be complied with, to form the site of a building, such legal steps as may be appropriate in the circumstances shall be taken by the owner of such building as will ensure that such erven cannot be separately sold, leased or otherwise disposed of to any person other than such owner or his successor-in-title.

CHAPTER V : COVERAGERestrictions on coverage30
29

The Actual Coverage of the building on any site shall not exceed the Permissible Coverage for such buildings on such site.

Permissible Coverage31
30

- (1) Except as hereinafter provided, the Permissible Coverage for buildings erected on a site situated in a Use Zone or Sub-zone specified in Columns 2 to 8 of the following Table (Table V.1) and falling into a category specified in Column 1 of such Table is equal to the area of the site multiplied by the factor f specified in such Table for such Zone and category. In the Table, in respect of buildings permitted only with the special consent of the Council, values for factor f are replaced by asterisks; such value will be furnished by the Council in the event of their decision in respect of application for such special consent being affirmative.

TABLE V.1 : FACTOR f FOR CALCULATION OF PERMISSIBLE COVERAGE

Building Categories	Values of Factor f by Use Zone and Sub-Zone Designations										
	SD1	GR2/1	GR3/1	GR4	GR5	GR6	GB2	MB1	E	POS/REC	COM
1	2	3	4	5	6	7	8	9	10	11	12
dwelling house	0.5	0.5	0.5	-	0.5	0.5	-	-	-	-	-
double dwelling house	0.5	0.5	0.5	0.5	0.5	0.5	-	-	-	-	-
block of flats	-	0.3	0.3	0.3	0.3	0.3	0.3	0.3	-	-	-
residential building	-	0.3	0.3	0.3	0.3	0.3	0.3	0.3	-	-	-
place of worship	x	x	x	x	x	x	-	-	-	-	-
place of instruction	x	x	x	x	x	x	-	-	x	-	-
institution	x	x	x	x	x	x	-	-	x	-	-
place of assembly	-	-	-	-	-	-	1.0	-	x	-	-
licensed hotel	-	-	-	-	-	0.5	-	-	-	-	-
funeral parlour	-	-	-	-	-	-	x	-	-	-	-
shop	-	-	-	-	-	-	1.0	1.0	x	-	-
business premises	-	-	-	-	-	-	1.0	1.0	-	-	-
service station	-	-	-	-	-	-	-	-	-	-	-
industrial building	-	-	-	-	-	-	-	-	-	-	-
special industrial building	-	-	-	-	-	-	-	-	-	-	-
show and exhibition building	-	-	-	-	-	-	-	x	x	-	-
drive-in-restaurant	-	-	-	-	-	-	x	x	x	-	-
special building	x	x	x	x	x	x	-	x	x	x	-
putting course	-	-	-	-	-	-	-	x	x	-	-
combined building (see section 37)	-	-	-	-	-	-	x	x	x	-	-
outbuilding (included in the permissible coverage of the building to which it is an outbuilding)	-	-	-	-	-	-	-	-	-	-	-
public garage	-	-	-	-	-	-	-	-	-	-	-

Page 13

~~30~~ (2) An outbuilding to a building falling into a category of buildings specified in this section shall, for the purposes of this Chapter, be deemed to fall into that category.

(3) The factor f for buildings other than those specified in sub-section (1) and (2) shall be determined by the Council.

Combined building or more than one building on site

31

~~31~~ (1) The provisions of sub-section (2) shall apply in the case of:-

(a) the site of a Combined Building, to the several divisions of which different factors f prescribed in section ~~30~~³¹ apply; and

(b) a site on which are erected two or more separate buildings to which (or to the several divisions of which) different factors f as aforesaid apply,

where the site of such building or buildings falls within one Use Zone and Sub-zone.

(2) The Permissible Coverage for a site referred to in sub-section (1) is equal to the area of the site multiplied by -

(a) the larger or largest of the factors f applicable to the several divisions or separate buildings referred to in sub-section (1), if the total Actual Coverage of the divisions or buildings to which such larger or largest factor applies is not less than 90% of the total Actual Coverage of all the divisions or buildings in question; or

(b) the smaller or smallest of such factor f in all other cases.

Site falling into two or more Zones

33

~~32~~

Where the site of a building or buildings falls into two or more Use Zones or Sub-zones, the Permissible Coverage for such site is the sum of the Permissible Coverage for each portion of such site which falls into a different Use Zone or Sub-zone, such Permissible Coverages being determined in accordance with sections ~~30~~³¹ and ~~31~~³² as though each such portion constituted a separate site.

Coverage restrictions to apply at every floor level

34

~~33~~

The provisions of section ~~30~~³¹ shall be complied with at every floor level of the building or buildings concerned.

Actual/.....

Actual Coverage

- ³⁵
34 (1) Except as prescribed in section ³⁶~~35~~, Actual Coverage at any floor level shall include the area covered at such floor level by all divisions of all buildings on the site concerned, and in particular the areas covered by the following divisions of buildings -
- (a) walls of buildings
 - (b) roofs
 - (c) stairs, steps and landings (except entrance steps and landings,) galleries, passages and similar features, whether internal or external
 - (d) Canopies, verandahs, porches, balconies, terraces and similar features.
- (2) Actual Coverage shall also include the area of every internal courtyard, light well or other uncovered shaft, where the area of such courtyard, light well or shaft does not exceed 100 sq.ft.

Exclusions from Actual Coverage

³⁶
~~35~~ The areas covered by the following buildings or divisions of buildings shall be disregarded in the calculation of Actual Coverage :-

- (a) Buildings or storeys of buildings the ceiling levels of which are below ground level
- (b) stoeps
- (c) entrance steps and landings (1.3m high)
- (d) Eaves, cornices, chimney breasts, pergolas, flower boxes, water pipes, drain-pipes and minor decorative projections not projecting more than 9" from a wall of a building.

Apportionment of Actual Coverage

³⁷
~~36~~ Where for the purposes of the Scheme it is necessary to calculate the Actual Coverage separately in respect of any or each of the several divisions of a building, and any wall, passage, staircase, foyer or other feature of such building is common to any division concerned which adjoin, half the Actual Coverage of such common feature shall be allocated to each of such adjoining division,

CHAPTER VI : FLOOR AREARestrictions of Floor Area

38. The Actual Floor area of the buildings on any site shall not exceed the permissible floor area for such building on such site.

Permissible Floor Area

- 39.(1) Except as hereinafter provided, the Permissible Floor Area for buildings erected on a site situated in a Use Zone or Sub-zone specified in Column 1 of the following Table (Table VI.I) is equal to the area of the site multiplied by the factor f specified in such Table for such Zone and Sub-zone referred to in Column 4.

TABLE VI : I Factor f for calculation of Permissible Floor Area

Use Zone	Zone and Sub-Zone Designations	Area of Site	Maximum total value of factor f
1	2	3	4
General Residential	GR2/1	1 erf	0.4
		2 erven	0.8
		3 erven	1.2
		4 erven or more	1.5
	GR3/1	1 erf	0.4
		2 erven	0.66
		3 erven	0.85
		4 erven or more	1.0
	max 2 story ← GR4	-	0.5
	GR5	1 erf	0.4
		2 erven	0.55
		3 erven	0.66
		4 erven or more	0.75
	GR6	1 erf	0.4
		2 erven	0.8
		3 erven	1.2
		4 erven or more	1.5
Business	GB2		1.9
	MB1		1.0
Entertainment			1.0

- (2) In Column 3 of Table VI:I "erf" shall mean an erf as registered in the approved original layout of Table View Township.
- (3) In the General Business Zone GB2 the value of the Factor f for residential accommodation shall not exceed 0.9.

Site falling into two or more Zones

40. Where the site of a building falls into two or more Use Zones or Sub-zones, the Permissible Floor area for such site is the sum of the Permissible Floor areas for each portion of such site which falls into a different Use Zone or Sub-Zone, such permissible floor areas being determined in accordance with Section 34 as though each such portion constituted a separate site.

Actual Floor area

- 41.(1) Except as provided in sections ⁴¹~~47~~ and ⁴⁴~~43~~, Actual Floor Area shall include the whole of the floor area of every floor of every building on the site concerned, and in particular shall include the area of the following portions of buildings:-

(a) portions/.....

- 41
41
- (1) (a) portions covered by walls of buildings;
 (b) floors or paved areas which though wholly or partially unenclosed at the sides are covered by a portion of a building, not being a portion referred to in paragraph (d) of section 33; or
 (c) floors of stairs, steps and landings (not being entrance steps and landings), galleries, passages and similar features, whether internal or external;
 (d) floors of verandahs, porches, balconies and similar features.
- (2) Actual Floor Area shall also include, at every floor level concerned, the area of :-
- (a) every internal courtyard, light well or other uncovered shaft, where the area of such courtyard, well or shaft does not exceed 100 sq.ft.; and
 (b) every lift shaft, stair shaft, pipe duct or other internal floor opening.

Exclusions from Actual Floor Area

The areas of the following portions of buildings shall be disregarded in the calculation of Actual Floor Area:-

- (a) stoeps;
 (b) entrance steps and landings;
 (c) garages, provided that for the purposes of this paragraph -
- (i) no floor area or portion thereof which is inaccessible to a motor car or lorry (as the case may be) of the specifications set out in sections 53 and 54 respectively shall be deemed part of a garage; 54 55
- (ii) where a garage is designed for the housing of a single motor car any portion of such garage by which it exceeds 25 feet in length or 12 feet in width shall not be deemed part of a garage;
- (iii) where a garage is designed for the housing of a single lorry, any portion of such garage by which it exceeds 30 feet in length or 14 feet in width shall not be deemed part of a garage;
- (iv) where a garage is designed for communal use by two or more motor cars or lorries, any access or manoeuvring area required in such garage shall be deemed part of such garage; and
- (v) a floor area used for the display, sale, assembly, dismantling, repair or servicing of motor cars or lorries shall not be deemed a garage.
- (d) Any covered paved area outside and immediately adjoining a building at or below the ground floor level thereof, where such paved area is part of a yard or a parking area.
- (e) floors of terraces or flat roofs to which all occupants of a building have access.

⁴³
~~42~~ (1) Subject to the provisions of sub-section (2), 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 hotel residents or visitors as dining-rooms, banqueting rooms, bars, restaurants, grill rooms, tea lounges, ballrooms, rooms for games or sports, lounges, sitting rooms, reading rooms, writing rooms and conference rooms;
 - (b) Public foyers and areas comprising public or communal stoeps, verandahs, balconies, terraces or sun decks used by hotel residents or visitors;
 - (c) Barber shops, hairdressing salons, florists and similar shops, within the Hotel for the exclusive use of hotel residents;
 - (d) Offices forming part of the hotel premises, used solely for the administration or management of the hotel;
 - (e) Kitchens, serveries, sculleries, laundries and similar service facilities forming part of the hotel premises;
 - (f) Storerooms appurtenant to the hotel;
 - (g) Staff quarters appurtenant to the hotel, including corridors, stairs and other means of access within such staff quarters, and kitchens, dining rooms, recreation rooms, laundries and other such rooms for the exclusive use of hotel staff.
- (2) The following rooms and areas are not included in the rooms and areas referred to in paragraphs (a), (b) and (c) of sub-section (1)
- (a) Any room or area other than one specifically referred to in sub-section (1).
 - (b) Any room or area which, notwithstanding that it is a room or area referred to in sub-section (1), is in the opinion of the Council primarily for the use of persons other than Hotel residents, staff or visitors.
- (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 30 bedrooms for residents;
 - (b) not less than 75% of the total number of 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 rooms.

For the purposes of this sub-section every habitable room in a suite of rooms shall be deemed to be a bedroom.

- (4) For the purposes of this section "hotel" includes "Licensed Hotel"

Apportioning of Actual Floor Area

44

Where, for the purposes of the Scheme, it is necessary to calculate the actual Floor Area separately in respect of any or each of the several divisions of a building, and any wall, passage, staircase, foyer or other feature of such building is common to any divisions concerned which adjoin, half the Actual Floor Area of such common feature shall be allocated to each of such adjoining divisions.

CHAPTER VII : BUILDING LINES, HEIGHT AND SPACES ABOUT BUILDINGS

Described Building Lines

- 45 (1) Except as hereinafter provided, no building except for boundary walls and fences shall be erected nearer to any street boundary, rear boundary or lateral boundary of the site than the distances prescribed in the following table for the respective use zones and sub-zones:-

Use Zone or Sub-Zone	Street Boundary	Minimum Rear Boundary	Building Lines Lateral Boundary
SD 1	15 ft. 4.5 m	5 ft 1.5 m	5 ft 1.5 m
General Residential : FLATS	25 ft. 7.5 m	15 ft. or $\frac{1}{2}$ the height of the building whichever is the greater, except where the site has a common boundary with a public open space in which event the distance shall be 15 ft. from such common boundary.	
DWELLINGS	15 ft. 4.5 m	5 ft. 1.5 m	5 ft 1.5 m
Business: Shops, business premises, licensed hotels, blocks of flats and residential buildings	NIL	Buildings on ground-floor : NIL Building above ground floor : 15 ft. 1.5 m	Buildings on ground floor: NIL Building above ground floor: NIL for a distance of 12m, 40 ft. from the street boundary or building line whichever apply there-after 15 ft.
Other buildings	15 ft. 4.5 m		4.5 m
Entertainment	Building lines will be decided upon by Council depending on use.		

45 (2) The provisions of sub-section (1) shall not apply in the case of

- (i) Buildings or storeys of buildings the ceiling levels of which are below ground level;
- (ii) Steps;
- (iii) Entrance steps and landings;
- (iv) Eaves, for a distance of 3 feet;
- (v) Cornices, chimney breasts, pergolas, flower boxes, water-pipes, drain-pipes, and minor decorative projections not projecting more than 9" from a wall of a building;
- (vi) Screenwalls not exceeding 6'6" in height above ground provided that the Council may permit a greater height if it deems fit and swimming pools not above ground level; and
- (vii) Drying yards referred to in section 63 of this statement.

Building Lines for Garages in Residential Use Zones

46 A garage may be erected nearer to the boundary of a site provided that the following conditions are complied with:-

- (a) such garage shall comply with the building line from the street boundary;
- (b) the height of the walls of such garage shall not exceed 2m 10 feet; and
- (c) no opening, other than an airbrick shall be constructed in any wall of such garage if such wall abuts or faces on to the boundary concerned.

Building Lines for Places of Worship, Places of Instruction and Institution.

47 Where the Council permits the erection of a place of Worship Place of Instruction, Institution or hall, no portion of the building may be nearer than 30 feet to any boundary of the site.

Height Restrictions on Buildings

48 Except as provided in sub-paragraph (b) of section 46 and section 49, there shall be no restriction upon the height of any building erected in the area of the Scheme." *except for G4 max 2 storey.*

Ysterplaat Aerodrome Environs

49 In terms of the Air Navigation Regulations, 1950, restrictions exist on the heights of buildings and structures within an area north of the Ysterplaat Aerodrome, as defined on Drawing Nos. AW/47/170/S dated 4th February 1960, and AW/47/171/L dated 9th April 1960, issued by the Secretary for Defence, and such restrictions shall be deemed and taken to be part of the Scheme.

CHAPTER VIII : PARKING, GARAGING AND LOADING AREAS

Parking, Garaging and Loading areas : when required

52

49 (1) No building falling into any of the following categories shall be erected or used unless the provisions of this Chapter relating to parking, garaging and loading areas are complied with:-

- (a) Buildings for which parking or garaging areas are or may be required

Blocks of Flats
Residential Buildings
Places of Worship
Institutions
Place of Assembly
Licensed Hotel
Shop
Business Premises
Restaurant and similar use
Service Stations
Funeral Parlours
Combined Buildings, portions of which fall into any of the foregoing categories;

- (b) Buildings for which loading areas are or may be required

Shops
Business Premises
Combined Buildings, portions of which fall into either of the foregoing categories;

- (2) For the purposes of this Chapter:

"access" includes "egress", and "access to " includes "egress from";

"access area" means an area giving access to a parking, garaging or loading area, and includes an area for manoeuvring of vehicles;

"bay" means a portion of a parking area intended as a parking bay for one vehicle, or a garage or a portion of a garage intended for the garaging or parking of one vehicle, or a portion of a loading area intended for the accommodation of one vehicle, but does not include a lubricating bay or wash-bay at a Service Station;

"garaging area" means a garage or an area for parking which is wholly or partly covered;

"loading area" means an uncovered or covered area set aside for the accommodation of vehicles on to which goods or materials are to be loaded or from which they are to be offloaded, and for such loading and offloading;

"parking area" means an uncovered parking area.

- (3) Where an addition is made to an existing building, or where an existing building or its use is so altered as to require a greater extent of parking, garaging or loading areas than that required in terms of this Chapter prior to such alteration, the provisions of this Chapter shall apply only in respect of the increase in such extent required as a result of such addition or alteration as the case may be.

Extent of Parking and Garaging areas required

- 51
 50 (1) Provision shall be made on the site of every building falling into a category specified in Column 1 of the following Table (Table VIII.I) for parking or garaging or parking areas for motor cars to an extent not less than that prescribed in Columns 2 and 3 of such Table:-

TABLE VIII.I. PARKING AND GARAGING AREAS FOR MOTOR CARS FOR VARIOUS CATEGORIES OF BUILDINGS

Building Categories	Required combined extent of parking and/or garaging areas for visitors, patrons or occupants	Required extent of parking area for visitors or patrons
1	2	2
Block of Flats	1 bay for every Dwelling Unit	1-bay for every 3 4 dwelling units
Residential Building other than a Licensed Hotel	3 bays for every 4 bedrooms	1 bay for every 4 bedrooms
Licensed Hotel	3 bays for every 5 bedrooms or suite + 20 bays	1 bay for every 5 bedrooms + 20 bays
Place of Worship including a church hall	1 bay for every 20 occupants	
Place of Assembly excluding a church hall	200 sq.ft. of parking for every 3 occupants	
Shops : Sub-Zone GB2	1½ sq.ft. for every 1 sq.ft. of gross shopping floor space	
Business Premises : Sub-Zone GB2	1½ sq.ft. for every 1 sq.ft. of gross floor space	
Service Stations	4 bays for every lubricating bay + 4 bays for every wash bay with a minimum of 8 bays	
Funeral Parlours	15 bays	
Institution -	Parking to be determined by Council	

⁵¹
~~50~~ (2) In the determination of the required extent of parking or garaging in terms of the foregoing Table, the following provisions shall apply:-

- (a) Where the number of Dwelling Units, bedrooms or occupants is not an exact multiple of the relevant factors specified in the Table, the required number of bays shall be calculated on a pro rata basis; where the result of such calculation involves a fraction, any fraction less than 0.5 shall be disregarded and any fraction equal to or greater than 0.5 shall be taken as 1.
- (b) Where a Place of Worship or a Place of Assembly is provided with fixed seating, the number of occupants shall be taken as the number of seats, and in all other cases it shall be taken as the maximum number of occupants which can lawfully be accommodated by such Place of Worship or Place of Assembly.

Extent of Loading Areas Required

⁵¹
~~51~~ Provision shall be made on the site of every building falling wholly or partly into a category specified in Column 1 of the following Table (Table VIII.2), erected in a General Business Use Zone (GB2) for loading areas to an extent not less than that prescribed in Column 2 of such Table:

TABLE VIII.2 EXTENT OF LOADING AREAS REQUIRED

Building Categories	Required extent of Loading Areas
1	2
Licensed Hotel Shops Business Premises (other than Office Buildings)	1 bay for every 10,000 sq.ft. of actual floor area

Requirements applicable to all Parking, Garaging and Loading Areas

⁵³
~~52~~ (1) Except in the case of a Dwelling House or Double Dwelling House, the manner in which vehicles are to be accommodated in any proposed parking, garaging or loading areas, whether or not such areas are required in terms of section ⁵¹~~50~~ or ⁵¹~~51~~, and the access areas thereto shall be shown on building plans submitted to the Council, and the Council shall have the right to approve or disapprove of such plans

(2) All parking, garaging, loading and access areas at any site, whether or not such areas are required in terms of section ⁵¹~~50~~ or ⁵¹~~51~~, shall comply with the following requirements - ⁵¹

- (a) where four or more vehicles are to be accommodated on a site the layout of such areas shall be such that vehicles can readily leave the site without reversing across the footway.

53

52 (2) (b) Except in the case of a Service Station, entrances and exitways across the footway shall be limited to one each, not exceeding 15 ft. in width per site, or alternatively, to one combined entrance and exitway, not exceeding 25 feet in width per site; provided that where the total length of the street frontages of a site exceeds 100 ft. or where a site abuts two different streets, additional exitways and entrances or combined entrances and exitways shall be permitted, provided that no two entrances or exitways are closer together than 50 ft.; such additional exitways, entrances or combined entrances and exitways shall not exceed 15 ft. or 25 ft. in width respectively.

(c) Except in the case of a Dwelling House or Double Dwelling House, no crossing over the footway shall be nearer than 30 ft. to an intersection of streets.

(d) Suitable walls or fences shall be erected along the street boundaries of the site, where necessary, to ensure that vehicles do not cross such boundaries elsewhere than at the entrances and exitways prescribed in paragraph (b).

Requirements applicable to compulsory parking and garaging areas

54
53

Parking and garaging areas required in terms of section 50 51 and access areas thereto shall comply with the following requirements:-

(a) In the case of a building erected in any Residential Use Zone, such parking and garaging areas and access areas shall be located at least 15^{6m} ft. from any street boundary of the site; for the purposes of this paragraph "access area" does not include a portion of an access area leading directly to or from a crossing over the footway which also crosses the 15 ft. strip prescribed by this paragraph. 4.5m

AB (b) Every parking area or combined access and parking area shall be at least 25 ft. wide in every direction. 7.6m

AB (c) Every bay required in terms of section 51 shall be at least 18 ft. long and 8 ft. wide. 5.5 x 2.45
3.5m 2.5m

(d) The layout of bays and access areas shall be such that they can be entered and left at all times by a motor car of the following specifications :-

Overall length
Overall width
Distance of rear axle from rear of car
Distance of centre of rotation of car from midpoint of rear axle at full lock of steering

17 ft. 52m
6 ft. 1.8m
4 ft. 1.2m
15 ft. 4.5m

(e) Access areas serving 4 or more motor cars shall have a minimum clear width of 9 ft. if used for one-way movement; or 18 ft. if used for two-way movement; provided that any such two-way access area which is less than 50 ft. long and which links a parking or garaging area directly with the street need not be wider than 9 ft. 2.75m

(f) All access to parking areas shall be uncovered, and all garaging areas and access areas thereto, if covered, shall have a minimum headroom of 7 ft. 2.1m

- 54 (g) In the case of a building erected in any General Business Use Zone, such parking bays shall at all times be accessible to the public except in the case of parking areas provided for residents of a Licensed Hotel, and any private parking areas which may be necessary shall be provided in addition to the requirements of section 52.
- (h) All bays and access roads shall be suitably graded, shall be surfaced with asphalt, concrete or other hard, durable, dustless, impervious surface laid on firm, compacted ground, and shall be effectively drained, and the bays shall be marked out in white lines 4" wide in approved traffic paint. Such surface shall conform to the following minimum specifications:-

Asphalt Surface: 1" finished thickness of asphalt macadam on 3" finished thickness of well consolidated gravel or hard core.

Other surfaces: 4" thick.

- (i) Notice boards shall be erected for the purpose of guiding visitors or patrons to the parking area prescribed by column 3 of Table VIII.I in section 51. Such notice boards shall be of durable material, shall be approximately 6 ft. above ground level, and shall bear the words "Parking Area for Visitors - Parkaeromraia vir Basunkers" or the words "Parking Area for Patrons - Parkaeromraia vir Klond", as may be appropriate, in clear lettering at least 3" high, with a directional arrow; where the parking area is not readily visible from the entrance to the site such notice boards shall bear such additional information as may be necessary to enable visitors or patrons to find the parking area. Particulars of such notice boards, including the materials to be used and their proposed positions, shall be shown on the building plans, and shall be subject to the approval of the Council.

Requirements applicable to compulsory loading areas

- 55 All loading areas required in terms of section 52 shall comply with the following requirements :-

- (a) Every bay required in terms of section 52 shall be at least 25 ft. long and 15 ft wide;
- (b) The layout of bays and access roads thereto shall be such that they can be entered and left at all times by a motor lorry of the following specifications:-

Overall length	21 ft.
Overall width	9 ft.
Distance of rear axle from rear of lorry	5 ft.
Distance of centre of rotation of lorry from mid-point of rear axle at full lock of steering	23 ft.

- (c) Access roads shall have a minimum clear width of 10 ft. if used for one-way movement or 20 ft. if for two-way movement, provided that any such two-way access road which is less than 50 ft. long and which links a loading area directly with a street need not be wider than 10 ft.

- 55
54 (d) Covered loading areas and access areas shall have a minimum headroom of 12 ft.
- (e) All loading areas and access areas shall be suitably graded, surfaced, drained and marked out in accordance with the provisions of paragraph (h) of section 53.54

Duties of Owner

56
55 The owner of any building for which in terms of section 50⁵¹ or 51⁵¹ the provision of parking, garaging or loading areas is required, shall -

- (a) provide, construct and mark out such areas, including access areas, as may be necessary, in accordance with the approved plan and the requirements of this Chapter;
- (b) maintain all such areas in a usable condition and such marking out in a legible condition at all times;
- (c) ensure that no markings are made on any parking area prescribed by Column 3 of Table VIII.I in section 50⁵¹ which would discourage, interfere with or prevent its use by visitors or patrons;
- (d) ensure that access to any parking area prescribed by Column 3 of Table VIII.I in section 50⁵¹ is kept free and unencumbered at all times and that such parking area is not used for purposes of business or trade or any other purpose than the parking of cars by visitors or patrons;
- (e) ensure that any loading area prescribed by section 51⁵¹ is kept available as a loading area at all times and is not used for any other purpose; and
- (f) provide and erect the notice boards referred to in section 54⁵¹ 53, maintain them in a legible condition at all times and ensure that no notice boards are erected which would discourage, interfere with or prevent the use of any parking area prescribed by Column 3 of Table VIII.I in section 50⁵¹ by visitors or patrons.

Combined Buildings

57
56 In the case of a combined building, parking, garaging and loading areas shall be provided in respect of the several divisions thereof in conformity with the provisions of this Chapter, and the arrangement of such areas shall be such as to ensure that each such area is convenient of access to occupants, visitors or patrons of the parts of the buildings concerned.

CHAPTER IX : SPECIAL TYPES OF BUILDINGS

Special Types of Buildings53
57

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.

Service Stations

54

58 (1) In this section -

"access way" means a vehicular ingress to or egress from any portion of the site of a Service Station, being a portion where petrol or other liquid fuel is supplied;

"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 to 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;

"pump" means a fuel pump at a Service Station ;

"service station" includes the site of any premises where petrol or other liquid fuel for motor vehicles is supplied retail, whether or not servicing, repairs or adjustments are carried out to such vehicles;

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

(2) No Service Station shall be erected or established on a site unless every street frontage of the site containing one access way is at least 75 Cape feet in length, and every street frontage containing two or more access ways is at least 100 Cape feet in length, ; provided that where a portion of such site is occupied at ground level by a building other than a Service Station, and such building is less than 25 feet from a street boundary, the portion of the street boundary opposite such building shall not be included in the determination of street frontage.

(3) No access way shall be nearer than 100 feet to any of the following:-

- (a) An intersection of streets, two or more of which are declared roads, proclaimed roads, prospective main roads, or any other roads to which the provisions of section 146 of the Divisional Council's Ordinance 1952 (Ordinance No. 15 of 1952) apply, or any other road of like status.
- (b) Any road, whether existing or intended to be erected.
- (c) Any intersection of streets where traffic is controlled or is intended to be controlled by a traffic island.

- 53 (4) (a) In the case of an intersection other than one referred to in the previous sub-section, no access way shall be -
- (i) if the corner at the intersection is not splayed, not less than 30 feet from such corner, or
 - (ii) if the corner at the intersection is splayed, not less than 30 feet from such corner or 15 feet from the point where the line of splay meets the road boundary, whichever is the greater distance from the corner.
- (b) In the preceding paragraph "corner" means the corner formed by the road boundaries or the prolongation of the road boundaries bordering the premises of a public garage.
- (5) Access ways shall comply with the following requirements :-
- (a) No access way shall be nearer than 20 ft. to a lateral boundary of the site concerned.
 - (b) No access way shall be nearer than 30 ft. to an intersection of streets.
 - (c) The width of any access way shall not exceed 25 ft.
 - (d) The site of a Service Station shall not have more than two access ways; provided that this number may be exceeded if no two access ways are closer together than 50 feet.
 - (e) A wall at least 4½" thick and 9" high shall be erected along the entire street boundary except at the access ways.
- (6) No motor vehicle fuel pump shall be erected within 12 feet 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 100 feet on the boundary of a public road or public roads.
- (7) The following provisions shall apply to any Service Station erected or established in the area of the scheme:-
- (a) 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.
 - X (b) Any workshop accommodation provided in such Service Station shall have an Actual Floor Area not exceeding 1,500 sq.ft. (exclusive of any lubrication or wash bays) and shall be physically demarcated from the remainder of the Service Station by 9" walls at least 7 ft. high; such walls shall have the minimum area of opening required for reasonable access to such workshops.
 - X (c) No Service Station shall be erected or established on any such site if such site is less than 600 feet from the site of another Service Station on the same side of the street.
 - (d) Any part of the site of a Service Station used for the storage of empty containers or any other articles or materials used for or incidental to the conduct of such Service Station (other than articles or materials normally kept on the driveway of a Service Station), or for carrying on any work in connection therewith, shall be screened from view from any street or public place by a wall at least 7 ft. high.

No funeral parlour shall be erected on a site which is less than ^{11 1/2} 300 ft. from an intersection of streets referred to in sub section (3) of section 58.
54

Laundrettes and Cleanettes61
60

The following provisions shall apply to every establishment which is a laundrette or a cleanette or a combination of both, erected or established on a site which is wholly or partly in any Minor Business or General Business Use Zone:-

- (a) No such establishment shall be erected or established if any of its boundaries would be less than 200 ft. from any boundary of any other such establishment in any such Zone unless the two establishments concerned are on opposite sides of a street.
- (b) The Actual Floor Area of the portions of such establishment which comprise the shop for receiving and returning clothes, the workshops and the space occupied for storage of clothes shall not exceed 2,750 sq.ft.
- (c) Only gas, electricity or illuminating paraffin may 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 any dry-cleaning machines that may be installed shall not exceed 42 lbs. dry weight of clothing or other articles per cleaning operation per half-hour cycle.
- (f) The combined capacity of any washing machine that may be installed shall not exceed 60 lbs. dry weight of clothing or other articles per washing operation.
- (g) The number of employees in any such establishment shall not exceed 14.
- (h) Each application for approval of any such proposed establishment on any such site shall be accompanied by full information on the maximum capacity of the machines, the number of employees and the floor space to be occupied by the undertaking.
- (i) The working hours in any such establishment shall be limited to the period from 7 a.m. to 7 p.m.
- (j) The person carrying on the business of such establishment shall ensure that the provisions of paragraphs (c) to (g) inclusive and of paragraph (i) are adhered to at all times.

57 (1) In this section -

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

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

(2) Notwithstanding anything to the contrary in this Statement contained, no putting course or drive-in restaurant shall be established or operated except in accordance with the provisions of this section.

(3) A putting course or a drive-in restaurant shall not be established or operated in any Zone except with the special consent of the Council. The Council shall not accede to any application for such consent until such application has been brought to the notice of the public and of surrounding property-owners by notice in the public press and any objections received have been considered by the Council.

(4) No vehicular ingress to or egress from a putting course or a drive-in restaurant shall be less than 300 ft. from an intersection of streets referred to in sub-section (3) of section 58. Every such ingress and egress shall be from and to a street having a width of 40 Cape feet or greater, connecting with another street or streets of not less than such width and leading to a street of greater width.

(5) Provision shall be made on the site of every putting course or drive-in restaurant for a parking area, as defined in section 49, 50 to an extent not less than that set out hereunder:-

- (a) 3 bays to every 2 holes in a putting course
- (b) 50 bays for a drive-in restaurant.

The provisions of sections ⁵⁰~~49~~ to ⁵¹~~50~~ shall be applicable, mutatis mutandis, to any parking area required in terms of this sub-section.

(6) Where in the opinion of the Council the location of the holes of a putting course in relation to a street is such that spectators would be likely to gather in an abutting street, a standing area for spectators shall be provided on the site. The position, dimensions and points of access to such standing area shall be to the approval of the Council, and the surface of such standing area shall be graded, hardened and drained to the satisfaction of the Council.

(7) Sanitary facilities shall be provided on the site of every putting course and drive-in restaurant to an extent prescribed by the Medical Officer of Health and shall be located in positions approved by the Council.

(8) Where the Council deems it necessary in the interests of amenity, the site of every putting course or drive-in restaurant shall be screened and landscaped in a manner prescribed by the Council.

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

* 62 B. - see opposite page

4. Deur die volgende afdeling na afdeling 62A in te voeg:

"62B Vereistes ten opsigte van vermaaklikheidsplekke

- (1) Onderworpe aan die bepalings van afdeling 25, waar enige aansoek by die raad gedoen word om sy toestemming vir die oprigting van en of gebruik van 'n gebou of deel van 'n gebou as 'n vermaaklikheidsplek in 'n sone waar sodanige gebou slegs met die raad se spesiale toestemming opgerig en gebruik kan word, kan die raad sy toestemming verleen of weerhou, en wanneer die raad sy toestemming verleen, is hy geregtig daarop om, aansluitend by sy vereistes in subafdelings (2) tot (10), dié addisionele voorwaardes wat hy nodig ag op te lê aangaande die oprigting of gebruik van sodanige gebou. By oorweging van sodanige aansoek moet die vraag in ag geneem word of die gebruik waarvoor die gebou bedoel of ontwerp is moontlik die aantreklikheid van die buurt kan skaad, en indien 'n verslag deur die Suid-Afrikaanse Polisie toon dat dit nie in die belang van die algemene welsyn van die gemeenskap sal wees dat die aansoek toegestaan word nie, moet die raad weier om sy spesiale toestemming te verleen.
- (2) Enige middele en biljart/snoekertafels moet so geplaas word dat dit nie die algemene vloei van kliënte belemmer of op enige manier die gepaste onderhoud van en handhawing van 'n higiëniese toestand op die perseel verhinder nie.
- (3) Alle aansoeke moet ingedien word op die voorgeskrewe vorm en word slegs oorweeg indien vergesel van 'n vloerplan van die totale oppervlakte van die besigheidsperseel wat die oppervlakte waar die middele en biljart/snoekertafels geplaas gaan word, aandui, asook die vloeroppervlakte wat ingeneem gaan word deur die middele en biljart/snoekertafels in verhouding tot die totale vloeroppervlakte van die betrokke besigheidsperseel aandui, welke vloeroppervlaktes in vierkante meter aangedui moet word.
- (4) 'n Oppervlakte van ten minste 3 m × 3 m vir die eerste middel, en 'n beskikbare oppervlakte van 2 m × 3 m vir elke addisionele middel, met 'n maksimum van drie middele, moet opgesit word in enige gebou of gedeelte van 'n gebou wat nie 'n biljart- of snoekerkamer of 'n vermaaklikheidsarkade is nie.
- (5) Enige gebou of gedeelte van 'n gebou wat bedoel is om gebruik te word as 'n biljart- of snoekerkamer of 'n vermaaklikheidsarkade is onderworpe aan die volgende:
- (a) 'n Oop ruimte van ten minste 2 m breed moet aan elke kant van elke biljart/snoekertafel voorsien word.
- (b) 'n Oop ruimte van ten minste 1 m breed moet voorsien word aan elke kant van die buiterand van elke middel, behalwe aan die agterkant van elke middel, waar 'n oop ruimte van nie meer as 20 cm voorsien hoef te word nie.
- (c) Indien meer as twee middele of biljart/snoekertafels langs mekaar staan, kan die oop ruimte wat in (a) en (b) hierbo voorgeskryf word, 'n gemeenskaplike ruimte wees.
- (6) Voldoende openbare sanitêre fasiliteite vir die gebruik van kliente moet ten genoë van die stadsingenieur en die mediese gesondheidsbeampes voorsien word.
- (7) Voldoende deur-, kruis- of meganiese ventilasie moet ten genoë van die stadsingenieur en die mediese gesondheidsbeampes voorsien word.
- (8) Voldoende deurlopende volwasse toesighoudende beheer moet ten genoë van die raad voorsien word op alle tye wanneer die middele vir die algemene publiek toeganklik is. Die raad is die alleenarbiters van watter toesighoudende beheer voldoende geag word.
- (9) Enige verandering aan die posisie van 'n middel van dit wat op die vloerplan aangedui word soos vereis in ingevolge subafdeling (3) mag slegs gemaak word met die voorafverkreepte toestemming van die raad in elke geval.
- (10) Geen bepaling van hierdie afdeling word geag vrystelling van die nakoming van enige van die raad se regulasies of enige ander wet te verleen, of sodanige nakoming uit te sluit nie."

4. By the insertion after section 62A of the following section:

"62B. Requirements in respect of Places of Entertainment

- (1) Subject to the provisions of section 25, where any application is made to the Council for its consent to the erection and or use of a building or part of a building as a Place of Entertainment in a zone in which such building 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 in addition to its requirements set out in subsections (2) to (10) to impose such additional conditions as it may deem fit governing the erection or use of such building. In considering such applications, regard shall be had to the question of whether the use for which the building is intended or designed is likely to be injurious to the amenity of the neighbourhood, and should a report by the South African Police indicate that it would not be in the interest of and for the general welfare of the community that the application be granted, the Council shall refuse to grant its special consent.
- (2) Any contrivances and pool/snooker tables shall be sited so that they do not impede the flow of clientele or in any way hinder the proper maintenance of and the maintenance of hygienic conditions on the premises.
- (3) All applications shall be submitted on the prescribed form and shall only be considered if accompanied by a floor plan of the total area of the business premises indicating the area where the contrivances and pool/snooker tables are to be located, as well as indicating the floor area to be occupied by the contrivances and pool/snooker tables in relation to the total floor area of the business premises concerned, such floor areas to be indicated in square metres.
- (4) In any building or portion of a building which is not a billiard or snooker saloon or an amusement arcade, an area of at least 3 m × 3 m shall be set aside for the first contrivance and an available area of 2 m × 3 m for every additional contrivance, with a maximum of three contrivances.
- (5) Any building or portion of a building which is to be used as a billiard or snooker saloon or an amusement arcade shall be subject to the following:
- (a) A clear area of at least 2 m wide shall be provided on each side of every pool/snooker table.
- (b) A clear area of at least 1 m wide shall be provided on each side of the perimeter of every contrivance, except to the rear of any contrivance, where a clear area of no more than 20 cm need be provided.
- (c) Should more than two contrivances or pool/snooker tables stand adjacent to another, the clear area prescribed in (a) and (b) above may be a common area.
- (6) Adequate public sanitary facilities for use of the clientele shall be provided to the satisfaction of the Town Engineer and the Medical Officer of Health.
- (7) Adequate through, cross or mechanical ventilation shall be provided to the satisfaction of the Town Engineer and the Medical Officer of Health.
- (8) Adequate continuous adult supervisory control shall be provided to the satisfaction of the Council at all times when the contrivances are accessible to the general public. The Council shall be sole arbiter as to what supervisory control shall be deemed adequate.
- (9) Any change to the position of any contrivance from that indicated on the floor plan as required in terms of subsection (3) shall be made only with the prior approval of the Council in each case.
- (10) Nothing contained in this section shall be deemed to grant exception from compliance with any of the Council's regulations or any other law or to exclude such compliance."

CHAPTER X : MISCELLANEOUS PROVISIONS

Projections over streets and building lines

- 63 In use Sub-zone: GB2 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 two feet of the pavement edge, provided no portion of any projection shall be less than 10 ft. above the pavement and there shall be no access from the building to the canopy.

Drying Yards for General Residential Buildings.

- 64 Whenever a block of flats, residential building or licensed hotel is erected, a yard screened to a height of 6'6" from all abutting streets or erven for the drying of washing shall be provided on the site to the satisfaction of the Town Engineer and in particular as to the size of the yard, its position and the screening thereof.

Certain Buildings or uses prohibited

- 65 Notwithstanding anything contained in this Statment, the erection of any building or structure or the use of any land for a particular purpose is prohibited if in the Council's opinion, having regard to the intent of the Scheme, such erection or use would be likely to involve -
- (a) danger to or serious congestion of vehicular or pedestrian traffic; or
 - (b) danger or injury to health; or
 - (c) serious detriment to the amenities of any neighbourhood.

Screening of Unsightly Sites

- 66 Any land used as or in connection with a builder's yard, a timber yard, a coal yard, a cartage contractor's business or premises for the stabling of horses, or for any purpose referred to in the definition of "Scrap or Salvage Building" in section 2 shall be screened from view from any street, abutting erf or public place by a wall of 7 ft. high.

Roofing/.....

67 Roofing Materials

Roofing materials shall be of thatch, tiles, slates, shingles or other materials approved by the Council. Flat or corrugated iron, flat or corrugated asbestos, asphaltic sheeting or similar roofing material, if approved, shall be screened to the satisfaction of the Council.

Procedure

- 68 (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, 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 of the name of the applicant connected 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 260 of Ordinance No. 19 of 1951 as amended, shall mutatis mutandis apply to this Scheme.

Approved Townships

- 69 (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 insofar as such conditions are more restrictive than the provisions of the Town Planning 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.

Submission/.....

Submission of the Town Planning Calculations

70

72

Every person submitting a building plan for approval, in terms of the Council's Building Regulations and this statement, shall also submit at the same time a schedule of the calculations made to comply with the requirements of this statement.

Amendments to Statement

71

(1) Every amendment or proposed amendment to this Statement shall be in the form prescribed in appendix A.

(2) Every amendment shall be serially numbered, and the Town Engineer shall maintain a register of all such amendments in the form prescribed in Appendix 3, which register shall be open to inspection by members of the public during such hours as the Council may prescribe for this purpose.

APPENDIX A.

Form of Amendment to Statement

FINAL STATEMENT NO. 4 : PROPOSED TOWN PLANNING SCHEME : TABLE VIEW TOWNSHIP
AMENDMENT NO. TO THE STATEMENT Numbers of sections amended substituted or repealed : Numbers of new sections added or inserted:

NOTICE is hereby given that in terms of section 35 bis (1) of Ordinance No. 33 of 1934, the Administrator, on application by or after reference to the Council of the Municipality of Milnerton, has prescribed that the Final Statement No. 4 of the Proposed Town Planning Scheme for Table View Township, shall be amended as follows:-

1. By
2. By, etc.

TOWN CLERK.

APPENDIX B

(Form of Register of Amendments to the Statement
of the Town Planning Scheme)

Reference number of amendment	Sections of Scheme amended, substituted, repealed, added or inserted	Subject	Date Adopted by Council	Date approved by Administrator	Provincial Gazette Reference
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TABLE VIEW TOWNSHIP : TOWN PLANNING STATEMENT

SCHEDULE 1 : MAPS

<u>Map No.</u> :	<u>Title</u> :	<u>Scale</u> :
TV 2	Zoning Map : Table View	1:2,500
TV 3	Zoning Map : Business Areas : Table View	1:4,000

INTEGRATED RESIDENTIAL ZONE

PRIMARY USES:

Single dwelling house

CONSENT USES :

Shelter
Row house
Child care centre
Aged/Medical care centre
Place of Worship

SITE DEVELOPMENT PLAN:

A developer may submit a site development plan in which case Council could reconsider the parameters.

PARAMETERS:

Coverage : at most 66%

Minimum size of site : at least 2000 m²

Height : at most two (2) storeys not exceeding a total height of 8,0 m.

Street building line : Erven smaller than 250 m²: at least 1,0 m provided that -
Erven 250 m² + : at least 3,0 m provided that -

(i) An eaves projection may exceed the prescribed street building line by at most 0,9 m.

(ii) In the case of a garage with a roll-up door the street building line could be nil.

Side building line : Erven smaller than 250 m : at least 1,0 m on one boundary provided that -
Erven 250 m² + : at least 1,5 m on one boundary provided that -

(i) An eaves projection may exceed the prescribed building line by at most 0,9 m.

(ii) Any part of the primary building or outbuilding may be erected on one side boundary subject to the following;

- The side space of the erf concerned shall not be less than 1,0 m in the case of erven smaller than 250 m² and 1,5 m in the case of erven larger than 250 m²;
- No openings shall be permitted in any wall of such building within 1,0 m of the boundary; garage doors are permitted within that 1,0 m.

- For fire-fighting purposes -
 - * in the case of a side building line being 1,0 m, the total area of the openings in the wall concerned shall be less than 5,0 m²;
 - * if a building is erected hard up on two boundaries provision shall be made for at least one door on each of at least two of the remaining walls.

(iii) In the case of row housing the side building line shall be nil.

Rear building line : Nil, provided that -

- (i) No opening being permitted in any wall of such building within 1,0 m of the boundary.
- (ii) In the case of row housing the rear building line shall be at least 2,5 m.
- (iii) In the case of a midblock sewage or stormwater system a rear building line of not less than 1,5 m from the centre line of the pipe can be required.

Parking:

Erven smaller than 250 m².

Space (garage included) shall be provided for the parking of at least 1,25 vehicles -

- * Occupants:- at least one (1) parking bay per dwelling unit on the land unit.
- * Visitors:- at least one (1) parking bay for every four (4) units.

Erven 250 m² +.

Space (garage included) shall be provided for the parking of at least 1,5 vehicles -

- * Occupants : at least one (1) parking bay per dwelling unit on the land unit.
- * Visitors : at least one (1) parking bay for every two (2) units.

Fencing:

The erection of a wall or fence is subject to the following:

- (i) No wall or fence shall exceed 2,1 m in height.
- (ii) Where no splay exists, a wall or fence shall not exceed 1,0 m in height for a distance of 4,5 m from the intersection of two streets.

Additional rights (Subsidiary use or Occupational practice) - to be discussed in detail at a later stage.

DEFINITION: Row housing means a row or group of linked and/or attached dwelling units.

P.K. 465/1992

25 September 1992

ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, 1985 (ORDONNANSIE NR 15 VAN 1985):

WYSIGING VAN SKEMAREGULASIES

Kragtens artikel 9(2) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr 15 van 1985), saamgelees met Proklamasies Nr R.37 van 1989 en Nr 203 van 1989 asook Goewermentkennisgewing Nr R.37 van 1989 en Nr 203 van 1989 asook Goewermentkennisgewing Nr 382 van 7 Februarie 1992, het die Administrateur, ten opsigte van daardie gedeeltes van die Kaapprovinsie wat nie verklaarde Blanke plaaslike bestuursgebiede is nie, en die Ministeriële Verteenwoordigers vir die gebiede Suidwes-, Oos- en Noord-Kaap, namens die Minister van Plaaslike Bestuur, Volksraad, ten opsigte van daardie gedeeltes van die Kaapprovinsie wat verklaarde Blanke plaaslike bestuursgebiede is, die Skemaregulasies wat gemaak is ingevolge artikel 8 van die voormelde Ordonnansie en afgekondig by Provinsiale Kennisgewings 353 van 20 Junie 1986 en 1048 van 5 Desember 1988, asook die Skemaregulasies gemaak ingevolge artikel 7(2) van die voormelde Ordonnansie ter aanvulling van die Skemaregulasies van die Soneringskemas uiteengesit in die Bylae gepubliseer in Provinsiale Kennisgewing 1047 van 5 Desember 1988 en in Provinsiale Kennisgewing 1049 van 5 Desember 1988, gewysig deur na paragraaf 5 die volgende paragraaf in te voeg:

6. Informele Residensiële sone

- 6.1 Ondanks die bepalings van die Skemaregulasies van enige plaaslike owerheid, word die volgende sone geag deel te wees van die betrokke plaaslike owerheid se Soneringskema:

Sonering: Informele Residensiële sone.

Kleurnotasie: Geel met ligbruin omlýning.

Monochroomnotasie:



Lettertone: LT 121

Primêre gebruik: Skuilings
Woonhuis

Vergunningsgebruik: Geen

- 6.2 In hierdie sone het enige woorde die betekenis daaraan geheg in die Skemaregulasies opgestel ingevolge artikel 8 van Ordonnansie 15 van 1985 soos gepubliseer in Provinsiale Kennisgewing 1048 van 5 Desember 1988 en het onderstaande woord die volgende betekenis:

"Skuiling" beteken 'n wooneenheid, geleë binne 'n informele dorp of vestiging, van watter materiaal ook al, wat nie aan die standaarde van duursaamheid soos beoog deur die Nasionale Bouregulasies, soos van toepassing in die Raad se regsgebied, voldoen nie en omvat enige grondgebruik wat voldoen aan regulasie 6.4.

6.3 Grondgebruikbeperkings

Skuilings:

Vloerfaktor: geen beperking

Dekking: geen beperking

Hoogte: hoogstens 3 verdiepings

Straatboulyn: minstens 1 m, indien die Raad dit verlang

Kantboulyn: minstens 1 m by een grens; met dien verstande dat wanneer 'n gebou nader as 1 m van 'n kantgrens opgerig word, geen deure of vensters in die betrokke muur toegelaat sal word nie; verder met dien verstande dat indien 'n midblokriool-voorsien is, 'n agterboulyn van tot 2 m vereis kan word indien die Raad dit verlang.

Terugset: geen beperking

Parkering: geen beperking

P.N. 465/1992

25 September 1992

LAND USE PLANNING ORDINANCE, 1985 (ORDINANCE NO 15 OF 1985):

AMENDMENT OF SCHEME REGULATIONS

Under section 9(2) of the Land Use Planning Ordinance, 1985 (Ordinance No 15 of 1985), read with Proclamations No R.37 of 1989 and No 203 of 1989 as well as Government Notice No 382 of 7 February 1992, the Administrator, in respect of those portions of the Cape Province which are not declared White local government areas, and the Ministerial Representatives for the areas South-Western, Eastern and Northern Cape on behalf of the Minister of Local Government: House of Assembly in respect of those areas of the Cape Province which are declared White local government areas, have amended the Scheme Regulations made in terms of section 8 of the aforementioned Ordinance and published in Provincial Notices 353 of 20 June 1986 and 1048 of 5 December 1988, as well as the Scheme Regulations made in terms of section 7(2) of the aforementioned Ordinance to supplement the Scheme Regulations of the Zoning Schemes set out in the Schedule published in Provincial Notice 1047 of 5 December 1988 and in Provincial Notice 1049 of 5 December 1988, by the addition after paragraph 5 of the following paragraph:

6. Informal Residential zone

- 6.1 Notwithstanding the provisions of the Scheme Regulations of any local authority, the following zone is deemed to be part of the Zoning Scheme of the relevant local authority:

Zoning: Informal Residential zone.

Colour notation: Yellow with light-brown outline.

Monochrome notation:



Letter tone: LT 121

Primary use: Shelters
Dwelling-house

Consent use: None

- 6.2 In this zone any words have the meaning attached to it in the Scheme Regulations made in terms of section 8 of Ordinance 15 of 1985 as published in Provincial Notice 1048 of 5 December 1988 and the undermentioned word has the following meaning:

"Shelter" means a unit of accommodation, situated within an informal town or settlement, of any material whatsoever, which does not comply with the standards of durability intended by the National Building Regulations, as applicable to the area of jurisdiction of the council, and includes any land use complying with clause 6.4.

6.3 Land use restrictions

Shelters:

Floor factor: no restriction

Coverage: no restriction

Height: at most 3 storeys

Street building line: at least 1 m, if required by the Council

Side building line: at least 1 m on one boundary; provided that where a building is erected less than 1 m from a side boundary, no doors or windows shall be permitted in the wall concerned; provided further that if a midblock sewage system is provided, a rear building line of up to 2 m can be required by Council.

Setback: no restriction

Parking: no restriction

Woonhuis:

Vloerfaktor: geen beperking

Dekking: hoogstens 80%

Hoogte: hoogstens 3 verdiepings

Straatboulyn: minstens 1 m; met dien verstande dat daar geen beperking in die geval van 'n motorhuis met 'n oproldoor sal wees nie.

Kantboulyn: minstens 1 m by een grens; met dien verstande dat wanneer 'n gebou nader as 1 m van 'n kantgrens opgerig word, geen deure of vensters in die betrokke muur toegelaat sal word nie; verder met dien verstande dat indien 'n midblokrool voorsien is, 'n agterboulyn van tot 2 m verreis kan word indien die Raad dit verlang.

Terugset: geen beperking

Parkering: minstens 1 parkeerplek per grondeenheid op die grondeenheid, indien sodanig deur die Raad verlang.

6.4 Addisionele regte met betrekking tot Informele Residensiële sone

6.4.1 Ondanks andersluidende bepalings in die Soneringskema —

(a) mag enige bewoner van enige skooling of woonhuis in hierdie sone sodanige eenheid benut vir enige sosiale, opvoedkundige, godsdienstige, beroeps- of sakdoeleindes, onderhewig aan die volgende voorwaardes:

(i) die oorheersende gebruik van die eiendom sal residensiël bly;

(ii) die betrokke gebruik sal nie storend vir bure wees nie, en

(iii) die betrokke gebruik sal nie die bevaligheid van die direkte omgewing versteur nie.

(b) grond gesoneer vir straatdoeleindes aanliggend aan die sone mag vir sakdoeleindes benut word sonder die oprigting van enige permanente strukture; met dien verstande dat die raad sodanige aanwending mag beëindig indien dit, volgens die raad se mening, inmeng met voetganger- of voertuigverkeer of die bevaligheid van die buurt aantast.

6.4.2 Indien enige persoon met 'n direkte belang die mening huldig dat enige voorwaarde gemeld in regulasie 6.4.1 oortree word, kan sodanige persoon 'n skriftelike beswaar aan die raad rig waarin oprede ingevolge artikel 39(1)(b) van die Ordonnansie versoek word.

6.4.3 Die raad moet 'n beswaar gemeld in regulasie 6.4.2 oorweeg en indien daar na die mening van die raad 'n oortreding van voorwaardes gemeld in regulasie 6.4.1 plaasvind, moet sodanige raad ingevolge artikel 39(1)(b) van die Ordonnansie optree betyde deur te gelas dat die aktiviteit gestaak word of dat die oortreding reggestel kan word met voorsetting van die aktiviteit, maar onderworpe aan enige beperkende voorwaardes wat die raad mag ople.

P.K. 471/1992

25 September 1992

MINDER FORMELE DORPSTIGTING:

PINEVIEW, GRABOUW, AFDELING VAN CALEDON

OPSKORTING VAN BEPERKENDE ARTIKEL

Kennis geskied hiermee ingevolge artikel 12(1)(b) van die Wet op Minder Formele Dorpstigting, 1991 (Wet 113 van 1991), dat die Administrateur die bepalings van artikel 137 van die Munisipale Ordonnansie, 1974 (Ordonnansie 20 van 1974), in soverre dit betrekking het op die advertering en afwagting van besware ten opsigte van die sluiting van openbare plekke Erwe 668 en 669, geleë te Grabouw Munisipaliteit, hiermee opskort.

Dwelling house:

Floor factor: no restriction

Coverage: at most 80%

Height: at most 3 storeys

Street building line: at least 1 m; provided that there shall be no restriction in respect of a garage with a roll-up door.

Side building line: at least 1 m on one boundary; provided that where a building is erected less than 1 m from a side boundary, no doors or windows shall be permitted in the wall concerned; provided further that if a midblock sewage system is provided, a rear building line of up to 2 m can be required by Council.

Setback: no restriction

Parking: at least 1 parking bay per land unit, on the land unit, if so required by the Council.

6.4 Additional rights pertaining to Informal Residential zone

6.4.1 Notwithstanding any provisions to the contrary in the Zoning Scheme —

(a) any occupier of any unit of accommodation may utilise such unit for any social, educational, religious, occupational or business purpose subject to the following conditions:

(i) the dominant use of the property shall remain residential;

(ii) the use concerned shall not be disturbing to neighbours, and

(iii) the use concerned shall not interfere with the amenity of the direct neighbourhood.

(b) land zoned for street purposes may be utilised for business purposes without the erection of any permanent structures; provided that the council may terminate such utilization if in its opinion interference with pedestrian or vehicular movement, or with the amenity of the neighbourhood, is caused.

6.4.2 If anybody with a direct interest is of the opinion that any condition referred to in clause 6.4.1 is contravened, such person may lodge a written complaint with the Council requesting action in terms of section 39(1)(b) of the Ordinance.

6.4.3 The Council must consider a complaint mentioned in regulation 6.4.2 and, if in the opinion of the Council a condition mentioned in regulation 6.4.1 is contravened, such Council must act in terms of section 39(1)(b) of the Ordinance, either by instructing that the activity be stopped or that the contravention be rectified with the continuation of the activity, but subject to any restrictive conditions that the Council may impose.

P.N. 471/1992

25 September 1992

LESS FORMAL TOWNSHIP ESTABLISHMENT:

PINEVIEW, GRABOUW, DIVISION OF CALEDON

SUSPENSION OF RESTRICTIVE SECTION

Notice is hereby given in terms of section 12(1)(b) of the Less Formal Township Establishment Act, 1991 (Act 113 of 1991), that the Administrator hereby suspends the provisions of section 137 of the Municipal Ordinance, 1974 (Ordinance 20 of 1974), in as far as it has reference to the advertisement and awaiting of objections, in respect of the closing of public open spaces Erven 668 and 669, situated in the Grabouw Municipality.

MUNICIPALITY OF MILNERTON: AMENDMENT OF TOWN PLANNING SCHEME FOR TABLE VIEW

The Preliminary Statement of the Town Planning Scheme Table View is hereby amended as follows:—

1. By the insertion in Section 2 of the following further definitions:—

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

"Group housing" means a group of separate and/or linked and/or attached individual dwelling units on smaller than conventional erven, and which is planned, designed and built as a harmonious architectural entity with a medium density character in which the structures vary between single and double storeys.

"Group housing zone" means the land zoned for General Residential purposes. Such zoning should however not be interpreted as implying later approval of cadastral subdivision.

"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.

2. By the insertion of the following in Tabel 111.2:—

Under Columns 3, 4, 5, 6 and 7
"Group Housing p".

3. By the insertion of the following pages 29 (a) and 29 (b):—

62.A. Requirements in respect of group housing

(1) Density

The gross density shall relate to the density of single residential development in the specific area, i.e. not in excess of a 4:1 ratio, and the maximum density shall be in any event not be more than 30 units per hectare.

(2) 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 Town Engineer. 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 Town Engineer, provided that the private outdoor space comprises at least one usable area (outside a building) of at least 50 m² (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 structures of suitable material) of at least 2 m high for the purpose of screening it from public and private view.

(3) Street building lines

Let building lines shall be 4,5 m.

(4) Side and rear building lines

No side building lines shall be provided and the rear building lines shall be that applicable in the single residential zone, unless a group erf abuts on another zone. In the latter case the side and rear building lines shall be 3 m except if the abutting zone is a public place or a single residential zone, in which case the side and rear building lines for the main building shall be 1,5 m.

(5) Height of buildings

The maximum permissible height of buildings shall be 2 storeys.

(6) Storeroom

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

MUNISIPALITEIT MILNERTON: WYSIGING VAN DIE STADSAANLEGSKEMA VIR TABLE VIEW

Die Voorlopige Uiteensetting van die Stadsaanslegskema vir Table View word hierby soos volg gewysig:—

1. Deur die insluiting in Artikel 2 van die volgende verdere omskrywings:—

"Groepbehuising" beteken 'n groep van of afsonderlike en/of geskakeelde en/of individuele wooneenhede op kleiner as gebruikelike erwe en wat beplan, ontwerp en gebou is as 'n harmoniese argitektoniese geheel met 'n middelbare digtheids-karakter waarin die strukture wissel tussen enkel en dubbel-verdiepings.

"Groepbehuisingssone" beteken die grond vir algemene woondoeleindes gesoneer. Sodanige sonering moet egter nie vertolk word as sou die latere kadastrale onderverdeling impliseer nie.

"Groeperf" beteken 'n gedeelte grond op 'n groepsperseel wat vir die oprigting van 'n enkelwoning beoog word.

"Groepsperseel" beteken 'n gedeelte grond in 'n groepbehuisingssone wat in 'n aantal groepspersele met of sonder strate en/of oopruimte onderverdeel kan word.

2. Deur die invoeging in Tabel 111.2 van die volgende:—

Onder Kolomme 3, 4, 5, 6 en 7
"Groepbehuising p".

3. Deur die invoeging van die volgende bladsye 29 (a) en 29 (b):—

62.A. Vereistes ten opsigte van groepbehuising

(1) Digtheid

Die totale digtheid moet vergelyk met die digtheid van enkel woonontwikkeling in die spesifieke gebied nl. nie meer as 'n verhouding van 4:1 en die maksimum digtheid moet in elk geval nie meer as 30 eenhede per hektaar wees nie.

(2) Dienswerf en private buiteruimte

'n Groeperf en geboue daarop moet ontwerp word om 'n dienswerf van toereikende oppervlakte te voorsien tot bevrediging van die Stadsingenieur. Benewens die dienswerf moet 'n private buiteruimte van altesame minstens 40 % van die bruto-vloerruimte voorsien word op elke groeperf, tot bevrediging van die Stadsingenieur, met dien verstande dat dit minstens een bruikbare gebied (buite 'n gebou en parkeer-ruimtes uitgesluit) van minstens 50 vk m en met 'n vorm waarvan die ratio nie meer as 2:1 moet wees nie, moet insluit. Die dienswerf moet omsluit word deur 'n muur of mure (of ander struktuur van geskikte materiaal) van minstens 2 m hoog vir die doeleinde om dit af te skerm van openbare en private aansig.

(3) Straatboulyne

Straatboulyne sal 4,5 m wees;

(4) Sy- en agterboulyne

Geen syboulyne hoef voorsien te word nie en die agterboulyne sal dieselfde wees as vir enkel woonsone tensy 'n groeperf aan 'n ander sone grens. In daardie geval moet die sy- en agterboulyne 3 m wees behalwe waar die aangrensende sone 'n publieke oopruimte of enkel woonsone is in watter geval die sy- en agterboulyne 1,5 m moet wees.

(5) Hoogte van geboue

Die maksimum toelaatbare hoogte van geboue is 2 verdiepings.

(6) Pakkamer

'n Pakkamer met 'n minimum interne vloerruimte van 2 vk m sal op elke groeperf voorsien word tensy 'n toesluitgarage op die erf voorsien word.

Parking — 2 Ruys per unit — lock up garages will be excluded from calculating the area of the service yard and outdoor space.

(7) Parking

Off-set parking for at least two motor vehicles per group erf shall be provided on the group site. Lock-up garages shall be excluded from the calculation of the floor area for the purpose of determining the area of the service yard and out-door space. Vehicle access to each group erf shall be to the satisfaction of the Town Engineer.

(8) Services

Municipal services to each group erf shall be separated to the satisfaction of the Town Engineer and separate meters shall be provided should he so deem fit.

(9) Television antennae

Attention is invited to the local authority's standard regulations in this regard.

(10) Aesthetics and environmental treatment

Where paving, landscaping and other treatment (such as the provision of public open space outside the site under application or additional open space within the site under application) or other aesthetic requirements are considered necessary in order to render the site suitable for group housing, this may be required by the Town Engineer and such demand shall be carried out to his satisfaction at the cost of the owner. 26028

(7) Parking

Buitenstraatse parking vir minstens twee motorvoertuie per groep erf sal op die groeppersaak voorsien word. Toesluitgarages sal uitgesluit word by die berekening van die vloeroppervlakte vir die doeleindes van die bepaling van die oppervlakte van die dienswerf en buiteruimte. Voertuigtoegang aan elke groep erf moet tot bevrediging van die Stadsingenieur wees.

(8) Dienste

Munisipale dienste aan elke groep erf moet tot bevrediging van die Stadsingenieur afgesonderd word en afsonderlike meters moet voorsien word indien hy dit vereis.

(9) Televisie-antennes en radio-ligdrade

Aandag word gevestig op die Raad se regulasies in hierdie verband.

(10) Estetiese en omgewingsversorging

Waar paveling, landskapverfraaiing, ander versorging (soos die voorsiening van openbare oop ruimte buite die perseel ten opsigte waarvan aansoek gedoen word of addisionele oop ruimte binne die perseel ten opsigte waarvan aansoek gedoen word) of ander estetiese vereistes nodig is, mag dit vereis word deur die Stadsingenieur en sal sodanige vereistes tot sy bevrediging uitgevoer word op onkoste van die eienaar. 26028

CITY OF CAPE TOWN: AMENDMENT TO TOWN PLANNING SCHEME: PROPOSED REZONING OF:
(1) PORTION OF REMAINDER OF ERF 19404 AND PORTION OF ERF 20632, KLEIN ZOAR, WEMYSS STREET, BROOKLYN; (2) LAND FOR CIVIC HALL AND RECREATIONAL CENTRE, MUIZENBERG;
(3) PORTION OF ERF 44383, KLIPFONTEIN ROAD, MOWBRAY (P.22/11) (P.37/1) (P.24/1)

The Administrator has under consideration an amendment to the Council's Town Planning Scheme by —

the rezoning of portion of remainder of Erf 19404, Wemyss Street, Brooklyn, from road reserve and Municipal Purposes Single Dwelling Residential Use, and the rezoning of portion of Erf 20632 from Single Dwelling Residential Use to a reservation for road purposes, as shown on Plan TPW.7899, (AF.20/6/3406)

the rezoning of land in Beach Road, Muizenberg, from Street and Public Open Space to Public Open Space and Municipal purposes, as shown on Plan TPW.7908;

the rezoning of a portion of Erf 44383, Klipfontein Road, Mowbray, from General Residential R4 to General Business B1, as shown on Plan TPZ.7818, (AF.20/6/3342.)

Particulars of the proposals may be obtained from the Town Planning Branch of the City Engineer's Department, 12th Floor, City Park Building, Longmarket Street, Cape Town, between 8h30 and 12h00 on Mondays to Fridays and any objections to the foregoing, together with reasons therefor, must be lodged in writing with the undersigned on or before 1979-04-09. — H. G. Heugh, Town Clerk, City Hall, Cape Town, 1979-03-15. 26029

MUNICIPALITY OF OUDTSHOORN: NOTICE 16 OF 1979: AMENDMENT OF TOWN PLANNING SCHEME

Notice is hereby given in terms of Section 35 bis (5) of Ordinance 33 of 1974 that the Town Council of Oudtshoorn, with the consent of His Honour the Administrator has amended its Town Planning Scheme by the rezoning of portion X of Erf 3962 approximately 1 130 m² in extent as indicated on subdivision plan O.E.50 from suburban business to single residential purposes (AF.26/4/277.) — M. C. T. Schultz, Town Clerk, Civic Centre, Oudtshoorn, 12 March 1979 (Director of Local Government's reference AF.86/4/277 dated 21 February 1979.) 26032

STAD KAAPSTAD: WYSIGING VAN STADS-
BEPLANNINGSKEMA: VOORGENOME HERSONERING
VAN: (1) GEDEELTE VAN RESTANT VAN ERF
19404 EN GEDEELTE VAN ERF 20632, KLEIN ZOAR,
WEMYSS-STRAAT, BROOKLYN; (2) GROND
VIR MUNISIPALE SAAL EN ONTSPANNINGS-
CENTRUM, MUIZENBERG; (3) GEDEELTE VAN ERF 44383,
KLIPFONTEINWEG, MOWBRAY (P.22/11) (P.37/1) (P.24/1)

Die Administrateur oorweeg tans 'n wysiging van die Raad se Stadsbeplanningskema deur —

1. die hersonering van gedeelte van restant van Erf 19404, Wemyss-straat, Brooklyn van Padreserwe en Munisipale Doeleindes na enkelwoongebruik, en die hersonering van gedeelte van Erf 20632 van Enkelwoongebruik na 'n Reservering vir Paddoeleindes, soos aangedui op plan TPW.7899, (AF.20/6/3406)

2. die hersonering van grond in Beachweg, Muizenberg, van Straat en Openbare Oop Ruimte na Openbare Oop Ruimte Munisipale Doeleindes, soos aangedui op Plan TPW.7908;

3. die hersonering van 'n gedeelte van Erf 44383, Klipfonteinweg, Mowbray, van Algemene Woongebruik R4 na Algemeen Gebruik B1, soos aangedui op Plan TPZ.7818, (AF.20/6/3342.)

Besonderhede van hierdie voorstelle is te kry tussen en 12h00 op Maandae tot Vrydae van die Stadsbeplanning afdeling van die Departement van die Stadsingenieur, Verdiepings, Stadsparkgebou, Langmarkstraat, Kaapstad en beware teen die voorgaande voorstel, tesame met redes daarvoor, moet uiterlik op 1979-04-09 skriftelik by die getekende ingedien word. — H. G. Heugh, Stadsklerk, Stad Kaapstad, 1979-03-15.

MUNISIPALITEIT VAN OUDTSHOORN:
KENNISGEWING 16 VAN 1979: WYSIGING
VAN DORPSAANLEGSKEMA

Kennisgewing geskied hiermee ingevolge die bepalinge Artikel 35 bis (5) van Ordinance 33 van 1974, dat die Stadsraad van Oudtshoorn, met die goedkeuring van 'n Edel Administrateur die Dorpsaanslegskema gewysig het deur deel X van erf 3962, groot ongeveer 1 130 m² soos aangedui op onderverdelingsplan O.E.50 te hersoneer vanaf voorstadse, sakeregtige na enkelwoondoeleindes. (AF.26/4/277.) — M. C. T. Schultz, Stadsklerk, Burgerentrum, Oudtshoorn, 12 Maart 1979 (Direkteur van Plaaslike Bestuur se verwysing AF.86/4/277 dateer 21 Februarie 1979.) 26