



CITY OF CAPE TOWN
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DURBANVILLE

TOWN PLANNING SCHEME

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THE TOWN PLANNING SCHEME OF THE MUNICIPALITY OF DURBANVILLE

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THE TOWN PLANNING SCHEME OF THE MUNICIPALITY OF DURBANVILLE

1. AREA OF SCHEME

The area to which this scheme applies is the Municipality of Durbanville.

2. DEFINITIONS

In this scheme -

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

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

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

"Boundary" in relation to a road means the boundary of the width of a road as fixed by or under any law;

"Building" means in addition to the meaning assigned thereto in paragraphs (a) and (b) of section 1 of Ordinance no 15 of 1952, any structure or erection whatsoever irrespective of its nature or size, excluding a boundary wall or fence;

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

- (a) any floor area, including basement area which is to be used only by the occupiers of residential accommodation on the site for garaging or parking purposes, and the area covered by the projection of eaves shall be excluded, but
- (b) all balconies, terraces, verandas or stairs above the floor level of the ground floor, whether or not they are covered by any roof, slab or other covering, shall be included; + *lofts*

"Business premises" means a building used or intended to be used as shops and/or offices and includes a bank, professional chambers, doctors' surgeries, stock of produce exchange and

buildings designed for similar uses, but does not include a place of assembly or amusement, an institution, service station, public garage, industrial building or noxious industrial building;

"Council" means the Municipal Council of Durbanville;

"Coverage" means the total percentage area of an erf that may be covered by buildings, measured over the outside walls and covered by a roof or projection provided that the area covered by a maximum eaves projection of one (1) metre shall be excluded for the purpose of determining the maximum permissible coverage;

"Drive-in restaurant" means any land or buildings used for a restaurant or cafe from which food and refreshments are served to persons who remain seated in motorcars parked in the vicinity of such restaurant or cafe;

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

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

"Erection" in relation to a building includes -

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

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

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

"Group housing zone" means land that has been formally zoned for such use. Such zoning should however not be interpreted as implying later cadastral subdivision.

"Group site" means a portion of land in a group housing zone which is capable of subdivision into several group erven with or without public street and with or without public open space.

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

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

- (a) a hospital, sanatorium, dispensary or clinic for the treatment of infectious or contagious

- diseases; or
- (b) premises licensed under Act No 38 of 1916 for the detention of mentally disordered persons; or
 - (c) a mental hospital;

"Intersection" means the area embraced within the prolongation of the lateral boundaries of two public roads which join each other at, or approximately at right angles, or the area within which traffic travelling on different roads joining at any other angle may come into conflict;

"Land" includes land covered with water and any right in or over land, and any reference to land is limited to land in the area;

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

"Light industrial building" means an industrial building in which the only power-driven machinery is driven by electricity, no single motor being rated at more than 5 kW with a total maximum of 25 kW for all motors per site;

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

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

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

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

"Noxious industrial building" means a building used or intended to be used for the purpose of carrying on an offensive trade such as set out in Government Notice no 1605 of 1934 with any additions made there to in terms of Public Health Act No 36 of 1919, and any amendments thereto

"Occupational practice" means the practising of a profession (e.g. that of veterinary surgeon, doctor, dentist, architect, engineer and psychologist etc.); semi-professional occupation (e.g. that of estate agent, computer programmer, building contractor, financial broker, word processor operator, etc.) And minor trade-like occupation (e.g. home bakery, weaver, dress maker, potter, beautician, artist, photographer and plumber) or the conducting of an enterprise from a dwelling unit by one or more

occupants of the dwelling unit concerned and his or their assistants, without disturbance as noise, traffic congestion, air pollution, the congregation of people, excessive traffic generation or a lowering of aesthetics being caused; provided that no motor cars, trucks or similar vehicles and supplies which are normally stored in the open, relating to the business, will be stored on the premises; provided that a general medical practitioner shall exempt from the condition with regard to occupancy.

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

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

"Parking bay" means a clearly demarcated area on the ground of 2,5 metre wide and five (5) metre long, with a demarcation line of at least 100 metre wide, which first-mentioned measurements shall include the demarcation line, and which can at all times be entered by a motor car of-

- (a) a length not exceeding 4,8 metres;
- (b) a width not exceeding 1,8 metres;
- (c) 1,2 metres from the rear axle to the rear of the car, and
- (d) 3,1 metres from the centre of the turning circle of the car to the inside rear wheel at full lock during steering.

"Place of assembly" means -

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

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

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

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

"Public garage" means a trade or business in respect of which a licence referred to in Item 15 of the Second Schedule to the Licences Act No 44 of 1962 is required and shall include the trade or business of fuelling motor vehicles for payment or reward;

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

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

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

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

"Shop" means a building -

- (a) for the purpose of carrying on a retail trade; or
- (b) for the purpose of carrying on a retail trade and repairing or manufacturing goods sold in such trade, provided such repair or manufacture does not constitute a factory within the meaning of the Factories Act No 22 of 1941; and
- (c) including a launderette and a dry-cleanette but does not include any other industrial building or a public garage;

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

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

"Street boundary" means the boundary of an erf or site which forms the boundary of a street, provided that where a portion of an erf or site is reserved in terms of the town planning scheme or any other law for use as a new street or a street widening, the street boundary is the boundary of such proposed new street or proposed street widening;

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

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

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

3. RESERVATION OF LAND

The notations in column one of Table A are reserved for the respective purposes indicated in column two of Table A and except as hereinafter provided, shall not be used for any other purposes whatsoever.

Table A : Indication on map of uses for which land is reserved.

RESERVED LAND USES	
INDICATION ON MAP OF RESERVED LAND (1)	USES FOR WHICH LAND IS RESERVED (2)
Dark red	New streets and proposed street widening
Hatched dark red	Street closures - land use to be determined after closure
Dark green	Public space or public open space
Yellow green	Private open space
Light yellow green with "CEM" superimposed	Cemetery purposes
Red brown with "LA" superimposed	Local authority purposes
Red	Government purposes
Light blue with "E" superimposed	Education purposes
Blue purple	Railway purposes
Light brown with "P" superimposed	Public parking purposes
Light brown	Existing streets
Light yellow green	Religious purposes

4. RESERVATION OF LAND

- 4.1 Save with the consent of the Council and the Administrator no person shall erect a building, or execute works, or make excavations on land reserved under Clause 3 hereof

other than buildings, works, or excavations required for or incidental to the purpose for which the land is reserved, provided that nothing herein contained shall be deemed to absolve any person from due compliance with the provisions of the Council's Regulations in so far as they are not in conflict herewith.

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

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

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

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

5. ERECTION AND USE OF BUILDINGS

5.1 The purpose for which buildings may be erected or used or may be erected and/or used only with the special consent of the Council, in each of the Use Zones specified in Table B are shown in columns (2) and (3) of the Table, respectively. Any use not reflected in columns (2) and (3) may not be permitted in the relative zone. No land shall be used for a purpose for which a building may not be erected or used on such land, provided that where a building may be erected and used for a particular purpose on land with the special consent of the Council, such land may be used for such purpose with such special consent.

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

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

5.4 **Table B : Zones, permitted uses and special consents**

ZONE	PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED	PURPOSES WITH SPECIAL CONSENT OF THE COUNCIL
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USE OF RIGHT

CONSENT USE

(1)	(2)	(3)
(A) Agricultural	Agricultural buildings subject to only one dwelling per erf.	Putting courses.
(B) Single Residential	Dwelling-houses	Place of public worship and place of instruction.
(C) General Residential	Block of flats, place of instruction, hotels and residential buildings which do not conduct off-sales establishments.	Place of public worship, institutional buildings and group housing provided that group housing shall comply with the requirements laid down in Clause 8.8 instead of with 8.3.
(D) Business Special	Flats and residential buildings above ground floor, business premises, licensed hotels, places of assembly, places of amusement, places of instruction.	Public garages, places of instruction.
(E) Business General	Flats and residential buildings above ground floor, business premises, licensed hotels, places of assembly, places of amusement.	Public garages, places of instruction.
(F) Minor Business	Blocks of flats above the ground floor, shops and dwelling houses	Putting courses and drive-in restaurants.
(G) Light Industrial	Warehouses	Light industrial buildings, public garages
(H) Industrial	Industrial buildings, warehouses, public garages.	-
(I) Undetermined	Existing uses only	-
(J) Group Housing	Group housing development in accordance with Clause 8.8	-

6. ADVERTISEMENT AND APPEAL IN CERTAIN CASES

6.1 Any person intending to make application to the Council for its consent to erection and use

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

6.2 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.

6.3 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.

7. SAVING FOR SPECIAL PURPOSES

7.1 Without prejudice to any powers of the Council derived from any other law, nothing in this scheme shall be construed as prohibiting or restricting, or enabling the Council to prohibit or restrict -

7.1.1 The letting, subject to the Council's by-laws relating to boarding houses and hostels, by any occupant of a dwelling-house, of any part of such dwelling house except as a tenement;

7.1.2 The occasional use of a place of public worship, place of instruction or institution as a hall for social functions, or;

7.1.3 The utilization of a portion of a dwelling unit for purposes of occupational practice.

7.2 The following conditions shall apply to a dwelling unit and property where a portion of a dwelling unit is used for purposes of occupational practice:

7.2.1 Such dwelling house, flat of residential building or any portion thereof shall not be used primarily as a shop, business, industry of noxious trade;

7.2.2 No goods for sale shall be publicly displayed;

7.2.3 No advertising sign shall be displayed other than an unilluminated sign or notice not projecting over a street, and shall not exceed 0,2 m² in area and shall indicate the name and profession or occupation of the occupant;

- 7.2.4 No activities shall be carried on which constitute or are likely to constitute a source of disturbance or nuisance to the occupants of other dwelling units or portions thereof;
- 7.2.5 On-site parking shall be provided for all clients, customers, visitors and the like when deemed necessary by the councils;
- 7.2.6 Except with the consent of the Council, the occupant shall not employ more than three persons in connection with such use on the property, whether or not such persons normally reside on or are employed at such unit; and
- 7.2.7 That products, goods, or supplies of any nature may only be stored on the premises in a room, building or structure of not more than ten percent (10%) of the total floor area of the dwelling on the premises with a maximum floor area of 40 m² and that no products, goods, or supplies of any nature may be stored on the premises in the open.
- 7.3 If anybody is of the opinion that any condition referred to in clause 7.2 or the definition of "occupational practice" is contravened, such person may lodge a written complaint with Council requesting action, which action shall include:
- 7.3.1 The serving of a written notice on a person conducting such an occupation or activity, calling upon such person to comply with the instructions set out in such notice, or
- 7.3.2 the serving of a written notice on the person conducting such occupation or activity, requiring such person to cease using the dwelling unit in questing for such occupation or activity by a date specified in such notice.

8. DENSITY CONTROL

The following restrictions shall apply in the relative zones :-

8.1 Agricultural zone :

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

8.2 Single Residential zone :

8.2.1 Dwelling-houses :

(a) Building lines :

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

- (i) street boundary : 4,50 m to any street boundary;
- (ii) rear boundary : 3 m to the rear boundary.
- (iii) lateral boundary : if the frontage of an erf exceeds 22 m in length, 2,50 m to any lateral boundary provided that the aggregate side space shall be not less than 6 m;
- (iv) lateral boundary : if the frontage of an erf is between 19 and 22 m in length, 1,5 m to any lateral boundary provided that the aggregate side space shall be not less than 5 m ;
- (v) lateral boundary : if the frontage of an erf is less than 19 m in length, 1 m to any lateral boundary provided that the aggregate side space shall be not less than 3,50 m
- (vi) further that no windows are inserted in any wall which is less than 1,5 m from any lateral boundary.

(b) Outbuildings :

- (i) Notwithstanding the abovementioned building lines, but subject to the Council's consent, an outbuilding used solely for the housing of motor vehicles may be erected within such side and rear spaces and any other outbuilding of the same height may be erected within the rear space and side space for a distance of 1 m measured from the rear boundary of the site.
- (ii) An outbuilding in terms of sub-paragraph (i) may only be erected nearer to a lateral or rear boundary of a site than the distance laid down for dwelling-houses, if no windows or doors are inserted in any wall facing such boundary.

(c) Building lines :

Notwithstanding the foregoing provisions, the following building lines shall apply to single residential erven in the area known as Kenridge as stated in proclamation 457 published in the Provincial Gazette dated 17 December 1970.

(i) Kenridge Extension and Kenridge Extension 1 :

No building or structure or any part thereof, with the exception of boundary walls and fences, may be built on the erf closer than 4.5 metres from the street boundary, or three (3) metres from the rear boundary, or 1.5 metres from the side boundaries of the erf, provided that with the permission of Council any outbuildings may be erected within the rear boundary space providing it is not used for human occupation and not exceeding a height of three (3) metres. If two or more erven are consolidated these conditions are applicable on the consolidated erf.

(ii) Kenridge Extension 2 :

No building or structure or any part thereof, with the exception of boundary walls and fences, may be built on the erf closer than 7.5 metres from the street boundary, or three (3) metres from the rear boundary, or 1.5 metres from the side

boundaries of the erf, provided that with the permission of Council any outbuildings may be erected within the rear boundary space for a distance of nine (9) metres providing that it does not exceed a height of three (3) metres. If two or more erven are consolidated these conditions are applicable on the consolidated erf.

8.2.2 Building lines for places of instruction and public worship :

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

8.2.3 Parking for places of public worship :

Parking on church premises shall be provided on a basis of one parking bay for every six seats in the church, provided that church halls and classrooms shall not be included in this calculation.

8.2.4 Maximum Coverage :

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

8.3 General residential zone :

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

8.3.1 Minimum site size :

■	Block of Flats	1 000 m ²
■	Licensed hotel	4 000 m ²
■	Other residential and institutional buildings	2 000 m ²

8.3.2 Maximum coverage :

■	Block of Flats	30 %
■	Licensed hotel	25 %
■	Other residential and institutional buildings	30 %

8.3.3 Spaces about buildings :

- (a) Street boundary : No building or structure, except boundary walls and fences, shall be erected nearer than 8 m from any street boundary (vide definition of "street boundary") of the site or the new street boundary provided for in clause 8.3.7 (b), whichever is the more restrictive on the site or erf.
- (b) Lateral space : 4,50 m or half the height of the building, whichever is the greater.
- (c) Rear space : 4,50 m or half the height of the building, whichever is the greater. Provided that outbuildings with the consent of the Council may be erected in the lateral and rear spaces for a distance of 11 m reckoned from the rear boundary, or in the case of corner sites, from the point

furthest from the streets abutting the site, on condition that an outbuilding may only be erected nearer to any lateral or rear boundary of a site than the distance laid down for the main building if no windows or doors are inserted in any wall facing such boundary.

8.3.4 Maximum bulk :

Maximum bulk in this zone shall be 0,75.

8.3.5 Maximum height :

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

8.3.6 Parking: The requirements in respect of minimum on-site parking prescribed for flats, institutional and residential buildings in the business zone (8.4.6 (b)) shall be complied with in all respects. b.17

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

- (a) the site abuts a street in a road reserve of at least 12,50 m in width which street shall be connected by a street or streets of not less than 12,50 m in width to a street of greater width; and
- (b) all street boundary walls or fences of the site are erected at a distance of not less than 8 m from the centre line of the abutting street or streets and the land between such boundary walls or fences and the legal street boundary is made up as part of such street. The portion(s) of the site falling within 8 m of the centre line of the abutting street(s) shall be excluded for the purpose of determining the coverage and bulk on the remainder of the site, provided however that if the owner transfers the said portion(s) of the site to the Council free of compensation, such portion(s) may be included for the purpose of determining the permissible bulk on the remainder of the site. The Council shall pay the cost of survey and transfer for single residential purposes. } 000000
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8.3.8 Provisions for places of instruction and public worship :

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

8.4 General and Special Business zone :

8.4.1 Coverage :

In this zone the area at the respective floor levels, of all the buildings on any site in relation to the site area, shall not exceed the percentages as given in Table C in accordance with the land use :

Table C : Maximum coverage according to land use.

LAND USE	COVERAGE
Blocks of flats and residential buildings above the ground floor	50 %
Licensed hotels	80 %
Business premises	80 %
Service stations	80 %
Places of assembly	80 %
Places of instruction	80 %

8.4.2 Maximum height :

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

8.4.3 Building lines :

(a) Street boundaries :

- (i) Subject to the provisions of section 146 of Ordinance no 15 of 1952, as amended, business premises and flats above the ground floor may be erected on the street boundary (vide definition of "street boundary").
- (ii) All other buildings shall be set back 4,50 m from the street boundary.

(b) Lateral boundaries :

- (i) Buildings on the ground floor may be erected on the lateral boundary of an erf (vide (e)) ;
- (ii) Buildings above the ground floor may be erected on the lateral boundary of an erf for a maximum distance of 12,50 m

measured from the street boundary or the street building line, whichever apply in terms of subparagraph (a), and thereafter shall be set back 4,50 m or $\frac{1}{2}$ the height of the building, whichever is the greater, from the lateral boundary (vide (e)) ;

(c) Rear boundaries :

- (i) Buildings on the ground floor may be erected on the rear boundary of an erf, (vide (e)).
- (ii) Buildings above the ground floor shall not be erected nearer than 4,50 m or $\frac{1}{2}$ the height of the building, whichever is the greater, from the rear boundary of an erf.
- (d) A building or portion of a building may only be erected on the lateral or rear boundary of a property if no windows, doors or ventilation openings are inserted in any wall on such boundary.
- (e) In the event of the common boundary between two erven forming the boundary between this zone and a residential zone, the side or rear space, as the case may be, applicable to the latter shall apply on both sides of the boundary in so far as it is more restrictive.

8.4.4 Basements :

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

8.4.5 Projections :

In this zone projections, excluding advertising signs approved by the Council in accordance with the provisions of any other laws, over streets and building lines shall be limited to minor architectural features and one cantilevered open canopy to within 0,5 m of the pavement edge, provided no portion of any projection shall be less than 3 m above the pavement and there shall be no access from the building to the canopy.

8.4.6 On-site parking : (For loading and off-loading facilities please refer to clause 11)

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

- (i) Business premises (including shops) :
30 m² parking for every 60 m² of the gross floor area of that portion of the building devoted to these uses.
- (ii) Blocks of flats and residential buildings :
One parking bay for each dwelling unit (flat) or in the case of hotels, boarding houses and residential buildings, each two bedrooms, plus an additional twenty bays in the case of a licensed hotel. Of the parking bays so prescribed, one bay for every four dwelling units or every five bedrooms in the case of hotels, boarding houses and residential buildings and the twenty additional parking bays prescribed for a licensed hotel shall be provided uncovered on the site and clearly demarcated and suitably sign-posted to the Council's satisfaction for the use by visitors to the premises.
- (iii) Places of assembly :
A minimum area shall be provided on the basis of one parking bay for every twenty seats provided in the building subject to a minimum of fifteen parking bays for each funeral parlour.
- (iv) Public garages :
120 m² exclusive of showroom and workshop areas for every grease bay or wash bay.
- (v) Institutional buildings :
One (1) parking bay for every 60 m² of the gross floor area must be provided if the building is used for office purposes; two (2) bays for every three (3) beds in the case of a hospital or nursing home; four (4) bays for every practising professional man if the building is mainly used for professional purposes, or a pro rata combination of the above-mentioned as may be applicable.
- (b) No parking area in the case of the general residential zones to which these provisions also apply by virtue of clause 8.4.5 shall be laid out within 4.50 m of a street boundary (vide definition of street boundary) ;
- (c) The vehicular access/exit ways to the site shall be restricted to not more than one each per site per street abutting the site, provided that in the case of public garages the provisions of clause 8.4.9 shall apply.
- (d) The vehicular access/exit ways to the site shall be restricted to a maximum width of 6 m where they cross the street boundary, provided

that in the case of public garages the provisions of clause 8.4.9 shall apply.

- (e) No vehicular crossing over the pavement shall be located nearer than 5 m to any street corner (i.e. the point of intersection of two street boundaries) provided that in the case of public garages, the provisions of clause 8.4.9 shall apply where more restrictive than the provisions of this sub-clause.
- (f) Such parking areas shall be properly constructed to the satisfaction of Council.
- (g) Such parking areas shall be used exclusively for the parking or standing of vehicles lawfully coming thereon and shall not be used for trading purposes or any other purpose.
- h) The manner in which it is intended that vehicles shall park or stand on such parking areas and the means of gaining access and exit shall be shown on a plan to be submitted to Council which may approve, disapprove or impose such conditions as it may deem fit. Council may impose more restrictive requirements than those of sub-clause (b) to (g) if considered necessary from any traffic point of view.
- (i) (i) As an alternative to the provisions of paragraph 8.4.6 (a) (i), the owner may, with the consent of Council, where it is of the opinion that it is undesirable or impractical from a planning point of view to provide the required parking area on the site, acquire the prescribed area of land for the parking facilities elsewhere in a position approved by Council provided he registers a notarial deed against such land to the effect that Council and the public shall have a free access thereto for the purpose of parking, and the owner shall be bound to level this land and surface and maintain it to the satisfaction of Council; the cost of registration of the servitude to be borne by Council.
- (ii) As an alternative to (i) (i) the developer/owner may, with Council's consent, pay an amount of cash to Council which is equal to the market value per m² of the land on which the development is done, multiplied with the area of land intended for parking as stated in clause 8.4.6(a)(i), in which case Council shall provide the land for these parking facilities.

8.4.7 Place of Assembly :

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

8.4.8 Non-conforming premises :

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

8.4.9 Public garages :

The following additional provisions shall apply :

- (a) For the purpose of these provisions -

"Boundary" in relation to a road means the boundary of the width of a road as fixed by or under any law;

"Intersection" means the area embraced within the prolongation of the lateral boundaries of two public roads which join each other at, or approximately at right angles, or the area within which traffic travelling on different roads joining at any other angle may come into conflict;

"Public garage" shall mean a trade or business in respect of which a licence referred to in Item 15 of the Second Schedule to the Licences Act No 44 of 1962 is required and shall include the trade or business of fuelling motor vehicles for payment or reward;

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

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

- (b) Notwithstanding any provisions of a town planning scheme no person shall erect a public garage which does not conform to the requirements hereafter set forth, except where the local authority on good cause shown and with the approval of the Administrator, authorises otherwise.
- (c) No engineering work which causes objectionable noise or in the course of which obnoxious or harmful gases, fumes or odours are released, no spray-painting and no panel-beating shall be carried on at a public

garage unless such garage is situated on land which may be used for industrial purposes.

- (d) No motor vehicle fuel pump shall be erected within 3,50 m of the road boundary measured from the nearest edge of the base or island on which the pump is erected, and no pumps for the supply of motor vehicle fuel to the public shall be erected on any premises with a continuous frontage of less than 30 m on the boundary of a public road or roads.
- (e) The vehicular access and exit ways to and from the premises of a public garage shall where they cross the road boundary be not more than 10 m wide and a wall at least 102 mm thick and 215 mm high shall be erected on the road boundary between the points of access and exit. The wall shall be continued along such boundary unless the premises are otherwise enclosed. The vehicular access and exit ways to and from motor vehicle fuel pumps at a public garage shall be restricted to one each for every continuous frontage of 30 m which the premises whereon such pumps are erected have on the boundary of a public road or roads.
- (i) (i) In an urban area the vehicular access and exit ways to and from the premises of a public garage, where they cross the road boundary, shall -
 - (1) not be less than 30 m from the nearest point of -
 - (a) the intersection of a declared road, proclaimed road, prospective main road, or any other road to which the provisions of section 146 of the Divisional Council's Ordinance, 1952 (Ordinance No 15 of 1952) apply, with any road of like status ;
 - (b) an intersection where traffic is controlled or is in terms of a town planning scheme proposed to be controlled, by a robot or traffic island ;
 - (2) not be less than 1,5 m from the lateral boundary of the premises ;
 - (3) in the case of an intersection other than one referred to in paragraph (1):
 - (a) if the corner at the intersection is not splayed, not be less than 10 m from such corner, or
 - (b) if the corner at the intersection is splayed, not be less than 10 m from such corner or 5 m from the point where the line of splay meets the road boundary, whichever is the greater

distance from the corner.

- (ii) In clause 8.4.9 (f) "corner" means the corner formed by the road boundaries or the prolongation of the road boundaries bordering the premises of a public garage.
- (g) In an area other than an urban area the vehicular access and exit ways to and from the premises of a public garage shall, where they cross the road boundary, be not less than 500 m from the nearest point of -
 - (i) the intersection of a declared road, proclaimed road or prospective main road with any other road of like status;
 - (ii) an intersection where traffic is controlled, or is in terms of a town planning scheme proposed to be controlled, by a robot or traffic island;
 - (iii) any vehicular access and exit ways where they cross the road boundary to and from motor vehicle fuel pumps on the premises of another public garage on the same side of the road.
- (h) Any part of the premises of a public garage which is used for the storage of disused motor vehicles or parts of motor vehicles, any other scrap whatsoever, or empty containers such as oil drums and packing cases, or for the assembly, repair, painting or dismantling of motor vehicles shall, unless it is enclosed by buildings at least 2 m high, be enclosed with a wall at least 2 m high.
- (i) At every public garage provision shall be made on the premises for an easily accessible and usable parking area, exclusive of showroom and workshop areas, to the extent of at least 120 m² for every grease bay or wash bay.

8.4.10 Combined buildings :

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

8.4.11 Blocks of flats and residential buildings :

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

8.4.12 Dry-cleanettes and launderettes :

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

- (a) The floor area of the shop for receiving and returning clothes, the workshop and the space used for the clothes racks together shall not exceed 275 m².
- (b) The minimum distance between the boundaries of any two dry cleanettes or launderettes, unless situated on opposite sides of a street shall be 60 m.
- (c) Only gas, electricity or illuminating paraffin shall be used for the production of steam or hot water.
- (d) The solution used in the cleaning process shall be nonflammable.
- (e) The combined capacity of the dry cleaning machines that may be installed shall not exceed 20 kg dry weight of clothing or other articles per cleaning operation per half hour cycle.
- (f) The combined capacity of the washing machines that may be installed shall not exceed 27 kg dry weight of clothing or other articles per washing operation.
- (g) In any establishment comprising either a dry cleanette or a launderette or a combination of both, the maximum personnel shall be 12.
- (h) Each individual application for the establishment of a launderette or a dry cleanette in this zone shall be submitted to the Council for its special consent and the Council shall be furnished with full information as to the maximum and minimum capacities of the machines to be operated, the number of employees and floor space to be occupied.
- (i) If the Council is of the opinion that the site of a proposed dry cleanette or launderette is unsuitable on the grounds of possible nuisance, danger to public health, etc., it shall submit the application, together with its view and recommendations and the reasons therefor to the Administrator whose decision shall be final.

8.4.13 Funeral parlours with chapels :

The following additional provisions shall apply :

- (a) For the purpose of these provisions, "intersection" and "traffic island" shall have the meanings assigned thereto in clause 8.4.9 (a), relating to public garages.
- (b) No funeral parlour with a chapel shall be permitted on a site abutting a street of less than 12.50 m in width.
- (c) No funeral parlour with a chapel shall be permitted nearer than 100 m from -
 - (i) the intersection of a declared road, proclaimed road, prospective

main road, or any other street to which the provisions of section 146 of the Divisional Council's Ordinance, 1952 (Ordinance No 15 of 1952) apply with any other street of like status;

- (ii) any robot whether existing or provided for in the town planning scheme ; and
- (iii) any intersection where traffic is controlled, or is proposed to be controlled in terms of the town planning scheme, by a traffic island.

8.5 Minor business zone :

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

8.5.1 no erf shall form the site of both a dwelling-house and a flat, and

- 8.5.2 not more than one floor of business premises and one floor of flats shall be erected on a site in this zone.

8.6 Light industrial and industrial zones:

8.6.1 Maximum coverage :

The maximum coverage in this zone shall be 75 %.

8.6.2 Loading or unloading :

For the purpose of loading or unloading vehicles there shall be left on the site a space or spaces amounting to not less than -

- (a) 20 % of the total floor area of the building; or
- (b) 25 % of the area of the site,

whichever is the lesser and the linear dimensions of such space or spaces shall be such that the shortest distance measured at right angles between any two sides thereof is in no case less than 8 metres. Such space or spaces shall have vehicular access to a street, which shall be to the satisfaction of the Council and shall not be less than 5 m wide and, if carried through a building, not less than 3 m in height.

8.6.3 Boundary walls or fences :

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

8.6.4 Building lines :

No building or any portion thereof, except boundary walls and fences, shall be erected nearer than 3 m from any street boundary of the site or the new street boundary in the preceding sub-clause III, whichever is the more restrictive on the site.

8.6.5 Zone boundary :

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

8.6.6 Maximum height :

No building in the light industrial zone shall exceed a height of two storeys.

8.7 Undetermined zone :

In this zone no person shall erect a building or alter, add to or extend an existing building nor shall he use any existing building or land for a purpose for which, or in a manner in which, it was not used on the day of, without the consent of the Council and the Administrator.

8.8 Group housing zone :

8.8.1 Definitions

"Group housing zone" means land that has been formally zoned for such use. Such zoning should however not be interpreted as implying later cadastral subdivision.

"Group site" means a portion of land in a group housing zone which is capable of subdivision into several group even with or without public street and with or without public open space.

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

8.8.2 Maximum density

The density should bear some relationship to the density of single residential development, not in excess of a 2:1 rate and the maximum should in any event -

- (a) Normally (i.e. in the case of a site which portions be required for road(s) and/or public open space purposes) not be more than 30 units per gross hectare, depending on where it is. In the residential parts of town it is limited to 25 units per gross hectare.
- (b) In special cases (i.e. where the group site was originally planned as such and public open space and/or road(s) have already been suitably provided to cater therefor and need not be deducted from the site) not more than an utmost maximum of 40 units per gross hectare.

Note: The number of gross hectare is equal to the total area of the group site in hectare (where "group site" is as defined in 8.8.1 above).

8.8.3 Open spaces :

A minimum of 80 m² per dwelling unit shall be provided and in this context the term "open space" means public open space excluding roads and private yards. This requirement falls away

- (a) in cases where public open space has been suitably provided in the

vicinity to cater for group housing on the particular site. .

- (b) in cases where it may be impractical to provide open space (or to provide all the open space required), in which event a cash endowment may be paid in lieu of the required open space (or the short fall).
- (c) in the general residential zone(s) but only in the event of the provision of public open space as part of the group housing development regarded unreasonable by virtue of compliance with the group housing density should this be more restrictive than the permissible general residential density.

8.8.4 Private yard and garden :

Group erven should be designed to provide an enclosed service yard of adequate area and in addition a private garden or outdoor living area of, in total, at least 40 % of the floor area with a minimum of 50 m².

8.8.5 Side and rear building lines :

The local authority need not insist on side and rear building lines other than those required for fire fighting purposes or when a group erf abuts an erf with a different zoning. In the latter case a side and rear space of three (3) metres is considered the minimum.

8.8.6 Street building lines :

This shall be at the discretion of the local authority and in certain cases no street building line other than that requires for safe traffic movement may be imposed but this will depend on the nature of existing development in the vicinity of the group dwellings.

8.8.7 Height of buildings :

The maximum permissible height of buildings should normally be 8 metres measured from the mean ground level of the building to the top of the parapet or cornice in the case of a flat roof, or to a point midway between the eaves and the ridge in the case of a pitched roof.

8.8.8 On site parking :

Accommodation for the parking of motor vehicles shall be provided on each group erf on the minimum basis of at least two parking bays per erf. Although not essential, it would be preferable if one bay could be under cover.

8.8.9 Aerials :

No aerial which can be seen from any point outside such erf should be erected on any group erf or attached to the buildings except for such communal masts as may be permitted by the local authority.

8.8.10 Storerooms :

A storeroom with a minimum internal area of two square meters should be provided on each erf if no lock-up garage is provided on the erf or on a separate erf ancillary thereto.

8.8.11 Aesthetic and environmental treatment :

Where landscaping, paving and any other treatment, such as the provision of public open space, is considered necessary to render the site suitable for group housing, this may be required by the authorities and carried out to their satisfaction by the owner at his cost.

9. NUMBER OF BUILDINGS PER ERF

9.1 Notwithstanding anything to the contrary herein contained-

9.1.1 Number of dwelling units per erf :

One additional dwelling unit only shall be permitted on a erf within the single residential use zone;

9.1.2 Floor area :

Such unit shall have a floor area not exceeding 120 m² or one third (33%) of the total floor area of the existing building on the erf, whichever is the lesser, except that where the primary unit is smaller than 108 m², a second dwelling unit with a maximum total floor area of 36 m² shall be permitted;

9.1.3 Appearance :

An additional dwelling unit may be an integral part of or linked to the primary unit, or free standing;

9.1.4 Building lines :

The building lines prescribed for the primary unit shall apply to the second dwelling unit, and

9.1.5 Procedures :

The normal procedures for the removal of restrictive title conditions, submission of building plans together with a written application for permission to erect such unit and letters of no objection from all the adjoining property owners (as required by Council) shall apply.

9.2 Services and facilities :

Notwithstanding the provisions of the above subclause, Council shall approve applications for second dwelling units only if it is the opinion that the existing engineering services and community facilities can accommodate the increase in density.

10. EXTERNAL APPEARANCE OF BUILDINGS

- 10.1 Any person intending to erect any building shall furnish Council for its consideration if it so requires (in addition to any plans and particulars required to be submitted under any of Council's Regulations) with drawings or other sufficient indication of the external appearance of the proposed building, including such description of the materials to be used for that purpose. The drawings shall be upon suitable and durable material to a scale of not less than 1:100 except that where the building is so extensive as to render a smaller scale necessary, the drawings may be to a scale of 1:200. Council may require such alterations to the external appearance and building materials as it may seem necessary.

11. LOADING AND OFF-LOADING FACILITIES

- 11.1 Except in the light industrial and industrial zones, for the purpose of preventing obstruction of traffic on any street or proposed street, on which the proposed building would front or abut, Council may require the owner to submit for its approval proposals for securing, to the satisfaction of Council, suitable and sufficient accommodation within the site for any loading, unloading or fuelling of vehicles which are likely to be habitually involved in connection with the use of the building.
- 11.2 No owner or occupier of the building in respect of which proposals under this clause have been required shall undertake or knowingly permit the habitual loading or unloading or fuelling of vehicles otherwise than in accordance with approved proposals.

12. USE OF OUTBUILDINGS PRIOR TO COMPLETION OF MAIN BUILDING

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

13. PROCEDURE

- 13.1 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.
- 13.2 The Council shall keep, so as to be available for inspection at all reasonable times by any person interested a record of approvals, consents, authorities or permissions granted by it, or on appeal from its decision under any provisions of this scheme, and of any conditions imposed or agreed between the Council or approved or imposed by the Administrator or refusals by the Council or the Administrator and the applicant in connection therewith.
- 13.3 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.

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

13.5 13.5.1 Every amendment or proposed amendment to this Statement shall be in the form prescribed in Appendix A of the mentioned Ordinance.

13.5.2 Every amendment shall be serially numbered, and the Town Clerk shall maintain a register of all such amendments in the form prescribed in Appendix B of the mentioned Ordinance, which register shall be open to inspection by members of the public during such hours as the Council may prescribe for this purpose.

14. APPROVED TOWNSHIPS

14.1 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.

14.2 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.

15. PUTTING COURSES AND DRIVE-IN RESTAURANTS

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

15.2 Entrance/exit :

No putting course or drive-in restaurant and the necessary parking area shall be permitted on a site abutting a road of less than 12,05 m in width. No vehicular entrance/exit for these undertakings shall be nearer than 100 m from an intersection as defined in clause 8.4 (IX) (a) where two proclaimed roads meet or where traffic is controlled by robots or traffic island.

15.3 Parking :

Provision shall be made on the site of every putting course for a parking area on the basis of 3 parking bays to every 2 holes in a putting course, provided that where a putting course is adjacent to a drive-in restaurant and the parking area for the two undertakings are not clearly separated, 50 parking bays must be provided for the drive-in restaurant in addition to the parking facilities prescribed for the putting course. The provisions of clauses 8.4 (VI) (b) to (h) shall be applicable, mutatis mutandis, to any parking area required in terms of

this clause.

15.4 Boundary :

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

15.5 Sanitary facilities :

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.

15.6 Landscaping :

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

15.7 Closing time :

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

15.8 Building regulations :

Any buildings or structures erected on the site of a putting course and/or a drive-in restaurant shall fully comply with the provisions stipulated in the town planning scheme for the zone in which the site is located.

15.9 Public address or sound system :

Any public address or sound system at a putt-putt course and/or a drive-in restaurant shall at all times be operated in such a manner that the Council is satisfied that no nuisance whatsoever is caused to the occupants of near by properties.

15.10 Advertising :

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

16. **BOUNDARY WALLS AND FENCES**

- 16.1 No person shall erect any boundary wall or fence of any nature on any street boundary of any premises or boundary facing a public open space without the prior approval of the Council and in accordance with the provisions contained herein. Any person applying for the Council's approval to erect a boundary wall or fence as aforesaid shall submit plans in triplicate drawn in accordance with the scales stipulated in the Council's building by-law, clearly indicating the position of the erf, the foundations, the materials to be used in

construction, together with adequate dimensions of the boundary wall or fence proposed.

16.2 Height of the boundary wall :

16.2.1 The height of any boundary wall or fence shall not exceed 1.8 metres; provided that the Council shall have the right to demand a height or more or less 1.8 metres where in the opinion of Council the attractiveness of a building or property may be detrimentally affected, taking into consideration the provisions as contained in section 186(27) of the Municipal Ordinance, 1974.

16.2.2 The height of boundary walls and fences shall be measured from the level of the pavement, and in the absence of a pavement, from the natural level of the ground outside the property immediately adjacent to such boundary wall or fence. If the ground level slopes longitudinally along the length of the boundary wall, the height of the boundary wall at each end of the slope shall not exceed the permitted height, and it shall be stepped in a series of even steps between piers (where necessary), which steps shall deviate as little as possible from the mean permitted height.

16.3 Stability :

Where piers or columns of brick, stone, concrete or similar materials are required by Council to ensure stability, their size and spacing shall be in accordance with the requirements of Council to ensure stability, their size and spacing shall be in accordance with the requirements of Council.

16.4 Appearance :

16.4.1 Boundary walls and fences situated on street boundaries and/or other abutting upon the boundaries of public open spaces and which are erected within the prescribed building line restrictions shall comprise of the following materials only:

- (a) Face bricks with face-brick finishing;
- (b) plastered and painted brickwork;
- (c) decorative brick blocks;
- (d) galvanized or plastic-coated wire mesh;
- (e) wooden fences, which shall consist of properly processed timber as approved by the Town Engineer;
- (f) precast iron work; or
- (g) precast panels with a decorative face-brick inlay or a natural stone inlay or patterned and permanently coloured by the addition of a pigment during the manufacturing thereof, as determined by the Town Engineer from time to time.

16.4.2 Council reserves the right to demand from owners on whose property boundary walls made of precast concrete panels have been erected after 11 July 1980, to paint such boundary walls in a colour approved by the Town Engineer where such boundary walls abut on public open spaces and roads.

- 16.5 All boundary walls and fences shall present a fair face to the street and to abutting public open spaces in accordance with the provisions contained in clause 16.4.1
- 16.6 No person shall allow any boundary wall or fence to fall into a ruinous, dilapidated or dangerous state, and the Council may serve a written notice upon such person requiring him within a period of 21 days and subject to such instructions and conditions as may be contained therein, to repair, alter, demolish or remove such boundary wall or fence as his own cost. Should the owner fail to comply with the requirements thereof within the time specified therein the Council may direct the Town Engineer to carry out the requirements of such notice and thereafter recover the cost of so doing from such owner.
- 16.7 Where in the opinion of the Council it is in the interest of the neighbourhood and in the case of industrial premises, the Council may grant a waiver from compliance with or relax any provisions of this clause

TER INLIGTING

GOEDGEKEURDE WYSIGINGS

Hierdie afskrif bevat die volgende wysigings wat sedert 1976 gegoedgekeur is.

OFFISIËLE GAZETTE		
KOERANTNO.	KENNISGEWINGNO	DATUM
3872	AF 206/6/0/31	6 Februarie 1976
-	AF 209/6/0/3	November 1979
4646	19543	8 Junie 1990
4719	PK 730/1991	18 Oktober 1991

Hierdie is die soneringskema soos wat dit tans gebruik word, tesame met die wysigings wat tot op hede afgekondig is. Daar is verdere voorstelle gemaak oor sekere veranderings, maar dit is nog nie afgekondig nie, en dus nog nie bygevoeg nie.

Hierdie is 'n wetlike dokument en daar mag gevolglik geen veranderings aangebring word nie soder dat dit deur die korrekte prosedure gaan nie. Vir enige verdere navrae oor hierdie dokument, spreek asseblief die stadsbeplanner.

Dokument no : 7494

Datum : Julie 1995