



KNYSNA ZONING SCHEME REGULATIONS

(1992)

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1. DEFINITIONS

Unless the context otherwise indicates, the under mentioned words shall have the following meanings:

“advertise” has the meaning assigned thereto in the Land Use Planning Ordinance 1985 (Ordinance 15 of 1985);

“aesthetic committee” means a committee appointed by Council and comprising one or more members with the necessary qualifications, background and experience to advise the Council on any building operation in the conservation area or in any other area the Council may require;

“agriculture” means the cultivation of land for crops and plants and for the breeding of animals, or the operation of a game farm on an extensive basis on the natural veld or land; it includes only such activities and buildings, which are reasonably connected with the main farming activity on the farm;

“authority usage” means a use, which is practised by a public authority and of which the locality factors are such that it cannot be classified or defined under other uses in these regulations, and includes uses practised by -

- a) the State, such as military training centres and installations telecommunication facilities, police stations and jails;
- b) the Province, such as road stations and road camps; and
- c) a local authority, such as fire services, sewerage farms, dumping grounds, reservoirs, composting installations and water purification works.

“basement” means that portion of a building, the finished floor level of which is at least 2m below a level halfway between the highest and lowest natural ground levels immediately contiguous to the building; provided that only one basement per structure will be permitted and in any case such basement comply with the definition of a storey.

“building” means in addition to the meaning assigned thereto in paragraphs (a), (aA) and (b) of section 2(xi) of the Municipal Ordinance, 1974, (Ordinance 20 of 1974), any structure or erection whatsoever irrespective of it's nature or size;

“building line” means the line delimiting the area measured from the boundary of a land unit within which no building or other structure, except a boundary fence; may be erected; provided that no fence shall be in excess of 1,2m height within the street building line area;

“business building” means a site and/or building which is used or intended to be used for shops and/or offices and includes liquor stores, financial institutions, professional offices, consultation rooms for doctors, share-markets or stock-exchanges, restaurants and buildings for similar purposes, but does not include places of assembly or entertainment, institutions, public garages, service stations, service trades, repair or related replacement functions, industries or noxious trades;

“caravan” means any vehicle permanently fitted out for use by people for living or sleeping purposes, whether or not such vehicle is a trailer, or self-propelled vehicle but does not include mobile home;

“caravan park” means an informally laid out area for the accommodation of caravans and for tents on clearly demarcated sites or stands, but not for mobile homes which may only be parked in caravan parks in terms of a town planning departure approved by the Council;

“caretaker’s quarters” means a building which is secondary to a building or usage in the service trade zone or industrial zone, and in such zones as the Council may from time to time decide and which may only be erected after or with the establishment of the primary activity for the accommodation of a caretaker;

“cemetery” means a site where people are buried or cremated;

“communal area” means land earmarked for the communal use, in accordance with the law on common property, by the owners of group erven in a group housing scheme, including private roads used for entrance to all or some of the group erven;

“conservation area” means the area demarcated as such on the zoning map within which the land use parameters set out under clause 2.7 in these regulations shall apply notwithstanding the requirements stipulated in any particular land use zone;

“construction” in relation to a building mean –

- a) the erection, alteration, subdivision, conversion or addition to a building; and
- b) the reconstruction or restoration of a building that was completely or partially destroyed or demolished;

“Council” means the Town Council of Knysna;

“coverage” means the total area, expressed as a percentage of a site, that may be covered by buildings measured over outside walls and covered by a roof or projection; provided that the area covered by the first metre (as measured from the outside of the exterior wall concerned) of an eave or other similar projection shall not be included in the calculation of the permissible coverage; provided further that covered parking is included under the meaning of coverage;

“dwelling house” means a building containing only one dwelling unit;

“dwelling unit” means a self-contained interleading group of rooms with not more than one kitchen, used only for the living accommodation and housing of a single family, together with such outbuildings as are ordinarily used therewith ;

“farm stall” means a building and/or structure which does not exceed 100m² in floor space where a farmer sells products, whether to his employees or to the general public;

“flat” means a unit of accommodation –

- a) that is part of a building containing two or more units of accommodation of which at least one does not have a ground floor, or
- b) intended for use by the caretaker of a non-residential building; such flat shall however not be on the ground floor; and a “block of flats” has similar meaning;

“floor factor” means the factor (expressed as a proportion or factor of 1) which is prescribed for the calculation of the maximum floor space of a building or buildings permissible on a land unit; it is the maximum floor space as a proportion of the net erf area where maximum floor space does not include a basement used for the parking of vehicles;

“floor space” in relation to any building or structure means the area covered by a roof, slab or projection, excluding a projection not exceeding 1m over an exterior wall, provided that the area which is covered by a canopy or projection on the street side of a business building in the business zone and the local business zone shall not be regarded as floor space. Floor space shall be measured from the outside surface of the exterior walls of the building, and where a building or structure consists of one or more than one storey, the total floor space for the purposes of the definition of “maximum floor space” shall be the sum of the floor space of all the storeys, including that of a basement;

“gross parking space” means the area of one parking bay plus circulation space for such parking bay;

“ground floor” means the lowest floor of a building which is not a basement;

“group erf” means a piece of land in a group scheme which has been approved for the erection of a single living unit as part of a group housing scheme;

“group housing” means a group of separate and/or linked individual dwelling units which is planned, designed and built as an harmonious architectural entity which has a medium density character and with single or double storey units. The units may either be cadastrally subdivided or not;

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

“holiday flat” means a flat which is specifically used for holiday purposes compared to permanent occupation;

“height” means also the maximum number of storeys permitted, the number of storeys being the multiple of 4m permitted in the height restriction

“holiday housing” means a harmoniously designed and built holiday development with an informal clustered layout which may include the provision of a camping site, caravan park, holiday flats or dwelling units, but does not include a hotel, motel or mobile homes;

“home industry” means the manufacturing or preparation of delicacies/edibles and other small articles in a private residence for selling to the public;

“home owners association” means an association prescribed by section 29 of the Ordinance;

“industry” means a building or usage, other than a noxious trade, which concurs with the meaning of a factory as defined in the Machinery and Occupational Safety Act, 1983 (Act 6 of 1983), and includes an 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, and included all light industrial uses, but does not include a service trade;

“institutional building” means a building or portion of a building used or intended to be used as a health or welfare institution and/or for the administration thereof, and includes a hospital, clinic, or reformatory, whether private or public, but does not include a jail or place of detention;

“lagoon boundary” means the lagoon, river or sea boundary determined as a straight line boundary by the Surveyor General for that boundary adjacent to the high water mark as during normal spring tide;

“land” has the meaning assigned thereto in the Ordinance;

“lateral boundary” means that boundary of an erf or site which is not also a lagoon, street or rear boundary of the particular erf or site;

“licensed hotel” means a building designed to comply with the requirements of a hotel as laid down in the Hotel Act, 1965, (Act 70 of 1965) as amended, but does not include an off-sales facility;

“light industry” means an industrial building or industrial usage where the only power-driven machine is electricity powered, and no single engine may have a capacity of all the engines may not exceed 25kw;

“limited business use” means the sale of goods or articles, also to the general public, from the same premises as where they are manufactured or stored; provided that the area of the building devoted to the sale of such goods or articles shall be not in excess of 10% of the total floor space of the building;

“linked” in relation to the definition of “group housing” and “town house” means to be connected by means of a boundary wall and/or garage;

“liquor store” means a shop in which mainly alcoholic beverages are sold in the retail trade , and includes an off-sales facility which is under the same management as a licensed hotel;

“map” means the map on which the different zones which are in force and provided for in these regulations, are visually plotted and “zoning map” has a corresponding meaning;

“maximum floor space” means the total floor space which is allowed for a building or buildings on a site, such floor space is calculated by multiplying the floor factor with the nett erf area of a site or that portion of the site which is situated within the relevant zoning provided that where the erf is within two or more zones to which different floor factors apply, the maximum floor space for the whole site shall be the total of the maximum floor space for each portion of the site, provided further that for the purpose of determining the floor space of a building:

- a) any area, including a basement, which is reserved solely for the parking of vehicles, shall be excluded; and
- b) any part of the structure such as balconies, terraces, steps, staircases, verandas, communal corridors, irrespective of whether it is covered by a roof or not, shall be included;

“mobile home” means a factory assembled structure, approved by the Administrator and with the necessary service connections, which can be transported on the site and which is designed in such a manner that it can be used as a permanent dwelling but does not include any extensions by means of normal building materials;

“natural ground level” means the natural ground height as depicted on an approved contour map, i.e. prior to any earthworks or landscaping;

“nett erf area” means the total area of a land unit excluding all land zoned for public purposes;

“noxious trade” means an offensive use which constitutes a nuisance as envisaged in regulations which are promulgated from time to time in terms of section 33 and 34 of the Public Health Act, 1977 (Act 63 of 1977) read with paragraphs (f) and (g) of the definition of “nuisance” in section 1 of the said act, and includes the operation of a scheduled process as defined in section 1 of the Air Pollution Prevention Act, 1965 (Act 45 of 1965) and the manufacturing of explosives as defined in section 1 of the Explosives Act, 1956 (Act 26 of 1956);

“nursery” means a place where plants are cultivated and sold to the public;

“occupant” means any person who physically inhabits a building, a structure or land;

“occupational practice” means the practising of an occupation, or a trade, 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 disturbances such as noise, traffic congestion, air pollution, the congregation of people, excessive traffic generation or a lowering of aesthetics being caused; provided that a general medical practitioner shall be exempt from the condition with regard to the occupancy;

“outbuilding” means a structure, whether attached to or separate from the main unit, which is designed to be normally utilized for the housing of servants, for the garaging of motor vehicles and for storage purposes in so far as these uses are usually and reasonable required in connection with the main structure, but does not include second dwelling units;

“panhandle erf” means an erf where vehicular access is achieved by means of a narrow access strip, which is part of the erf;

“parking bay” means an area measuring not less than 5,5m by 2,5m which is clearly outlined and demarcated for the parking of one motor vehicle, and which is accessible to the satisfaction of the Council and which includes sufficient manoeuvring space for vehicles to enter and leave the parking bays safely;

“place of assembly” means a public hall, a town or civic centre hall for social functions, music hall, concert hall or exhibition hall which is not directly related to a commercial undertaking;

“place of entertainment” means a theatre, bioscope, dance hall, amusement park, sports centre, billiard room, skating rink and a public or private sports club;

“place of instruction” means a school, college, technical institution, academy, university, lecture hall or other centre of instruction, and includes a hostel appertaining thereto, as well as a convent, monastery, public library, art gallery, museum, gymnasium or creche, but does not include a building used or intended to be used wholly or primarily as a certified reformatory or industrial school, or as a school for the mentally handicapped;

“place of worship” means a church, synagogue, mosque, temple, chapel or other place for practising religion and includes any building in connection therewith but does not include a funeral parlour with related chapel, which forms part of such parlour;

“private open space” means any land which has been set aside in this scheme for use as a private site for sport, play, rest or recreational facilities or as an ornamental garden or a pleasure garden and includes land which is or will be under the control of a private person or body on a long term basis;

“professional usage” means such type of uses as that are normally and reasonably associated with the concept “professional”, e.g. doctors, dentists, architects, engineers, etc. The rendering of a service, as against carrying on a business, is one of the distinguishing factors;

“public garage” means a business concern where motor vehicles are provided with fuel for payment or reward and includes trading in motor vehicles, oil, tyres or motor spares, the repair or overhauling of motor vehicles, a restaurant or café, spraypainting, panel beating, blacksmithery or body work;

“public open space” means land which falls under, or is intended to come under the ownership of the local authority, which is not leased or intended to be leased on a long-term basis and which is utilized or will be utilized as an open space, park, garden, picnic area, playground or square, and includes a “public place”;

“public parking” means land or a building or a part thereof that is accessible to the general public for parking purposes.

“public place” has the same meaning as assigned thereto in The Ordinance;

“public road” means any road or street for public use or any land intended for such purposes;

“public street” has the same meaning as assigned thereto in The Ordinance;

“rear boundary” of an erf or site means every boundary thereof (excluding a lagoon boundary and / or street boundary) that runs parallel or within 45 degrees to every street boundary of the mentioned plot or erf and that does not link up with the street boundary;

“register” has the meaning assigned thereto in The Ordinance;

“regulations” means the written addendum to the map in terms of which town planning control must be exercised, and refers to this document;

“residential building” means a building (other than a dwelling house, group house, second dwelling unit or flat) for human habitation, together with, such outbuildings as are normally used therewith, and includes a boarding house, residential rooms, hostels, apartment houses, residential clubs, old age homes, children’s homes and hostels, but does not include buildings mentioned whether by way of inclusion or exclusion in the definitions of “place of instruction” and “institutional buildings”;

“riding school” means a place of enterprise for hiring out horses for payment, and includes the care and stabling of such horses;

“scrapyard” means a building or land which is used for one or more of the following purposes:

- a) the storing, depositing or collecting of junk or scrap material or articles of which the value depends entirely or partially on the material out of which they are manufactured; and
- b) the dismantling of second-hand vehicles or machines to recover components or material;

“second dwelling unit” means a secondary dwelling which is constructed on premises where a dwelling already exists in a single residential zone or agricultural zone by means of the addition of a second kitchen with or without a stove and/or a dish-washing basin, but does not include a mobile home;

“service station” means a business concern where motor vehicles are provided with fuel for payment or reward and includes trading in motor vehicles, oil, tyres or motor spares, the repair of motor vehicles, but excludes spraypainting, panel beating or body or blacksmith work;

“service trade” means a building or usage whether it is an industry or not, which is primarily involved in the rendering of a service, which can be reasonably regarded as being out of character in the residential or business area of the town, which is exclusively directed towards the local environs, and include buildings and usages which are from time to time exempted from section 2 of the Physical Planning Act, 1967 (Act 88 of 1967);

“shop” means a site and or building an or structure used for offices or for the purpose of carrying on a retail concern and includes a laundrette, a dry cleanette or a retail concern where goods which are sold in such concern are manufactured and/or repaired; provided that the floor area relating to such manufacture and/or repair comprises not more than one third of the floor area of the shop, but does not include an industry, public garage, service station or bottle store;

“site boundary” of a site or erf means any boundary which is not a lagoon boundary, street boundary or rear boundary;

“site” means the actual net erf area and also the land allocated within a caravan park for the accommodation of a tent or a caravan with the towing vehicle if applicable;

“special usage” means a use which is such, or a use of which the land use restrictions are such, that it is not catered for in these regulations, and which is set out in detail, and of which the land use parameters are set out in detail, by means of the regulations contained in the Special Zone;

“storey” means a single level of a building, including a basement, which does not exceed a height of 4m, measured from finished floor level to finished floor level or to the ceiling in the case of the top storey;

“street” has the same meaning as assigned thereto in section 2 of the Municipal Ordinance, Ordinance 20 of 1974;

“street boundary” means the common boundary of a site or land unit and a street; provided that where a portion of a site or land unit is reserved for purposes of a new street or street widening in terms of the zoning scheme or any other law, the street boundary of the site or land unit shall be the boundary of such proposed new street or proposed street widening;

“subdivisional area” means land contemplated by section 22(1) (a) of The Ordinance which, in terms of section 14 (4), 16 or 18 and subject to:

- a) a density requirement;
- b) the conditions and stipulations contained in these regulations;
- c) the planning stipulations of any applicable structure plan;
- d) any other conditions laid down at the time or the approval of the rezoning and has been rezoned to a subdivisional area;

“The Ordinance” means the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);

“townhouse” means a dwelling unit which forms part of a row or group of linked and /or attached dwelling units planned, designed and built as a harmonious architectural entity, of which every dwelling unit has a ground floor; such dwelling units may be cadastrally subdivided or not;

“transport undertaking” means a transport business based on the provision of a transport service and includes public as well as private undertakings but does not include any courier undertaking which is normally regarded as a business;

“warehouse” means a site or building where goods are stored and includes a limited business use but does not include any manufacturing;

“zone” means a portion of land which is indicated on the zoning map for a specific zoning, regardless of whether it embraces one or more land units or part thereof;

“zoning” means a category of requirements that determines firstly the purpose for which the land must be used and secondly the land use restrictions that are applicable in terms of the specific land uses as required by these regulations;

“zoning map” means the map on which the different land use zones as stipulated in table A of these regulations are indicated by means of colour or monochrome notation;

“zoning scheme” means the scheme consisting of these regulations and the register and the zoning map;

2. LAND USE

2.1 Area of zoning scheme.

The area to which this scheme applies is the whole area of jurisdiction of the Knysna Municipality. The extent of the scheme is shown on the map with dark blue outline 5mm in width.

2.2 Components of the zoning scheme

This zoning scheme consists of three components:

- a) the zoning map;*
- b) the scheme regulations; and*
- c) the register.*

2.3 Date of commencement

This zoning scheme became operative on 13 April 1992 which is the date on which it was approved by the Administrator.

2.4 Zoning according to utilization

Notations on the zoning map are intended to indicate land use and not land ownership. Land falling under the ownership of a public authority shall only be included in the authority zone if the utilization thereof is such that no other zone in Table B is appropriate. If any other zone in Table B is appropriate, the land shall be indicated for that purpose, whether or not it is owned by a public authority.

2.5 Zoning of Land as specified use zones

The land shown on the zoning map, as indicated in column 2 or 3 of Table A, is zoned for the respective purposes set out in column 1 of Table A and shall, subject to any provisions to the contrary in The Ordinance and these regulations, not be utilized for any other purpose.

TABLE A	
ZONING	COLOUR NOTATION
Agricultural zone	<i>Black with olive-green outline</i>
Single residential zone	<i>Yellow</i>
Group housing zone	<i>Yellow hatching</i>
General residential zone	<i>Orange</i>
Business zone	<i>Blue</i>
Local business zone	<i>Blue with black diagonal hatching</i>
Commercial zone	<i>Red-purple</i>
Industrial zone	<i>Blue-purple</i>
Noxious trade zone	<i>Blue-purple with black hatching</i>
Service station zone	<i>Red-purple with black hatching</i>
Institutional zone	<i>Grey</i>
Educational zone	<i>Blue-green</i>
Public authority zone	<i>Red</i>
Transport zone	<i>Light brown hatching</i>
Cemetery zone	<i>Yellow-green with black hatching</i>
Public open space zone	<i>Dark-green</i>
Private open space zone	<i>Yellow-green</i>
Resort zone	<i>Greenhatching</i>
Street zone	<i>Blank</i>
Parking zone	<i>Light brown with black hatching</i>
Special zone	<i>Pink with encircled number</i>
Undertermined zone	<i>Dark brown outline</i>
Subdivisional area	
Conservation area	

2.6 Erection of buildings and utilization of land in specific use zones

The purposes, called primary uses, for which land may be utilized in the various zones indicated in column 1 of Table B are shown in column 2 of Table B. The purposes, called consent uses, for which land may be utilized or buildings may be erected with consent of the council in the various zones indicated in column 1 of Table B are set out in column 3 of Table B. Any use not reflected in column 2 or 3 shall, subject to any provisions to the contrary in the Ordinance and these regulations, not be permitted in the zone concerned.

It must be noted that the buildings and uses which are permitted in terms of Table B or may be approved with consent of the council may be subject to departures, which may in effect make the right attached to a land unit more or less restricted than is apparent from the notation relating to the land unit shall be recorded in the register kept for this purpose (see regulation 2.2).

TABLE B		
Zoning	Primary Uses	Buildings And Uses Permitted With The Consent Of Council
Agricultural Zone	Agriculture	Farmstalls Nurseries Riding Schools Second Dwelling Units
Single Residential Zone	Dwelling Houses	Home Industries Creches General Medical Practitioners Second Dwelling Units
Group Housing Zone	Group Houses	Town Houses Dwelling Houses
General Residential Zone	Flats Licensed Hotels without off-sales facilities. Residential buildings which do not establishments	Institutional Buildings Professional Usage Group Houses Town Houses Dwelling Units
Business Zone	Business Licensed Hotels including off-sales facilities; Flats (Above ground floor only) Residential buildings (Above ground floor only) Warehouses (Excluding transport undertakings)	Institutional Buildings Places of Assembly Service Trades Places of Entertainment Service Stations
Local Business zone	Shops Flats (above ground floor only)	Flats Places of Entertainment Service stations Town houses
Commercial zone	Service trades	Service stations Warehouses Business buildings Light industries
Industrial zone	Industries Warehouses Transport undertakings	Service trades Service stations Places of entertainment Places of assembly Public garages Scrap yards Limited business uses
Noxious trade zone	Offensive trade buildings	Industrial buildings
Service station zone	Service stations	Restaurants, cafes and related shops
Institutional zone	Institutional buildings Places of public worship	Places of assembly Dwelling houses (parsonages only)

Educational zone	Places of instruction	Places of instruction
Public authority zone	Authority usage	None
Transport zone	Transport undertakings	None
Cemetery zone	Cemeteries	None
Public open space zone	Public open spaces	None
Private open space zone	Private open spaces	None
Resort zone	Holiday housing	Places of entertainment, restaurants, & related shops
Street zone	Streets	None
Parking zone	Public or private parking	None
Special zone	Various specific uses where every use has it's own set of development parameters	None
Undetermined zone	Existing buildings and uses only	None

2.7 CONSERVATION AREA

2.7.1 Purpose of the conservation area:

The purpose of the conservation area is to retain the unique character of the aesthetical sensitive areas of Knysna by the preservation of:

- existing buildings, other structures or land of historical, aesthetic or architectural significance;
- existing building lines; and
- existing trees which are conservation worthy.

The above objectives will be strived after through:

- the establishment of an Aesthetic Committee dealing with applications and matters within the conservation area and advising Council thereon; and
- the control of building design and building lines in the case of new buildings on erven not built upon and also in the case of existing buildings to be replaced, altered or extended.

2.7.2 Development parameters in the conservation area

No specific pre-determined development parameters shall apply in the conservation area. The aesthetic committee shall consider the building plans of any building operation and shall advise the Council as to the requirements needed for such building operation to comply with the objectives of the conservation area as stipulated in clause 2.7.1 above. The guidelines which the Aesthetic Committee shall apply are set out in Annexure B to these regulations. These guidelines do not form part of the scheme regulations and can be amended by Council if so required or if so recommended by the Aesthetic Committee. Notwithstanding the above, the requirements recommended by the Aesthetic Committee and approved by the Council with regard to any particular building operation shall have the same power and effect as if it was part of these regulations and shall prevail if the land use restrictions in the particular zone or if the Council's building regulations are in conflict therewith.

2.7.3 Procedures applicable in the conservation area

The procedures or route followed with the approval of building operations in the conservation area shall be determined by the Council.

3.0 PLANNING CONTROL

The following requirements shall apply in the particular uses zones:

3.1 AGRICULTURAL ZONE

3.1.1 Notation and Permissible Uses

Notation on map : colour – white with olive green outline
monochrome – letratone S52105

Primary use : agriculture

Consent uses : farm stalls, riding schools, nurseries and second dwelling units.

3.1.2 Land Use Restrictions

Height : at most 12m above the natural ground level directly below a given point or portion of the building.

Building Lines : no building or any portion thereof, except fences and boundary walls, shall be erected less than 10m from any boundary of the property.

3.1.3 Additional Restrictions Applicable to Specific Uses in this Zone

Notwithstanding the above restrictions which apply to all buildings in this zone, the following restrictions shall specifically prevail and apply to the buildings and/or uses stipulated.

3.1.3.1 Second Dwelling Units

Total floor space : at most 90m²; provided that a garage is not included in this area.

3.1.3.2 Farm stalls

Building lines : not less than 5m from any road reserve boundary and not less than 10m from all other boundaries.

3.2 SINGLE RESIDENTIAL ZONE

3.2.1 Notation and Permissible Uses

Notation on map	: colour - yellow monochrome – letratone LT145
Primary use	: dwelling houses
Consent uses	: home industries, creches, general medical practitioners, second dwelling units

3.2.2 Land Use Restrictions

Coverage

- at most 30% for plot sizes larger than 1500m²
- at most 35% for plot sizes between 500m² & 1500m²
- at most 50% for plot sizes smaller than 500m²

Height

- at most 8m above natural ground level directly below a given point of the building with a maximum of 2 storeys;
- provided that a departure from the 2 storey limit may be considered due to the slope of the site;
- provided further that the 8m restriction is maintained and that the additional storey is added to the building on the lower side of the slope.

Building lines

- no building or any portion thereof, except boundary walls and fences, shall be erected on a site closer than 4,5m from the street boundary or less than 2,0m from the lateral and rear boundaries of the site.
- Further, a building line of 5.0m shall apply with regard to the lagoon boundary as well to the registered site boundary adjacent to the lagoon. Notwithstanding these building lines Council, may without advertisement approve the erection of an outbuilding or second dwelling unit which exceeds a side and/or rear building line, subject to:
 - a) compliance with the street building line;
 - b) such building not exceeding a height of 5m above the natural ground level directly below a given point or portion of the building;
 - c) no doors or windows being permitted in any wall of such building which fronts onto the side and/or rear boundary concerned; and

- d) the provision of an access way, other than through a building and at least 1m wide, from a street to every vacant portion of the land unit concerned, other than a court-yard

3.2.3 Additional Restrictions Applicable to Specific Uses in this Zone

Notwithstanding the above restrictions which apply to all buildings in this zone, the following restrictions shall specifically prevail and apply to the buildings and/or uses stipulated.

3.2.3.1 Second dwelling units

Total floor space

- 33,3% (one third) of the total floor space of the primary unit but in any event at most 90m² provided that a garage is not included in this area;
- provided further that the maximum coverage stipulated in par.3.2.2 apply to all buildings on the site.

Sectional titles

- second dwelling units or any other structures on a single residential site shall not form the subject of subdivision by means of sectional title.

3.2.3.2 General medical practitioners

Above and beyond the provisions of clause 4.8.1 general practitioners (not dentists or specialists) may establish consulting rooms, with the consent of Council, even if they do not reside on the site, on condition that:

- a) approval for only one medical practitioner per single residential site may be given;
- b) the Council satisfies itself that no offence or inconvenience will be caused to the surrounding residents;
- c) the cars of visitors and clientele do not cause inconvenience to the surrounding residents and Council may specify the provision of on-site parking if deemed necessary;
- d) no advertisement signs other than a name plate of at most 20cm x 30 cm be displayed on the site;
- e) the practitioner employs at most 1 technical or administrative assistant on the site; and
- f) the Council may terminate its consent if in its opinion the particular use causes inconvenience to the surrounding residents.

3.2.3.3 Home industries

A home industry shall comply with the meaning attached thereto in these regulations and shall also be subject to regulation 10 of the Health Regulations No.R.2795 of 1979, as amended. The following guidelines shall apply when considering home industries:

- a) the main usage of the site shall remain residential;
- b) the particular home industry shall not cause inconvenience to neighbours;
- c) the particular home industry shall not detract from the aesthetic environment (building or otherwise); and
- d) the home industry shall not require any additional building construction or extension of existing buildings on the site.

Apart from the above guidelines the Council retains the right to terminate any home industry without proof of the reasons for such decision.

3.2.4 Density Control

The following minimum erf sizes apply to subdivisions with the stipulated areas:

Eastford	8000m ²
Kanonkop	8000m ² (with regard to properties with view over lagoon)
Kanonkop	4000m ² (with regard to properties without a view over the lagoon)
Paradise/Heuvelkruin/	
Knysna Heights	1200m ²
Hunters Home	1500m ²
The Heads	1000m ²
Town Central	to be considered on merit with due regard to the erf sizes within a 150m radius from the application.

Subdivisions in Old Place and Leisure Island are permitted on condition that the new erf size shall not be smaller than the sizes of the erven prior to consolidation, provided further that the new erven to be created shall be consistent with the ruling erf sizes in the environment.

In the case of any subdivision creating a pan-handle erf in the areas stipulated in this clause, the area of such pan-handle erf, excluding the area of the handle or access strip, shall not be less than 90% of the minimum erf size required for the particular areas under this clause. Furthermore the Council shall determine the minimum width of the access strip for pan-handle erven which in any case shall not be less than 4,5m wide or for access strips exceeding 50 m in length not less than 6,0m wide.

3.3 GROUP HOUSING ZONE

3.3.1 Notation and Permissible Uses

Notation on map

: colour – yellow hatching
monochrome – letratone LT916

Primary use

: group housing

Consent uses

: dwelling houses and town houses

3.3.2 Land Use Restrictions

Density

- at most 30 units per gross hectare or a ratio of 4:1 in relation to the surrounding single residential density, whichever is the lower;
- provided that a group site shall not be in excess of 2 hectares.

Height

- at most 8m above the natural ground level directly below a given point or portion of the building

Building Lines

- street building lines may be zero. However if in the opinion of the Council a street building line is required for a safe traffic movement or for aesthetic reasons and development in the area, a building line of at most 4,5m may be applied. The street building line in respect of the motor garage, or otherwise the design thereof, shall be such that a car of average length can be parked outside the road reserve in front of the closed garage without obstructing vehicular traffic in the street or pedestrian traffic on the sidewalk. Building lines in respect of lateral and rear boundaries can also be zero except as may be required for services. The building lines in respect of the lagoon boundary shall be 5m. In case where a group housing zone borders another zone, a building line of 3m shall apply on the common boundary between the two zones.

Parking

- at least 2 parking bays per group house;
- both may be provided at the group house, or part of the required parking provision at some of the group houses and the remainder in the form of communal parking for the particular group housing scheme, or the entire requirement in the form of communal parking;

	provided further that at least 50% of the parking bays should be covered.
Street widths	at least 10m, or 8m in the case of a cul-de-sac or loop road of limited length which serves not more than 14 group houses.
Communal open space	at least 80m² per group house
Private outdoor space	at least 40% of the gross floor space of the relevant unit, in the form which does not exceed a ratio of 2.1 (length to width).
Design	the objectives reflected in the definition of “Group Housing” (as contained in the Definitions) shall be closely followed and implemented.
General	- In addition to the private outdoor space or combined open space, as the case may be, a service yard of an adequate area and screened by a wall from the view of anyone other than the residents of the relevant dwelling unit, shall be provided to the satisfaction of the Council. - A lock-up garage, carport, service yard and atrium shall be excluded from calculation of gross floor space for the purposes of determining the area of the 40% private outdoor space. - A service yard and carport cannot be calculated as part of private outdoor space but a patio can. - The provision of joint services with regard to different group erven in order to save on service costs is permissible but separate metres shall be provided where applicable. - Where paving, landscaping, other treatment (such as the provision of public open space outside of the site in respect of which application is made or additional open space within the site in respect of which application is made) or other aesthetic requirements are considered necessary to make the site suitable for group housing, this may be required by the authorities and such requirements shall be executed to their satisfaction at the expense of the owner. The Council reserves the

right to, either maintain the site by means of inviting public tenders on an annual basis for the maintenance thereof at the expense of the developer or not to become involved in such maintenance.

- f) No profession or related occupation may be exercised in a group housing zone.
- g) Notwithstanding the provisions of the Municipal Building Regulations which apply from time to time, no external additions to buildings or building work shall be allowed in the relevant scheme, except in cases where the external character and architectural style of the scheme is not detrimentally affected.

3.3.3 Additional Restrictions Applicable to Specific Uses in this Zone

Notwithstanding the above restrictions which apply to all buildings in this zone, the following restrictions shall specifically prevail and apply to the buildings and/or uses stipulated.

3.3.3.1 Dwelling house

Dwelling houses in this zone shall be subject to the same development restrictions as stipulated in the single residential zone.

3.4 GENERAL RESIDENTIAL ZONE

3.4.1 Notation and Permissible Uses

Notation on map	: colour - orange monochrome – letratone – LT905
Primary uses	: flats, licensed hotels without off-sales facilities and residential buildings which do not conduct off-sales establishments
Consent uses	: institutional buildings, professional usage, group houses, town houses and dwelling houses

3.4.2 Land Use Restrictions

Floor factor	: at most 1,0 (covered parking not included)
Coverage	: at most 50% (inclusive of covered parking)
Height	: at most 12m above the natural ground level directly below a given point or portion of the building
Building lines	: a street building line of 8m and a lagoon building line of 10m shall apply while the building lines in respect of the lateral and rear boundaries shall be 4,5m or equal to half of the height of the building, whichever is the greater.

Notwithstanding these building lines the Council may, without advertisement, approve the erection of an outbuilding within the side space and rear space subject to:

- a) compliance with the street building line;
- b) such outbuilding not exceeding a height of 6m above the natural ground level directly below a given point or portion of the building;
- c) no doors, windows or any other opening being permitted in any wall of such outbuilding which fronts onto the side and/or rear boundary concerned; and provision of an access way, other than through a building and at least 1m wide, from a street to every vacant portion of land unit concerned, other than a court-yard.

Parking

: 1 parking bay for every dwelling unit (flat) or in the case of hotels, boarding houses and other residential buildings for every one bedroom. The parking bays, i.e. not manoeuvring space, must be covered and as such indicated on the building plan. In addition to the parking area and parking spaces described above visitors parking has to be provided on site at 1 parking bay for every 2 dwelling units (flats) or every 4 bedrooms in the case of hotels, boarding houses and other residential buildings, plus an additional 20 parking bays at least for a licensed hotel. Visitors parking can be provided uncovered on the site but must clearly be demarcated for use by visitors by means of a notice board to the satisfaction of the Council. All the above parking requirements only represent a minimum and the Council may require more parking if in its opinion a specific development justifies a more stricter parking requirement. Only one vehicular access and egress per block of flats of at most 6m wide or as stipulated by the Council.

Furthermore, in the case of a block of flats at least 15% of the site area shall be reserved separately from the parking area as an undivided area for gardening or recreation.

3.4.3 Additional Restrictions Applicable to Specific Uses in this Zone

Notwithstanding the above restrictions which apply to all buildings in this zone, the following restrictions shall specifically prevail and apply to the buildings and/or uses stipulated.

3.4.3.1 Professional usage

Parking : In the case of professional buildings at least 3 parking bays per practicing professional shall be provided on the site, of which 2 parking bays per practicing professional shall be clearly demarcated for use by visitors (clients, patients, etc.).

General : One family will be allowed to reside on the site in a dwelling unit, which forms an inherent part of the primary building.

3.4.3.2 Group houses and dwelling units

The restrictions, to which dwelling houses in the single residential zone and group houses in the group housing zone are subject to, are also applicable in this zone.

3.4.3.3 Town houses

Height : at most 8m above the natural ground level directly below a given point or portion of the building

3.4.4 General

3.4.4.1 Municipal services, refuse removal, washing lines and external toilet facilities.

The Council shall, when considering building plans in the case of any development in this zone, give special attention to the provision of the above facilities with the objective to ensure the best functional and aesthetical results are achieved and to this end may stipulate any requirement/s it deems necessary.

3.4.4.2 Existing conditions

With regard to the following properties the conditions of approval originally stipulated when the properties were rezoned to general residential shall remain in force and in the event of any dispute as to which conditions shall apply the more restrictive shall have preference.

Properties

Original Zoning

3256 to 3264 (Group housing)	General Residential
4310 to 4316 (Group housing)	General Residential
4991 to 5003 (Group housing)	General Residential
5164 to 5173 (Group housing)	General Residential
7263 to 7274 (Group housing)	General Residential
1367 (Group housing)	General Residential
3094 (Group housing)	General Residential
4638 (Group housing)	General Residential
4939 (Group housing)	General Residential
250 (Resort)	General Residential

3.5 BUSINESS ZONE

3.5.1 Notation and Permissible Uses

Notation on map	: colour - blue monochrome – letratone LT84
Primary uses	: business buildings, licensed hotels, flats (above ground floor only), residential buildings (above ground floor only) and warehouses (excluding transport undertakings).
Consent uses	: institutional buildings, places of assembly, service trades, places of entertainment and service stations.

3.5.2 Land Use Restrictions

Floor factor	: at most 1,5 of which not more than 1,0 may be used for business purposes.
Coverage	: at most 100%
Height	: at most 12m above the natural ground level directly below a given point or portion of the building.
Building lines	: business buildings and flats or residential buildings above business buildings may be erected on the street boundary. All other buildings shall comply with a building line of 4,5m from the street boundary. With regard to lateral and rear boundaries a zero building line shall apply. With regard to the lagoon boundary a 10m building line shall apply. A building or part thereof erected on the lateral or rear boundary of the erf shall not contain any windows, doors or ventilation openings in any wall erected on such boundary. In the case where the business zone has a common boundary with a single residential, group housing or general residential zone, the building line required in respect of the particular residential zone shall apply on both sides of the common boundary between the two zones notwithstanding the abovementioned stipulations prescribed for the business zone.
Parking	: at least one parking bay for every 25m ² total floor area of that portion of the building which is devoted to business use. A stricter parking requirement than the aforementioned may be required by the Council in a specific case where the Council is of the opinion that the type of development envisaged will create a bigger parking demand than prescribed. In addition to the parking

required for business, 1 parking bay has to be provided for every residential unit in the case of flats and for every room in the case of hotels and residential buildings. Further to the above, visitors parking has to be provided in the following cases:

- 1 parking bay for every three residential units above ground floor;
- 1 parking bay for every four bedrooms in the case of residential buildings above ground floor; and
- at least 20 parking bays in the case of licensed hotels.

General

a)

Alternative parking requirements

- (i) As an alternative to the provisions of on site parking, the owner may, with the consent of the Council, where it is of the opinion that it is undesirable or impractical from a planning point of view to provide the required parking area on site, acquire the prescribed area of land for the provision of parking elsewhere in a position acceptable to the Council provided he registers a notorial deed against such land to the effect that the Council and the public shall have free access thereto for the purpose of parking, provided further the owner shall be bound to level this land and to provide it with a surface, stormwater, kerbs, marking and maintain it to the satisfaction of the Council; cost of registration of the servitude to be borne by the owner.
- (ii) As an alternative to (a)(i) above the owner may, with the consent of the Council, pay a cash sum to the Council equal to the market value per m² of the land on which the building is erected multiplied by the area in m² of parking required in terms of these regulations plus the development cost of a hard (tar or paving) demarcated parking; provided such cash sum in lieu for parking shall be deposited in a capital parking fund out of which running cost shall not be recovered.

b)

Additional parking and site access requirements

- The vehicular access/exit ways shall be restricted to not more than one each per site per street abutting the site.
- The vehicular access/exit ways to/from the site shall be restricted to a maximum total width of 6m where it crosses the street boundary.
- No vehicular crossing over the pavement shall be located nearer than 5m to any street corner (i.e. the point of intersection of two street boundaries).
- Parking areas shall be properly constructed and paved with stormwater drainage and kerbs and pavements, fully marked to the satisfaction of the Council.
- Such parking areas shall be used exclusively for the parking of vehicles lawfully gaining access thereto and shall not be used for trading purposes or any other purposes.
- The manner in which it is intended that vehicles shall park or stand on such parking area and the means of gaining access and exit shall be shown on a plan to be submitted to the Council which may approve, disapprove or impose such conditions as it may deem fit. The Council may impose more restrictive requirements if considered necessary from any traffic point of view or if the prescribed parking provision is regarded to be inadequate.
- All parking bays must be clearly indicated or paint marked to the satisfaction of the Council and easy access to every bay must be ensured while visitors parking shall be indicated accordingly by paint markings in the bays itself.

c)

Basements

Subject to the provision of section 188 (17) of the Municipal Ordinance, 1974 (Ordinance 20 of 1974), as amended the building line restrictions need not to be complied with in so far as basements are concerned.

d)

Projections

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

3.5.3 Additional Restrictions Applicable to Specific Uses in this Zone.

Notwithstanding the above restrictions which apply to all buildings in this zone, the following restrictions shall specifically prevail and apply to the buildings and/or uses stipulated.

3.5.3.1 Institutional buildings, places of assembly and places of entertainment

Coverage : at most 80%

Parking : 1 parking bay for every 5 seats. In cases where this requirement can technically not be calculated, the provision of parking shall be determined by the Council.

3.5.3.2 Service stations and service trades

Service stations and service trades in this zone shall be subject to the restrictions stipulated in the service station zone and commercial zone respectively.

3.6 LOCAL BUSINESS ZONE

3.6.1 Notation and Permissible Uses

Notation on map	: colour – blue with black hatching monochrome-letratone LT928
Primary uses	: shops, flats above ground floor
Consent uses	: flats, service stations, town houses and places of entertainment

3.6.2 Land Use Restrictions

Floor factor	: at most 1,0
Coverage	: at most 80%
Height	: at most 8m above the natural ground level directly below a given point or portion of the building.
Building lines	: a street building line of 5m and a lagoon building line of 10m but zero lateral and rear building lines, except where this zone is bordering a residential zone in which case the building line required in the applicable residential zone shall apply on both sides of the common boundary between this zone and the residential zone.
Parking	: parking shall be provided on the same basis as the business zone, i.e. one parking bay for every 25m ² of the total business floor area. As in the business zone this requirement should not be seen as if the Council is limited to not requiring more parking bays if it so deems necessary for safe traffic movement or any other reason. For residential units above ground floor, 1 parking bay per unit has to be provided plus 1 bay for every 2 units for visitor parking.

3.6.3 Additional Restrictions Applicable to Specific Uses in this Zone.

Notwithstanding the above restrictions which apply to all buildings in this zone, the following restrictions shall specifically prevail and apply to the buildings and/or uses stipulated.

3.6.3.1 Flats

Floor factor	: at most 1,0
Coverage	: at most 50%
Height	: at most 8m above the natural ground level directly below such point or portion of the building.
Building lines	: the building lines stipulated in the general residential zone shall apply.
Parking	: as in the general residential zone.

3.6.3.2 Town Houses

Floor factor	: at most 1,0
Coverage	: at most 50%
Height	: at most 8m above the natural ground level directly below such point or portion of the building.
Building lines	: a street building line of 8m and lateral and rear building lines of 4,5m a lagoon building line of 10m shall apply.
Parking	: 1 parking bay for every living unit plus 1 bay for every 2 units provided for and clearly marked for visitors to the satisfaction of the Council

3.6.3.3 Places of Entertainment

Parking	: as the parking provision for places of entertainment can often not be calculated according to the number of seats, the Council shall determine the number of parking bays to be provided in each instance.
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3.6.3.4 Service Stations

Service stations shall be subject to the same requirements as set out in the service station zone.

3.7 COMMERCIAL ZONE

3.7.1 Notation and Permissible Uses

Notation on map	: colour – red-purple monochrome – letratone S52104
Primary use	: service trades
Consent uses	: service stations, warehouses, business buildings and light industrial

3.7.2 Land Use Restrictions

Floor factor	: at most 1,0
Coverage	: at most 80%
Height	: at most 8m above the natural ground level directly below a given point or portion of the building.
Building lines	: a zero street building line shall apply while lateral and rear building lines can also be zero on condition that there may be no door or window openings in the walls facing the said boundaries, otherwise a building line of 1,5m shall apply on the said lateral and rear boundaries. A building line of 10m shall apply in respect of the lagoon boundary. In the case of a common boundary between this zone and a residential zone, the building line required in the particular residential zone shall apply on both sides of the common boundary.
Parking	: 1 parking bay for every 60m ² of the total floor space that is devoted to service trade use. More parking may be required by the Council if it deems such higher provision necessary in respect of a particular service trade

3.7.3 Additional Restrictions Applicable Specific Uses in this Zone

Notwithstanding the above restrictions which apply to all buildings in this zone, the following restrictions shall specifically prevail and apply to the buildings and/or uses stipulated.

3.7.3.1 Service stations

The restrictions applicable to service stations in the service station zone shall also apply to service stations in this zone.

3.7.3.2 Business buildings

Parking : 1 parking bay for every 25m² of the total floor area devoted to business use.

3.7.3.3 Light industrial buildings

The restrictions applicable to industries in the industrial zone shall also apply to light industrial buildings in this zone except that the floor factor shall be at most 0,9 .

3.8 INDUSTRIAL ZONE

3.8.1 Notation and Permissible Uses

<i>Notation on map</i>	: colour – blue-purple monochrome – letratone LT167
Primary uses	: industries, warehouses and transport undertakings.
Consent uses	: service trades, service stations, public garages, places of entertainment, places of assembly, scrap yards and limited business uses.

3.8.2 Land Use Restrictions

Floor factor	: at most 1,0
Coverage	: at most 75%
Height	: at most 16m above the natural ground level directly below a given point or portion of the building.
Building lines	: a street building line of at least 6m shall apply while a building line of 10m shall apply in respect of the lagoon boundary. No lateral or rear building lines shall apply except if, in the opinion of the Council, such building lines are necessary to enforce any right or law or to provide space for the maintenance of any engineering service line or to promote public health. Furthermore, if this zone is bordered by a single residential zone, group housing or general residential zone, the building line required in respect of the particular residential zone shall apply on both sides of the common boundary between this zone and the residential zone.
Parking	: at least 1 parking bay per 100m ² floor space
Loading and unloading	: for the purpose of loading and unloading vehicles a space must be provided on site to the satisfaction of Council in accordance with Table C hereunder. For this purpose a loading bay shall be 45m ² . Such bays shall have vehicular access (which shall be to the satisfaction of the Council and shall not be less than 5m wide and, if carried through a building, not less than 4,1m in height) to a street, be provided with a hard surface, neatly paved with stormwater drainage and be clearly marked.

TABLE C	
GROSS FLOOR AREA PER BUILDING (to nearest m²)	REQUIRED LOADING AND UNLOADING AREA
1 – 2 500 m ²	1 bay
2 500 m ² - 5 000 m ²	2 bays
5 000 m ² - 10 000 m ²	3 bays
Every 10 000 m ² or portion thereof	1 additional bay

3.8.3 Additional Restrictions Applicable to Specific Uses in this zone

Notwithstanding the above restrictions which apply to all buildings in this zone, the following restrictions shall specifically prevail and apply to the buildings and/or uses stipulated.

3.8.3.1 Scrapyards

Any land that is used for the purpose of a scrapyard, a builder's yard, a coal yard, timber yard or a transport undertaking, shall be fenced on all boundaries in a manner and with materials as required by the Council.

3.8.3.2 Limited business use

Parking for a limited business use shall be provided on the site at a ratio of 1 parking bay for every 10m² of the total floor area that is devoted to the limited business use

3.8.3.3 Service stations and public garages

The restrictions applicable to service stations in the service station zone shall also apply to service stations and public garages in this zone.

3.9 NOXIOUS TRADE ZONE

3.9.1 Notation and Permissible Uses

Notation on map : colour – blue-purple with black hatching
monochrome – letratone LT168

Primary uses : offensive trade buildings

Consent uses : industrial buildings

3.9.2 Land Use Restrictions

The restrictions applicable in the Industrial zone shall apply in this zone, except that:

- a) any primary use has to be approved specifically by the Council;
- b) where this zone is abutting a residential area the building lines applicable to a building in this zone shall be as follows:
 - street building line : 6m
 - rear and lateral building lines : 10m for planting shrubs and trees;
- c) industrial effluent, noise, smoke, gasses and stormwater shall be purified, controlled, measured and tested in a manner as and when the Council may determine and the cost applicable to such steps shall be for the account of the applicant or the license holder or whoever is operating the offensive trade.

3.9.3 Additional Restrictions Applicable to Specific Uses in this Zone

No additional restrictions or exclusions shall apply.

3.10 SERVICE STATION ZONE

3.10.1 Notation and Permissible Uses

Notation on map	: colour – red-purple with black hatching monochrome – letratone LT130
Primary use	: service stations
Consent uses	: restaurants and cafés

3.10.2 Land Use Restrictions

Floor factor	: at most 1,5
Coverage	: at most 75%
Height	: at most 8m above the natural ground level directly below a given point or portion of the building.
Building lines	: a street building line of at least 3,5m shall apply provided that this building line shall also apply to the erection of petrol pumps. In respect of the lagoon boundary a building line of 10m shall apply. Lateral and rear building lines can be zero provided that the Council may specifically require building lines on these boundaries if it deems them necessary in the interest of public health or to enforce any law or right.
Parking	: at least 1 parking bay per 50m ² of total floor space of all buildings, provided that these parking bays shall be clearly demarcated for visitors.

Vehicular access

- a) The vehicular access and exit ways to and from the premises of a service station or public garage shall, where they cross the road boundary, be not more than 10m wide, and a wall at least 100mm thick and 200mm 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 the motor vehicle fuel pumps shall be restricted to one of each for every continuous stretch of frontages of 30m which the premises whereon such pumps are erected have on the boundary of a public street or public road.
- b) In an urban area the vehicular access and exit ways to and from the premises of a service station or public garage, where they cross the road boundary, shall:
 - i) be not less than 30m from the point nearest to where a declared road, proclaimed road or prospective main road intersects any other road of a like status, or the nearest point of an inter-section where traffic is controlled, or is proposed to be controlled, by a traffic signal or traffic island.
 - ii) be not less than 1,5m from the side boundary of the premises, or
 - iii) in the case of an inter-section other than one referred to in paragraph (i), if the corner of the intersection is not splayed, be not less than 10m from such corner, or if the corner at the intersection is splayed, be not less than 10m from such corner or 5m from the point where the line of splay meets the road boundary, whichever is the greater distance from the corner.
- c) In an area other than an urban area the vehicular access and exit ways to and from the premises of a service station or public garage shall, where they cross the road boundary be not less than 500m from the point nearest to:
 - i) where a declared road, proclaimed road or prospective main road intersects any other road of a likewise status;

- ii) an intersection where traffic is controlled, or is proposed to be controlled by a traffic signal or traffic island; or
- iii) where any vehicular access and exit ways cross the road boundary to and from motor vehicles fuel pumps on the premises of another service station or public garage on the same side of the road.

Fencing

: any part of the site which is used as a scrap yard shall be fenced with a 2m high brick or concrete wall.

3.10.3 Additional Restrictions Applicable to Specific Uses in this Zone

No additional restrictions or exclusions shall apply.

3.11 INSTITUTIONAL ZONE

3.11.1 Notation and Permissible Uses

Notation on map	: colour – grey monochrome – letratone LT953
Primary uses	: institutional buildings, places of worship.
Consent uses	: places of assembly and parsonages

3.11.2 Land Use Restrictions

Floor factor	: at most 1,0
Coverage	: at most 60%
Height	: at most 12m above the natural ground level below a given point or portion of the building, except that this restriction shall not apply to church towers.
Building lines	: 6m on all boundaries with regard to all buildings on the site, except for parsonages; provided further that in the case of lagoon boundary a 10m building line shall apply.
Parking	: on site parking has to be provided at a ratio of at least 1 parking bay for every 5 seats provided in all the buildings on the site while in the case of institutional buildings the number of parking bays shall be determined by the Council. The parking area shall not be closer than 4,6m to any street boundary and the lay-out of the parking area is subject to the approval of the Council.

3.11.3 Additional Restrictions Applicable to Specific Uses in this zone

Notwithstanding the above restrictions which apply to all buildings in this zone, the following restrictions shall specifically prevail and apply to the buildings and/or uses stipulated.

3.11.3.1 Parsonages

Building lines	: the building lines as applicable in the single residential zone shall apply to a parsonage.
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3.12 EDUCATIONAL ZONE

3.12.1 Notation and Permissible Uses

Notation on map : colour – blue-green
monochrome-letratone LT949

Primary use : places of instruction

Consent use : places of assembly

3.12.2 Land Use Restrictions

Floor factor : at most 1,0

Coverage : at most 65%

Height : at most 8m above the natural ground level directly below a given point or portion of the building.

Building lines : 8m on all boundaries except for 10m in the case of the lagoon boundary.

Parking : as required by the Council.

3.12.3 Additional Restrictions Applicable to Specific Uses in this Zone

No additional restrictions or exclusions shall apply.

3.13 PUBLIC AUTHORITY ZONE

3.13.1 Notation and Permissible Uses

<i>Notation on map</i>	: <i>colour – red</i> <i>monochrome – letratone LT158</i>
Primary use	: authority usage
Consent uses	: none

3.13.2 Land Use Restrictions

The land use restrictions and additional provisions applicable to this zone shall apply as for every site or use type of building approved by the Council.

3.14 TRANSPORT ZONE

3.14.1 Notation and Permissible Uses

Notation on map	: colour – light brown hatching monochrome-letratone LT124
Primary use	: transport undertakings
Consent uses	: none

3.14.2 Land Use Restrictions

Floor factor	: at most 1,0
Coverage	: at most 80%
Height	: at most 8m above the natural ground level directly below a given point or portion of the building.
Building lines	: no street building line is required while side and rear building lines may also be zero except where transport zone abuts on another zone in which case the side and rear building line of the latter zone shall apply on both sides of the common boundary. Furthermore a lagoon building line of 10m shall apply.
Parking	: as required by the Council as the case may be.

3.15 CEMETERY ZONE

3.15.1 Notation and Permissible Uses

Notation on map	: colour-yellow-green with black broken hatching monochrome – letratone LT240
Primary use	: cemetery
Consent uses	: none

3.15.2 Land Use Restrictions

As required by the Council.

3.16 PUBLIC OPEN SPACE ZONE

3.16.1 Notation and Permissible Uses

<i>Notation on map</i>	: colour-dark green monochrome – letratone S52101
Primary use	: public open space
Consent uses	: none

3.16.2 Land Use Restrictions

No structure shall be erected or use practised except such as is compatible with “public open space”, as defined.

3.17 PRIVATE OPEN SPACE ZONE

3.17.1 Notation and Permissible Uses

<i>Notation on map</i>	: colour-yellow-green monochrome – letratone LT995
Primary use	: private open space
Consent uses	: none

3.17.2 Land Use Restrictions

No structure shall be erected or use practised except such as is compatible with “private open space”, as defined or as specifically approved by the Council.

3.18 RESORT ZONE

3.18.1 Notation and Permissible Uses

Notation on map	: colour-green hatching monochrome-letratone LT956
Primary use	: holiday housing
Consent uses	: restaurants, shops, places of entertainment

3.18.2 Land Use Restrictions

Specific land use restrictions shall be determined by the Council for each site which is being rezoned for resort development while existing (as existed to date of commencement of these regulations) developments and approvals which fit into this zone shall comply with the requirements stipulated at the approval of the development. With rezoning of land to resort zone, conditions shall be laid down with regard to density, layout, landscaping, building design, etc., and a layout plan shall be approved by and filed with the local authority, clearly indicating the position of all structures, stands and internal roads.

3.18.3 Additional Restrictions Applicable to Specific Uses in this zone.

No additional restrictions or exclusions shall apply.

3.19 STREET ZONE

3.19.1 Notation and Permissible Uses

Notation on map : colour – blank
monochrome-blank

Primary use : streets

Consent uses : none

3.19.2 Land Use restrictions

No structure shall be erected or use practised except such as compatible with “street”, as defined.

3.20 PARKING ZONE

3.20.1 Notation and Permissible Uses

Notation on map : colour-light brown with black hatching
monochrome-letratone LT166

Primary uses : public parking or private parking

Consent uses : none

3.20.2 Land Use Restrictions

No structure shall be erected or use practised except such as is compatible with “public and private parking”, as defined.

3.21 SPECIAL ZONE

3.21.1 Notation and Permissible Uses

Notation on map	: colour-pink with encircled number monochrome-letratone LT164
Primary uses	: various specific uses where every use has its own set of development parameters.
Consent uses	: none

3.21.2 Land Use Restrictions

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

3.22 UNDETERMINED ZONE

3.22.1 Notation and Permissible Uses

<i>Notation on map</i>	: colour-dark brown outline monochrome-letratone LT1
Primary use/s	: none
Consent uses	: none

3.22.2 Land Use Restrictions

Subject to the provisions of section 14(8) of the Ordinance, no building or use in this zone may be extended or altered or changed without the approval of the Council.

4.0 GENERAL

4.1 Utilization of Zoned Land

- 4.1.1 No person shall damage or destroy zoned land so as to destroy or impair its utilization for the purpose for which it is zoned, provided that the Council may consent to the deposit on such land of waste materials or refuse.
- 4.1.2 In giving its consent under this regulation, the Council may impose such conditions as it may deem fit.
- 4.1.3 Subject to the provisions of any other law, nothing in this regulation shall be construed as prohibiting the reasonable fencing of land.

4.2 Imposed Conditions

Where permission to erect a building or execute any works or to utilize a building or land for any particular purposes or to perform any other activity has been granted under this zoning scheme and conditions have been imposed, such conditions shall have the same force and effect as if they were part of this scheme.

4.3 Compliance with Regulations

Nothing in these regulations contained shall be deemed to grant exemption from compliance with any of the Council's regulations.

4.4 Non-conforming sites

Before written authority is granted in terms of section 96 (1) of the Municipal Ordinance, 1974 (Ordinance 20 of 1974) or a license is issued by the Council with regard to a site for which there is no valid license on the date of coming into operation of these scheme regulations, or when a building is extended or changed, the Council may require that all the buildings on site and the site itself be brought into line with the land use restrictions contained in these regulations, with the by-laws of the Council, and with any other laws which are applicable, provided that such extensions shall be more than a 10% addition in the total floor space of the building.

4.5 Application for Consent Use

- 4.5.1 Subject to the provisions of regulations 4.7 of these regulations, the Council may, where application is made to it for its consent to the erection or utilization of a building in a zone in which a building of the type proposed may be erected and utilized only with the Council's consent, grant or refuse its consent, and shall in granting its consent be entitled to impose such restrictions as it may deem fit governing the erection or utilization of such building or land.
- 4.5.2 In considering such application, regard shall be had to the question, whether the use for which the building is intended or designed, or the proposed building, is likely to mar the amenity of the neighbourhood, including marring owing to the emission of smoke, fumes, dust, noise or smells.

4.6 Advertisement of Intended Application for Consent Use

- 4.6.1 Any person intending to make application to the Council for its consent to the erection or utilization of a building or to the utilization of land, whether wholly or partly, for any purposes requiring the Council's consent, shall, if the Council is of the opinion that any landowner may have an interest in the matter, first advertise the application concerned.
- 4.6.2 The Council shall take into consideration any objections received within the period referred to in the advertisement and shall within 60 days of the closing date for objections notify the applicant and the persons, if any, from whom objections were received, of its decision.

4.7 Conditions Applicable to Consent Uses

The consent uses in a particular use zone are subject to the same restrictions as the primary uses in that zone, unless specific restrictions are stipulated for a particular consent use in that use zone. In such a case the stipulated restrictions shall apply for that consent use whether it is more or less restrictive than the restrictions applicable to the primary land uses.

4.8 Occupational Practice and Other Rights

4.8.1 Without prejudice to any power of the Council under any other law, nothing in a zoning scheme contained shall be construed as prohibiting or restricting, or enabling the Council to prohibit or restrict the following:

- a) the letting, subject to the Council's regulations relating to boarding houses and hostels, by any occupant of a dwelling-house or any part of such dwelling house; provided that not more than 2 rooms or 5 beds shall so be let;
- b) the occasional utilization of a place of public worship, place of instruction or institution as a hall for social functions; or
- c) the utilization of a portion of a dwelling unit for purposes of occupational practice on condition that the practitioner also resides in the building.

4.8.2 The following conditions shall apply where a portion of a dwelling unit is utilizes for purposes of occupational practice:

- a) such dwelling-house, flat or residential building or any portion thereof shall not be used for purposes of a shop, business premises, an industry or a noxious trade;
- b) no goods for sale shall be publicly displayed;
- c) no advertising sign shall be displayed other than an un-illuminated sign or notice not projecting over a street and not exceeding 2000cm² in area and indicating only the name and profession or occupation of the occupant;
- d) no activities shall be carried on which are or are likely to be a source of disturbance or nuisance to occupants of other dwelling units or portions thereof; and
- e) parking may be required by the Council if deemed necessary.

4.8.3 If anybody is of the opinion that any condition referred to in regulations 4.8.2 or the definition of "occupational practice" is contravened, such person may lodge a written complaint with the Council requesting action in terms of section 39 (1) (b) of the Ordinance.

External Appearance of Buildings

Any person intending to erect any building shall furnish the Council for its consideration, if it so requires (in addition to any plans and particulars required to be submitted under any of the Council's regulations), with drawings or some other sufficient indication of the external appearance of the proposed building, including a description of the building materials to be used for that purpose. The drawings shall be upon suitable and durable material to a scale of 1: 100, except that where the building is so extensive as to render a smaller scale necessary, the drawings may be to a scale of 1:200. The Council may require such alteration to the external appearance and building materials as it may deem necessary especially in so far it concerns the conservation area.

4.10 Loading and Unloading Facilities

- 4.10.1 Except in the industrial zone and noxious industry zone the Council may, for the purpose of preventing the obstruction of traffic on any street or proposed street on which a proposed building will front or abut, require the owner to submit for its approval proposals for ensuring, to the Councils satisfaction, suitable and sufficient space on the site for any loading, unloading or fuelling of vehicles which the utilization of the building is likely to entail normally.
- 4.10.2 No owner/occupant of the building in respect of which proposals under this regulation have been required shall undertake or knowingly permit the continued loading or unloading or fuelling of vehicles otherwise than in accordance with the approved proposals.

4.11 Utilization of Outbuildings

No outbuilding may be utilized for any purpose other than that for which the plans have been approved by the Council.

4.12 Carports and Entrance Gates

- 4.12.1 Subject to the Councils approval, a carport which will exceed a street or side building line may be erected subject to the following conditions:
- 4.12.1.1 The width of the carport, measured parallel to the street boundary, shall be not more than 6m.
 - 4.12.1.2 The carport shall be supported by metal, wooden, brick or cement poles or pillars. These poles or pillars may have a maximum measurement of 350mm horizontal gauge (or 250mm diameter in the case of piping), and at most four poles or pillars may be provided on one side of the carport.
 - 4.12.1.3 No walls, except boundary walls, shall be constructed so as to enclose the carport.
 - 4.12.1.4 The height of the carport, measured from the floor to the top of the roof, shall not exceed 3m.
 - 4.12.1.5 The sides of the roof shall be neatly finished with fascia not exceeding a depth of 250mm.
 - 4.12.1.6 The façade of the carport shall not be closer than 300mm to the street boundary.
 - 4.12.1.7 No gates that open onto the pavement shall be permitted.
 - 4.12.1.8 Standard provision shall be made for the collection and run-off of rainwater from the carport.

4.12.1.9 Written confirmation from adjoining owner(s), if a side building line will be exceeded, and the owner(s) of both adjoining land units, if a street building line will be exceeded, to the effect that they have no objection against the proposed carport shall be obtained.

4.12.2 In the case of any motor vehicle entrance gate within a property fence such gate shall not be constructed within the street building line unless vehicular access is obtained parallel to the street boundary.

4.13 Council's Duties

The Council shall allow any person at any reasonable time to examine any scheme regulations, zoning map or register, as contemplated by sections 9, 10 and 12 respectively of the Ordinance, which are or is kept in the offices of the Council; provided that any information in connection with the zoning scheme which is given to any person shall only be valid if it is in writing and signed by the official duly authorized thereto by the Council.

4.14 Service of Documents

The provisions of section 211 of the Municipal Ordinance, 1974 (Ordinance 20 of 1974) shall mutatis mutandis apply to this zoning scheme.

4.15 Townships and minor subdivisions in terms of the Township Ordinance (Ordinance 33 of 1934)

Notwithstanding anything to the contrary in these regulations contained, conditions of ownership imposed by the Administrator upon the approval of township and minor subdivisions in terms of the Township Ordinance, 1934 (Ordinance 33 of 1934), shall be applicable in so far as such conditions are more restrictive than the provisions of the zoning scheme.

4.16 The Continuation of Existing Conditional Approvals

Notwithstanding the land use parameters contained in this set of regulations and in addition to paragraph 3.4.4.2, the land use conditions specifically attached to any land use change (rezoning) by the applicable authority prior to the commencement of these regulations shall remain in force only if more restrictive than these regulations.

4.17 Aesthetics and Landscaping

Where paving, landscaping, other treatment or any aesthetic requirement is deemed necessary by the Council, or the Administrator if the matter is considered by him, in order to prepare land for development, it may be required by the Council or the Administrator, as the case may be, and such requirement shall be carried out

to the satisfaction of the Council or the Administrator, as the case may be, at the cost of the owner.

4.18 Height of Buildings, Boundary Walls and Fences

4.18.1 The height restriction of buildings in the different zones in actual fact represents a multiple of storey where a storey is defined as a maximum of 4m where the height restriction is 8m, only 2 storeys may be erected notwithstanding the fact that the owner is allowed to construct a storey of 2,5m in height only. The number of storeys permitted in a particular zone is thus equal to the number of times that 4 can be divided into the maximum height in metres stipulated in that zone. Any remainder should be left out of account, viz. 11 metres permit only 2 storeys.

4.18.2 The height of any boundary wall or fence shall:

- 4.18.2.1 where it is on the street boundary, not exceed 1,20m, except in the case of a corral or paddock type in which case it shall not exceed 1.0m; provided that for purposes of ensuring privacy or screening off unsightly backyards, swimming pools or other amenities, the Council may permit a height of 1,8m for a distance of 10m;
- 4.18.2.2 where it is on a boundary other than a street boundary, not exceed 1,8m; provided that in the case of a side boundary the first 4,5m distance from the street boundary shall not exceed 1,2m in height.

5. SUPPLEMENTARY REGULATIONS PROMULGATED BY THE ADMINISTRATOR

This chapter of the scheme regulations contains supplementary regulations promulgated by the Administrator in terms of Section 7(2) of the Ordinance. As such, although part and parcel of these scheme regulations, the numbering of these regulations will not relate to the numbering of the rest of the scheme regulations.

LAND USE PLANNING ORDINANCE, 1985 (ORDINANCE 15 OF 1985)

SCHEME REGULATIONS IN TERMS OF SECTION 7(2)

The Administrator has in terms of section 9(2) of Ordinance 15 of 1985 substituted the following regulations for the Scheme Regulations, made to supplement the Scheme Regulations relating to the zoning schemes set out in the Schedule hereto:

1. Definitions

The words and expressions used in these regulations or in any approval granted by the Administrator in terms of the Ordinance shall have the meaning assigned thereto in section 2 of the Ordinance, and the following words and expressions shall have the meanings hereby assigned thereto:

- 1.1 **“Subdivisional area”** means land contemplated by section 22(1)(a) of the Ordinance which, in terms of section 14(4), 16 or 18 and subject to-
 - 1.1.1 a density requirement;
 - 1.1.2 the conditions and stipulations contained in these regulations;
 - 1.1.3 the planning stipulations of any applicable structure plan, an
 - 1.1.4 any other conditions laid down at the time of the approval of the rezoning has been rezoned to a subdivisional area.
- 1.2 **“The Ordinance”** means the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985).

2. DEPARTURES

- 2.1 The Council may in terms of subsections(1)(b) and (5) of section 15 of the Ordinance respectively grant or refuse an application for a departure, or determine an extended period after which such departure shall lapse; provided that, where the Council authorises the utilisation of land on a temporary basis as contemplated by section 15(1)(a)(ii), such concession shall be granted for a maximum period of five years, with the exception of a departure for which a permit is required in terms of section 6B of Act 88 of 1967, in which case the concession may be granted for such number of years as is related to the expected lifetime of the mine concerned.
- 2.2 The Council may, in respect of any land unit on which there is the right to erect one dwelling house, grant an application for a departure in terms of section 15(1)(a)(l) of the Ordinance for the erection of a **second dwelling unit**, subject to the following conditions:
- 2.2.1 Except in the case of farms and small-holdings, the total floor space of the second dwelling unit shall not exceed 120m².
 - 2.2.2 Notwithstanding the provisions of regulation 2.2.1, the total floor space of all of the buildings on a land unit shall not exceed 66% of the area of the land unit concerned.
 - 2.2.3 The building lines applicable to the second dwelling unit shall be the same as those applicable to outbuildings, as laid down in the Council's zoning scheme.
 - 2.2.4 In the case of a farm or small-holding, approval shall not be granted for a second dwelling unit within 1km of the high water mark of the sea.
 - 2.2.5 Bona fide staff quarters or a dwelling unit related to bona fide farming activities shall not be regarded as a second dwelling unit for the purposes of these regulations.
 - 2.2.6 Whenever the Council grants an application for a second dwelling unit in terms of these regulations, it shall not use its power in terms of section 15(1)(c) of the Ordinance to determine that such building shall for the purposes of the Sectional Titles Act, 1971 (Act 66 of 1971), be deemed to comply with the provisions of the zoning scheme concerned.

3. SUBDIVISION

- 3.1 The Council may grant or refuse an application for the subdivision of land in terms of section 25(1) of the Ordinance within, and subject to the conditions applicable to, a subdivisional area, as well as an application for the subdivision of land involving no change in zoning.
- 3.2 Whenever the Council has granted a subdivision in terms of section 25(1) of the Ordinance, it may act in terms of section 30 of the Ordinance.
- 3.3 The granting of an application for subdivision in terms of section 25(1) of the Ordinance with a view to permitting two or more attached dwelling units to be held under separate title shall be subject to the following conditions which shall be complied with before the issuing of a written authority by the Council, as contemplated by section 31(1) of the Ordinance

- 3.3.1 Where restoration or improvement is considered necessary by the Council, the buildings shall be fully restored or improved to its satisfaction.
- 3.3.2 Where considered necessary by the Council, one parking bay shall be provided and constructed to the satisfaction of the Council on each of the land units.
- 3.4 Subsequent to the granting of a subdivision in terms of section 25(1) of the Ordinance with a view to permitting two or more attached dwelling units to be held under separate title, the person who at any time is the owner of any land unit directly involved in the subdivision shall-
 - 3.4.1 maintain such part of any retaining wall, roof, pipe, gutter, wiring or other structure or thing as is common to such land unit and any other land unit;
 - 3.4.2 maintain every part of such wall, roof, pipe, gutter, wiring or other structure or thing as is common to such land unit;
 - 3.4.3 permit access to such land unit for the purposes of maintaining, cleaning, renovating, repairing, renewing, altering and adding to any wall, roof, pipe, gutter, wiring or other structure or thing, and shall not do anything which will prevent or hinder any such access or work from being done, and
 - 3.4.4 not make any alterations or additions to or demolish any part of the buildings erected on such land unit, including boundary walls and fences, or change the exterior colour scheme or materials of such buildings without the written consent of the Council, nor shall he permit the exterior of the buildings to deteriorate and become untidy or dirty.
- 3.5 Subsequent to the granting of a subdivision in terms of section 25(1) of the Ordinance, the person who at any time is the owner of any land unit directly involved in the subdivision shall be required, without compensation-
 - 3.5.1 to allow gas mains, electricity, telephone and television cables and/or wires, main and/or other water pipes and foul sewers and stormwater pipes, ditches and channels of any other land unit or units to be conveyed across the land unit concerned, and surface installations such as mini-substations, meter kiosks and service pillars to be installed thereon if considered necessary by the Council, in such manner and position as may from time to time be reasonably required; this shall include the right of access to the land unit at any reasonable time for the purposes of constructing, altering, removing or inspecting any works connected with the above, and
 - 3.5.2 to receive such material or permit such excavation on the land unit as may be required to allow use of the full width of an abutting street and provide a safe and proper slope to its bank necessitated by differences between the level of the streets as finally constructed and the level of the land unit, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the Council.

- 3.6 In terms of section 31(2) of the Ordinance the Council may permit a building or structure to be erected on a land unit forming part of a subdivision which has not been confirmed.

4. REMOVAL OF RESTRICTIONS

Notwithstanding regulations 2 and 3, all conditions restricting subdivision, the number of buildings that may be erected or the utilisation of the land or any other restrictive conditions which may have a bearing on the subdivision or departure, applied for and registered against the land unit shall, where applicable, first be removed prior to an application being granted.

5. GENERAL

Subject to the provisions of section 9 of the Ordinance, wherever regulations made by the Administrator in terms of section 60 of the Township Ordinance, 1934 (Ordinance 33 of 1934), have been made part of any zoning scheme in force in terms of section 7(1) of the Ordinance, such regulations shall continue to be in force as part of such scheme.

SCHEDULE

Aliwal North
 Ashton
 Beacon Bay
 Bellville
 Brakenfell
 Bredasdorp
 Cape (Western Cape Regional
 Services Council)
 Ceres
 Citrusdal
 Cradock
 Danielskuil
 De Aar
 Desptch
 Douglas
 Durbanville
 East London
 Elliot
 Fish Hoek
 Franschoek
 Fraserburg
 George
 Gonubie
 Goodwood
 Gordon's Bay
 Graaf-Reinet
 Grabouw
 Grahamstown
 Hartenbos
 Harswater
 Heidelberg
 Hermanus
 Hopefield
 Jeffrey's Bay
 Kakamas
 Kemton-on-Sea
 Kimberly
 King Williams Town
 Kleinmond
Knysna
 Kraaifontein
 Kuils Rivier
 Kuruman
 Langebaan
 Lovemore Park (Algoa Regional
 Services Council)
 Malmsbury
 Marydale
 Middelburg

Milnerton Proper,
 Table View and Montague
 Gardens and Metro
 Industrial Townships
 Montague
 Moorreesburg
 Mossel Bay
 Olifantshoek
 Oudtshoorn
 Paarl
 Parow
 Patensie
 Petrusville
 Pinelands
 Plettenberg Bay
 Port Alfred
 Port Elizabeth & Walmer
 Postmasburg
 Prieska
 Queenstown
 Robertson
 Scheme Area A
 (Algoa Regional Services Council)
Sedgefield
 Simons Town
 Somerset West
 Stellenbosch
 Stellenbosch Division
 (Western Cape Regional Services Council)
 St. Helena Bay
 Still Bay
 Strand
 Steynsburg
 Swellendam
 Uitenhage
 Upington
 Veldrif
 Villiersdorp
 Vredendurg-Saldanha
 Vredendal
 Vryburg
 Waenshuiskrans
 (Bredasdorp-Swellendam Division)
 Wellington
 Wilderness (Outeniqua Division)
 Worcester

ANNEXURE A

SPECIAL ZONE

Every sub-zone has its own set of development parameters and is indicated on the zoning map with a similar encircled numerical number.

DIFFERENT SUB-ZONES

Subzone 1

Permissible useprison.....

Specific development parameters:

(i).....as developed at present.....

Subzone 2

Permissible Use:

Single residential, public open space and private open space as determined in the approval of the Department of Local Government Housing and Works dated October 1991 with reference PB3/2/8044/1.

Specific Development Parameters:

In addition to the development parameters contained in the scheme regulations, the following additional parameters shall be applicable to the single residential sites:

Land Use Restrictions:

Coverage	: at most 30% or 400m ² whichever is the lesser,
Hardened area	: at most 10% above the allowable coverage;
Bulk	: at most 50% or 600m ² whichever is the lesser;
Height	: at most 2 storeys and in addition to the normal height restrictions for single residential zone no building shall exceed 4,5m to the highest point of the roof measured from the top of the highest road level adjacent to the site or the highest contour level on the site, whichever is the greater.
Building lines	: 5m from any road reserve boundary and 3m on side and rear boundary.
Development plans	: all building plans must be prepared by architects who are members of the SA Institute of Architects. A site development plan, prepared by a professional land surveyor in consultation with the architect must be submitted with the building plan. This plan must show the contours, all existing indigenous trees and vegetation that are to be removed or remain, and other existing physical features. The method of gaining access to the site, site works such as fill areas and excavations that are to be undertaken and how the undeveloped areas of the site are to be handled (for example planting or paving) must also be shown on the plan.

Architecture

: The object would be to limit the impact of buildings on the environment and an integrated passive approach is to be adopted. This is to be achieved by breaking down the scale of large buildings into multiform organic masses, nestling among the trees with the minimal of excavations being undertaken.

Building materials should be chosen to suitably integrate with the colour of the natural stone of the surroundings. This would dictate the types of face-bricks, balustrades, windows, paving, roof tiles, etc. to be used. Timber walls and decks would be acceptable as an integrated material and colour. No sheet roofing will be permitted. Exterior wall of plaster to be finished with an approved colour again to blend in with the surroundings and contrasts avoided.

Retaining walls must be minimised and where it may be needed, are to incorporate planting areas (at least every 3m) and are to be finished as per above;

Boundary walls to be treated as per retaining walls.

All plans to be submitted to the architects Committee for aesthetic approval and every effort must be made to integrate with the character and sensitivity of the area.

No blasting will be permitted on the site. No light reflective glass to be used in exterior surfaces. All plumbing to be concealed. Samples to be submitted for the prior approval of the Aesthetics Committee of all colours, and external materials such as tiles, bricks, paving, exposed aggregate of stone etc. Flat roofs to be finished with a stone aggregate finish or similar approved materials. Pitched roofs at a maximum pitch of 25 degrees and a natural slate finish or similar approved materials. All framing materials of for instance windows, doors, skylights, conservatories, balustrades, etc. to be natural timber in colour, bronze anodized aluminium or similar approved material and colour. Facebrick to be an approved rockface facebrick and no concrete lintels, beams, slab, columns, etc. to be exposed. Plastered walls to be approved textured or rough plaster finish and painted to approved colours.

ANNEXURE B

GUIDELINES FOR CONSIDERING BUILDING OPERATIONS IN THE CONSERVATION AREA OF KNYSNA AS DEPICTED IN THE ZONING SCHEME AND AS APPROVED BY COUNCIL.

With the main objective in mind as stipulated in clause 2.7 of the scheme regulations any building operation in the conservation area shall be considered according to the following guidelines. These guidelines only represent broad principles and should not be regarded as regulations but rather as a checklist when considering a particular building operation. Furthermore the Aesthetic Committee can recommend the amendment or extension of these guidelines on a continuous basis or it can be amended by the Council on its own initiative.

1. Height of Buildings

Normally the height of buildings should be limited to not more than 10 metres above the natural ground level directly below such a given point or portion of the building.

2. Building lines

Building lines, especially street building lines, may be retained or even increased if so required to enhance the frontage of buildings in the conservation area. Specific building lines may also be required to protect existing trees or for the planting of new trees.

Facades should be articulated, wall lengths limited to 7,5, maximum lengths with a minimum 300mm change of plane and the use of louvered shutters on windows is encouraged in order to add to the articulated effect.

Exposed columns giving the appearance of a building on stilts will not be permitted. Rain water fittings finished to match colours of walls and roof respectively.

3. Parking Areas

Parking areas shall be surfaced with accepted surfacing materials and the lay out as well as street access points shall be indicated on the building plan.

4. Projections of Buildings over Street Boundaries

Projections of buildings over street boundaries shall be limited to minor architectural features or nay other feature, which to the satisfaction of the Aesthetics Committee blends in with the surrounding architecture.

5. Advertising signs

The erection of any advertising sign, being defined as:

“any surface, structure or device having on it any visible representation of a word, name, letter, figure or any sign or symbol publicly displayed in any manner whatsoever for the purpose of advertising, or giving information regarding or attracting the public to, any place, person, performance, exhibition, entertainment or any activity or any merchandise” should be in accordance with the following development rules:

- i) no lettering on signs may be greater in height than 200mm, except one initial capital letter per word not exceeding 300mm;
- ii) the design of all signs must comply with the goal of enhancing the urban quality;
- iii) all signs will be subject to the approval of the Council or its delegate.

6. Historical Buildings

In the case of an existing building deemed by the Aesthetic Committee worthy of preservation by reason of its historical or architectural significance, no permission will be granted for its demolition or alteration except by resolution of the Council. In order to apply these guidelines, it is essential that these buildings are timeously indicated on the zoning map and for Council to decide on the conservation thereof.

7. General Principles Regarding Architecture and Aesthetics

- i) plate-glass show windows in shops and similar buildings must be in such sections interrupted by wall structures as may be required by the Council;
- ii) for residential or office buildings the proportion of wall space, window and doors must be specifically approved by the Council;
- iii) water tanks, piping and similar additions should not be visible from the streets;
- iv) face bricks must not be used externally for the street façade of the buildings;
- v) plastered walls must preferably be white or off-white in finish;
- vi) outside woodwork, if painted, must preferably be in green, brown, white or black;
- vii) piping or guttering must be painted in the same colour as the background;
- viii) roofing, if visible, must be black or dark grey or green.

Correction: 21 October 2005