

“ The City of Heritage ”



**ULUNDI LOCAL MUNICIPALITY
LAND USE MANAGEMENT SCHEME
APRIL 2020**

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1 INTRODUCTION TO THE SCHEME

1.1 SCHEME TITLE

1.1.1 The Scheme shall be known as the Ulundi Land Use Scheme, 2018, as approved by virtue of the Local Authority, Notice dated in the KwaZulu-Natal Provincial Gazette No. and shall hereafter be referred to as the “Scheme”. The Scheme is applicable to all Land and Buildings within the Ulundi Local Municipality’s area of jurisdiction.

1.2 RESPONSIBLE AUTHORITY

1.2.1 The Ulundi Local Municipality, hereinafter referred to as the “Municipality”, or its successor(s) in title is the authority responsible for enforcing, executing or carrying into effect the provisions of this Scheme.

1.3 ENACTMENT

1.3.1 The Scheme has been prepared in terms of Section 24 of the Spatial Planning and Land Use Management Act, 2013, (Act No. 16 of 2013) and enacted in terms of the Ulundi Local Municipality By-Law on Spatial Planning and Land Use Management (As amended and/or prevailing).

1.3.2 The Scheme shall come into operation on the date determined by the Municipal Manager by the publication of a notice thereof in the Provincial Gazette.

1.4 LAND USE SCHEME AREA

1.4.1 The Scheme applies to the whole are of the Municipality in accordance with the area depicted in the accompany Scheme Map subject to the provisions of clause 1.4.2.

1.4.2 Where the boundaries of the municipal area are altered, the provisions of this Scheme remain in force in the area to which they applied before the boundaries were altered.

1.5 LAND USE RIGHTS

- 1.5.1 Whether or not land is registered in terms of the Deeds Registries Act, 1937 (Act No. 47 of 1937), the land may be used only in accordance with the land use rights held in terms of the Scheme. All conditions included in a title deed of a land parcel within the Local Municipality supersede the land use rights granted by the Ulundi Municipal Land Use Scheme.
- 1.5.2 A Register of Land Use Rights shall be the definitive source of the land use and development rights of a property.

1.6 APPLICATION OF LAWS

- 1.6.1 The status of the Scheme is determined in terms of Section 26 of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) and its relationship with the Municipality's Integrated Development Plan, including the Municipality's Spatial Development Framework.
- 1.6.2 The Scheme is binding on all persons and all organs of state in terms of Section 26 of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) read with the Ulundi Local Municipality Spatial Planning and Land Use Management By-laws, (As amended and/or prevailing).
- 1.6.3 Activities for which an application for municipal planning approval is required in terms of the provisions of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) read with Section 47 of the Ulundi Municipality Spatial Planning and Land Use Management By-laws, (As amended and/or prevailing).

1.7 PURPOSE OF THE SCHEME

- 1.7.1 The Ulundi Municipality Land Use Scheme, 2018 must give effect to the municipal Spatial Development Framework and determines the use and development of land within the municipal area of the Ulundi Local Municipality. The Ulundi Municipality Land Use Scheme, 2018 must also comply with Chapter 2 of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013).

1.8 AIMS OF THE SCHEME

1.8.1 The Ulundi Land Use Scheme, 2018 must promote:

- Economic growth;
- Social inclusion;
- Efficient land development, and
- Minimal impact of public health, the environment and national resources.

1.9 SCHEME MAP

1.9.1 The scheme maps shall comprise the set of cadastral plans, which are listed in the Table below.

1.9.2 Sheet 1(Drawing No. ULM 1.1) and Sheets 2 – xxxx, which depict the zones to which reference is made in the Tables in Section xx of these Clauses and in respect of which clauses contained therein shall apply.

Table 1.1: Scheme Maps

REFERENCE AREA	DRAWING NO.	SCALE	DATA
TBC			

1.10 TRANSITIONAL ARRANGEMENTS

1.10.1 All existing, legal land use rights that were in effect on properties prior to the effective date are deemed to continue in full force and effect and are hereby incorporated into the Scheme.

1.10.2 Should a mistake or oversight be made in the recording of an existing land use right, such mistake or oversight shall be rectified, on producing of proof of such existing land use right by the land owner.

1.10.3 Any application made and accepted in terms of a former zoning scheme or town planning scheme which is still in process at the commencement date shall be assessed and finalised in terms of such former

zoning scheme or town planning scheme regulations, except where it has been withdrawn by the applicant in writing.

- 1.10.4 Where a rezoning application was approved prior to the commencement of this Land Use Scheme but has not yet been acted on, or where a rezoning was approved within the provisions of a former zoning scheme or town planning scheme, after the commencement of this Scheme, the affected land unit/s in such approval shall be deemed to be allocated with a corresponding zone in accordance with this Land Use Scheme, where such an approval is acted on.
- 1.10.5 Where a building plan application was formally submitted and accepted:
- 1.10.6 Before commencement of this Land Use Scheme and which is still being processed; or
- 1.10.7 After commencement of this Land Use Scheme, with the express purpose to act on a valid approval granted for any application in terms of planning law or in terms of a former zoning scheme; such building plan will be assessed and finalised within the approval granted and the land use restrictions or provisions of the applicable zone in the former zoning scheme.
- 1.10.8 Where any approval in terms of the Ordinance or a former zoning scheme has been acted on and constitutes a contravention of any provision in a zone in this Land Use Scheme, for the purposes of this Land Use Scheme it will not be considered to be an offence but a lawful nonconforming use.
- 1.10.9 Development applications that, prior to this scheme, were submitted and approved, but not proclaimed, are deemed to be proclaimed.
- 1.10.10 If flats were erected on stands in this use zone on or before the fixed date, such flats are deemed to be a primary right.
- 1.10.11 On the date of the adoption of this Land Use Scheme, all existing town planning schemes operating within the jurisdiction of the municipality will cease to operate.

1.11 OWNER'S RESPONSIBILITY

- 1.11.1 A landowner within the Municipal Area and the duly authorized representative of such owner may apply for any approval required in terms of the Act, Spatial Planning and Land Use Management By-law or this Scheme.
- 1.11.2 The fact that land may be used for a specific purpose according to its zoning or in terms of Municipality's consent or approval does not exempt anyone from obtaining the necessary permit, license, authorization or approval required in terms of any other legislation.

1.12 THE MUNICIPALITY'S RESPONSIBILITY

- 1.12.1 Public Document
- 1.12.2 This Scheme (i.e. including the zoning maps and the zoning register) must be available for public inspection in the Municipal Offices during normal municipal office hours and extracts from this Scheme are obtainable at the Municipal Offices against payment of the prescribed tariffs.
- 1.12.3 Keeping of Register
- 1.12.4 The Municipality is responsible for keeping and maintaining a record of all departures and consent uses approved in terms of this Scheme. Additional records relating to the use of land in terms of this Scheme as required by the Municipality may also be included in the register. The register must be computerized.
- 1.12.5 Updating and Amendments
- 1.12.6 The Municipality is responsible for updating the electronic zoning map, the electronic database, the register and this Scheme regularly, based on approvals granted from time to time. Amendments to the zoning map shall be shown on the official zoning map, which must be updated at least every 6 months.

1.13 CONTENTS

- 1.13.1 The Scheme consists of the following documents
- 1.13.2 The Land Use Scheme Map which consists of:
- The index Sheets
 - Primary Sheets indexed in a chronological order

1.13.3 The Land Use Scheme Regulations which are divided into xxx Parts together with Table A, Schedules and Annexures relating to the following matters:

- Part 1 – Introduction to the Scheme
- Part 2 – General Terminology & Definitions
- Part 3 – Development Policy
- Part 4 – Parking & Loading Requirements
- Part 5 - Land Use Scheme Maps
- Part 6 - Overlay Zones
- Part 7 - General Provisions
- Part 8 - Compliance And Enforcement
- Part 9 - Use Of Buildings And Land
- Part 10 - Land Use And Land Development Applications
- Part 11 - Miscellaneous
- Part 12 - Development Conditions
- Part 13 - Schedules
- Table A: Use Zones, land uses & Development parameters matrix.

1.13.4 The Scheme comprises a map and associated text. The Scheme Maps show (at a scale of xxxxx) the area to which the Scheme applies and provides a colour legend and different Land Use Zones, which accommodate various categories of buildings and land uses.

2 GENERAL TERMINOLOGY & DEFINITIONS

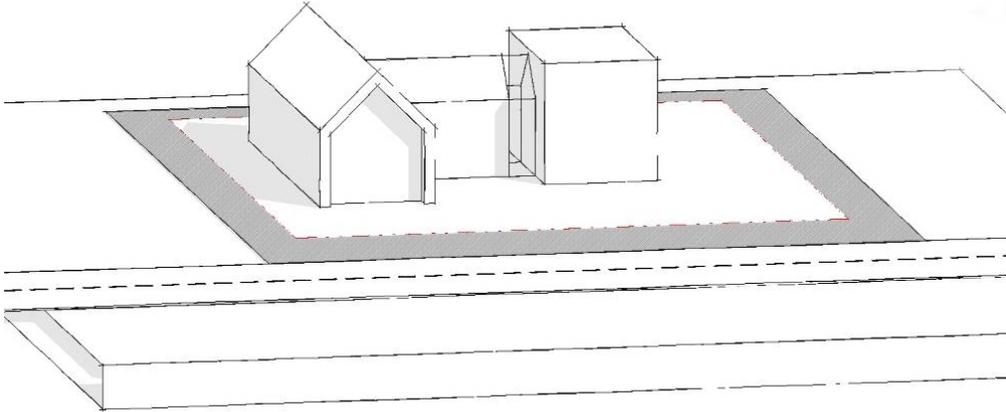
2.1 INTERPRETATION

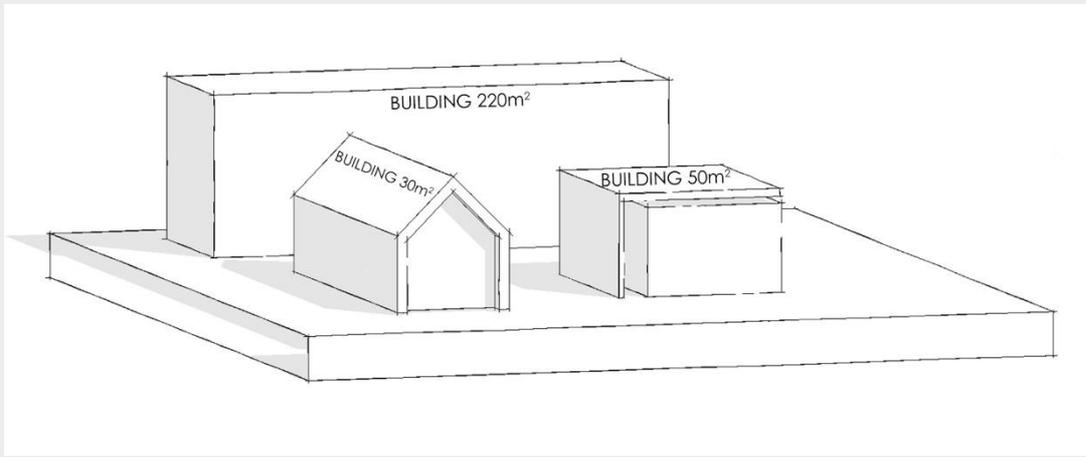
2.1.1 In this Land Use Scheme, annexures, appendixes, registers, any note on the zoning map and in any condition imposed in terms of this Land Use Scheme, the words and expressions shall have the meanings assigned to them in accordance with the definitions contained in Clause 2.2. & 2.3 except where another interpretation is clear from the context. Interpretation of words not defined in this chapter will have the same meaning as is assigned to it in the Spatial Planning and Land Use Management Act (Act No. 16 of 2013) or if not defined in the Spatial Planning and Land Use Management Act (Act No. 16 of 2013) the meanings assigned to them in the 'New Shorter Oxford English Dictionary' published by Oxford University Press will apply, except where another interpretation is clear from the context.

2.2 GENERAL TERMINOLOGY

CATEGORY	DEFINITION
Act	Refers to the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013), Spatial Planning and Land Use Management Regulations: Land Use Management and General Matters, 2015 and any subsidiary legislation or other legal instruments issued in terms thereof.
Advertise	In relation to making known a matter means any one or more of the following methods of making known which, according to Council policy, or in the absence thereof, in the opinion of the Municipal Manager or his delegates, is the most suitable method to reach as many people as possible, who may have an interest or is possibly affected in the matter: <ul style="list-style-type: none"> (a) serving a notice that complies with the provisions as set out in this Scheme (b) holding public meetings, whether before or after the submission of an application (c) displaying a notice on a land unit (d) publishing of a notice in the press (e) consultative forums or entering into social compacts before a decision is taken by Council; and “advertisement” has a corresponding meaning.
Advertisement	Any audible or visible representation of a word name, letter, figure or object or of an abbreviation of a word or name, or of any sign or symbol, or any light which is not intended solely for illumination or as a warning against any danger, which has as its object the furthering of any industry, trade, business undertaking, event, or activity of whatever nature.
Advertising Sign	The design or use of signs and symbols to communicate a message to a specific group, usually for the purpose of marketing or informing the public of any activity taking place.
Ambience	The character or tone of an area, as determined by building scale and design, amount and type of activity, the intensity of use, location and design of open space, and related factors that influence the perceived quality of the environment.
Amenity	Means a natural or created feature or aspect that enhances the aesthetic quality, visual appeal, or makes it more attractive or satisfying for a particular property, place or area.
Ancillary & Subservient Use	Uses or activities which support and complement the main use on the property and which shall not exist on their own when the main use on the property is discontinued, and the footprint of which shall not exceed the footprint of the main use. In the case of a dispute, the classification or not, by the Municipality, of an ancillary use shall be decisive and final notwithstanding any other provision of this Land Use Scheme.
Ancillary Unit	A building ancillary to a dwelling house and comprising an inter-leading group of rooms, which shall not consist of more than two bedrooms, a combined lounge/dining area, a kitchen, a bathroom and toilet, provided that the ancillary unit does not exceed 80m ² in extent.

CATEGORY	DEFINITION
Annexures	The set of documents showing details of rights permitted and conditions imposed on certain properties marked with a number within a black circle on the scheme map, which rights and conditions shall prevail over any other clause or provision of the Scheme, provided that if rights and conditions are not stipulated in the annexures, the provisions of the Scheme Regulations shall apply. Rights must be supportive of the main use.
Appeal Authority	The executive authority of the Municipality, the Municipal Appeal Tribunal established in terms of Part A of Chapter 8 or any other body or institution outside of the municipality authorised by that municipality to assume the obligations of an appeal authority for purposes of appeals lodges in terms of the Act
Appellant	Means a person who notes an appeal to the Appeal Authority in respect of any land development and land use application contemplated in terms of the Scheme and/or who notes an appeal to the relevant Appeal Authority in respect of a decision of the Municipal Planning Tribunal or Land Development Officer.
Applicant	A person who makes a land development application contemplated in Section 45 of the Spatial Planning and Land Use Management Act, 2013.
Application	A land development and land use applications as contemplated in the Act
Approval	The written approval of the Local Municipality on an application lodged as per the municipal by-law.
Approved Township	A township declared an approved township in terms of Section xxxxx of the By-Law
Arcade or Pedestrian Mall	Means an area forming part of a building which may or may not be covered, reserved exclusively for pedestrian traffic, but may include fountains, benches and other similar features and shall be subject to the relative urban design standards as determined by the Municipality.
Area of the Scheme	Means the area, which lies within the boundary line illustrated on the Scheme Map (s) and designated in terms of a notice published by the Demarcation Board in terms of the Local Government: Municipal Demarcation Act (Act No. 27 of 1998).
Association	Means any Management Association of an Estate being an Association not having a share capital and registered in terms of Section 60(1) and the Regulations of the Companies Amendment Act, (No. 3 of 2011), as amended.
Attic	Means the part of a building that is immediately below and wholly or partly within the roof.
Average depth	The average depth of a property means: <ul style="list-style-type: none"> • An average perpendicular distance between the public street or road and the points at which the side boundaries meet with the rear boundary, or • In the case of a corner property, the average of the perpendicular distance between each public street or road and the point at which the side boundaries meet, or • In the case of a panhandle or very irregular property, the average depth as determined by the Municipality.
Average width	The average width of a property means: <ul style="list-style-type: none"> • The average of the length of the street boundary and the rear boundary, • In the case of a corner site, the average of the length of the shortest street boundary and the opposite side boundary, or • In the case of a panhandle or a very irregular property, the average width as determined by the Municipality.
Awning	A cantilevered or suspended roof, slab or covering (not being the floor or balcony) projecting from the wall of a building.
Backyard Dwelling	An additional dwelling unit situated on the same erf as a dwelling or dwelling house, and which may be attached or detached to the original dwelling or dwelling house, constructed or erected using conventional building materials as approved by the municipality and which has its own sewer, water and electrical connections and is generally used for the purpose of residential accommodation by separate households or extended family members. This may include the private rental of such additional dwelling units according to conditions set out in a formal (written) or informal (verbal) agreement.
Balcony	A floor projecting outside a building at a level higher than that of the ground floor, enclosed only by low walls or railings, or by main containing walls of rooms abutting such projecting floor, and includes a roof, if any, over such floor and pillars supporting such roof.
Base flood	The level of flood water that on average is exceeded everyone hundred years. Also termed 1:100 year floodline.
Basement	A storey, which is partly underground and having at least one half of its height below the natural mean ground level adjoining the building on all sides.
Biodiversity	A measure of the number and relative abundance of biological species. The variability among living organisms from all sources including, inter alia, terrestrial, marine, and other aquatic ecosystems and the ecological complexes of which they are a part; this includes diversity within species, between species, and of ecosystems.
Biosphere	A designated area created to integrate the natural environment and surrounding communities by the

CATEGORY	DEFINITION						
	conservation and protection of the diversity and integrity of biotic communities, plants and animals within their natural eco-systems, and to demonstrate the value for conservation.						
Body Corporate	A controlling body for a sectional title scheme that is established on any erf in terms of the Sectional Titles Act, 1986 (Act 95 of 1986), as amended.						
Boundary	In relation to a land unit means the cadastral line separating such land unit from another land unit or from a public street.						
Boundary Wall	Any wall, fence or enclosing structure erected on or directly next to a cadastral property boundary, and any other structure, including security devices, such as spikes, barbed wire, razor wire or electric fences, affixed to or on top of a boundary wall;						
Building	Any building, structure or erection of an immovable nature for whatever purpose used, including any tank, swimming pool, radio mast, telecommunications mast and any wall or close boarded fence more than 2 metres in height, but excluding any open fence, post, pier, ramp, fountain, statue, fish pond, pergola or other garden ornamentation.						
Building line	<p>A line indicating the furthestmost boundary of a building restriction area from a street, proposed street, street widening or any other boundary of a property other than a street boundary and which is at a stipulated distance from the boundary of a property..</p> <p>Development along provincial roads shall comply with the building line standards set down in the Kwazulu-Natal Roads Act, 2001, (Act No.4 of 2001) and may not be relaxed by the municipality, without the consent of the relevant roads authority. The building line restrictions are as follows:</p> <table border="0"> <tr> <td>a) Provincial main and district roads</td> <td>15m measured from the edge of the road reserve boundary.</td> </tr> <tr> <td>b) un-surveyed main roads</td> <td>30m measured from the centre line of the road.</td> </tr> <tr> <td>c) un-surveyed district roads</td> <td>25m measured from the centre line of the road.</td> </tr> </table>	a) Provincial main and district roads	15m measured from the edge of the road reserve boundary.	b) un-surveyed main roads	30m measured from the centre line of the road.	c) un-surveyed district roads	25m measured from the centre line of the road.
a) Provincial main and district roads	15m measured from the edge of the road reserve boundary.						
b) un-surveyed main roads	30m measured from the centre line of the road.						
c) un-surveyed district roads	25m measured from the centre line of the road.						
Building restriction area	<p>An area wherein no building, permanent structure or swimming pool may be erected or constructed, nor may any trees be planted within 2 meters from such area.</p> <div style="text-align: center;"> <p>— BUILDING LINE</p> <p>— ERF BOUNDARY</p> <p>■ BUILDING RESTRICTION AREA</p>  </div>						
Building Use	“Building use” ,”Use of a building” and other similar expressions, include the specific purpose for which buildings may be used as defined in the planning scheme, as well as the erection of a building.						
Built Environment	The physical surroundings created by human activities.						
Bulk	A term used to describe the size, volume, area and shape of structures and the physical relationship of their exterior walls or their location on property boundaries, other buildings or structures or other walls of the same building and all open spaces required in connection with a building.						
By-Law	The bylaws or regulations of the municipality in force in the area of any planning scheme.						
Cadastral Line	A line representing the official boundary of a land unit as recorded on a diagram or general plan approved						

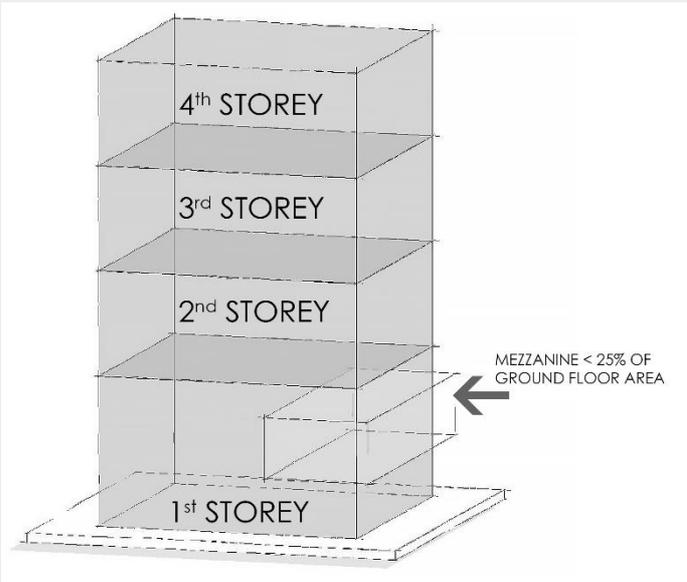
CATEGORY	DEFINITION
	by the Surveyor-General and registered in the Deeds Office;
Canopy	A cantilevered or suspended roof, slab or covering projecting from the wall of a building, excluding the floor of a balcony;
Car Parking Space	A demarcated space with the minimum dimensions of 2,4m x 4,9m for the parking of a vehicle, excluding manoeuvring space.
Carport	A structure for the storage of one or more vehicles, which is covered by a roof.
Catchment	The area from which any rainfall will drain into water courses or part thereof, through surface flow to a common point.
Catchment Management	The controlling and protection of water catchment areas.
Common Boundary	In relation to a property means a boundary common with the adjoining property other than a street boundary;
Common Land	Means that portion of a medium density housing site or a mobile home park site, which is set aside for the use and enjoyment of all the occupants of the dwelling units on that site, and from which the general public may be excluded.
Common Open Space	A portion of common land, which is not covered by vehicular road reserves and parking areas, but may include walkways, whether grassed or hardened, and structures and buildings intended for recreational use by the occupants of the dwelling units.
Communal Land	Land under the jurisdiction of a traditional council in accordance with: The government of the South African Development Trust established by Section 4 of the Development Trust and Land Act, 1936 (Act No. 18 of 1936) The government of any area for which a legislative assembly was established in terms of the Self-Governing Territories Constitution Act, 1971 (Act No 21 of 1971)
Communal Property Association (CPA)	An association which is registered or qualifies for registration in terms of Section 8 of the Communal Property Registration Act, 1996 (Act No. 28 of 1996).
Consent	A land use right that may be obtained by way of consent from the municipality and is specified as such in the land use scheme
Consent Use	A land use right that may be obtained by way of consent from the municipality and is specified as such in the land use scheme
Conservation	Protecting, using and saving resources wisely, particularly the bio-diversity found in any area.
Consolidation	The joining of two or more pieces of land into a single entity;
Construction	Applies to building construction where the building has been: (a) amended, subdivided or converted or any other additions made to it; (b) the reconstruction or repair is done to a building in partial or total disrepair or to a building which was totally demolished.
Controlled Area	Any area where, for reasons of the topography, the unsuitability or instability of the soil or other like reasons, development or building may be prohibited, restricted, or permitted upon such conditions as may be specified, having regard to the nature of the said area.
Council	Refers to the municipal council of the Municipality
Coverage	The percentage area of a property including any servitude area covered by the roofed area of all buildings as seen vertically from above but does not include a structure or building that has no roof. 

CATEGORY	DEFINITION
	$\text{Coverage} = \frac{\text{Area of buildings seen vertically from above}}{\text{Total area of property}} \times \frac{100}{1}$ $\text{Coverage} = \frac{220\text{m}^2 + 50\text{m}^2 + 30\text{m}^2}{900\text{m}^2} \times \frac{100}{1}$ $\text{Coverage} = 33.3\%$
Cropping	A facility providing temporary protective sanctuary for victims of crime or abuse.
Cul-de-sac	A dead-end street with only one inlet and outlet, commonly used to calm vehicle traffic.
Cultural heritage site	Land identified as a protected area in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999) or any other act concerned with conserving heritage resources of cultural significance for the present community and for future generations and may include places to which oral traditions are attached or which are associated with living heritage, historical settlements, landscapes and natural features of cultural or historic significance, archaeological and paleontological sites, sites with meteoric or fossil debris, sites regarded as a source of understanding of the evolution of the earth, life on earth and the history of people, graves and burial grounds, sites relating to the history of South Africa and any building, object or art form regarded as of cultural or historic significance.
Curtilage	The area of ground within the boundaries of the erf or erven excluding all buildings.
Customary Harvesting	The harvesting and collection of natural grasses and medicinal plants in environmentally sensitive or protected areas or parks for traditional practices, and which may require permits from the relevant authority.
Date of Adoption	The date upon which a planning scheme was first adopted by the municipality.
Days	When any particular number of days is prescribed for the doing of any act, or for any other purpose, the same shall be reckoned exclusive of the first and inclusively of the last day as per the calendar, unless the last day happens to fall on a Sunday or on any public holiday, in which case the time shall be reckoned exclusively of the first day and exclusively also of every such Sunday or public holiday.
Density	<p>A measurement of the intensity of a residential development, expressed as a number of dwelling units per hectare.</p> <ul style="list-style-type: none"> • Gross density means the intensity is expressed as a ratio of the total extent of the subject property. • Nett density means the intensity is expressed as a ratio of the portion of land remaining after the undevelopable land has been deducted from the subject property.
Developable Area	The registered, surveyed area of an erf, excluding those areas which are in the opinion of the municipality rendered undevelopable by virtue of factors such as instability, liability to flooding, topographic inaccessibility and/or slopes steeper than 1:3, and further excluding the area(s) occupied by any public right-of-way, road servitude, new road or road widening.
Development	The development of land, changes in the use of land or intensification of that use and includes any matter in relation to land for which a development application is required.
Development Rights	Any approval granted to a land development application.
Diagram	A diagram as defined in the Land Survey Act, 1997 (Act No. 8 of 1997);
Disposal of Mining Materials	The legal disposal of materials that have been mined during mining operations
Eave	A portion of a roof projecting beyond the face of a building, including any gutters.
Ecosystem	A self-sustaining and self-regulating community of organisms and the interaction between the organisms with one another and with their environment;
Engineering Services	Services installed in the process of developing land for the reticulation of water, electricity and sewerage and the building of streets, roads and storm water drainage systems, including all related services and equipment.
Environment	The external circumstances, conditions and objects that effect, (i.e. positively or negatively), the existence and development of an individual, organisation or group, including biophysical, social, economic, historical and political aspects.
Environmental Conservation Act	<i>Refers to the Environment Conservation Act, 1989, (Act No. 73 of 1989).</i>
Environmental Impact	A positive or negative environmental change caused by any human act.
Environmental Impact Assessment (EIA)	A process of examining the environmental effects of development in terms of the requirements of the National Environment Management Act, (Act No. 107 of 1998).
Environmental	<i>Refers to the National Environmental Management Act, 1998, (Act No. 107 of 1998).</i>

CATEGORY	DEFINITION
Legislation	
Environmental Implementation Plan	A plan referred to in Section 24 of the National Environmental Management Act, 1998 (Act 107 of 1998).
Environmental Management Plan	A plan referred to in Section 24 of the National Environmental Management Act, 1998 (Act 107 of 1998).
Erection of a Building	In relation to a building or structure includes— (a) the construction of a new building or structure; (b) the alteration or conversion of, or addition to, a building or structure; and (c) the reconstruction of a building or structure which has completely or partially been demolished; (d) with the written approval of the Municipality.
Erf Area	The area of an erf, less the area of any public right-of-way, road servitude, new road, road widening or parking area to which the erf may be subject, but shall include any registered servitude for overhead or underground services.
Erf or Erven	Means any piece of land registered as an erf, lot, a sectional title unit, plot or stand in the Deeds Registry, including any stand or lot forming part of a piece of land laid out as a township, whether or not it has been formally recognized, approved or proclaimed as such and includes any portion of such parent farm portion, erf stand or lot but does not include lot, erven or plots set aside as public places. Reference the Survey Act (Act. No 8 of 1997) and the Deeds Registry Act (No. 47 of 1937) as amended.
Estate	Means the entire physical extent of land improvements within a specific development or township layout, which is managed as a single entity within this Scheme.
Exercise	To utilise in terms of a use right.
Existing Erf	An erf, or any subdivision thereof, lawfully approved before the effective date.
Existing Building	A building erected in accordance with an approved building plan as set out in the Act on National Building Regulations and Building Standards, 1977 (Act No. 103 of 1977) and any amendments thereof, and where the building constructions are completed on or before the "fixed date" or was started before that date and was completed after that date within a reasonable time as determined by the Municipality.
Existing Use	In relation to any building or land, a continuous use of that building or land after the date of adoption for the purpose for which it was designed and lawfully authorised by the Municipality at that date.
Extraction	The extraction, crushing and separating ore into valuable substances or waste by any of a variety of techniques
Factory	Means premises, or a building, where an article, or part of an article, is manufactured, mounted, processed, repaired, rebuilt or packed, falling within the scope of interpretation of a factory as defined in terms of the General Regulations of the Occupational Safety Act (No. 6 of 1983) as amended.
Family	Means a group of individuals, not necessarily related by blood, marriage, adoption, or guardianship, living together in a dwelling unit as a single entity under a common housekeeping management plan based on an intentionally structured relationship providing organization and stability and shall include child headed households.
Farm	A portion of land identified and described as such on a diagram in terms of the Land Survey Act, 1997, (Act No. 8 of 1997), and includes a portion of a farm similarly identified.
Fence	An artificially constructed linear barrier of wood, masonry, wire, metal or any other manufactured or natural material or combination of materials erected for the enclosure of properties or areas or erected to act as a barrier.
File	The lodgement of a document with the appeal authority of the Municipality;
Floodline	The flood line referred to in Section 144 of the National Water Act 1998 (Act 36 of 1998), as amended, including any other flood lines that the Municipality may require
Floor Area	The total area of all floors/storeys of a building (including a basement storey), measured over the external walls of each floor/storey in the building, provided that in the calculation of the floor area the following areas shall not be included: <ul style="list-style-type: none"> • Any area, including the basement storey(s), which is reserved solely for covered parking by the tenants or occupants of the building, provided that only 50% of the parking may be reserved for occupants or tenants; • Unroofed structures, open roofs and areas occupied by fire-escapes or staircases, whether inside or outside the building; • Entrance halls, communal corridors and staircases not enclosed by external walls - therefore excluding closed entrance halls and foyers; • Mezzanine or intermediate floor; • Areas used to accommodate lift motors, and other mechanical or electrical equipment necessary for the

CATEGORY	DEFINITION
	<p>proper use of the building;</p> <ul style="list-style-type: none"> • Chimneys, ornamental features, outdoor or uncovered swimming pools, canopies and parking bays covered by shade nets; • Public toilets; • Housing for servants on the roof of the building, provided that the floor area thus excluded shall not exceed 3% of the permissible floor area of such building; • All balconies or verandas in a building, provided that such veranda or balcony shall not be enclosed except by means of a parapet at most one (1) meter high; • Areas reasonably used for the cleaning, maintenance and care of the building or buildings, excluding dwelling units for supervisors, cleaners and caretakers.
<p>Floor Area Ratio (F.A.R.)</p>	<p>The ratio of the Gross Floor Area of a building to the total area of the property, including any servitudes, on which such building is erected or is to be erected, i.e. FAR = Gross Floor Area divided by Area of property.</p> <div data-bbox="367 593 1436 974" style="text-align: center;"> </div> <p>F.A.R = $\frac{\text{Gross Floor Area of a building(s)}}{\text{Total area of property on which the building(s) is/are erected or is/are to be erected}}$</p> $\text{F.A.R.} = \frac{(200\text{m}^2 + 200\text{m}^2 + 150\text{m}^2 + 150\text{m}^2 + 150\text{m}^2)}{1000}$ $= \frac{850\text{m}^2}{1000}$ $= 0.85$ <p>Gross Floor Area of a building(s) = Total area of property on which the building(s) is/are erected or is/are to be erected x F.A.R.</p> $= 1000\text{m}^2 \times 0.85$ $= 850\text{m}^2$
Forestry	The use of land primarily for timber production, tree farms, forest nurseries, the gathering of forest products or the performing of forest services.
Frontage	The length of the boundary of an erf, which fronts onto an existing or proposed street or parking area.
Garage	A building/s for the parking of motor vehicles, but does not include a public garage, filling station or motor repair garage. May include a storeroom, shower and toilet.
Gross leasable floor area	Means the sum of the floor area designed for, or capable of occupancy and control by tenants, including storage, utility and ancillary areas, measured from the centre line of joint partitions to the exterior of outside walls or as may be otherwise demarcated, but shall exclude:- i.) Open roof; ii.) Parking; iii.) Public areas such as toilets, un-leased mall areas, escalators, stair cases and other common areas; and, iv.) Lift shafts, accommodation for lift motor room and other mechanical or electrical equipment required for the proper functioning of the building.
Gross Office Area	Means the sum of the floor areas of the office space in a building including storage, corridors, lift shafts, staircases, kitchens and conveniences, and shall include wall thicknesses and basements used other than for parking purposes.
Gross Shop Area	Means the sum of the floor areas of both the storage and retail areas of a shop and shall include wall thicknesses and basements used, not used for parking purposes, but shall exclude public conveniences.
Ground floor	The floor of a building which is the entry point to the building and which is at or closest to the natural ground level of the property on which such building stands and excludes a basement.

CATEGORY	DEFINITION
Group Housing	See definition for Cluster Housing.
Guest	A person who stays overnight for a short period away from his/her normal place of residence
Guideline	Written non-regulatory information that directs or influences land use decisions.
Habitable Room	A room designed or used for human habitation in accordance with standards prescribed by the by-laws but excludes a storeroom.
Hazardous Substance	Has the same meaning as “grouped hazardous substance” as defined in Section 1 of the Hazardous Substances Act, 1973 (Act No. 15 of 1973);
Height	The height of a building means a vertical dimension of the building from the natural ground level to the highest point of the building, measured in meters or number of storeys; provided that: <ul style="list-style-type: none"> • height restrictions referring to number of storeys do not apply to roofs, domes, chimneys, flues, masts and antennae; and elevator motor rooms, satellite dishes, ventilation shafts, water tanks, air conditioning plant and equipment on top of a building, shall not be deemed to constitute a storey, unless enclosed within the roof or hidden behind parapet walls
Heritage Resource	Any place or object of cultural significance as determined in the National Heritage Resource Act, 1999, (Act No. 25 of 1999).
High Potential / Unique Agricultural Land	Best available, primarily from the national perspective, but with allowance of provincial perspective; land best suited to, and capable of, consistently producing acceptable yields of a wide range of crops (food, feed, forage, fibre and oilseed), with acceptable expenditure of energy and economic resources and minimal damage to the environment. This also includes land under permanent irrigation.
High-Intensity Land Uses	Land uses that change the character of the land/property or that require licences, determined rights, approval from another authority etc. from a parallel legislation.
Informal Settlement	The informal occupation of land by persons none of whom are the registered owner of such land, which persons are using the land for primarily residential purposes, with or without the consent of the registered owner and established outside of the provisions of the By-law or any other applicable planning legislation;
Informal Structure	A shelter of a temporary nature in accordance with the provisions of the Act on National Building Regulations and Building Standards, 1977 (Act No. 103 of 1977) and any amendments thereof.
Inspector	A person designated or appointed as an inspector under Section 32 of the Spatial Planning and Land Use Management Act, 2013.
In-stream Habitat	The physical structure of a watercourse and the associated vegetation and other biota in relation to the bed of the watercourse.
Interested Party	Any person or group of persons, legal entity or body that can demonstrate their interest in any land development application
Keeping of animals	The accommodation of animals not for commercial farming purposes.
Kitchen	A room or any portion of a room equipped with cooking facilities and used for the preparation of meals, including a kitchenette, but excluding outside entertainment areas. Cooking facilities include any stove, hotplate, oven, microwave oven, toaster oven or electric griddle, as well as any wiring or piping containing the energy or power source for such facilities. A water kettle, coffee percolator and bread toaster are not regarded as cooking facilities.
Land	<ul style="list-style-type: none"> (a) Any erf, agricultural holding or farm portion, and includes any improvements or building on the land and any real right in land; and (b) The area of communal land to which a household holds an informal right recognised in terms of the customary law applicable in the area where the land to which such right is held is situated and which right is held with the consent of, and adversely to, the registered owner of the land.
Land Development	The erection of buildings or structures on land, or the change of use of land, including township establishment, the subdivision or consolidation of land or any deviation from the land use or uses permitted in terms of an applicable land use scheme;
Land Development Application	An application as contemplated in the Spatial Planning and Land Use Management Act, 2013, submitted to the Municipality.
Land Development Area	An erf or the land which is delineated in an application submitted in terms of the Ulundi Spatial Planning and Land Use Management By-Law, 2016, or any other legislation governing the change in land use and “land area” has a similar meaning;
Land Development Officer	The authorised official defined in regulation 1 of the Regulations;
Land Survey Certificate	A certificate issued by a professional land surveyor.
Land Surveyor	A person registered as a professional land surveyor in terms of the Professional and Technical Surveyors' Act, 1984 (Act No. 40 of 1984).

CATEGORY	DEFINITION
Land Unit	<i>Refer to Erf.</i>
Land Use	The purpose for which land is or may be used lawfully in terms of a land use scheme, existing scheme or in terms of any other authorisation, permit or consent issued by a competent authority, and includes any conditions related to such land use purposes;
Land Use Restriction	A restriction, in terms of zoning, on the extent of the improvement of land.
Land Use Rights	The inherent rights to use and develop land that is attached to a property. The Land Use Rights determine what is allowed on the property in terms of the type of development, the bulk and intensity thereof and the conditions to which the development or land use are subject. The components of the Land Use Rights are: <ul style="list-style-type: none"> • The land use allowed, as defined in the land use definitions, • The bulk of development allowed, as defined in the density, FAR, Coverage and Height restrictions, and • The conditions to which the development must comply, as defined in the building lines, parking and loading requirements, site development, urban design, landscaping, servitudes and other conditions. • A condition imposed on a property in terms of the Scheme is regarded as a component of the Land Use Rights of that property.
Land Use Scheme	The land use scheme adopted and approved in terms of the by-law and for the purpose of the by-law includes an existing scheme until such time as the existing scheme is replaced by the adopted and approved land use scheme.
Landscaping	The planting or placement of plants and garden ornaments for the purpose of protecting, preserving and promoting aesthetic appeal, scenic beauty, character and value of property as well as promoting public health and safety through the reduction of noise pollution, storm water runoff, air pollution, visual pollution and light glare.
Lapa	Shelter, that is closed on 3 sides maximum, usually consisting of a thatched roof supported by wooden poles, used for outdoor meals and parties
Limited Development Area	An area declared as a limited development area in terms of section 23(1) of the environmental conservation act, 1989 (act 73 of 1989).
Line of no access	A line along a street or property boundary prohibiting any vehicular access or egress.
Listed Activities	Development actions that are likely to result in significant environmental impact as identified by the Minister of Environmental Affairs and Tourism in terms of Section 21 of the Environment Conservation Act, 1989 (Act No. 73 of 1989) and the Environmental Impact Assessment Regulations, 2014.
Listed Building	Any building, structure or place of architectural, historic or artistic interest, which is listed in the planning scheme, and is indicated on the relevant maps by means of an asterisk.
Living Room	A room designed or used for human occupation in accordance with the standards prescribed in the National Building Regulations, but does not include a storeroom, kitchen, scullery, toilet, bathroom or a passage.
Loading Bay	An area, used exclusively for the parking of a delivery vehicle not being for trade or sale, the extent of which area shall comply with the necessary traffic and road engineering standards, used for the loading and off-loading of goods.
Mezzanine	Any mezzanine floor the area of which does not exceed 25% of the floor area below it. 

CATEGORY	DEFINITION
Minor Structural Alterations	Small structural changes to an existing building for which a building plan is not a requirement.
Motor Vehicle	A wheeled vehicle designed or used for propulsion by means of an internal combustion or electrical engine, and includes a motor cycle, trailer or caravan
Multi-Use Development	The development of a structure(s) with two or more different land uses, such as, but not limited, to a combination of residential, office, retail, public services and manufacturing in a single or physically integrated group of structures.
Municipality	The Municipality is the Ulundi Local Municipality and its successors in title.
Municipal Manager	The person appointed as the Ulundi Municipal Manager in terms of Section 54A of the Municipal Systems Act and includes any person acting in that position or to whom authority has been delegated
Municipal Planning Tribunal	Refers to the Ulundi Municipal Planning Tribunal.
Municipal Purposes	Such purposes as the Municipality may be authorised to carry out in terms of any law governing municipalities including but not limited to the Local Government Municipal Structures, 1998 (Act No. 117 of 1998) and the Local Government Municipal Systems Act, 2000, (Act No. 32 of 2000).
Municipal Services	Infrastructure services such as electricity cables, water pipes, sewage pipes, street furniture, electricity poles, light poles, traffic signs.
National Building Regulations	The National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977);
Natural Environment	Our physical surroundings, including plants and animals when they are unspoilt by human activities.
Natural Features	Includes topographical, drainage, vegetation and faunal features, such as different land forms, rivers and streams, waterfalls and pools, plants and fauna.
Natural level of the ground	<ul style="list-style-type: none"> (a) The level of the natural surface of a land unit in its unmodified state; or (b) The level of the graded surface of a land unit, where such grading was undertaken by a developer as part of a township establishment process, provided that any such grading shall connect evenly with the existing levels of abutting land and otherwise meets with the Council's approval; or (c) If in Council's opinion the natural surface of a land unit has been disturbed in circumstances other than those described in paragraph (b) or if it is not possible to determine a natural level of the ground due to irregularities or other disturbances of the land unit or if land is excavated and the excavated material is used to extend the building site (i.e. cut and fill), Council shall fix a level as the natural level of the ground for purposes of administering these regulations.
Neighbour	The owner of the land which is contiguous to the property which forms the subject of the Land Development and Land Use application, even though it may be separated by a road or panhandle, except if indicated differently by the Municipality. See also surrounding owners.
Notice	Unless otherwise specifically provided in terms of this Land Use Management Scheme or any other law, means a written notice and notify means to give a notice in writing and the provisions of the Municipal Systems Act, 2000 (Act 32 of 2000) shall apply
Objector	A person who has lodged an objection with the Municipality to a draft municipal Spatial Development Framework, draft Land Use Scheme or an application;
Occupant	In relation to any building, structure, or land, means and includes the following; any person occupying such building, structure, or land or legally entitled to occupy it, or anybody entrusted with the control or supervision thereof; and includes the agent of such a person who is absent from the area or whose whereabouts are unknown.
Occupational Health and Safety Law	Refers to the Occupational Health and Safety Act, 1993, (Act No. 85 of 1993) or municipal by-laws governing occupational health and safety, whichever is applicable;
Outbuilding	A building or portion of a building, or portion of a building used, constructed, designed or adapted for use as rooms for domestic staff, a storeroom, a workshop, the garaging for motor vehicles, or any other use which is deemed by the Municipality to be an outbuilding use, provided that the size and design of the outbuilding shall be to the satisfaction of the Municipality.
Overlay Zone	A mapped overlay superimposed on one or more established zoning areas which may be used to impose supplemental restrictions on uses in these areas or permit uses otherwise disallowed
Owner's Association	A legal entity, the membership of which shall be exclusive to, and compulsory for the freehold or registered leasehold owners of dwelling unit curtilages in a medium density housing scheme or any development where land owners are required to form an owner's association.
Owner	With reference to a building or land: <ul style="list-style-type: none"> • the registered owner; or • the person who administers the estate of the registered owner, whether as executor, administrator,

CATEGORY	DEFINITION
	guardian or in any other capacity.
Panhandle	That portion of a property which is – (1) at least 3,5m wide and not more than 8m wide; and (2) used exclusively as an access to a public street.
Panhandle Erf	An L-shaped property, formed by either subdivision or township establishment, consisting of a narrow portion, which is known as the panhandle and which abuts on a street, and a broader buildable portion.
Parapet	A low projection, wall or moulding which finishes the uppermost edge of a building with a flat or low pitched roof;
Parking Bay	An area, used exclusively for the parking of a motor vehicle not being for trade or sale, the extent of which shall be a minimum of 2.5metres wide and a minimum of 5 metres long for perpendicular or angles parking and a minimum of 2.5 metres wide and a minimum of 6 metres long for parallel parking, excluding access or maneuvering space, ramps and columns.
Pergola	Any unroofed horizontal or approximately horizontal grille or framework, such that the area of the solid portions of the horizontal projection does not exceed 25% of the total area thereof.
Planning Law or Planning Legislation	Refers to the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013),
Policy Plan	A policy adopted by the Municipality, structure plan, municipal spatial development framework, local spatial development framework or other policy plan approved in terms of Planning Law;.
Pollution	Any change in the environment caused by substances, radioactive or other emissions, noise, odour, heat or dust emitted from any activity, including the storage or treatment of waste or other substances, construction and the provision of services, whether engaged in by any person, organs of state and where the change has an adverse effect on human health or well-being or on the composition, resilience and productivity of natural or managed ecosystems, or on material useful to people, or will have such an effect in future.
Porch	A roof (not being the floor of a balcony) projecting from the outside of a building above a doorway, and forming a covered entrance to such building, and includes any paved area there under, and any low walls or railings enclosing such paved area and any pillars supporting such roof
Premier	The Premier of the Province of Kwazulu Natal.
Prescribed	Means prescribed in terms of legislation
Previous planning legislation	Any planning legislation that is repealed by the Act or the provincial legislation
Primary Use	In relation to property means any land use specified in this Land Use Scheme as a primary use, being a use that is permitted within a zoning without the need to obtain the Municipality’s approval
Principles	A set of values and guiding rules that should guide and inform ongoing planning and development
Profession	Any occupation that requires membership to a professional institution, council or controlling body, before practising the required profession but excluding any trade or commercial business activities.
Property	Any portion of land, which is registered as a separate entity in the Deeds Registry.
Protected Areas	An area of land, water or sea especially dedicated to the protection and maintenance of biological diversity and of natural and associated cultural resources and managed through legal or other effective Means and shall have the same meaning as assigned to it in terms of the National Environmental Management: Protected Areas Act, 57 of 2003.
Provincial legislation	Refers to legislation contemplated in section 10 of the Act promulgated by the Province
Public nuisance	Any act, omission or condition in the Council’s opinion, which is offensive, which is injurious or dangerous to health, which materially interferes with the ordinary comfort, convenience, peace or quiet of the general public or which adversely affects the safety of the public.
Public Purposes	Purposes normally or otherwise reasonably associated with the use of land as open spaces, public parks, public gardens, recreation sites, sport fields or public squares or for religious gatherings;
Ramsar Site	A wetland of international importance as inscribed in the list of wetlands of international importance in terms of UNESCO.s Convention on wetlands of international importance.
Rear boundary	Any boundary opposite to a street boundary: Provided that, where a property has two or more street boundaries, the boundaries opposite to such street boundaries shall be deemed to side boundaries.
Rear Space	The distance that a building must be set back from the rear boundary.
Reconnaissance	A preliminary survey of the ground for mining purposes.
Refuse area	A defined screened refuse receptacle from where refuse is collected from time to time, usually on a weekly basis;
Register	A record of all: (a) departures;

CATEGORY	DEFINITION
	(b) conditions of rezoning that affect the land use right of any land unit, and (c) consent uses and nonconforming uses; (d) applicable to a land unit as prescribed or required under this Scheme
Register of Land Use Rights	A register where all land use rights issued as a result of applications to the Local Municipality that have been approved are captured and recorded.
Registrar of Deeds	Refers to the Registrar of Deeds as defined in the Deeds Registries Act;
Regulations	Refers to the Spatial Planning and Land Use Management Regulations: Land Use Management and General Matters, 2015.
Renewable Energy	Infrastructure or land for the energy that is collected from resources which are naturally replenished on a human schedule, such as sunlight, wind, rain, waves and heat.
Residential Density	The number of permitted dwelling units, determined by dividing the surveyed area of the erf (excluding the access ways of hatchet shaped / panhandle erven), by the minimum erf size applicable to the zone in which the erf is located, and adjusting this figure to the nearest whole number; the permitted density is expressed as a number per hectare.
Restriction	A servitude or condition registered against the title deed of immovable property restricting its utilisation, and any other statutory restriction on the planning, development or utilisation of immovable property
Restrictive Condition	Any condition registered against the title deed of land restricting the use, development or subdivision of the land concerned;
Rezoning	The amendments of a zoning scheme in terms of the by-law in order to effect a change of zoning in relation to particular land.
Rights	Land use rights obtained in terms of this Scheme.
Riparian Habitat	The physical structure and associated vegetation of the areas associated with a watercourse, which are commonly characterised by alluvial soils and which are inundated or flooded to an extent, and with a frequency sufficient to support vegetation of species, which have a composition and physical structure distinct from those of adjacent land areas.
Road Boundary	That portion of a boundary of an erf which abuts on, and is coincident with the boundary of a road, street or parking area.
Road Reserve	The designated area of land that contains a public street or private road (including the road and associated verge), which land may or may not be defined by cadastral boundaries;
Rural	Land located outside the urban edge, which is not used for bona fide agricultural activities or a service trade and includes a dwelling house.
Schedules	Supplement(s) to the Scheme containing special procedures and/or some areas or properties to which specific rights or provisions are applicable and such schedules may from time to time be amended by the Municipality. Where any discrepancy exists between the Schedules and the provisions of the Clauses and Tables, the most prohibitive conditions shall prevail.
Scheme	Refers to the Ulundi Local Municipality’s Land Use Scheme, 2018 and includes the Scheme Regulations, scheme maps, annexures, schedules, tables and figures to the Scheme.
Scheme Area	The defined boundaries of the Ulundi Local Municipality which is the area across which the Land Use Scheme is applicable.
Scheme Map	A map indicating all zonings within the area of jurisdiction of the land use scheme.
Secondary Use	The use of a building or property granted with the consent of the Municipality.
Service Provider	A person lawfully appointed by the Local Municipality or other Organ of the State to carry out, manage or implement any service, work or function on behalf of or by the direction of the Municipality or organ of state;
Services Agreement	A written agreement which is concluded between a developer of land and Council and in terms of which the respective responsibilities of the two parties for the planning, design, provision, installation, financing and maintenance of internal and external engineering services and the standard of such services, are determined.
Servitude	A registered right that grants the use of a portion of land for specified purposes.
Setback Line	A unit of residential accommodation of any material whatsoever, which may not comply with the National Building Regulations, as applicable to the area of jurisdiction of the Municipality.
Shelter	A unit of accommodation intended for human occupation, constructed of any material whatsoever, even though such material does not comply with the standards of durability intended by the National Building Regulations, as applicable to the area of jurisdiction
Side Boundary	Any boundary of a land unit, which does not constitute the common boundary with a public street or public road.
Side Space	The distance that a building must be set back from the side boundary.
Sign	Any sign, sign-writing, mural, graphic design, signboard, screen, blind, boarding or another device by means of which an advertisement or notice is physically displayed, and includes any advertisement or object, structure or device which is in itself an advertisement or which is used to display an advertisement;

CATEGORY	DEFINITION
Site	In relation to a building, includes the area of any building, yard, court of garden and in relation to either land or a building; may include more than one erf or portion of land, if such erven or portions of land are abutting and have been notorially tied to the satisfaction of the Municipality.
Site Development Plan	A plan that shows the proposed development of a property and any salient natural features thereof in accordance with the guidelines contained in the Scheme.
Slope	The degree of deviation of a surface from the horizontal, expressed as a ratio and calculated for the purpose of this Scheme, as follows: Slope = vertical height as a ratio to horizontal distance
Soil Erosion	The loss of soil as the result of the action of the natural elements such as water, wind, drought and attrition, or from other inappropriate activities such as agricultural or other uses, or the development of land that results in the washing away or loss of the soil.
Spatial Development Framework	Refers to the Ulundi Spatial Development Framework, or as defined in SPLUMA
Special Landscapes	Landscapes that are selected for their natural beauty or value as reservoirs of bio-diversity, cultural, historical or geological features.
State Land	The land that is vested in the national or provincial government, but excludes land belonging to the municipality.
Stoop	An uncovered paved area or projecting floor outside and immediately adjoining a building, at or below the level of the ground floor thereof, and includes any low walls or railings enclosing such paved area or floors.
Storey	The vertical space in a building between one floor level and the following floor level or ceiling or roof above, provided that a storey shall not exceed 6 meters in height in respect of the ground storey and 4,5 meters in respect of any other storey
Stormwater	Water resulting from natural processes, the precipitation or accumulation thereof, and includes groundwater and spring water ordinarily conveyed by the storm water system, as well as sea water within estuaries, but excludes water in a drinking-water or waste-water reticulation system;
Street Boundary	The boundary between a land unit and a public street or private road; provided that the boundary of a pedestrian way or service lane that cannot or will never be used by motor vehicles, may be regarded as a common boundary for the purpose of determining building lines, a street centre line setback and site access requirements;
Street or road	The area or portion of any street, road, bridge, subway, tunnel, avenue, lane, driveway, sanitary lane, thoroughfare or rights of way, shown on the General Plan of a township, agricultural holdings or other division of land or in respect of which the public has acquired a right of way by prescription or any other means.
Structure	Without in any way limiting its ordinary meaning, includes any building, shelter, wall, fence, pillar, tower, pergola, steps, landing, terrace, sign, ornamental architectural feature, swimming pool, fuel pump or underground tank, any building ancillary to service infrastructure provision, and any portion of a structure;
Subdivision	The division of a piece of land into two or more portions
Subletting	Allowing someone to use an apartment, house, etc. for a period of time in return for payment.
Surrounding owners	The registered owners of the properties directly adjacent to, across and within a radius of 100 metres from the borders of the concerned premises, and also such owners that the Local Authority may specify.
Surveyor-General	The Surveyor-General as defined in the Land Survey Act, 1997 (Act No. 8 of 1997);
Systems Act	The national Local Government: Municipal Systems Act, 2000, (Act No 32 of 2000).
Temporary Building	any building that is so declared by the owner and that is being used or is to be used for a specified purpose for a specified limited period of time, but does not include a builder's shed;
Temporary Departure	The temporary consent provided by the Municipality that envisaged for the temporary use of a property for: the erection and use of temporary buildings, or the use of existing buildings for site offices, storage rooms, workshops or such other uses as may be necessary during the erection of any permanent building or structure on the <u>land</u> ; Provided that such consent shall ipso facto lapse upon completion of the permanent structure or on the expiry date thereof as determined by the Municipality; <ul style="list-style-type: none"> (a) the occasional use of land or buildings for public religious exercises, place of instruction, institution, place of amusement or social hall; (b) the use of land or buildings thereon for State or Municipal purposes; (c) the use of land or the erection of buildings necessary for the purpose of informal retail trade.
Temporary use	A use established for a specified period of time, which is to be determined and placed in writing by the municipality, and shall not exceed 18 months.
Terrace	An area to which occupants of a building have access, created on a flat roof over a portion of a storey, resulting from the setting back of part of the building above such a storey.
The Act	The Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013), Spatial Planning and Land

CATEGORY	DEFINITION
	Use Management Regulations: Land Use Management and General Matters, 2015 and any subsidiary legislation or other legal instruments issued in terms thereof.
Title Deed	Any deed registered in a Deeds Registry recording the ownership of land or a real right in land;
Top of the Roof	The top of the roof ridge in the case of a pitched roof, or the top of the parapet where a parapet extends above the roof; defined for the purpose of height control
Total Floor Space	The sum of the floor space of all the levels of a particular building, including basements.
Township	An area of land divided into erven, and may include public places and roads indicated as such on a General Plan;
Township Register	An approved subdivision register of a township in terms of the Deeds Registries Act
Traditional Authorities	A Traditional Authority or a Community Authority established in terms of the Amakhosi and Isiphakanyiswe Act, 1990 (Act 9 of 1990).
Traffic impact assessment	A study of demand for travel generated by a proposed development in relation to the existing and planned road system, provided that such a study must be conducted by a competent, registered civil or traffic engineer.
Trails	A beaten path or track, extending through areas deemed to be of conservation value or ecologically sensitive, and may be used for the purpose of guided or educational tours.
Undevelopable land	Undevelopable land includes: <ul style="list-style-type: none"> • land situated within the 1:100 year Floodline area, • land of which the gradient is steeper than 1:4 (25%), • environmentally sensitive areas, such as wetlands or natural habitats, or areas forming an integral link between such areas of environmental sensitivity, • unique landscape features, • cultural heritage sites, and • any other land that, due to physical or other constraint cannot reasonably be developed.
Unrelated person	A person who lives on a property or in a building independently from other persons.
Verandah	A covered area (not being an area which is part of a yard or parking area) or projecting floor outside and immediately adjoining a building at or below the level of the ground floor thereof, and includes both such area or floor and the roof or other feature covering it, as well as any low walls or railings enclosing such paved area or floor.
Watercourse	As defined in the National Water Act, 1998 (Act no 36 of 1998) a watercourse means: <ul style="list-style-type: none"> • a river or spring, • a natural channel in which water flows regularly or intermittently, • a wetland, lake or dam into which, or from which water flows, and • a collection of water which the Minister may, by notice in the Gazette, declare to be a watercourse, and a reference to a watercourse includes, where relevant, it's bed and banks.
Wetland Area	Means land which is transitional between terrestrial and aquatic systems where the water table is usually at or near the surface, or the land is periodically covered with shallow water, and which land in normal circumstances supports or would support vegetation typically adapted to life in saturated soil.
Zone	When used as a noun, means land which has been designated for a particular zoning, irrespective of whether it consists of one or more properties or a portion of a land unit. When used as a verb in relation to land, means to set aside the land for a particular zoning.
Zoning	Area shown on a planning scheme map by distinctive colouring or edging in some other distinctive manner, for the purpose of indicating the restrictions imposed by a Planning Scheme on the erections and use of buildings or structures, or the use of land.
Zoning Map	An approved map or maps (A and B series) showing the erven/sites within the Council's area of jurisdiction and applicable use/height and density zoning

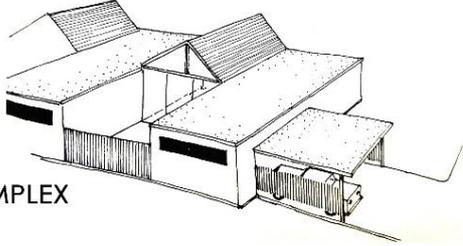
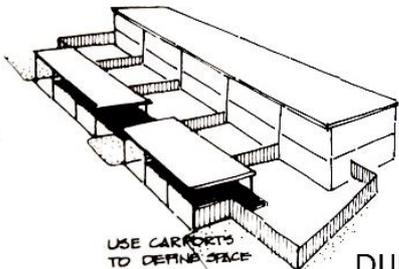
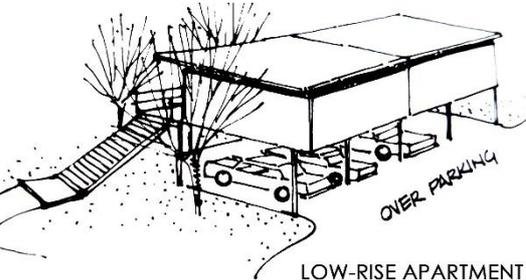
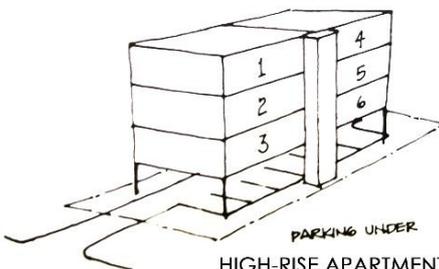
2.3 BUILDINGS & LAND USE DEFINITIONS

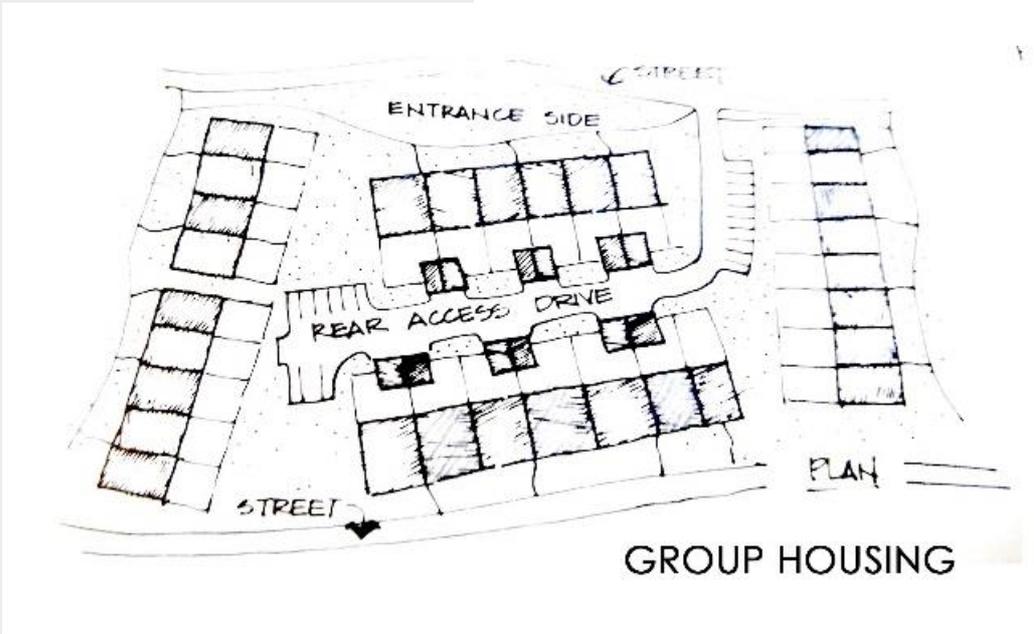
CATEGORY	DEFINITION
4X4 Trail	A series of roads, tracks, and routes, designed for use by off-road vehicles as a recreation or adventure facility, and includes buildings normally required for the administration and maintenance thereof, but does not include tourist accommodation or tourist facilities.
Abattoir	A place where livestock or poultry is slaughtered and prepared for distribution thereof to retail outlets.
Additional Dwelling	An additional dwelling unit which may be erected on the same cadastral land unit on which a dwelling

CATEGORY	DEFINITION
Unit	unit exists or are in the process of being erected, subject to the conditions set out in Clause 12.25 of this scheme.
Adult entertainment business	An establishment or any part thereof, where for any form of consideration, live performances, films, slides or similar electronic reproductions, photographs, books, magazines, equipment or toys are hired, sold or occur, which are characterized by an emphasis on human nudity, partial nudity, pornographic or erotic sexual activities. Adult entertainment business include a massage parlour or escort agency, where the massage or manipulation of the human body is administered with the purpose of obtaining an erotic response, unless such manipulation is administered by a registered medical practitioner or similar professional person. Adult entertainment business furthermore includes any form of administration or liaison services relating to the sale, renting, hiring, booking or reservation of any goods or services.
Agricultural Purposes	The growing, rearing, producing or harvesting of agricultural crops and plants, fur-bearing animals, poultry, or other livestock and includes processing of primary agricultural products harvested, reared or produced of the farm, game farming, aquaculture, a plant nursery excluding the retail sale of plants and the storage and repairs of farming implements and machinery used on the farm, including boarding and breeding kennels, but excluding packaging and processing plants, wholesale distribution, feed lots and abattoirs. Includes pastures, meadows, arable land, plantations, fisheries, orchards, vegetable gardens, floriculture, nursery, mushroom farms, livestock farm, dairy farms, pig farms, poultry farms and bee keeping, including buildings used in connection therewith
Agricultural buildings	A building designed for use in connection with, and which is ordinarily incidental to, or reasonably necessary in connection with the agricultural use of the land on which the building is situated and includes warehousing, packaging of produce, workshops, drying facilities, but not an agricultural industry or farm stall. May include, with the special consent of the Council, dwelling units for employees involved with farming on the same property.
Agricultural housing	A residential building or dwelling units located on a farm and used only for the accommodation of farm labourers employed by the owner of the subject farm or where such labourers are required to work on any other farm portion in the vicinity, which is also owned and/or cultivated by the same farm owner. The definition includes farm labourers and/or dwellers who enjoy security of tenure in terms of the Extension of Security of Tenure Act, 1997 (Act no 62 of 1997).
Agricultural industry	An enterprise for the processing of agricultural products on or in close proximity to the land unit where these agricultural products are produced, and where processing in such proximity is necessary due to the nature, perishability or fragility of such agricultural products, and includes wineries, farm packaging stores and chicken hatcheries but does not include the trading of products thus processed.
Agricultural Land	The use of land for the production of food and fibre, including farming, dairying, pasturage, agriculture, horticulture, viticulture and animal and poultry husbandry.
Agri-village	A sustainable private settlement of restricted size, including an agricultural component, established and managed as a legal entity, that is situated within an agricultural or rural area and where residence is restricted to bona fide rural workers and their dependants, of the farms, forestry or conservation enterprises situated in the area. The development of agri-villages may represent a partnership between the farmer, the farm worker and the state.
Airport	Land and buildings thereon used for the landing, take-off, parking, fuelling, and maintenance of aircrafts, limited to aircrafts used for domestic flights, pleasure flights or training, crops spraying, fire fighting or emergency rescue services and uses related and subservient to the main use, including a national air-force base. An airport includes a heliport.
Amenity Area	Land reserved for the protection of places of scenic beauty, natural vegetation, rivers and other topographical features, fauna and flora, places of historical interest and the like, but which may with the permission of the owner be used by the public for passive recreation.
Amusement Park	A primarily outdoors facility that may include structures and buildings where there are various devices for entertainment, including rides, booths for the conduct of games or the sale of items, buildings for shows and entertainment, restaurants, fast food outlets and souvenir sales.
Animal refuge	Property used for the temporary boarding, treatment, care, breeding, rehabilitation or training of domestic animals and pets, but does not include a veterinary clinic.
Auction house	The offering for sale of new and used goods by means of a request or invitation for bids, including the storage of goods to be auctioned, but does not include retail sales nor the sale of poultry or livestock.
Bakery	A building designed or used for large scale preparation and baking of bread, cakes, pastries and other baked products for distribution to retailers.

CATEGORY	DEFINITION
Bar	Premises used primarily for the sale or dispensing of alcoholic beverages for on-site consumption, and where food may be available for consumption on the premises as ancillary to the principal use.
Bed and Breakfast Establishment	A dwelling unit for overnight guests for compensation, on a daily or weekly basis, with or without meals. The owner must reside on the property and the maximum number of bedrooms which may be rented out is limited to 6 bedrooms. One parking bay to be provided on site per bedroom.
Betting Depot	A building used for the purposes of a bookmaker's premises or a totalisator agency in terms of Section 22(1) and 28(3) of the Horse Racing and Betting Control Consolidation Ordinance, 1957 (Ordinance 28 of 1957), as amended.
Bird Sanctuary	A place dedicated to the care, rehabilitation, protection and conservation of wild and exotic bird species, which includes breeding and research programs, and may be open to the public for educational and recreational purposes.
Boarding house	A dwelling unit or part thereof, in which lodging is provided by the owner or operator who resides on the premises, to three or more but not more than 15 boarders.
Brickyard	A property used for the manufacturing, storage and wholesale sale of bricks to the general public, provided that raw materials used for the manufacturing of bricks are not exploited or mined on the property without the necessary mining and environmental permits
Builder's yard	Land or buildings used for the storage of material – (a) Which is necessary or normally used for building work; (b) Which is derived from demolition or excavation work; or (c) Which is necessary or normally used for improvements to land, such as material used for the construction of roads, installation of essential services or for any other building work, whether for public or private purposes, as well as the preparation, for use, of the material stored as such, but does not include a builder's yard established for the purpose of temporarily storing such materials in connection with and for the duration of construction or building work in the immediate vicinity of such builder's yard and also does not include storage at a shop or a warehouse.
Bulk retail trade	The wholesale or retail sale of bulky goods from within an enclosed building where the size and nature of the principle goods being sold typically require large floor areas for direct display to the purchaser or consumer. Bulk retail include a storage yard and in-house repair or adjustment facilities for products purchased from the bulk retailer.
Cafeteria	A building or part of a building used for the preparation and sale of food and refreshments, tobacco products, reading matter and similar ancillary convenience items for the exclusive use of the employees and their guests or patrons of the building provided it is ancillary and subservient to the main use on the same property.
Camping Ground	Any erf on which tents, but not caravans, intended for temporary use by persons for dwelling or sleeping purposes, are erected or used or intended to be erected or used, and on which shall be provided adequate ablution and sanitary facilities, water points and approved refuse receptacles.
Canteen	A building or part thereof and/or premises used for the preparation and disposal of foodstuffs and allied products, to the staff of an industrial or commercial undertaking, public office or educational building to which it is related.
Caravan Park	An area of land provided with adequate ablution and sanitary facilities with or without a communal kitchen, constructed with permanent materials, arranged for the accommodation of caravans and, at the discretion of the Municipality, static caravans, which are used primarily as temporary holiday dwelling units, and provided also with permanent water points, approved refuse receptacles and containing within the curtilage a sufficient open space for recreational purposes, with one dwelling house or dwelling unit for the use thereof by a caretaker or manager.
Caretaker's dwelling	A dwelling unit for a person and his/her family who is responsible for the care and supervision of the land and main buildings on the same property
Carwash	An establishment where motor vehicles, excluding construction, service or large passenger vehicles such as busses, are washed, polished and cleaned by means of mechanical apparatus or by hand. May include a cafeteria
Cemetery	A place where the deceased are buried and may include buildings that are necessary for the administrative and clerical uses associated therewith, including a chapel or a similar building used for the conducting of funeral services, but excluding a crematorium. May include a wall of remembrance
Chalet	A dwelling unit used as a holiday dwelling, consisting of not more than three bedrooms, with or without sanitary conveniences, a bathroom, shower and kitchen.
Child Minding Facility	A building or portion of a building, which is used for the daytime care of 6 or less children.

CATEGORY	DEFINITION
Clinic	A facility providing medical, psychiatric or surgical service for sick or injured persons, including emergency treatment, diagnostic services and services to outpatients, employees or visitors, and may include a day-ward.
Coal yard	The storage and retail sale of coal, wood or charcoal to the public.
Commercial Use	Land used or a building designed or used for such purposes as distribution depot, wholesale trade, storage, warehouses, cartage and transport services, laboratories and computer centres and may include offices which are directly related and subservient to the main use which is carried out on the land, or in the building and may include industries which are supplementary and subservient to the main commercial use.
Commercial Workshop	A light industrial workshop, wherein the primary purpose is the selling of goods and services by retail, and where the processes are operated specifically in conjunction with a shop or office to which the general public has access as customers, and it includes such uses as a watch repairer, shoe repairer, electronic equipment repairer and an electrician, but excludes a garage or petrol filling station.
Commonage	Land used for small-scale, subsistence farming activities to cultivate fresh produce or to raise small numbers of livestock or poultry for own consumption or resale. Commonage has a social and economic upliftment quality and will mostly, but not exclusively, represent communal agricultural land shared between various households or a community. Commonage does not provide for residential purposes but may include facilities for the informal trade of the produce produced on the land.
Communications Tower	A structure on which an antenna or dish is installed for the transmission, broadcasting or receiving of radio, television, radar or microwaves, and similar types of devices.
Confectioner	A building designed or used for the preparation and baking of bread, cakes, pastries and other baked products for retail sale to the public.
Conference center	A place of assembly used for the conducting of conferences, seminars, gatherings, indoor recreation, exhibitions and such other uses which are ancillary to or reasonably necessary for the use of the building as a conference center, including the supply of meals and alcoholic beverages to delegates only, provided that conference remains the primary use on or in the center. A conference center may include administrative offices directly related and subservient to the main concern.
Conservancy	A group of individual farms or contiguous land parcels which, through their owners. initiative, are combined together for the protection and preservation of the natural bio-diversity of eco-systems in that area.
Convenience Shop	A building or portion of a building, restricted to the sale of convenience goods such as bread and confectionery, dairy products, fresh produce, beverages, canned foods, cigarettes, magazines and newspapers, at the discretion of the municipality.
Crèche	Means a building or portion of a building for the care of seven (7) or more infants and young children during the daytime absence of their parents or guardians.
Crematorium	A building where the deceased are reduced to ash, and may include facilities for associated religious and administrative functions directly related to the main use, including a chapel.
Crisis Centre	A facility providing temporary protective sanctuary for victims of crime or abuse.
Cultural activities	Activities of a cultural nature. These include but not limited to, animal slaughtering, initiation ceremonies, honouring ancestors, wedding celebrations and burials etc. subject to approval by the Municipality for a temporary departure from the Scheme.
Day Care Centre	A facility operated for the purpose of providing care, protection and guidance to 60 or less individuals during only the daytime part of a 24-hour period. This term excludes public and private education facilities or any facility offering care to individuals for a full 24 hour period.
Drive-thru Restaurant	Land or buildings designed or used as a place of refreshment from where food and refreshments are sold and served to clients in vehicles for consumption away from the concerned property provided that the establishment and operation of a drive-thru-restaurant for the sale or supply to customers of any foodstuff in the form of meals for consumption away from the property shall be subject to a licence in terms of the Business Act, 1991 (Act No. 71 of 1991)
Dry cleaner	An industrial laundry cleaning service, making use of specialized industrial dry cleaning and steam cleaning equipment, including certain noxious chemicals and processes deemed a nuisance or threat to the general public
Duplex Flat	A dwelling unit in a building, where each unit consists of a ground floor and one upper floor, which is connected by an internal staircase, and where the unit has direct access to a private open area.
Dwelling House	A building constructed, used or adapted to be used, as a dwelling unit to accommodate one household and which includes not more than one kitchen, habitable rooms for the accommodation of bona fide domestic staff, outbuildings and accessories as are ordinarily used therewith.

CATEGORY	DEFINITION
Dwelling , Multi Family	A building, or portion thereof, which contains two or more dwelling units, regardless of the method of ownership, and may include an .umuzi. or cluster of traditional dwellings established on Ingonyama Trust land.
Dwelling unit	<p>A self-contained inter-leading group of rooms, including a kitchen, designed and used only as the accommodation for and housing of one household, and anything appurtenant, accessory and of a nature customarily incidental thereto, but does not include an ancillary unit. The total extent of the dwelling unit may not exceed 80m2.</p> <div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div style="text-align: center;">  <p>SIMPLEX</p> </div> <div style="text-align: center;">  <p>DUPLEX</p> </div> </div> <div style="display: flex; justify-content: space-around; align-items: flex-start; margin-top: 20px;"> <div style="text-align: center;">  <p>LOW-RISE APARTMENT</p> </div> <div style="text-align: center;">  <p>HIGH-RISE APARTMENTS</p> </div> </div>
Early Childhood Development Centres	Any building or premises maintained or used, whether or not for gain, for the admission, protection and temporary or partial care of more than six children away from their parents. Centres with 24 children and less are classified as small-scale facilities and those with 25 children and more constitute large-scale centres. Depending on registration, an ECD centre can admit babies, toddlers and/or pre-school aged children. The term ECD centre can refer to a crèche, day care centre for young children, a playgroup, a preschool, after school care etc. ECD centres are sometimes referred to as ECD sites.
Educational Building	A building used as a school, college, technical institute, academy, research laboratory, library, lecture hall, art gallery, museum, university or any other place of instruction, and includes a hostel, but does not include a reformatory.
Exhibition Centre	Any building used, or constructed or designed or adapted to be used, for the display of goods or for public entertainment, and may include offices for the administration of such a centre and other uses considered by the Municipality to be ancillary to, or reasonably necessary for the use of the building as an exhibition centre.
Extensive Grazng	The use of land for animal grazing.
Extractive Industry	The process of extracting, mining, winning or quarrying of raw materials from the ground, including gravel, sand and stone, and includes buildings connected with such operations, as well as crushing plants.
Factory	See industry
Farm Stall	A temporary or permanent building, located on a farm, where a farmer sells fresh produce and products produced and processed on the same farm to the general public, including the sale and display of arts and crafts. A farm stall may include the sale of convenience goods.
Filling Station	<p>Land used or a building designed or used for the purposes of fuelling, washing, polishing and lubricating of motor vehicles, including incidental and routine maintenance but excluding any normal and major mechanical repairs, sale of motor vehicles and spares, panel beating and spray painting. The following uses are included:</p> <ol style="list-style-type: none"> (a) The storage of fuels and the retail selling of vehicle fuel and lubricants; (b) One working bay for emergency repairs to vehicles but excluding panel beating, spray-painting and major repairs; (c) A convenience store including a confectionery and take away facility including a kitchen, with a maximum gross floor area, accessible to the general public, of 250 m², which floor area shall include the floor area accessible to the public as well as any store room, office, fridge area,

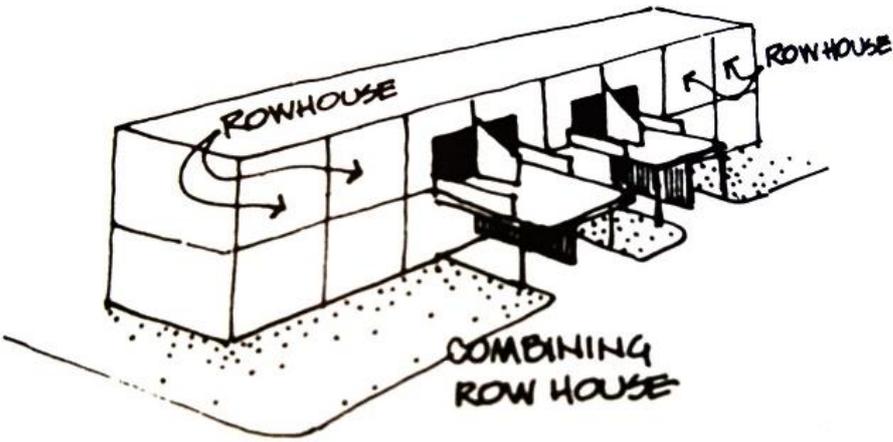
CATEGORY	DEFINITION
	<p>safe which is used for the operation of the convenience store; (d) An automatic teller machine; and (e) The sale of LP Gas.</p>
Flats (see dwelling units)	Two (2) or more Dwelling-units of one or more storeys contained in a building with a common entrance or foyer to the dwelling-units and may include other communal ancillary and subservient facilities such as a laundry and vending machines for the residents only.
Flea Market	An occasional or periodic market held in an open area, or structure, where groups of individual sellers offer goods for sale to the public.
Fueling facility	A private facility, not available to the public, for the storage and dispensing of fuel to vehicles.
Funeral parlour	A building used for the purpose of funeral management, which may include a place of worship specifically set aside for funeral services, a crematorium, a shop intended primarily for the sale and display of those commodities required for funeral purposes and services ordinarily ancillary to funeral management, but which does not include a monumental mason.
Garden Nursery	Land used for the purpose of growing, displaying and selling of plants and items incidental thereto, and includes the erection of buildings and structures ordinarily used therewith.
Garden service establishment	Property and buildings used for storage of equipment and the distribution and management of landscaping and garden maintenance services, including the repair and maintenance of equipment. Pool cleaning and maintenance services are also regarded as a garden service establishment.
Garage Suite (see dwelling unit)	A dwelling unit built within the walls of, or on top of, the garage of a dwelling house
General Game Reserve	Game reserves providing a wide, but not necessarily a complete spectrum of large and dangerous game endemic to the region, such as lion, elephant, rhino, leopard and buffalo.
General Industry	A factory, or a building used as a factory, or a use of land, not being a special industrial building, as originally defined in Section 3 of the Factories, machineries and Building Work Act, 1941, and includes the repair, spray painting and panel beating of motor vehicles.
Government use	Land or buildings thereon used for government purposes in the interest of the general public, including military establishments, police stations, magistrate’s courts and prisons, including the related administrative or office function , such as governmental offices
Group Housing (see dwelling unit)	<p>A group of separate and/or connected individual residential units which were planned, designed and built as a harmonious architectural entity with vary between single and double storeys and of cadastrally divided or not;</p> 
Guesthouse	An accommodation establishment consisting of no less than four and no more than eight guestrooms in which the occupant of the dwelling supplies lodging and meals for compensation to transient guests. A guest house does not include a conference facility or a medical suite and not have a public bar. A bed and breakfast establishment is regarded as a guest house.
Gymnasium	A building used for physical training and exercise with or without apparatus and may include

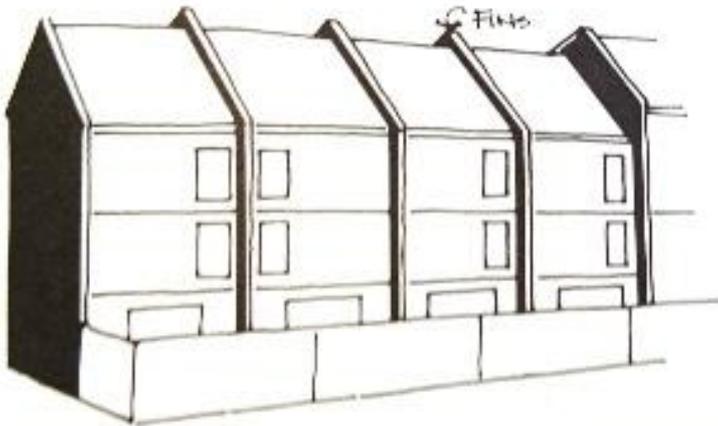
CATEGORY	DEFINITION
	swimming pools, squash courts and other sporting activities, administrative offices, steam baths, Turkish baths, saunas, and a single place of refreshment for patrons only not exceeding 100m ² , as well as a child care/play facility restricted for use by gymnasium members whilst exercising in the gymnasium.
Halfway House	An establishment providing accommodation, rehabilitation, counselling and supervision to persons suffering from substance addiction, to persons re-entering society after being released from a correctional facility or other institution.
Health Club	An establishment that provides facilities for aerobic exercises, running and jogging, exercise equipment, game courts, swimming facilities, saunas, showers, massage rooms and ancillary uses, which may include a shop, coffee bar, medical rooms and a beauty parlour.
Heavy vehicle parking depot	A property or building thereon used only for the temporary storage or ad hoc parking of heavy duty vehicles, long-haul vehicles, trucks, busses and road construction or maintenance vehicles. A heavy vehicle parking depot does not include a fuelling facility or a workshop for the servicing or maintenance of any vehicles.
Heliport	Land and/or a facility specifically designed and used for the landing and take-off of rotary wing aircraft and any associated aircraft storage or repair facilities
Holiday Accommodation Unit	A detached or attached habitable building, including a factory assembled structure, approved by the Municipality and used primarily for holiday occupancy, with or without sanitary convenience, bathroom, shower and kitchen together with approved accessory structures to be used in conjunction therewith.
Holiday Resort	A combination of holiday resort facilities, including a chalet development in association with a caravan park and a resort or public picnic place, together with such entertainment facilities, service rooms, ablution and sanitary facilities as are ordinarily used therewith, all under the supervision of a resident supervisor or caretaker.
Home occupation/business	The practice of a profession, occupation or business, of a maximum of 60m ² or, if the total floor area of the dwelling is less than 100m ² , 40% thereof, in or from a part of any dwelling unit or residential building which is practiced by a maximum of three (3) persons, of which at least one is a full-time resident of the property. Home occupations/businesses typically have a low frequency of client visits, are not traffic generating and blend in with the surrounding residential character so as to be almost imperceptible. A home occupation/business does not include medical suites, service or repair of engines and heavy equipment, commercial stables, kennels, welding or the parking and repair of industrial, commercial or construction vehicles, a tavern or a tuck shop. Typical home occupation/business include, but are not limited to, a home office or professional service such as an insurance broker, a hairdresser, a tailor or the limited baking of confectionaries for sale off-site. Home occupation/business are subject to the provisions contained in Clause 12.10 of this scheme.
Horticulture	The use of land for the production of flowers, fruit and vegetables.
Hospital	An institution designed as an integrated complex for the diagnosis, care and treatment of human illness, including live-in facilities for patients, a clinic, doctor consulting rooms, cold storage facilities for the deceased, dispensary/chemist, sale of refreshments, coffee shop and facilities incidental to the main use
Hotel (Licenced)	An establishment providing overnight accommodation, which may include ancillary and subservient facilities such as a restaurant, conference facilities, shops, entertainment facilities, gymnasiums, beauty salon, swimming pools and the selling of liquor and beverages for consumption on the same site, registered and licensed as such in terms of legislation regulating such enterprises. A hotel may comprise of a single or separate buildings but does not include self-catering accommodation.
Industry (Industrial Purpose)	A property or building used as a factory and where an article or part of such article is made, manufactured, produced, built, assembled, compiled, printed, ornamented, processed, treated, adapted, repaired, renovated, rebuilt, altered, painted (including spray painting under controlled conditions), polished, finished, cleaned, dyed, washed, broken-up, disassembled, sorted, packed, chilled, frozen or stored in cold storage; and includes a light industry, offices, caretaker's quarters or any other use which are subservient and ancillary to the main use of the property as an industry, but does not include a noxious industry.
Initiation School	A place where teenage boys spend time as part of the process of becoming adults, including being circumcised
Informal Business/Trade	The conducting of a business which could be moved from place, whether by vehicle or otherwise, in any street or at any other place accessible to the public, at any open stand or in, on , or from any vehicle of movable structure.
Institution	A property or building designed and used as a public institution or charitable institution used for the

CATEGORY	DEFINITION
	purposes of a social, health or welfare facility, including the administration thereof, and includes but is not limited to a clinic, home for the aged, indigent or handicapped, reformatory or place of detention, haven for vagrants and substance abusers, shelter for the homeless, soup kitchen, care center, rehabilitation center, charitable institution, nursing institution and sanatorium, whether of a commercial or charitable nature, but does not include a prison.
Intensive Livestock Industry	A building or land used for the concentrated fattening of any type of livestock for marketing, and may include any final processing thereof.
Irrigated Cropping	The use of land for producing harvestable products, planted, grown and cultivated in the soil with supplementary water.
Kennel/Cattery	The boarding, breeding, raising, grooming or training of two or more dogs, cats or other household pets for commercial gain.
Kiosk	A building or structure used for any retail trade or business wherein the primary purpose is the selling of goods and appliances by retail, and includes a building or structure used for the sale of light refreshments.
Laboratory	A facility that provides controlled conditions in which scientific research, experiments and measurements are performed. The level of hazardousness is determined by the presence of poisons, infectious agents, flammable or explosive substances, radio-active materials, moving machinery, extreme temperatures and high voltages.
Laundromat	A coin operated, self-service laundry where standard or heavy duty washing machines and tumble dryers are used and may including a clothing folding or ironing service
Light Industry	An industry, which can be carried on without causing nuisance to other properties or to the general public, or without detriment to the amenities of other use zones by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust, grit, traffic generation or any other cause.
Liquor Enterprise	Land used or a building designed or used for the purpose of carrying on retail trade in liquor products as defined in terms of the Liquor Act, 1989 (Act No. 27 of 1989) provincial legislation.
Lodge	A building or group of buildings under single management containing both rooms and dwelling units available for temporary rental to transient individuals or families. Not more than 13 double rooms or 26 guests may be rented out and the owner, operator or manager / manageress must reside on the premises. Parking arrangements must be to the satisfaction of the municipality.
Maisonette	Means a two storey building consisting of 2 dwelling units placed one above the other with separate entrances.
Major Game Reserve	A major, international class game reserve, which contains the full spectrum of large and dangerous game endemic to the region such as lion, elephant, rhino, leopard and buffalo.
Medical suites	A building designed for use or a building or land which is used for the following consulting practices associated with restoring or preserving health but excluding overnight or operating facilities: Medical practitioner; dentist or dental hygienist; psychologist, optometrist; podiatrist; occupational, speech and dental therapist; physiotherapist; radiographer; audiologist; dietician; orthotist; medial orthotist; and prosthetist; veterinarian; chiropractor; chemist; homeopath; naturopath; traditional healer; osteopath and herbalist; Provided that where the Council adds to such list such additions shall also be deemed to be included in the above definition. This use falls under the ambit or business purposes unless separately defined.
Medium Density Housing	A group of two or more dwelling units, together with such outbuildings as are ordinarily ancillary thereto, with each dwelling unit having access to common land, the whole development having been designed as a harmonious entity and such development may include duplex flats, semidetached houses, terrace houses, maisonettes, or dwelling houses.
Mining	Any operation or activity for the purposes of extracting any mineral/raw materials (including gravel) on, in or under the earth, water or any residue deposit, whether by underground or open working or otherwise and includes any operation or activity incidental thereto These may also include the crushing and the separation of ore into valuable substances or waste by any of a variety of techniques.
Mining Rehabilitation Areas	An area designated for the re-engineering process that attempts to restore an area of land back to its natural state after it has been damaged as a result of some sort of disruption
Mixed Use	A development of a parcel(s) of different land uses on adjacent sites.
Mobile dwelling unit (Mobile Home)	A prefabricated combined suite of rooms, which may not include more than one kitchen, designed for occupation and use by a single family as a permanent residence, which is provided with the necessary service connecting points and so manufactured that it can be moved as a unit or units on wheels.
Mobile Home Park	An area of land upon which mobile homes and ancillary facilities are accommodated and such a park shall be designed as a harmonious entity.
Motor Dealer	A building used, with a view to profit, for the maintenance or repair of vehicles and associated purposes, and may include a vehicle workshop, the display and sale of new and used motor vehicles,

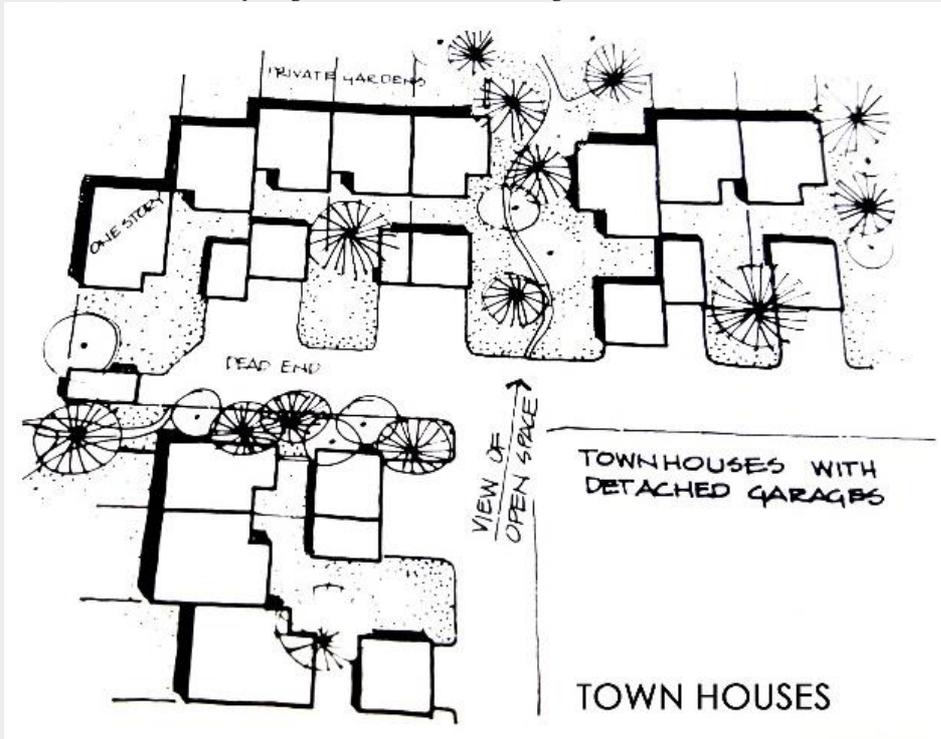
CATEGORY	DEFINITION
	the cleaning and washing thereof, the sale of spare parts, accessories, fuel and lubricants and may also include a place of refreshment and convenience store as subservient use but excludes spray-painting, panel beating or a scrapyard, provided that the convenience store and place of refreshment, including store rooms, shall not exceed a total area of 100m ² (or such other floor area as approved by the Local Municipality with Special Consent, provided that if any other area is stipulated by any approving authority the most prohibitive condition shall prevail
Municipal purposes	A building or property, in Municipal ownership, used for such purposes as the Municipality is authorized to carry out in terms of the Municipal Structures Act, 1998, or any other law, including utility infrastructure such as water supply facilities and power supply facilities, but excluding a waste disposal facility or sewer purification plant.
Nature reserve	A national park or some other park which is in the ownership of a public authority or has been declared as such in terms of legislation and remains in private ownership, consisting of an area which is utilized as a game park or reserve for flora and fauna in their natural habitat, but does not include accommodation facilities for tourists or holidaymakers
Noxious industries	An offensive, poisonous or potentially harmful trade, use or activity which, because of smell, fumes, emissions, vibrations, noise, waste products, nature of materials used, processes employed, or other causes, is deemed by the Municipality to be a potential source of danger, nuisance, threat, or offence to the general public, persons in the surrounding area and the surrounding natural environment, and include industries listed in Schedule 1 included in Chapter 13
Nursery	Land and buildings used for the storage and cultivation of plants, bulbs and seed for distribution and sale to shops or garden centres and may include the retail sale to the public on the property. as well as a Restaurant, which is subservient to the main use and other ancillary uses.
Office (General)	A building used for business, professional, medical or administrative offices, but excluding a banking hall and the direct selling or storage or display of any goods or commodity, whether or not the holding of a general dealer's licence is required.
Office (Medical)	An establishment primarily engaged in the provision of health services, but which does not provide overnight care or serve as a base for an ambulance service and these offices are operated by medical practitioners.
Office (Professional)	An office used for conducting the profession of, or occupation of an accountant, architect, consulting engineer, land surveyor, town planner, quantity surveyor, architect, bookkeeper, draughtsman, or any other profession or occupation, which the Municipality may, at its sole discretion permit and which, in its opinion, is not likely to interfere with the amenities of the surrounding area.
Office (Public)	An office building used for any central, provincial or municipal purposes and may include an administrative office, municipal office, town hall, government office, court house, police station, public library, public art gallery, public museum and buildings ancillary thereto.
Office Business Services	A building used for activities such as cleaning, delivery, security, repair, maintenance or other services for individual and business purposes.
Office Park	A development that may contain a number of office buildings with ancillary uses and open space, designed, planned, constructed and managed on an integrated and co-ordinated basis.
Outdoor Storage	Land used for the storage of materials and goods outdoors or in the open that is generally visible from the outside, but excludes a builder's yard and scrap yard.
Panel Beating	Refer to noxious industry
Park	Land for use by the public as open space and includes, inter alia, a park, garden, playground, recreation park, square, or sports ground
Parking garage	Land used or a building designed or used exclusively for the temporary parking of motor vehicles not being for trade or sale
Place of amusement	Land used or a building designed or used for the sale of alcohol and/or food for consumption on the premises and may include live entertainment or entertainment generated by television transmission, or entertainment generated by way of mechanical, electronic or electrical contrivances, instruments, apparatus or devices which are designed or used for the purpose of the playing of any game or for the purpose of recreation or amusement. A place of amusement includes <ul style="list-style-type: none"> (a) a social hall, theatre, cinema, a dance-, musical or concert hall, or for other recreational or amusement purposes, sports bar, ladies bar, night club, trade or industrial exhibitions, pinball machines or electronic games with more than three machines, community and cultural centres (b) a sports ground, arena or stadium, or amusement park or similar undertakings open to the public on payment of an entrance charge

CATEGORY	DEFINITION
	(c) a billiard saloon, skating rink, or gambling place, (d) non-residential social club or (e) any other places of public assembly whether used for purpose of gain or not, which does not fall within the scope of the definitions of a place of public worship, place of instruction, or institutional building and (f) a casino which may include a place of refreshment ancillary use
Place of Assembly	A building or land used for social meetings, gatherings, or indoor recreation, but does not include a place of entertainment.
Place of Entertainment	Land or a building, or portion of a building, constructed, designed or adapted to be used as a place of entertainment, and includes an exhibition hall, theatre, cinema, amusement park, circus arena, race track or skating rink.
Place of Instruction	A building designed for use or land used as a school, college, technical college, lecture hall or other training and/or other educational centre, an early childhood development centre, monastery or convent, a public library, an art gallery, museum, gymnasium, conference and culture centre
Place of public worship	A building designed for use, or used as a church, chapel, oratory, house of worship, synagogue, mosque, temple, a number of parsonages as may the Council may approve, catechises rooms, hall or other place of public devotion, and includes a building designed and used a place of religious instruction or an institution on the same property as and associated with any of the foregoing buildings which is intended to be used for social intercourse and recreation, but does not include a funeral parlour, cemetery or crematorium with related chapel. A place of public worship may provide for a wall of remembrance.
Place of refreshment	Land used or a building designed or used for the preparation, sale and the consumption of meals, food, beverages and refreshments and includes the retail trade of fresh produce, cold drinks, reading matter and smokables, and it includes a restaurant, café, tea garden and a take away enterprise, but does not include a drive-thru restaurant. Should liquor be sold or consumed at such premises it must be legalised by means of a liquor license issued, in terms of Section 23 of the Liquor Act, 1989 (Act No. 27 of 1989).
Prison	A building used for the confinement of persons convicted and sentenced to imprisonment by a court of law or the confinement of persons awaiting trial.
Private Open Area	A usable area, exclusive of utility services, driveways and parking areas, which is open to the sky and which is adjacent to, and has direct access from a dwelling unit on a medium density housing site, such private open space being reserved for the exclusive use of the occupants of the associated dwelling unit, but may include covered open areas (patios) and verandas.
Private Park	Land used as sport-, play-, rest- and recreational grounds, or as an ornamental or pleasure garden and a tearoom appurtenant thereto, to which the general public has no right of admission without permission.
Private Street	An erf, a portion of land or a servitude area providing access and accommodating essential engineering services to an exclusive group of erven or portions of land which is maintained and administered by a non-profitable association or company formed by the owners of the properties, with restricted access for privacy and/or security purposes. Officials of the Council shall have access to the property for maintenance of municipal services infrastructure, refuse removal, fire fighting and for inspections provided for elsewhere in this Scheme and other legislation. Such street and all municipal services shall have been designed, constructed and installed to the satisfaction of the Council.
Public Open Space	Refer to park
Public transport rank	Land and buildings thereon used as a temporary parking area for busses and or taxi's, boarding facilities for passengers, a ticket sales office, a place of refreshment, an administration office directly related to the main use, rest rooms and a washing bay, but excluding workshops
Quarrying	
Railway Facilities	Railway marshalling yards, equipment servicing facilities and terminal facilities.
Railway line	Any land indicated on an approved plan, diagram or map as having been set aside for railway lines used by freight or passenger trains, including maintenance vehicles and may furthermore include a shunting yard.
Railway station	Land and buildings thereon used as a parking area for trains, boarding facility for train passengers, ticket sales office, loading and storage facility for railway freight, including uses related and subservient to the main use, including offices, restaurants, convenience shops and rest rooms.
Recreational Building	A clubhouse, gymnasium, squash court, pavilion, change room and any similar building used in conjunction with sport and a clubhouse which may include dining facilities and lounges.
Recycling center	Land or building within which used materials are separated and processed for shipment and for

CATEGORY	DEFINITION
	eventual re-use in new products.
Renewable Energy Structure	Any wind turbine or solar voltaic apparatus, or grouping thereof, which captures and converts wind or solar radiation into energy for commercial gain irrespective of whether it feeds onto an electricity grid or not, and includes any appurtenant structure or any test facility or structure which may lead to the generation of energy on a commercial basis
Residential Building	A building on an erf or site, excluding a dwelling house and/or dwelling unit, that contains habitable rooms, with ablution-, kitchen-, dining- and/or lounge facilities. Such definition includes but is not restricted to hostels, hotels, boarding houses, guest houses (excluding converted dwelling houses and/or dwelling units), bed and breakfast and old age homes that may or may not include ancillary frail care facilities.
Resort	A tourist orientated development representing a tourist destination point, comprising of a combination of facilities for temporary accommodation, recreation facilities, entertainment facilities, convenience and curio shops, restaurants, cocktail bars, conference facilities and beauty salons, including a health hydro, guest farm, hotel, lodge, chalets, tented accommodation, game farm and caravan park, but excluding guest houses, bed and breakfast establishments and back-packer inns. Hotels situated within urban areas, which mainly provides overnight accommodation, without a combination of services and facilities aimed at the tourism industry, are not regarded as a resort. A resort does not include a filling station.
Restaurant	A building or portion of a building designed for use, or used primarily for the preparation of food and liquid refreshments for consumption on the premises.
Restaurant (Fast Food)	A building or portion of a building, designed for use or used primarily for the preparation of food and liquid refreshments for consumption off the premises.
Restricted Building	A building used for such purposes as a clinic or hospital for infectious diseases, a jail, home or hospital for mentally impaired people, or a reformatory.
Retail Warehouse Outlet	A retail operation from a warehouse as an ancillary and subordinate use to the principal warehouse use and the Municipality may restrict the floor area of such retail use as well as the hours of business thereof, provided that the items sold by such an operation shall be part of the stock within the warehouse.
Retirement village	A residential development intended for the accommodation or settlement of persons upon their retirement and which may include a frail care centre, social hall, office building, medical suites, laundromat, shop and place of refreshment and other ancillary and subordinate uses, for the sole use of occupants and guests.
Riding stables	A place or undertaking for the leasing of horses and/or riding instruction against payment, and includes the care and stabling of such horses.
Row Housing (see dwelling unit)	A house having at least one side wall in common with a neighbouring dwelling. 
Scrap-yard	Land or buildings used for dismantling, stacking, storing or preparing for resale of any used material, waste metal, scrap and rebuilt motor vehicles, scrap machinery or any other scrap material whether or not such dismantling or stacking is done with a view to the disposal or re-use and for panel beating and spray painting.
Semi Detached housing (see dwelling unit)	A single family dwelling unit built as one of a pair that share one common wall. Often, each house's layout is a mirror image of the other (often abbreviated to semi)

CATEGORY	DEFINITION
	 <p style="text-align: right; font-weight: bold; font-size: 1.2em;">SEMI-DETACHED</p>
Service Enterprise	Land and / or buildings used for the supply of personal services and goods incidental thereto for compensation and which is excluded in the definition of "Bakery", "Office", "Institution", "Public Garage", "Noxious Use", "Commercial" and "Medical Consulting Rooms" and include such activities as for example hairdressers, beauty parlours, spa and wellness centre, slimming centres, provided that the provision of personal services as listed in Schedule 1 (Item 2) of the Business Act, 1991 (Act No. 71 of 1991) shall be subject to a licence in terms of the said Act.
Service Industry	A use which, in the opinion of the Council, is a small scale industrial activity incidental to the needs of the local community and the retail trade and which, in the opinion of the Council, will not interfere with the amenity of surrounding properties, or be of nuisance value by virtue of noise, appearance, smell or activities or for any other reason whatsoever, but excludes a "Public Garage" and "Filling Station". Typical examples of a service industry include, but are not limited to, catering services, cool-chambers for fruit and vegetables, dress-makers and tailors, electricians, engravers, joineries, key-makers, laundries, arts and crafts workshops, photographic studios (for development and printing), plumbers, registration number plates, sign writers, tyres, exhaust systems, tow-bars and vehicle spare parts and accessories, upholsterers, auto electricians, repair workshops for air conditioners, blinds, roll-up doors, boats, caravans, trailers, computers, cash registers, type writers, electrical fittings and fixtures, jewelers, lawnmowers, radios, televisions, video recorders, shoes and leather articles, tents, canvases, tarpaulins, vehicles, motorcycles and bicycles
Service Workshop	A light industrial building providing a direct service to the retail customer in which not more than ten persons are employed, whether or not mechanical power is used and may include such activities as a baker, dry cleaner, cobbler, dressmaker, seamstress or tailor.
Sewer purification plant	Land or buildings and infrastructure used for the communal processing, purification and/or disposal of sewer.
Shop	Land or building used for the purposes of conducting retail trade and the necessary accompanying storage and packaging, and includes any accompanying use on the same site which is incidental and subordinate to the retail business: Provided that such accompanying storage and packaging and accompanying use shall not give rise to any disturbance or nuisance. The following uses shall not be considered as incidental to a retail shop: an industry, drive-in restaurant, place of refreshment, scrap yard, commercial use, warehouse, public garage, filling station, parking garage, place of amusement, adult entertainment business and motor sales market.
Showgrounds	Land and buildings designed and used for exhibitions and sale of inter alia agricultural, residential and industrial products, tourist destinations and accommodation, livestock, vehicles, lifestyle products and may include places of entertainment and refreshment ancillary to the exhibition.
Social Hall	A building designed or used for social assemblies, gatherings, meetings, functions, recreation purposes, an auditorium and a performance art theatre, and it includes inter alia a cultural centre and a non-residential club but not a place of amusement. Should liquor be sold or consumed at such premises it

CATEGORY	DEFINITION
	must be legalised by means of a liquor license issued, in terms of Section 23 of the Liquor Act, 1989 (Act No. 27 of 1989). It excludes any noxious practices or uses which will interfere with the amenity of the surrounding properties or is of nuisance value by virtue of noise, appearance, smell or activities or for any other reason whatsoever.
Spaza shop	<i>See tuck shop</i>
Sport and recreational grounds	Land and buildings thereon intended for outdoor and indoor sport and recreational events, which are held primarily for public entertainment, where patrons attend on a recurring basis, and may include the following: sport stadiums, shooting range, arenas, gymnasiums, animal racing tracks, vehicle racing tracks, public swimming pools, golf course, including retail for patrons only and offices ancillary to the main use.
Step Down Facility	A facility which is organized, operated, and maintained to provide for the monitoring and care of patients with moderate or potentially severe physiologic instability, requiring technical support but not necessarily artificial life support. A step down facility can be used after a hospitalisation for a patient who is not strong enough to return home and generally has a higher patient-to-nurse ratio
Street/Road	An area, or portion of land, or any street road, bridge, subway, tunnel, avenue, lane, driveway, sanitary lane, thoroughfare or right of way, shown on the general plan of a township, agricultural holdings or other division of land, or in respect of which the public has acquired a rights of way by prescription or any other means.
Take-away	<i>Refer to place of refreshment</i>
Tavern	Land or a building designed for or a portion of a building used for the purposes of selling and serving liquor, other beverages and subservient prepared food / snacks, to be consumed on the premises but excluding a place of amusement, provided that the establishment and operation of a tavern shall be subject to a licence in terms of the Liquor Act, 1989 (Act 27 of 1989) as well as a licence in terms of the Business Act, 1991 (Act 71 of 1991) in respect of the sale or supply to consumers of any foodstuff in the form of meals for consumption on the property and subject to the conditions contained in Clause 12.8 of this scheme
Taxi Rank	<i>Refer to public transport rank</i>
Taxidermy	Act of preparing, stuffing, and mounting the skins of animals (especially vertebrates) for display (e.g., as hunting trophies or museum display) or for other sources of study (like species identification).
Tea Garden	A building or portion of a building, or land used primarily for the preparation, sale and consumption of light meals, confectionery and non-alcoholic beverages, but shall exclude any use defined under shop.
Telecommunication infrastructure	Telecommunication (including cellular telecommunication) infrastructure includes any one or more of the following services and or structures accommodated on a property, inside a building or fixed to a building: <ul style="list-style-type: none"> • Cell phone base station, • Antenna support structure, including any solid lattice structure, mast pole, monopole, guyed tower, lattice tower, freestanding tower or any other structure designed and primarily used to support an antenna; • Antenna structure, including any system of wires, poles, rods, or similar devices, used for the transmission or reception of electromagnetic waves, attached to a building or a mast, and includes cabling between the equipment room and the antenna; • Base station, antenna support structure and all associated infrastructure such as antenna, microwave dish, equipment room and access road; • Equipment room including a structure to house telecommunication equipment, or a container, or a room or rooms within a building with another permanent use; • Microwave dish, including any device incorporating a reflective surface that is solid, open mesh, or bar configured that is the shape of a shallow dish, cone, horn, or other, and is used to transmit and/or receive electromagnetic waves • And subject to the conditions contained in Clause 12.13 of this Scheme.
Terrace House	A dwelling unit in a building comprising three or more attached dwelling units, each having a separate entrance on the ground floor, with direct access to a private open space area or areas.
Town Houses (refer to dwelling unit)	A group of separate and/or linked dwelling units: <ol style="list-style-type: none"> (a) which are planned, designed and built as a harmonious architectural entity with a number of unit types; (b) which are arranged in a varied and orderly fashion within or around a communal open space and with public and/or private access road; (c) with a medium-density character;

CATEGORY	DEFINITION
	<p>(d) with structures which may vary between single- and double storeys and cadastrally subdivided or not;</p> <p>(e) of which every single residential unit has a ground floor;</p> 
Traditional Agriculture and Scattered Residential	The use of land under the administration of a traditional authority, primarily for rural-residential and related agricultural purposes
Traditional Homestead / Umuzi	A building constructed in the traditional manner, used or adapted to be used, as a dwelling unit to accommodate one or more households and which includes outbuildings and accessories as are ordinarily used therewith.
Transportation Terminal	Land, buildings or part of a building, used for the purpose of parking five or more buses and taxis, or as a public transport station and associated parking area.
Transport Usage/Yard	The use of land and/or buildings for the operation of a business consisting of the transportation of goods and/or passengers by rail, air, road and pipelines and includes uses such as stations, transportation amenities and facilities, parking, administrative offices and ancillary uses such as warehouses, container parks, workshops as well as residential uses and amenities for personnel, and may further include any uses such as business, shops or offices which are of service and convenience to passengers, as approved by the Local Municipality.
Truck stop	A facility with direct access from a freeway or major transport route which provides overnight facilities for drivers of long hauls vehicles, trucks, busses and heavy duty vehicles or an overnight parking facility for such vehicles containing their own on-board sleeping facilities. Truck stops also include wash bays. Truck stop may include a place of refreshment and shop, limited to 100m ² .
Tuck shop	A shop on a residential property, owned and managed by at least one full-time resident of the property, only for the selling of daily convenience goods and prepared and pre-wrapped food, excluding alcoholic beverages, table games or electronic games. A tuck shop is not a general business or retail function on a residential erf and the residential component remains the main use of the erf. The area used for a tuck shop shall not exceed 40% of the area of the property, not exceeding 60m ² (storage area included), and is further subject to the policy of the Municipality, as amended from time to time. A spaza shop is regarded as a tuck shop and is included in this definition.
Urban Agriculture	The production, processing, marketing and distribution of crops in an urban environment using resources available in that urban area for the benefit largely of residents from that area.
Utility	Land, buildings, structures or infrastructure required and used for the provision of water, sewer, stormwater or electricity engineering and associated services for the proper functioning of urban

CATEGORY	DEFINITION
	development and includes, but is not limited to renewable energy structures, water reservoirs, purification works, electricity substations and transmission lines, waste water pump stations and conveyer belts to transport mining produce. A utility does not include a waste disposal site, sewage purification plant or telecommunication infrastructure.
Vehicle Graveyard	An area used for temporary storage of vehicles or vehicle parts by an establishment or place of business that is primarily engaged in doing vehicle repair work to make repairs to render a motor vehicle serviceable. In order for a vehicle's storage to be considered temporary, it must be removed from the site within 180 calendar days of its receipt;
Veterinary clinic	A building or part thereof wherein animals of all kinds are treated or kept for treatment by a registered veterinarian, including temporary boarding facilities for treated animals and related retail, but excludes an animal refuge
Wall of Remembrance	A structure where containers with the ashes of the deceased are interred in openings or niches in the structure and thereafter sealed and/or on which appropriate commemorative plaque can be attached.
Warehouse	A building or use of land for the exclusive purpose of storage of goods, which in the opinion of the Council are not dangerous, noxious or unsightly, and includes wholesale trade, and may also include ancillary office/accommodation which is subsidiary to the main use, but excludes any retail trade on the property of such buildings, unless the special consent of the Council has been obtained, including wholesale trade and a distribution depot.
Waste disposal site	A place where household, commercial, industrial or mining waste products are stored, salvaged, treated or disposed of in a lawful manner.
Wholesale trade	The sale in large quantities to the trade, but excluding any form of retail trade.
Workshop	Land used or a building designed or used for the purposes of bulk retail or services regarding goods that are wholly or partially manufactured, processed, mounted or repaired on the property, and may also include ancillary offices which is subsidiary to the main use.
Zoological garden	A park where wild or farm animals, reptiles, fish or birds are kept and exhibited for public education and amusement or ancillary rehabilitation and may include a place of refreshment and other associated ancillary facilities.

3 DEVELOPMENT POLICY

3.1 LAND USE ZONES

3.1.1 A Land Use Zone does not indicate the existing land use rights on a property.

3.1.2 A Land Use Zone is a demarcated portion of land or area in terms of which regulations pertaining to the potential use and development of that land are imposed. These regulations are derived from the

Municipal Spatial Development Framework and have, as a goal, the implementation of the municipal development objectives through the application of land use control.

3.1.3 Even though the Land Use Zones may create an expectation with regards to the development of the land, the need and desirability of any development still has to be proven by way of application and every application will be considered on the individual merits thereof.

3.1.4 All developments must comply with the regulations contained in the applicable zone and all applications for land use rights shall be considered against the regulations.

3.1.5 The municipal area is divided into the following Use Zones:

Code	Zone	Colour Coding (RGB)	See Page
1	Agriculture	TBC	TBC
2	Urban Agriculture	TBC	TBC
3	Residential Only Detached 1	TBC	TBC
4	Residential Only Detached 2	TBC	TBC
5	Residential Only Detached 3	TBC	TBC
6	Residential Only Detached 4	TBC	TBC
7	Residential Only Medium Density	TBC	TBC
8	Residential Only High Density	TBC	TBC
9	Traditional Settlement	TBC	TBC
10	Core Mixed Use	TBC	TBC
11	Low Impact Industrial	TBC	TBC
12	General Industrial	TBC	TBC
13	Quarrying & Mining	TBC	TBC
14	Active Open Space	TBC	TBC
15	Passive Open Space	TBC	TBC
16	Environmental Management	TBC	TBC
17	Civic & Social	TBC	TBC
18	Public Buildings & Institution	TBC	TBC
19	Transportation & Access	TBC	TBC
20	Utilities & Services	TBC	TBC

3.1.6 Agriculture (AGRI)

3.1.6.1 Land Use Zone: Agriculture

	Statement of intent	Zone Colour & Scheme Notation
	The identification, reservation and protection of land that has agricultural value and should be optimally utilised in accordance with national legislation and provincial policy guidelines related to sustainable agricultural production, development and natural resources.	
	Objectives of Zone	Fill: Pale Green 2

	<ul style="list-style-type: none"> • to utilise agricultural land on a sustainable basis • to ensure that land with significant agricultural potential is used optimally • to provide mechanisms for the identification and protection of productive agricultural land • to ensure agricultural practices are consistent with environmental considerations and pollution controls 	R144, G238, & B144 Border: Black Rooo, Gooo and Booo Cross hatch: Black Rooo, Gooo & Booo
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3.1.6.2 Zones and Development Parameters

Zone	Minimum Lot Size	FAR	Coverage (%)	Height (Storey)	Front Setback Line (M)	Side Setback (M)	Rear Setback (M)	Frontage (M)
AGRI	10 000	0.2	15%	2	7.5M	2.0m	2.0m	N/A

3.1.6.3 Land Use Controls

AGRICULTURAL ZONE: RULES REGARDING THE USE OF LAND AND BUILDINGS			
What land may be used for			Prohibited Land Uses & Buildings
Primary Use	Consent Use	Temporary Use	
4x4 Trail	Abattoir	Cultural activities	Buildings and land uses not included in this table.
Agricultural buildings	Additional dwelling unit	Initiation school	
Agricultural housing	Airfield		
Agricultural industry	Bar		
Agricultural purposes	Bed & Breakfast Establishment		
Caretaker's Dwelling	Boarding house		
Child Minding Facility	Camping Ground		
Confectioner	Canteen		
Conference centre	Caravan Park		
Conservancy	Carwash		
Dwelling house	Cemetery		
Dwelling Unit	Chalet		
Extensive Grazing	Clinic		
Farm Stall	Communications Tower		
Forestry	Confectioner		
Fuelling facility	Conference Centre		
Garden Nursery	Convenience Store		
Horticulture	Crisis Centre		
Irrigated Cropping	Day Care Centre		
Nature reserve	Early childhood development centre		
Nursery			
Place of refreshment	Exhibition Centre		
Riding stables	Extraction Industry		
Traditional Agriculture & Scattered Residential	Garden service establishment		
Traditional Homestead/Umuzi	General Game Reserve		
Zoological garden	Group housing		
	Guesthouse		
	Gymnasium		
	Heliport		
	Holiday Accommodation Unit		
	Holiday Resort		
	Home Business		

	Home occupation/business Hotel Informal business/trade Institutional Building Intensive Livestock Industry Kennel/Cattery Laundromat Light Industry Lodge Major Game Reserve Mobile Home Place of Amusement Place of Assembly Place of Instruction Place of Public Worship Railway Facilities Renewable energy structure Residential building Restaurant Resort Retail Warehouse Outlet Row housing Semidetached housing Service Industry Service Workshop Shelter Shop Showgrounds Social hall Special Landscapes Sport and recreational grounds Step down facility Tavern Taxidermy Tea Garden Traditional Agriculture Truck Stop Tuck Shop Utilities Facility Wall of remembrance BTTS		
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3.1.6.4 Additional Controls

3.1.6.4.1 The consent uses listed above may be approved by the Municipality, if the application demonstrates that:-

- (i) There is adequate water supply to support the development;
- (ii) There is adequate sewerage and wastewater disposal to the satisfaction of the Water Services Authority;
- (iii) The applicant has a water use licence from the Department of Water and Sanitation or confirmation that none is needed.
- (iv) The applicant has a water abstraction licence from the Department of Water and Sanitation; and,

(v) Those commercial facilities (shops) are limited to providing for the day-to-day shopping needs of the local community.

3.1.6.4.2 The sub-division of land for uses other than agricultural production is subject to the Sub-division of Agricultural Land Act (No. 70 of 1970). It requires approval from the national Department of Agriculture, Forestry and Fisheries (DAFF) copied to the provincial Department of Agriculture and Environmental Affairs (DAEA).

3.1.6.4.3 All applications for change of land use are subject to the relevant requirements of the National Environmental Management Act (Act No. 107 of 1998) which requires an Environmental Impact Assessment and Environmental Authorisation (EA) from the Department of Economic Development, Tourism and Environmental Affairs (EDTEA).

3.1.6.4.4 Accommodation for parking is to be as per the Planning Norms and Standards

3.1.7 Urban Agriculture (URAGRI)

3.1.7.1 Land Use Zone: Urban Agriculture

	Statement of intent	Zone Colour & Scheme Notation
	A zone, which allows land located in urban areas for, utilized for small-scale agricultural production, market gardening, horticulture, and aquaculture, the keeping of limited livestock and community gardens.	
	<p>Objectives of Zone</p> <ul style="list-style-type: none"> • to utilise agricultural land on a sustainable basis • to ensure that land with significant agricultural potential is used optimally • to provide mechanisms for the identification and protection of productive agricultural land • to ensure agricultural practices are consistent with environmental considerations and pollution controls 	<p>Fill: Green 2 R000, G238, & B000 Border: Black R000, G000 and B000</p>

3.1.7.2 Zones and Development Parameters

Zone	Minimum Lot Size	FAR	Coverage (%)	Height (Storey)	Front Setback Line (M)	Side Setback (M)	Rear Setback (M)	Frontage (M)
URAGRI	2 000	0.5	50%	2	7.5m	2.0m	2.0m	N/A

3.1.7.3 Land Use Controls

AGRICULTURAL ZONE: RULES REGARDING THE USE OF LAND AND BUILDINGS			
What land may be used for			Prohibited Land Uses & Buildings
Primary Use	Consent Use	Temporary Use	
Agro-Forestry Agricultural buildings Agricultural housing Agricultural industry Agricultural purposes Agriculture Caretaker’s Dwelling Community Gardening Cropping Fish Farming Forestry Garden Nursery Horticulture Irrigated Cropping Market Gardening Nursery	Arts and Craft Workshop Communications Tower Farm Stall Garden service establishment Guest House Shop (Limited to day-to-day goods) Tea Garden Traditional Agriculture Truck Stop Tuck Shop Utilities Facility Wall of remembrance BTTS	Cultural activities Initiation school	Buildings and land uses not included in this table.

3.1.7.4 Additional Controls

3.1.7.4.1 The consent uses listed above in 2.16.2 may be approved by the Municipality, if the application demonstrates that:-

- (i) There is adequate water supply to support the development;
- (ii) There is adequate sewerage and wastewater disposal to the satisfaction of the Water Services Authority; and,
- (iii) Those commercial facilities (shops) are limited to providing for the day-to-day shopping needs of the local community.

3.1.7.4.2 The sub-division of land for uses other than agricultural production is subject to the Sub-division of Agricultural Land Act (No. 70 of 1970). It requires approval from the national Department of Agriculture, Forestry and Fisheries (DAFF) copied to the provincial Department of Economic Development, Tourism and Environmental Affairs (DEATEA).

3.1.7.4.3 All applications for change of land use are subject to the relevant requirements of the National Environmental Management Act (Act No. 107 of 1998) which requires an Environmental Impact Assessment and Environmental Authorisation (EA) from the Department of Economic Development, Tourism and Environmental Affairs (EDTEA).

3.1.7.4.4 Accommodation for parking is to be as per Section 6 Planning Norms and Standards.

3.1.8 Residential Only Detached (RODE)

3.1.8.1 Land Use Zone: Residential Only Detached

	Statement of intent	Zone Colour & Scheme Notation
	The zone permits the development of primarily detached dwelling units, but does permit multi-family dwellings; and a limited number of compactible uses maybe allowed, provided they do not have a disruptive impact on the surrounding neighbourhood amenity.	 Fill: Acid Yellow R255, G255, & B000
	Objectives of Zone <ul style="list-style-type: none"> • To provide adequate land for residential purposes at a low density. • To create integrated, safe and sustainable residential environments for all communities. • To protect the residential use and amenity by limiting the compatible uses allowed to those that can be accommodated within the residential fabric with minimal impact or disruption. 	

3.1.8.2 Zones and Development Parameters

Zone	Minimum Lot Size (m ²)	FAR	Coverage (%)	Height (Storey)	Front Setback Line (m)	Side Setback (m)	Rear Setback (m)	Frontage (m)
RODE 1	1000m ²	0.8	40%	2	5m	1.5m	1.5m	10m 3.5m for Hatchet & panhandle
RODE 2	650m ²	0.8	40%	2	5m	1.5m	1.5m	10m 3.5m for Hatchet & panhandle
RODE 3	450m ²	0.8	50%	2	4m	1.5m	1.5m	10m 3.5m for Hatchet & panhandle
RODE 4	250m ²	0.8	60%	2	3m	1.0m	1.0m	10m 3.5m for Hatchet & panhandle

3.1.8.3 Land Use Controls

Building & Land	RODE 1	RODE 2	RODE 3	RODE 4
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Use Category				
Freely Permitted	<ul style="list-style-type: none"> • Dwelling House • Maintenance Building • Private Open Space • Private Recreational Area 	<ul style="list-style-type: none"> • Dwelling House 	<ul style="list-style-type: none"> • Dwelling House 	<ul style="list-style-type: none"> • Dwelling House
Uses permitted by Special Consent	<ul style="list-style-type: none"> • Agricultural Building • Arts & Craft Workshop • Bed & Breakfast • Boarding House • Crèche • Child Minding Facility • Day Care Centre • Garden Nursery • Home Business • Medium Density Housing • Institution • Office, Medical • Place of Assembly • Place of Instruction • Place of Public Worship • Recreational Building • Residential Building • Retirement Village • Tea Garden • Tuck Shop • Urban Agriculture • Veterinary Clinic 	<ul style="list-style-type: none"> • Bed & Breakfast • Boarding House • Crèche • Child Minding Facility • Day Care Centre • Medium Density Housing • Home Business • Office, Medical • Place of Assembly • Place of Instruction • Place of Public Worship • Residential Building • Tuck Shop • Urban Agriculture 	<ul style="list-style-type: none"> • Bed & Breakfast • Boarding House • Crèche • Child Minding Facility • Day Care Centre • Medium Density Housing • Home Business • Office, Medical • Place of Assembly • Place of Instruction • Place of Public Worship • Residential Building • Tuck Shop • Urban Agriculture 	<ul style="list-style-type: none"> • Bed & Breakfast • Boarding House • Crèche • Child Minding Facility • Medium Density Housing • Home Business • Place of Assembly • Place of Instruction • Place of Public Worship • Residential Building • Tuck Shop • Urban Agriculture
Prohibited Land Uses and Buildings	Buildings and land uses not listed in this table			

3.1.8.4 Additional Controls

- 3.1.8.4.1 Where the lot is used exclusively for Medium Density Housing purposes, the minimum lot area shall be 1800m² and the maximum number of unit shall not exceed 25 dwelling units per hectare.
- 3.1.8.4.2 The maximum height shall not exceed 8m measured from the highest point of the natural ground level to the highest point of the roof.
- 3.1.8.4.3 The Local Authority may relax the provisions of Building Lines in the scrutinization of the site development plan to the extent that it deems fit if its opinion such consent shall not harm the amenity of the neighbourhood and is deemed to result in a more desirable development of the property.
- 3.1.8.4.4 An outbuilding may be permitted on a RODE Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, accommodation for staff, kitchenette ablution facilities laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- 3.1.8.4.5 The Local Municipality may permit the erection of an additional self-contained residential unit on any (RODE site of 650 square metres or more) with the following controls:-
- (i) An application for a self-contained unit shall be permitted with written consent from adjoining neighbours.
 - (ii) Such self-contained residential unit shall comprise not more than two bedrooms, a combined lounge and dining room, a kitchen, a bathroom and a toilet.
 - (iii) The total floor area shall not exceed 90m².
 - (iv) The self-contained unit is to be architecturally compatible with the main dwelling house.
 - (v) It must be attached directly to it or by means of a screen wall, which will place the unit at a distance no greater than 5 metres from the main dwelling house, unless the applicant can demonstrate that exceptional circumstances exist, which prevent such attachment.
 - (vi) The self-contained unit shall be accessed by the same public street or road, which serves the main dwelling house, unless the applicant can demonstrate that exceptional circumstances exist to prevent such shared access.
- 3.1.8.4.6 A pitched roof capable of containing a habitable room and any other type or style of roof, which is capable of, or contains, or supports any rooms, structures or features over and above those mentioned in the Storey definition in Section 1 and which the Local Municipality considers habitable shall not count as a storey.
- 3.1.8.4.7 In respect of a Home Business, a Municipality may stipulate –
- (i) That the home business shall be conducted by the owner of the property, who shall be also be resident therein;
 - (ii) Under what circumstances the activity may be operated by a person other than the owner; (3) a maximum number of vehicles permitted on the premises at any one time;
 - (iii) The maximum weight of vehicles;

- (iv) The location of parking;
- (v) The amount of parking;
- (vi) The maximum number of non-resident employees;
- (vii) The maximum noise level above the prevailing noise level in the surrounding area;
- (viii) hours of operation;
- (ix) A maximum floor area of 30 square meters for any office or home business.
- (x) That the activity shall not be such as to impose a greater load on any public utility service than that which is ordinarily required by other uses permitted in the area;
- (xi) That the activity shall not detrimentally affect the amenity of the surrounding area through the emission of ash, dust, fumes, grit, noise, oil, smell, smoke, soot, steam, vapour, vibration and waste products;
- (xii) Controls for signs; and,
- (xiii) The activities and occupations that are specifically excluded from this zone.

3.1.8.4.8 All landscaping shall be to the discretion of the Municipality.

3.1.8.4.9 Accommodation for motor vehicles is to be provided on the Erf as per Section 6 Planning Norms and Standards.

3.1.8.4.10 Subject to the provision of a sewerage disposal system to the satisfaction of the Water Services Authority.

3.1.9 Residential Only Medium Density (ROMD) & Residential Only High Density (ROHD)

3.1.9.1 Land Use Zones: Residential Only Medium Density (ROMD) & Residential Only High Density (ROHD)

Residential Only Medium Density ROMD	Statement of intent	Zone Colour & Scheme Notation
	A zone that is intended to facilitate the development of attached and detached dwelling units as part of a larger planned residential development.	
	<p style="text-align: center;">Objectives of Zone</p> <ul style="list-style-type: none"> • To provide adequate land for residential purposes at a medium density. • To create integrated, safe and sustainable residential environments for all communities. • To protect the residential use and amenity by limiting the compatible uses allowed to those that can be accommodated within the residential fabric with minimal impact or disruption. 	<p>Fill: Light Orange R255, G153, & B000 Border: Black R000, G000 & B000</p>
Residential Only High Density	Statement of intent	Zone Colour & Scheme Notation

ROHD		
	A zone that is intended to facilitate the development of multi-unit residential units for a wide range of residential accommodation at a high density; together with a mix of activities to cater for broader community needs.	
	Objectives of Zone	Fill: Light Brown R197, G104, & B011 Border: Black R000, G000 & B000
	<ul style="list-style-type: none"> • To provide adequate land for residential purposes at a high density. • To create integrated, safe and sustainable residential environments for all communities. • To protect the residential use and amenity by limiting the compatible uses allowed to those that can be accommodated within the residential fabric with minimal impact or disruption. 	

3.1.9.2 Zones and Development Parameters

Zone	Minimum Lot Size (m ²)	FAR	Coverage (%)	Height (Storey)	Front Setback Line (m)	Side Setback (m)	Rear Setback (m)	Frontage (m)
ROMD	2000m ²	1.0	40%	2	7.5m	3.0m	3.0m	10m 3.5m for Hatchet & panhandle
ROHD	2400m ²	1.0	40%	4	7.5m	3.0m	3.0m	10m 3.5m for Hatchet & panhandle

3.1.9.3 Land Use Controls

Building & Land Use Category	ROMD	ROHD
Freely Permitted	<ul style="list-style-type: none"> • Conservation Area • Dwelling House • Extended Residential Building • Laundrette (Restricted to use by the occupants of the premises concerned) • Maintenance Building • Medium Density Housing • Office, General (Restricted to sales) • Private Open Space • Private Recreational Area • Recreational Building (Restricted to the residents of the Residential Building or Medium Density Housing Estate. 	<ul style="list-style-type: none"> • Conservation Area • Dwelling House • Extended Residential Building • Laundrette (Restricted to use by the occupants of the premises concerned) • Maintenance Building • Medium Density Housing • Office, General (Restricted to sales) • Private Open Space • Private Recreational Area • Recreational Building • Residential Building

	<ul style="list-style-type: none"> • Residential Building 	
Uses permitted by Special Consent	<ul style="list-style-type: none"> • Agricultural Building • Bed & Breakfast • Boarding House • Crèche • Child Minding Facility • Day Care Centre • Garden Nursery • Guest House • Home Business • Medium Density Housing • Office, Medical Institution • Recreational Building • Residential Building • Retirement Village • Tea Garden • Tuck Shop • Urban Agriculture 	<ul style="list-style-type: none"> • Bed & Breakfast • Boarding House • Child Minding Facility • Crèche • Day Care Centre • Medium Density Housing • Hotel • Residential Building • Tuck Shop • Urban Agriculture
Prohibited Land Uses and Buildings	Buildings and land uses not listed in this table	

3.1.9.4 Additional Controls

3.1.9.4.1 The requirements for medium density housing that shall apply and the density shall be limited to 30 dwelling units per hectare.

3.1.9.4.2 Provision to be made for landscaping and maintaining the grounds to the satisfaction of the Local Municipality, and not less than 25% of the site shall be set aside and maintained as a garden and play area, which must be kept free of parking space and drive-ways.

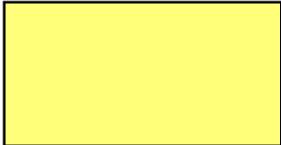
3.1.9.4.3 Accommodation for motor vehicles is to be provided on the Erf as per the Planning Norms and Standards.

3.1.9.4.4 Subject to the provision of a sewerage disposal system to the satisfaction of the Water Services Authority.

3.1.10 Traditional Settlement (TRADS)

3.1.10.1 Land Use Zone

Traditional Settlement (TRADS)	Statement of intent	Zone Colour & Scheme Notation
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	A zone for the development and management of traditional residential settlement under the management of the Traditional Councils and administration of the Area and which is primarily for housing including traditional homesteads and includes home based economic activities, limited cropping and grazing.	
	<p align="center">Objectives of Zone</p> <ul style="list-style-type: none"> • To provide a mechanism to delineate areas where the primary use is settlement or residential development in Traditional Leadership and rural settlement areas • To ensure that settlement occurs in appropriate locations without compromising agricultural resources, environmental considerations or local economic opportunities, e.g. tourism 	<p>Fill: Canary Yellow R255, G153, & B000 Border: Black R000, G000 & B000</p>

3.1.10.2 Zones and Development Parameters

Zone	Minimum Lot Size (m ²)	FAR	Coverage (%)	Height (Storey)	Front Setback Line (m)	Side Setback (m)	Rear Setback (m)
TRADS	400m ²	0.8	40%	2	5.0m	1.5m	1.5m

3.1.10.3 Land Use Controls

Building & Land Use Category	TRADS
Freely Permitted	<ul style="list-style-type: none"> • Agricultural Building • Agriculture Grazing Land • Amenity Area • Ancillary Unit • Biosphere • Child Minding Facility • Community Gardens • Conservation Area • Crèche • Day Care Facility • Dwelling House • Dwelling Unit • Dwelling, Multi-Family • Home Business • Market Gardening • Recreational Building • Shop • Social Facility • Tavern • Tuck Shop
Uses permitted by Special Consent	<ul style="list-style-type: none"> • Arts & Craft Workshop • Bed and Breakfast • Bird Sanctuary

	<ul style="list-style-type: none"> • Dipping Tanks • Agricultural Building • Bed & Breakfast • Convenience Shop • Garden Nursery • Guest House • Home Business • Lodge • Place of Instruction • Recreational Building • Tea Garden • Tuck Shop • BTTS
Prohibited Land Uses and Buildings	Buildings and land uses not listed in this table

3.1.10.4 Additional Controls

3.1.10.4.1 Residential sites and uses listed above can be allocated by Traditional Councils in terms of customary law with due regard for environmental considerations, space between buildings, adequate site size where on-site sewerage disposal is used and there is suitable access for vehicles and services.

3.1.10.4.2 The sub-division of land for Traditional Settlement located within the registered boundaries of a Traditional Council is subject to the Ingonyama Trust and is not subject to the Sub- division of Agricultural Land Act (Act No 70 of 1970).

3.1.10.4.3 All applications for change of land use are subject to the relevant requirements of the National Environmental Management Act (Act No. 107 of 19988) which requires an Environmental Impact Assessment and Environmental Authorisation (EA) from the Department of Economic Development, Tourism and Environmental Affairs (EDTEA).

3.1.10.4.4 Accommodation for parking is to be as per the Planning Norms and Standards.

3.1.11 Mixed-Use / Commercial

3.1.11.1 Land Use Zones for Mixed – Use /Commercial

Core Mixed Use (MUCO)	Statement of intent	Zone Colour & Scheme Notation
	This is a zone intended to provide for the use of commercial uses such as offices, service industry, retail, personal services, showrooms, workshops and related commercial uses at high intensities that comprise a town centre.	
	Objectives of Zone	
	<ul style="list-style-type: none"> • To provide appropriate locations for light and service industries that has limited impact. • To provide an interface between 	
		Fill: Antwerp Blue R000, G064, & B128 Border: Black R000, G000 & B000

	<p>industrial areas and adjacent residential or other land uses.</p> <ul style="list-style-type: none"> • To provide opportunities for local economic development and employment opportunities. • To ensure that the location and development of these sites do not negatively impact on the natural environment or watercourses located near them. 	
Low Impact Mixed Use (MULI)	Statement of intent	Zone Colour & Scheme Notation
	<p>This is a zone intended to provide for the use of commercial uses such as offices, service industry, retail, personal services, showrooms, workshops and related commercial uses at low impact intensities adjacent to or part of a town centre.</p>	
	Objectives of Zone	<p>Fill: Light Brown R190, G232, & B255 Border: Black R000, G000 & B000</p>
	<ul style="list-style-type: none"> • To provide appropriate locations for light and service industries that has limited impact. • To provide an interface between industrial areas and adjacent residential or other land uses. • To provide opportunities for local economic development and employment opportunities. • To ensure that the location and development of these sites do not negatively impact on the natural environment or watercourses located near them. 	

3.1.11.2 Zones and Development Parameters

Zone	Minimum Lot Size (m ²)	FAR	Coverage (%)	Height (Storey)	Front Setback Line (m)	Side Setback (m)	Rear Setback (m)	Frontage (m)
MUCO	500m ²	1.0	70%	4	5m	1.5m	1.5m	10m 3.5m for Hatchet & panhandle
MULI	500m ²	0.8	40%	2	10m	2.0m	2.0m	10m 3.5m for Hatchet & panhandle

3.1.11.3 Land Use Controls

Building & Land Use Category	MUCO	MULI
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Freely Permitted	<ul style="list-style-type: none"> • Arts and Crafts Workshop • Betting Depot • Commercial Workshop • Hotel • Laundrette • Motor Car Showroom • Office, Business Services • Office, General • Office, Medical • Office, Professional • Office, Public • Parking Garage • Place of Amusement • Residential Building (Except on ground floor) • Restaurant • Restaurant, Fast Food • Shop • Tuck Shop • Warehouse • Wholesale Shop 	<ul style="list-style-type: none"> • Art & Craft Workshop • Educational Building • Funeral Parlour • Launderette • Motor Car Showroom • Office, Public • Parking Garage • Residential Building (Except of Ground Floor) • Special Landscapes • Tea Garden • Tuck Shop • Veterinary Clinic • Wholesale Shop
Uses permitted by Special Consent	<ul style="list-style-type: none"> • Agricultural Building • Agricultural Land • Day Care Centre • Funeral Parlour • Guest House • Institution • Place of Assembly • Service Industry • Service Workshop • Tea Garden • Tuck Shop • Urban Agriculture • Service Station • BTTS 	<ul style="list-style-type: none"> • Crèche • Petrol Filling Station • Place of Amusement • Place of Assembly • Place of Entertainment • Private Open Space • Recreational Building • Restaurant • Restaurant (Fast Food) • Retail Warehouse Outlet • Retirement Village • Service Industry • Service Workshop • Shop • Tavern • Transportation Terminal • Truck Stop • Utilities Facility • Warehouse • BTTS
Prohibited Land Uses and Buildings		Buildings and land uses not listed in this table

3.1.12 Additional Controls

- 3.1.12.1 Where residential use is included in a composite building, the F.A.R for such residential use shall not exceed 0,4 of the total area of the site.
- 3.1.12.2 The total coverage for all buildings within the Core Mixed Use Zone shall not exceed 70%.
- 3.1.12.3 Where the building is to comprise a Commercial Use with one flat (not exceeding 75 square meters in extent) for a manager or caretaker, the maximum coverage shall continue to apply.
- 3.1.12.4 Accommodation for parking is to be as per the Planning Norms and Standards.

3.1.13 Industry

3.1.13.1 Land Use Zones for Industry

Low Impact Industrial (INLI)	Statement of intent	Zone Colour & Scheme Notation
	<p>The provision of land to allow opportunities to interface low impact industries in relation to residential areas in order to facilitate local economic development and employment and may also be introduced to interface with other industrial districts</p>	
	<p>Objectives of Zone</p> <ul style="list-style-type: none"> • To provide appropriate locations for light and service industries that have a limited impact • To ensure compatibility between low impact industries and adjacent residential or other land uses • To contribute to local economic development • To ensure environmental sustainability 	
General Industrial (INGN)	Statement of Intent	Zone Colour & Scheme Notation
	<p>This zone permits manufacturing uses which may not be compatible with other manufacturing uses and which would have major externalities on adjacent sensitive land uses. This zone would permit manufacturing activities that may produce significant vibration, noise, odour, or high-volume automobile and truck traffic. Warehousing of materials that may be considered noxious or hazardous may be permitted in buildings in this zone, with possible conditions and/or exceptions, i.e. via a Consent procedure.</p> <p>Outdoor storage, as either a principal use or an ancillary use, can also be permitted in the zone, with some possible conditions or restrictions, i.e. as a Consent Use.</p> <p>Office uses, as a principal use, would not be permitted in the zone. Retail stores, eating establishments and other personal service uses would also not be permitted. Of the service related uses, only service shops and showrooms would be permitted</p>	
	<p>Objectives of Zone</p>	

	<ul style="list-style-type: none"> To provide appropriate locations for noxious industries. To provide opportunities for local economic development and employment opportunities. To ensure that the location and development of these sites do not negatively impact on the natural environment or watercourses located near them. 	Border: Black R000, G000 & B000
Quarrying and Mining (INQM)	Statement of intent	Zone Colour & Scheme Notation
	This zone allows appropriately located land to be used for the extraction of minerals and raw materials including sand and stone. Any extraction requires a permit from Department of Mineral Resources and the Department of Economic Development, Tourism and Environmental Affairs (EDTEA).	
	Objectives of Zone	Fill: Leather R126, G072, & B000 Border: Black R000, G000 & B000
	<ul style="list-style-type: none"> To provide appropriately located land to allow the extraction of minerals and raw materials and associated business operations. To ensure that the extraction is carried out in a manner that takes cognizance of its impact on the site and surrounding properties and seeks to minimise the long term effects of the activity. To ensure that the relevant environmental considerations are adhered to regarding the actual extraction process, its impact on the environment, and to the rehabilitation of a site or sites once the activity has ceased. 	

3.1.13.2 Zones and Development Parameters

Zone	Minimum Lot Size (m ²)	FAR	Coverage (%)	Height (Storey)	Front Setback Line (m)	Side Setback (m)	Rear Setback (m)	Frontage (m)
INLI	1000m ²	1.0	50%	2	5m	2.0m	2.0m	10m 3.5m for Hatched & panhandle
INGN	1800m ²	1.00	70%	2	9.0m	4.5m	4.5m	10m
INQM	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

3.1.13.3 Land Use Controls

Building & Land Use Category	INLI	INGN	INQM

Freely Permitted	<ul style="list-style-type: none"> • Canteen • Caretaker’s Dwelling • Commercial Workshop • Government/Municipal Building • Light Industry • Office Business Services • Parking Garage • Retail Warehouse Outlet • Service Industry • Service Workshop • Tuck Shop • Utilities Facility 	<ul style="list-style-type: none"> • Bus & Taxi Rank • Canteen • Extraction Industry • Industry, High Impact Manufacturing • Industry, Large Scale Manufacturing • Noxious Industry • Research Laboratory (Linked to onsite activities) • Trucking Facility • Warehouse • Wastewater Treatment Plant • Waste Incinerator • Offices, General (to onsite activities) • Parking Garage 	<ul style="list-style-type: none"> • Borehole • Canteen • Dwelling House (Restricted to owner or employee) • Extraction Industry • Quarrying • Sand Mining
Uses permitted by Special Consent	<ul style="list-style-type: none"> • Adult Entertainment • Amusement Park • BTTS • Convenience Shop • General Industry • Industrial Purposes • Office (General) • Office (Professional) • Office Park • Petrol Filling Station • Place of Assembly • Place of Entertainment • Railway Facilities • Recreational Building • Restaurant (Fast Food) • Tavern • Transportation Terminal • Truck Stop • Warehouse 	<ul style="list-style-type: none"> • Dwelling House (Restricted to 75m² to accommodate a manager, foreman or caretaker) • Petrol Filling Station • Shop (Restricted to staff) • Restaurant (Restricted to staff) 	<ul style="list-style-type: none"> • Large Scale Manufacturing • Warehouse • BTTS
Prohibited Land Uses and Buildings			Buildings and land uses not listed in this table

3.1.13.4 Additional Controls

3.1.13.4.1 All applications for noxious industry will be required to have the necessary approved permits issued from the Department of Mineral Resources (DoMR) in terms of the Mineral and Petroleum Resources Development Act (No. 28 of 2002).

3.1.13.4.2 An application for extractive industry will need to provide the Area with an air quality plan, which complies with the requirements of the National Environmental Management Act: Air Quality Act (Act No. 39 of 2004)

3.1.13.5 An application for an noxious industry will need to address itself to issues of noise, dust, the control of and disposal of waste and a strategy to address the monitoring and control of the operation to minimise

amenity disturbance by way of dust, noise, pollution, heavy vehicles, hours of operation .and any remedial programmes once the activity ceases.

- 3.1.13.6 All applications for quarrying and mining will be required to have the necessary approved permits issued from the Department of Minerals Resources (DoMR) in terms of the Mineral and Petroleum Resources Development Act (No. 28 of 2002).
- 3.1.13.7 An application for quarrying and mining will need to have an approved Environmental Impact Assessment approved by the Department of Agriculture, Forestry and Fisheries (DAFF).
- 3.1.13.8 An application for quarrying and mining will need to address itself to issues of noise, dust, the control of and safe storage and disposal of waste on site.
- 3.1.13.9 The application shall provide details regarding safety measures, fencing, notices, access control, and lighting to ensure that the potential dangers associated with the activity are minimised.
- 3.1.13.10 Where pollution measures are reliant to electricity, the mining operation will install an emergency generator to ensure that no spillage can occur.
- 3.1.13.11 The application shall include a strategy to address the monitoring and control of the operation to minimise amenity disturbance by way of dust, noise, pollution, heavy vehicles, hours of operation and any remedial programmes once the activity ceases.
- 3.1.13.12 Accommodation for parking is to be as per the Planning Norms and Standards.
- 3.1.13.13 In addition, all developments for quarrying and mining will need to submit a detailed post-production restoration plan to show how the site is to be rehabilitated. Such a plan shall address the following aspects:-
- (i) The restoration of the mine or quarrying site;
 - (ii) The restoration of the natural environment through the planting of original indigenous plants and trees;
 - (iii) Pollution control mechanisms;
 - (iv) The long term management of all tailing and sludge dams once the extractive process has been completed;
 - (v) The short term and longer term time period in which the rehabilitation plan will be completed; and
 - (vi) The naming of an agency that will be responsible with completing the rehabilitation work.

- 3.1.13.14 Outdoor storage, as an ancillary use, may be permitted in the General Industry Zone, subject to certain restrictions involving the amount of area permitted on a lot, setbacks, screening, and possibly the type of materials permitted to be stored outdoors; i.e. via a Consent Use procedure.
- 3.1.13.15 Office uses, retail stores, and certain eating establishments will be permitted in the zone with certain conditions. The intention is to ensure that office use is limited in size and scale and is permitted to function with permitted manufacturing and warehouse uses. Retail stores and eating establishments shall be permitted for the purposes of servicing manufacturing and warehouse uses in all of the employment industrial zones.
- 3.1.13.16 A storey in respect of industrial zones shall not exceed 7.5 meters, the Municipality may authorize the erection of a building of greater height through the special consent process if it is satisfied that such greater height shall not result in detriment to the amenities of the area.
- 3.1.13.17 All applications for noxious industry will need to submit a detailed remedial plan to show how the site is to be rehabilitated (including the decontamination of buildings, on site waste, all tailings and sludge dams) should the industry cease its operations. Such a plan will be required to address the short and long-term management of the rehabilitation plan and the naming of a responsible agency that will be tasked with completing the rehabilitation work.
- 3.1.13.18 All applications for noxious industry will need to provide a water quality/protection plan.
- 3.1.13.19 Such a water quality plan will take cognizance of the requirements of the National Water Act (No. 36 of 1998) and will indicate how the disposal of waste and grey water will be undertaken on site and what additional protective measures shall be instituted if the development is located near a water source e.g., river, stream wetland, estuary.
- 3.1.13.20 The Municipality shall reserve the right not to approve the application if the these additional controls are not complied with.
- 3.1.13.21 Accommodation for parking is to be as per Section 4 Planning Norms and Standards.

3.1.14 Environmental Services

3.1.14.1 Land Use Zones for Environmental Services

Active Open Space (ESAOS)	Statement of intent	Zone Colour & Scheme Notation
	This is a zone for sporting and recreational needs of the public including active sports activities, cycling, walking and hiking trails and permits a limited range of ancillary uses and buildings, and parking space.	

	<p align="center">Objectives of Zone</p> <ul style="list-style-type: none"> • To ensure that adequate land is set aside for the needs of the broader public • To ensure that these areas are developed and maintained for optimal use 	<p>Fill: Chartreuse 2 R118, G238, & B000 Border: Black R000, G000 & B000</p>
Passive Open Space (ESPOS)	Statement of Intent	Zone Colour & Scheme Notation
	The provision of independent or linked open space areas and green lung areas as part of a sustainable open space system for the passive recreational enjoyment of the broader community.	
	<p align="center">Objectives of Zone</p> <ul style="list-style-type: none"> • To set aside land for provision of parks, botanical gardens and other open spaces, including corridor linkages between spaces for passive recreational purposes • To ensure that the needs of special groups are addressed through landscaping and signage 	<p>Fill: Forest Green R034, G139, & B034 Border: Black R000, G000 & B000</p>
Environmental Management (ESEM)	Statement of intent	Zone Colour & Scheme Notation
	<ul style="list-style-type: none"> • The protection of ecologically sensitive, culturally valuable and historically meaningful sites and precincts as well as the natural habitat of birds, or reptile species, in accordance with national laws and policies, provincial and local guidelines, strategies and programmes • The reservation of land as part of a sustainable living environment by virtue of its importance in terms of bio- diversity • The identification and preservation of sites that have historical significance and cultural value • The reservation of land that has special status and economic value due to its function and contributing to the balance of nature such as the retention of water in wetlands, grasslands and other natural habitats 	
	<p align="center">Objectives of Zone</p> <ul style="list-style-type: none"> • To protect and conserve the natural environment and natural processes for their historic, scientific, landscape, biodiversity habitat or cultural values to provide facilities which assist in public education and the integration of the built and natural environments with minimal degradation of the natural environment or natural processes 	<p>Fill: Verdigris R036, G093, & B019 Border: Emerald Green R000, G128 & B000</p>

	<ul style="list-style-type: none"> • To create a holistic framework within which culturally significant and historical sites are accorded equal status and value within new developments • To ensure the sustainable provision of ecosystem services to the community 	
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3.1.14.2 Zones and Development Parameters

Zone	Minimum Lot Size (m ²)	FAR	Coverage (%)	Height (Storey)	Front Setback Line (m)	Side Setback (m)	Rear Setback (m)	Frontage (m)
ESAOS	2000m ²	0.5	25%	2	10m	5.0m	5.0m	10m 3.5m for Hatchet & panhandle
ESPOS	N/A	0.2	10%	2	10.0m	5.0m	5.0m	10m
ESEM	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

3.1.14.3 Land Use Controls

Building & Land Use Category	ESAOS	ESPOS	ESEM
Freely Permitted	<ul style="list-style-type: none"> • Amenity Area • Biosphere • Bird Sanctuary • Dwelling House (Restricted to staff accommodation) • Maintenance Building • Nature Reserve • Playing Fields • Public Open Space • Private Open Space • Private Recreational Area • Recreational Building • Shop (Restricted to sports related goods and refreshments) • Special Landscapes 	<ul style="list-style-type: none"> • Amenity Area • Biosphere • Bird Sanctuary • Conservancy • Educational Building (Limited to environmental education, conservation awareness, research facilities) • Nature Reserve • Park • Private Recreation Area • Public Open Space • Recreational Building • Special Landscapes • Trails 	<ul style="list-style-type: none"> • Amenity Area • Biosphere • Bird Sanctuary • Conservancy • Educational Building (Limited to environmental education, conservation awareness, research facilities) • Nature Reserve • Office (Limited to environmental education, conservation awareness, research facilities) • Park • Private Recreation Area • Public Open Space • Recreational Building • Special Landscape
Uses permitted by Special Consent	<ul style="list-style-type: none"> • Arts and Crafts Workshop (Limited to activities associated with tourism, recreation, environment and conservation). • BTTS • Caretaker's Dwelling • Convenience Shop • Flea Market • Garden Nursery • General Game Reserve • Government/Municipal Building 	<ul style="list-style-type: none"> • Arts and Crafts Workshop (Limited to activities associated with tourism, recreation, environment and conservation). • Caretaker's Dwelling • Flea Market • Garden Nursery • Horticulture • Recreational Building • Restaurant • Shop (Limited to the sale of take away commodities) 	<ul style="list-style-type: none"> • General Game Reserve • Horticulture • Major Game Reserve • Park • Picnic Site

	<ul style="list-style-type: none"> • Health Club • Horticulture • Place of Entertainment • Restaurant • Restaurant (Fast Food) • Shop (Limited to the sale of take away commodities associated with tourism, recreation, environment and conservation) • Tea Garden • Utilities Facility 	<p>associated with tourism, recreation, environment and conservation)</p> <ul style="list-style-type: none"> • Tea Garden • Utilities Facility 	
Prohibited Land Uses and Buildings			Buildings and land uses not listed in this table

3.1.14.4 Additional Controls

3.1.14.4.1 Active Open Space is preserved as open space for the use and enjoyment of the public, to the requirements and satisfaction of the Area and once such areas are in the registered ownership of Council.

3.1.14.4.2 Permitted works, activities and uses in Passive Open Space areas include, inter alia:-

- (i) The establishment of parking areas associated with the use of such land by the public
- (ii) musical entertainment;
- (iii) the creation of public parks,
- (iv) Municipal gardens, together with associated plants and equipment;
- (v) the establishment of recreation grounds;
- (vi) swimming pools, botanical/zoological gardens, aquariums and the like;
- (vii) refreshment facilities for the public;
- (viii) seating and other equipment;
- (ix) leasing/hiring of grounds for fairs, fetes,
- (x) “flea markets”, sporting, social welfare and other related activities; and,
- (xi) the erection of public conveniences/ablution facilities;

3.1.14.4.3 In the carrying out of any of the afore-mentioned activities or uses, the Council shall observe the necessary requirements to ensure the proper management of, and enhance, the conservation of existing

indigenous flora and fauna, habitats and natural systems and the protection of the unique characteristics or circumstances, which may pertain to the land concerned.

- 3.1.14.4.4 An applications for the installation of the Base Telecommunication Tower Station shall indicate the position of base tower at least 250 meters from other facilities and shall comply with the necessary requirements of the National Environmental Management Act (No. 107 of 1998) regulations as amended.
- 3.1.14.4.5 The erection of any building within the Environmental Management Zone areas shall be subject to environmental appraisal or EIA application
- 3.1.14.4.6 An application for the designation of Environmental Management Areas shall be undertaken in consultation with Ezemvelo KZN Wildlife and take due cognizance of the requirement of the NEMA Biodiversity Act (Act 10 of 2004) and the Provincial Biodiversity Framework Plan.
- 3.1.14.4.7 No indigenous flora, fauna or any naturally occurring material shall be disturbed or removed from the Environmental Management Zone.
- 3.1.14.4.8 Except where picnic areas and footpaths through the vegetation have been specifically demarcated, the public shall not be admitted to other areas within the Environmental Management Zone
- 3.1.14.4.9 Accommodation for parking is to be as per Section 4 Planning Norms and Standards.

3.1.15 Civic & Social

3.1.15.1 Land Use Zones for Civic, Social & Public Buildings

Civic & Social (CSOC)	Statement of intent	Zone Colour & Scheme Notation
	The provision for and development of land and buildings associated with administrative and government functions including pension offices, museums, libraries and community halls	
	<p>Objectives of Zone</p> <ul style="list-style-type: none"> To provide adequate and accessible social and civic facilities to meet the needs of communities in the fields of social and cultural services To ensure that such facilities are designed to address the special needs of the physically and mentally challenged, the elderly and women and children 	Fill: Bright Green R000, G255, & B000 Border: Caramel R255, G128 & B000
Public Buildings & Institutions (CSPBI)	Statement of Intent	Zone Colour & Scheme Notation
	The provision for and development of public administrative, institutional and infrastructural sites and buildings for the convenience and proper operation	

	and functioning of urban and rural areas.	
	Objectives of Zone	
	<ul style="list-style-type: none"> • To ensure that public institutional, administrative and service facilities are provided to permit the efficient and proper administration and functioning of the cities, towns and rural and small settlements. • To ensure that in the rural context these facilities are located in an accessible location along or near a main transportation route. • To ensure that such buildings are designed to address the special needs of physically challenged and the elderly 	Fill: Peach Puff R255, G218, & B185 Border: Black R000, G000 & B000

3.1.15.2 Zones and Development Parameters

Zone	Minimum Lot Size (m ²)	FAR	Coverage (%)	Height (Storey)	Front Setback Line (m)	Side Setback (m)	Rear Setback (m)	Frontage (m)
CSOC	2000m ²	1.0	50%	2	7.5m	5.0m	5.0m	10m 3.5m for Hatchet & panhandle
CSPBI	2000m ²	1.0	50%	2	7.5m	5.0m	5.0m	10m 3.5m for Hatchet & panhandle

3.1.15.3 Land Use Controls

Building & Land Use Category	CSOC	CSPBI
Freely Permitted	<ul style="list-style-type: none"> • Amenity Area • Caretaker's Dwelling • Cemetery • Clinic • Day-Care Centre • Educational Building • Government/Municipal Building • Office (Public) • Office Business Services • Parking Garage • Place of Assembly • Place of Worship • Special Landscapes 	<ul style="list-style-type: none"> • Crèche • Day-Care Centre • Educational Building • Government/Municipal Building • Office (Public) • Parking Garage • Place of Assembly • Special Landscapes • Hospital • Institutional Building • Restricted Building
Uses permitted by Special Consent	<ul style="list-style-type: none"> • Airport • BTTS • Caravan Park • Hospital 	<ul style="list-style-type: none"> • Prison • Utilities Facility

	<ul style="list-style-type: none"> • Institutional Building • Mobile Home Park • Place of Entertainment • Railway Facilities • Recreational Building • Restaurant • Restaurant (Fast Food) • Restricted Building • Retirement Village • Tea Garden • Utilities Facility 	
Prohibited Land Uses and Buildings	Buildings and land uses not listed in this table	

3.1.15.4 Additional Controls

3.1.15.4.1 In addition to any other relevant provision of the Scheme; the following provisions, conditions and restrictions shall be applicable to all Places of Public Worship and the sites thereof within the area of the Scheme:

- (i) No Place of Public Worship shall be established or used on a site except with the approval of the Council.
- (ii) The site of a Place of Public Worship shall not simultaneously be the site of one or more Dwelling Units, provided that the Municipality may grant its approval to the erection;
- (iii) The use of one or more Dwelling Units, upon such site, to be used in conjunction with the use of such a site as the site of a Place of Public Worship;
- (iv) Approval of an application for the establishment of a Place of Public Worship shall include measures to address noise abatement; and,
- (v) A Place of Public Worship shall not be allowed to use a public address system where the site is located in a residential area.

3.1.15.4.2 The use of a public address system by religious groups for calls to prayer, ceremonies, burials or other functions will be subject to a separate application to the municipality, extensive public consultation and

subject to the volume being kept with the bylaws related to the control of noise, specific time-periods and decibel levels appropriate for public health and safety.

3.1.15.4.3 In granting the use of a public address system, the municipality may outline additional restrictions or conditions as it deems to be necessary to be in the interest of the public and to protect the amenity of surrounding properties.

3.1.15.4.4 Any such permission granted in terms of the application outlined above, shall be withdrawn due to a public complaint or non-compliance with the conditions attached to the granting of such an application by the municipality.

3.1.15.4.5 Where a Place of Public Worship has existing rights to use a public address system, which predate the commencement of this Scheme, such rights, will remain until the site is subject to a rezoning application for another land use. At this point, the continued use of such rights may be subject to review by the municipality.

3.1.16 Transportation & Utilities

3.1.16.1 Land Use Zones for Transportation & Utilities

Transportation & Access (TUTA)	Statement of intent	Zone Colour & Scheme Notation
	The provision of land in strategic locations for airports, taxi ranks and railway stations in accordance with national legislation and provincial and local policies.	
	<p style="text-align: center;">Objectives of Zone</p> <ul style="list-style-type: none"> • To ensure that such developments serve national, provincial and economic development • To locate these strategically so that they promote local economic development to ensure that the location and development of these areas are environmentally sustainable 	Fill: Grey 40% R150, G150, & B150 Border: Black R000, G000 & B000
Utilities & Services (TUUS)	Statement of Intent	Zone Colour & Scheme Notation
	The provision of land areas for capital works, engineering services mains, overhead and underground cables and services required to promote sustainable development in accordance with national laws and provincial and local guidelines	
	Objectives of Zone	

	<ul style="list-style-type: none"> • To ensure that the land for services infrastructure is set aside to support development to create opportunities for such land to be used for other uses on a temporary basis until required for services infrastructure • To ensure that the locality of such land areas is such that it will not detract from the amenity of other areas to protect residential areas, health and education areas from the impacts of the installation of main line services such as gas, petrochemical pipelines and radio masts 	Fill: Speckled Brown R077, G089, & B013 Border: Black R000, G000 & B000
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3.1.16.2 Zones and Development Parameters

Zone	Minimum Lot Size (m ²)	FAR	Coverage (%)	Height (Storey)	Front Setback Line (m)	Side Setback (m)	Rear Setback (m)	Frontage (m)
TUTA	At the discretion of the Municipality	1.0	100%	2	At the discretion of the Municipality	At the discretion of the Municipality	At the discretion of the Municipality	At the discretion of the Municipality
TUUS	N/A	As required for the provision of a specific service	As required for the provision of a specific service	2	As required for the provision of a specific service	As required for the provision of a specific service	As required for the provision of a specific service	N/A

3.1.16.3 Land Use Controls

Building & Land Use Category	TUTA	TUUS
Freely Permitted	<ul style="list-style-type: none"> • Amenity Area • Bus and Taxi Rank • Government/Municipal Building • Parking Garage • Special Landscapes • Transportation Terminal • Tuck Shop • Utilities Facility 	<ul style="list-style-type: none"> • Amenity Area • Government/Municipal Building • Special Landscapes • Utilities Facility
Uses permitted by Special Consent	<ul style="list-style-type: none"> • Airport • Informal Trading Area • Light Industry • Petrol Filling Station • Service Industry • Service Workshop • Truck Stop • Warehouse 	<ul style="list-style-type: none"> • Land Fill Site • Recreational Building • Restaurant • Restaurant (Fast Food) • Retirement Village • Tea Garden
Prohibited Land Uses and Buildings	Buildings and land uses not listed in this table	

3.1.16.4 Additional Controls

3.1.16.4.1 Land uses specified for an Airport are at Council’s sole discretion and must be specifically related to the functioning of the airport.

3.1.16.4.2 Other land uses and works ancillary to the function of an airfield and subject to agreement being reached on the permissible floor area ratio, coverage and height restrictions, the placing of buildings on the site, on-site parking requirements and/or any other related matters by way of a site development plan.

3.1.16.4.3 Such a site development plan shall have due consideration for any relevant regulations on airports and any related legislation as may be laid down from time to time by the Minister of Transport or any other responsible authority.

3.1.16.4.4 Necessary approvals must be obtained from Department of Transport where applicable.

3.1.16.4.5 All Parking Lots shall conform to the following clauses:-

- (i) The surface of all areas used for parking of motor vehicles and access roads shall be hardened, and if required by the Municipality, paved or surfaced or sealed and maintained in a dust free condition to the satisfaction of the Municipality.
- (ii) Points of ingress to and egress from Parking Lots, from and to, respectively, the Public Street System shall be situated, constructed, paved and maintained to the satisfaction of the Municipality.
- (iii) The dimensions and layout of parking spaces on Parking Lots shall conform to the minimum standards contained in this Scheme.

3.1.16.4.6 All Parking Garages shall conform to the following clauses:-

- (i) All Parking Garages within the area of the Scheme shall conform to the standards and dimensions contained in Clause 3.8 of the Scheme.
- (ii) Entrances to and exits from all Parking Garages from and to, respectively, the Public Street System shall be sited, constructed, paved and maintained to the satisfaction of the Council.
- (iii) Parking Garages shall be fitted with interior lighting to the satisfaction of the Municipality.
- (iv) Precautions shall be taken against the outbreak of a fire and fire-fighting apparatus shall be installed and maintained to the satisfaction of the Municipality.

3.1.16.5 The development of land reserved as Public Car Park shall be the responsibility of the Municipality and it may permit the development of the whole or portion thereof by a developer or owner who is providing parking or cash in lieu of on-site parking in accordance with the provisions of this Scheme.

- 3.1.16.6 The construction of parking garages within these areas is permitted.
- 3.1.16.7 Bus and taxi rank facilities may be provided to the satisfaction of the Municipality.
- 3.1.16.8 Accommodation for parking is to be as per Section 4 Planning Norms and Standards.
- 3.1.16.9 Any application for the establishment of the waste site will need to provide documentation and a plan indicating that the facility is compliant with the requirements of the National Environmental Management: Waste Management Act (Act 59 of 2008) and whether there is to be a recycling programme operating on site.
- 3.1.16.10 An application for a refuse site or landfill will need to have an approved Environmental Impact Assessment approved by the Department of Agriculture, Forestry and Fisheries (DAFF).
- 3.1.16.11 An application for a refuse site or landfill will need to address itself to issues of noise, dust, the control of and safe storage and disposal of waste on site.
- 3.1.16.12 The application for a refuse site shall provide details regarding safety measures, fencing, notices, access control, and lighting to ensure that the potential dangers associated with the activity are minimised.
- 3.1.16.13 Where pollution control or safety measures are reliant on electricity, the refuse or land fill site will install an emergency generator to ensure that no spillage can occur.
- 3.1.16.14 The application shall include a strategy to address the monitoring and control of the operation to minimise amenity disturbance by way of dust, noise, pollution, heavy vehicles, hours of operation and any remedial programmes once the activity ceases.
- 3.1.16.15 In addition, all developments for a refuse or land fill site will need to submit a detailed post-production restoration plan to show how the site shall be rehabilitated. The plan shall address the following aspects:-
- (i) The restoration of the land fill site;
 - (ii) The restoration of the natural environment through the planting of original indigenous plants and trees;
 - (iii) Pollution control mechanisms;
 - (iv) The long term management of all leachate once the land fill site is closed;
 - (v) The short term and longer term time period in which the rehabilitation plan will be completed; and
 - (vi) the naming of an agency that will be responsible with completing the rehabilitation work

4 PARKING AND LOADING REQUIREMENTS

4.1 PARKING

- 4.1.1 Effective and paved on-site parking and loading spaces together with the necessary maneuvering area shall be provided for a development as set out in Table 4.1: On-site Parking and Loading requirements.
- 4.1.2 In the case of a discrepancy between Table 4.1 and the zone with regards the parking and loading requirements, the zone regulation shall have precedence.
- 4.1.3 The Municipality may relax or waive the parking and loading requirements if it is of the opinion that adequate parking already exists in the vicinity of the site; provided further that in the event of such relaxation or waiving the applicant shall pay a cash contribution to the Municipality in lieu of the provision of such parking spaces, provided further that any owner may provide the parking area required

in terms of this clause on any alternative site approved by the Municipality and such site shall be notorially bound to the subject site.

- 4.1.4 The owner of a building in respect of which parking spaces are required in terms of this clause shall keep such parking spaces in a proper condition for such purpose to the satisfaction of the Municipality.
- 4.1.5 The gross floor area per parking space shall be calculated on a minimum of 12.5m² (2.5m wide x 5m long), excluding maneuvering and road areas, and shall be applicable to all new buildings (except a single dwelling unit) and/or extensions to existing buildings (except a single dwelling unit).
- 4.1.6 The loading and off-loading of goods shall take place only within the boundaries of the erf to the satisfaction of the Municipality unless the Municipality has provided loading facilities in the street reserve
- 4.1.7 The gross floor area per loading space shall be calculated at 50m² and shall be applicable to new buildings and/or additions.
- 4.1.8 Visitor’s parking spaces may not be reserved temporarily or permanently whether it is for payment or not.
- 4.1.9 The on-site parking and loading requirements for developments are set out in Table 4.1: On-site Parking and Loading Requirements, hereunder. The Municipality may, at its discretion, either decrease or increase the requirements contained in the table for specific developments.

Table 4.1 On-Site Parking & Loading Requirements

Land Use	Number of Parking spaces to be provided	Requirements for loading spaces and areas.
4x4 Trail	Not applicable	Not applicable
Abattoir	5 per 1 000m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Additional Dwelling Unit	1 per dwelling	Not applicable
Adult entertainment business	6 per 100m ² floor area	Not applicable
Agricultural buildings	Not applicable	At least 1 space
Agricultural housing	1 per dwelling	Not applicable
Agricultural industry	1 per 100m ² floor area	2 spaces per the first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Agricultural Purposes	Not applicable	Not applicable
Agri-village	1 per dwelling	Not applicable
Airfield	1 per 500m ² floor area	1 space per 2000m ²
Animal refuge	2 per 100m ² floor area	1 space per every 1000m ² floor area
Auction house	40% of property reserved for parking	Part of 40%

Bakery	3 per 100m ² floor area	1 space per every 1000m ² floor area
Bed and Breakfast	1 per bedroom	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Boarding house	1 space per room and 1 visitor space for every 3 rooms.	Not applicable
Brickyard	40% of property reserved for parking	Part of 40%
Builder's yard	2 per 100m ² floor area	1 space per every 1000m ² floor area
Bulk retail trade	2 per 100m ² floor area	1 space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter
Caretakers flat	1 per dwelling	Not applicable
Carwash	6 per 100m ² floor area	Not applicable
Cemetery	20% of property reserved for parking	Part of 20%
Chalet	1 per chalet	Not applicable
Clinic	1 space per bed+ 4 per 100m ² of public access facilities	1 space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter
Coal yard	40% of property reserved for parking	Part of 40%
Commercial Use	6 per 100m ² floor area	2 spaces per 1000m ² per floor area
Commonage	Not applicable	Not applicable
Confectioner	6 per 100m ² floor area	1 space per first 2000 m ² floor area
Conference center	6 spaces per 100m ² floor area and 1 space per 4 seats	At least 1 space
Conservancy	Not applicable	Not applicable
Creche	1 per classroom and office + 2 per every 100 learners	Not applicable
Crematorium	3 per 100m ² floor area	1 space per first 2000 m ² floor area
Cultural activities	3 per 100m ² floor area	At last 1 space
Day care facility	1 per 4 children	Not applicable
Drive-thru Restaurant	6 spaces per 100m ² floor area and 1 space per 4 seats	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Dry cleaner	3 per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Dwelling House	1 per dwelling	Not applicable
Dwelling unit	1 per dwelling	Not applicable
Early Childhood Development Centres	1 per 4 children	At least 1 drop off zone
Education (Excluding Tertiary Facilities), Institution & Restricted Building	1 per 2 staff members	At least 1 drop off zone
Farm Stall	3 per 100m ² floor area	At last 1 space
Filling Station	1 per 50m ² floor area	Loading and unloading area for bulk tankers to the satisfaction of the Municipality.
Flats	1 space per dwelling and 1 visitor space for every 3 dwelling units.	Not applicable
Fuelling facility	20% of property reserved for parking	Part of the 20%
Funeral parlour	1 per 40m ² GFA	Not applicable
Garden service establishment	3 per 100m ² floor area	At last 1 space

Government use	4 spaces per 100m ² office floor area and 6 spaces per 100m ² public floor area and 1 space per 4 seats.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Group Housing	1 space per dwelling and 1 space for every 3 dwellings.	Not applicable
Guesthouse	1 space per room and 1 visitor space for every 3 rooms.	At least 1 space
Gymnasium	6 per 100m ² floor area	1 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Halls without fixed seats	1 per 25 seats	1 space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter
Heavy vehicle parking depot	40% of property reserved for parking	Part of the 40%
Heliport	4 Spaces per 100m ² office floor area, 1 space per 100m ² repair facility and 1 space per rotary wing aircraft storage unit.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Home occupation/business	2 per 100m ² floor area	Not applicable
Hospital	1 space per bed+ 4 per 100m ² of public access facilities	2 spaces per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter
Hotel	1 per bedroom & 6 per 40m ² public space	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Industry: Workshop storage	1 per 140m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Informal Business/Trade	2 per 100m ² floor area	1 space per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Initiation School	Not applicable	Not applicable
Institution	4 per 100m ² floor area	1 space per first 2000m ² floor area, or part thereof and 1 space per every 2000m ² floor area thereafter.
Laboratory	3 per 100m ² floor area	1 space per first 2000m ² floor area, or part thereof and 1 space per every 2000m ² floor area thereafter
Laundromat	1 per 30m ² GFA	1 space per first 2000m ² floor area, or part thereof and 1 space per every 2000m ² floor area thereafter
Light Industry	2 per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Liquor Enterprise	6 per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Lodge	1 per bedroom & 6 per 100m ² public space	1 space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter
Medical suites	6 per 100m ² floor area	1 space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Mining	20% of property reserved for parking	Part of 20%
Mining Rehabilitation Areas	20% of property reserved for parking	Part of 20%.
Mobile dwelling unit	1 space per dwelling and 1 space for every 3 dwellings.	Not Applicable.
Motor Dealer	2 per 100m ² floor area, excluding display areas	At least 1

Municipal purposes	4 spaces per 100m ² office floor area and 6 spaces per 100m ² public floor area and 1 space per 4 seats.	1 space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter
Nature reserve	As council decide	Not Applicable.
Noxious industries	2 per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Nursery	2 per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Office	1 per 50m ² GFA	1 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Outdoor Storage	40% of property reserved for parking	Part of 40%
Park	Not applicable	Not Applicable.
Parking garage	Not applicable	Not Applicable.
Place of amusement	1 space per 4 seats and 6 spaces per 100m ² public floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Place of Instruction	1 per 100m ² floor area	1 drop-off space for busses per 100 students
Place of public worship	1 per 10 seats	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Place of refreshment	1 per 3 seats	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Prison	4 Spaces per 100m ² office floor area and 1 space per 10 holding cells.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Private Park	Not applicable	Not applicable
Private Street	Not applicable	Not applicable
Public Open Space	Not applicable	Not applicable
Public transport rank	4 spaces per 100m ² office floor area and 6 spaces per 100m ² public floor area and 1 space per 4 seats	Not applicable.
Quarrying	20% of property reserved for parking	Part of 20%.
Railway line	Not applicable	Not applicable.
Railway station	4 spaces per 100m ² office floor area and 6 spaces per 100m ² public floor area and 1 space per 4 seats	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Recycling center	3 per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Renewable Energy Structure	Not applicable or as council decide	Not applicable or as council decide
Residential Building	1 per dwelling nit + 1 per every 3 dwelling units for visitors	1 space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter
Resort	1 space per room and 6 spaces per 100m ² public floor area	1 space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter
Retirement village	1 space per dwelling and 6 spaces per 100m ² public floor area	1 space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter
Riding stables	0.5 per stable	At least 1
Row Housing	1 space per dwelling and 1 space for every 3 dwellings.	Not applicable
Scrap-yard	3 per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter

Semi Detached housing	1 space per dwelling and 1 space for every 3 dwellings.	Not Applicable.
Service Enterprise	2 per 100m ² floor area	1 space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter
Service Industry	4 per 100m ² floor area	1 space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter
Sewer purification plant	Not applicable or as council decide	Not applicable or as council decide
Shop	1 per 30m ² GFA	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Showgrounds	As council decide	1 space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter
Social Hall	4 spaces per 100m ² office floor area and 6 spaces per 100m ² public floor area and 1 space per 4 seats	1 space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter
Sport and recreational grounds	1 space per 4 seats and 6 spaces per 100m ² public floor area.	1 space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter
Step Down Facility	1 space per bed	1 space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter
Street/Road	Not applicable	Not applicable
Tavern	As per agreement with neighbours	Not applicable.
Taxidermy	2 per 100m ² floor area	1 space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter
Telecommunication infrastructure	20% of property reserved for parking	Part of 20%.
Town Houses	1 space per dwelling and 1 space for every 3 dwellings.	Not Applicable.
Transport Usage/Yard	As council decide	As council decide.
Truck stop	40% of property reserved for parking	Part of 40%.
Tuck shop	As per agreement with neighbours	Not applicable
Urban Agriculture	As council decide	Not applicable.
Utility	As council decide	Not applicable
Vehicle Graveyard	3 per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Veterinary clinic	3 per 100m ² floor area	1 space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter
Wall of Remembrance	Not applicable	Not applicable
Storage Warehouse Wholesale Warehouse	3 bays 1 bay per 150m ² of GFA	Loading to satisfaction of Council
Waste disposal site	As council decide	Not applicable
Wholesale trade	2 per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Workshop	2 per 100m ² floor area	1 space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter
Zoological garden	As council decide	Not Applicable.

- 4.1.10 Effective and paved parking and loading spaces as indicated under in Table 4.1 together with the necessary maneuvering area, disabled parking bays and where applicable emergency parking bays, shall be provided on the property to the satisfaction of the Municipality, provided that: -
- 4.1.10.1 The Municipality may, on receipt of a written application and an accompanied site plan relax or waive the provisions of this Clause in the Central Business District (CBD) (as demarcated from time to time), if the Municipality is of opinion that adequate parking already exists in the vicinity of the site, provided further that:
- 4.1.10.1.1 In the event of such relaxation or waiving, the applicant shall pay a cash contribution to the Municipality in lieu of the provision of such parking spaces, that will be used solely for the provision of parking in the vicinity of the site; and
- 4.1.10.1.2 Any owner may provide the parking area required in terms of this clause on any alternative site approved by the Municipality.
- 4.1.10.2 The owner of a building in respect of which parking or loading spaces are required in terms of this Clause shall keep such parking spaces in a proper condition for such purpose to the satisfaction of the Municipality and may erect such parking spaces as required in this Clause and approved by the Municipality at the cost of the applicant, to the satisfaction of the Municipality;
- 4.1.11 The facilities to be provided for parking in terms of this clause shall not be used for the purposes of exhibition, sale, repair or maintenance of vehicles or for any purpose other than the parking of vehicles.
- 4.1.12 If additions to any existing building (other than a single dwelling unit) are undertaken which, in the opinion of the Municipality, are not of such extent as to warrant the provision of parking and maneuvering space, the Municipality may, in its discretion, relax the requirement of Table 1.
- 4.1.13 The Municipality may, after receipt of building plans submitted in terms of its by-laws, require the owner to submit, for its approval, proposals for the provision of suitable and sufficient facilities on the erf for the loading, unloading, fueling, parking of vehicles or for the storage of refuse containers.
- 4.1.14 If the Municipality requires the submission of any proposals in terms of this clause or if the owner submits proposals together with any building plan, the Municipality shall within a reasonable period, either

approve the proposals with or without modification or disapprove of them and, in the event of refusal, furnish reasons for such refusal to the applicant in writing.

- 4.1.15 No owner or occupant of a building in respect of which proposals in terms of this clause are required, shall undertake or knowingly permit the loading, unloading, parking, fueling of vehicles or permit the storage of refuse containers other than in accordance with approved proposals unless such requirements have been relaxed or altered by Municipality.
- 4.1.16 The parking and loading spaces required in terms of this Scheme may be reduced by the Municipality in special circumstances. Parking for residential purposes in the residential use zones must, except where the Municipality permits otherwise, be provided on the ground floor or in the basement only.
- 4.1.17 Further parking and site access requirements:
- 4.1.17.1 The vehicular access/exit ways will be restricted to not more than one each per site per street abutting the site.
- 4.1.17.2 The vehicular access/exit ways will be restricted to a maximum total width of 6 meters where they cross the street boundary.
- 4.1.17.3 If the corner at a street intersection is not splayed, vehicular access/exit ways will not be closer than 10 meters to such a corner.
- 4.1.17.4 If the corner at a street intersection is splayed, vehicular access/exit ways will not be closer than 10 meters to such a corner or 5 meters measured from the point where the splay reaches the road boundary, whichever is the greater distance from the corner.
- 4.1.17.5 Such parking areas will only be used for the parking of vehicles which are lawfully allowed on them and may not be used for trading or any other purposes.
- 4.1.17.6 The way in which it is intended that vehicles should park in and gain access to or exit from such parking areas will be indicated on a plan which should be submitted to the Municipality, who may approve or reject it or lay down any conditions deemed necessary by it.
- 4.1.17.7 The Municipality may lay down more restrictive requirements than those mentioned if deemed necessary from a traffic point of view.

5 LAND USE SCHEME MAPS

5.1 SCHEME MAPS

5.1.1 The Land Use Scheme Maps depict—

- a) The zoning of land in accordance with the use zone in which the land is located; and
- b) Overlay zones, if applicable to the land.

5.1.2 The Municipality must update the Scheme Map within a reasonable time after use rights have been granted or have lapsed.

5.1.3 The Municipality may keep the Scheme Map in an electronic format.

5.1.4 The Municipality may provide an extract of the Scheme Map to members of the public on payment of a fee determined by the Municipality in terms of the tariff policy of the Municipality.

5.1.5 Should uncertainty or disputes arise relative to the precise location of any zone boundary as depicted on a map, the location thereof shall be determined by applying the following rules:

5.1.5.1 Where a zone boundary is shown as approximately following the center of streets or other public thoroughfares, pipelines, railway lines or servitudes, it shall be deemed to follow the centerline thereof;

5.1.5.2 Where a zone boundary is shown as approximately following the boundary of a property, the property boundary shall be deemed to be the boundary of the zone for that portion of the zone boundary which approximates the property boundary;

5.1.5.3 Where a zone is shown as approximately following the edge or shore line of bodies of water or floodlines, it shall be deemed to follow such lines, and in the event of change in such edge or shorelines or floodlines, it shall be deemed as moving with the same.

5.1.5.4 Where a zone boundary is shown as being parallel to or an extension of features noted above, it shall be so construed;

5.1.5.5 Where a zone boundary is shown as approximately following the topographical contour line or top-of-the-bank line, it shall be deemed to follow such line, and in the event of the change in such line, it shall be deemed as moving with that line, provided further that:

5.1.5.5.1 Where features on the ground are at a variance with those shown on the relevant map or in other circumstances not mentioned above, the Municipality shall interpret the zone boundaries; and

5.1.5.5.2 Where a zone boundary is not located in conformity to the above provisions and in effect divides or splits a property, or where a zone boundary does not relate to an erf or other formal cadastral land

parcel, the disposition of such zone boundary shall be determined by dimensions indicated on the relevant map or by measurements directly scaled from the map.

- 5.1.5.6 In the case of any conflict between the text or clauses of this Land Use Scheme and any maps or drawings used to illustrate any aspect of this Land Use Scheme, the text or clause of this Land Use Scheme shall prevail;
- 5.1.5.7 Where any public street is closed, the land contained therein shall thereupon be deemed to carry the same zone as the adjacent land and where such adjacent lands are governed by different zones, the centerline on the public street shall be deemed to be the zone boundary;
- 5.1.5.8 Where a land use zone is assigned to an area or portion of land other than an erf or formal cadastral land parcel, this shall not be construed as assigning a legal, cadastral status such as an erf, public street or township to the relevant area or property but shall be interpreted to direct the use of the relevant portion of land and buildings thereon.

6 OVERLAY ZONES

6.1 PURPOSE OF OVERLAY ZONES

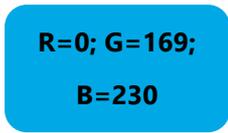
- 6.1.1 Overlay zones provide a mechanism for land use management whereby the Municipality may give effect to specific guidelines contained in a spatial development framework or policy plan. These guidelines could promote development, require a limitation to or set additional land use types, stipulate more or less restrictive development rules, or identify specific development rules. It provides a mechanism for elevating specific policy guidelines, as approved by the Municipality, to land use regulations.
- 6.1.2 An overlay zone will apply in addition to the base zone of a property. An overlay zone may only be introduced if it complies with the requirements set out in this scheme, and may not be introduced for the purposes of promoting, causing or facilitating social exclusion and separation.

6.2 REQUIREMENTS AND PROCEDURES

- 6.2.1 The Municipality may prepare any overlay zone as provided for in this Land Use Scheme.
- 6.2.2 Preparation of an overlay zone shall take into consideration the following requirements where applicable:
- 6.2.2.1 the principles contained in planning law;
 - 6.2.2.2 the Municipality’s planning vision and principles as set out in its Spatial Development Framework and Integrated Development Plan;
 - 6.2.2.3 desired spatial form, including but not limited to the development of public and private land, infrastructure investment, utilisation of space, spatial reconstruction, location and nature of development, urban edge, scenic routes, areas of strategic intervention, mitigation of development impacts;
 - 6.2.2.4 the principles as set out in an approved spatial development framework or a policy plan;
 - 6.2.2.5 environmental and heritage protection and conservation; and
 - 6.2.2.6 the principles of co-operative governance and the duties and objectives of local government as set out in the Municipal Systems Act and the National Constitution.
- 6.2.3 An overlay zone must not detract from Municipality’s ability to serve the needs of the municipal area as a whole.
- 6.2.4 The Municipality may adopt, replace, amend or recommend overlay zones that provide for development directives by following the rezoning procedures stipulated in planning law.

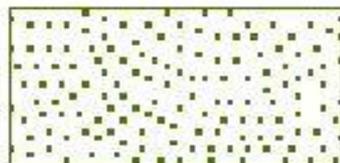
6.3 OVERLAY ZONE 1: HYDROLOGY

- 6.3.1 This overlay zone is indicated on the Use Zone Map as OZ1: Hydrology.
- 6.3.2 The purpose of this overlay zone is to ensure the sustainability of natural water supply in the Municipality. In addition, residents of the municipality should also be protected from the adverse effects of being located too close to surface water.
- 6.3.3 In the absence of 1:50 year and 1:100-year flood lines, the following development controls apply:
 - 6.3.3.1 No development allowed within 200 m of the centre line of a perennial river, as indicated on the Use Zone Maps.
 - 6.3.4 No development allowed within 100 m of the centre line of a non-perennial river or stream, as indicated on the Use Zone Maps.
 - 6.3.5 No development allowed within 200 m of the outside figure of all inland water bodies, as indicated on the Use Zone Maps.
- 6.3.6 Map depiction:



6.4 OVERLAY ZONE 2: ENVIRONMENTAL MANAGEMENT

- 6.4.1 This overlay zone indicated on the Zoning Map as OZ2: Environmental Management
- 6.4.2 The overlay zone makes provision for the protection of Critical Biodiversity Areas (CBA's), Ecological Support Areas (ESA's). CBA's are areas required to meet biodiversity targets for ecosystems to function, whereas ESA's play an important role in supporting the ecological functioning of CBA's. The importance of mapping these areas is to guide decision-making to inform land-use planning, environmental assessment and authorisations (SANBI, 2017).
- 6.4.3 The overlay zone provides a mechanism for the protection of biodiversity which the Municipal Council considers to be conservation-worthy in terms of its environmental protection strategies.
- 6.4.4 Conditions applicable to the Environmental Management Zone:
 - 6.4.4.1 The overlay zone depicts such farm portions that may be subject to critical terrestrial and freshwater sensitive areas.
 - 6.4.4.2 Applicable processes should be followed subject to any formal township establishment applications.
 - 6.4.4.3 Map depiction:



7 GENERAL PROVISIONS

7.1 BUILDING LINES AND RESTRICTION AREA

- 7.1.1 No building or structure other than boundary walls, fences or temporary buildings or structures that are required in connection with building operations being executed on the property shall be erected within any building restriction area.
- 7.1.2 Any building line along a proposed new road or widening shall be measured from that boundary of such proposed road or widening which is the common boundary of the road or widening and the remaining part of the property to which the building line applies.
- 7.1.3 Except with the written approval of the Local Municipality, no building shall be erected closer to a boundary. The Municipality may consent to the relaxation of building lines, following a written application by the owner of the property.
- 7.1.4 The area between the property boundary and the building line applying to such boundary shall be open space and shall allow unobstructed access to authorised persons at all times: Provided that such area may be landscaped and also be used for the parking of motor vehicles.
- 7.1.5 Building lines imposed in terms of the provisions of this Scheme shall not be construed as replacing building lines laid down by title conditions, the controlling authority or stipulated by other legislation.
- 7.1.6 Where shops, service industries, office uses, and (if permitted) commercial uses, light industrial uses and industrial uses erected in any business use zone conform to a building line allowed by the municipality, no goods, merchandise, wares or other obstructions excluding the parking of motor vehicles shall be placed, deposited, kept, stored or displayed, on the area between the street boundary and any such building line.
- 7.1.7 The municipality may permit the erection of a gate house between the building line and the street boundary of an erf between the building line and the road boundary, subject to such conditions as it may deem fit.

- 7.1.8 Except when otherwise indicated on the Map or Schedules the properties adjacent to provincial or national roads shall be subject to the following conditions:
- 7.1.9 The registered owner of the erf shall erect and maintain a physical barrier to the satisfaction of the Local Municipality or a fence of such other material as may be approved by the Local Municipality in accordance with the standards prescribed by the Controlling Authority, prior to or during the development of the property along the boundaries of the property adjacent to the National Road or Provincial Road.
- 7.1.10 Except for the physical barrier referred to in (a) above, a swimming pool or any essential storm water drainage structure, no building, structure or other thing which is attached to the land, even though it does not form part of that land, shall be erected nor shall anything be constructed or laid under or below the surface of the erf from the boundary of the property adjacent to the National Road or Provincial Road and no alteration or addition to any existing structure or building situated within such distance of the said boundary be made except with the consent in writing of the Controlling Authority.

7.2 SITE DEVELOPMENT PLANS

- 7.2.1 The land-owner shall submit a Site Development Plan for approval on all developments other than a single dwelling house on a property.
- 7.2.2 The Site Development Plan shall be approved by the Municipality prior to the approval of building plans for the development. The Municipality may request that the Site Development Plan be submitted in support of- and to be considered and decided simultaneously with the consideration and deciding of the application for land use rights.
- 7.2.3 The Municipality may, at its sole discretion, accept a “draft” Site Development Plan submitted in support of an application and approve of both the “draft” Site Development Plan and the concerned application. Such draft Site Development Plan may digress from the regulations under Clause 7.2.8 but must contain sufficient information to enable the consideration of the application.
- 7.2.4 If a draft Site Development Plan has been approved on a property, the Site Development Plan submitted for approval shall not deviate from the approved draft.

- 7.2.5 The Municipality shall not approve any building plan which does not comply with the proposals in the approved site development plan with particular reference to the elevational and architectural treatment of the proposed building or structure.
- 7.2.6 No building shall be erected on the property before such Site Development Plan has been approved by the Municipality and the whole development on the property shall be in accordance with the approved Site Development Plan, with the understanding that the Municipality may approve building plans that deviate within reason from the approved site development plan.
- 7.2.7 Buildings may be sited contrary to any provision of the Municipal building by-laws, if such siting is in accordance with an approved site development plan.
- 7.2.8 The Site Development Plan shall be presented in A3 book format or any other permitted format and drawn to a scale of 1:500, or such other scale as may be acceptable to the Municipality, and shall show at least the following:
- 7.2.8.1 A key plan with a north arrow
 - 7.2.8.2 The property lines and dimensions of the site
 - 7.2.8.3 The 1:100 year floodline
 - 7.2.8.4 The layout of the property, indicating the use of different portions thereof;
 - 7.2.8.5 Existing and proposed cadastral boundaries;
 - 7.2.8.6 The existing and final site grading of an applicable contour interval
 - 7.2.8.7 The siting, extent, height, coverage and floor area ratio of all existing and intended buildings and structures
 - 7.2.8.8 Overhead, surface and underground utilities, if any
 - 7.2.8.9 A clear description and indication of the different land uses, existing and intended, on the property, including the grouping of the uses within the same building or on a portion of the property
 - 7.2.8.10 The extent, FAR, coverage and height of all different land uses envisaged in the development
 - 7.2.8.11 Open areas, children’s play grounds, screen walls, security fencing, entrance structures, boom gates, refuse and storage areas, gate-houses and methods of screening and landscaping
 - 7.2.8.12 Areas and features of environmental and cultural value, if any
 - 7.2.8.13 Vehicular and pedestrian entrances and exits to and from the property to a public street system
 - 7.2.8.14 The proposed parking and loading spaces
 - 7.2.8.15 Entrances and access roads to buildings, parking areas and loading areas, including on-site vehicular and pedestrian traffic systems and access control points
 - 7.2.8.16 Building restriction areas, if any

- 7.2.8.17 Servitudes and other encumbrances to development, including physical, if any,
- 7.2.8.18 The proposed subdivision lines if the property is to be subdivided or the existing erf boundaries if properties are to be consolidated
- 7.2.8.19 The elevation and architectural treatment of buildings and structures and
- 7.2.8.20 The programming of the phasing of the development, if the development is to be phased
- 7.2.8.21 Any other details as may reasonably be required by the Municipality.
- 7.2.9 The Municipality may require that the area covered by a site development plan must extend beyond the site under consideration if, in its opinion, the proposed development will have a wide impact.
- 7.2.10 The Municipality may determine the extent of the area covered by a site development plan.
- 7.2.11 An applicant must submit a site development plan to the Municipality if it is required in terms of this Land Use Scheme, before any development on the relevant land unit may commence.
- 7.2.12 A site development plan may not be rejected if it is consistent with the development parameters of a base zone, overlay zone, or condition of approval.
- 7.2.13 The Municipality may require amendments of detail to the site development plan to address reasonable concerns relating to access, parking, architectural form, urban form, landscaping, environmental management, engineering services or similar concerns.
- 7.2.14 The following provisions apply with regard to site development plans:
- 7.2.14.1 an approved building plan must be in accordance with an approved site development plan;
- 7.2.14.2 if the Municipality considers it necessary, a transport or traffic impact statement or assessment may be required in conjunction with a site development plan, the extent of which must be determined by the Municipality depending on the magnitude of the development;
- 7.2.14.3 if the Municipality considers it necessary, a stormwater impact assessment or storm water management plan or both may be required in conjunction with a site development plan, the extent of which must be determined by the Municipality depending on the magnitude of the development.
- 7.2.15 In considering an application for the approval of a site development plan, the Municipality shall take into account any objections, comments and/or representation timeously lodged in writing by any interested

party in respect of such application, and when it has taken a decision on such application, it shall forthwith notify the applicant and any such interested party of such decision in writing.

7.2.16 An applicant may at any time before an application has been decided amend the application in writing in accordance with Municipal procedures.

7.3 HAZARDOUS SUBSTANCE

7.3.1 Any use or ancillary activity that involves the storage or keeping of hazardous substances that may result in an installation being declared a major hazardous installation in terms of occupational health and safety law is not permitted, unless a risk management and prevention plan has been submitted by the owner, and the Municipality has given approval thereto.

7.3.2 The Municipality’s approval in terms of Clause 7.3.1 above does not exempt the owner from applying for permission in terms of other relevant legislation.

7.4 MAINTENANCE OF PROPERTY

7.4.1 Property must be properly maintained by the owner or occupier and may not:

7.4.1.1 be left in a neglected or offensive state, as may be determined by the Municipality;

7.4.1.2 contain an unsightly accumulation of papers, cartons, garden refuse, rubble or other waste material, as may be determined by the Municipality; (contain an accumulation of motor wrecks or un-roadworthy vehicles or used motor parts, unless these are part of a primary or consent use in terms of this Land Use Scheme;

7.4.1.3 contain outdoor storage of building material, appliances or similar items unless these:

- a) forms part of a primary or consent use in terms of this Land Use Scheme;
- b) are temporarily being stored for the purpose of construction in accordance with a valid building plan approval; or
- c) are being stored in conjunction with the holding of a yard or garage sale with a duration of not more than two consecutive days.

7.5 PLACEMENT OF VEHICLES IN RESIDENTIAL ZONES

7.5.1 A motor vehicle of an occupant of a dwelling unit and used for commercial activities conducted away from the dwelling unit, may be parked on the property where the occupant resides, provided that:

- 7.5.1.1 there is adequate space on the property concerned;
- 7.5.1.2 no more than three commercial vehicles per dwelling unit may be parked on the property; and
- 7.5.1.3 the gross weight of any such commercial vehicle may not exceed 2 722kg.

7.6 SPLAY OF CORNERS

- 7.6.1 Except where shown on the map, the corners of all streets and street junctions shall be splayed from the junction of the street boundaries for a distance of 2 metres (calculated to the nearest metre): Provided that this provision shall not be applied to townships established before the adoption of this Scheme.
- 7.6.2 In calculating the area of a corner erf, the portions thereof cut off by the splay, shall be included in the area of the erf.

7.7 LINES OF NO ACCESS

- 7.7.1 Entrance to and exit from a property from or to a public street or road may be prohibited across any boundary-. Provided that:-
 - 7.7.1.1 The Local Municipality may, on receipt of a written application, relax the access restriction subject to such conditions as it may deem desirable, if as a result of exceptional circumstances, observance of the access restriction would interfere with the development of the property to an unreasonable degree;
 - 7.7.1.2 Consent granted in terms of this clause shall not be construed as a relaxation of any restriction on access imposed by any other law, or contained in the title deed of the property or imposed by the controlling authority.

7.8 CONDITIONS APPLICABLE TO ALL PROPERTIES

- 7.8.1 The following conditions shall be applicable to all erven and/or properties:
 - 7.8.1.1 Except with the written consent of the Local Municipality and subject to such conditions as it may impose, nobody shall:
 - a) Save and except to prepare the erf for building purposes, excavate therefrom any material;
 - b) Sink any wells or boreholes thereon or subtract any subterranean water therefrom.
 - 7.8.1.2 Where, in the opinion of the Local Municipality it is impracticable for storm water to be drained from higher lying erven direct to a public street system, the owner of the lower lying erf shall be obliged to accept and/or permit the passage over the erf of such stormwater: Provided that the owners of any higher lying erven from which storm water is discharged over any lower lying erf, shall be liable to pay a

proportionate share of the cost of any pipeline or drain which the owner of the lower lying erf may find necessary to lay or construct for the purpose of conducting the water so discharged over the erf.

- 7.8.1.3 The siting of buildings, including outbuildings, erected on the property, and entrances to and exits from the property shall be to the satisfaction of the Local Municipality.
- 7.8.1.4 No material or goods of any nature shall be dumped or stored within the building restriction area along the boundary of any existing or proposed street, and such portion shall not be used for any purpose other than laying out and maintaining lawns, gardens, parking or access.
- 7.8.1.5 A screen wall shall be erected as and when required by the Local Municipality to its satisfaction.
- 7.8.1.6 If the property is fenced, the fence shall be erected and maintained to the satisfaction of the Local Municipality.
- 7.8.1.7 No informal structures may be erected on any property within the area of the land use scheme, provided that the Local Municipality, in consultation with the community, may consent to the erection of an informal structure on “Residential 1” in certain areas.

7.9 HEIGHT

- 7.9.1 No building shall be higher than the number of storeys set out by the Municipality in Chapter 3 provided that:
 - 7.9.1.1 the maximum height of the ground storey shall not exceed 6,0 metres and any other storey shall not exceed 4,5 metres;
 - 7.9.1.2 a building shall have only one ground storey and, save for a building consisting of only one storey, the building plans of a building shall indicate which storey is the ground storey;
 - 7.9.1.3 all storeys below the natural ground level shall be indicated as basement storeys on building plans and shall comply with the provision as set out in the definition of “Basement”;
 - 7.9.1.4 any chimney, ornamental tower or similar projection, telecommunication mast or lift servicing room or room wherein mechanical or electrical equipment is installed or similar architectural features shall be included for the purpose of this clause;
 - 7.9.1.5 the Municipality may, after receipt of a written application, consent to the relaxation of the height restriction if in its opinion such consent shall result in a more desirable development of the property and will not harm the amenity of the area; and
 - 7.9.1.6 basements shall be excluded for the purpose of this clause.

7.10 DENSITY

- 7.10.1 The density zoning of a property refers to the maximum number of dwelling units that may be erected.

- 7.10.2 The density zoning of a property is related to its land use zoning and is stipulated in Chapter 3.
- 7.10.3 Only one dwelling unit per erf shall be permitted in use zones where dwelling units may be erected and where no density zone is applicable, further provided that in such cases, more dwelling units may be permitted with the consent of the Municipality.
- 7.10.4 In the “Residential 1” use zone where one dwelling unit per erf is the applicable density, the Municipality may, if the permissible coverage is not exceeded, after receipt of a written application, consent to the:
- 7.10.4.1 Subdivision of an erf into two portions, provided that no portion thus created shall be smaller than 40% of the average size of the surrounding erven and no portion smaller than 500m².
- 7.10.4.2 Provided that the provisions of the Municipality shall not apply to the subdivision of an erf in the “Residential 1” use zone with a density zoning of one dwelling unit per erf, where the subdivided portion is to be consolidated with an adjacent property provided that the remainder of the erf shall not be smaller than 40% of the average size of the surrounding erven with a minimum size of 500m²; and
- 7.10.4.3 Provided further that for the determination of the average size of the surrounding erven, the original size of the subdivided properties prior to the subdivision thereof shall be employed for calculation purposes and the number of properties applicable adjusted to only reflect the number of properties prior to the subdivisions of any such property;
- 7.10.5 An owner may erect and use a maximum of one additional dwelling unit on an erf zoned “Residential 1” notwithstanding the density provision of this Scheme subject to the conditions contained in Chapter 3 of this Scheme:

8 COMPLIANCE AND ENFORCEMENT

8.1 ENFORCEMENT

8.1.1 The Municipality must adopt fines and contravention penalties to be imposed in the enforcement of this land use scheme as determined by the section of the by-law that deals with enforcement.

8.2 POWER OF ENTRY FOR ENFORCEMENT PURPOSES

8.2.1 An authorised employee may, with the permission of the occupier or owner of land, at any reasonable time, and without a warrant, and without previous notice, enter upon land or enter a building or premises for the purpose of ensuring compliance with this land use scheme.

8.2.2 An authorised employee must be in possession of proof that he or she has been designated as an authorised employee for the purposes of this land use scheme.

8.2.3 An authorised employee may be accompanied by an interpreter, a police official or any other person who may be able to assist with the inspection.

8.3 SERVING OF NOTICES

8.3.1 Any order, notice or other document required or authorised to be served under the land use scheme, may be signed by the Municipal Manager or other official authorised thereto, as determined by the section of the by-law that deals with the serving of the notices.

8.4 FINDINGS AND APPEALS

8.4.1 Any objector or the applicant who is aggrieved by the decision of the Local Municipality or any condition of such decision, can appeal against the decision or condition in the manner prescribed in the section of appeals in the By-Law.

8.5 ADVERTISING SIGNS

8.5.1 No advertising sign or display board that is visible from the outside of the property, may be displayed or erected without the consent of the Municipality.

8.5.2 The Municipality will disallow such application if it is convinced that the proposed sign or board will be injurious to the amenity of the neighbourhood. Provided further that this Clause does not prohibit the display of a name-plate not exceeding 300mm x 450mm on a fence, entrance, entrance hall or front door of a property or building in use zone “Residential 1” provided that such name-plate be utilised exclusively to indicate the name and vocation of the occupant.

8.6 PERMISSION GRANTED BEFORE APPROVAL OF THIS SCHEME

8.6.1 Any consent granted for the use of land, or the erection of, alteration of or addition to any building or the carrying out of any works in terms of the provisions of the previous Ulundi Town Planning Scheme prior to the approval of this Scheme shall be deemed to be a consent granted in terms of the relevant provisions of this Scheme.

8.7 ANNEXURES TO THE SCHEME

8.7.1 The land use, restrictions, requirements, conditions and provisions as set out in the scheme are subject to the conditions as set out below:

8.7.1.1 Where an entry has not been made in the use zones and development parameters Tables, the Municipality may in its discretion specify a restriction when granting its special consent to an application;

8.7.1.2 Special rights, conditions and restrictions that may apply to any property within any use zone, may be indicated in an Annexure to the Scheme.

8.7.1.3 The special conditions and restrictions referred to in sub-clause 8.7.1.2 shall:

- a) be in addition to the general conditions, restrictions and other provisions of the Scheme; and
- b) prevail should they conflict with any such other condition, restriction or provisions as set out in this Scheme.

8.7.1.4 An annexure contemplated in sub-clause (b) shall consist of:

- a) a sheet upon which is inscribed the number of such annexure, a description of the property to which it applies, the special rights, conditions and restrictions applying to the property and the number and name of the relevant Scheme in terms of which the annexure was prepared;
- b) a diagram of the property concerned, which diagram shall accord with the layout shown on the Map; and
- c) the number of the relevant annexure sheet that will be inscribed in a double circle within or next to the figure of the relevant property on the Zoning Map and if it be inscribed next to such figure, it shall be joined to the figure by means of a line.

8.7.1.5 Upon approval of an amendment scheme the effected property or building shall, in addition to the requirements of the Scheme, be entitled to the use and further be subject to special conditions, restrictions, densities, floor area ratio, open space requirements, height, coverage, building lines and parking and loading requirements as shown on the relevant Annexures to the Scheme, if any.

8.8 CONTRAVENTION OF THE SCHEME

8.8.1 Any person who contravenes, or deliberately allows the contravention of any stipulation or conditions of the Scheme, or the provisions of any notice or directive by virtue of any stipulation of the Scheme, is guilty of an offence and punishable under the Act.

9 USE OF BUILDINGS AND LAND

9.1 ZONING

9.1.1 All properties within the area of the Scheme have been allocated a zone indicated on the Scheme Map.

9.1.2 A property may be zoned as follows:

- a) With a single zoning;
- b) With split zoning;
- c) With an overlay zoning over and above the zoning referred in (a) and (b)

9.2 CATEGORIES OF USES

9.2.1 Primary uses

9.2.1.1 The use of land or buildings for a purpose which is stipulated as a primary use in a relevant use zone is permissible without any approval from the Municipality.

9.2.2 Consent uses

9.2.2.1 Special consent use as listed under a relevant use zone in the Scheme is permitted if the Municipality grants such approval.

9.2.3 Land uses that are prohibited

9.2.3.1 Subject to any provisions to the contrary in the Act, land or buildings subject to this Scheme shall not be used for any purpose which is not specified in this Scheme.

9.2.4 Temporary Departure

9.2.4.1 Temporary departures from the Scheme as listed under a relevant use zone in the Scheme is permitted if the Municipality grants such approval.

9.3 PROTECTION OF EXISTING BUILDINGS

- 9.3.1 Save that the rebuilding or addition to existing buildings, with the exception of any structural alteration which is of a limited extent; such as the removal of non-weight bearing internal walls, the erection of removable partitioning, safes and toilets inside an existing building, or repair work inside or outside a building, shall conform to the provisions of the Scheme.
- 9.3.2 Existing buildings shall not be affected by the provisions of the Scheme which would otherwise make such buildings illegal: Provided that in cases where alterations of or additions to existing buildings are not of a limited extent, the provisions of the Scheme shall apply only to the parts of the building which are being altered or extended.

9.4 USES PERMITTED

- 9.4.1 No person shall use or cause or permit any building or portion thereof to be used for a purpose other than that for which it has been erected unless the necessary consent of the Municipality has been obtained therefore.
- 9.4.2 Nothing herein contained shall be deemed to grant exemption from any of the Municipality's by-laws inconsistent herewith.
- 9.4.3 Notwithstanding anything to the contrary in this Scheme, no land in a residential use zone may be used for the purposes of parking, storage or garaging of more than three (3) commercial vehicle (which may include inter alia a bus with more than 12 seats, light delivery van, tractor, construction machine and truck with a carrying capacity of more than 3 ton) or taxi, except with the special consent of the Municipality;
- 9.4.4 Notwithstanding anything to the contrary in this Scheme, no land in a residential use zone may be used for the purposes of parking, storage or garaging of any motor vehicle of which the gross vehicle mass exceeds 2722kg except with the special consent of the Municipality provided that the Municipality may grant special consent in respect of the parking, storage or garaging of a motor vehicle or an articulated motor vehicle of which the gross vehicle mass exceeds 2722kg but does not exceed 4536kg; provided that no vehicle parked, stored or garaged in terms of Clause 9.8.3 and 9.8.4 shall carry hazardous materials or flammable substances.

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- 9.4.5 No land shall be used for the purposes of refuse tipping, sewage disposal, scrap yard, stock yard, ash dump, motor grave yard or cemetery without the special consent of the Municipality.
- 9.4.6 The removal of soil, sand, clay or stone from any property shall not be permitted except with the special consent of the Municipality and subject to such requirements and guarantees that the surface shall be restored satisfactory as the Municipality may determine.
- 9.4.7 Notwithstanding anything to the contrary in this Scheme, application may be made to establish kennels, an animal hospital, a horse riding school or a nursery, on any property in an agricultural zone.

10 LAND USE AND LAND DEVELOPMENT APPLICATIONS

Still to be completed...

11 MISCELLANEOUS

Still to be completed...

12 DEVELOPMENT CONDITIONS

Still to be completed...

13 SCHEDULES

Still to be completed...