

# || THE KGETLENGRIVIER LOCAL MUNICIPALITY LAND USE SCHEME, 2015



**rural development  
& land reform**

Department:  
Rural Development and Land Reform  
**REPUBLIC OF SOUTH AFRICA**



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## **PART 1: ADMINISTRATION**

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### **1.1. Title**

- 1.1.1. This scheme shall be known as the Kgetlengrivier Local Municipality Land Use Scheme, 2015 and shall hereafter be referred to as the "Scheme".

### **1.2. Enactment**

- 1.2.1. The Scheme has been prepared and enacted in terms of the **Kgetlengrivier Spatial Planning By-Law, 2015**.
- 1.2.2. The Scheme shall come into operation on **<insert date>**, the "Effective date", and govern from the effective date onward.

### **1.3. Land Use Rights**

- 1.3.1. 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.
- 1.3.2. A Register of Land Use Rights, shall be the definitive source of the land use and development rights of a property.
- 1.3.3. It shall be the responsibility of the land owner to register land use rights obtained via legislation other than the Scheme on the Register of Land Use Rights.
- 1.3.4. Land use rights assigned though this scheme does not automatically remove any title conditions to the contrary. Should such title conditions exist that opposes a proposed development, these will have to be amended though an application discussed in **section 7.5**.

### **1.4. Authorised Local Municipality**

- 1.4.1. The Kgetlengrivier Local Municipality, hereafter referred to as the "Municipality", is the authority responsible for enforcing and carrying out the provisions of the Scheme.

### **1.5. Area of Scheme**

- 1.5.1. The Scheme incorporates the area of jurisdiction of the Kgetlengrivier Local Municipality, as proclaimed.

### **1.6. Purpose of the Land Use Scheme**

- 1.6.1. A land use scheme must give effect to and be consistent with the municipal spatial development framework and determine the use and development of land within the municipal area to which it relates in order to promote:
- (a) give effect to the municipal spatial development framework;
  - (b) make provision for orderly development and the welfare of the community; and
  - (c) determine use rights and development parameters, with due consideration of the principles referred to in the Spatial Planning and Land Use Management Act.

### **1.7. Components of the Land Use Scheme**

- 1.7.1. This Land Use Scheme consist of:
- (a) regulations setting out the procedures and conditions relating to the use and development of land in any zone;
  - (b) a map indicating the zoning of the municipal area into land use zones; and
  - (c) a register of all amendments to such land use scheme.

### **1.8. Transitional Arrangements**

- 1.8.1. 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.

- 1.8.2. Should a mistake or oversight be made in the recording of an existing land use right, such mistake or oversight shall be rectified, on the producing of proof of such existing land use right by the land owner.
- 1.8.3. 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.
- 1.8.4. 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 as contemplated in section 1.8.3 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.
- 1.8.5. Where a building plan application was formally submitted and accepted:
- (a) before commencement of this Land Use Scheme and which is still being processed; or
  - (b) 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, provided that it is finalised within 30 months after the commencement date, and when implemented will not be considered to be a contravention of this Land Use Scheme, but rather a lawful non-conforming use.
- 1.8.6. Where any approval in terms of planning law 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 non-conforming use.

## PART 2: DEFINITIONS

### 2.1. Interpretation

2.1.1. In this Land Use Scheme, annexures, appendixes, registers, any note on the land use zone 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 section 2.2, except where another interpretation is clear from the context. Interpretation of words not defined in this chapter will have the meanings assigned to them in the 'New Shorter Oxford English Dictionary' published by Oxford University Press, except where another interpretation is clear from the context.

### 2.2. Definitions

**"agricultural use"** means arable, meadow or pasture land, market gardens, poultry farms, pig farms, land used for bee-keeping, stock farming, nursery gardens, plantations, orchards, and other uses ordinarily incidental thereto and necessary for the bona fide agricultural use of the land, which buildings may include dwelling houses as well as dwelling units for employees (the number of which may be determined by the municipality);

**"ancillary"** means a land use, purpose, building, structure or activity which is directly related to, and subservient to, the lawful dominant use of the property;

**"annexure"** mean a document containing site specific stipulations, inter alia special rights, conditions and restrictions applicable to those properties indicated on the Map;

**"antenna"** means any system of wires, poles, rods, reflective surfaces or similar devices, used to transmit or receive electronic communication signals or electro-magnetic waves;

**"applicant"** means a person who makes application in terms of the Land Use Scheme;

**"atrium"** means a covered courtyard that—

- (a) comprises a void within a building that extends for one or more floors in height which contains a floor and roof or ceiling; and
- (b) does not contain floors that penetrate into the void;

**"balcony"** means 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 containing walls of rooms abutting the projecting floor, and may include a roof over the projecting floor and pillars supporting the roof;

**"base zone"** means that zone which determines the lawful land use and development parameters for a land unit in terms of this Land Use Scheme, before the application of any overlay zone;

**"basement"** means that part of a building of which the finished floor level is at least two metres below, or the ceiling not more than one metre above, a height halfway between the highest and lowest natural ground level immediately contiguous to the building;

**"boundary"** in relation to a land unit means one or more of the cadastral lines separating the land unit from another land unit or from a road reserve;

**"boundary wall"** means 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;

**"braai room"** means a room which is part of the main dwelling or outbuildings and is used primarily for entertainment purposes and where food and drinks may be prepared, but excludes a kitchen;

**"building"** without in any way limiting its ordinary meaning, includes—

- (a) a roofed structure;

- (b) an external stair, step or landing of a building and a gallery, canopy, balcony, stoep, verandah, terrace, porch or similar feature of a building;
- (c) a wall or railing enclosing any feature referred to in paragraph (b); and
- (d) any other portion of a building; and a retaining wall or infilling higher than 0,5metres;

**“building line”** means an imaginary line on a land unit, which defines a distance from a specified boundary, within which the erection of buildings or structures are completely or partially prohibited;

**“business premises”** means a property from which business is conducted and includes a shop, supermarket, restaurant, sale of alcoholic beverages, plant nursery, office, service trade, funeral parlour, financial institution and building for similar uses, but does not include a place of assembly, place of entertainment, institution, motor repair garage, industry, noxious trade, risk activity, adult entertainment business, adult services or adult shop.

**“cadastral line”** means a line representing the official boundary of a land unit as recorded on a diagram or general plan approved by the Surveyor-General and registered in the Deeds Office;

**“canopy”** means a cantilevered or suspended roof, slab or covering projecting from the wall of a building, excluding the floor of a balcony;

**“caravan”** means a vehicle which has been equipped or converted for living and sleeping purposes and which can be readily moved;

**“carport”** means a structure for the storage of one or more vehicles that is covered by a roof, provided that not more than two sides may be permanently enclosed;

**“carriageway crossing”** in relation to a motor vehicle carriageway crossing, means an entrance or exit way, or a combined entrance and exit way, from a land unit to a road;

**“commercial”** in relation to a use right means a use right for the express purpose of making a profit with no or limited social or charitable objectives;

**“common boundary”** in relation to a property means a boundary common with the adjoining property other than a street boundary;

**“coverage”** means the total area of a land unit that may be covered by buildings, expressed as a percentage of the nett erf area of the land unit, and include—

- (a) walls and buildings;
- (b) solid roofs;
- (c) stairs, steps, landings ,except entrance landings and steps, galleries, passages and similar features, whether internal or external; and
- (d) canopies, verandahs, porches, balconies, terraces and similar features provided that the following portions of buildings must be disregarded in the calculation of coverage, namely—
  - i) stoeps, entrance steps and landings;
  - ii) cornices, chimney breasts, pergolas, flower boxes, water pipes, drain pipes and minor decorative features not projecting more than 500 millimetres from the wall of the building;
  - iii) eaves not projecting more than 1,0 metres from the wall of the building; and
  - iv) a basement provided that the basement ceiling does not project above the ground level;

**“deemed zoning”** means the zoning of a land unit which the Municipality deems it to have in circumstances where no formal zoning determination or rezoning was previously done;

**“dwelling unit”** means a self-contained, inter-leading group of rooms or a compound building configuration designed in accordance with a particular style approved by the Municipality—

- (a) with not more than one kitchen, used for the living accommodation and housing of one family, together with such outbuildings as are ordinarily used therewith; and
- (b) does not include domestic staff quarters, or tourist accommodation or accommodation used as part of a hotel;

**“eave”** means a portion of a roof projecting beyond the face of a building, including any gutters;

**“earth bank”** means land that is shaped to hold back earth or loose rock;

**“ecosystem”** means a self-sustaining and self-regulating community of organisms and the interaction between the organisms with one another and with their environment;

**“electronic or mechanical playing devices”** means any electronic or mechanical or similar devices which are designed or used for the purpose of playing any game or for recreational or amusement purposes or where the operator or player is entitled to a limited payout as determined by law and the operation involves the payment of consideration either by insertion of a coin, token coin, disc or another manner;

**“encroachment agreement”** means an agreement between an owner and the Municipality relating to the projection of portions of a building or structure from the owner’s property onto or over the Municipality’s property;

**“entrance steps and landings”** means steps and landings to a building, including any low walls and railings, if the steps and landings are not within the main containing walls of the building;

**“environmental management plan”** means a plan that documents the management of site preparation, construction or operations affecting an environmental resource or an environmentally significant place, its environmental values or management requirements, or both;

**“erection”** 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 re-construction of a building or structure which has completely or partially been demolished;

**“family”** means—

- (a) one or more individuals occupying a dwelling who are related through marriage or common law, blood relationship, legal adoption, or legal guardianship and unrelated domestic workers and boarders; or
- (b) a group of not more than 5 unrelated persons including domestic workers or boarders;

**“filling station”** (also known as “service station”) means property for the retail supply of fuel, and includes trading in motor vehicles, oil, tyres or motor spares, general repairs to motor vehicles, exhaust fitment, shock absorber fitment, washing of vehicles, and an ancillary shop; but does not include spray-painting, panel beating or body work;

**“flats”** means a building containing three or more dwelling units, together with such outbuildings as are ordinarily associated therewith; provided further that in those zones where flats are permissible, a building with less than three dwelling units shall also be permissible in a building approved for flats or purposes other than for flats;

**“flood-prone area”** means any land area susceptible to being inundated by water from any source;

**“floor”** means the inner, lower surface of a room, garage or basement, and includes a terrace or atrium to which the occupants of a building have access;

**“floor factor”** means the factor, expressed as a proportion of 1, which is prescribed for the calculation of the maximum floor space of a building or buildings permissible on a land unit; being the maximum floor space as a proportion of the net erf area;

**“floor space”** in relation to any building means the area of a floor which is covered by a slab, roof or projection; provided that—

- (a) any area, including a basement, which is reserved solely for parking or loading of vehicles is excluded;
- (b) external entrance steps and landings, a canopy, a stoep and an area required for external fire escapes is excluded;
- (c) a projection including a projection of eaves, and a projection which acts as a sunscreen or an architectural feature, which projection does not exceed 1metre beyond the exterior wall or similar support, is excluded;
- (d) any uncovered internal courtyard, light well or other uncovered shaft which has an area in excess of 10 m<sup>2</sup> is excluded;
- (e) any covered paved area outside and immediately adjoining a building at or below the ground floor level, where such paved area is part of a forecourt, yard, external courtyard, pedestrian walkway, parking area or vehicular access, and which is permanently open to the elements on at least the front or long side, is excluded;
- (f) any covered balcony, verandah or terrace which, apart from protective railings, is permanently open to the elements on at least the front or long side, and which does not exceed 2,5 metres in width, is excluded;
- (g) subject to paragraph (h), any stairs, stairwells and atriums that are covered by a roof is included;



- (h) in the case of multi-level buildings, any stairwells, lift wells, light wells or other wells, and any atrium, is only counted once; and provided further that—
- i) floor space is measured from the outer face of the exterior walls or similar supports of the multi-level building; and
  - ii) the total floor space is the sum of the floor space of all the levels of the multi-level building, including that of any basement;

**“garage”** means a building for the storage of one or more motor vehicles, and includes a carport but does not include a motor repair garage or service station;

**“greenhouse”** means a structure with the sides primarily made of a transparent material such as glass, perspex or plastic for the purpose of growing of plants or hastening growth of plants under controlled environmental conditions;

**“GLA”** means gross leasable area being the total floor space designed for, or capable of, occupancy or control by tenants, measured from the centre line of the joint partitions to the inside finished surface of the outside walls, but excludes public toilets, internal walk ways, lift shafts, service ducts, interior parking and loading bays;

**“gross density”** means a measure of the number of dwelling units in a specified area, and is calculated as follows:

$$\begin{array}{l} \text{Gross dwelling density} \\ \text{(units per hectare)} \end{array} = \frac{\text{Total number of dwelling units in a specified area}}{\text{Extent of specified area in hectares;}}$$

**“hazardous substance”** has the same meaning as “grouped hazardous substance” as defined in section 1 of the Hazardous Substances Act, 1973 (Act 15 of 1973);

**“height”** of a structure means a vertical dimension of the structure from the natural ground level, to the wall plate or in the case of a pitched roof, the ridge of the roof or the highest point of a building if indicated as such, measured in metres, provided that—

- (a) the height of a structure does not include chimneys, flues, masts and antennae;
- (b) elevator motor rooms, satellite dishes, ventilation shafts, water tanks, air conditioning plant and equipment on top of a building, are included to determine the height of a structure unless enclosed within the roof or hidden behind parapet walls, not exceeding 2 metres in height; and
- (c) the general provisions regarding these aspects in this By-law also apply;

**“industry”** means activities concerned with the processing of raw materials and manufacture of goods in factories. For the purposes of this scheme, distinction is made between light industries, service industries and noxious industries;

**“kitchen”** means a room or part of a room equipped for preparing and cooking meals and excludes a braai room, food and drink preparation area or bar facilities in an entertainment area;

**“landscaping”** means the placement of plants, contoured features, water features, paving, street furniture and other soft and hard elements, for the purposes of enhancing the aesthetic appeal, environmental management, amenity and value of a property;

**“light industry”** means a small scale industry where the power source in use is such that no machine is loaded with more than 3KW with a total maximum of 24KW for all machines: provided that the total demand for power on the property does not exceed 48KW and the maximum amount of workers active on the property is limited to ten (10);

**“loading bay”** means an area which is clearly demarcated for the loading and off-loading of goods from commercial vehicles, and which has vehicular access to a public street to the satisfaction of the Municipality;

**“lodger”** means a person who utilises lodging services;

**“lodging”** means the provision of bedroom accommodation or, in the case of a backpackers lodge, bed accommodation that is made available on payment of a charge or fee and includes the services ordinarily related to such accommodation;

**“maximum floor space”** means the greatest total floor space that is allowed for a building or buildings on a land unit, and is calculated by multiplying the floor factor by the area of the land unit or that portion of the land unit which is situated within a particular zone; provided that where the land unit is situated within two or more zones to which different floor factors apply, the maximum floor space for the whole land unit is the total of the maximum floor space for each zoned portion of the land unit;

**“mineral”** means a substance, whether in solid, liquid or gaseous form, occurring naturally in or on the earth or under water and which was formed by or subjected to a geological process, and includes sand, stone, rock, gravel, clay, soil and any material occurring in residue stockpiles or in residue deposits, but excludes—

- (a) water, other than water taken from land or sea for the extraction of any mineral from such water;
- (b) petroleum; or
- (c) peat;

**“motor vehicle”** means 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, but excludes a vehicle moving exclusively on rails;

**“Municipality”** means the Kgetlengrivier Local Municipality), and any employee of the Municipality acting in terms of delegated or sub-delegated authority thereof;

**“National Building Regulations”** means the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977);

**“National Environmental Management Act”** means the National Environmental Management Act, 1998 (Act 107 of 1998);

**“natural ground level”** means the level of the land in its unmodified state, or in a state which has been graded, with the Municipality’s approval, for the purposes of development, subject to Section 42;

**“noise level”** means a reading on an integrated impulse sound level metre taken in accordance with accepted scientific principles as described in GN 579 of July 2010: Model Air Quality Management By-law to be adopted or adapted as a By-law by Municipalities in terms of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000);

**“non-conforming use”** means an existing land use that was lawful in terms of a previous zoning scheme but that does not comply with this Land Use Scheme;

**“noxious industry”** means an industry considered to be harmful by the Municipality for reasons of danger, noise, smells, pollution or amenity, provided that the Municipality, on receipt of a written representation and through examination and consultation with the medical Health Official and/or other specialists on the field of environmental protection and pollution, is convinced that the annoyance of the industry can be held within acceptable limits by measures and/or process, can allow such an industry subject to such conditions as deemed to be necessary;

**“occasional use”** in relation to a departure, means a right to utilise land for a purpose granted on a temporary basis for a specific occasion or event;

**“occupant”** means any person who occupies a land unit;

**“occupational health and safety law”** means the Occupational Health and Safety Act, 1993 (Act 85 of 1993) or municipal by-laws governing occupational health and safety, whichever is applicable;

**“outbuilding”** means a structure, whether attached or separate from the main building, which is normally ancillary and subservient to the main building on a land unit, and includes a building which is designed to be used for the garaging of motor vehicles, and any other normal activities in so far as these are usually and reasonably required in the connection with the main building, but does not include a second dwelling;

**“outdoor advertising”** means the act or process of notifying, warning, informing, making known or any other act of transferring information in a visible manner and which takes place out of doors;

**“overlay zone”** means a category of zoning applicable to a particular area or land unit that—

- (a) stipulates development parameters or use rights in addition to the base zoning requirements, which may be more or less restrictive; and
- (b) may include provisions and development parameters relating to primary uses, or consent uses, provisions in the base zone, subdivision and subdivisional areas, development incentives, density limitations, urban form, urban renewal,

heritage and environmental protection, management of the urban edge, scenic drives or local areas or any other purpose, as set out in this Land Use Scheme;

**“owner”** in relation to land, means—

- (a) the person or entity in whose name the land is registered in a deeds registry in terms of the Deeds Registries Act, 1937 (Act 47 of 1937) or in whom the ownership of the land vests;
- (b) the holder of a registered servitude right or registered lease;
- (c) any successor in title of the owner; and
- (d) a person authorised by a power of attorney to act on behalf of the owner;

**“parapet”** means a low projection, wall or moulding which finishes the uppermost edge of a building with a flat or low pitched roof;

**“parking bay”** means an area measuring not less than 5 metres x 2,5 metres for perpendicular or angled parking and 6 metres x 2,5 metres for parallel parking, which is clearly identified and demarcated for the parking of one motor vehicle and may be provided in the form of a garage or carport, and which is accessible for easy and safe vehicle movement;

**“pergola”** means any unroofed horizontal or approximately horizontal grille or framework and associated vertical support structure, such that the area in the horizontal projection of the solid portions thereof does not exceed 25% of the total area thereof;

**“place of assembly”** means a place which has a civic function to serve the social and community needs of an area, which may attract people in relatively large numbers and which is not predominantly a commercial enterprise; including a civic hall, concert hall, indoor sports centre, gymnasium, sport stadium and club house, but does not include a place of entertainment or conference facility;

**“place of entertainment”** means a place used predominantly for commercial entertainment which may attract relatively large numbers of people, operate outside normal business hours or generate noise from music or revelry on a regular basis; including a cinema, theatre, amusement park, dance hall, ball room, gymnasium, facility for betting, electronic or mechanical playing devices, gambling hall and nightclub;

**“place of instruction”** means a place for education or training at pre-school, school or post-school levels, including a crèche, nursery school, primary school, secondary school, college, university or research institute, and ancillary uses such as boarding hostels; or a civic facility for the promotion of knowledge to the community such as a public library, public art gallery or museum; or a place of instruction in sport where the main objective is instruction as opposed to participation by the public as either competitors or spectators; but excludes a reformatory, commercial conference facility, gymnasium and in-house business training centre;

**“place of worship”** means a church, synagogue, mosque, temple, chapel or other place for practising a faith or religion, and includes ancillary uses such as a religious leader’s dwelling, office or place for religious instruction; but does not include a funeral parlour, cemetery or crematorium, provided that a dwelling where the occupants engage in worship does not constitute a place of worship;

**“planning law”** means the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), <provincial legislation>.

**“plaza”** means an urban open space or square, primarily designed for outdoor use by pedestrians;

**“policy plan”** means a policy adopted by the Municipality, structure plan, spatial development framework or other policy plan approved in terms of planning law;

**“porch”** means 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 the building, and includes any paved area thereunder and any low walls or railings enclosing that paved area, and any pillars supporting that roof;

**“precinct plan”** means a plan, approved by the Municipality, as envisaged in this Land Use Scheme as a component of a hierarchy of plans;

**“premises”** means any shop or restaurant within a building that is not linked in any manner or way with another shop or restaurant in the same building;

**“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;

**“property”** means land together with any improvements or buildings on the land;

**“provincial road”** means a road that is under the jurisdiction of the Provincial Roads Authority;

**“protected area”** means a protected area as defined in section 1 of the National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003);

**“pub”** means an establishment for the sale of predominantly alcoholic beverages, and sometimes also food, to be consumed on the premises and is also known as a tavern or bar;

**“public authority”** means a state department, local authority or other organ of state;

**“public garage” means land and building(s) used for gain or reward for any one of the following purposes:**

- i. Storage and retail selling of motor fuel and lubricants;
- ii. All ancillary uses, including the parking and storing of motor vehicles; the sale of spare parts and accessories, car wash facilities; a convenience shop which does not exceed 30% of the total built floor area or 150m<sup>2</sup>, whichever is the lesser; a take-away or sitting down facility and automatic bank teller machines;
- iii. Maintenance and repair of vehicles excluding panel beating and spray painting activities.

**“public place”** means any open or enclosed place, park, street, road or thoroughfare or other similar area of land shown on a general plan or diagram that is for use by the general public and is owned by, or vests in the ownership of, a municipality, and includes a public open space and a servitude for any similar purpose in favour of the general public;

**“quarrying”** means the excavation of dimension stone, rock, construction aggregate, riprap, sand gravel or slate from the ground in an open-pit mine manner to produce building materials and dimension stone;

**“refuse room”** means a defined screened refuse receptacle from where refuse is collected from time to time, usually on a weekly basis;

**“registered land surveyor”** means a professional land surveyor or professional surveyor, registered as such in terms of the Professional and Technical Surveyors Act, 1984 (Act 40 of 1984);

**“retaining structure”** means a wall or structure constructed so as to hold back earth or loose rock;

**“road”** includes a public street or a private road;

**“road reserve”** means 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;

**“satellite dish antenna”** means apparatus fixed to a structure or mounted permanently on the ground, that is capable of receiving or transmitting communications from a satellite;

**“scenic drive”** means a public street which is designated as a scenic drive by the Municipality in recognition of the high visual amenity alongside that public street, including background vistas of a mountain, open country, a coastline or a town;

**“schedule”** a supplement(s) to the Scheme, containing special procedures, conditions and/or some areas or land to which specific rights or provisions are applicable. Schedules may from time to time be amended by the Municipality and where any discrepancies exist between the Schedules and provisions of the clauses and tables, the more restrictive condition shall prevail;

**“service industry”** means a use which is a small scale industry incidental to the needs of the local community and retail trade and which in the opinion of the Municipality will not interfere with the amenity of surrounding properties and undertakings or be disturbing by way of noise, appearance, odours or activities or for whatever reason, but excludes a “public garage”, “filling station”, “scrapyard” and “shop”.

**“service yard”** means a defined screened area providing utility services for, amongst others, general residential developments which include facilities such as washing lines;

**“shipping or transport container”** means a large, weatherproof container used for the transport of goods by sea, rail or road, that is usually stored in the open when not in use;

**“shop”** a building used for retail trade and includes any other ancillary use on the same property which, in the opinion of the Municipality, is reconcilable with the surrounding land use and which is subordinate to retail business on the property.

**“sign”** means any sign, sign-writing, mural, graphic design, signboard, screen, blind, boarding or other 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;

**“site development plan”** means a scaled and dimensioned plan that shows details of the proposed development including the site layout, positioning of buildings and structures, property access, building designs and landscaping;

**“spatial development framework”** refers to a provincial spatial development framework, a provincial regional spatial development framework, or a municipal spatial development framework or municipal local spatial development framework;

**“stoep”** means an uncovered paved area or projecting floor outside and immediately adjoining a building, at or below the level of the ground floor thereof, and includes any low walls or railings enclosing the paved areas or floors;

**“storey”** means that portion of a building included between the surface of any floor and the surface of the next floor above; or if there is no floor above the ceiling, then up to the ceiling; provided that, unless the contrary appears clearly from the provisions of this By-law—

- (a) a basement does not constitute a storey;
- (b) a roof, or dome which forms part of a roof, does not constitute a separate storey unless the space within the roof or dome is designed for, or used for, human occupation or other living or entertainment purposes, in which case it is deemed to be a storey;
- (c) the utilisation of an open roof area, does not constitute a separate storey, however, should any means of coverage or fixtures such as a Jacuzzi, swimming pool or built-in braai be added to the roof of a building in a single residential zone, such area is regarded as an additional storey;
- (d) any storey which is greater than 4 metres, measured from the finished floor level to the finished floor level or to the ceiling in the case of a top storey, but equal to or less than 6 metres in height, is for the purpose of the height measurement, regarded as two storeys, and every additional 4 metres in height or portion thereof, is regarded as an additional storey; and
- (e) in counting the number of storeys of a building, the ground floor is the first storey and the next floor above is the second storey;

**“storm water”** means 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;

**“storm water system”** means constructed and natural facilities, including pipes, culverts and water courses, used or required for the management, collection, conveyance, temporary storage, control, monitoring, treatment, use or disposal of storm water;

**“street boundary”** means 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 centreline setback and site access requirements;

**“street centreline setback”** means the line delimiting the area measured from the centre line of a particular public street, within which no building or other structure, including a boundary fence, may be erected;

**“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;

**“terrace”** means an area to which occupants of a building have access, created on a flat roof over a portion of the building, resulting from the setting back of part of the building above that portion;

**“top of the roof”** for the purpose of height control, means 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;

**“total floor space”** of a building means the sum of the floor space of all the levels of a particular building, including basements;

**“urban edge”** means a demarcated line which is designated as an urban edge in terms of an approved policy, which may follow cadastral boundaries or not;

**“used”** in addition to its ordinary meaning, includes “designated or intended to be used”;

**“verandah”** means 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 the covered area or floor and the roof or other feature covering it, as well as any low walls or railings enclosing the covered area or floor;

**“wall plate”** means the lowest point of a longitudinal member, bar, rafter, beam, truss, bracket, pillar, post, structure or any other similar device as determined by the Municipality, supporting a roof;

**“youth hostel”** means a place providing cheap accommodation, aimed mainly on young tourists;

**“zoning”** includes base zoning and overlay zoning;

## **PART 3: LAND USE ZONES AND DEVELOPMENT RULES**

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### **3.1. Land Use Zones**

3.1.1. The municipal area is divided in the following Land Use Zones:

- (a) Residential 1
- (b) Residential 2
- (c) Business 1
- (d) Business 2
- (e) Government
- (f) Municipal
- (g) Institutional
- (h) Industrial 1
- (i) Industrial 2
- (j) Mining
- (k) Agricultural
- (l) Private Open Space
- (m) Public Open Space
- (n) Parking
- (o) Railways
- (p) Roads and Streets
- (q) Aerodrome
- (r) Special

Code: R1	<b>RESIDENTIAL 1</b>				R= 255; G=255; B=0
<b>Objectives of this Zone:</b>					
<ul style="list-style-type: none"> <li>To provide adequate land for residential purposes at a low density.</li> <li>To create integrated, safe and sustainable residential environments for all communities.</li> <li>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.</li> </ul>					
<b>RULES REGARDING THE USE OF LAND AND BUILDINGS</b>					
What land may be used for:				What land may be NOT be used for:	
Primary Uses:		Consent Uses:		Any use not mentioned under Primary or Consent uses.	
Dwelling house, second dwelling, home occupation or home office, bed and breakfast establishment or home child care.		Second dwelling, utility services, place of instruction, place of worship, house, shop, institution, guest house, rooftop base telecommunication station, wind turbine infrastructure, open space, urban agriculture and halfway house			
<b>RULES REGARDING THE EXTENT OF DEVELOPMENT</b>					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
11 to 20 Dwelling units per hectare and a minimum erf size of 250m <sup>2</sup> .	80%	-	2 storeys	As may be approved by the municipality from time to time.	
<b>RULES REGARDING BUILDING LINES</b>				<b>RULES REGARDING PARKING AND LOADING</b>	
Stand size	Street (m)	Rear (m)	Side (m)	Single dwelling house per property: 1 Space on-site per unit. Multiple dwelling units per property: 1 covered and 1 uncovered spaces per unit. For non-residential uses, refer to section 3.2	
≤ 350m <sup>2</sup>	1	1	1		
>350m <sup>2</sup> up to 650m <sup>2</sup>	3	3	3		
>650m <sup>2</sup> +	4.5	3	3		
<b>OTHER REGULATIONS</b>					



Code: R2	<b>RESIDENTIAL 2</b>				R= 255; G=170; B=0
<b>Objectives of this Zone:</b>					
<ul style="list-style-type: none"> <li>To provide adequate land for residential purposes at a medium to high density.</li> <li>To create integrated, safe and sustainable residential environments for all communities.</li> <li>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.</li> </ul>					
<b>RULES REGARDING THE USE OF LAND AND BUILDINGS</b>					
What land may be used for:			What land may be NOT be used for:		
Primary Uses:	Consent Uses:		Any use not mentioned under Primary or Consent uses.		
Dwelling house, group housing, flats, boarding house home occupation, private road and open space.	Utility services, home child care and rooftop base telecommunication station, place of instruction, place of worship, institution, hospital, place of assembly, home occupation, shop, hotel, conference facility and guest house.				
<b>RULES REGARDING THE EXTENT OF DEVELOPMENT</b>					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
More than 20 dwelling units per hectare.	60%	2.5	4 storeys	As may be approved by the municipality from time to time.	
<b>RULES REGARDING BUILDING LINES</b>			<b>RULES REGARDING PARKING AND LOADING</b>		
Street boundary:	5 metres		Multiple dwelling units per property: 1 covered and 1 uncovered spaces per 2 units.  For non-residential uses, refer to section 3.2		
Rear boundary:	2 metres				
Side boundary:	2 metres				
<b>OTHER REGULATION</b>					

Code: B1	<b>BUSINESS 1</b>				R= 255; G=0; B=0
<b>Objectives of this Zone:</b>					
<ul style="list-style-type: none"> <li>To provide for intensive business and mixed-use development with relatively few restrictions in order to promote urban vitality and economic growth.</li> <li>The objective of this zone is to provide for the retail sale of goods and services to the public.</li> </ul>					
<b>RULES REGARDING THE USE OF LAND AND BUILDINGS</b>					
What land may be used for:			What land may be NOT be used for:		
Primary Uses:	Consent Uses:		Any use not mentioned under Primary or Consent uses.		
Business Premises, Shop, Restaurant, Guest House, Conference Facility, Place of Assembly, Place of Entertainment, Place of Instruction, Supermarket, Liquor store, Place of Worship, Hotel, Filling Station, Flats.	Adult shop, Adult entertainment, Adult services, Freestanding base telecommunication station, Helicopter landing pad, Motor repair garage, Renewable energy structure, Rooftop base telecommunication structure, Transport use, Warehouse.				
<b>RULES REGARDING THE EXTENT OF DEVELOPMENT</b>					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
More than 20 dwelling units per hectare.	80%	4	6 storeys	As may be approved by the municipality from time to time.	
<b>RULES REGARDING BUILDING LINES</b>			<b>RULES REGARDING PARKING AND LOADING</b>		
Street boundary:	0 metres		Refer to section 3.2		
Rear boundary:	0 metres				
Side boundary:	0 metres				
<b>OTHER REGULATION</b>					
<ol style="list-style-type: none"> <li>The Liquor Act, 2003, (Act No. 59 of 2003), (administered by the Department of Trade and Industry) requires a liquor license for land uses where liquor is sold.</li> <li>Business Act No 71 of 1991 requires business licenses for the following types of business: <ol style="list-style-type: none"> <li>Food provision</li> <li>Turkish baths, saunas and health baths; massage or infra-red treatments; male and female escorts; three or more slot machines and electronic games; three or more snooker or billiard tables; nightclubs and discotheques, where live or loud music is played; cinemas and theatres; and adult premises.</li> </ol> </li> <li>The National Gambling Act, (Act No. 7 of 2004) may also require a gambling license depending on the nature of gambling activities.</li> </ol>					

Code: B2	<b>BUSINESS 2</b>				R= 168; G=0; B=0
<b>Objectives of this Zone:</b>					
<ul style="list-style-type: none"> <li>The objective of this zone is to provide for low intensity commercial and mixed-use development, which serves local neighbourhood needs for convenience goods and personal services. Such development should be limited in scale and nature and capable of integration into the adjacent residential neighbourhood, without adversely affecting the amenity of the residential neighbourhood. While mixed use development is encouraged, care must be taken not to compromise business operations.</li> </ul>					
<b>RULES REGARDING THE USE OF LAND AND BUILDINGS</b>					
What land may be used for:			What land may be NOT be used for:		
Primary Uses:	Consent Uses:		Any use not mentioned under Primary or Consent uses.		
Neighbourhood shop, Offices, Dwelling units.	Institution, Flats, Liquor store, Place of assembly, Place of entertainment, Place of instruction, Renewable energy structure, Restaurant, Rooftop base telecommunication station, Service trade, Shop, Supermarket				
<b>RULES REGARDING THE EXTENT OF DEVELOPMENT</b>					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
As approved by the municipality	60%	0.6	2 storeys	As may be approved by the municipality from time to time.	
<b>RULES REGARDING BUILDING LINES</b>			<b>RULES REGARDING PARKING AND LOADING</b>		
Street boundary:	2 metres		Refer to section 3.2		
Rear boundary:	2 metres				
Side boundary:	2 metres				
<b>OTHER REGULATION</b>					
<ol style="list-style-type: none"> <li>The Liquor Act, 2003, (Act No. 59 of 2003), (administered by the Department of Trade and Industry) requires a liquor license for land uses where liquor is sold.</li> <li>Business Act No 71 of 1991 requires business licenses for the following types of business: <ol style="list-style-type: none"> <li>Food provision</li> <li>Turkish baths, saunas and health baths; massage or infra-red treatments; male and female escorts; three or more slot machines and electronic games; three or more snooker or billiard tables; nightclubs and discotheques, where live or loud music is played; cinemas and theatres; and adult premises.</li> </ol> </li> <li>The National Gambling Act, (Act No. 7 of 2004) may also require a gambling license depending on the nature of gambling activities.</li> </ol>					

Code: G	<b>GOVERNMENT</b>				R=205; G=170; B=102
<b>Objectives of this Zone:</b>					
<ul style="list-style-type: none"> <li>The Government zone provides for utility services such as electrical substations and water reservoirs, which may be supplied by, government or parastatal; and makes provision for government or authority uses, such as prisons and military bases, that are not covered by another use or zoning category.</li> </ul>					
<b>RULES REGARDING THE USE OF LAND AND BUILDINGS</b>					
What land may be used for:				What land may be NOT be used for:	
Primary Uses:		Consent Uses:		Any use not mentioned under Primary or Consent uses.	
Utility service, authority use, rooftop base telecommunication station and freestanding base telecommunication station.		Urban agriculture, airport, wind turbine infrastructure and helicopter landing pad.			
<b>RULES REGARDING THE EXTENT OF DEVELOPMENT</b>					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
As approved by the municipality	As approved by the municipality	As approved by the municipality	As approved by the municipality	As approved by the municipality	
<b>RULES REGARDING BUILDING LINES</b>			<b>RULES REGARDING PARKING AND LOADING</b>		
Street boundary:	2 metres		Refer to section 3.2		
Rear boundary:	2 metres				
Side boundary:	2 metres				
<b>OTHER REGULATION</b>					

<b>Code: M</b>	<b>MUNICIPAL</b>				<b>R=190; G=232; B=255</b>
<b>Objectives of this Zone:</b>					
<ul style="list-style-type: none"> <li>The Municipal zone provides for utility services such as electrical substations and water reservoirs, which may be supplied by the municipality.</li> </ul>					
<b>RULES REGARDING THE USE OF LAND AND BUILDINGS</b>					
What land may be used for:				What land may be NOT be used for:	
Primary Uses:		Consent Uses:		Any use not mentioned under Primary or Consent uses.	
Municipal purposes, Dwelling house, Cemetery, Crematorium, Funeral parlour Sports and Recreation Uses, Caravan Parks.		Informal trading, urban agriculture, airport, wind turbine infrastructure and helicopter landing pad.			
<b>RULES REGARDING THE EXTENT OF DEVELOPMENT</b>					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
As approved by the municipality	As approved by the municipality	As approved by the municipality	As approved by the municipality	As approved by the municipality	
<b>RULES REGARDING BUILDING LINES</b>			<b>RULES REGARDING PARKING AND LOADING</b>		
Street boundary:	2 metres		Refer to section 3.2		
Rear boundary:	2 metres				
Side boundary:	2 metres				
<b>OTHER REGULATION</b>					

Code: I	<b>INSTITUTIONAL</b>				R=0; G=160; B=239
<b>Objectives of this Zone:</b>					
<ul style="list-style-type: none"> <li>To provide an adequate number of accessible social and civic facilities to meet the needs of communities in the fields of health, education, social and cultural services, which includes public and private service providers and administrative or government functions including education, health, pension offices, museums, libraries, community halls, prisons, juvenile facilities, cemeteries and crematoria.</li> <li>To ensure that such facilities are designed to address the special needs of the physically challenged, elderly, women, and children.</li> </ul>					
<b>RULES REGARDING THE USE OF LAND AND BUILDINGS</b>					
<b>What land may be used for:</b>			<b>What land may be NOT be used for:</b>		
<b>Primary Uses:</b>	<b>Consent Uses:</b>		Any use not mentioned under Primary or Consent uses.		
Institution, Hospital, Place of Instruction, Place of Worship, Place of Assembly, Rooftop Base Telecommunication Station.	Boarding house, Conference facility, Cemetery, Crematorium, Funeral parlour, Freestanding base telecommunication station, wind turbine infrastructure and urban agriculture.				
<b>RULES REGARDING THE EXTENT OF DEVELOPMENT</b>					
<b>Maximum Density:</b>	<b>Maximum Coverage:</b>	<b>Maximum FAR:</b>	<b>Maximum Height:</b>	<b>Other:</b>	
As approved by the municipality	60%	2.0	3 Storeys	As approved by the municipality	
<b>RULES REGARDING BUILDING LINES</b>			<b>RULES REGARDING PARKING AND LOADING</b>		
<b>Street boundary:</b>	2 metres		Refer to section 3.2		
<b>Rear boundary:</b>	2 metres				
<b>Side boundary:</b>	2 metres				
<b>OTHER REGULATION</b>					

Code: I1	<b>INDUSTRIAL 1</b>				R=223; G=115; B=255
<b>Objectives of this Zone:</b>					
<ul style="list-style-type: none"> <li>To provide appropriate locations for a range of industrial, warehousing and related activities in specific areas.</li> <li>To ensure that the location of industrial development is such that it minimises their impacts on surrounding areas.</li> <li>To provide a proper balance for employment and sectoral growth and sustainable development</li> <li>To ensure that there is sufficient on-site space to accommodate the proposed uses, traffic and any potential impact resulting from these developments.</li> <li>To ensure that the location and development of these sites do not negatively impact on the natural environment or watercourses located near them.</li> </ul>					
<b>RULES REGARDING THE USE OF LAND AND BUILDINGS</b>					
What land may be used for:				What land may be NOT be used for:	
Primary Uses:		Consent Uses:		Any use not mentioned under Primary or Consent uses.	
Industries, Commercial, Panel beaters, Scrapyards, Dry Cleaners, Bakeries.		Noxious industries, Places Filling Station, Public Garage.			
<b>RULES REGARDING THE EXTENT OF DEVELOPMENT</b>					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
N/A	70%	1.2	2 Storeys	As approved by the municipality	
<b>RULES REGARDING BUILDING LINES</b>			<b>RULES REGARDING PARKING AND LOADING</b>		
Street boundary:	2 metres		Refer to section 3.2		
Rear boundary:	2 metres				
Side boundary:	2 metres				
<b>OTHER REGULATION</b>					
<ul style="list-style-type: none"> <li>National Environmental Management Amendment Act of 2003, require authorisation for certain land uses in terms of EIA regulations.</li> <li>Notwithstanding the fact that an activity constitutes a primary use right in terms of this zone, no activity or use which includes the on-site storage of hazardous substances shall be permitted unless a risk management and prevention plan has been submitted and Municipality has given approval thereto.</li> </ul>					

Code: I2	<b>INDUSTRIAL 2</b>				R=223; G=115; B=255
<b>Objectives of this Zone:</b>					
<ul style="list-style-type: none"> <li>• To provide appropriate locations for light and service industries that has limited impact.</li> <li>• To provide an interface between industrial areas and adjacent residential or other land uses.</li> <li>• To provide opportunities for local economic development and employment opportunities.</li> <li>• To ensure that the location and development of these sites do not negatively impact on the natural environment or watercourses located near them.</li> </ul>					
<b>RULES REGARDING THE USE OF LAND AND BUILDINGS</b>					
What land may be used for:				What land may be NOT be used for:	
Primary Uses:		Consent Uses:			
Light Industries, Service Industries, Commercial, Public Garages, Filling Stations, Cafeteria, Dry Cleaners, Bakeries.		Scrapyard, Panel beater, Dwelling House, Flats.		Noxious Industries.	
<b>RULES REGARDING THE EXTENT OF DEVELOPMENT</b>					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
N/A	60%	1.2	2 Storeys	As approved by the municipality	
<b>RULES REGARDING BUILDING LINES</b>			<b>RULES REGARDING PARKING AND LOADING</b>		
Street boundary:	2 metres		Refer to section 3.2		
Rear boundary:	2 metres				
Side boundary:	2 metres				
<b>OTHER REGULATION</b>					
National Environmental Management Amendment Act of 2003, require authorisation for certain land uses in terms of EIA regulations.					



Code: MI	<b>MINING</b>				R=151; G=108; B=85
<b>Objectives of this Zone:</b>					
<ul style="list-style-type: none"> <li>To provide appropriately located land to allow the extraction of minerals and raw materials and associated business operations.</li> <li>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.</li> <li>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.</li> </ul>					
<b>RULES REGARDING THE USE OF LAND AND BUILDINGS</b>					
What land may be used for:				What land may be NOT be used for:	
Primary Uses:		Consent Uses:		Any use not mentioned under Primary or Consent uses.	
Mining activities – extraction and beneficiation.					
<b>RULES REGARDING THE EXTENT OF DEVELOPMENT</b>					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
As approved by the municipality	As approved by the municipality	As approved by the municipality	As approved by the municipality	As approved by the municipality	
<b>RULES REGARDING BUILDING LINES</b>			<b>RULES REGARDING PARKING AND LOADING</b>		
Street boundary:	As approved by the municipality		Refer to section 3.2		
Rear boundary:	As approved by the municipality				
Side boundary:	As approved by the municipality				
<b>OTHER REGULATION</b>					
<ul style="list-style-type: none"> <li>A mining right, mining permit, exploration right or production right may be required in terms of the Mineral and Petroleum Resources Development Act 28 of 2002.</li> <li>National Environmental Management Amendment Act of 2003, require authorisation in terms of EIA regulations.</li> <li>A water use licence/authorisation may be required in terms of the National Water Act 36 of 1998.</li> </ul>					

Code: A	<b>AGRICULTURAL</b>				R=233; G=255; B=227
<b>Objectives of this Zone:</b>					
<ul style="list-style-type: none"> <li>To utilize agricultural land on a sustainable basis.</li> <li>To ensure that land deemed to have high agricultural potential is optimally used.</li> <li>To provide mechanisms for the identification and protection of productive agricultural land.</li> <li>To ensure that agricultural practices are consistent with environmental considerations and pollution controls.</li> </ul>					
<b>RULES REGARDING THE USE OF LAND AND BUILDINGS</b>					
What land may be used for:				What land may be NOT be used for:	
Primary Uses:		Consent Uses:		Any use not mentioned under Primary or Consent uses.	
Agriculture, intensive horticulture, Dwelling houses, Riding stables, Environmental conservation use, Environmental facilities, Rooftop base telecommunication station.		Nurseries, Sport and recreational uses, Places of Refreshment. Mining exploration activities.			
<b>RULES REGARDING THE EXTENT OF DEVELOPMENT</b>					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
As approved by the Municipality.	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	
<b>RULES REGARDING BUILDING LINES</b>			<b>RULES REGARDING PARKING AND LOADING</b>		
Street boundary:	10 metres		Refer to section 3.2		
Rear boundary:	10 metres				
Side boundary:	10 metres				
<b>OTHER REGULATION</b>					
<ul style="list-style-type: none"> <li>All land within this zone is subject to regulation in terms of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970) unless such land is excluded from the act.</li> <li>A mining right, mining permit, exploration right or production right may be required in terms of the Mineral and Petroleum Resources Development Act 28 of 2002.</li> <li>National Environmental Management Amendment Act of 2003, require authorisation in terms of EIA regulations.</li> <li>A water use licence/authorisation may be required in terms of the National Water Act 36 of 1998.</li> </ul>					

<b>Code: PROS</b>	<b>PRIVATE OPEN SPACE</b>				<b>R=209; G=255; B=115</b>
<b>Objectives of this Zone:</b>					
<ul style="list-style-type: none"> <li>To provide adequate numbers of appropriately situated sites of a private nature that are easily accessible for recreational purposes and activities for certain communities</li> </ul>					
<b>RULES REGARDING THE USE OF LAND AND BUILDINGS</b>					
What land may be used for:				What land may be NOT be used for:	
Primary Uses:		Consent Uses:		Any use not mentioned under Primary or Consent uses.	
Private open spaces, Private Sport and recreation, caravan parks, Places of Refreshment.		Hotel.			
<b>RULES REGARDING THE EXTENT OF DEVELOPMENT</b>					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
As approved by the Municipality.	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	
<b>RULES REGARDING BUILDING LINES</b>			<b>RULES REGARDING PARKING AND LOADING</b>		
Street boundary:	As approved by the Municipality.		Refer to section 3.2		
Rear boundary:	As approved by the Municipality.				
Side boundary:	As approved by the Municipality.				
<b>OTHER REGULATION</b>					

Code: POS	<b>PUBLIC OPEN SPACE</b>				R=112; G=168; B=0
<b>Objectives of this Zone:</b>					
<ul style="list-style-type: none"> <li>To provide adequate numbers of appropriately situated sites that are easily accessible for recreational purposes and activities for local and wider communities.</li> <li>To ensure that such parks address the special needs of the physically challenged, elderly, women, and children.</li> <li>To ensure that such facilities are located and maintained to attract visitors and tourists.</li> <li>To set aside areas of land for the provision of parks, botanical gardens and other open spaces as well as corridor linkages between open areas for passive recreational purposes.</li> </ul>					
<b>RULES REGARDING THE USE OF LAND AND BUILDINGS</b>					
What land may be used for:				What land may be NOT be used for:	
Primary Uses:		Consent Uses:		Any use not mentioned under Primary or Consent uses.	
Primary uses are public open space and environmental conservation use.		Environmental facilities, tourist facilities, utility service, cemetery, rooftop base telecommunication station, freestanding base telecommunication station, wind turbine infrastructure, cultural and social ceremonies, urban agriculture, informal trading harvesting of natural resources and air and underground rights.			
<b>RULES REGARDING THE EXTENT OF DEVELOPMENT</b>					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
As approved by the Municipality.	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	
<b>RULES REGARDING BUILDING LINES</b>			<b>RULES REGARDING PARKING AND LOADING</b>		
Street boundary:	As approved by the Municipality.		Refer to section 3.2		
Rear boundary:	As approved by the Municipality.				
Side boundary:	As approved by the Municipality.				
<b>OTHER REGULATION</b>					
<ul style="list-style-type: none"> <li>The Municipality may consider utilizing over-provided public open spaces for residential infill or other uses. Such development will require the amendment of the Scheme to a suitable zone</li> <li>Urban agricultural uses may be considered on larger open space systems, subject to environmental legislation. Such developments will require the amendment of the Scheme to a suitable zone.</li> </ul>					

Code: PA	<b>PARKING</b>				R=78; G=78; B=78
<b>Objectives of this Zone:</b>					
<ul style="list-style-type: none"> <li>To provide adequate parking related land uses in the municipal area.</li> </ul>					
<b>RULES REGARDING THE USE OF LAND AND BUILDINGS</b>					
What land may be used for:			What land may be NOT be used for:		
Primary Uses:	Consent Uses:		Any use not mentioned under Primary or Consent uses.		
Parking bays, parking garages, rest-rooms and public conveniences.	Places of refreshment.				
<b>RULES REGARDING THE EXTENT OF DEVELOPMENT</b>					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
As approved by the Municipality.	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	
<b>RULES REGARDING BUILDING LINES</b>			<b>RULES REGARDING PARKING AND LOADING</b>		
Street boundary:	As approved by the Municipality.		Refer to section 3.2		
Rear boundary:	As approved by the Municipality.				
Side boundary:	As approved by the Municipality.				
<b>OTHER REGULATION</b>					

<b>Code: RA</b>	<b>RAILWAYS</b>				<b>R=204; G=204; B=204</b>
<b>Objectives of this Zone:</b>					
<ul style="list-style-type: none"> <li>To provide for railways and rail stations.</li> </ul>					
<b>RULES REGARDING THE USE OF LAND AND BUILDINGS</b>					
What land may be used for:				What land may be NOT be used for:	
Primary Uses:		Consent Uses:		Any use not mentioned under Primary or Consent uses.	
Railway related uses.		None			
<b>RULES REGARDING THE EXTENT OF DEVELOPMENT</b>					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
As approved by the Municipality.	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	
<b>RULES REGARDING BUILDING LINES</b>			<b>RULES REGARDING PARKING AND LOADING</b>		
Street boundary:	As approved by the Municipality.		Refer to section 3.2		
Rear boundary:	As approved by the Municipality.				
Side boundary:	As approved by the Municipality.				
<b>OTHER REGULATION</b>					

<b>Code: RD</b>	<b>ROADS AND STREETS</b>				<b>R=255; G=255; B=255</b>
<b>Objectives of this Zone:</b>					
<ul style="list-style-type: none"> <li>To accommodate road service functions.</li> </ul>					
<b>RULES REGARDING THE USE OF LAND AND BUILDINGS</b>					
What land may be used for:				What land may be NOT be used for:	
Primary Uses:		Consent Uses:		Any use not mentioned under Primary or Consent uses.	
Street or road		None			
<b>RULES REGARDING THE EXTENT OF DEVELOPMENT</b>					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
As approved by the Municipality.	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	
<b>RULES REGARDING BUILDING LINES</b>			<b>RULES REGARDING PARKING AND LOADING</b>		
Street boundary:	As approved by the Municipality.		Refer to section 3.2		
Rear boundary:	As approved by the Municipality.				
Side boundary:	As approved by the Municipality.				
<b>OTHER REGULATION</b>					

<b>Code: AE</b>	<b>AERODROME</b>				<b>R=204; G=204; B=204, with white hatching at 135 Degrees</b>
<b>Objectives of this Zone:</b>					
<ul style="list-style-type: none"> <li>To accommodate air transport service functions.</li> </ul>					
<b>RULES REGARDING THE USE OF LAND AND BUILDINGS</b>					
<b>What land may be used for:</b>				<b>What land may be NOT be used for:</b>	
<b>Primary Uses:</b>		<b>Consent Uses:</b>		Any use not mentioned under Primary or Consent uses.	
Aerodrome and purposes such as store-rooms and offices directly related and sub-ordinate to the aerodrome, places of refreshment.		Such uses as may be approved by the Municipality			
<b>RULES REGARDING THE EXTENT OF DEVELOPMENT</b>					
<b>Maximum Density:</b>	<b>Maximum Coverage:</b>	<b>Maximum FAR:</b>	<b>Maximum Height:</b>	<b>Other:</b>	
As approved by the Municipality.	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	
<b>RULES REGARDING BUILDING LINES</b>			<b>RULES REGARDING PARKING AND LOADING</b>		
<b>Street boundary:</b>	As approved by the Municipality.		Refer to section 3.2		
<b>Rear boundary:</b>	As approved by the Municipality.				
<b>Side boundary:</b>	As approved by the Municipality.				
<b>OTHER REGULATION</b>					



<b>Code: SP</b>	<b>SPECIAL</b>				<b>R=225; G=2225; B=225, with red hatching at 45 Degrees</b>
<b>Objectives of this Zone:</b>					
<ul style="list-style-type: none"> <li>To accommodate land uses with special characteristics not catered for under any other use zone.</li> </ul>					
<b>RULES REGARDING THE USE OF LAND AND BUILDINGS</b>					
What land may be used for:				What land may be NOT be used for:	
Primary Uses:		Consent Uses:		Any use not mentioned under Primary or Consent uses.	
As approved by the Municipality.		As approved by the Municipality.			
<b>RULES REGARDING THE EXTENT OF DEVELOPMENT</b>					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
As approved by the Municipality.	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	
<b>RULES REGARDING BUILDING LINES</b>			<b>RULES REGARDING PARKING AND LOADING</b>		
Street boundary:	As approved by the Municipality.		Refer to section 3.2		
Rear boundary:	As approved by the Municipality.				
Side boundary:	As approved by the Municipality.				
<b>OTHER REGULATION</b>					

### 3.2. Parking and Loading Requirements

- 3.2.1. Effective and paved on-site parking and loading spaces together with the necessary manoeuvring area shall be provided for a development as set out in Table 1: On-site Parking and Loading requirements.
- 3.2.2. In the case of a discrepancy between Table 1 and the zone with regards the parking and loading requirements, the zone regulation shall have precedence.
- 3.2.3. 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 notarially bound to the subject site.
- 3.2.4. 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.
- 3.2.5. The gross floor area per parking space shall be calculated on 15m<sup>2</sup>, excluding manoeuvring and road areas, and shall be applicable on all new buildings (except a single dwelling unit) and/or extensions to existing buildings (except a single dwelling unit).
- 3.2.6. 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
- 3.2.7. The gross floor area per loading space shall be calculated at 50m<sup>2</sup> and shall be applicable to new buildings and/or additions.
- 3.2.8. Visitor's parking spaces may not be reserved temporarily or permanently whether it be for payment or not.
- 3.2.9. The on-site parking and loading requirements for developments are set out in Table 11.1: 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 1: Parking & Loading Requirements**

Land Use	Number of Parking spaces to be provided	Requirements for loading spaces and areas.
Abattoir	5 spaces for the first 1000m <sup>2</sup> floor area or part thereof and 2 spaces for every 1000m <sup>2</sup> thereafter, or part thereof.	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter.
Adult entertainment business	6 spaces per 100m <sup>2</sup> public floor area	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Agriculture	Not applicable	Not applicable
Agricultural buildings	1 space per 100m <sup>2</sup> floor area and 3 spaces per 100m <sup>2</sup> office floor area.	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter.
Agricultural housing	1 Space per every 3 dwelling units.	Not applicable.
Agricultural industry	1 space per 100m <sup>2</sup> floor area and 3 spaces per 100m <sup>2</sup> office floor area.	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter.
Agri-Village	2 Spaces per every 3 dwelling units.	At least 1 space.
Airfield	2 spaces for the first 100m <sup>2</sup> floor area or part thereof and 1 space for every 100m <sup>2</sup> thereafter, or part thereof.	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter.
Airport	2 spaces for the first 100m <sup>2</sup> floor area or part thereof and 1 space for every 100m <sup>2</sup> thereafter, or part thereof.	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter.
Animal refuge	3 spaces per 100m <sup>2</sup> floor area.	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.

Auction center	40% of property reserved for parking and loading requirements	
Bakery	3 spaces per 100m <sup>2</sup> floor area	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter.
Boarding house	1 space per room and 1 space for every 3 rooms.	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Botanical garden	3 spaces per hectare or part thereof.	Not applicable.
Brickyard	40% of property reserved for parking and loading requirements.	
Builders yard	40% of property reserved for parking and loading requirements.	
Bulk retail trade	3 spaces per 100m <sup>2</sup> floor area	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter.
Camping site	1 Space per tent or caravan or mobile dwelling unit site and 4,5 spaces per 100 m <sup>2</sup> office floor area and 1 space per 4 seats and 6 spaces per 100m <sup>2</sup> place of refreshment public floor area and 6 spaces per 100 m <sup>2</sup> retail floor area.	1 Space per first 2000 m <sup>2</sup> place of refreshment or retail floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> place of refreshment or retail floor area thereafter.
Canteen	2 Spaces per 100 m <sup>2</sup> floor area.	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Carwash	6 spaces per 100m <sup>2</sup> area or part thereof.	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Cemetery	40% of property reserved for parking and loading requirements	
Early Childhood Development Centres	1 space for every 4 children.	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Coal yard	40% of property reserved for parking and loading requirements	
Commonage	6 Spaces per 100m <sup>2</sup> informal trade floor area.	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter.
Confectioner	6 spaces per 100m <sup>2</sup> floor area	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter.
Conference center	6 spaces per 100m <sup>2</sup> floor area and 1 space per 4 seats	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter.
Conservancy	Not applicable	Not applicable
Crematorium	3 spaces per 100m <sup>2</sup> floor area	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Cultural Heritage Site	Not applicable	Not applicable
Dry cleaner	3 spaces per 100m <sup>2</sup> floor area	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter.
Dwelling house	One space on-site per unit.	Not applicable

Dwelling units	1 covered space per dwelling unit and 1 uncovered space per 2 dwelling units	1 Space per 10 dwelling units.
Environmental facilities	6 spaces per 100m <sup>2</sup> floor area	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Factory shop	6 spaces per 100m <sup>2</sup> floor area	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter.
Farm stall	6 spaces per 100m <sup>2</sup> floor area	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter.
Fuelling facility	40% of property reserved for parking and loading requirements	
Funeral parlour	3 spaces per 100m <sup>2</sup> floor area	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Gaming establishment	6 spaces per 100m <sup>2</sup> floor area and 1 space per 4 seats	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Garden service establishment	3 spaces per 100m <sup>2</sup> floor area	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Government use	4,5 spaces per 100m <sup>2</sup> office floor area and 6 spaces per 100m <sup>2</sup> public floor area and 1 space per 4 seats.	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Guest house	1 space per guest room	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Gymnasium	6 spaces per 100m <sup>2</sup> floor area	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Harvesting of Natural Resources	Not applicable	Not applicable
Heavy vehicle parking depot	40% of property or site reserved for parking and loading requirements	
Heliport	4,5 Spaces per 100m <sup>2</sup> office floor area, 1 space per 100m <sup>2</sup> repair facility and 1 space per rotary wing aircraft storage unit.	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Home occupation	3 parking spaces	Not applicable
Hospital	1 space per bed	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter.
Hotel	1 spaces per room and 6 spaces per 100m <sup>2</sup> public floor area	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter.
Industry	1 space per 100m <sup>2</sup> floor area and 3 spaces per 100m <sup>2</sup> office floor area.	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter.
Informal Trade	3 Spaces per 100m <sup>2</sup> floor area.	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.

Institution	6 spaces per 100m <sup>2</sup> floor area and 1 spaces per 4 seats	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Laboratory	3 spaces per 100m <sup>2</sup> floor area	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter.
Launderette	6 spaces per 100m <sup>2</sup> floor area	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Lodge	1 spaces per guest room or suite and 6 spaces per 100m <sup>2</sup> public floor area	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Medical suites	4,5 spaces per 100m <sup>2</sup> floor area	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Mining	40% of property or site reserved for parking and loading requirements	
Mobile dwelling unit	40% of property reserved for parking and loading requirements	
Mortuary	3 spaces per 100m <sup>2</sup> floor area	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Municipal purposes	4,5 spaces per 100m <sup>2</sup> office floor area and 6 spaces per 100m <sup>2</sup> public floor area and 1 space per 4 seats.	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Nature Reserve	Not applicable	Not applicable
Noxious industry	1 spaces per 100m <sup>2</sup> floor area and 3 spaces per 100m <sup>2</sup> office floor area.	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter.
Garden Centre	6 spaces per 100m <sup>2</sup> display floor area	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter.
Office	4,5 spaces per 100m <sup>2</sup> floor area	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter.
Parking	Not applicable	Not applicable
Parking Garage	Not applicable	Not applicable
Petro-port	40% of property reserved for parking and loading requirements	
Place of amusement	1 space per 4 seats and 6 spaces per 100m <sup>2</sup> public floor area	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter.
Place of education	2 Spaces per 100m <sup>2</sup> office floor area and 1 space per classroom and 5 drop-off spaces for passenger vehicles per 100 students.	1 drop-off space for buses per 100 students.
Place of public worship	1 space per 6 seats	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter.
Place of refreshment	10 spaces per 100m <sup>2</sup> public floor area.	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter.

Prison	4,5 Spaces per 100m <sup>2</sup> office floor area and 1 space per 10 holding cells.	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter.
Private open space	1 Space per 100m <sup>2</sup> sport, recreation or play area.	Not Applicable
Private Road	Not applicable	Not applicable
Public open space	1 Space per 100m <sup>2</sup> sport, recreation or play area.	Not Applicable
Public Road	Not applicable	Not applicable
Public transport rank	4,5 spaces per 100m <sup>2</sup> office floor area and 6 spaces per 100m <sup>2</sup> public floor area and 1 space per 4 seats.	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Railway line	Not applicable	Not applicable
Railway station	4,5 spaces per 100m <sup>2</sup> office floor area and 6 spaces per 100m <sup>2</sup> public floor area and 1 space per 4 seats.	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter.
Recycling center	3 spaces per 100m <sup>2</sup> floor area	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter.
Residential Building	1 space per room and 1 space for every 3 rooms.	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Resort	1 space per room and 6 spaces per 100m <sup>2</sup> public floor area	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Retail shop	6 spaces per 100m <sup>2</sup> floor area	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Retirement village	1 covered space per unit and 1 uncovered space per 2 units	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Riding stables	0,7 spaces per stable	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Sawmill	3 spaces per 100m <sup>2</sup> floor area	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter.
Scrap yard	3 spaces per 100m <sup>2</sup> floor area	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter
Service retail	3 spaces per 100m <sup>2</sup> floor area	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Service station	40% of property reserved for parking and loading requirements and 6 spaces per 100m <sup>2</sup> retail floor area.	
Sewer purification plant	40% of property reserved for parking and loading requirements	
Social hall	4,5 spaces per 100m <sup>2</sup> office floor area and 6 spaces per 100m <sup>2</sup> public floor area and 1 space per 4 seats.	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.

Sport and recreational grounds	1 space per 4 seats and 6 spaces per 100m <sup>2</sup> public floor area.	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Take-away	1 spaces for every 4 seats and 6 spaces per 100m <sup>2</sup> public floor area.	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Tavern	6 spaces per 100m <sup>2</sup> floor area	Not applicable
Telecommunication infrastructure	40% of property reserved for parking and loading requirements	
Totalisator	6 spaces per 100m <sup>2</sup> floor area	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Tourist facilities	6 spaces per 100m <sup>2</sup> floor area	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Traditional healing practice	3 spaces per 100m <sup>2</sup> floor area	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Truck stop	40% of property reserved for parking and loading requirements and 6 spaces per 100m <sup>2</sup> retail floor area.	
Tuck shop	1 space on-site.	Not applicable
Urban Agriculture	Not applicable	
Utility	40% of property reserved for parking and loading requirements	
Vehicle sales market	3 spaces per 100m <sup>2</sup> floor area	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Veterinary clinic	3 spaces per 100m <sup>2</sup> floor area	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
Wall of Remembrance	3 parking bays for every 20 slots.	Not applicable
Warehousing and packaging	1 space per 100m <sup>2</sup> floor area and 3 spaces per 100m <sup>2</sup> office floor area.	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter
Waste disposal site	40% of property reserved for parking and loading requirements	
Wholesale trade	1 space per 100m <sup>2</sup> trade floor area and 3 spaces per 100m <sup>2</sup> office floor area.	2 spaces per first 1000m <sup>2</sup> floor area, or part thereof and 1 space per every 1000m <sup>2</sup> floor area thereafter
Wood yard	40% of property reserved for parking and loading requirements	
Workshop	6 spaces per 100m <sup>2</sup> floor area	1 Space per first 2000 m <sup>2</sup> floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> floor area thereafter.
4X4 trail	4,5 Spaces per 100m <sup>2</sup> office floor area and sufficient area for parking of the participating 4X4 vehicles and sufficient parking area for spectators.	Not applicable.
Zoological garden	6 spaces per hectare uncovered exhibition floor area and 4,5 spaces per 100m <sup>2</sup> covered exhibition floor area.	1 Space per first 2000 m <sup>2</sup> covered or uncovered floor area, or part thereof and 1 space per every 2000 m <sup>2</sup> covered floor area thereafter.

### 3.3. Land Use Zone Map

- 3.3.1. The Land Use Zone Map depicts—
- (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.
- 3.3.2. The Municipality must update the Land Use Zone Map within a reasonable time after use rights have been granted or have lapsed.
- 3.3.3. The Municipality may keep the Land Use Zone Map in an electronic format – **CitySolve**.
- 3.3.4. The Municipality may provide an extract of the Land Use Zone Map to members of the public on payment of a fee determined by the Municipality in terms of the tariff policy of the Municipality.

## PART 4: OVERLAY ZONES

### 4.1. Purpose of Overlay Zones

- 4.1.1. 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.
- 4.1.2. An overlay zone will apply in addition to the base zone of a property (as stated in section 3.1.1). 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.

### 4.2. Requirements and Procedures

- 4.2.1. The Municipality may prepare any overlay zone as provided for in this Land Use Scheme.
- 4.2.2. Preparation of an overlay zone shall take into consideration the following requirements where applicable:
- (c) the principles contained in planning law;
  - (d) the Municipality's planning vision and principles as set out in its Spatial Development Framework and Integrated Development Plan;
  - (e) 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;
  - (f) the principles as set out in an approved spatial development framework or a policy plan;
  - (g) environmental and heritage protection and conservation; and
  - (h) 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.
- 4.2.3. An overlay zone must not detract from Municipality's ability to serve the needs of the municipal area as a whole.
- 4.2.4. The Municipality may adopt, replace, amend or recommend overlay zones that provide for development directives by following the rezoning procedures stipulated in planning law.

### 4.3. Overlay Zone 1: Hydrology

- 4.3.1. This overlay zone is indicated on the Use Zone Map as OZ1: Hydrology.
- 4.3.2. 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 locating to close to surface water.
- 4.3.3. In the absence if propose 1:50 year and 1:100 year flood lines, the following development controls apply:
- 4.3.3.1. No development allowed within 200 m of the centreline of a perennial river, as indicated on the Land Use Zone Maps.
  - 4.3.3.2. No development allowed within 100 m of the centreline of a non-perennial river or stream, as indicated on the Land Use Zone Maps.
  - 4.3.3.3. No development allowed within 200 m of the outside figure of all inland water bodies, as indicated on the Land Use Zone Maps.



## 4.4. Overlay Zone 2: Threatened Ecosystems

- 4.4.1. This overlay zone is indicated on the Use Zone Map as OZ2: Threatened Ecosystems.
- 4.4.2. The overlay zone makes provision for the protection and management of the special natural and environmental characteristics of environmentally-sensitive places and areas, or those that are worthy of protection in order to ensure that development responds sensitively to these characteristics, that impacts are mitigated, and to promote sustainable development for the benefit of the general public, including tourists.
- 4.4.3. In addition to the primary and consent use rights of the specific use zones, properties within this overlay zone are further subject to the following:
- 4.4.3.1. The Municipality may approve any appropriate use as a consent use in terms of this overlay zone provided that:
- it considers such use to be desirable or justified in order to provide the owner with an incentive to preserve the environmental resource, and
  - the Municipality may require cessation of the consent use right if the environmental resource is not properly maintained and protected to Municipality's satisfaction

## 4.5. Overlay Zone 3: Protected Areas

- 4.5.1. This overlay zone is indicated on the Use Zone Map as OZ3: Protected Areas.
- 4.5.2. The purpose of this overlay zone is to protect all proclaimed and unproclaim nature reserves.
- 4.5.3. The following use restrictions apply to the property in this zone:
- 4.5.3.1. The use or maintenance of land in a substantially natural state with the object of preserving the biophysical and heritage characteristics of that land, as well as flora and fauna living on the land, and includes associated infrastructure required for such use.

# PART 5: GENERAL PROVISIONS

## 5.1. Encroachment of building lines

- 5.1.1. Notwithstanding the building line requirements set out in Section 3.1, the following structures or portions of structures may be erected within the prescribed building lines, provided they do not extend beyond the boundaries of a land unit:
- boundary walls, fences and gates;
  - open and uncovered stoeps that are less than 500 millimetres in height from the natural level of the ground;
  - entrance steps, landings and entrance porches, excluding a porte cachet;
  - a covered entrance or gatehouse that has a roofed area not exceeding 5 m<sup>2</sup> and a roof height not exceeding 3 metres from floor to highest point;
  - eaves and awnings projecting no more than 1 metre from the wall of a building;
  - cornices, chimney breasts, flower boxes, water pipes, drain pipes and minor decorative features not projecting more than 500 millimetres from the wall of a building;
  - screen-walls not exceeding 2,1 metres in height above the natural ground level abutting such wall;
  - swimming pools not closer than 1 metre from any boundary;
  - a basement, provided that no part thereof projects above natural ground level; and
  - a refuse room required by the Municipality in terms of this By-law.

## 5.2. Site Development Plans

- 5.2.2. In addition to the zones that specifically require a site development plan, the Municipality may require a site development plan in respect of the following development types:
- shopping centres and shopping complexes;
  - business and office park developments;
  - industrial park developments;
  - developments in conservation areas;
  - developments that will be sectionalised;
  - incremental residential developments; and
  - major developments where there are concerns relating to urban form, heritage, traffic or planning.

- 5.2.3. The Municipality may require some or all of the following information for a site development plan for :
- (a) existing bio-physical characteristics of the property;
  - (b) existing and proposed cadastral boundaries;
  - (c) the layout of the property, indicating the use of different portions thereof;
  - (d) the massing, position, use and extent of buildings;
  - (e) sketch plans and elevations of proposed structures, including information about their external appearance;
  - (f) cross-sections of the site and buildings on site;
  - (g) the alignment and general specification of vehicle access, roads, parking areas, loading areas, pedestrian flow and footpaths;
  - (h) the position and extent of private, public and communal space;
  - (i) typical details of fencing or walls around the perimeter of the land unit and within the property;
  - (j) electricity supply and external lighting proposals;
  - (k) provisions for the supply of water, management of storm water, and disposal of sewage and refuse;
  - (l) external signage details;
  - (m) general landscaping proposals, including vegetation to be preserved, removed or to be planted, external paving, and measures for stabilising outdoor areas where applicable;
  - (n) the phasing of a development;
  - (o) the proposed development in relation to existing and finished ground levels, including excavation, cut and fill;
  - (p) statistical information about the extent of the proposed development, floor area allocations and parking supply;
  - (q) relationship of the proposed development to the quality, safety and amenity of the surrounding public environment;
  - (r) relationship of the proposed development to adjacent sites, especially with respect to access, overshadowing and scale;
  - (s) illustrations in a three-dimensional form depicting visual impacts of the proposed development on the site and in relation to surrounding buildings; and
  - (t) any other details as may reasonably be required by the Municipality.
- 5.2.4. 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.
- 5.2.5. The Municipality may determine the extent of the area covered by a site development plan.
- 5.2.6. 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.
- 5.2.7. 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.
- 5.2.8. 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.
- 5.2.9. The following provisions apply with regard to site development plans:
- (a) the property must be developed generally in accordance with an approved site development plan;
  - (b) 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;
  - (c) if the Municipality considers it necessary, a storm water 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; and
  - (d) an approved site development plan must be considered as setting additional development parameters applicable to the base zone, and any application for amendment must comply with the Municipality's requirements for the amendments.

### 5.3. Hazardous Substance

- 5.3.1. 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.
- 5.3.2. The Municipality's approval in terms of subsection 5.3.1. above does not exempt the owner from applying for permission in terms of other relevant legislation.

## 5.4. Maintenance of property

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

- (a) be left in a neglected or offensive state, as may be determined by the Municipality;
- (b) 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;
- (c) contain outdoor storage of building material, appliances or similar items unless these:
  - (i) forms part of a primary or consent use in terms of this Land Use Scheme;
  - (ii) are temporarily being stored for the purpose of construction in accordance with a valid building plan approval; or
  - (iii) are being stored in conjunction with the holding of a yard or garage sale with a duration of not more than two consecutive days.

## 5.5. Placement of vehicles in residential zones

5.5.1. 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:

- (a) there is adequate space on the property concerned;
- (b) no more than one commercial vehicle per dwelling unit may be parked on the property; and
- (c) the gross weight of any such commercial vehicle may not exceed 3 500kg.

# PART 6: ENFORCEMENT

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## 6.1. Call for cessation of land use activity

6.1.1. Municipality may call for cessation of a land use activity by serving a written notice on the owner or person conducting such activity requiring:

- (a) compliance with instructions set out in such notice; and
- (b) cessation of use of the premises in question for such land use activity by a date specified in such notice.

# PART 7: LAND USE AND LAND DEVELOPMENT APPLICATIONS

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## 7.1. Application for land development requirements

7.1.1. Application for land development requires that:

- (a) No person may commence with, carry on or cause the commencement with or carrying on of land development without the approval of the Municipality.
- (b) When an applicant or owner exercises a use right granted in terms of an approval he or she must comply with the conditions of the approval and the applicable provisions of the land use scheme, site development plan, building plans and any other applicable legislation.

## 7.2. The Land Use Scheme and the Spatial Planning and Land Use Management By-Law.

7.2.1. The Kgetlengrivier Land Use Scheme of 2015 divide the municipal area of Kgetlengrivier into zones, and provide information as to what and may and may not be used for in any of the zones.

7.2.2. The Kgetlengrivier Spatial Planning and Land Use Management By-Law of 2015 is legislation applicable to the municipal area that provides for all spatial planning and use management activities.

### 7.3. Land use and land development applications

7.3.1. Distinction is made between land development and land use applications. Land Development Applications are considered by the Municipal Planning Tribunal, and are explained in section 7.2.1 below. Land Use Applications are applications for other compatible rights that the land unit does not yet possess but which are permitted in terms of the land use scheme and which may be obtained by application which is explained in section 7.2.2. below.

### 7.4. Division of functions between Municipal Planning Tribunal and Land Development Officer

7.4.1. In terms of the **Kgetlengrivier Local Municipality Spatial Planning and Land Use Management By-Law**, the following types of applications will be considered and determined by the **Municipal Planning Tribunal**:

Type of Application	Reference of where in the Spatial Planning and Land Use Management By-Law can be found
(a) The establishment of a township or the extension of the boundaries of a township	Sections 56 - 61
i. application for establishment of township;	Section 56
ii. division or phasing of township;	Section 57
iii. lodging of layout plan for approval with the Surveyor-General;	Section 58
iv. compliance with pre-proclamation conditions;	Section 59
v. opening of Township Register; and	Section 60
vi. proclamation of an approved township.	Section 61
(b) the amendment of an existing scheme or land use scheme by the rezoning of land;	Section 62
(c) the removal, amendment or suspension of a restrictive or obsolete condition, servitude or reservation registered against the title of the land;	Section 63 - 64
(d) the amendment or cancellation in whole or in part of a general plan of a township;	Sections 65 – 66
(e) the subdivision and consolidation of any land other than a subdivision and consolidation;	Sections 67-74
(f) permanent closure of any public place;	Section 75
(g) any consent or approval required in terms of a condition of title, a condition of establishment of a township or condition of an existing scheme or land use scheme;	Section 76
(h) any consent or approval provided for in a provincial law; and	Section 76
(i) any application considered and determined by a land development officer defined in section 7.1.2 below which are opposed.	

7.4.2. In terms of the Kgetlengrivier Local Municipality Spatial Planning and Land Use Management By-Law, the following types of applications will be considered and determined by the **Land Development Officer**:

- (a) the subdivision of any land where such subdivision is expressly provided for in the land use scheme;
- (b) the consolidation of any land;
- (c) the simultaneous subdivision (where such subdivision is expressly provided for in the land use scheme) and consolidation of land;
- (d) the consent of the municipality for any land use purpose or departure or deviation in terms of the land use scheme or existing scheme which does not constitute a land development application;
- (e) the removal, amendment or suspension of a restrictive title condition relating to the density of residential development on a specific erf where the residential density is regulated by the land use scheme.

## SCHEDULE 1: LINES OF NO ACCESS

<p style="text-align: center;"><b>Koster Extension 2</b></p> <ul style="list-style-type: none"> <li>• Erven 584 and 585 – no access to Duister Eloff Road (R52) as indicated on the map below.</li> <li>• Erf 591 – no access to Jameson Road (R509) as indicated on the map below.</li> </ul>	<p style="text-align: center;"><b>Cedrela extension 1</b></p> <ul style="list-style-type: none"> <li>• Erf 77 – no access to Jameson Road (R509) as indicated on the map below.</li> </ul>
<p>The map shows a residential development with several streets: KOB FERREIRA ROAD, KALAN STREET, KOSTER EXT 2, KOSTER EXT 3, LBI STREET, and DUISTER ELOFF ROAD (R52). A road labeled 'KOSTER' is at the top. Erven 584 and 585 are highlighted in red, and erf 591 is highlighted in purple. Dashed lines indicate no access to R52 and R509. A legend in the bottom right corner shows a dashed line symbol for 'Lines of no access'.</p>	<p>The map shows a residential development with streets: JAMESON ROAD (R509), JACOMINA STREET, POPPY STREET, and BILLYMANS STREET. A road labeled 'ROAD' is at the top. Erf 77 is highlighted in red. A dashed line indicates no access to R509. A legend in the bottom right corner shows a dashed line symbol for 'Lines of no access'.</p>
<p>Portion 181, Brakfontein 404-JP – no access to Raod P124-1</p>	

## SCHEDULE 2: BUILDING RESTRICTION AREAS

The following building restriction areas shall apply to the following erven in the township of Koster:

Erf	Building Line	Road or servitude to which building lines are applicable
18, 51, 593, 52, 84, 117, 85, R/118, 1/118, 150, 183, 151, 184, 216, 249, 217, R/250, 1/250, 282, 309, R/336, 1/336, 363, 364 and Albert Hertzog Park	7.6 m	Rissik Street
337	9 m	Rissik Street
337	32 m	Malan Street
338	32 m	Malan Street
364	2.43 m	The Avenue
365	2.43 m	The Avenue
372	2.43 m	Merriman Street
372	2.43 m	Railway Street
373	2.43 m	Railway- and Merriman Street
374	2.43 m	Railway- and Merriman Street
375	4.57m	Merriman Street
376	4.57m	Merriman Street
377	4.57m	Merriman- and Smuts Street
378	4.57m	Railway Street
379	4.57m	Railway Street
380	4.57m	Railway- and Smuts Street
381	4.57m	Merriman- and Smuts Street
382	5.09 m	Merriman Street
865	4.57 m	Merriman- and Union Street
387	2.43 m	Railway Street
386	2.43 m	Railway Street
386	4.57 m	Smuts Street
384	4.57 m	Smuts Street
402	4.57 m	Union- and Sauer Street
403	4.57 m	Sauer Street
404	4.57 m	Sauer Street
405	4.57 m	Railway Street
406	4.57 m	Railway Street

The following other building restriction areas shall apply:

Erf	Building Line	Road or servitude to which building lines are applicable
Portion 181, Brakfontein 404-JP	16 m	Road P124-1

## **SCHEDULE 3: ERECTION OF INFORMAL STRUCTURES**

Informal structures may be erected on erven zones residential 1 in the following areas:

- Reagile Proper
- Reagile Extension 1
- Reagile Extension 2
- Reagile Extension 3
- Borolelo Proper
- Borolelo Extension 1



## SCHEDULE 4: REQUIREMENTS FOR RESIDENTIAL 2

Development control	Group Housing		Flats	Retirement Villages	Residential Buildings
	Public Road	Private Road/Servitude			
Road	<ul style="list-style-type: none"> <li>Road to be proclaimed</li> <li>3 street names submitted</li> <li>13m reserve width at entrance</li> <li>8m reserve for road</li> <li>Turning circle for service</li> <li>Paving</li> <li>Designed by registered engineer</li> <li>8 Ton/axle strength</li> <li>Maintenance by local authority</li> </ul>	<ul style="list-style-type: none"> <li>Road registered as erf with title deed description as R.O.W servitude to all stands served by it.</li> <li>Paving.</li> <li>Designed by registered engineer.</li> <li>Service yard for refuse at entrance.</li> <li>Maintenance be the responsibility of the residential committee and contained as such in title deed.</li> <li>Servitude for municipal sewer, water and electricity over total road area.</li> </ul>	N/A	As private road under group housing	N/A
Building line	Street boundary: 3m Other Boundary: 2m		Street boundary: 8m Other Boundary: 5m	Street boundary: 3m Other Boundary: 2m	Street boundary: 8m Other Boundary: 5m
Use zone	Residential 2		Residential 2	Residential 2	Residential 2
Density	25 Units/ha		N/A	40 Units/ha	N/A
Coverage	50%		60%	50%	60%
Parking	Table 1: Parking Requirements		Table 1: Parking Requirements	Table 1: Parking Requirements	Table 1: Parking Requirements
Endowments and services	<ul style="list-style-type: none"> <li>As per township establishment</li> <li>Municipal services to be protected by servitudes</li> </ul>		Normal connection procedures	As per township establishment	Normal connection procedures

## SCHEDULE 5: REQUIREMENTS FOR TAVERNS

In the case of any permission or consent granted by the municipality to utilize properties for purposes of a tavern, it is subject to the following conditions in addition to the conditions set out in the definition and the base use zone:

- a) A non-transparent screen wall at least 1,8 meters high, must be erected around the entire perimeter of the site and shall comply to National Building Regulations SABS 0040, 1990 as revised;
- b) the public and residential areas on the site must be separated effectively;
- c) if food is served it may be prepared in the residential kitchen and served through a lockable service hatch and shall comply to National Health Regulations and any other applicable legislation
- d) separate toilets and ablution facilities for males and females must be provided in the tavern;
- e) a suitable storeroom must be provided for all liquor and container stock not required for immediate sale;
- f) a properly constructed drinking area must be provided;
- g) if liquor is served in the garden, then dividing walls must be erected to ensure the effective separation of the public and residential areas;
- h) the liquor Act is applicable to all Taverns and the Liquor Board determines the hours and days of business;
- i) name boards shall be non-illuminated and not be bigger than 2000 mm (horizontal) x 1500 mm (vertical);
- j) sufficient parking, as determined by the local authority, shall be provided on site; and
- k) it shall exclude any noxious practices or uses which will interfere with the amenity of the surrounding properties or be of nuisance value by virtue of noise, appearance, smell or activities or for any other reason whatsoever.

## SCHEDULE 6: REQUIREMENTS FOR HOME OCCUPATION

The following conditions apply if a portion of a dwelling house is used for purposes of a home occupation:

- a) The dwelling house, flat or residential building or any portion thereof may not be used for purposes of an industry or noxious trade.
- b) Goods for sale may not be displayed on the land unit in such a manner that it is visible from a public street.
- c) The only advertising signs permitted are non-illuminated signs or notices not projecting over a street, not exceeding 650mm (horizontal) X 450mm (vertical) and indicating only the name and profession or occupation of the occupant.
- d) No activity which is or may be a source of disturbance or nuisance to occupants of other dwelling houses (e.g. noise pollution, traffic congestion, air pollution, the congregation of people, excessive traffic generation, etc.) are permitted.
- e) The primary use of the property is still for residential purposes and should be occupied by the person practicing the home occupation.
- f) Medical practitioners are exempt from the requirement that they have to occupy the dwelling house in which a home occupation is conducted.
- g) A maximum of 4 people may be employed at a time.
- h) Home occupation is regarded as an as-of-right use, subject to compliance with the provisions listed above.
- i) The floor area used for a home occupation may not exceed 40 % of the dwelling unit. If a larger floor area is required, application must be made for approval to carry on a home occupation.

## SCHEDULE 7: REQUIREMENTS FOR GUEST HOUSES

- a) This use may be conducted from a converted dwelling house or a purpose built facility that may consist of a single structure for guest house purposes or free standing or linked units for lodge purposes and includes facilities that are normally associated therewith (e.g. conference facilities and lecture rooms).
- b) Not more than 32 people or 16 rooms are permitted per land unit, whichever is the most restrictive; provided that the Municipality may restrict such numbers if considered necessary in the interest of the area or neighbourhood.
- c) Parking must be provided in any event not less than at a ratio of 1 parking bay per guest bedroom and that no vehicles be permitted to park in public areas.
- d) The land use may not create a public nuisance or, in the Municipality's opinion, detract from the residential character or amenity of the neighbourhood.
- e) The minimum size of a land unit used for a guest house / guest lodge, is 740m<sup>2</sup>.

- f) Meals and beverages may be supplied to transient guests only.
- g) A site development plan, indicating the layout and number of rooms and units, entertainment areas, communal areas, parking, landscaping, signage and streetscape, must accompany applications to Municipality.
- h) Municipality must assess the potential impact of the proposed land use on the character of the surrounding area, before granting its special consent.
- i) In assessing an application, Municipality must ensure that the potential impact of the development will not materially detract from residential character and amenities of the street and neighbourhood.
- j) The owner / manager can live either off-site or in a separate area on-site.
- k) A guest lodge may include self-catering units.
- l) Ancillary activities include a restaurant (not for the general public) and conference facilities for use by transient guests only.

## **SCHEDULE 8: REQUIREMENTS FOR DAY CARE FACILITIES**

- a) Appropriate and adequate sanitary facilities must be provided on the premises to the Municipality's satisfaction, at a ratio of 1 water closet for every 10 people of the same sex. Such toilets must be provided with adequate and approved enclosing walls and must be clearly allocated and marked.
- b) The use of land may not create a public nuisance, and it must at all times be maintained in a clean condition.
- c) Buildings must be furnished in a manner, which adequately reduces noise emanating from the activities within the buildings.
- d) A site development plan must be submitted to Municipality for approval in respect of any proposed new buildings or extensions and / or alterations to existing buildings.
- e) Parking as required in terms of Table 1.
- f) Playing areas are to be provided in accordance with the following guidelines:
  - i. Outdoors - 2m<sup>2</sup> per child
  - ii. Indoors - 2m<sup>2</sup> per child
- g) The maximum number of children cared for on a land unit, is 35.
- h) The Municipality's consent is required to care for more than 15 children.
- i) Municipality's approval must be obtained for a "Place of Education" to permit more than 35 children.
- j) The minimum number of children for a written consent use of day care is 5.
- k) The dominant use of the building must remain for residential purposes for a single family.
- l) Properties utilised for day care facilities must comply with the minimum physical standards as contained in the Child Care Act.