

GREATER TAUNG LOCAL MUNICIPALITY

Land Use Scheme (2025 - 2030)

DRAFT



**rural development
& land reform**

Department:
Rural Development and Land Reform
REPUBLIC OF SOUTH AFRICA



Greater Taung
Local Municipality

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PART 1: ADMINISTRATION

1.1. Title

- 1.1.1. This scheme shall be known as the Greater Taung Local Municipality Land Use Scheme, 2025 and shall hereafter be referred to as the "Scheme".

1.2. Enactment

1.2.1 This Land Use Scheme is prepared in accordance with Section 24 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), and enacted in terms of the Greater Taung Spatial Planning and Land Use Management By-Law 2016. It replaces the Greater Taung Land Use Scheme 2017 as amended.

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

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, 2025. All conditions included in a title deed of a land parcel within the municipality supersede the land use rights granted by the Greater Taung Land Use 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.

1.4. Authorised Local Municipality

- 1.4.1. The Greater Taung 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 Greater Taung 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—

- economic growth;
- social inclusion;
- efficient land development; and
- minimal impact on public health, the environment and natural resources.

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:
- before commencement of this Land Use Scheme and which is still being processed; or
 - 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 6 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 the Ordinance or a former zoning scheme has been acted on and constitutes a contravention of any provision in a zone in this Land Use Scheme, for the purposes of this Land Use Scheme it will not be considered to be an offence but a lawful 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

"Abattoir" means land and buildings used to slaughter animals and poultry and may include the processing of animal and poultry products and in respect of which a registration certificate has been issued in terms of Section 8(1) of the Meat Safety Act, 2000 (Act No. 40 of 2000) and in respect of which a grading has been determined in terms of Section 8(2) of the said Act.

"Act" means the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013).

"Additional House" means an additional dwelling unit which may be erected on the same cadastral land unit on which a dwelling unit exists or are in the process of being erected, provided that:

- In the case of land zoned for Residential Zone 1, only one additional Dwelling Unit can be permitted;
- In the case of land zoned for Agriculture Zone purposes, additional Dwelling Units can be permitted at a density of one unit per 10 ha to a maximum of 5 additional Dwelling Units;
- In the case of land zoned for Agriculture Zone purposes, one additional Dwelling Unit can be permitted in all cases notwithstanding the size of the land unit.
- Written consent is sort from the Local Authority.
- Building plans are submitted and approved by the Local Authority.

"Advertise" in relation to making known a matter means any one or more of the following methods of making known which, according to Council policy, or in the absence thereof, in the opinion of the Municipal Manager or his delegates, is the most suitable method to reach as many people as possible, who may have an interest or is possibly affected in the matter:

- (a) serving a notice that complies with the provisions as set out in this Scheme
- (b) holding public meetings, whether before or after the submission of an application
- (c) displaying a notice on a land unit
- (d) publishing of a notice in the press
- (e) consultative forums or entering into social compacts before a decision is taken by Council;

and "advertisement" has a corresponding meaning.

"Adult Entertainment Business" means a business where, for any form of consideration, films, photographs, books, magazines or live performances are hired, sold or occur, which are considered as for adult entertainment or for mature audiences. It includes an escort agency and a massage parlour, where massage or manipulation of the human body is administered with the purpose of obtaining an erotic response.

"Aesthetics" means visual impact in Council's opinion in terms of form, function, colour, texture and context.

"Agricultural Industry" means an enterprise or concern for the processing of agricultural products directly related to agriculture on a farming unit owing to the nature, perishable and fragility of such agricultural products, and includes, inter alia, wineries, distilleries, cheese making industry, butchery, a feedlot, chicken hatchery and farm pack stores, but does not include a service trade.

"Agriculture" means the cultivation and/or utilisation of land for crops and plants, the keeping and breeding of animals, operation of a game farm, intensive feed farming, the utilisation of the natural veld or land on a limited or extensive basis and includes only such activities and buildings directly related to the main farming activities, but excludes abattoirs, agricultural industries and consent uses as defined.

"Agricultural Building" means a building designed or used for agriculture and may include a dwelling unit

"Airfield" means land and buildings used for the landing and take-off of aircraft and helicopters and may include the storage of aircraft and a fuel depot subject to the Civil Aviation Act, 2009 (Act 13 of 2009).

"Airport" or "Aerodrome" means land and buildings designed or used for the landing and take-off of fixed wing and rotary wing aircraft, airways control, aircraft hangers, fuel depot, fuel bays, workshops for manufacturing, repair and spray-painting of aircraft, engine run test area, training facilities for flight schools, passenger terminals, luggage and freight storage and handling, customs and migration control, associated shops, sale of aircraft and parts, offices, places of refreshment, places of amusement, banks, ATMs, leasing of vehicles, vehicle valet service area, guest-house, clinic, residential buildings, dwelling-units, telecommunication masts, hotel and conference centre, aircraft and related clubs and other ancillary and subservient uses, provided that the establishment and operation of an airport shall be subject to the provisions of the Aviation Act, 1962 (Act 74 of 1962) as amended.

"Air Rights" means the use of a building, which spans across an existing street at a specific height above the street level and does not restrict the use of the street, for any use which has been approved by the Municipality.

"Ambience" means the character or tone of an area, as determined by building scale and design, amount and type of activity, intensity of use, location and design of open space, and related factors that influence the perceived quality of the environment.

"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;

"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;

"Annexures to the Scheme" means documents comprising of provisions, inter alia, special rights and conditions applicable to those properties shown on the Scheme Maps through Municipal approved annotations.

"Appeal Authority" means the appeal authority as provided for in the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013).

"Applicant" means a person who makes a land development application contemplated in Section 45 of the Spatial Planning and Land Use Management Act, 2013.

"Approval" means the written approval of the Local Authority on application lodged as per the municipal bylaw.

"Area of the Scheme" - The area described in Clause 1.5 of the Scheme.

"ATM" means land and buildings used for an automatic teller machine of a bank or other financial institution.

"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;

“Authority Use” means a use practised by a public authority, of which the factors relating thereto are such that it cannot be classified or defined under any other uses in these regulations, and includes:

- (a) State uses, such as military training centres, installations, police stations and jails or prisons;
- (b) Provincial Government uses, such as road camps and road stations;
- (c) Local Authority uses, such as fire services, sewage farms, dumping grounds, reservoirs, composting installations and water purification works;
- (d) Museums;

“Backpackers” means land and buildings consisting of habitable rooms including dormitories, a communal kitchen, dining-room, lounge and ablution facilities for the accommodation of guests and tourists for short periods away from the permanent place of residence and shall be managed by the owner or manager who shall reside on the same property.

“Bakery” means land and buildings where bread, rusks, tarts, rolls, pies and other flour-baked products are manufactured in bulk for distribution to wholesale trade, shops and warehouses.

“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;

“Bank” means a public company provisionally or finally registered as a Deposit-taking Institution in terms of the Deposit-taking Institutions Act 1990 (Act 94 of 1990) and also includes an instant bank and automatic teller machines.

“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;

“Bed and Breakfast” means a dwelling house or additional house which the occupant of the dwelling supplies lodging and meals for compensation to transient guests who have permanent residence elsewhere; provided that:

- (a) the dominant use of the dwelling house concerned shall remain for the living accommodation of one family; and
 - (b) the land unit complies with the requirements contained in this Scheme for a bed and breakfast establishment;
- but does not include a guest house / guest lodge

“Biodiversity” means a measure of the number and relative abundance of biological species. The variability among living organisms from all sources including, inter alia, terrestrial, marine, and other aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species, and of ecosystems.

“Boarding House” means a private house providing food and lodging for paying guests;

“Botanical Garden” means an establishment where plants are grown for scientific study and display to the public.

“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;

“Brickyard” means a place where bricks are made.

"Builders' Yard" means land or a building used for the storing of material and equipment generally associated with the building trade, civil engineering or construction sectors.

"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, veranda, 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;

"Building Restriction Area" means the area on a property where no building, except as permitted by the Scheme, may be erected.

"Business" means land or a building used to conduct a business and includes a shop, office, restaurant, medical use, funeral parlour, nursery, place of worship, place of assembly, place of education, general residential, parking and access, hotel, guest house, carwash, drive-thru restaurant, place of entertainment or conference facility.

"Bylaw" means the Greater Taung Local Municipality bylaw on Spatial Planning and Land Use Management.

"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;

"Cafeteria" means a building or part of a building used for the preparation and sale of food and refreshments, tobacco products, reading matter and similar ancillary convenience items for the exclusive use of the employees and their guests or patrons of the building provided it is ancillary and subservient to the main use on the same property.

"Camping Site" means the land used for the erection of tents, cabins or other temporary structures for temporary lodging by travellers or holiday-makers, which:

- (a) excludes the alienation of land on the basis of time sharing, sectional title ownership, the sale of block shares and the subdivision of the land unit concerned;
- (b) includes a caravan park, whether public or privately owned;
- (c) excludes a hotel or mobile homes; and
- (d) may include ancillary facilities to resident guests only that are reasonable and ordinary related to camping (e.g. ablution facilities, sport facilities and tourist facilities).

"Canopy" means a cantilevered or suspended roof, slab or covering projecting from the wall of a building, excluding the floor of a balcony;

"Canteen" means a retail trade use of which the floor area does not exceed 100 m² including storage space and is provided only on an industrial site and which is a small-scale trade incidental to the needs of the employees working on the site and will not interfere with the surrounding trades.

"Caravan" means a vehicle which has been equipped or converted for living and sleeping purposes and which can be readily moved;

"Caravan Park" means land and buildings used for transient guests for the overnight accommodation of caravans, motor homes and tents and may include ablution facilities, caretaker's flat, communal kitchen and ancillary and subservient shops and other related buildings.

"Caretaker's Flat" means a dwelling-unit for a person and his/her family who is responsible for the care and supervision of the land and main buildings on the same property.

"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;

“Carwash” means land and buildings used for the washing, polishing and cleaning of vehicles by means of mechanical apparatus or by hand.

“Cemetery” means land and buildings designed or used for the burial of deceased persons and human ashes, a crematorium, a wall of remembrance, a chapel and offices and storerooms for the management of the cemetery, parking and includes ancillary and subservient uses which the Municipality deems necessary.

“Central Business District (CBD)” means the main business and commercial area of a town/ city/ area – some of the key characteristics of CBD’s include high concentration of offices, banks, financial institutions, high intensity built up areas, high use buildings of mixed use character as identified by the Council as such.

“Clinic” means a hospital for day patients with no overnight accommodation.

“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;

“Commercial Use” means land used or a building designed or used for such purposes as distribution centres, wholesale trade, storage, computer centres, warehouses, service stations, public garages, cartage and transport services and laboratories and may also include offices such that are usually ancillary to or reasonably necessary in connection with the main use.

“Commonage” means property that is held in common by a specific community or group of people for the purposes of communal farming and agricultural purposes incidental thereto. 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.

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

“Communal Property Association” (CPA) means an association which is registered or qualifies for registration in terms of Section 8 of the Communal Property Registration Act, 1996 (Act 28 of 1996).

“Commune” means a building designed as a dwelling-house which is used by not more than six persons other than a family for residential purposes and who share communal facilities, such as a kitchen, lounge,; Provided that the owner or manager shall reside on the same property in a separate caretaker’s flat and that outbuildings shall not be used for commune accommodation and provided that a Home Occupation/Enterprise shall not be exercised by any such occupant.

“Community Facility” means premises used for cultural activities, social meetings, gatherings, non-residential clubs, gymnasiums, sport clubs or recreational or other activities where the primary aim is not profit seeking and excludes a place of entertainment.

“Conference Facility” means an additional activity to a primary function such as a conference centre, hotel, guest house/ lodge and tourist facilities, where conferences are being held.

“Consent” means special permission granted by Council, after due consideration of all relevant facts and lawful, reasonable and procedurally fair administrative action, in terms of which a specific type of land use or activity is permitted, in addition to the primary use right applicable to the land unit concerned.

“Consent Use” means an additional use right permitted in terms of this Scheme in a particular zone with the consent of Council.

“Conservation Purposes” means any use normally or otherwise reasonably associated with the use of land for the preservation or protection of the natural or built environment, including the preservation or protection of the physical, ecological, cultural or historical characteristics of land against undesirable change or human activity or any building or plot or part thereof, which, in the opinion of the council or, on appeal or objection, the Premier whose decision will be final, is worthy of preservation.

“Controlling Authority” – the controlling authority as defined in Section 1 of the Advertising on Roads and Ribbon Development Act, 1940 (Act 21 of 1940) or the Commission as defined in the South African National Roads Agency Limited and National Roads Act, 1998 (Act 70 of 1998) as the case may be.

“Council” means the Greater Taung Local Municipality established in terms of Provincial Notice 307 of 2000 and includes any municipal standing committee or municipal official with delegated powers in terms of the area of jurisdiction of which these town planning conditions apply.

“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, verandas, 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;

“Crematorium” means land and buildings used for the cremation of human or animal tissue, subject to the provision of the Crematoriums Act, 1965 (Act 18 of 1965).

“Cultural Heritage Site” means all world, national and provincial heritage sites (archaeological sites, graves, forts, rock art sites, battlefields, conservation-worthy buildings as well as monuments, memorials and natural sites).

“Day Care Facility” means a building or portion of a building used by the owner or occupant, to provide day care for young children in the absence of their parents and includes a play group or after school services.

“Density” means the number of dwelling houses per hectare as prescribed in relation to a specific area in the development parameters.

“Developable Area” means the registered, surveyed area of a lot excluding those area which are, in the opinion of the Council, rendered undevelopable by virtue of such factors as soil instability, liability to flooding, topographic inaccessibility, and/or steep slopes, and further excluding the area(s) occupied by any public right-of-way, road servitudes, building lines, new roads or road-widening.

“Development Parameters” means provisions or restrictions in terms of zoning, which sets out the permissible extent of the use or improvement of land.

“Dispensing Chemist” means an enterprise supplying only medicine as defined in the Medicines and Related Substances Act, 1965 (Act 101 of 1965), as amended, as prescribed by a registered medical practitioner only and subject to the provisions of Section 22(c), (d) and (e) as well as such other conditions imposed in terms of the Medicines and Related Substances Act, 1965 (Act 101 of 1965) and in any amendments thereof.

“Distribution Centre” means a warehouse or other building from where goods are distributed and includes a transport depot.

“Dormitory Establishment” means the business of making tourism accommodation available that is conducted from a purpose built dormitory facility of a residential nature other than for living accommodation purposes, which:

(a) involves making meals and services available to resident guests only;

(b) may include activities reasonable and ordinary related to a dormitory establishment such as sport facilities;

(c) includes a youth hostel and backpacker lodge;

(d) excludes a building for lodging purposes such as an old age home, children's home, hostel, boarding house, residential rooms or a hotel.

“Drive-In-Restaurant” – land used or a building designed or used as a place of refreshment from where food and refreshments are served to clients who are, inter alia, seated in parked vehicles for consumption on or away from the concerned property provided that the establishment and operation of a Drive-in-restaurant for the sale or supply to customers of any foodstuff in the form of meals for consumption on or away from the property shall be subject to a licence in terms of the Business Act, 1991 (Act 71 of 1991).

“Drive-Thru-Restaurant” means land or buildings designed or used as a place of refreshment from where food and refreshments are sold and served to clients in vehicles for consumption away from the concerned property provided that the establishment and operation of a Drive-thru-restaurant for the sale or supply to customers of any foodstuff in the form of meals for consumption away from the property shall be subject to a licence in terms of the Business Act, 1991 (Act 71 of 1991).

“Dry Cleaner” means land and buildings designed and used for the cleaning of clothes and garments utilising a chemical process and processes associated therewith and may include alterations to clothes and garments by an in-house tailoring service.

“Dwelling House” means a single, free-standing dwelling unit (house); and can include a second dwelling unit.

“Dwelling Unit” means a self-contained inter-leading group of rooms with not more than one kitchen used for human habitation and includes such outbuildings as are ordinarily used therewith and permit a Home Occupation/Enterprise, the letting on a permanent or temporary basis by the owner, of a part of the dwelling unit and/or outbuildings to not more than a total of 4 persons.

“Electrical Purposes” means land used or a building designed or used for the purposes of electricity services and more specifically for the purpose of Eskom, provided that any other institution that supplies a similar or complimentary service can be accommodated on the erf or building with the special consent of the Municipality.

“Electricity Power Station” means land and buildings used for the generation of electricity, inter alia wind turbines and solar panels and may include ancillary and subservient uses.

“Electricity Sub-Station” means an area or building designed for the distribution of an electric current.

“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 pay-out as determined by law and the operation involves the payment of consideration either by insertion of a coin, token coin, disc or another manner;

“Engineering Services” means services installed in the process of developing land for the reticulation of water, electricity and sewerage and the building of streets, roads and storm water drainage systems, including all related services and equipment.

“Environmental Impact Assessment (EIA)” means a process of examining the environmental effects of development in terms of the requirements of the National Environment Management Act, (Act 107 of 1998).

“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;

“Erf” means a registered piece of land.

"Erf Area" indicates the surveyed area of such an erf including/considering any red line as stipulated, or a resurveyed area of such an erf, excluding any area of such an erf which can be seen as;

(a) encroachment on a certain portion of the erf used by the public as a street or portion of a street or is recognised by the Council as a street or portion of a street; or

(b) has been demarcated for street purposes by any other act; or

(c) has been expropriated by any other act.

"Existing Building" - a building erected in accordance with an approved building plan as set out in the Act on National Building Regulations and Building Standards, 1977 (Act No. 103 of 1977) and any amendments thereof, and where the building constructions are completed on or before the "fixed date" or was started before that date and was completed after that date within a reasonable time as determined by the Municipality

"Existing Use" - the otherwise legal use of land and / or buildings exercised on or before the fixed date and which is contradictory to the stipulations of the Scheme.

"Extended Family" - comprises a family with related family members.

"Factory" - a factory as defined in the Act on Machinery and Professional Safety (Act 6 of 1983) or any amendment thereof.

"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;

"Farm Stall" means a building used for the sale of agricultural produce grown on the farm.

"Farm Settlement" means the use of land for dwellings for employees associated with the bona fide farming activities of a commercial farm on the same land.

"Feed-Pen farming" means the keeping and breeding of cattle or poultry on an intensive basis and where the animals are fed with little or no opportunity to graze off the natural veld.

"Filling Station" means land and buildings used for:

- (1) The storage of fuels and the retail selling of vehicle fuel and lubricants;
- (2) One working bay for emergency repairs to vehicles but excluding panel beating, spray-painting and major repairs;
- (3) A convenience store including a confectionery and take-away facility including a kitchen, with a maximum gross floor area, accessible to the general public, of 250 m², which floor area shall include the floor area accessible to the public as well as any store room, office, fridge area, safe which is used for the operation of the convenience store;
- (4) An automatic teller machine; and
- (5) The sale of LP Gas.

"Fitness Centre" or "Gymnasium" means a building where people exercise with or without exercise apparatus.

"Fixed Date" means the date on which the Local Authority gives notice in the Provincial Gazette that this land use scheme is in operation.

"Flats" means a building containing three or more dwelling units for human habitation, together with such outbuildings as are ordinarily used therewith; provided that in those zones where flats are permissible, fewer than three dwelling units will also be permissible, whether or not with the special consent of the council, as the case may be, in a building approved for other purposes than for flats.

"Flea Market" means land and buildings or structures or open air areas used for the display and sale of products, food and beverages including farmers' market/fresh produce to the public.

"Flood Lines" means an indicative line indicating the maximum level likely to be reached by floodwaters on average once in every 100 years. [Paraphrased from Section 144 of the National Water Act no. 36 of 1998] including any other flood lines that the Municipality may require.

"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 Area" in relation to any building or structure means the area covered by a roof, slab or projection not exceeding 1 metre over an exterior wall or a similar support; provided that the area which is covered by a canopy or projection on the street side of a business building in the Business Zones will not be regarded as floor space. Floor area will be measured from the outside surface of the exterior walls or similar supports of such building or structure, and where a building or structure consists of more than one storey, the total floor area for the purposes of the definition of 'maximum floor area' will be the sum of the floor area of all the storeys, including that of basements.

"Floor Area Ratio (FAR)" means the ratio (expressed as a proportion of 1) which is prescribed for the calculation of the maximum floor area of a building or buildings permissible on a land unit; it is the maximum floor area as a proportion of the net erf area and calculated as follow:

FAR = Floor area of a build

Total surface of the land unit

"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 1 metre 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 m² 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, veranda 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;

"Functional Open Space" means open space which, in Council's opinion, is suitable for active or passive recreation purposes.

"Funeral Parlour" means a building used or designated for use as a mourning or funeral chapel and includes such other buildings designed for use in connection therewith and which is normally ancillary to or reasonably necessary for the business of a funeral undertaker but shall exclude a crematorium: Provided that the establishment and operation of a funeral parlour shall be subject to the provisions of the Regulations relating to Funeral Undertaker's Premises promulgated in the Government Gazette by virtue of Notice No. R237 on 08 February 1985 in terms of Sections 33 and 39 of the Health Act, 1977 (Act 63 of 1977) as amended

"Game Reserve" means a land unit providing a wide, but not necessarily complete spectrum of game for viewing by the general public with or without uses normally and reasonably ancillary thereto.

"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;

"General Residential" means a high density building for human habitation, together with such outbuildings and support facilities relating to the operation and sustainability of the scheme or building, and includes a boarding house, backpackers facility, residential rooms, guest house, children's home, hostel, group housing, dwelling units, flats, but excludes hotels.

"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;

"Government Purposes" means land and buildings designed or used for Government offices, depots, workshops, stores, communication centres, police stations, post offices and includes incidental uses such as a cafeteria solely for Government Departments but excludes industries and noxious industries.

"Gross Leasable Floor Area" means 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 Parking Space" means an area or areas which incorporates one parking bay plus circulation and landscaping space for one parking bay.

"Ground Storey" means that storey where the floor is deemed to be at ground level and shall be the first storey in the calculation of height.

"Ground Floor" - the storey of which the floor is on the lowest natural ground level.

"Group Housing" means a group of detached and / or attached dwelling units on a stand or stands that form an integrated, harmonious and architectural unit and include concepts like group housing, townhouses, simplexes, duplexes and all such development, but excludes uses included in the definition of "Dwelling House", "Residential Building" or "Flat".

"Guest-House" a residential enterprise which can be conducted from rooms, without a kitchen of its own or a dwelling unit and which forms part of a permanently occupied dwelling unit, used for the accommodation of visitors on a temporary basis, subject to such requirements laid down by the Local Authority, provided that:

- (1) the dominant use of the property shall remain residential and the dominant use shall be calculated solely on the number of bedrooms (excluding lounge, dining, kitchen and living room areas);
- (2) the owner or occupant of the dwelling unit shall reside on the property and shall also conduct the residential enterprise;
- (3) the use shall not interfere with the amenity of the neighbourhood;
- (4) the preparation and serving of food and meals shall be restricted to the inhabitants of the dwelling unit and guest house only.
- (5) provision is made for conference facilities.

"Guideline" means written non-regulatory information that directs or influences land use decisions.

"Habitable Room" means a room designed or used for human habitation according to the minimum standards prescribed in Part C of the National Building Regulations and Building Standards Act, 1977, but shall not include a storeroom, kitchen, scullery, toilet, bathroom or a passage.

"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) as amended

"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 Bylaw also apply;

"Height of Natural Ground Level" means in relation to a land unit, the highest point of the natural level of the ground immediately contiguous to the building as certified by a professional land surveyor.

"Heritage resource" means any place or object of cultural significance as determined in the National Heritage Resource Act.

"Heritage Resource Act" means the national Heritage Resource Act, No 25 of 1999.

"High Potential Agricultural Land" - best available, primarily from the national perspective, but with allowance of provincial perspective; land best suited to, and capable of, consistently producing acceptable yields of a wide range of crops (food, feed, forage, fibre and oilseed), with acceptable expenditure of energy and economic resources and minimal damage to the environment. This also includes land under permanent irrigation.

"Holiday Housing" means a harmoniously designed and built holiday development with an informal clustered layout which can include the provision of a camping site, mobile homes or dwelling units, where the housing can be rented out or can be separately alienated by means of time sharing, sectional title division, the selling of block shares or the subdivision of the property on condition that a home owner's association be established, but does not include a hotel or motel.

“Home Occupation/Enterprise” – a small scale enterprise which is used by the occupant of a dwelling unit for the conducting of a practice or occupation with the aim of deriving income therefrom and which is practiced by a maximum of three (3) persons, of which at least one is a full time resident of the property subject to such requirements imposed by the Municipality and subject to the policy of the Municipality as amended from time to time provided that –

1. the dominant use of the property shall remain residential;
2. the business shall not exceed a floor area of 40m²;
3. the comments from surrounding owners be obtained;
4. the business shall not be noxious; and
5. the business shall not interfere with the amenity of the neighbourhood;
6. sufficient parking is available as stipulated in terms of Clause 15 for the relevant land use;
7. no title condition applicable to the property may be transgressed;
8. only the following land uses be considered for Home Occupation/Enterprise:
 - i. Spaza
 - ii. Shop
 - iii. Vehicle workshop (restricted to light passenger vehicles with a carrying capacity of 12 passengers or less and light delivery vehicles (LDV) with a gross vehicle mass not exceeding 3 500kg)
 - iv. Offices
 - v. Dwelling house office
 - vi. Service enterprise
 - vii. Medical consulting rooms
 - viii. Commercial (restricted to distribution centres and storage).

“Horticulture” means the use of land for the production of flowers, fruit and vegetables.

“Hotel” means a building which is used as a temporary residence for transient guests, which use exceeds the restrictions of a guest house / guest lodge where personal services, lodging and meals are provided and may include activities reasonably and ordinary related to a hotel, including conference facilities, lecture rooms, restaurants, tourist facilities, sport and recreation facilities, banquet hall, spa / hydro and wellness centre, and in respect of which a hotel liquor license has been, or is intended to be, issued under the Liquor Act, 1989 (Act No. 27 of 1989), as amended, but excludes any off-sales facilities.

“Heritage Resource” means any place or object of cultural significance as determined in the National Heritage Resource Act.

“Heritage Resource Act” means the national Heritage Resource Act, No 25 of 1999.

“Holiday Housing” means a harmoniously designed and built holiday development with an informal clustered layout which can include the provision of a camping site, mobile homes or dwelling units, where the housing can be rented out or can be separately alienated by means of time sharing, sectional title division, the selling of block shares or the subdivision of the property on condition that a home owner’s association be established, but does not include a hotel or motel.

“Home Occupation/Enterprise” means the practice of a profession or occupation on any residential erf by persons permanently occupying such even where the dominant use of the dwelling house concerned shall remain the living accommodation of one family and excludes the practice of any panel beating, spray painting, day care centre, armed response, joinery, upholstery, workshop activity, refilling or repair of gas cylinders, social congregation of people and any noxious practises or uses which will interfere with the ambience of the surrounding properties or be of nuisance value by virtue of noise, appearance, smell or activities any other reason whatsoever.

“Horticulture” means the use of land for the production of flowers, fruit and vegetables.

“Hotel” means a building which is used as a temporary residence for transient guests, which use exceeds the restrictions of a guest house / guest lodge where personal services, lodging and meals are provided and may include activities reasonably and ordinary related

to a hotel, including conference facilities, lecture rooms, restaurants, tourist facilities, sport and recreation facilities, banquet hall, spa / hydro and wellness centre, and in respect of which a hotel liquor license has been, or is intended to be, issued under the Liquor Act, 1989 (Act No. 27 of 1989), as amended, but excludes any off-sales facilities.

“Industry” means a land unit, which in the Council’s opinion, is used as a factory whether or not such enterprise is a factory as contemplated in the definitions of “factory” in the General Administrative Regulations made in terms of Section 35 of the Machinery and Occupational Safety Act, 1983 (Act 6 of 1983), as amended, under Government Notice R 2206 of 5 October 1984, and in which:

(a) an article or part of such article is made, manufactured, produced, built, assembled, compiled, printed, ornamented, processed, treated, adapted, repaired, renovated, rebuilt, altered, painted (including spray painting), polished, finished, cleaned, dyed, washed, broken up, disassembled, sorted, chilled, frozen or stored in cold storage; or

(b) livestock (including poultry) are slaughtered; or

(c) electricity is generated for the use in processes referred to in (a) and (b) above and includes an office, caretaker’s quarters or other uses which are subservient and ancillary to the use of the land unit as a factory but does not include a public garage, service of filling station, noxious trade, light industry, warehouse, workshop and other property on or in which the activities

mentioned in (aa) to (ee) are carried out:

(aa) inside and secondary to a shop, solely for the purpose of selling by retail from that shop;

(bb) by a farmer, solely in connection with farming operations on a farm operated by himself

(cc) solely in connection with consultative professional services;

(dd) in respect of facilities used solely for teaching and instruction in primary, secondary or tertiary educational institutions; and

(ee) on a property used temporarily and solely for carrying out building work or an activity connected therewith.

“Informal Business” - the conducting of a business which, with the consent of the Municipality after consultation with the surrounding owners, is conveyed from place to place, whether by vehicle or otherwise, in a street or at any other place accessible to the public, at any open property or in, on or from any vehicle or moveable structure, subject to such requirements laid down by the Municipality.

“Informal Rural Settlement” means settlement situated on private, tribal or state land. Settlement is not planned or surveyed. Ownership is communal and is managed by a Communal Property Association or a Tribal Authority.

“Informal Structure” means a residential shelter of a temporary nature in accordance with the provisions of the Act on National Building Regulations and Building Standards, 1977 (Act 103 of 1977) and any amendments thereof.

“Informal Trading” means the legal selling of products at areas demarcated by Council specifically for these purposes, such as markets and demarcated areas in the business precinct.

“Institution” or “Institutional Use” means a building or portion of a building used or intended to be used as a social or welfare institution or for the administration thereof, and includes a hospital, nursing home, frail care, sanatorium, correctional institution, clinic, reformatory or place of detention, whether private or public, and includes shops, medical offices or any other buildings or use reasonably connected with such use, but does not include;

(a) a hospital, sanatorium, dispensary or clinic for the treatment of contagious diseases;

(b) premises that are registered or licensed under the relevant Health Act for the treatment and accommodation of retarded and mentally handicapped people; and

(d) a jail or prison.

“Internet Café” means land and buildings or part of a building used for hiring of computers and internet access to customers for use on the premises and may include ancillary and subservient uses.

“Jail” or “Prison” means a place for the confinement of people accused or convicted of a crime.

“Keeping of Animals” means the accommodation of animals not for commercial farming purposes.

“Kennels” means land used for the purpose of keeping, breeding, accommodating of any domestic animals.

“Kiosk” - means a building designed and used for the preparation or retail sale of light snacks and refreshments as well as the retail sale of cold drinks, tobacco, reading material and sweets provided that the establishment and operation of a Kiosk for the sale or supply to customers of any foodstuff in the form of light snacks for consumption on or away from the property (excluding a kiosk exclusively used for employees) shall be subject to a licence in terms of the Business Act, 1991 (Act 71 of 1991).

"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.

"Land" has the meaning assigned thereto in the Act with or without improvements.

"Land Development Application" means an application as contemplated in the Spatial Planning and Land Use Management Act, 2013, submitted to the Municipality.

"Landing area" means demarcated areas for the landing of helicopters (pads) or aeroplanes (strips).

"Landscape plan" means a plan indicating detailed landscape proposals, including walkways, paving, planting, and water features, recreation areas, engineering services or any other such land uses.

"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;

"Land Survey Certificate" means a certificate issued by a professional land surveyor.

"Land Unit" means any erf, stand or other portion of land registered or capable of being registered in a deeds registry, and may include a servitude right or lease.

"Land Use Parameters" means the permissible uses in terms of this Scheme.

"Land Use Restriction" means a restriction, in terms of zoning, on the extent of the improvement of land.

"Land Use Right" means the right to utilise or improve land in accordance with the zoning thereof or any approved departure, consent use or condition of approval and where applicable, in accordance with a site development plan.

"Lateral boundary" means a boundary other than the street and rear boundary of a land unit.

"Laundromat" – means a building designed and used for the provision of washing machines and clothes dryers to be utilised by the general public on payment for the washing of clothes and garments and the subsequent drying thereof.

"Licensed Hotel" means a building designed to comply with the requirements of a hotel as laid down in the Hotels Act, 1965 (Act 70 of 1965), as amended, but does include an off-sales facility.

"Light Industry" - a use, which, in the opinion of the *Municipality* is a small-scale industry, with emphasis on non-noxious production activities, maintenance and repair, as well as *retail trade* in connection therewith, that shall not cause the deterioration of the amenity of the neighbourhood or cause disturbance in consequence of noise, appearance, odour or activities or any reason whatsoever and may include *offices* which are related directly to and are complementary to the main use.

"Limited Business" means land or a building used to conduct a trade, but limited to offices, shops or medium density residential uses, but excludes a warehouse.

"Liquor Act" means the national Liquor Act, No. 27 of 1989.

"Liquor Enterprise" means land used or a building designed or used for the purpose of carrying on retail trade in liquor products as defined in terms of the Liquor Act, 1989 (Act No. 27 of 1989) provincial legislation.

"Listed Activities" - development actions that are likely to result in significant environmental impact as identified by the Minister of Environmental Affairs and Tourism in terms of Section 21 of the Environment Conservation Act, 1989 (Act 73 of 1989).

"Listed Building" means all buildings older than 60 years and places protected in terms of the Heritage Resource Act and listed in a register, including the following:

(a) National monuments, including provisionally declared monuments; and

(b) any historical places (e.g. a building or part of a building, market, millstone, grave stone, landmark or site of a human settlement).

"Livestock Yard" – land used or a building designed or used for the keeping of and retail / wholesale in livestock including inter alia horses, mules, goats, pigs, poultry, ostriches and other animals or birds for human consumption or of a domestic nature but excludes activities included in the definition of 'Agriculture' and "Abattoirs".

"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;

"Local Authority" means the proclaimed authority controlling this jurisdictional area as circumscribed on the key map.

“Lodger” means a person who utilises lodging services;

“Lodge” 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 Area” means the greatest total floor space which is allowed for a building or buildings with all its or their floors on a site; such floor area is calculated by multiplying the floor factor with the net erf area of a site or that portion of the site which is situated within the particular zone; provided that where a site is situated within two or more zones to which different floor factors apply, the maximum floor space for each portion of the site; further provided that for the purpose of determining the permissible floor area of a building:

(a) any area including a basement which is reserved solely for the parking of vehicles, will be excluded;

(b) any area required for an external fire escape will be excluded;

(c) subject to (d) below, any balconies, terraces, stairs, stairwells, veranda's, common entrances and common passages covered by a roof will be included except in the case of a residential building on a residential site, where it will be excluded;

(d) any stairs, lift walls or other walls, in the case of multi-storey buildings, will only be calculated once; and

(e) any arcade, with a minimum width of 2 metres and which at all times provides access through the building concerned from public parking of a pavement or public road, street or open space and which at all times is open to the public by means of a servitude, as well as any other covered walkway through which the roof allows light, will be excluded.

“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;

“Medical Consulting Rooms” - a building designed or adapted as professional rooms for medical practitioners including general practitioners, medical specialists, pathologists, radiologists, dentists, ophthalmologists and similar uses such as veterinary surgeons, and may include a dispensing chemist not exceeding 12m² but not uses included in the definition of "Institution".

“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;

“Mining” means land and buildings, that under the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002) and any amendments thereof, are used or designated for mining and/or exploitation of minerals, or for which purpose a permit has been issued under the fore-mentioned Act.

“Mobile Dwelling Unit” means a prefabricated mobile unit of an interconnected set of rooms that does not include more than one kitchen and is designed for use by a single or extended family, and which is moveable such as caravans and park homes.

“Mobile Home” means a transportable factory- constructed structure approved by the SABS intended for human accommodation, approved by the Council and with the necessary service connections used as a permanent dwelling.

“Motel” means a licensed hotel that is specially adapted for the convenience of the motoring public by means of the provision of parking facilities at every unit and includes other facilities of a hotel.

“Motor Grave Yard” means land used or a building designed or used for the purposes of dumping and abandoning disused motor vehicles and parts thereof, other than for purposes of re-sale or further use.

“Motor Trade” means land used, with or without ancillary buildings, for the sale or display of roadworthy vehicles, but does not include any form of workshop.

“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;

“Municipal Area” means the Council's area of jurisdiction as reflected in the map appearing in Provincial Notice 307 of 2000 published in Provincial Gazette of 29 September 2000.

“Municipal Purposes” means such purposes as the Municipality may be authorised to carry out in terms of any law governing municipalities including but not limited to the Local Government Municipal Structures, 1998 (Act 117 of 1998) and the Local Government Municipal Systems Act, 2000, (Act No. 32 of 2000).

“Municipal Services” means infrastructure services such as electricity cables, water pipes, sewage pipes, street furniture, electricity poles, light poles, traffic signs.

“National Building Regulations” means the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977);

“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.

“Natural level of the ground” means:

- (a) the level of the natural surface of a land unit in its unmodified state; or
- (b) the level of the graded surface of a land unit, where such grading was undertaken by a developer as part of a township establishment process, provided that any such grading shall connect evenly with the existing levels of abutting land and otherwise meets with the Council's approval; or
- (c) if in Council's opinion the natural surface of a land unit has been disturbed in circumstances other than those described in paragraph (b) or if it is not possible to determine a natural level of the ground due to irregularities or other disturbances of the land unit or if land is excavated and the excavated material is used to extend the building site (i.e. cut and fill), Council shall fix a level as the natural level of the ground for purposes of administering these regulations.

“Nature Reserve” means a national park (whether publicly or privately owned or controlled) or that has been declared as a nature park or reserve in terms of legislation (e.g. national parks, protected natural environments, forests) and includes:

- (a) an area that is used as a game park or reserve for fauna or flora in their natural habitat;
- (b) buildings that are reasonably connected with the management of a nature reserve, inclusive of facilities for day visitors; and
- (c) may include accommodation and tourist facilities with the consent of Council.

“Neighbourhood Area” means a suburb, taking into consideration inter alia:

- (a) proximity within a certain radius;
- (b) the name attached to a township or extension area;
- (c) area demarcated by a defined collector / distributor road network;
- (d) particular neighbourhood feeling or conduct;

identified as such by Council for the purpose of applying this Scheme.

“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;

“Notice” unless otherwise specifically provided in terms of this Scheme or any other law a written notice and to notify means to give a notice in writing and the provisions of the Interpretation Act 33 of 1957, shall apply.

“Noxious Trade” or **“Noxious Industry”** means an industry or trade which is dangerous or troublesome to the broad public in Council's opinion, or which has a disturbing effect on the environment, whether it is due to smell, smoke, noise, flow-off, dust or solid waste and exclude panel beating and spray-painting but includes the following activities:

- a) the drying or boiling of bones and blood, the sterilizing of animal-hair, the manufacturing of glue or gum, the broiling of fat or melting of fat or talc, or the grinding of any other components of animals;
- b) the scraping, cleaning or cooking of tripe or intestines;
- c) the burning of charcoal, coke breeze or lime;
- d) the salting, braying, tanning or taxidermy of hides and skins;
- e) the manufacturing of malt;

f) the manufacturing of soap and candles;

g) the manufacturing of any type of bricks or castings, where sand, stone or cement forms part thereof;

h) the manufacturing of yeast;

i) the manufacturing of flakes or down; and

j) the keeping of poultry older than three weeks and as determined by the Local Authority, with the provision that the Local Authority can give permission to keep poultry.

"Nursery" means land and buildings used for the storage and cultivation of plants, bulbs and seed for distribution and sale to shops or garden centres and may include the retail sale to the public on the property.

"Object" means, in the context of a heritage resource, any moveable property of cultural significance which may be protected in terms of any provisions of the Heritage Resource Act, including;

(a) any archaeological artefact;

(b) palaeontological and rare geological specimens;

(c) meteorites;

(d) other objects referred to in the Heritage Resource Act.

"Occasional Use " in relation to a departure, means to utilise land for a purpose granted on a temporary basis for a specific occasion or event;

"Occupant" in relation to any building, structure or land, includes any person occupying such building, structure or land or legally entitled to occupy it, or anybody having the charge or management thereof, and includes the agent of such a person who is absent from the area or whose whereabouts are unknown.

"Office" - a building used or designed to be used for administrative, clerical or professional purposes and includes banks, insurance companies and building societies and micro lenders but excludes medical consulting rooms.

"Open Space" means land which is utilised for informal recreation and the conservation of natural resources or storm water catchment areas including public and private open spaces as social and recreational areas and sports facilities, whether in public or private ownership.

"Outbuilding" means a structure, 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

"Panelbeater" or **"Panelbeating"** - the replacement, reparation and/or panel beating of the body and spare parts of vehicles and / or the spray-painting thereof.

“Panhandle” – the access section of a *panhandle erf*, which section:

- a) shall provide access from a street to the *panhandle portion*;
- b) must be at least 3m wide along its entire length;
- c) shall have a slope that not exceeds 1:8;
- d) shall provide access only to the *erf* of which it forms a part as well as the
- e) *property* in favour of which a servitude of right of way has been registered
- f) over the panhandle;
- g) shall for the purpose of this *Scheme* not be considered as a part of the *erf*;
- h) no *building* or structures except screen walls or dense barriers erected
- i) along the boundaries of the panhandle to the extent and of the material,
- j) design, height, position and maintenance as determined by the *Municipality* shall be erected in the panhandle.

“Parking” means land intended to be used for the parking of motor vehicles and motorcycles.

“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;

“Parking Garage” means a building or part thereof earmarked for the parking of vehicles.

“Parsonage” means a dwelling house for the accommodation of a spiritual leader who is a full-time employee of an organisation, which practises religion in a house of worship, and includes the accommodation of the spiritual leader's family and includes a monastery or convent.

“Place of Assembly” means a public hall, hall for social functions, music hall, concert hall, recreational hall, public art gallery, a town or civic centre or exhibition hall which is not directly related to a commercial undertaking, or a town hall or civic centre, but excluding a school hall and a place of entertainment.

“Place of Amusement” means land that is used or buildings that are designed and used for recreation and entertainment with the intention of making a profit.

“Place of Cultural Significance” means a place of aesthetic, architectural, historical, scientific, social, spiritual, linguistic or technological value or significance which qualifies for protection in terms of the provisions of the Heritage Resource Act.

“Place of Entertainment” means a business enterprise for the use of a multi-purpose facility for the purpose of sport, recreation, entertainment and the licensed provision of alcoholic beverages for the purpose of a restaurant or tavern and may include uses such as a theatre, cinema, dance hall, amusement park, sports centre, billiard-room, skating rink, race track, private club, a place of assembly, machine-games and gambling machines or similar uses, but excludes pornographic / adult entertainment.

“Place of Instruction” means a crèche, pre-primary school, primary school, high school, college, technikon, university, research centre, convent, public library, public art gallery, museum or other centre which is used for instruction purposes and includes a hostel appertaining thereto but does not include a building or land unit which is mainly used as a certified reformatory or industrial school or as an institution

“ Place of Refreshment” Land and/or building(s) used for the preparation, sale and consumption of refreshments on the property such as a restaurant, café, coffee shop, tea room, tea garden, drive-in restaurant, drive-thru restaurant, sports bar, pub, bar and may include takeaways and a maximum of two table games, two dartboards, two electronic games, television screens and soft background music for customers which shall not be audible outside the boundaries of the property and includes live music, but excludes a place of amusement. The kitchen layout shall comply with the Municipality's health requirements and provided further that the establishment and operation of a place of refreshment for the sale or supply to customers of any foodstuff in the form of meals for consumption on or away from the property shall be subject to a licence in terms of the North West Business Act, 6 of 199

“Place of Worship” means a church, synagogue, mosque, temple, chapel or any other building intended to be used for practicing of religion and includes any building or residential unit ancillary thereto, or parsonage but does not include a funeral parlour.

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

“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;

“Private Club” means land used or a building designed or used as a private meeting place for an association of persons meeting with common objective. Should liquor be sold or consumed at such premises it must be legalised by means of a liquor license issued, in terms of relevant legislation. It excludes any noxious practices or uses which will interfere with the amenity of the surrounding properties or is of nuisance value by virtue of noise, appearance, smell or activities or for any other reason whatsoever.

“Private Open Space” means Open Space as defined to which the general public has no right of access.

“Private Outdoor Area” means the area adjoining any dwelling house in a group housing development, including a service yard, which is reserved for the exclusive use of the occupants of the dwelling house, but excluding garages and carports, intended to be used for private outdoor living, service functions, recreation, the drying of laundry and storage of rubbish bins and household goods.

“Private Parking” means a site or building or part of a building, which is used for parking purposes under the control of a private individual or agency.

“Private Street” means land set aside for the passage or parking of motor vehicles, which is privately owned, excludes a public street and may include private open space.

“Professional Usage” means such types of uses as are normally and reasonably associated with the concept “professional” e.g. doctors, dentists, architects, engineers and town planners; the rendering of a service, as against carrying on a business, is one of the distinguishing factors.

“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 Areas” means a protected area as defined in Section 1 of the National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003) or similar legislation as amended

“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” - a building used, with a view to profit, for the maintenance, repair or fuelling of vehicles and associated purposes, and may include a vehicle workshop, the display and sale of new and used motor vehicles, the cleaning and washing thereof, the sale of spare parts, accessories, fuel and lubricants and may also include a place of refreshment and convenience store as subservient use but excludes spray-painting, panel beating or a scrapyard, provided that the convenience store and place of refreshment, including store rooms, shall not exceed a total area of 100m² (or such other floor area as approved by the Local Authority with Special Consent, provided that if any other area is stipulated by any approving authority the most prohibitive condition shall prevail.

“Public Housing” means dwelling units, which are erected with funds, made available by State Departments or the Council.

“Public Nuisance” means any act, omission or condition in the Council’s opinion, which is offensive, which is injurious or dangerous to health, which materially interferes with the ordinary comfort, convenience, peace or quiet of the general public or which adversely affects the safety of the public.

“Public Open Space” means any Open Space as defined and vested in the Municipality and land zoned “Public Open Space” to which the general public has right of access.

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

“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;

“Public Road” means any road or street for public use or any land intended for such purposes.

“Public Storage” means land and buildings used for the storage of mainly household furniture, vehicles, documents and equipment in individual lockable store rooms and may include ancillary and subservient offices, a guard house and a caretaker’s flat

“Public Service” means any external or internal engineering service which has surface land requirements, or any other infrastructural land use including a railway line, railway station or bus terminus, which is intended for use by the public and for which no provision is made as a primary or consent use under any other zone, irrespective of whether and how the user public shall pay for the use of the service concerned.

“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 as approved by relevant authorities

“Railway” means a permanent rail track for the transport of passengers and goods in trains and includes stations as boarding and alighting points for passengers and the loading and unloading of goods.

“Railway Purposes” means land used or a building designed or used for the purposes of railway or road transport services and more specifically for the purpose of Transnet, with the reservation that other institutions that supplies a similar or complimentary service can be accommodated on the erf or building with the special consent of the Local Authority.

“Rear boundary” means that boundary of a lot or erf which is furthest away from any street boundary, and which does not meet any street boundary.

“Recreation facility” means a land use which is aimed at providing recreation or entertainment to the public but which does not fall under the definition of “nature area”, “open space”, “resort” or “sports ground”, and includes a squash court or other indoor sports centre, theatre, cinema, amusement park, skating rink or discotheque.

“Recreation” - means any land earmarked for use as private or public sports fields, playground and recreation site including any building, structure or facility appurtenant thereto.

“Recycling” means the use of an area of land, with or without buildings, upon which used materials are separated and processed for shipment and for eventual reuse in new products.

“Register” has the meaning assigned thereto in the Bylaw and means a record of all:

- (a) departures;
- (b) conditions of rezoning that affect the land use right of any land unit, and
- (c) consent uses and non-conforming uses;

applicable to a land unit as prescribed or required under this Scheme

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

“Regulations” means the Regulations of the Spatial Planning and Land Use Management Act 2013.

“Renewal Energy” means infrastructure or land for the energy that is collected from resources which are naturally replenished on a human schedule, such as sunlight, wind, rain, waves and heat.

“Reservoir” means land and buildings designed for the storage of water and pumping equipment and may include toilets, storerooms, lapa with braai facilities and ancillary and subservient municipal uses.

“Resort” – a place of rest, holiday place, tenting or camping ground, caravan park, game park, pleasure resort or picnic spot intended for public recreation with the view to profit or gain and includes a “Place of refreshment” and other buildings normally related and appurtenant to such a resort, as approved by the Municipality, provided that no facility within the resort shall be occupied by any person for a period exceeding three (3) months within a period of twelve (12) months, except with the consent of the Municipality.

“Resort Shop” means a shop, which does not exceed 100 m² in floor space, including storage space.

“Restaurant” - means a building or part of a building used for the preparation and sale of meals and refreshments, as well as confectionery for consumption on the erf or the property and includes entertainment subsidiary to the main use and can include a place of refreshment, as well as a drive-thru restaurant provided that the establishment and operation of a Restaurant for the sale or supply to customers of any foodstuff in the form of meals for consumption on or away from the property shall be subject to a licence in terms of the Business Act, 1991 (Act 71 of 1991) as amended.

“Restriction” means a servitude or condition registered against the title deed of immovable property restricting its utilisation, and any other statutory restriction on the planning, development or utilisation of immovable property.

“Retail” means the use of land for the sale of goods to the general public, other than “wholesale trade”.

“Retirement Village” means group housing or town housing that conforms to the following additional conditions:

- (a) each dwelling unit may only be occupied by an elderly person or by a family of which at least one member is an elderly person;
- (b) a full spectrum of care and other recreational facilities will be provided to the satisfaction of the council; and
- (c) other land use restrictions than those applicable in the Residential Zone, as the case may be, may in respect of a retirement village be determined by the council.

“Rezoning” means the amendments of a zoning scheme in terms of the Act in order to effect a change of zoning in relation to particular land.

“Riding School” means a place or enterprise for hiring out horses for payment and practising horse riding, and includes the care and stabling of such horses.

“Rights” means land use rights obtained in terms of this Scheme.

“Road” or **“Street”** means any part of any street, road, bridge, subway, avenue, lane or right of way shown on a map or a General Plan of a township with respect to which the public obtained the right of admission through extensions of rights or some other ways.

“Road House” indicates any piece of land or building used as a restaurant or café where from food or refreshments are served to clients sitting in vehicles, parked in close proximity to such a restaurant or café.

“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;

“Rural” means land located outside the urban edge, which is not used for bona fide agricultural activities or a service trade and includes a dwelling house.

“Rural Settlement” means the housing of people in a rural area.

“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;

“Schedules” - a supplement(s) to the Scheme containing special procedures and/or some areas or properties to which specific rights or provisions are applicable and such schedules may from time to time be amended by the Municipality. Where any discrepancy exists between the Schedules and the provisions of the Clauses and Tables, the most prohibitive conditions shall prevail.

“Scheme Map” means a map indicating all zonings within the area of jurisdiction of the land use scheme.

Scheme area means the area to which the scheme is applicable as indicated on the map

“Scheme Regulations” has the meaning assigned thereto in the Bylaw.

“Scrapyard” means a building or land, which is used for one or more of the following purposes;

(a) the storing, stacking, depositing or collecting of junk or scrap material or articles of which the value depend entirely or partially on the material out of which they are manufactured whether or not intended for the purpose of disposal or recycling of such waste

(b) the dismantling or demolition of second-hand vehicles that have been written off or machines to recover components or material; and

(c) the storing or sale of second hand pipes, poles, steel sections, wire, lumber, tyres, bricks, containers or other articles which are suitable to be left in the open without any serious damage being incurred.

Second dwelling house (type 1) – a separate building not attached to the main house, but can be attached to an outbuilding with a maximum 2 rooms and a bathroom.

Second dwelling house (type 2) – separate building with a separate kitchen area - from the main house - that can potentially be used to generate rental income, with floor area space not exceeding 100 square meters.

“Semi-Formal Rural Settlement” - settlement situated on private, Tribal or State land. Settlement is planned and surveyed. Ownership is communal and is managed by a Communal Property Association or Tribal Authority.

“Services Agreement” means a written agreement which is concluded between a developer of land and Council and in terms of which the respective responsibilities of the two parties for the planning, design, provision, installation, financing and maintenance of internal and external engineering services and the standard of such services, are determined.

“Service Enterprise” - land and / or buildings used for the supply of personal services and goods incidental thereto for compensation and which is excluded in the definition of "Bakery", "Office", "Institution", "Public Garage", "Noxious Use", "Commercial" and "Medical Consulting Rooms" and include such activities as for example hairdressers, beauty parlours, slimming centres, provided that the provision of personal services as listed in Schedule 1 (Item 2) of the Business Act, 1991 (Act 71 of 1991) shall be subject to a licence in terms of the said Act

“Service Industry” - a use, which, in the opinion of the Municipality is a small-scale industry, with emphasis on maintenance and repair, as well as retail trade in connection therewith, that shall not cause the deterioration of the amenity of the neighbourhood or cause disturbance in consequence of noise, appearance, odour or activities or any reason whatsoever.

“Service Standards” means the minimum standard as prescribed by the guidelines for the Provision of Engineering Services and Amenities in Residential Developments (The Red Book).

“Service Station” means a business or concern where motor vehicles are provided with fuel for payment or reward and includes trading in motor vehicles, oil, tyres or motors spares, the repair of motor vehicles, or a restaurant or café, but excludes spray painting, panel beating or body or blacksmith work ancillary to the prime use.

“Service Trade” means an enterprise:

(a) Primarily involved in the rendering of a service or small-scale retail trade incidental to the needs of the local community (e.g. spaza shops, tuck shops, carwash, shoe maker and the repair of household appliances or the supply of household services) which will not interfere with the amenity of surrounding properties or be of nuisance value by virtue of noise, appearance, smell or activities or for any other reason whatsoever.

(b) Not liable, in the event of fire, to cause excessive combustion, give rise to poisonous fumes or cause explosions.

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

“Servitude” means a registered right that grants the use of a portion of land for specified purposes.

“Setback” means the line delimiting the area measured from the centre line of a street concerned, within which no building or other structure, including a boundary fence may be erected.

“Sewerage Works” means land and buildings designed or used for the treatment and purification of sewage and may include ancillary offices and storerooms and ancillary and subservient uses deemed necessary by the Municipality.

“Shelter” means a unit of accommodation intended for human occupation, constructed of any material whatsoever, even though such material does not comply with the standards of durability intended by the National Building Regulations, as applicable to the area of jurisdiction.

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

“Showgrounds” means land and buildings designed and used for exhibitions and sale of inter alia agricultural, residential and industrial products, tourist destinations and accommodation, livestock, vehicles, lifestyle products and may include places of entertainment and refreshment ancillary to the exhibition.

“Showroom” means land and buildings designed or used only for display of products and materials and excludes the sale or delivery of such products or materials on the same property.

“Side Building Line” in relation to a land unit, means any building line other than a street building line.

“Side Boundary” means any boundary of a land unit, which does not constitute the common boundary with a public street or public road.

“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;

“Slope” means the degree of deviation of a surface from the horizontal, expressed as a ratio and calculated for the purpose of this Scheme, as follows:

$$\text{Slope} = \text{vertical height as a ratio to horizontal distance}$$

“Social Hall” - a building designed for use, or used for cultural activities, social meetings, gatherings and recreational purposes, that is not profit seeking in its primary purpose, and includes a non-residential / private club but excludes a place of amusement.

“Social Housing” A rental group housing development for low-income persons at a level of scale and built form which requires institutionalized management and which is provided by accredited social housing institutions in designated restructuring zones.

“Spa / Hydro and Wellness Centre” means a purpose built building for human relaxation and body regeneration by making use of facilities such as pools, baths, sauna's, where treatment is provided by professional practitioners.

“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;

“Spaza Shop” means a shop of a maximum gross floor area of 40m² on a residential property only selling daily convenience goods and prepared and pre-wrapped food, excluding the sale of alcoholic beverages and excluding the cooking of food and which shall not provide table games or electronic games.

“Special Use” - land or buildings for any use other than the uses specifically defined and mentioned in this Scheme, as may be approved by the Municipality.

“Sport facility” means land planned, designed and used for sport activities, whether indoors or outdoors.

“Sports ground” means land which is utilised for the practising of outdoor sports and includes only improvements ancillary to the practicing of outdoor sport.

“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 Bylaw—

- (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;

“Stormwater” 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;

“Stormwater 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” means land, which is primarily utilised for traffic movement and may include land set aside for parking, pedestrian movement or landscaping purposes for business purposes.

“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;

“Stormwater Management Areas” means any area indicated on an Integrated development plan or on a municipal storm water management plan as a storm water management area and includes road servitudes, overland storm water escape routes, surface storm water runoff servitudes for channel, ditches, river / streams, storm water detention, retention storage facilities, infiltration beds and reed beds.

“Subdivide” or **“Subdivision”** in relation to land, means to subdivide the land, whether by means of:

- (a) survey;
- (b) the allocation, with a view to the separate registration of properties, of undivided portions thereof in any manner, including the marketing and conclusion of contracts for the alienation, sale or exchange of portions of the land unit;

(c) the preparation thereof for subdivision.

“Subdivisional area” means an area of land contemplated by

(a) a density requirement;

(b) the conditions and stipulations contained in these regulations;

(c) the planning stipulations of any applicable structure plan; and

(d) any other conditions laid down by Council at the times of the approval of the rezoning,

has been rezoned as a sub-divisional area.

“Substation” means a structure erected with the primary function of distributing electricity, water and sewerage.

“Supermarket” means a retail concern with a net retail floor space of not less than 350 m², which is used for sales on a basis of self-service and in which the goods for sale fall in one or more of the following categories:

(i) Foodstuffs

(ii) Toiletries; and

(iii) Household cleansing agents.

“Tavern” means land or a building designed for or a portion of a building used for the purposes of selling and serving liquor, other beverages and subservient prepared food / snacks, to be consumed on the premises but excluding a place of amusement, provided that the establishment and operation of a tavern shall be subject to a licence in terms of the Liquor Act, 1989 (Act 27 of 1989) as well as a licence in terms of the Business Act, 1991 (Act 71 of 1991) in respect of the sale or supply to consumers of any foodstuff in the form of meals for consumption on the property.

“Taxi Holding Area” - means an area, usually off-street, where mini buses (taxis) hold before proceeding to loading points and where generally there is no passenger activity. A holding area can either be included within or separate from a taxi rank.

“Taxi Rank” means a place at which mini busses (taxis) and busses are allowed to wait and / or stop for passengers boarding or alighting

“Teagarden” - means land and a building designed and used for the preparation or retail sale of meals and refreshments, but does not include a “Restaurant” or “Place of Refreshment”. The area used for a teagarden may be restricted by the Municipality and is further subject to the policy of the Municipality as amended from time to time, provided that the establishment and operation of a teagarden for the sale or supply of any foodstuff in the form of meals for consumption on or away from the property shall be subject to a licence in terms of the Business Act, 1991 (Act 71 of 1991).

“Telecommunication Centre” means land and buildings used for telecommunication and includes cell phone masts and base station, satellite dishes, antennas and electronic equipment.

“Telecommunication Mast” means a structure in the form of a mast and a base station, which is designed for communication over a distance by means of telephone, radio, television and internet wave technology or other technology as may be permitted in terms of the relevant legislation. Telecommunication masts are regarded as infrastructure and not as a land use.

“Telecommunication Services” means telecommunication cables and poles, electronic equipment, excluding telecommunication masts.

“Temporary Building” - means a building designated as such by the owner after consulting with the Municipality and which is used, or will be used, for a specified period for a specified purpose, but does not include a building shed.

“Temporary Consent” - means the temporary consent provided by the Municipality that envisaged for the temporary use of a property for:

- a) the erection and use of temporary buildings, or the use of existing buildings for site offices, storage rooms, workshops or such other uses as may be necessary during the erection of any permanent building or structure on the land; Provided that such consent shall ipso facto lapse upon completion of the permanent structure or on the expiry date thereof as determined by the Municipality;

- b) the occasional use of land or buildings for public religious exercises, place of instruction, institution, place of amusement or social hall;
- c) the use of land or buildings thereon for State or Municipal purposes;
- d) the use of land or the erection of buildings necessary for the purpose of informal retail trade.

“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;

“Tourist accommodation” means the enterprise for the purposes of providing overnight stay to transient guests, excluding lodgers, in a building or facility for human habitation purposes.

“Tourist Facility” means land or a building used for tourists or day visitors such as a tea garden, farm stall, touch farm, game viewing facilities, gift shop, place of entertainment, outdoor activity, restaurant, wellness centre or a rest room on a scale and combination of uses as determined by Council for the tourist or day visitor industry, fitting with the character of the surrounding area, but does not include overnight accommodation.

“Total Floor Space” of a building means the sum of the floor space of all the levels of a particular building, including basements;

“Townhouses” means a group of separate and / or linked dwelling units:

- (a) which are planned, designed and built as a harmonious architectural entity with a number of unit types;
- (b) which are arranged in a varied and orderly fashion within or around a communal open space and with public and / or private access road;
- (c) with a medium-density character;
- (d) with structures which may vary between single- and double storeys and cadastrally subdivided or not;
- (e) of which every single residential unit has a ground floor;

and a town house will have a similar meaning.

“Transmission Tower” means a structure or facility external to a building, incorporating a high mast, antennae or dish for the transmission and / or receiving of radio, television, radar, cellular or micro waves, but includes a base station and equipment room.

“Transport Depot” means *land and/or building(s)* where vehicles *used* for cartage, transport services as busses and trucks, security and emergency response vehicles, tow trucks, courierservices in post, parcels and money or taxi services are parked, serviced, repaired and re-fuelled but excludes a *transport terminus*.

“Transport Terminus” means land and buildings designed and used as a terminus or gathering place for various forms of transport arriving and departing from different directions or routes and may include wash bays for the vehicles, ablution facilities and a place of refreshment.

“Transport Uses” - means the use of land and / or buildings for the operation of a business consisting of the transportation of goods and/or passengers by rail, air, road and pipelines and includes uses such as stations, transportation amenities and facilities, parking, administrative offices and ancillary uses such as warehouses, container parks, workshops as well as residential uses and amenities for personnel, and may further include any uses such as shops or offices which are of service and convenience to passengers, as approved by the Municipality.

“Tribal Authority” means a traditional leadership as contemplated in terms of Sections 211 and 212 of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996).

“Urban Conservation” means the development or maintenance of the built environment in a prescribed manner, aimed at maximisation of its historic environmental, aesthetic or social attributes and the enhancement of the value of the area, both for present and future users.

“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;

“Use Right” in relation to land, means the right to utilise that land in accordance with its zoning, including any lawful departure or consent use or non-conforming use.

“Use Zone” means that part of this Scheme which has been shown on the zoning map by means of a specific notation or bordering or any other distinguishing manner, in order to identify the permitted use of the land.

“Vehicles Sales Lot” - means land used or a building designed or used for the display and sale of motor vehicles, which are roadworthy and of good outward appearance but does not include any form of a vehicle workshop.

“Vehicle Workshop” – land used or a building designed or used for the repair of trucks, motor vehicles, motorcycles and other engine driven vehicles.

“Veterinary Clinic” means a place where animals are given medical care and the boarding of animals is limited to short-term care incidental to the hospital use, and may include a grooming parlour and a retail outlet restricted to the sale of veterinary and animal maintenance products.

“Warehouse” means a building used for storing goods, which are not dangerous, noxious or unsightly, before distribution to retailers, but does not include a store for goods normally incidental to a shop, business premises or another building. It includes wholesale trade and may also include ancillary office accommodation, which is subsidiary to the main use, but excludes any retail trade on the property of such building, unless the special consent of the Local Authority has been given.

“Wetland Area” – means land which is transitional between terrestrial and aquatic systems where the water table is usually at or near the surface, or the land is periodically covered with shallow water, and which land in normal circumstances supports or would support vegetation typically adapted to life in saturated soil.

“Wholesale Trade” - the sale of goods or produce in large quantities to other retailers and excludes sales to the general public.

“Workshop” means a building or portion of a building in which any one or more of the activities referred to in Sections (a) to (c) of the definition of “Industry” are conducted, but does not include a service station, noxious trade or any comprehensive repair work that may be regarded as a public nuisance by Council.

“Written Consent” - means consent granted by the Municipality.

“Zone”, means land which has been designated for a particular zoning, irrespective of whether it consists of one or more properties or a portion of a land unit.

“Zoning” includes base zoning and overlay zoning;

Zoning Map means the municipal zoning map of Council, indicating the approved zonings of land, as amended when the need arises from time to time.

PART 3: LAND USE ZONES AND DEVELOPMENT RULES

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) Residential 3
- (d) Commonage
- (e) Business 1
- (f) Business 2
- (g) Business 3
- (h) Authority Use.
- (i) Institutional
- (j) Industrial 1
- (k) Industrial 2
- (l) Agriculture
- (m) Private Open Space
- (n) Public Open Space
- (o) Transport
- (p) Special
- (q) Cemetery
- (r) Resort.
- (s) Conservation

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Code: R1	RESIDENTIAL 1				R= 255; G=235; B=0
Objectives of this Zone:					
- To provide adequate land for residential purposes at a low density. - To create integrated, safe and sustainable residential environments for all communities. - To protect the residential use and amenity by limiting the compatible uses allowed to those that can be accommodated within the residential fabric with minimal impact or disruption.					
RULES REGARDING THE USE OF LAND AND BUILDINGS					
What land may be used for:				Land uses that are prohibited:	
Primary Uses:	Written Consent Uses:		Special Consent Uses:		Any use not mentioned under Primary, Written or Special Consent uses.
Dwelling house,	Second Dwelling House Type 1, Day Care Centre, Home Occupation/Enterprise , Service Trade (limited scale) and Spaza Shop.		Boarding House, Commune, Community Facility, Guest House/Lodge, Institutional Use, Place of Assembly, Place of Instruction, Place of Worship, Second Dwelling House Type 2, Special Usage, Tavern & Transmission Tower, Telecommunication mast, Medical Consulting Room and Veterinary Clinic		
RULES REGARDING THE EXTENT OF DEVELOPMENT					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
One dwelling unit per erf with second dwelling house type 1 subject to written consent, type two special consent and a minimum erf size according to density zones.	60%	1.2	2 storeys	As may be approved by the municipality from time to time.	
RULES REGARDING BUILDING LINES				RULES REGARDING PARKING AND LOADING	
Stand size	Street (m)	Rear (m)	Side (m)	Single dwelling house per property: 1 Space on-site per unit.	
≤ 350m2	2meters	2 meters	1 meter – with no relaxation 0m if it is a drive through garage	Multiple dwelling units per property: 1 covered and 1 uncovered spaces per unit.	
>350m2 +	3	2	1.5	For non-residential uses, refer to Section 3.2	

OTHER REGULATIONS				
1. Properties that are 200m² may have coverage of between 70-75%. 2. This speaks to other laws that would be looked at to support or regulate the land uses. 3. Service trade (Conditions of approval elaborate it further) add it on the schedule limit to Res 1				
Code: R2	RESIDENTIAL 2			R= 255; G=170; B=0
Objectives of this Zone: To provide adequate land for residential purposes at a medium density. To create integrated, safe and sustainable residential environments for all communities. To protect the residential use and amenity by limiting the compatible uses allowed to those that can be accommodated within the residential fabric with minimal impact or disruption.				
RULES REGARDING THE USE OF LAND AND BUILDINGS				
What land may be used for:			Land uses that are prohibited:	
Primary Uses:	Written Consent Uses:	Special Consent Uses:	Any use not mentioned under Primary, Written or Special Consent uses.	
Dwelling Units, Group housing, Boarding House, Commune, Community Facility, Dormitory Establishment, Residential building, Retirement Village, Guest House/Lodge, Social Housing, Flats and Townhouse,	Service Trade and Spaza Shops	,Institutional Use, Place of Assembly, Place of Instruction, Place of Worship, Special Usage & Tavern, Bed and Breakfast, Medical Consulting Room		
RULES REGARDING THE EXTENT OF DEVELOPMENT				
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:
Maximum of 40 dwelling units per hectare.	70%	1.4	3 storeys	As may be approved by the municipality from time to time.
RULES REGARDING BUILDING LINES			RULES REGARDING PARKING AND LOADING	
Street boundary:	5 metres and 2 metres along internal streets.		Multiple dwelling units per property: 1 covered and 1 uncovered spaces per unit. For non-residential uses, refer to Section 3.2.	
Rear boundary:	2 metres and 1 metre along internal boundary			
Side boundary:	2 metres and 1 metre along internal boundary)			
OTHER REGULATION				
1. A site development plan shall be submitted in accordance with clause 5.3 2. The Local Authority may relax the provisions of Building Lines in the scrutinization of the site development plan to				

the extent that it deems fit if its opinion such consent shall not harm the amenity of the neighbourhood and is deemed to result in a more desirable development of the property.

3. If flats have been erected on stands in this use zone on or before the fixed date, such flats are deemed to be a primary right.
- 4.

Code: R2	RESIDENTIAL 3				R= 255; G=204; B=0
Objectives of this Zone:					
- To provide adequate land for residential purposes at a high density. - To create integrated, safe and sustainable residential environments for all communities. - To protect the residential use and amenity by limiting the compatible uses allowed to those that can be accommodated within the residential fabric with minimal impact or disruption.					
RULES REGARDING THE USE OF LAND AND BUILDINGS					
What land may be used for:				Land uses that are prohibited:	
Primary Uses:	Written Consent Uses:		Special Consent Uses:		Any use not mentioned under Primary, Written or Special Consent uses.
Dwelling Units, Group housing, Boarding House, Commune, Community Facility, Dormitory Establishment, Residential building, Retirement Village, Guest House/Lodge, Flats, Hotel and Townhouse	Service Trade and Spaza Shops		,Institutional Use, Place of Assembly, Place of Instruction, Place of Worship, Special Usage & Tavern, Bed and Breakfast, Medical Consulting Room		
RULES REGARDING THE EXTENT OF DEVELOPMENT					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
Greater than 40 dwelling units per hectare.	70%	1.4	3 storeys	As may be approved by the municipality from time to time.	
RULES REGARDING BUILDING LINES				RULES REGARDING PARKING AND LOADING	
Street boundary:		5 metres and 2 metres along internal streets.		Multiple dwelling units per property: 1 covered and 1 uncovered spaces per unit. For non-residential uses, refer to Section 3.2.	
Rear boundary:		2 metres and 1 metre along internal boundary			
Side boundary:		2 metres and 1 metre along internal boundary)			
OTHER REGULATION					
5. A site development plan shall be submitted in accordance with clause 5.3					

6. The Local Authority may relax the provisions of Building Lines in the scrutinization of the site development plan to the extent that it deems fit if its opinion such consent shall not harm the amenity of the neighbourhood and is deemed to result in a more desirable development of the property.
7. If flats have been erected on stands in this use zone on or before the fixed date, such flats are deemed to be a primary right.
- 8.

Code: R4	RESIDENTIAL 4				R= 255; G=255; B=0
Objectives of this Zone: - To provide adequate land for residential purposes in rural areas. - To create integrated, safe and sustainable residential environments for all rural communities. - To protect the residential use and amenity by limiting the compatible uses allowed to those that can be accommodated within the residential fabric with minimal impact or disruption.					
RULES REGARDING THE USE OF LAND AND BUILDINGS					
What land may be used for:				Land uses that are prohibited:	
Primary Uses:	Written Consent Uses:		Special Consent Uses:	Any use not mentioned under Primary, Written or Special Consent uses.	
Boarding House, Dwelling House, Sub-letting, Home Occupation/Enterprise, Cultural Heritage Site; Subsistence Farming and Bed and Breakfast,	Community Facility, Service Trade, Shelter & Spaza Shops.		Agriculture, Agricultural Industry, Clinic, Conference Facility, Day Care Facility, Electrical Purposes, Filling Station, Funeral Parlour, Guest House, Home Child Care, Institution, Place of Instruction, Place of Worship, Place of Assembly, Scrapyard, Shop, Special Use, Transmission Tower, Transport Usage & Utility Services.		
RULES REGARDING THE EXTENT OF DEVELOPMENT					
Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
As approved by the municipality	60%	As approved by the municipality	2 storeys	As may be approved by the municipality from time to time.	
RULES REGARDING BUILDING LINES			RULES REGARDING PARKING AND LOADING		
Street boundary:	5 metres		Multiple dwelling units per property: 1 covered and 1 uncovered spaces per 2 units.		
Rear boundary:	2 metres				
Side boundary:	2 metres		For non-residential uses, refer to Section 3.2		
OTHER REGULATION					

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Code: CM	COMMONAGE				R= 225; G=225; B=225
Objectives of this Zone: - To create integrated, safe and sustainable environments for all communities. - To protect grazing and farming land for rural communities.					
RULES REGARDING THE USE OF LAND AND BUILDINGS					
What land may be used for:				Land uses that are prohibited:	
Primary Uses:	Written Consent Uses:	Special Consent Uses:		Any use not mentioned under Primary, Uses.	
Agriculture, Subsistence Farming, Grazing, Private Road and Open Space.	Single dwelling/ any other use supported by the municipality	Not Applicable			
RULES REGARDING THE EXTENT OF DEVELOPMENT					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
Not Applicable	Not Applicable	Not Applicable	Not Applicable	As may be approved by the municipality from time to time.	
RULES REGARDING BUILDING LINES				RULES REGARDING PARKING AND LOADING	
Street boundary:	Not Applicable		Not Applicable		
Rear boundary:	Not Applicable				
Side boundary:	Not Applicable				
OTHER REGULATION					

Code: B1	BUSINESS 1				R= 255; G=48; B=0
Objectives of this Zone:					
- To provide for intensive business and mixed-use development with relatively few restrictions in order to promote urban vitality and economic growth. - The objective of this zone is to provide for the retail sale of goods and services to the public.					
RULES REGARDING THE USE OF LAND AND BUILDINGS					
What land may be used for:				Land uses that are prohibited:	
Primary Uses:	Written Consent Uses:		Special Consent Uses:	Any use not mentioned under Primary, Written or Special Consent uses.	
Commercial Use, Dwelling Units Laundromat, Beauty /Health Spa, Bank, Taxi Holding Area, Transport Terminus, shop, office, restaurant, medical use, funeral parlour, informal trade, nursery, place of worship, place of assembly, place of education, general residential, parking, hotel, filling station, guest house, carwash, drive-thru restaurant, place of refreshment, place of entertainment or conference facility,Taxi Rank, Salon and Vehicle Sales Mart	Institutional Use, Place of Instruction & Service Station,		Adult Entertainment Business, Builders' Yard, , Public Garage, Service Station, Special Usage, Transmission Tower, Telecommunication Mast and Warehouse.		
RULES REGARDING THE EXTENT OF DEVELOPMENT					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Private Open Space	
More than 40 dwelling units per hectare.	100%	2	6 storeys	25% of land unit - Functional open space and landscaped for residential component only	
RULES REGARDING BUILDING LINES			RULES REGARDING PARKING AND LOADING		
Street boundary:	1.5 m		Refer to Section 3.2		
Rear boundary:	1 metre (2 metres – abutting				

	residential use)	
Side boundary:	1 metre (2 metres – abutting residential use)	
OTHER REGULATION		
1. A communication facility must be with written consent of the Local Authority. 2. 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. 3. Business Act, 1991, (Act No. 71 of 1991) requires business licenses for the following types of business: a. Food provision b. 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. 4. The National Gambling Act, 2004, (Act No. 7 of 2004) may also require a gambling license depending on the nature of gambling activities.		

Code: B2	BUSINESS 2			R= 230; G=0; B=0
Objectives of this Zone: 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.				
RULES REGARDING THE USE OF LAND AND BUILDINGS				
What land may be used for:			Land uses that are prohibited:	
Primary Uses:	Written Consent Uses:	Special Consent Uses:	Any use not mentioned under Primary, Written or Special Consent uses.	
Limited Business, Day-Care Facility, Dry Cleaner, Gymnasium, Informal Trade, Residential Building, Conference Facility and Guest House, Filling Station, Place of Refreshment	Dwelling House, Place of Instruction, Service Station.	Hotel, Restaurant, Liquor Enterprise, Adult Entertainment, Place Of Entertainment,, Special Usage, Tavern And Transmission Tower, Telecommunication Mast and Funeral Parlour.		
RULES REGARDING THE EXTENT OF DEVELOPMENT				
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:
Not more than 40 dwelling units per hectare.	70%	2	3 storeys	Communal Open Space - 55m ² per unit (landscaped).
RULES REGARDING BUILDING LINES			RULES REGARDING PARKING AND LOADING	
Street boundary:	1.5m		Refer to Section 3.2	
Rear boundary:	1 metre (2 metres – abutting residential use)			

Side boundary:	1 metre (2 metres – abutting residential use)	
OTHER REGULATION		
1. A communication facility must be with written consent of the Local Authority. 2. 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. 3. Business Act, 1991, (Act No. 71 of 1991) requires business licenses for the following types of business: a. Food provision b. 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. 4. The National Gambling Act, 2004, (Act No. 7 of 2004) may also require a gambling license depending on the nature of gambling activities.		

Code: AU	AUTHORITY USE			R=205; G=170; B=102
Objectives of this Zone: The Authority Use 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.				
RULES REGARDING THE USE OF LAND AND BUILDINGS				
What land may be used for:			Land uses that are prohibited:	
Primary Uses:	Written Consent Uses:	Special Consent Uses:	Any use not mentioned under Primary, Written or Special Consent uses.	
Utility Services and Authority Use, Landfill Site, Offices, Cemetery Parking	Transfer Station	,Wind Turbine Infrastructure, Helicopter Landing Pad and Special Usage; renewal energy, transmission Tower/ Telecommunication mast		
RULES REGARDING THE EXTENT OF DEVELOPMENT				
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
RULES REGARDING BUILDING LINES			RULES REGARDING PARKING AND LOADING	
Street boundary:	2 metres		Refer to Section 3.2	
Rear boundary:	2 metres			
Side boundary:	2 metres			
OTHER REGULATION				

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Code: I	INSTITUTIONAL			R=0; G=160; B=239
Objectives of this Zone:				
- 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. - To ensure that such facilities are designed to address the special needs of the physically challenged, elderly, women, children others				
RULES REGARDING THE USE OF LAND AND BUILDINGS				
What land may be used for:			Land uses that are prohibited:	
Primary Uses:	Written Consent Uses:	Special Consent Uses:	Any use not mentioned under Primary, Written or Special Consent uses.	
Community Facility, Crèche, Daycare Facility, Office, Establishment, , Place of Assembly, Place of Instruction, Place of Worship and Sport and Recreation, institution, Retirement village		Special Usage and Transmission Tower, telecommunication Mast		
RULES REGARDING THE EXTENT OF DEVELOPMENT				
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:
As approved by the municipality	60%	As approved by the municipality	4 Storeys	As approved by the municipality
RULES REGARDING BUILDING LINES			RULES REGARDING PARKING AND LOADING	
Street boundary:	5 metres		Refer to Section 3.2	
Rear boundary:	2 metres			
Side boundary:	2 metres			
OTHER REGULATION				

Code: I1	INDUSTRIAL 1			R=223; G=115; B=255
Objectives of this Zone:				
- To provide appropriate locations for light and service industries that has limited impact. - To provide appropriate locations for a range of industrial, warehousing and related activities in specific areas. - To ensure that the location of industrial development is such that it minimises their impacts on surrounding areas. - To provide a proper balance for employment and sectoral growth and sustainable development - To ensure that there is sufficient on-site space to accommodate the proposed uses, traffic and any potential impact resulting from these developments. - To provide an interface between industrial areas and adjacent residential or other land uses. - To ensure that the location and development of these sites do not negatively impact on the natural environment or watercourses located near them.				
RULES REGARDING THE USE OF LAND AND BUILDINGS				
What land may be used for:			Land uses that are prohibited:	
Primary Uses:	Written Consent Uses:	Special Consent Uses:	Any use not mentioned under Primary, Written or Special Consent uses.	
Auctioneering, Authority Use, Builders' Yard, Commercial Use, Dry cleaner, Electrical Purposes, Filling Station, Funeral Parlour, Industrial Use, Light Industry, Municipal Purposes, Nursery, Offices, Parking, Place of Entertainment, Public Garage, Railway Purposes, Scrapyard, Service Station, Storage, Shop, Restaurant, Transport Usage and Veterinary Clinic, Vehicle sales Lot, Warehouse and Wholesale	Panelbeating	helicopter landing pad, Special Usage and Transmission Tower, Telecommunication Mast		
RULES REGARDING THE EXTENT OF DEVELOPMENT				
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:
N/A	75%	1.5	3 Storeys	As approved by the municipality
RULES REGARDING BUILDING LINES			RULES REGARDING PARKING AND LOADING	
Street boundary:	5 metres		Refer to Section 3.2	
Rear boundary:	2 metres			
Side boundary:	2 metres			
OTHER REGULATION				
- Compliance with National and Provincial environmental legislation, - 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. - A communication facility must be with written consent of the Local Authority.				

4. Have a standard written consent procedure (application form/ circulation neighbour forms)

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Code: I2	INDUSTRIAL 2			R=223; G=115; B=255
Objectives of this Zone: - To provide appropriate locations for noxious industries. - To provide opportunities for local economic development and employment opportunities. - To ensure that the location and development of these sites do not negatively impact on the natural environment or watercourses located near them.				
RULES REGARDING THE USE OF LAND AND BUILDINGS				
What land may be used for:			Land uses that are prohibited:	
Primary Uses:	Written Consent Uses:	Special Consent Uses:		
Abattoir, Agricultural Industry, Authority Use, Builders’ Yard, Commercial Use, Crematorium, Electrical Purposes, Filling Station, Funeral Parlour, Industry , Light Industry, Municipal Purposes, Noxious Use, Offices, Panelbeating, Parking, Public Garage, Railway Purposes, Scrapyard, Service Station, Transport Usage, Veterinary Clinic, Institutional Use & Shop and Vehicle sales Lot	Informal business	Transmission Tower, Telecommunication Mast and helicopter landing pad	Any use not mentioned under Primary Uses	
RULES REGARDING THE EXTENT OF DEVELOPMENT				
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:
N/A	75%	1.5	-	As approved by the municipality
RULES REGARDING BUILDING LINES			RULES REGARDING PARKING AND LOADING	
Street boundary:	5 metres		Refer to Section 3.2	
Rear boundary:	2 metres			
Side boundary:	2 metres			
OTHER REGULATION				
1. Compliance with National and Provincial environmental legislation. 2. A communication facility must be with the written consent of the local municipality. 3. A water use licence/authorisation may be required in terms of the National Water Act, 1998, (Act No. 36 of 1998).				

Code: A	AGRICULTURE	R=233; G=255; B=227
Objectives of this Zone:		

- To utilize agricultural land on a sustainable basis.
- To ensure that land deemed to have high agricultural potential is optimally used.
- To provide mechanisms for the identification and protection of productive agricultural land.
- To ensure that agricultural practices are consistent with environmental considerations and pollution controls.

RULES REGARDING THE USE OF LAND AND BUILDINGS

What land may be used for:			Land uses that are prohibited:
Primary Uses:	Written Consent Uses:	Special Consent Uses:	Any use not mentioned under Primary, Written or Special Consent uses.
Agriculture, Agricultural building, dwelling unit; Intensive Feed Farming.	Authority Use, Guest House/Lodge Agricultural Industry; Farm Stall, Home Occupation/Enterprise/Occupation, Place of Assembly, Place Of Instruction & Place of Worship.	Airfield; beauty/ health spa; Transmission towers/ Telecommunication Mast and ; cemetery, commune; equestrian school; guest house/ lodge; self storage; riding stables; social hall; , , abattoir; Conference facility; , Crèche, , Nursery,, Tourist facility , renewable energy	

RULES REGARDING THE EXTENT OF DEVELOPMENT

Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:
1 Dwelling unit per erf and 1 Additional Dwelling Unit at a density of 1 unit per 10 hectares to a maximum of 5 Additional Dwelling Units.	20%	As approved by the Municipality	3 storeys	As approved by the Municipality

RULES REGARDING BUILDING LINES

RULES REGARDING PARKING AND LOADING

Street boundary:	10 metres	Refer to Section 3.2
Rear boundary:	10 metres	
Side boundary:	10 metres	

OTHER REGULATION

1. 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.
2. A mining right, mining permit, exploration right or production right may be required in terms of the Mineral and Petroleum Resources Development Act, 2002, (Act No. 28 of 2002).
3. There must be compliance with National and Provincial environmental legislation.
4. A water use licence/authorisation may be required in terms of the National Water Act, 1998, (Act No. 36 of 1998).

Code: PROS	PRIVATE OPEN SPACE				R=209; G=255; B=115
Objectives of this Zone: To provide adequate numbers of appropriately situated sites of a private nature that are easily accessible for recreational purposes and activities for certain communities					
RULES REGARDING THE USE OF LAND AND BUILDINGS					
What land may be used for:				Land uses that are prohibited:	
Primary Uses:	Written Special Uses:		Special Consent Uses:	Any use not mentioned under Primary, Written or Special Consent uses.	
Private Open Spaces, Private Caravan Parks & , Sport and Recreation; Recreation; Equestrian facilities	Places of Refreshment.		Hotel, Transmission Tower, Telecommunication Mast and Special Usage; renewable energy		
RULES REGARDING THE EXTENT OF DEVELOPMENT					
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	
RULES REGARDING BUILDING LINES				RULES REGARDING PARKING AND LOADING	
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.				
OTHER REGULATION					

Code: POS	PUBLIC OPEN SPACE				R= 112; G= 168; B=0
Objectives of this Zone:					
- To provide adequate numbers of appropriately situated sites that are easily accessible for recreational purposes and activities for local and wider communities. - To ensure that such parks address the special needs of the physically challenged, elderly, women, and children. - To ensure that such facilities are located and maintained to attract visitors and tourists. - 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.					
RULES REGARDING THE USE OF LAND AND BUILDINGS					
What land may be used for:				Land uses that are prohibited:	
Primary Uses:	Written Consent Uses:		Special Consent Uses:	Any use not mentioned under Primary, Written or Special Consent uses.	
Public Open Space	Camping, Sport and Recreation.	Dormitory Establishment, Special Usage Transmission Tower and Telecommunication Mast, caravan;			
RULES REGARDING THE EXTENT OF DEVELOPMENT					
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	
RULES REGARDING BUILDING LINES			RULES REGARDING PARKING AND LOADING		
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.				
OTHER REGULATION					
- A communication facility must be with written consent of the Local Authority. - 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 - 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.					

Code: SP	SPECIAL				R=255; G=51; B=176
Objectives of this Zone:					
To accommodate land uses with special characteristics not catered for under any other use zone.					
RULES REGARDING THE USE OF LAND AND BUILDINGS					
What land may be used for:				Land uses that are prohibited:	
Primary Uses:	Written Consent Uses:		Special Consent Uses:		Any use not mentioned under Primary, Written or Special Consent uses.
As approved by the Municipality.	As approved by the Municipality.		As approved by the Municipality.		
RULES REGARDING THE EXTENT OF DEVELOPMENT					
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
RULES REGARDING BUILDING LINES				RULES REGARDING PARKING AND LOADING	
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.			
OTHER REGULATION					

Code: C	CONSERVATION			R=56, G=168, B=0
Objectives of this Zone: - To provide adequate measures for the protection of areas deemed for conservation purposes. - To ensure that such facilities are located and maintained to attract visitors and tourists. - 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.				
RULES REGARDING THE USE OF LAND AND BUILDINGS				
What land may be used for:			Land uses that are prohibited:	
Primary Uses:	Written Consent Uses:	Special Consent Uses:	Any use not mentioned under Primary, Written or Special Consent Uses.	
All declared national, provincial and private Nature Reserves, all other protected areas (including Biospheres), Conservancy, Conservation Purposes, Cultural Heritage Sites and Protected Areas.	As approved by the Municipality.	Agriculture, Airport, Conference Facilities, Filling Station, Guest House, , Hotel, Lodge, Place of Assembly, Place of Entertainment, Resorts, Shop & Special Usage; Telecommunication Mast, renewable energy		
RULES REGARDING TENT OF DEVELOPMENT				
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
RULES REGARDING BUILDING LINES			RULES REGARDING PARKING AND LOADING	
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.			
OTHER REGULATION				
1. There must be compliance with National and Provincial environmental legislation in the development of nature reserves, land for conservation purposes, cultural heritage sites, protected areas and listed activities.				

Code: T	TRANSPORT				R=0; G=0; B=0,
Objectives of this Zone:					
- To accommodate road, air and rail transport service functions. - To provide for rail stations. - To accommodate road service functions. - To provide for land usage for railway and transport purposes. - To provide adequate parking related land uses in the municipal area.					
RULES REGARDING THE USE OF LAND AND BUILDINGS					
What land may be used for:				What land may be NOT be used for:	
Primary Uses:	Written Consent Uses:		Special Consent Uses:		Any use not mentioned under Primary Uses.
Railway Purposes, Transport Usage, Transport Terminus, Taxi Ranks, Private Street & Parking, Public Street & Parking. Parking Bays, Parking Garages, , Roads or street; aerodrome	Such uses as may be approved by the Municipality		Such uses as may be approved by the Municipality.		
RULES REGARDING THE EXTENT OF DEVELOPMENT					
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	
RULES REGARDING BUILDING LINES			RULES REGARDING PARKING AND LOADING		
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.				
OTHER REGULATION					

Code: CM	CEMETERY				R=207; G=219; B=194
Objectives of this Zone: - To provide land use management objectives for the development of cemeteries. - To set suitable land for cemeteries. - To locate cemeteries within reasonable distance for the public.					
RULES REGARDING THE USE OF LAND AND BUILDINGS					
What land may be used for:				What land may be NOT be used for:	
Primary Uses:	Written Consent Uses:		Special Consent Uses:	Any use not mentioned under Primary, Written or Special Consent uses.	
Cemetery ,	Such uses as may be approved by the Municipality		Telemast Towers and Base, Telecommunication		
RULES REGARDING THE EXTENT OF DEVELOPMENT					
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	
RULES REGARDING BUILDING LINES				RULES REGARDING PARKING AND LOADING	
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.			
OTHER REGULATION					
1. No land shall be used for the purposes of refuse tipping, sewage disposal, scrapyard, stockyard, ash dump, motor graveyard or cemetery without the consent of the Local Municipality.					
2. All relevant legislation relating to the establishment of cemeteries will be adhered to as contemplated in National Environmental Management Act, 1998 (Act 107 of 1998).					

Code: R	RESORT				R=166; G=248; B=180
Objectives of this Zone: - To provide land use management objectives for the development of resorts. - To set suitable land for resorts. - To set procedures and processes for the development of land and buildings used for the purpose of resort facilities.					
RULES REGARDING THE USE OF LAND AND BUILDINGS					
What land may be used for:				What land may be NOT be used for:	
Primary Uses:	Written Consent Uses:		Special Consent Uses:		Any use not mentioned under Primary, Written or Special Consent uses.
Camping, Caravan Park, Dormitory Establishment, Dwelling House, Guest House/ Lodge, Nature Reserve, Nursery, Private Open Space, Private Street & Parking, Public Open Space, Public Street & Parking, Residential Building, Restaurant, & Sport & Recreation.	Such uses as may be approved by the Municipality		Place of Assembly, Place of Entertainment,, Special Usage and Transmission Tower.		
RULES REGARDING THE EXTENT OF DEVELOPMENT					
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	
RULES REGARDING BUILDING LINES				RULES REGARDING PARKING AND LOADING	
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.			
OTHER REGULATION					
1. All relevant legislation relating to the establishment of resorts will be adhered to as contemplated in National Environmental Management Act, 1998, (Act No. 107 of 1998).					

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 15m², 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 50m² 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 ² floor area or part thereof and 2 spaces for every 1000m ² thereafter, or part thereof.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Adult entertainment business	6 spaces per 100m ² public floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Agricultural Industry	1 space per 100m ² floor area and 3 spaces per 100m ² office floor area.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Aerodrome or Airport	2 spaces for the first 100m ² floor area or part thereof and 1 space for every 100m ² thereafter, or part thereof.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Bakery	3 spaces per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Boarding House	1 space per room and 1 space for every 3 rooms.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² 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.	

Camping Site	1 Space per tent or caravan or mobile dwelling unit site and 4,5 spaces per 100 m ² office floor area and 1 space per 4 seats and 6 spaces per 100m ² place of refreshment public floor area and 6 spaces per 100 m ² retail floor area.	1 Space per first 2000 m ² place of refreshment or retail floor area, or part thereof and 1 space per every 2000 m ² place of refreshment or retail floor area thereafter.
Canteen	2 Spaces per 100 m ² floor area.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Carwash	6 spaces per 100m ² area or part thereof.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Cemetery	40% of property reserved for parking and loading requirements	
Crèche or Day Care Facility	1 space for every 4 children.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Coal Yard	40% of property reserved for parking and loading requirements	
Commonage	6 Spaces per 100m ² informal trade floor area.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Conference Centre	6 spaces per 100m ² floor area and 1 space per 4 seats	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Conservation	As per the site development plan	Not applicable
Crematorium	3 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Dry Cleaner	3 spaces per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Dwelling House	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.
Factory Shop	6 spaces per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Farm Stall	6 spaces per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Funeral Parlour	3 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Government Use / Purposes	4, 5 spaces per 100m ² office floor area and 6 spaces per 100m ² public floor area and 1 space per 4 seats.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Guest House	1 space per guest room	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Gymnasium / Fitness Centre	6 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Helicopter Landing Pad	4, 5 Spaces per 100m ² office floor area, 1 space per 100m ² repair facility and 1 space per rotary wing	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.

	aircraft storage unit.	
Home Occupation/Enterprise	3 parking spaces	Not applicable
Hospital	1 space per bed	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Hotel	1 spaces per room and 6 spaces per 100m ² public floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Industry	1 space per 100m ² floor area and 3 spaces per 100m ² office floor area.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Informal Trading	3 Spaces per 100m ² floor area.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Institution	6 spaces per 100m ² floor area and 1 spaces per 4 seats	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Laboratory	3 spaces per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Lodging	1 spaces per guest room or suite and 6 spaces per 100m ² public floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Mining	40% of property or site reserved for parking and loading requirements	
Municipal Purposes	4, 5 spaces per 100m ² office floor area and 6 spaces per 100m ² public floor area and 1 space per 4 seats.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Noxious Trade	1 spaces per 100m ² floor area and 3 spaces per 100m ² office floor area.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Office	4,5 spaces per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Place Of Amusement	1 space per 4 seats and 6 spaces per 100m ² public floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Place Of Education	2 Spaces per 100m ² 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 Worship	1 space per 6 seats	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Place Of Refreshment	10 spaces per 100m ² public floor area.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Prison	4, 5 Spaces per 100m ² office floor area and 1 space per 10 holding cells.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Private Open Space	1 Space per 100m ² sport, recreation or play area.	Not Applicable
Public Open Space	1 Space per 100m ² sport, recreation or play area.	Not Applicable

Railway Station	4, 5 spaces per 100m ² office floor area and 6 spaces per 100m ² public floor area and 1 space per 4 seats.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Residential Building	1 space per room and 1 space for every 3 rooms.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Resort	1 space per room and 6 spaces per 100m ² public floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Scrapyard	3 spaces per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Service Station	40% of property reserved for parking and loading requirements and 6 spaces per 100m ² retail floor area.	
Showroom	3 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Social Hall	4, 5 spaces per 100m ² office floor area and 6 spaces per 100m ² public floor area and 1 space per 4 seats.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Tavern	6 spaces per 100m ² floor area	Not applicable
Taxi Rank	4, 5 spaces per 100m ² office floor area and 6 spaces per 100m ² public floor area and 1 space per 4 seats.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Telecommunication Infrastructure	40% of property reserved for parking and loading requirements	
Tourist Facilities	6 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Utility Services	40% of property reserved for parking and loading requirements	
Veterinary Clinic	3 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Warehousing And Packaging	1 space per 100m ² floor area and 3 spaces per 100m ² office floor area.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Waste Disposal Site	40% of property reserved for parking and loading requirements	
Wholesale Trade	1 space per 100m ² trade floor area and 3 spaces per 100m ² office floor area.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Workshop	6 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.

3.3. Land Use Zone Map

3.3.1. The Zoning Map depicts—

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

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

3.3.3. The Municipality may keep the Zoning Map in an electronic format

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

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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:
 - (a) the principles contained in planning law;
 - (b) the Municipality's planning vision and principles as set out in its Spatial Development Framework and Integrated Development Plan;
 - (c) 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;
 - (d) the principles as set out in an approved spatial development framework or a policy plan;
 - (e) environmental and heritage protection and conservation; and
 - (f) 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 too close to surface water.
- 4.3.3. In the absence of proposed 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: Environmental Management Zones.

- 4.4.1. This overlay zone is indicated on the Use Zone Map as OZ2: Environmental Management Zones.
- 4.4.2. The purpose of this overlay zone is to protect all environmentally sensitive areas as identified by the Municipality's Environmental Management Framework (EMF).
- 4.4.3. 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.
- 4.4.4. 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:
 - 4.4.4.1. The Municipality may approve any appropriate use as a consent use in terms of this overlay zone provided that:

- (a) it considers such use to be desirable or justified in order to provide the owner with an incentive to preserve the environmental resource, and
- (b) the Municipality may require cessation of the consent use right if the environmental resource is not properly maintained and protected to Municipality's satisfaction.

4.4.5. The following use restrictions apply to the property in this zone:

- 4.4.5.1. 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.
- 4.4.5.2. No development may be allowed within this zone unless approved by a Controlling Authority in terms Environmental Legislation.

4.5. Overlay Zone 3: Mining and Quarrying.

4.5.1. This overlay zone is indicated on the Use Zone Map as OZ3: Mining and Quarrying.

4.5.2. The purpose of this overlay zone is to protect all mining and quarrying processes taking place within the Municipality.

4.5.3. The overlay zone makes provision for the protection and management of mining activities.

4.5.4. 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:

4.5.4.1. The Municipality may approve any appropriate use as a consent use in terms of this overlay zone provided that:

- a) it considers such use to be desirable or justified in order to provide the applicant with an incentive to preserve the mining activities, seen to be an economic activity by the State.

4.5.5. The following use restrictions apply to the property in this zone:

- 4.5.5.1. No development may be allowed within this zone unless approved by a Controlling Authority in terms Environmental Legislation.

4.6. Overlay Zone 4 : Protection Zone 100m

4.6.1. This overlay zone is indicated on the Use Zone Map as OZ4: Protection Zone 100m.

4.6.2. The purpose of this overlay zone is to protect all community facilities as to prevent land uses that will lead to pollution or cause a nuisance.

4.6.3. The following use restrictions apply to the property in this zone:

- 4.6.3.1. There should be a 100 metre buffer around churches, crèches, community halls, clinics and schools. All taverns, mortuaries, noxious uses, bottle stores and dumping sites should be discouraged in these areas.

PART 5: GENERAL PROVISIONS

5.1. General Provisions and Explanatory Notes

- 5.1.1. The land use, restrictions, requirements, conditions and provisos are subject to the conditions as set out below:
- 5.1.1.1. Where an entry has not been made in the Schedules, the Municipality may in its discretion specify a restriction when granting its special consent to an application;
- 5.1.1.2. Special rights, conditions and restrictions that may apply to any property within any use zone, may be indicated in an Annexure to the Scheme.
- 5.1.1.3. The special conditions and restrictions referred to in sub-clause (5.1.1.2.) shall:
- a) be in addition to the general conditions, restrictions and other provisions of the Scheme; and
 - b) prevail should they conflict with any such other condition, restriction or provisions as set out in this Scheme.

An annexure contemplated in Sub-Clause (5.1.1.2.) shall consist of:

- a) a sheet upon which is inscribed the number of such annexure, a description of the property to which it applies, the special rights, conditions and restrictions applying to the property and the number and name of the relevant Scheme in terms of which the annexure was prepared;
 - b) a diagram of the property concerned, which diagram shall accord with the layout shown on the Map; and
 - c) the number of the relevant annexure sheet that will be inscribed in a double circle within or next to the figure of the relevant property on the Zoning Map and if it be inscribed next to such figure, it shall be joined to the figure by means of a line.
- 5.1.1.4. Upon approval of an amendment scheme the effected property or building shall, in addition to the requirements of the Scheme, be entitled to the use and further be subject to special conditions, restrictions, densities, floor area ratio, open space requirements, height, coverage, building lines and parking and loading requirements as shown on the relevant Annexures to the Scheme, if any.

5.2. Building Lines

- 5.2.1. Building lines are only applicable to buildings and does not prohibit the erection of boundary walls, garden decorations, pergolas, swimming pools or tennis courts in the building restriction area.
- 5.2.2. Unless otherwise stipulated, the building lines are applicable to all properties according to the use zones as set out therein.
- 5.2.3. In addition to the building lines:
- 5.2.3.1. where an erf or other land borders on a national or provincial road, or if provided otherwise in the conditions of title, the applicable building line shall be the building line prescribed by the Controlling Authority, or the building line for the relevant use zone, whichever is the wider, and such building line, if imposed in terms of Roads and Ribbon Development Act 21 of 1940(as amended)or any other legislation, shall not be relaxed, modified or amended without the written consent of the Controlling Authority;
 - 5.2.3.2. the Municipality has the right to use a 2 m strip next to any two boundaries of a property for the installation of engineering services and such strips are to be considered as building restriction areas which can be relaxed or waved with the approval of a building plan, if not needed for the said purpose;
 - 5.2.3.3. the erection of buildings on distances from boundaries other than street boundaries must comply with the Act on National Building Regulations and Building Standards, 1977 (Act 103 of 1977)(As amended) and any amendments thereof;
 - 5.2.3.4. the Municipality may relax the building line for the applicable use zone after receipt of a written application, if convinced that the relaxation is justified in terms of the particular circumstances of the request, and in the consideration of such requests the Municipality can take cognisance of the factors such as the proximity of existing buildings, the form, slope and size of the property and the character of the surrounding area;

5.2.3.5. the Municipality may, if it is deemed necessary, impose a new building line upon granting its consent in terms of Clause 5.1.3.2 or 5.1.3.4 above;

5.2.3.6. if a relaxation of a building line has been approved or where it is otherwise permitted that a building be erected on the boundary or in such a way that it will not be easily accessible, the side of the building facing the boundary shall be erected to be aesthetically pleasing in terms of the materials used and the finishing thereof to the satisfaction of the Municipality and shall be maintained to the satisfaction of the Municipality.

5.2.4. No material or goods of any nature may be deposited or stored within the building restriction area along the boundary of any existing street, proposed street or widening and such portion shall not be used for any purpose other than for laying out and maintaining lawns, gardens, parking or accesses.

5.2.5. For the purpose of applying Clause 5.1, a sanitary alley is not considered to be a street or road.

5.2.6. 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:

- (a) boundary walls, fences and gates;
- (b) open and uncovered stoeps that are less than 500 millimetres in height from the natural level of the ground;
- (c) entrance steps, landings and entrance porches, excluding a porte cachet;
- (d) a covered entrance or gatehouse that has a roofed area not exceeding 5 m² and a roof height not exceeding 3 metres from floor to highest point;
- (e) eaves and awnings projecting no more than 1 metre from the wall of a building;
- (f) 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;
- (g) screen-walls not exceeding 1.8 metres in height above the natural ground level abutting such wall;
- (h) swimming pools not closer than 1 metre from any boundary;
- (i) a basement, provided that no part thereof projects above natural ground level; and
- (j) a refuse room required by the Municipality in terms of this land use scheme.

5.3. Site Development Plans

5.3.1. 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 uses

- (a) "Residential 2"
- (b) "Residential 3"
- (c) "Business 1"
- (d) "Business 2"
- (e) Filling Station
- (f) "Industrial 1"
- (g) "Industrial 2"
- (h) "Institutional"
- (i) Mining and Quarrying
- (j) "Guesthouse"
- (k) "Transport"
- (l) "Special"
- (m) "Cemetery".
- (n) Retirement Centre
- (o) Recreational
- (p) Telecommunication Mast

5.3.2. 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.

- 5.3.3. 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.
- 5.3.4. The Municipality may determine the extent of the area covered by a site development plan.
- 5.3.5. An applicant must submit a site development plan to the Municipality if it is required in terms of this Land Use Scheme, before approval of building plan and any development of the relevant land unit may commence.
- 5.3.6. 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.

5.4. Hazardous Substance

- 5.4.1. 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.
- 5.4.2. The Municipality's approval in terms of subsection 5.4.1. above does not exempt the owner from applying for permission in terms of other relevant legislation.

5.5. Maintenance of property

- 5.5.1. 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.

5.6. Splay of Corners

- 5.6.1. In any township the corners of all road junctions shall be splayed for a distance from the intersection of the road boundaries of $(5 \cot \text{angle } a/2)$ metres: (calculated to the nearest 0.5 metres) where "a" is the angle of intersection of

the road boundaries, or as otherwise determined by Council. In calculating the area of a corner erf, the portions thereof cut off by the splay, shall be included in the area of the erf for the purpose of land use scheme schedule.

5.7. Subdivisions and Consolidations.

- 5.8.1. No person may subdivide land without the approval of the Municipality, unless the subdivision is exempted under the municipal bylaw.
- 5.8.2. An applicant who wishes to subdivide land must apply to the Municipality for the subdivision of land in the manner provided for in the municipal bylaw.
- 5.8.3. No application for subdivision involving a change of zoning may be considered by the Municipality, if the erf concerned is smaller than the minimum permitted erf size or exceeds permissible density.
- 5.8.4. The Municipality must impose appropriate conditions relating to engineering services for an approval of a subdivision.
- 5.8.5. If a Municipality approves a subdivision, the applicant must submit a general plan or diagram to the Surveyor-General for approval, including proof to the satisfaction of the Surveyor-General of—
- a) the Municipality's decision to approve the subdivision;
 - b) the conditions of approval contemplated in subsection (5.8.4) and Section 54 of the municipal by law; and
 - c) the approved subdivision plan.
- 5.8.6. If the Municipality approves an application for a subdivision, the applicant must within a period of three years from the date of approval of the subdivision or the date that the approval comes into operation, comply with the following requirements:
- a) the approval by the Surveyor-General of the General Plan or diagram contemplated in Subsection (5.8.5);
 - b) in the case of an application for the subdivision for township establishment and an application for the subdivision of a farm portion, sign an engineering services agreement contemplated in the municipal bylaw;
 - c) submit proof to the satisfaction of the Municipality that all relevant conditions contemplated in the municipal bylaw for the approved subdivision in respect of the area shown on the general plan or diagram and that must be complied with before compliance with paragraph (d) have been met; and
 - d) registration of the transfer of ownership in terms of the Deeds Registries Act of the land unit shown on the diagram or of at least one new land unit shown on the general plan.
- 5.8.7. A confirmation from the Municipality in terms of the municipal bylaw that all conditions of approval contemplated in the municipal bylaw have been met, which is issued in error, does not absolve the applicant from complying with the obligations imposed in terms of the conditions or otherwise complying with the conditions after confirmation of the subdivision.

5.8. Telecommunication/ Telemast Towers and Base applications

- 5.8.1. Telecommunication/ Telemast Towers are submitted to the municipality according Sections 80 and 81 of the Greater Taung Spatial Planning and Land Use Management By-Law, 2016.
- 5.8.2. No person may construct or erect a Telecommunication/ Telemast and its Base Station without approval from the municipality.
- 5.8.3. The selection of a site including its structural components should take into account the present and future coverage requirements as well as give adequate attention to various regulatory requirements and health and safety aspects.
- (a) Telecommunication or Telemast Towers must have a clearance distance 600 meters.
 - (b) A potential site should be adequately high to provide coverage for current requirements and anticipated future requirements, but not excessively high, in order to avoid co-channel interference from other sites.

- (c) Consideration should be given to the sharing of existing nearby sites rather than the development of new sites – particularly those that are within the 600 meters clearance distance.
- (d) If an application is received and there is an existing Telecommunication or Telemast Tower or an approved application with the 600 meters clearance distance. The applicant must:
1. Consider sharing with an existing sites.
 2. If a construction of a new site is deemed necessary, consideration should be given to inviting other operators to share the new site.
 3. When required only 2 Telecommunication or Telemast Towers will be allowed within the 600 meters clearance distance.
 4. Substantial proof/ motivation should be provided on the reasons of not being able to share with existing sites.
 5. When the application is approved (after all considerations), the Telecommunication or Telemast Tower must be in the form of a Tree Mast or Same colour as the roof top if it is to be erected on a rooftop and it must be in line the requirements of Civil Aviation Authority

5.9. Number of dwelling units per hectare

- 5.10.1. The number of dwelling units permitted is set out in the Land Use Scheme Schedule and may not be exceeded.

5.10. Conditions applicable to all properties.

- 5.10.1. The following conditions shall be applicable to all erven and/or properties:

- A site development plan shall be submitted to the Local Authority as and when required by it.
- Except with the written consent of the Local Authority and subject to such conditions as it may impose, nobody shall:
 - a) Save and except to prepare the erf for building purposes, excavate therefrom any material;
 - b) Sink any wells or boreholes thereon or subtract any subterranean water therefrom.

PART 6: ENFORCEMENT

6.1. Enforcement

6.1.1. The Municipality must comply and enforce compliance with—

- (a) the provisions of the Greater Taung Spatial Planning and Land Use Management Bylaw;
- (b) the provisions of a Greater Taung Land Use Scheme;
- (c) where applicable, conditions imposed in terms of the Greater Taung Spatial Planning and Land Use Management Bylaw or previous planning legislation; and
- (d) Title deed conditions.

6.1.2. The Municipality must adopt fines and contravention penalties to be imposed in the enforcement of this land use scheme.

6.2. Offences and Penalties

6.2.1. Any person who—

- a) contravenes or fails to comply with municipal bylaw;
- b) fails to comply with a compliance notice issued in terms of the municipal bylaw;;
- c) utilises land in a manner other than prescribed by the land use scheme of the Municipality;
- d) supplies particulars, information or answers in an application or in an appeal to a decision on a land development application, knowing it to be false, incorrect or misleading or not believing them to be correct;
- e) falsely professes to be an authorised employee or the interpreter or assistant of an authorised employee; or
- f) hinders or interferes an authorised employee in the exercise of any power or the performance of any duty of that employee;
- g) upon registration of the first land unit arising from a township establishment or a subdivision, fails to transfer all common property, including private roads and private places origination from the subdivision, to the owners' association,

is guilty of an offence and is liable upon conviction to a fine or imprisonment not exceeding a period of 20 years or to both a fine and such imprisonment.

6.3. Call for cessation of land use activity

6.3.1. 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.

6.4. Power of entry for enforcement purposes.

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

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

- 6.3.3. An authorised employee may be accompanied by an interpreter, a police official or any other person who may be able to assist with the inspection.
- 6.3.4. An authorised employee may exercise all the powers and must perform all the functions granted to him or her under Section 32 of the Act.
- 6.3.5. An authorised employee must not have a direct or indirect personal or private interest in the matter to be investigated.
- 6.3.6. A magistrate for the district in which the land is situated may, at the request of the Municipality, issue a warrant to enter upon the land or building or premises if the—
- a) prior permission of the occupier or owner of land cannot be obtained after reasonable attempts; or
 - b) purpose of the inspection would be frustrated by the prior knowledge thereof.
- 6.3.7. A warrant may be issued by a judge of any applicable court or by a magistrate who has jurisdiction in the area where the land in question is situated, and may only be issued if it appears to the judge or magistrate from information on oath that there are reasonable grounds for believing that—
- a) an authorised employee has been refused entry to land or a building that he or she is entitled to inspect;
 - b) an authorised employee reasonably anticipates that entry to land or a building that he or she is entitled to inspect will be refused;
 - c) there are reasonable grounds for suspecting that a contravention has occurred and an inspection of the premises is likely to yield information pertaining to that contravention; or
 - d) the inspection is reasonably necessary for the purposes of this land use scheme.
- 6.3.8. A warrant must specify which of the acts mentioned in the municipal bylaw may be performed under the warrant by the person to whom it is issued and authorises the Municipality to enter upon the land or to enter the building or premises and to perform any of the acts referred to in the municipal bylaw as specified in the warrant on one occasion only, and that entry must occur—
- a) within one month of the date on which the warrant was issued; and
 - b) at a reasonable hour, except where the warrant was issued on grounds of urgency.
- 6.3.9. The entry of land, a building or structure under this Chapter must be conducted with strict regard to decency and order, which must include regard to—
- a) a person's right to respect for and protection of his or her dignity;
 - b) the right to freedom and security of the person; and
 - c) the right to a person's personal privacy.
- 6.3.10. Whether or not a Municipality has instituted proceedings against a person for an offence, the Municipality may apply to an applicable court for an order compelling that person to—
- a) demolish, remove or alter any building, structure or work illegally erected or constructed;
 - b) rehabilitate the land concerned;
 - c) compelling that person to cease with the unlawful activity; or
 - d) any other appropriate order.

6.4. Service of compliance notice

- 6.4.1. The Municipality must serve a compliance notice on a person if it has reasonable grounds to suspect that the person or owner is guilty of an offence.
- 6.4.2. A compliance notice must direct the occupier and owner to cease the unlawful land use or construction activity or both, forthwith or within the time period determined by the Municipality and may include an instruction to—
- a) demolish unauthorised building work and rehabilitate the land or restore the building, as the case may be, to its original form within 30 days or such other time period determined by the Municipal Manager; or
 - b) submit an application in terms of this Bylaw within 30 days of the service of the compliance notice and pay the contravention penalty.

- 6.4.3. A person who has received a compliance notice with an instruction contemplated in subsection 6.2.3.2. (a) may not submit an application in terms of subsection 6.2.3.2. (b).
- 6.4.4. An instruction to submit an application in terms of subsection 6.2.3.2. (b) must not be construed as an indication that the application will be approved.
- 6.4.5. In the event that the application submitted in terms of subsection 6.2.3.2. (b) is refused, the owner must demolish the unauthorised work.
- 6.4.6. A person who received a compliance notice in terms of this section may lodge representations to the Municipality within 30 days of receipt of the compliance notice.

6.5. Contravention of the Scheme

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

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PART 7: LAND USE AND LAND DEVELOPMENT APPLICATIONS

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 Bylaw.

- 7.2.1. The Greater Taung Land Use Scheme of 2026 categorises the municipal area of Greater Taung 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 Greater Taung Spatial Planning and Land Use Management Bylaw of 2015 is legislation applicable to the municipal area that provides for all spatial planning and use management activities.

7.3. Categories of land use and land development applications

7.3.1. The municipality has two (2) categories of land use and land development application (standard categorisation contemplated in Schedule 5 of the Spatial Planning and Land Use Management Regulations, 2015).

7.3.2. Category 1 application types to be considered by the Municipal Planning Tribunal are:-

- the establishment of a Township or the extension of a Township Boundary;
- the amendment of an existing Scheme of Land Use Scheme by land rezoning;
- the amendment or cancellation in whole or in part of a General Plan of a Township;
- subdivision and consolidation of any land other than that which is provided for as a Category 2 application;
- the removal, amendment or suspension of a restrictive or obsolete condition, servitude, or reservation registered against the title of the land;
- permanent closure of any public space;
- 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;
- any consent or approval provided for in a Provincial Law.

7.3.3. Category 2 application types to be considered by the Municipality are:-

- the subdivision of land where such division is expressly provided for in a Land Use Scheme;
- consolidation of any land;
- the simultaneous subdivision, under circumstances contemplated in paragraph (a) and consolidation of land;
- the consent of the municipality for any land use purpose or departure or deviation in terms of Land Use Scheme or existing scheme which does not constitute a land development application;
- 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 a land use scheme in operation;

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

7.4.1. The division of function between an authorised land Development Officer and a Municipal Planning Tribunal (stipulated in under Section 5 (3) of the Spatial Planning and Land Use Management Regulations, 2015)

- all category 1 applications and all opposed category 2 applications must be referred to the Municipal Planning Tribunal.
- all category 2 applications that are not opposed must be considered and determined by the authorised official.

Type of Application	Reference of where in the Spatial Planning and Land Use Management Bylaw can be found
(a) The establishment of a township or the extension of the boundaries of a township	Sections 59 – 65
i. application for establishment of township;	Section 59
ii. division or phasing of township;	Section 60
iii. lodging of layout plan for approval with the Surveyor-General;	Section 61
iv. compliance with pre-proclamation conditions;	Section 62
v. opening of Township Register;	Section 63
vi. proclamation of an approved township.	Section 64
vii. prohibition of certain contracts and options	Section 65
(b) The amendment of an existing scheme or land use scheme by the rezoning of land;	Section 66
(c) The removal, amendment or suspension of a restrictive or obsolete condition, servitude or reservation registered against the title of the land;	Section 67 - 68
(d) The amendment or cancellation in whole or in part of a general plan of a township;	Sections 69 – 70
(e) Application for Subdivision and Consolidation	Section 71-78
(f) Closure of public place	Section 79
(g) Application for consent use	Section 80
(h) Application for development on or change of land use on communal land	Section 81
(i) Application for temporary use	Section 82

7.5. High and Low Intensity Land Uses

The following land uses are deemed as high and low intensity land uses. Any applicant who aims to develop any high intensity land uses on communal land should apply to the Local Authority for approval:

High Intensity	Low Intensity
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Abattoir; Aerodrome / Airport; Agricultural Industry; Airfield; Builders' Yard; Cemetery; Crematorium; Commercial Use; Distribution Centre; Dumping/Landfill site; Electrical Power Station; Hotel; Industry; Light Industry; Liquor Enterprise; Multi-Purpose Community Centre; Mining; Motor Grave Yard; Nature Reserve; Noxious Trade; Panelbeating; Public Garage; Railway Purposes; Resort; Scrapyard Service Station; Sewerage Works; Showgrounds; Tavern Taxi Rank Telecommunication Mast Warehouse; Wholesale Trade. and Shopping centres of a certain floor area.	Bottle Store; Butchery; Churches; Crèches; Community Facility; Home Occupation/Enterprise; Offices; Tribal Offices; and Spaza Shops;
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and any other uses as determined by the Local Authority.

PART 8: MISCELLANEOUS

8.1. Authority

The Greater Taung Land Use Scheme has been prepared under the provisions of Section 24 of the Spatial Planning and Land Use Management Act, 2013, (Act No. 16 of 2013).

8.2. Property Description

The property descriptions referred to in the Scheme Map(s) or in any Annexure(s), Schedule(s) or Figure(s) to the Scheme are allocated either by the Surveyor-General or by the Local Authority irrespective of whether such property has been registered as such in a deeds registry or not.

8.3. Use of Annexures and Schedules

Special rights, conditions and restrictions which may apply to any property within a use zone, may be indicated in an Annexure and / or a Schedule and / or Figure to the Scheme.

8.4. Advertising Signs

No advertising sign or display board that is visible from the outside of the property, may be displayed or erected without the consent of the Municipality. The Municipality will disallow such application if it is convinced that the proposed sign or board will be injurious to the amenity of the neighbourhood.

8.5. Conflict between provisions of Scheme, Conditions of Title

A consent granted by the Municipality by virtue of provisions of this Scheme does not entitle any person the right to use any land, or to erect or use buildings thereon in any manner or for any purpose which is prohibited by the provisions of any condition registered against the title deed under which such land is held, or imposed by legislation in respect of such land or in terms of the conditions of township establishment by virtue of any Act.

8.7. Binding Force of Conditions

Where permission to erect any building or execute any works or to use any property for any particular purpose or to do any other act, is granted under this Scheme, and conditions have been imposed, the conditions shall have the same force and effect as if they were part of the Scheme and shall be regarded as though they were part of this Scheme.

8.8. Entry Upon and Inspection of Properties

The Municipality shall have the power, through its duly authorised officials, to enter into and upon any premises at any reasonable time for the purpose of any inspection which the Municipality may deem necessary or desirable for the purpose of the Scheme.

Subject to the provisions of any Act, no person shall in any way hinder, distract, or interfere with any authorised official of the Municipality or permit such official to be hindered, distracted or interfered with in the exercise of the powers hereby conferred upon him.

In terms of the provisions of Section 32(8) of the Act, an inspection of a private dwelling may only be carried out by an inspector when authorised in terms of a warrant issued by a competent court.

8.9. Availability of the Land Use Scheme for purposes of inspection

The local authority shall permit any interested person to inspect at any reasonable time the Scheme available in the offices of the local authority.

8.10. Short Title

This Scheme shall be known as the Greater Taung Land Use Scheme, 2026.

SCHEDULE 1: REQUIREMENTS FOR BUSINESSES IN RESPECT OF WHICH A LICENSE IS REQUIRED

Sale or supply of meals or perishable foodstuffs

- (1) The carrying on of business by the sale or supply to consumers of -
 - (a) any foodstuff in the form of meals for consumption on or off the business premises; or
 - (b) any perishable foodstuff.
- (2) For the purposes of sub-item (1) "perishable foodstuff" means any foodstuff or category of foodstuffs declared by an Premier by notice in the *Official Gazette* to be a perishable foodstuff in the Province concerned for the purposes of this item.

Provision of certain types of health facilities or entertainment

- a) The carrying on of business by –
- b) providing health baths
- c) providing massage or infra-red treatment;
- d) making the services of an escort, whether male or female, available to any other person
- e) keeping three or more mechanical, electronic or electrical contrivances, instruments, apparatus or devices which are designed or used for the purpose of the playing of any game or for the purpose of recreation or amusement, and the operation of which involves the payment of any valuable consideration, either by the insertion of a coin, token coin or disc therein or in an appliance attached thereto or in any other manner;
- f) keeping three or more snooker or billiard tables;
- g) keeping or conducting a night club;
- h) keeping or conducting a cinema or theatre;
- i) conducting adult premises referred to in Section 24 of the Films and Publications Act, 1996.

Hawking in meals or perishable foodstuffs

- (1) The carrying on of business, whether as principal, employee or agent, by selling any foodstuff in the form of meals or any perishable foodstuff -
 - a) which is conveyed from place to place, whether by vehicle or otherwise;
 - b) on a public road or at any other place accessible to the public; or
 - c) in, or from a movable structure or stationary vehicle,

unless the business is covered by a license for a business referred to in item 1 of this Schedule.

- (2) For the purposes of subitem (1) "perishable foodstuff" means any foodstuff or category of foodstuffs declared under item 1 (2) of this Schedule to be a perishable foodstuff.

SCHEDULE 2: BUSINESSES EXCLUDED FROM BUSINESSES REFERRED TO IN SCHEDULE 1

1. A business which is carried on by the State or Local Authority.
2. A business which is carried on by a charitable, religious, educational, cultural or agricultural association, organisation or institution of a public nature, if all profits derived from the business are devoted entirely to the purpose of that or any other such association, organisation or institution.
3. In the case of a business referred to in item 1 (1) of Schedule 1, such a business which is carried on –
 - a) by a social, sports or recreation club which is a non-proprietary club and restricts the business to the sale or supply to its members and their guests of foodstuffs for consumption on or in the business premises;
 - b) by or on behalf of an employer for an employee as such of the employer.
4. A business referred to in item 1 (1) (a) of Schedule 1, if the meals concerned are prepared and sold in a private dwelling.
5. In the case of a business referred to in item 1 (1) (b) of Schedule 1, the sale of a perishable foodstuff referred to in that item, by a person who belongs to a category of persons which the Minister, in the relevant notice under item 1 (2) of that Schedule, has exempted from the provisions of Section 2 (3) of this Act, read with the said item 1(1) (b), in relation to the perishable foodstuff concerned.

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SCHEDULE 3: REQUIREMENTS FOR RESIDENTIAL 2

Development control	Group Housing		Flats	Retirement Villages	Residential Buildings
Road	Public Road	Private Road/Servitude	N/A	As private road under group housing	N/A
	- Road to be proclaimed 3 street names submitted 13m reserve width at entrance 8m reserve for road - Turning circle for service - Paving - Designed by registered engineer 8 Ton/axle strength - Maintenance by Local Authority.	- Road registered as erf with title deed description as R.O.W servitude to all stands served by it. - Paving. - Designed by registered engineer. - Service yard for refuse at entrance. - Maintenance be the responsibility of the residential committee and contained as such in title deed. - Servitude for municipal sewer, water and electricity over total road area.			
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
Size of stands	No restriction		No restriction	No restriction	No restriction
Use zone	Residential 2		Residential 2	Residential 2	Residential 2
Density	40 Units/ha		N/A	40 Units/ha	N/A
Coverage	70%		70%	70%	70%
Parking	Table 1: Parking Requirements		Table 1: Parking Requirements	Table 1: Parking Requirements	Table 1: Parking Requirements
Endowments and services	- As per township establishment - Municipal services to be protected by servitudes		Normal connection procedures	As per township establishment	Normal connection procedures

SCHEDULE 4: REQUIREMENTS FOR TAVERNS

1. 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 regulations and Norms and Standards of the Liquor Act, 2003, (Act No. 59 of 2003) and any other relevant legislation that deals with:
 - Age verification for the selling of liquor;
 - Sale and supply of liquor;
 - Preparation and selling of food;
 - Provision of ablution facilities; and
 - Health and safety requirements.
2. A tavern should be a component of a residential building.
3. The relaxation of building lines will be as determined by the Local Authority.
4. Site development plans are to be submitted to the Local Authority for approval.
5. Smoking in the premises should adhere to the regulations of the Tobacco Products Control Act, 1993 (Act No. 83 of 1993)
6. Parking requirements:
 - 2 per 100m² Parking per gross leasable area.
7. The Liquor Act is applicable to all Taverns and the Liquor Board determines the operating hours and days of business.

SCHEDULE 5: APPLICATION FOR CONSENT USE.

1) Written Consent of the Local Authority.

An application for a permanent departure from the provisions of the land use scheme is an application that will result in the permanent amendment of the land use scheme provisions applicable to land, and includes:

- a. The relaxation of development parameters such as building line, height, coverage or number of storeys; and
- b. The departure from any other provisions of a land use scheme that will result in the physical development or construction of a permanent nature on land.

shall do so in writing in the prescribed form as contained in Schedule K (or such other form as supplied by the Local Authority (where applicable).

- (a) No written consent shall be granted in terms of this Clause until the applicant has, to the satisfaction of the Local Authority, obtained the written comments of the surrounding owners in the prescribed format.
- (b) Subject to the provisions of Clause B, the form supplied to owners for written comments shall:
 - i) supply full particulars and a description of the nature and extent of the intended use or relaxation required;
 - ii) the description, address and locality of the subject property;
 - iii) the name and address of the applicant;
 - iv) disclose the name and possible contact details of the signatories;

- v) reflect the signatures of all surrounding owners
- (c) The Local Authority shall consider any objection received and hear any representation made at a hearing arranged by the Local Authority.
- (d) The Local Authority shall notify the applicant, and if applicable the objectors, in writing of its decision.
- (e) Notwithstanding the above, the Local Authority reserves the right to reconsider its decision in terms of Clause D, without liability for compensation, if any of the conditions imposed in terms of the authorisation are not complied with or if complaints from neighbouring properties are forthcoming.

2) Temporary Consent of the Local Authority

- (a) Notwithstanding any other provision of this Scheme, but subject to Clause 1 (a) or only with the written consent of surrounding owners, whatever requirement is deemed fit by the Local Authority, the Local Authority may on receipt of a written application from the owner of land or his authorised agent, consent to the temporary use of a property for:
 - i) the erection and use of temporary buildings, or the use of existing buildings for site offices, storage rooms, workshops or such other uses as may be necessary during the erection of any permanent building or structure on the land; Provided that such consent shall ipso facto lapse upon completion of the permanent structure or on the expiry date thereof as determined by the Local Authority;
 - ii) the occasional use of land or buildings for public religious exercises, place of instruction, institution, place of amusement or social hall;
 - iii) the use of land or buildings thereon for State or municipal purposes;
 - iv) the use of land or the erection of buildings necessary for the purpose of informal retail trade.
- (b) Such consent granted under Clause A shall be for a period determined by the Local Authority which shall in any case not exceed 12 calendar months.
- (c) The Local Authority may impose any condition deemed fit in granting consent in terms of Clause A.
- (d) Notwithstanding the above, the Local Authority reserves the right to reconsider the decision in terms of Clause A, without liability for compensation, if any of the conditions imposed in terms of the authorisation are not complied with or if complaints from neighbouring properties are forthcoming.

SCHEDULE 6: BED AND BREAKFAST.

1. The maximum floor area will be restricted to the current existing dwelling unit(s) on the erf.
2. Any alteration to an existing building shall only be permitted in accordance with an approved site development plan.
3. The owner / manager can live either off-site or in a separate area on-site.
4. Any refreshment room on the premises may only be used by the occupants or overnight guests.
5. A place of entertainment on the premises is not permitted.
6. 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.

7. Provision of all on-site and/ or designated parking areas should conform to local municipal bylaws.
8. 1 parking space shall be provided per bedroom.
9. On-site loading bays should be provided.
10. Loading and off-loading shall only be permitted on the erf;
11. A maximum of 4 rooms for a maximum of 8 occupants shall be permitted. An application for the relaxation of this may be lodged with the Local Authority.
12. A liquor license should be sort for the selling of alcohol on the premises.

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SCHEDULE 7: REQUIREMENTS FOR GUEST HOUSES.

1. 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).
2. The owner must have a business permit to operate a Guest House.
3. No second business or Home Occupation/Enterprise on the same property as the operating Guest House establishment is permitted.
4. Shared facilities must be a minimum of a guest dining room and guest lounge area and must be for the exclusive use of guests.
5. Bathroom facilities must be en-suite. If not, exclusive use of bathroom facilities per room is mandatory.
6. Council may restrict or determine the quantity of establishments in a guest rooms per foundation and set down conditions important to moderate the effect of the foundation with the aim to protect the area's character.
7. A place of entertainment on the premises is not permitted.
8. A liquor license should be sort for the selling of alcohol on the premises.
9. On-site loading bays should be provided.
10. Provision of all on-site and/ or designated parking areas should conform to local municipal bylaws.
11. Appropriate, fit for purpose safety and security measures throughout the establishment at all times.
12. 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.
13. Meals and beverages may be supplied to transient guests only.
14. 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.
15. The owner / manager can live either off-site or in a separate area on-site.

SCHEDULE 8: REQUIREMENTS FOR DAY CARE FACILITIES.

1. Appropriate and adequate sanitary facilities must be provided on the premises to the Municipality's satisfaction.
2. The use of land may not create a public nuisance, and it must at all times be maintained in a clean condition.
3. 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.
4. The maximum number of children cared for on a land unit, is 35.
5. The Council's special consent is required to care for more than 15 children.
6. Municipality's approval must be obtained for a "Place of Instruction" to permit more than 35 children.
7. Parking as required in terms of Table 1.
8. Toilets must be disinfected regularly.
9. A kitchen separated from play area by at least a partition.
10. Food must be provided for children at least once a day, either by parents or the centre.
11. Properties utilised for day care facilities must comply with the minimum physical standards as contained in the Children Amendment Act, 2007, (Act No. 41 of 2007).
12. Outdoor play area: 1m² per child at least for the first 30 children. Children can then be divided into groups and taken outside one group at a time. The children must always be under supervision.
13. A social worker, a nurse or any other person, authorized thereto, or any commissioner, may enter any children's home, place of care, shelter or place of safety in order to-
 - i. inspect that children's home, place of care, shelter or place of safety and the books and documents appertaining thereto;
 - ii. observe and interview any child therein, or cause such child to be examined by a medical officer, psychologist or psychiatrist.
14. No child may be received in any place of care (other than a place of care maintained and controlled by the State) unless that place of care has been registered with the Department of Social Development.
15. The size of the property should be as determined by the National Norms and Standards for Early Childhood Development Programmes.
16. The procedure for registering a Day Care Business in South Africa must be according to the Children Amendment Act, 2007, (Act No. 41 of 2007).

SCHEDULE 9: REQUIREMENTS FOR LAND USE APPLICATIONS IN RURAL AREAS.

1. An applicant who desires to develop or change the land use on communal land, whether or not such development or change will result in a high intensity development or a low intensity development, must apply to the Municipality for approval thereof.
2. If the application is for a high intensity development, the application must, in addition to the documentation referred to in the municipal bylaw, be accompanied by –
 - a) a Power of Attorney or Tribal Resolution signed by the applicable Traditional Council; and
 - b) proof of a decision taken by the majority of the community members who will be affected by such development who are present at a meeting, of which they have been given sufficient notice and in which they have had a reasonable opportunity to participate, that was convened for the purpose of considering whether their informal right to land may be disposed of as a result of such high intensity development.
3. An applicant who submits an application for a low intensity development is exempted from the payment of application fees and such application must be completed on a form approved by the Council, signed by the applicant, and submitted to the Municipality and it must be accompanied by –
 - a) a Power Of Attorney and Tribal Resolution signed by the applicable Traditional Council;
 - b) proof of consent from such owners of abutting properties that are determined by the Municipality;
 - c) a written motivation for the application based on the criteria for consideration of the application; and
 - d) a layout plan or sketch sufficient for the Land Development Officer to make a decision.
4. An application for a low intensity development is exempted from the provisions of the municipal bylaw and the Municipality must develop shortened procedures for such applications.
5. The Municipality must, in its land use scheme, identify and define each of the activities that it considers to be a high intensity development and a low intensity development that will be subject to an application contemplated in this section.
6. An applicant who desires to change the land use purpose of communal land prior to the adoption of a land use scheme in terms of the Act and the municipal bylaw, whether or not such change will result in a high intensity development or a low intensity development, must apply to the Municipality for approval thereof.
7. The Municipality may, in its land use scheme, make provision for the incremental upgrading of an informal area other than what is provided for in the municipal bylaw.
8. The Municipality may conclude a service level agreement with a Traditional Council located in its municipal area as contemplated in Regulation 19(1) of the Regulations and that service level agreement must provide for at least –
 - a) the administrative functions to be performed by the Traditional Council on behalf of the Municipality, with the exception of making land development or land use decisions;
 - b) the funding arrangements pertaining to the performance of the administrative functions by the Traditional Council; and
 - c) the support arrangements to be provided by the Municipality pertaining to the performance of the administrative functions by the Traditional Council.

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