

# LUMS B:

## Kgatelopele Local Municipality



### PROJECT DESCRIPTION:

The LUMS of Kgatelopele Local Municipality consists of the following segments:

- **The By-Law:** The document that only includes a summary of the various documents that forms part of the LUMS.
- **LUMS A** - The Manual and Application Procedure consisting of:
  - Assessment and Approval Procedures;
  - Legislation, land use policy and guidelines;
  - Conditions of approval;
  - Delegation of decision-making;
  - Development incentives;
  - Enabling legislation; and
  - Serves as a basic reference manual.
- **LUMS B** - The Scheme Regulations consisting of:
  - General information on land use development and control measures;
  - Definitions; and
  - Summary of zoning descriptions, development control, integrated zoning scheme and regulations for each land use.
- **LUMS C** - The Application Form consisting of:
  - A comprehensive application form pertaining to land use change procedures; and
  - An abridged application form pertaining to land use change procedures (abridged, shortened and cancellation).
- **LUMS D** - The Zoning Maps consisting of:
  - A3 Booklet of the zoning maps of the total KLM area.
- **LUMS E** - The Zoning Register consisting of:
  - A3 Booklet of all properties and the applicable zonings.



### PERTAINING TO:

SPATIAL PLANNING AND LAND USE MANAGEMENT ACT  
(ACT 16 OF 2013, SPLUMA)-  
SCHEME REGULATIONS FOR THE KGATELOPELE LOCAL  
MUNICIPAL AREA LAND USE MANAGEMENT



### APPROVED:

**2019**

### DOCUMENT COMPILED FOR:



### DOCUMENT COMPILED BY:

Macroplan 

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# LAND USE SCHEME REGULATIONS FOR THE KGATELOPELE LOCAL MUNICIPAL AREA

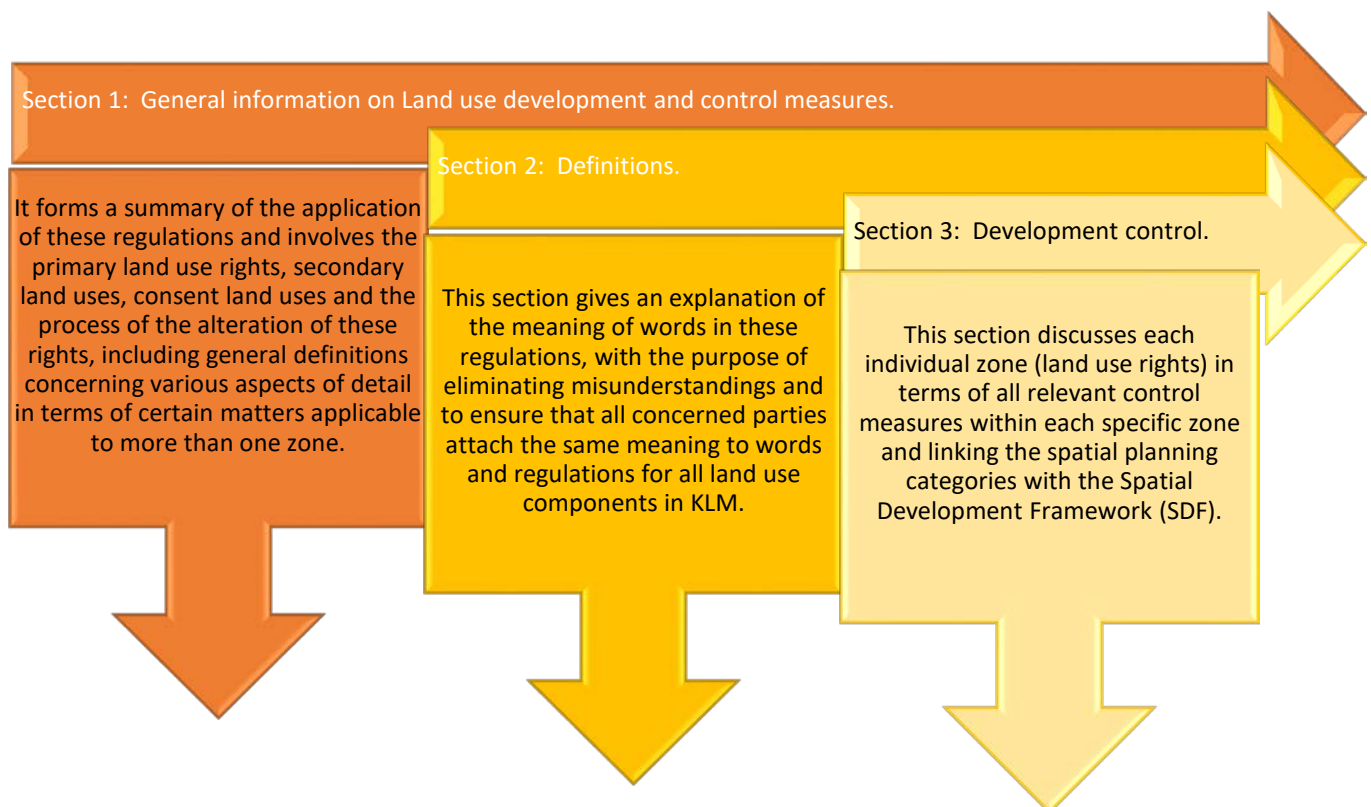
## INTRODUCTION AND BACKGROUND

This Land Use Management System (LUMS) and in particular, these Land Use Scheme Regulations (LUS included into LUMS B) for Kgatelopele Local Municipality (KLM) was approved on 27 March 2019 and commenced on 1 July 2019 in accordance with the Spatial Planning and Land Use Management Act (Act 13 of 2013, hereafter SPLUMA or the Act), as per Government Gazette Notice no 38828, published on 27 May 2015, Volume no 599 and was compiled and revised accordingly.

The Council of the Kgatelopele Local Municipality and/or any institution or official with delegated powers, in accordance with the Act, acts as the Competent Authority in terms of the application and enforcement of these Scheme Regulations. The Scheme Regulations as set out in this document, as part of the Municipal Land Use Scheme (LUS), must be read and understood in conjunction with all other relevant acts, by-laws and policies governing land use change applications as part of land use and development control. This document focuses on the detail of the Scheme Regulations and includes the land use and development control measures, the detail definitions and descriptive regulations.

## Components of the Land Use Scheme (LUS) Regulations

The Scheme Regulations (this document) consists of the following sections:



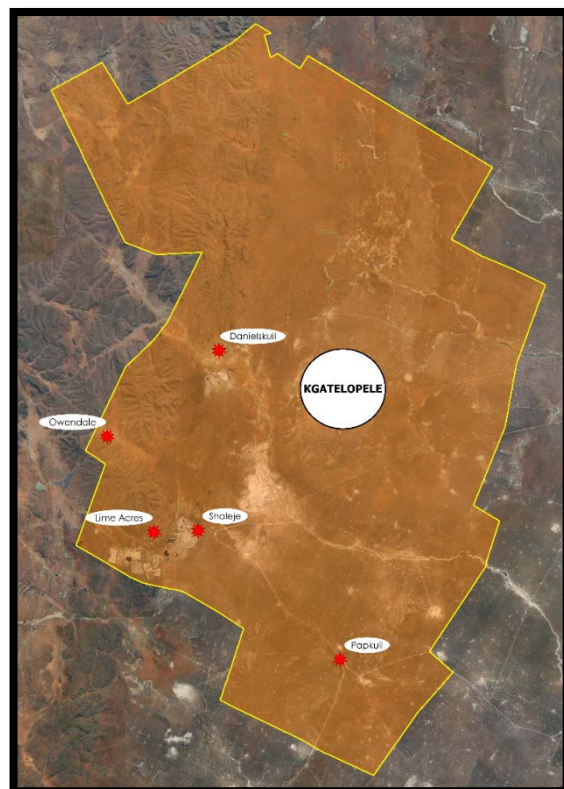
## Sustainable Land Use Management



## 1. GENERAL INFORMATION ON LAND USE CONTROL

### 1.1. Area and application of the LUMS

The area on which this scheme is applicable, is the whole municipal area of the Kgatelopele Local Municipality, as indicated and contained in the compliant zoning maps as part of **LUMS D**, and includes any area that may in future become part of the municipal area. These Regulations apply to all land within the geographical area of the Kgatelopele Local Municipality, including land owned by the state and all para-stats. These Regulations bind every owner and every user of land, including the state and all para-stats. When considering an apparent conflict between these Regulations and another law, a court must prefer any reasonable interpretation that avoids a conflict over any alternative interpretation that results in a conflict.



### 1.2. Competent authority and legal powers

The Council of the Kgatelopele Municipality and/or any institution or official with delegated powers, in accordance with the Act 16 of 2013 (SPLUMA), acts as the Competent Authority in terms of the application and enforcement of these Scheme Regulations as part of the Land Use Management System (LUMS).

### 1.3. Date of commencement

This LUMS was approved by the Council of Kgatelopele LM on **27 March 2019** and commenced on **1 July 2019** in accordance with SPLUMA (Act 16 of 2013) as promulgated in Government Gazette no 38828, 27 May 2015, Volume no 599.

## 2. PURPOSE AND OBJECTIVE OF A LAND USE MANAGEMENT SYSTEM (LUMS)

The LUMS of KLM is a legislative tool to be implemented by the municipal personnel to manage, direct and guide development in accordance with the vision and development policies as it is to be found as part of the Integrated Development Plan (IDP) and the Spatial Development Framework (SDF). The LUMS links directly with the previous mentioned 2 documents and focus on sustainable, sufficiently managed and legally approved development of all communities of KLM. Thereof uplifting and upgrading the quality of life of the residents by enforcing the IPD and SDF by means of the LUMS. The LUMS will aim to develop and create coordinated, harmonious and sustainable development in all wards. The objective of the LUMS for KLM can be summarised as follow:

- i. To provide clarity on what the precise land use as per primary definition entails, what type of development may be allowed to take place on a specific property or segment of a property. The indication of Secondary and Consent uses in each zoning category must also be studied and interpreted for the purpose of understanding the connection between the uses.
- ii. To promote the protection of property values and create investors' confidence in the municipal area.
- iii. To promote and protect the amenity within areas, nodes, neighbourhoods and communities.
- iv. To protect and resolve conflict between land uses and to control future negative externalities of adjoining land uses.
- v. To balance the interest and planned developments between individuals and the general public.
- vi. To clarify, coordinate and optimise the efficient use of land within the municipality.
- vii. To promote economic growth, optimise the movement patters of people and good within the municipality, while protecting the natural resources and promoting sustainability.
- viii. To identify and protect any unique features of any community or area within the municipality.
- ix. To identify and protect any cultural and religious features.

- x. To manage the process of land use and land use change, promoting the adherence to the building control measures included in each Spatial Planning Category.
- xi. To provide and maintain a sound and stable basis for public comment and involvement in the land use change process and ensuring enforcement of the LUMS.
- xii. To ensure that the spatial planning components as indicated and included in the SDF are implemented by means of land use change applications, thereby ensuring the retention of land for future uses and expansion of areas in a sustainable manner.



Figure 1: An example of the zoning maps that forms part of the LUMS visualising the existing zonings that depicts the allowed land uses per property.

## 2.1. Land use discrepancy

If any land owner has an objection against a land use indicated in this LUMS, such an objection must be provided in writing to the Municipality and within a time period of 12 months after the mentioned date of commencement of the LUMS by the Municipality. If the mentioned land owner challenges such an indication of land use within the mentioned 12 month period, the owner of the property, after consultation with the Municipal Official (if the Municipal Official concurs, then follow 2.3.2), may submit an application to the Municipality to apply for challenge of the discrepancy, subject to the following provisions:

- i. The applicant must submit material proof of the existence of a discrepancy and proof of the lawful land use rights must be attached. This could include previous approvals from a District or Local Municipality, proof of the utilisation period of such a land use, copy of a Title deed indicating the correct land use, municipal bills indicating a conflict in use and indication in these LUMS and/or any other form of proof of utilisation.
- ii. The applicant must propose a suitable zoning to be allocated to the property;
- iii. The applicant will not be exempted from the payment of the normal application fees.

The Municipality shall consider an application submitted in terms of the LUMS and By-Law and if such application is approved, shall amend its zoning maps in accordance with the approval.



## 2.2. Procedures to handle land use discrepancies and errors on Zoning Maps

In the event that a zoning has been wrongly allocated on the zoning map or the lawful zoning cannot be determined or was wrongly converted from a former zoning map associated with the previous zoning scheme, the owner of the property and/ or the Municipal Official must follow these procedures in correcting the discrepancy. The owner of the land and the Municipal Official must consult on the discrepancy and if both concur regarding the error on the mentioned zoning map (either wrongly awarded, or cannot be determined, or wrongly converted), may submit an abridged application to the Municipality to correct such an error, subject to the following provisions:

- i. The applicant must submit material proof of an error and proof of the lawful land use rights;
- ii. The applicant must propose a suitable zoning to be allocated to the property;
- iii. The applicant will be exempted from the payment of any application fee.

The Municipality shall consider an application submitted in terms of the LUMS and By-law and if such application is approved, shall amend its zoning maps in accordance with the approval.



Figure 2: A typical land use discrepancy which includes the 'non-adherence' to the existing building lines and the utilisation of land not zoned for the purpose of the usage.

## 2.3. Rectification of contraventions

- i. It is the responsibility of Kgatelopele Municipality to ensure that land is utilized in accordance with the Land Use Management Scheme and that contraventions are rectified in accordance with the LUMS. Failure to rectify an unauthorised land use will be dealt with as stipulated hereunder and will also be subjected to the Municipality imposing a monthly or occasional levy as per annual approved tariff structure of Council for such unauthorised land uses, as part of the Municipal account until such time as the owner / occupier of the said property provides written proof that the contravention has been rectified.
- ii. If land, a land unit or land area or a building situated thereon or any part thereof is developed or utilised or any other action is taken in contravention of any provisions of this By-law and/or the Land Use Management Scheme of the Municipality, the Municipality shall serve a notice to comply (hereinafter referred to a "notice to comply " or "contravention notice") on the owner

- / occupier of the land in the manner prescribed, to rectify the contravention before a date specified in the notice to comply, being not less than 7 days (norm for any non-residential contravention) and not more than 30 days (where contravention is of a residential nature) after the date on which the notice to comply was served.
- iii. The Municipality may on written application or of its own accord agree to the extension of the period within which the contravention is to be rectified, provided that an extension shall only be granted if a building has to be demolished to rectify the contravention.
  - iv. If the owner / occupier fails to comply with the notice to comply, the Municipality shall take all further steps required to rectify the contravention, which may include the imposing of a contravention levy and/or legal proceedings instituted against the land owner and/or occupant.
  - v. The Municipality will, according to the annual approved tariff structure of Council, impose a contravention levy for unauthorised land uses as part of the municipal account, until such time as the owner / occupier of the said property provides written proof that the contravention has been rectified.
  - vi. The owner of the land and/or occupier, in the case of municipal or state owned land, concerned on the date on which the notices to comply was issued and who fails to comply with the notice, shall be liable for the payment of the contravention levy which may be:
    - a. an once off amount applicable per event or occurrence of the said contravention, o
    - b. a monthly levy applicable as long as the contravention continues and both such levies may be calculated retrospectively from the date on which the contravention first occurred.
  - vii. If the owner or occupier disputes the existence or the nature of the contravention to which the notice to comply relates, he or she shall on or before the date referred to in subsection (ii) submit a written statement to the Municipal Planning Tribunal of the Municipality.
  - viii. If the owner or occupier disputes the existence or the nature of the contravention to which the notice to comply relates to, the Municipal Planning Tribunal of the Municipality may obtain the written comments from any interested party or person who has an interest in the matter.
  - ix. Upon receipt of the written comments from any interested party / person as referred to in subsection (viii), the owner or occupier shall within 10 (ten) days after receipt of copies of the written comments referred to in subsection (8), provide his or her written response thereto to the Municipal Planning Tribunal of the Municipality. If the owner or occupier who disputes existence or the nature of the contravention to which the notice to comply relates fails to provide his or her written response thereto within the prescribed period, such an owner or occupier shall be deemed to not have responded to the written comments referred to in subsection (viii).
  - x. Upon receipt of the written response referred to in subsection (ix) or upon expiry of the period contemplated in subsections (ix) the Municipal Planning Tribunal or designated official shall, with due regards to all facts and public interest –
    - a. make a decision with regard to the existence or the nature and extent of the contravention;
    - b. impose a contravention levy if deemed appropriate and determine the date on which it is payable; and
    - c. if a contravention is to be rectified, determine the period within which it shall be done and the conditions imposed in respect thereof.
  - xi. Any decision in terms of subsection (10) shall be served on the owner or occupier in the manner prescribed.
  - xii. The person who is the owner or occupier of the land concerned on the date on which a decision was made in terms of subsection (10), shall be liable for the payment of the contravention levy which may be:
    - a. an once off amount applicable per event or occurrence of the said contravention, or
    - b. a monthly levy applicable as long as the contravention continues and both such levies may be calculated retrospectively from the date on which the contravention first occurred.
  - xiii. Ownership of land, land unit or land area in terms of which a notice to comply in terms of subsection (i) has been served, shall only be transferred after a decision was made in terms of subsection (x).
  - xiv. Any application in terms of SPLUMA and/or the Land Use Management Scheme may only take effect after the payment of any contravention levy imposed on the land, has been paid.

## 2.4. Land use management

The definitions set out in these Scheme Regulations shall be used and applied to all matters referred to in the Act and shall apply to all regulations published in terms of the Act, unless the regulations indicate otherwise. The purpose for which land may be utilised without the approval of the Municipality within the various zoning categories (spatial planning categories) as indicated in these LUMS, could be included in the Primary, Secondary and Consent use approvals of such a land portion.

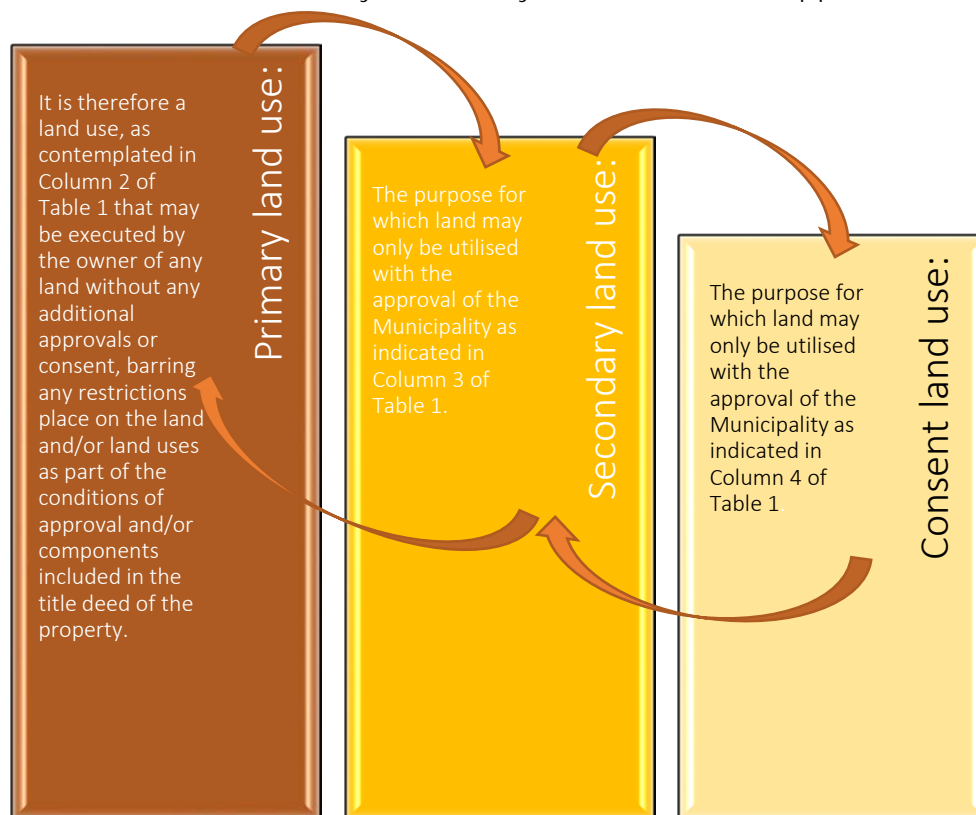


Figure 3: The relationship between the Primary, Secondary and Consent Land uses.

Any land use that does not appear in Columns 2, 3 and 4 (Table 1) and detail description of Section 2 (Definitions) and Section 4 (Development Control) may, excluding differently worded definitions of the Act and these regulations, not be allowed in the relevant zone. A zoning has been allocated to all land within the municipal area for the purposes of the management and use of land and buildings. Land situated within a specific zone is subject to the provisions specified in that zone, as well as to the general provisions applicable to all zones. The zoning or general land use of land can be confirmed by the issuing of a zoning certificate by the Municipality.

## 2.5. The issuing of Zoning Certificates and utilisation thereof

Zoning certificates can be obtained from the Town Planning department and land may not be used for any other purpose if it is not specifically permitted by the zoning of the land in question. Where a land use is permitted in a specific land use zone, the land must already be zoned as such or be rezoned to obtain that specific land use (including secondary and consent uses) and will not be permitted to be used (as a departure) in any other land use zone. It should be noted that the buildings and uses allowed in terms of columns 2, 3 and 4 of Table 1, which may be approved by the Municipality, may (in terms of Art 40, 41 and 42 of the Act) be subject to departures and or restrictions, as determined by the Municipality and the Planning Tribunal on approval, which may in effect render the rights incident to a land unit more or less limiting, as appears from the notation on the map. In such cases the relevant information with regard to the land unit should be recorded in the register that is kept up to date for this purpose.



## 2.6. General notes on land use and development

### 2.6.1. Utilisation of Zoned Land

Any land use/ zoning that is not listed in Columns 2, 3 and 4 and detail description of Section 2 (Definitions) and Section 3 (Development Control) may, excluding differently worded definitions of the Act and these regulations, not be allowed in the relevant zone. A zoning has been allocated to all land within the municipal area for the purposes of the management and use of land and buildings. No person may damage or destroy zoned land so as to destroy or impair its utilisation for the purpose for which it is zoned; provided that the Municipality may consent to the deposit of waste materials or building rubble on such land. When the Municipality gives its consent under these regulations, it may impose any conditions as it deems fit. Subject to the provisions of any other Act, no provision in these regulations may be construed as prohibiting the reasonable fencing of land.

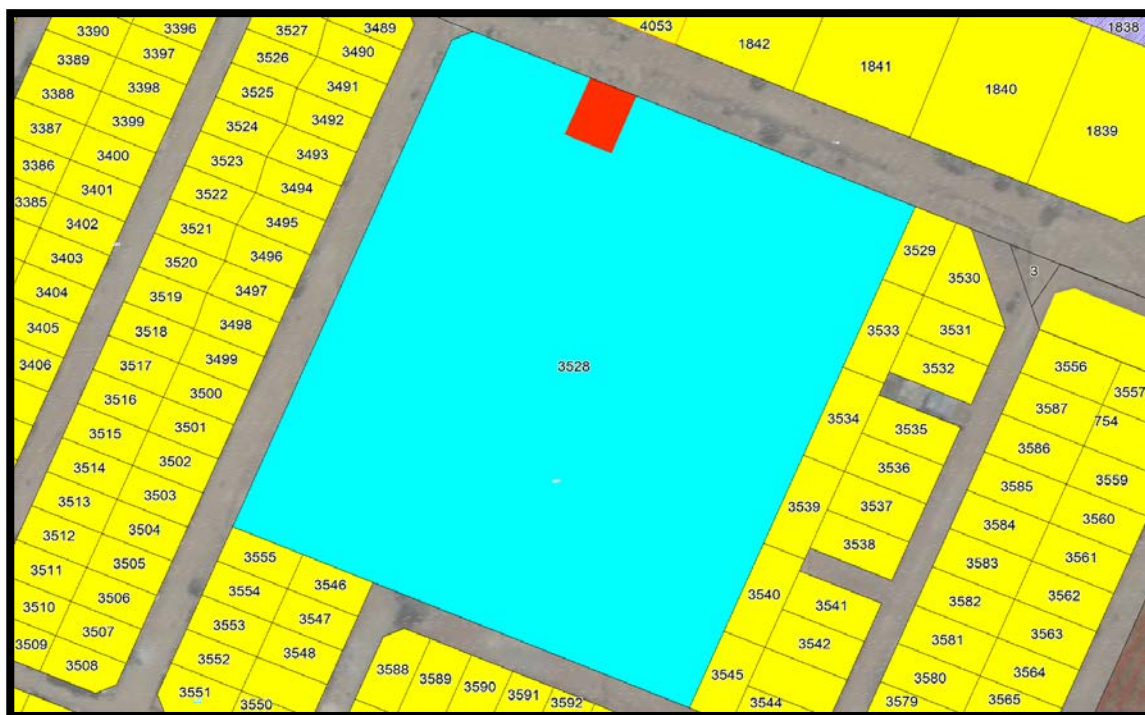


Figure 4: The primary land uses in column 2 are clearly depicted in the Zoning maps that forms part of the LUMS and which are updated by the Local Municipality.

### 2.6.2. Municipality Duties

Where permission is granted to erect a building or to perform any works or to use a building or land for any stipulated aim or to perform any other deed or action, in accordance with this LUMS and where conditions are imposed, these conditions shall have the same force and effect, as if they are part of this scheme. The Municipality shall keep a register containing all approvals, secondary and consent uses, authorisations or departures granted by the Municipality, or any restrictions placed on a specific land unit or after an appeal granted against its decision by virtue any provision of this scheme, and any condition imposed or whereto the Municipality has agreed upon, or imposed or agreed upon by the Legislator, or refusals by the Municipality or the Legislator and the name of the applicant involved. The Municipality shall allow any person at any reasonable time to examine any scheme regulations, zoning map or register which is kept in the office of the Municipality and the Municipality; provided that any information in connection with the zoning scheme which is given to any person, shall only be valid if it is in writing and signed by the official duly authorised thereto by the Municipality. The provisions of section 211 of the Municipal Ordinance, 1974 (Ordinance 20 of 1974) or any other legislation which may replace this Ordinance shall mutatis mutandis apply to this zoning scheme.

**2.6.3. Imposed Conditions**

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

**2.6.4. Compliance with Regulation**

No provision in these regulations shall be deemed to grant exemption from compliance with any of the Municipality's applicable regulations.

**2.6.5. Zoning vs Ownership**

Notations on the zoning map are intended to indicate land use and not land ownership. Land falling under ownership of a public authority, shall only be included in the authority zones if the use thereof is such that no other zone is appropriate.

**2.6.6. Non-Conforming Sites**

Before any written approvals, zoning- or clearance certificates or any business- or other licences are issued by the Municipality with regard to a site on which any land use takes place and for which authorization has not been granted or when a building is extended or changed, the Municipality may require that all the buildings on the site, as well as the site itself, be brought into line with the zoning of that site, the land use restrictions contained in these regulations, any by-laws of the Municipality and with any other laws which are applicable.

**2.6.7. Uses Not Permitted**

Subject to any provisions to the contrary in Planning Law, property may not be used for any purpose which is not specified in this zoning scheme. A property shall only be used for the purposes set out in the primary, secondary and consent use provisions for a particular zone.

**2.6.8. Special Uses**

A special use (Zoning code G.a.2) may be permitted in the Special Zone with the approval of the Municipality. The classification of any special use shall be included as a supplement to the land use scheme, and listed in the LUMS documentation by the Administrator.

**2.6.9. More than One Zoning on Land or Buildings**

Specific zones and use rights are mainly linked to individual land units and all buildings and structures on it. It is, however, possible that a building or land unit can be used for more than one purpose. Appropriate zonings /secondary and consent uses are allocated individually to each portion, indicated on the relevant zoning map and applied accordingly (thus entailing that a subdivision of these portions are not necessarily applicable).

The land indicated on the zoning map, as indicated in the different categories of Section 3: Development Control, is zoned for the respective purposes mentioned may not be used for any other purpose. In the case of combined buildings and/or sites, the provisions with regard to each storey, building or part of the building or land unit, shall apply for the purpose it is to be used for. Where it is the intention to use a single storey of a building for more than one purpose, the more restrictive provision shall be applicable.





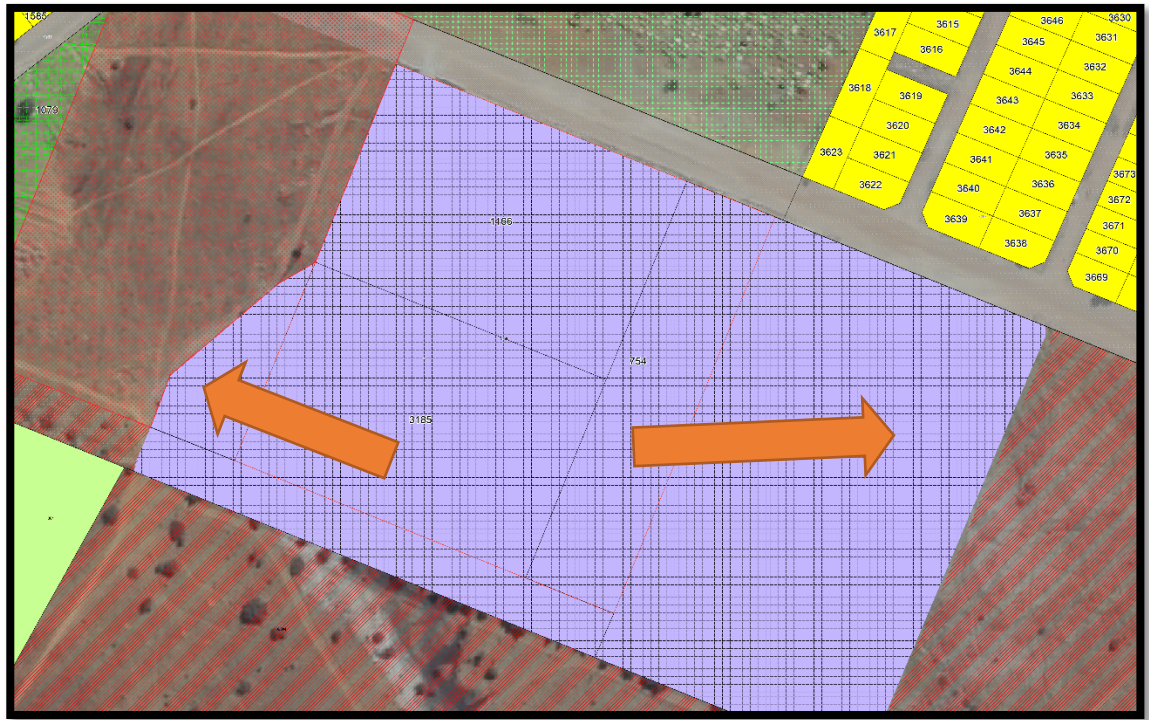


Figure 5: An example of more than one zoning per erf, with the above figure depicting the zoning stretching over erf boundaries.

#### 2.6.10. Occupational Practice and other similar rights

Without derogation of any powers of the Municipality under any other law, no regulation contained in this zoning scheme shall be construed as prohibiting or restricting, or enabling the Municipality to prohibit or restrict the following:

- i. The letting, subject to the Municipality's regulations relating to guest houses (see the Municipality By-Law/ Policy on Guest Houses), by any occupier of a residential house or of any part of such house; provided that not more than two rooms or four single beds may be let in this manner;
- ii. The occasional utilisation of a public place of worship, place of instruction or institution built as a hall for social functions; or
- iii. The utilisation of a part of a residential unit for the purpose of occupational practising by the occupant, subject to the regulations of "Occupational Practice" as described in each zoning category.

General Provisions for Occupation practice in all spatial planning categories: An occupation is normally practiced by at most one person per residential unit of which that person is the occupant, without disturbances such as noise, traffic congestion, air pollution, the congregation of people, excessive traffic generation or lowering of aesthetics being caused; provided that the number of assistants is limited to two persons per dwelling. Two persons that are legally married (including persons that live together according to common-law, or persons that are regarded man and wife in terms of religious beliefs) and reside in the same unit, may each practice their occupations subject to the relevant restrictions. Where a portion of a residential unit is utilised for the purpose of occupational practice across all of the spatial planning categories, the following conditions are applicable (also see the definition of occupational practice):

- i. The registered owner or tenant of the residential unit shall formally inform the Municipality by completing and submitting an abridged application form to the Municipality;
- ii. The applicant shall submit proof to the Municipality that the necessary notices were served on the adjoining owners and shall comply with any other advertising requirements that the Municipality requests;
- iii. At most 30% of the total floor area of the residential unit, to a maximum of 45m<sup>2</sup>, may be used for this purpose.

- iv. A portion of the garage, outbuilding or a second residential unit, may be utilised for this purpose, if no objections are received from interested and affected parties.
- v. Occupational Practice do not include any use described as part of business premises, commercial usage, work shop, industry, service trade industry, storage space, place of entertainment or offensive industry, including garden services, builders, exhibition of products (clothes and jewellery included), a nursery and any form of transport industry;
- vi. All health and other regulations normally associated with the occupational practice shall be complied with;
- vii. All boards, signs and other forms of advertising or publicity must comply with the Municipality's advertising policy;
- viii. No activities shall be carried out which are or are potentially a source of disturbance or nuisance or danger or annoyance to occupants of other residential units or portions thereof; and
- ix. The Municipality is in a position to, before or when applying of the consent use of Occupational Practice, to impose any conditions and/or restrictions such as surface, parking, business hours, access, etc., as it may deem necessary or essential.

**Challenge of condition:** If any person or the Municipality are of the opinion that any condition mentioned in these regulations or in the definition of "occupational practice" is being contravened, such person can submit a written complaint to the Municipality in which action is requested in terms of the relevant legislation.

#### 2.6.11. Occasional Uses

The Municipality may permit the occasional use of a property for infrequent, short term activities such as craft markets, farmers markets, public meetings, festivals, religious gatherings, fund raising projects, garage sales, bazaars, shows, film shoots or other events even though these are not in accordance with the use rights of the property concerned provided that, in the Municipality's opinion:

- i. The applicant has submitted an complete application in terms of the relevant policy of the Municipality
- ii. The occasional use will not have a significant negative impact on surrounding areas, or on the natural and/or social environment;
- iii. The occasional use is genuinely of a temporary and short term nature; and it is not appropriate to process an application for the use as a temporary departure; and
- iv. The occasional use conforms to the Municipality's policy, if such policy exists, provided that the approval does not absolve the applicant from compliance with any other relevant legislation.

Approval granted under this regulation shall be subject to such conditions as the Municipality may impose, which may include, but are not limited to, the following:

- i. That the applicant provides parking and toilet facilities to the satisfaction of the mentioned authority;
- ii. That such occasional use does not extend beyond the hours of operation or duration in terms of days as determined by the Municipality; and
- iii. That such approval may be withdrawn by written notice to the applicant, if in the opinion of the Municipality, any condition of approval is not complied with or if a public nuisance is created.

#### 2.6.12. Uses shown On Building Plans

A building plan may not be considered and approved in terms of the National Building Act where the uses indicated on the plan for the property or within the proposed building or structures are in contradiction with the LUMS, or any other legislation. If any building plan is approved showing uses on a property, such uses are not considered to have been approved in terms of this zoning scheme, and uses indicated on a building plan do not constitute a limitation on the use of the property permitted in terms of this zoning scheme.

### 2.6.13. Development of Second Residential Units

A second residential unit may be approved in various spatial planning categories and forms part of an application for secondary use. The following building control measures forms part of a second residential unit:

- i. Floor area: At most 60% of the primary dwelling on the premise to a maximum of 120m<sup>2</sup> for the second residential unit. Car ports and garages are to be included in these calculations.
- ii. Building Lines: The same as for the Primary Usage and also see utilisation of outbuildings.
- iii. Coverage: Maximum coverage for all the buildings on the premises shall not exceed 66% for residential erven of 400m<sup>2</sup> and larger and remains 80% for erven smaller than 400m<sup>2</sup>.
- iv. Height: A height of 8m above natural ground level directly beneath a particular point of portion of the building can be permitted, if the following conditions are adhered to:
  - a) The second residential unit must be adjoining to the primary house.
  - b) The written consent from affected parties and neighbouring owners are obtained.
- v. Other components: Bona fide staff housing as it is to be found in the Category C, Agricultural Areas are, in applying these regulations, not regarded as second residential units.

### 2.6.14. Utilisation Of Outbuildings

No outbuildings may be utilised for any other purpose than that for which the building plans have been approved by the Municipality.

#### **General Provisions for Outbuildings across all Spatial Planning Categories:**

Notwithstanding these building lines, but subject to the consent of affected parties and neighbouring owners and the Municipality's written consent, outbuildings may, subject to the following provisions, be erected within such rear and side boundaries on the erf, provided that if the neighbouring owners' consent cannot readily be obtained or in the opinion of the Municipality are unreasonably withheld, the Municipality shall have the competence to decide, whether delegated or not.

**Municipal Services:** Preference shall be given to the requirements of the Municipality and/or other appropriate authority and/or institution, with regard to the protection and servicing of existing or future underground or aboveground municipal and other services.

#### **Boundaries for Outbuildings:**

- i. No window or door shall, with regard to an outbuilding which is erected on a side or rear boundary, be placed in the wall (walls) facing the boundary(ies) of the erf concerned. The distance of 1.5m for the placing of windows and doors must be adhered to at all times.
- ii. With regard to an outbuilding which is erected on a side and/or rear boundary, the owner shall be required to finish off the wall facing the boundary of the erf concerned, to the satisfaction of the Municipality, to such standard as it is at least equal to that of the rest of the outbuilding and the owner shall maintain the wall at the said standard.
- iii. No portion of an outbuilding that is erected on the boundary of an erf shall project over the boundary or exceed it in any other way.
- iv. Outbuildings can be converted to Second Residential Units as part of the Secondary Use application, but must adhere to the following:
  - a) No windows and doors will be allowed closer than 1.5m from the rear and side boundaries.
  - b) Any extensions to the building will adhere to the building lines of the Single residential house in this zone.
- v. No rainwater that runs off the roof of the outbuilding shall be discharged on an adjoining erf and the owner of the outbuilding shall take precautions, to the satisfaction of the Municipality, to control such run off.

### 2.6.15. Development of a Tuck Shop

A Tuck Shop unit may be approved in various residential spatial planning categories and forms part of an application for consent use. Where a person wants to use a portion of a residential house for the purpose of a tuck shop, he/she must comply with the requirements of the relevant Municipality Policies (SDF) and By-Laws on tuck shops. Compliance with these regulations at the time of submitting an application, shall at no time guarantee the approval of the application. These are only preconditions for the consideration of an application and where a portion of a residential unit is utilised for the purpose of Tuck Shop, the following conditions and building control measures are applicable (also see the definition of Tuck Shop):

- i. The registered owner or tenant of the residential unit shall formally inform the Municipality by completing and submitting a registration form to the Municipality;
- ii. The occupier shall submit proof to the Municipality that the necessary notices were served on the adjoining owners and shall comply with any other advertising requirements that the Municipality requires;
- iii. At most 30% of the total floor area of the residential unit, to a maximum of 45m<sup>2</sup>, may be used for this purpose.
- iv. Such part of the residential house, flat or residential building shall only be used for a Tuck Shop and not be used for the purpose of Commercial (D.i.2), business Premises (D.i.1), work shop, industry, store, place of entertainment or offensive industry;
- v. All health and other regulations normally associated with the Tuck Shop, trade or activity shall be complied with;
- vi. All boards, signs and other forms of advertising or publicity must comply with the Municipality's advertising policy;
- vii. No activities shall be carried out which are or are potentially a source of disturbance or nuisance or danger or annoyance to occupants of other residential units or portions thereof; and
- viii. The Municipality is in a position to, before or at registration, impose any conditions and/or restrictions such as surface, parking, business hours, access, etc., it may deem necessary or essential.
- ix. If the proposed Tuck Shop is located within a housing development governed by a Home Owners Association, the approval from the said association must also accompany the application to the Municipality.

**Challenge of condition:** If any person or the Municipality are of the opinion that any condition mentioned in these regulations or in the definition of "Tuck Shop" is being contravened, such person can submit a written complaint to the Municipality in which action is requested in terms of the relevant act.

### 2.6.16. Ownership of public places and land required for municipal engineering services and social facilities

- i. The ownership of land that is earmarked for a public place (POR/POS) as shown on an approved subdivision plan shall vest in the Municipality upon registration of the public open space in terms of the Deed Registries Act, unless a provision to the contrary is contained in the development right granted to an applicant, in which event the condition contained in such a development right shall prevail.
- ii. The Municipality may in terms of conditions imposed in terms of any development right granted determine or designate land that must be used for the provision of engineering service which must be transferred to the Municipality at the cost of the owner upon the owner complying with the development right thus granted.

### 2.6.17. Closure of public open places

- i. The Municipality may upon application, permanently close a public place or any portion thereof in accordance with provisions of this By-Law and the Land Use Management Scheme (LUMS).
- ii. An applicant who requires the closure of a public place, including the Municipality, whether permanently or temporarily, must apply to the Municipality, in terms of this By-Law, as well as the approved Land Use Management Scheme for Kgatelopele Municipality, in the manner prescribed.



- iii. The ownership of the land comprised in any public place or portion thereof that is permanently closed in terms of this section continues to vest in the Municipality, unless the Municipality determines otherwise.

#### **2.6.18. Parking of Vehicles In Residential Zones**

The following development rules apply to the parking of vehicles in the Single Residential Zones and General Residential Zones:

- i. A motor vehicle owned by an occupant of a dwelling unit and used for commercial activities conducted away from the dwelling unit, may be parked on the property where the occupant resides provided that:
  - a) There is adequate space on the property concerned;
  - b) No more than one commercial vehicle per dwelling unit shall be parked on the property;
  - c) The gross weight of any such commercial vehicle shall not exceed 3 500 kg; and
  - d) No such vehicle may be parked in the street.
- ii. A recreation vehicle, such as a caravan, may not be used for habitation by the occupant or guests for more than 60 days during any 12-month period.
- iii. No livestock may be kept on any parked vehicle overnight in any residential area.

#### **2.6.19. Enforcement Litigation and General Penalty Clause**

The Municipality will, in accordance with these LUMS and the annual approved tariff structure of Council, impose a levy for unauthorised land uses as part of the municipal account, until such time as the owner of the said property and/or occupier in the case of land owned by any organ of state, provides written proof that the contravention has been rectified. In addition to the above, any person and or body, who contravenes any provisions of this LUMS is guilty of an offence and Council may take further legal actions and if convicted, will further be punishable in terms of SPLUMA. The Municipality may apply to the Magistrate Court in whose jurisdiction the land is situated to obtain an order to compel the owner and/or the occupiers of land in question to—

- a. cease with the unlawful utilisation of land, and/or;
- b. demolish, remove or alter any building, structure or work illegally erected or constructed and/or;
- c. rehabilitate the land concerned.





## 2.7. General notes on secondary uses

### Applications for Secondary Uses:

- If a specific use of a building and/or erf is not stipulated in Column 2 of Table 1, as part of the Primary use category, an application may be launched to the Municipality for evaluation and consideration of such a secondary use as listed for that category in Column 3 of Table 1. The Municipality may grant or refuse permission for the secondary use, and if granting permission, may impose any conditions or restrictions as it deems fit, regarding the erection or use of such a building or erf. When such an application is considered, the question whether the use for which the building or erf was intended and designed, or the proposed building, should be kept in mind and whether the proposed building and land use will harm the amenity of the environment, including emission of smoke, fumes, dust, noise or odours.

### Nature and Period of Secondary Uses:

- Approved secondary land uses are a permanent use and cannot be linked to ownership or a specific timeframe. If the new owner or owners of an erf want an approved secondary use to be cancelled, a written application, motivation and descriptive plans must be submitted to the Municipality for the subsequent adjustments that needs to be made to the LUMS (zoning register and maps).

### Conditions for Implementation of Secondary Uses

- Secondary uses are subject to the same restrictions and conditions as the primary uses in a specific zone, unless specifically indicated differently as part of the 'further restrictions applicable to specific uses/ buildings' segment, in which case the differently worded restrictions applicable, will enjoy preference, irrespective of being more or less restrictive than the primary usage.



## 2.8. General notes on consent uses

### Applications for Consent Uses:

- If a specific use of a building and/ or erf is not stipulated in Column 2 of Table 1, as part of the Primary use category, an application may be launched to the Municipality for evaluation and consideration for a consent use as listed for that category in Column 4 of Table 1A. The Municipality may grant or refuse permission for the consent use, and if granting permission, may impose any conditions and restrictions as it deems fit, regarding the erection or use of such a building or erf. When such an application is considered, the question whether the use for which the building or erf was intended and designed, or the proposed building, should be kept in mind and whether the proposed building and land use will harm the amenity of the environment, including emission of smoke, fumes, dust, noise or odours.

### Nature and Period of Consent Uses:

- Any consent use is temporary as it is not linked to a specific time, but to a certain person or enterprise and to a site or portion thereof. If the relevant site or enterprise should change in ownership or location, or if it should stop functioning, the owner of the property has to inform the Municipality, in writing, of the said changed circumstances. If a new owner or owners of an erf wants the approved consent use to be extended, a new application must be submitted to the Municipality for evaluation and consideration. This application must be launched as soon as the sales agreement between the respective owners has been signed and the Municipality retains the power to approve or not approve such an application.

### Conditions for Implementation of Consent Uses

- Consent uses are subject to the same restrictions and conditions as the primary uses in a specific zone and therefore do not permit any structural changes to any building or part thereof and unless specifically indicated differently as part of the “further restrictions applicable to specific uses/ buildings’ segment, in which case the differently worded restrictions applicable, will enjoy preference, irrespective of being more or less restrictive than the primary usage.



## 2.9. Procedures for the handling of applications

The details steps for handling of applications are described in LUMS A: Manual and Application Procedures.

## 2.10. General building control measures across all spatial planning categories and general aesthetics

### 2.10.1. External Appearance of Buildings

Anyone or any person intending to erect a building or to change the appearance of an existing building shall, if the Municipality so requires (in addition to any plans and particulars required to be submitted under any of the Municipality's regulations), provide drawings and supporting documents or other sufficient indication of the external appearance of the relevant building, including a description of the building materials to be used for the purpose. The drawings shall be upon suitable and durable material to a scale as prescribed in the National Building Regulations. The Municipality may insist on any alteration to the external appearance and building materials, as it may deem necessary.

### 2.10.2. Aesthetics and Landscaping

Where paving, landscaping, other treatment or any aesthetical requirements is deemed necessary by the Municipality or by the Provincial Legislator, if the matter is considered by him, in order to prepare land for development, it may be required by the Municipality or the Provincial Legislator, as the case may be, and such requirements shall be executed to the satisfaction of the Municipality or the Provincial Legislator, as the case may be, at the cost of the owner.

### 2.10.3. Advertising and Publicity on Buildings and/or Land Units

All property (land units, buildings and structures) is subject to the Municipality's advertising policy and regulations. This advertising policy shall therefore be regarded and applied as part of these regulations and applicable to all spatial planning categories inside and outside the Urban Edges.

### 2.10.4. General on Height of Buildings, Boundary Walls and Fences

Notwithstanding the building line requirements set out in this section, the following structures or portions of structures may, provided they do not extend beyond the boundaries of the land unit, be erected within the prescribed building lines:

- i. Boundary walls, retaining walls, screen walls, fences and gates not exceeding 1.8m in height above the existing ground level abutting such wall;
- ii. No gates that open onto the pavement shall be permitted.
- iii. Open and uncovered stoeps lower than 1,0 m above the existing ground level;
- iv. Entrance steps, landings and entrance porches; lower than 1m above the existing ground level;
- v. A covered pedestrian entrance or gatehouse that has a roofed area not exceeding 5,0 m<sup>2</sup> and a roof height not exceeding 3,0 m from floor to highest point of the roof;
- vi. Eaves and awnings projecting no more than 1,0 m from the wall of the building;
- vii. Cornices, chimney breasts, flower boxes, water pipes, drain pipes and minor decorative features not projecting more than 500 mm from the wall of the building;
- viii. Swimming pools not closer than 1,0 m from any boundary, provided that where a swimming pool is designed closer to the erf boundary an engineering certificate and consent from affected neighbours are required;
- ix. A basement, provided that the top of the basement roof slab does not project above the existing ground level;
- x. A refuse room that has an area not exceeding 5 m<sup>2</sup> and if covered a roof height not exceeding 3,0 m or as required by the Municipality; and
- xi. Built braais according to the National Building Regulations, with the consent of affected neighbours.



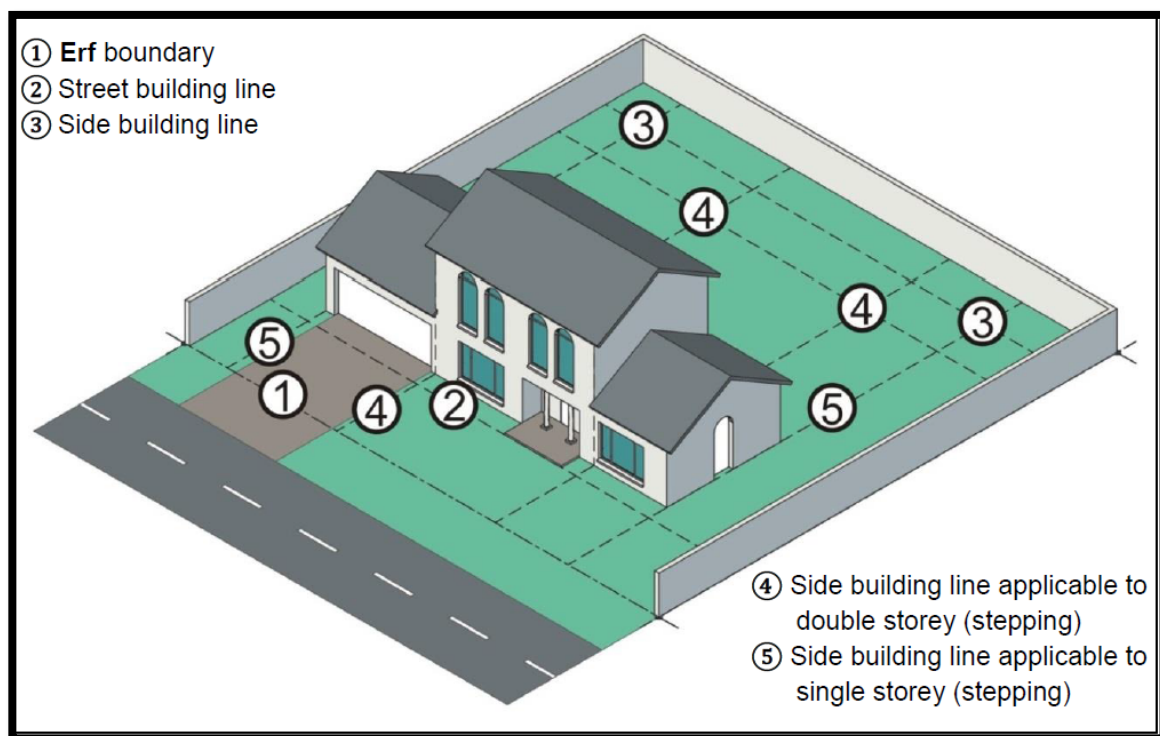


Figure 6: An example of the building lines descriptions as found in the Ekurhuleni Town Planning Scheme.

#### 2.10.5. The Height of Buildings

The height of buildings as specified and restricted in the different zones is the vertical height above the natural ground level directly below any particular point or portion of a building, but in reality also represents multiples of storeys where a storey is defined as a maximum height of 4m in the definition. Therefore, although indicated in metres, the restriction on height shall also be read as a restriction on a specific number of storeys. For example, where the height restriction is 8m, only two storeys may be erected, notwithstanding the fact that the owner may make a storey only 2,5m high. The number of storeys permitted in a zone (excluding industries) is therefore the number of times the height restriction can be fully divided by 4.

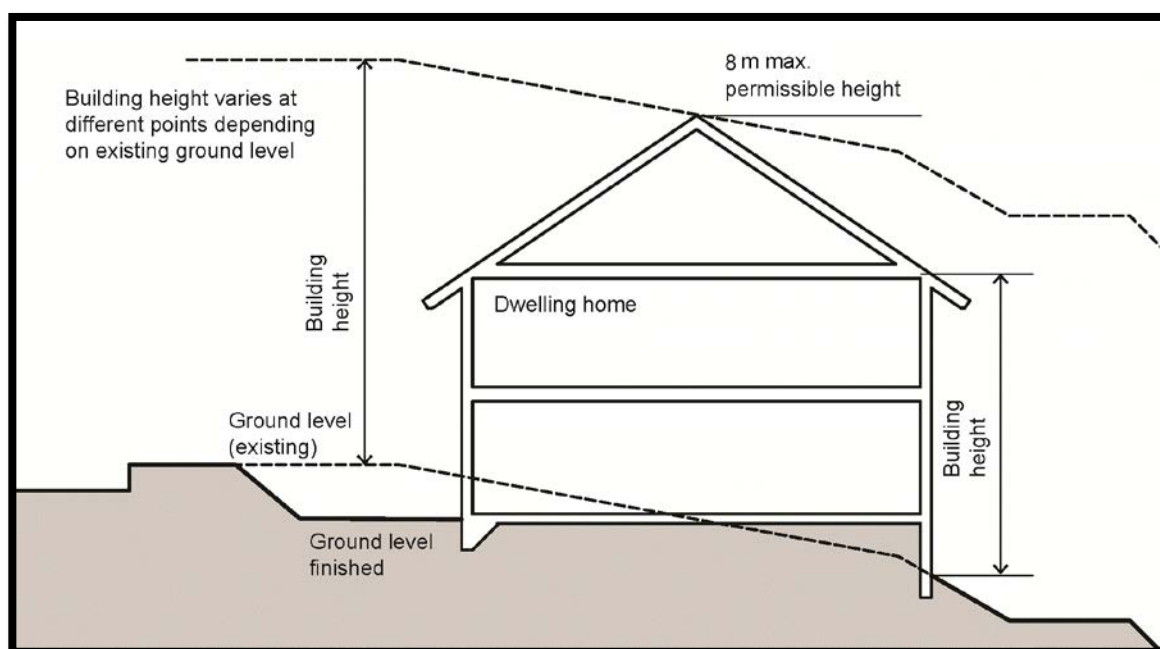


Figure 7: An example of measuring the total height of a building as measured from the natural ground level.

### 2.10.6. The encroachment of side and rear building lines

The Municipality may approve the erection of an outbuilding, which encroaches into the side and rear building lines, provided that:

- i. No building exceeds a height of one storey;
- ii. No wall on the property boundary may be higher than 3,50 m above the natural ground level, provided that the height may increase at a 40 degree angle away from such boundary;
- iii. The length of the structure does not exceed one third of the boundary concerned or 9,0 m, whichever is the lesser distance
- iv. No doors and windows shall be permitted in any wall closer than 1,5 m to the rear or side boundary;
- v. In the event of a property being accessed via a private street an access way of at least 1,0 m shall be provided from the private street to every vacant portion of the land unit concerned other than a courtyard;
- vi. No runoff of rainwater from a roof shall be discharged directly onto adjoining properties;
- vii. The outbuilding shall be included in the calculation of coverage on the land unit;
- viii. The Municipality may request a minimum distance of 1m for reasons of aesthetics and health and safety reasons;
- ix. The Municipality is satisfied that the structure does not pose a fire hazard and is constructed according to National Building Regulations; and
- x. Where the written consent (if applicable) of the immediate neighbours is obtained the Municipality need not advertise the application further.

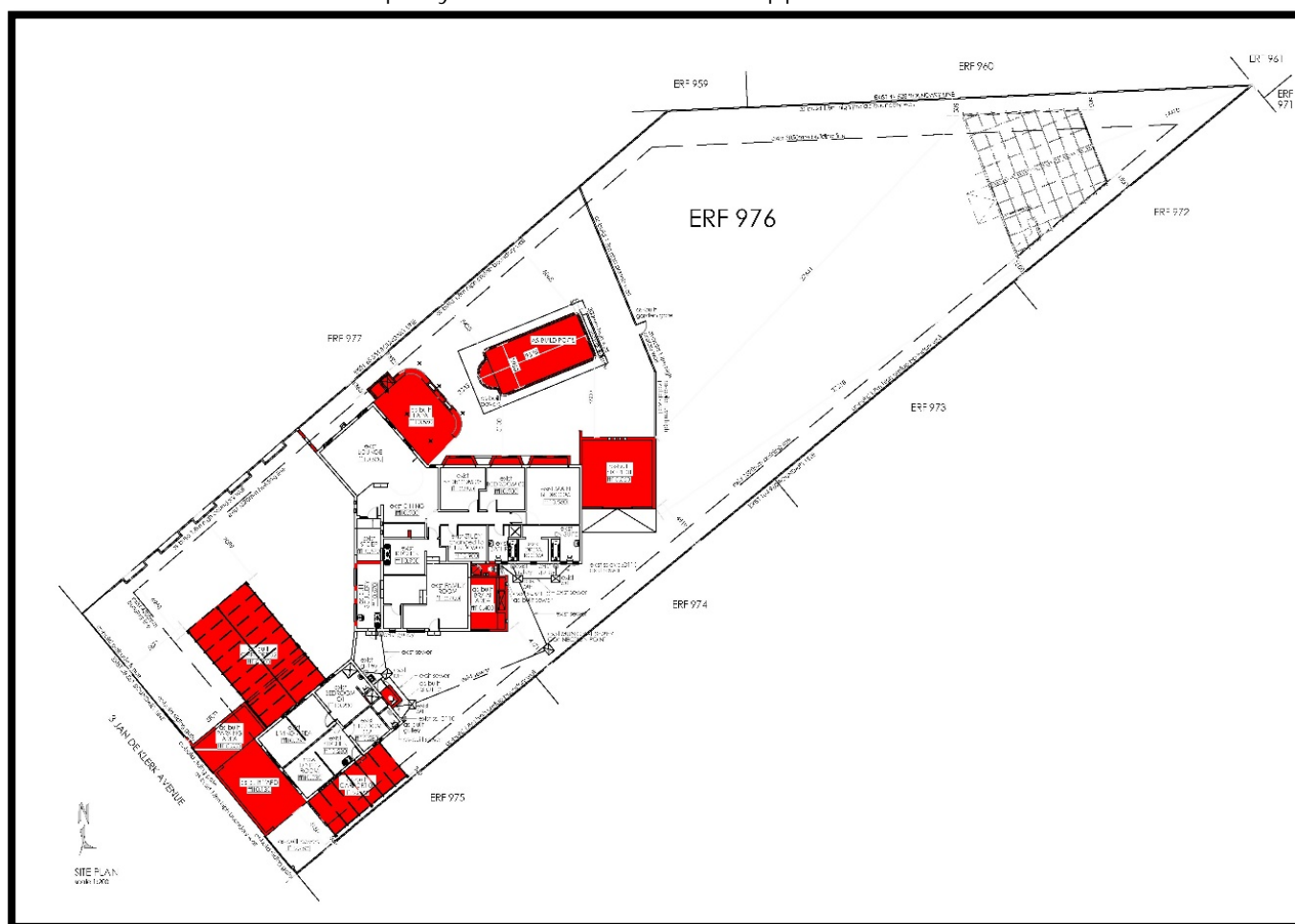


Figure 8: An example of the Site Development Plan indicating the encroachment of the buildings lines and the requested relaxation.



### 2.10.7. The height of boundary walls and boundary fences

The height of boundary walls and boundary fences shall:

- i. In the instance where it is erected on the street boundary, not exceed a height of 1.8m, except in cases where it is intended to ensure privacy or to hide unsightly backyards from view, in which case the Municipality shall consider a higher wall.
- ii. For the erection of any boundary walls exceeding a height of 1.8m, written consent from neighbours must be included as part of the building plans.
- iii. In the instance where it is erected on side or rear boundaries, not exceed a height of 1.8m unless approval is given on plans in accordance with the National Building Regulations.
- iv. In all instances, regardless of the regulations contained in (i) and (ii) above, maintain the visibility distance at street junctions to the Municipality's satisfaction, and the Municipality may require a reduction of the height and/or length of such boundary walls or boundary fences, if necessary for sufficient visibility distance as determined by the Municipality.

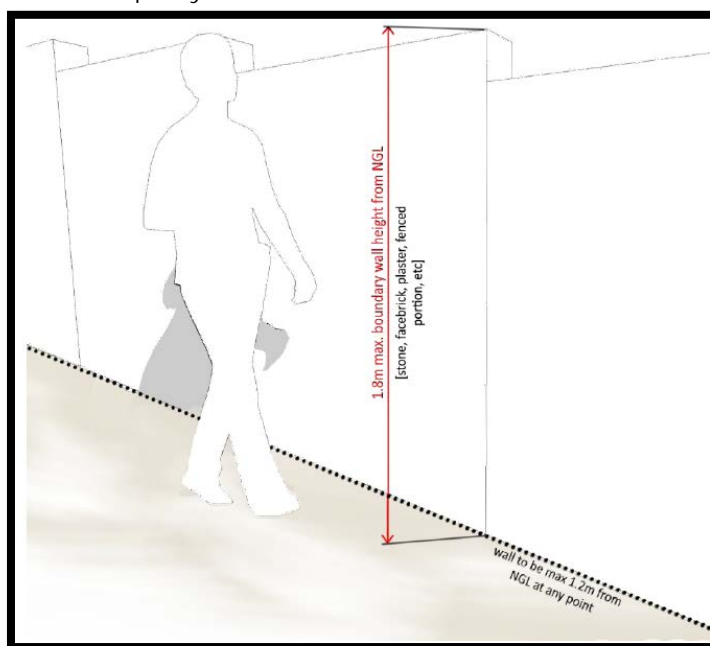


Figure 9: An example of the maximum height of a boundary wall as found in the Steyn City Guidelines.

### 2.10.8. Encroachment of the street building line

The Municipality may relax the street building line under the following circumstances:

- i. In the case of a garage or carport subject to 2.10.9. Garages and carports within building lines;
- ii. If, in its opinion, the architectural effect of the building line relaxation will enhance the appearance of a street;
- iii. If, its opinion, the approval would not hinder or have a negative impact on the possibility of future road improvements or any developments;
- iv. If, in its opinion, there are special circumstances, motivated to its satisfaction by the property owner, such as the topography of the site; and
- v. All other buildings and outbuildings to comply with the street building line applicable within the zone concerned.

### 2.10.9. Parking, Car ports and Access gates

**General Provisions:** Parking provision in terms of these regulations shall be done in accordance with a "rational design" for parking areas of 10 or more parking bays that must be provided for any land use as prescribed in the Land Use Restrictions table. In the instance where a particular parking provision is less than 10 parking bays, these specifications may be relaxed, as accordingly determined in each case by the Municipality.

**Building Lines:** Subject to the Municipality's approval, a carport and shade nets that will exceed a street or side building line, if in its opinion, the approval would not hinder or have negative impact on the possibility of future road improvements and may be erected.

Car Ports and Access Gates must adhere to the following conditions:

- i. The carport shall be supported by metal, wooden, brick or cement poles or pillars.
- ii. No walls, except boundary walls, shall be constructed in such a way as to enclose the carport. Comprehensive building plans for the wall and carport must be submitted for approval, where any part of a carport hinges on any boundary wall.
- iii. The height of the carport, measured from the floor to the top of the roof, shall not exceed 4m.
- iv. The sides of the roof shall be neatly finished with a fascia for aesthetical reasons.
- v. The façade of the carport shall not be closer than 300mm from the street boundary.
- vi. No gates that open onto the pavement shall be permitted.
- vii. Standard provision shall be made for the collection and run-off of rainwater from the carports.
- viii. Written comment from affected parties and adjoining land owners if a side building line will be exceeded, and affected parties and adjoining land units (including neighbours across the street) if the street building line will be exceeded, shall be obtained.
- ix. All above-mentioned requirements shall also apply to shade nets.
- x. Full building plans, subject to the regulations for a garage, shall be submitted for any carport which does not comply with the conditions stated above.

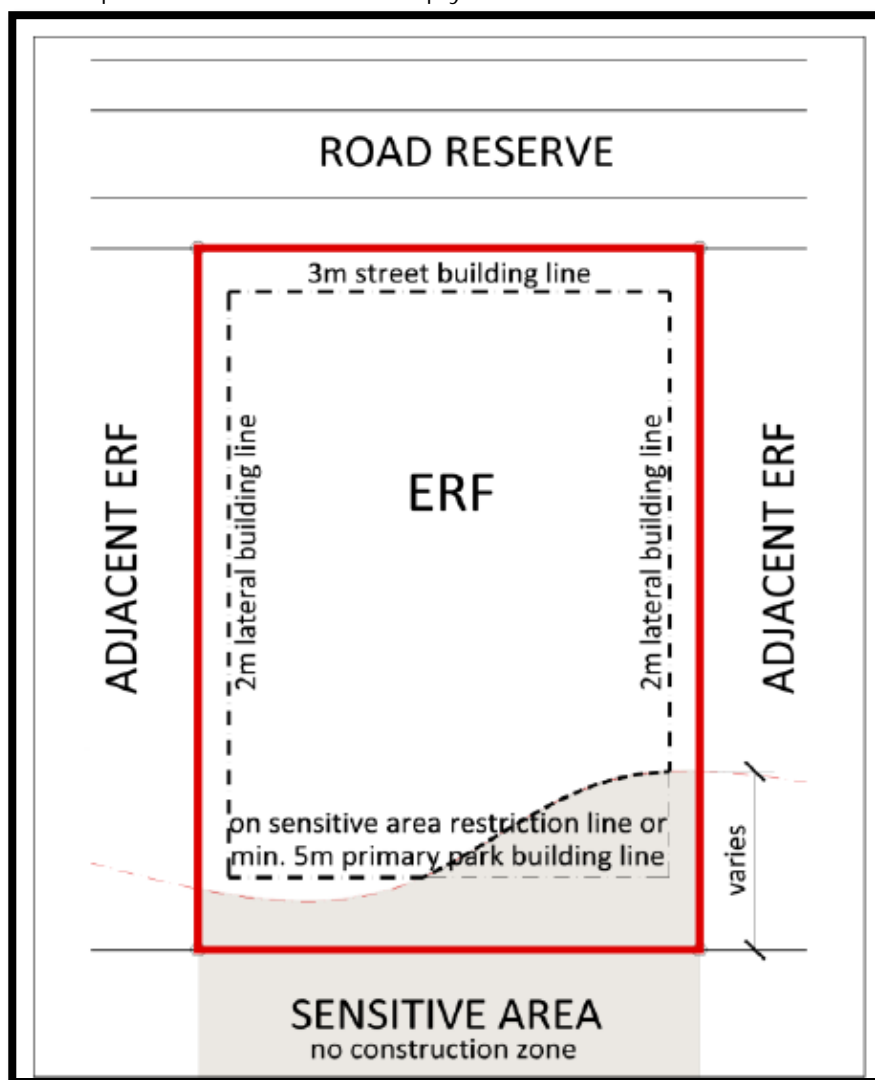


Figure 10: An example of building lines and the influence of a Sensitive area, e.g. Flood lines on the building restriction line.

#### 2.10.10. Garages and carports within building lines

The following development rules apply with regard to garages and carports within building lines:

- i. The Municipality may permit the erection of a garage over a street building line, if in the mentioned authority's opinion:
  - a) The garage cannot reasonably be sited at the prescribed distance due to the slope of the land unit, or for other reasons provided;
  - b) The height of such garage from the natural ground level to the top of its roof does not exceed 4,5 m; and
- ii. A carport may be erected on the street boundary provided that:
  - a) The width of such carport shall not exceed 6,5 m;
  - b) The roof of the carport shall be supported by metal or timber post or brick, concrete or masonry pillars;
  - c) The carport shall not be enclosed, except by:
    - i. a boundary fence or wall;
    - ii. wall which forms the external wall of a building; or
    - iii. a security or automated gate.

the height of such carport measured from the natural ground level to the highest point of the structure over the building line may not exceed 3,0 m, but the height may increase at a 40 degree angle away from such boundary(roof); and
  - d) The edges of the roof sheeting must be trimmed with a fascia board not less than 150 mm in width.

#### 2.10.11. Types of boundary walls and fences

Only the following types of material for boundary walls and fences shall be accepted by the Municipality, namely:

- i. Face brick walls, including walls of any brick, e.g. rock face bricks that are normally not plastered;
- ii. Normal brick or building block walls (plastered and painted on street side);
- iii. Prefabricated panel walls;
- iv. Pattern walls, with or without brickwork;
- v. Wire (chicken or diamond); and
- vi. Any other material, including electrical fences, specifically approved by the Municipality.

#### 2.10.12. Loading and Unloading Facilities

The Municipality may, in order to prevent the obstruction of traffic on any street or proposed street on which a proposed building will front or abut, require the owner to submit proposals for the approval of the Municipality for ensuring, to the Municipality's satisfaction, suitable and sufficient space on the site, for any loading or unloading of vehicles or the provision of fuel to vehicles, which the utilisation of the building will normally be likely to entail. No owner or occupant, of the building in respect of which proposals under these regulations have been required, shall undertake or knowingly permit the continued loading or unloading or fuelling of vehicles, except in accordance with applicable regulations.

#### 2.10.13. Screening

The Municipality may require screening in accordance with the following:

- i. Any part of the land unit which is used for the storage or loading of goods, shall be enclosed with a suitable wall and/or landscape screening; and
- ii. Any external utility service or equipment which is required for a building, shall be appropriately screened from view from a public street, and such screening shall be integrated with the building in terms of materials, colour, shape and size, and shall be to the satisfaction of the Municipality.

#### **2.10.14. General Municipal services, refuse removal, washing lines and outside toilet facilities for Place of Instruction**

Special consideration: With regard to all the above-mentioned facilities the Municipality shall give special attention with the consideration of the building plans in order to ensure that the best functional and aesthetic results are obtained.

#### **2.10.15. Municipal services arising from subdivision or the granting of any other development rights**

Subsequent to the approval of an application for subdivision or any other development right in terms of this By-law, the owner of any land unit originating from the subdivision must:

- i. allow without compensation that the following be conveyed across its land in respect of other land units originating from the subdivision:
  - a. electricity cables;
  - b. telephone cables;
  - c. other electronic infrastructure;
  - d. main and other water pipes;
  - e. sewer lines;
  - f. storm water pipes;
  - g. ditches and channels; and
  - h. any cable conveying data in any format whatsoever.
- ii. allow the following on his or her land unit if considered necessary and in the manner and position as may be reasonably required by the Municipality:
  - a. surface installations such as mini-substations;
  - b. (meter kiosks; and
  - c. service pillars;
- iii. allow access to the land unit at any reasonable time for the purpose of constructing, altering, removing or inspecting any works referred to in paragraphs (a) or (b); and
- iv. receive material or permit excavation on the land unit as may be required to allow use of the full width of an abutting street and to provide a safe and proper slope to its bank necessitated by differences between the level of the street as finally constructed and the level of the land unit, unless he or she elects to build retaining walls to the satisfaction of, and within a period to be determined by, the Municipality.

#### **2.10.16. Rainwater run-off**

No rainwater that runs off the roof of any building or structure on any premise or erf, shall be discharged on an adjoining erf and the owner of the outbuilding shall take precautions, to the satisfaction of the Municipality, to control such run-off.

#### **2.10.17. General maintenance**

Property shall be properly maintained by the owner or occupant and shall not be left in a neglected or offensive state;

- i. Contain an unsightly accumulation of papers, cartons, garden refuse rubble and/or other waste material;
- ii. Contain an accumulation of motor wrecks or used motor parts, unless these are part of a primary or consent use in terms of this zoning scheme; or
- iii. Contain outdoor storage of building material, appliances or similar items unless these are:
  - a) Part of a primary, secondary or consent use in terms of this zoning scheme;
  - b) Being temporarily stored for the purpose of construction in accordance with a valid building plan approval; or
  - c) In conjunction with a yard or garage sale with a duration of not more than 2 (two) consecutive days.

## 2.11. Homeowner's Association

### 2.11.1. Establishment of Homeowner's Associations

The following are applicable to homeowner's associations:

- i. The Municipality may, when approving an application for land use change, impose conditions relating to the compulsory establishment of a homeowner's association by the applicant for an area determined in the conditions.
- ii. A homeowner's association that comes into being by virtue of subsection (i) is a juristic person and must have a constitution.
- iii. The constitution of an homeowner's association must be approved by the Municipality before the transfer of the first land unit and must provide for—
  - a) The homeowner's association to formally represent the collective mutual interests of the area, suburb, neighbourhood or complex set out in the constitution in accordance with the conditions of approval;
  - b) Control over and maintenance of buildings, services or amenities arising from the development;
  - c) The regulation of at least one yearly meeting with its members;
  - d) Control over the design guidelines of the buildings and erven arising from the development;
  - e) The ownership by the homeowner's association of all common property arising from the subdivision, including private open spaces, private roads, private places and land required for services provided by the homeowner's association;
  - f) Enforcement of conditions of approval or management plans;
  - g) Procedures to obtain the consent of the members of the owners' association to transfer an erf in the event that the homeowner's association ceases to function;
  - h) The implementation and enforcement by the homeowner's association of the provisions of its constitution.
- iv. The constitution of a homeowner's association may have other objects as set by the association but may not contain provisions that are in conflict with any law.
- v. A homeowner's association may amend its constitution when necessary, but if an amendment affects the Municipality or a provision referred to in subsection (3), the amendment must also be approved by the Municipality.
- vi. An homeowner's association that comes into being by virtue of subsection (i)—
  - a) Has as its members all the owners of land units originating from the approval and their successors in title, who are jointly liable for expenditure incurred in connection with the association; and
  - b) Is upon registration of the first land unit automatically constituted.
- vii. The design guidelines contemplated in subsection (iii)(d) may introduce more restrictive development rules than the rules provided for in the zoning scheme.
- viii. If an owners' association fails to meet any of its obligations contemplated in subsection (3) and any person is, in the opinion of the Municipality, adversely affected by that failure, the Municipality may take appropriate action to rectify the failure and recover from the members referred to in subsection (vi)(a) the amount of any expenditure incurred by it in respect of those actions.
- ix. The amount of any expenditure so recovered is, for the purposes of subsection (viii), considered to be expenditure incurred by the owners' association.

### 2.11.2. Homeowner's association ceases to function

The following are applicable to homeowner's associations:

- i. If a homeowner's association ceases to function or carry out its obligations, the Municipality may:
  - a) Take steps to instruct the association to hold a meeting and to reconstitute itself;
  - b) Subject to the amendment of the conditions of approval, remove the obligation to establish an owners' association; or
  - c) Subject to the amendment of title conditions pertaining to the owners' association, remove any obligations in respect of an owners' association.





- ii. In determining which option to follow, the Municipality must have regard to:
  - a) The purpose of the homeowner's association;
  - b) Who will take over the maintenance of infrastructure for which the owners' association is responsible; and
  - c) The impact of the dissolution of the homeowners' association on the members and the community concerned.

## 2.12. Interpretation

### 2.12.1. Rules for Interpretation

The following rules of interpretation shall apply:

- i. In this zoning scheme, in the register, in any note on the zoning map and in any condition imposed in terms of this zoning scheme, the words and expressions shall have the meanings assigned to them in accordance with the definitions contained in these zoning scheme regulations, except where a contrary interpretation is clear from the context. Interpretation of words not defined in this chapter will have the LUMS will have the meanings assigned to them in the Oxford English Dictionary, published by the Oxford University Press, except where a contrary interpretation is clear from the context;
- ii. Headings contained in this zoning scheme shall be used for reference purposes, but shall not be construed to govern, limit or modify the meaning or intent of any provision of the zoning scheme;
- iii. The masculine gender includes the feminine and neuter, and vice versa, and the singular includes the plural, unless the context indicates otherwise;
- iv. Whenever reference is made to a law, ordinance or by-law, the reference applies to all substitutions, amendments and additions of that law, ordinance or by-law;
- v. Whenever reference is made to the use of a building, land unit or property, the reference applies also to the erection of a building, to the use of part of a building and to the use of a land unit, whether a building is erected on the land unit or not;
- vi. It is understood that the terms 'must' and 'shall' are mandatory, and the term 'may' is not mandatory, unless the context clearly indicates otherwise; and
- vii. The Municipality interpretation of the text shall prevail unless the contrary is proven.

### 2.12.2. Methods of Measuring Distances, Levels and Heights

The following provisions apply with regard to measuring distances, levels or heights:

- i. If required by the Municipality, the owner or applicant shall appoint a registered surveyor to supply or verify information necessary for the mentioned authority to make a decision about compliance with distances or heights required in terms of this zoning scheme;
- ii. Where reference is made or implied to the distance between boundaries or between a building and a boundary, this distance shall be measured in the following manner:
  - a. The boundary or boundaries and all points of the building shall be projected onto a horizontal plane, and all measures shall be made in such a plane; and
  - b. The distance between a point on a building and a boundary shall be measured at the shortest distance between the point and the boundary.
- iii. Where reference is made to a portion of a boundary opposite a building, such portion shall be defined by drawing lines in a manner described in (ii), from points on such building, at right angles to such boundary;
- iv. Where reference is made to a distance, ground level, height of a point on a building or other measurement, then such distance, level or height shall be calculated in accordance with recognised geometric principles. In any case where the distance, level or height involved is so irregular that calculation in accordance with these principles is impractical or leads to a result which is clearly not in accordance with the intent of the zoning scheme, the Municipality shall determine the distance, level or height concerned for the purpose of administering this scheme.

### **2.12.3. Interpretation of Boundaries**

Where uncertainty exists as to the boundaries of use zones, the following rules apply in the order listed:

- i. Boundaries shown as following or approximately following any public street or road shall be construed as following the street or road cadastral boundary;
- ii. Boundaries shown as following or approximately following any land unit boundary shall be construed as following such cadastral boundary;
- iii. Boundaries shown as following or approximately following natural features shall be construed as following such features; and
- iv. In the event of further uncertainty as to the boundaries of a use zone, the Municipality shall make a determination, or may appoint a professional land surveyor of his choice to determine the boundaries at the cost of the land owner.

### **2.12.4. Interpretation of Category of Use of Land**

Where the following are applicable, the Municipality shall determine the category of use or zoning, and its decision shall be final unless the contrary can be proven. These include:

- i. There is uncertainty or dispute about zoning categories;
- ii. There is conflict between the provisions of a zoning map, this zoning scheme and the register; and
- iii. There is uncertainty or dispute about the zoning of property.

### 3. DEFINITIONS

In these regulations, unless the context otherwise indicates, a word or expression to which a meaning has been assigned to, can be identified as follows: (Please Note: Any reference to the male gender includes the female gender and any reference to the plural will include the singular and vice versa, as the context may require). In this document, unless the context indicates otherwise, any word or term to which a meaning has been assigned in the Spatial Planning and Land Use Management Act 16 of 2013 and has the meaning assigned to it in that Act. The

#### A

**"accommodation facilities"** means a dwelling, building or individual units, where the majority of facilities are shared and where a maximum of 10 rooms housing not more than 16 guests, are leased on a short-term basis (maximum 21 days) and may include catering facilities for guests that stays overnight, but does not include self-catering facilities. Facilities making provision for more than 10 rooms or for more than 16 guests in total, falls under the description of a hotel;

**"act"** means the Spatial Planning and Land Use Management Act, 16 of 2013 and any Regulations published in terms of section 54 of the Act;

**"adjoining owner"** means the owner of land which is contiguous to the land area in any application including land which is separated by a road, or even a shared erf corner peg, from such a land area;

**"administrator"** means an official designated or appointed by the municipal council to administer land use and development planning;

**"adopt"** in relation to a spatial development framework, zoning scheme, policy or strategy, means the approval thereof by the executive authority;

**"adult entertainment"** means an enterprise or commercial business that mainly supplies adult entertainment, in trade or selling of articles, and includes enterprises such as escort agencies, sex shops and any other enterprises or shops where persons under the age of 18 are not allowed, including a place of entertainment, but does not include any gambling premises, tavern or bottle store;

**"advertisement"** means to serve a notice of the intended action in terms of the Land Use Management Scheme to interested and affected parties, as may be identified by the Municipality;

**"agricultural industry"** means an industry or enterprise for the processing of agricultural products produced on that or surrounding agricultural unit(s), as a result of the nature, perishability and fragility of the products and includes, amongst others, wine cellars and sheds, packing facilities, juice processing plants, caretaker's quarters and silos, but excludes any type of abattoir;

**"agriculture"** means the cultivation of crops and plants and/or the breeding of animals, as well as the operation of a bona-fide game farm on an extensive basis on natural land or veld, stock or auction pens and at most one residential house and other buildings, including bona fide staff housing, which is reasonably connected with the main farming activity;

**"airport and related infrastructure"** means a use or undertaking with a primary focus on air transport and may include, landing strips, hangars, vehicle (land and/or airborne) rentals and/or washing facilities, offices, business premises, commercial, hotels, restaurants, accommodation facilities, conference facilities, storage facilities, long term aircraft storing facilities, mothballing of aircraft, as well as courier services. By its nature of being a public transport interchange point, airports may also include single and/or multilevel parking facilities;

**"animal hospital"** means a site and/or building where animals/birds receive medical treatment and may stay overnight if necessary, excluding kennels for long term accommodation;

**"applicant"** means a person or body as referred to in section 45(1) of the Act and who makes a land use and development application contemplated in terms of the Act and application has a similar meaning;



**"application"** means an application to the Municipality in terms of which a development right is sought;

**"approval"** means a written approval of any land use and development application provided for in terms of the Act or a land use scheme or by-law by a Municipality and "approved" has the same meaning;

**"arcade games centre"** means a centre within a shopping complex and/or business or commercial site, focusing on entertainment for children and includes coin and token operated game machines;

**"authorised agent"** means a person appointed in terms of a power of attorney by an owner and may include the appointment of a qualified professional planner in terms of the Planning Professions Act 36 of 2002;

**"authorised official / employee"** means a municipal employee who is authorised by the Municipal Council of the Municipality to exercise a power or perform a duty in terms of the By-Law and these LUMS or to inspect land and buildings in order to enforce compliance thereto, as contemplated in section 35 (2) of the Act;

## B

**"basement"** means that a portion of a building of which the finished floor level is at least 2m below a height halfway between the highest and lowest natural ground levels immediately next to that portion of the building;

**"bio regional planning"** means land use planning and management that promotes sustainable development by recognizing the relationship between, and giving practical effect to, environmental integrity, human wellbeing and economic efficiency within a defined geographical space, the boundaries of which were determined in accordance with environmental, social and economic criteria whilst having due consideration for national, provincial and municipal boundaries and its legal implications as prescribed by law;

**"bird and animal cages"** means permanent structures intended for the confinement/ enclosure of animals/birds, normally associated with breeding, protection and display;

**"boarding-house"** means a dwelling or building where most of the facilities are shared and used for long term accommodation and of which the rooms are leased, provided that a dwelling of which two rooms or four beds are leased, is not regarded as a boarding-house;

**"bona-fide game farm"** means the breeding of game on natural veld, land or pasture and at most one single residential house and other buildings that is reasonably relevant to the main agricultural activity on the farm, including Accommodation- and Tourist facilities. Four x four routes and bona-fide staff housing;

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

**"building"** means any structure or erection whatsoever, irrespective of its nature or size, and it also includes windmills, radio masts and dish- or any other antennae and for which building plans are required to be submitted to a Municipality for approval in terms of the National Building Regulations and Standards;

**"building line"** means the line that indicates the distance from a boundary of a land unit within which no building or other structure, except a boundary fence, or where otherwise indicated in the particular zoning description, may be erected, provided that no boundary fence, erected within the street building line area, shall exceed a height of 1,8m and also includes a line between two zonings on one erf where such line will serve the same point of reference in the calculation of building lines as a boundary;

**"building regulations"** means the regulations issued in terms of the National Building Regulations and Standards Act 103 of 1977, as amended;

**"business premises"** means a site and/or building or part thereof used as, or intended to be used as supermarket, shops and/or offices and it includes hotels, licensed hotels, accommodation facilities, flats



above ground level, restaurants, a laundrette, dry-cleaners, arcade games centre, undertakers, place of worship, financial institutions, professional offices, places of assembly, doctors' consulting rooms, stock or product exchanges, conference facilities and buildings for similar uses, but it excludes bottle stores, taverns, places of entertainment, a gambling premises, casino, adult entertainment, institutional buildings, funeral parlours, service stations, repairing or fitment functions, industrial buildings, offensive industry or any large wholesale business;

**"by-law"** means a by-law promulgated by the Kgatelopele Municipality;

## C

**"camping area"** means an area which is laid out/planned in an informal way for camping and/or overnight accommodation of caravans and/or tents on clearly indicated sites or stands, but not intended for mobile homes;

**"canals"** means permanent constructed waterways, e.g. irrigation canals normally governed by an Irrigation Board, storm water trenches associated therewith, as well as pump stations and relevant infrastructure;

**"caravan"** means any vehicle permanently fitted out for use by people for living and sleeping purposes, whether or not such vehicle is towed or self-driven, but it does not include a mobile home;

**"caretaker's quarters"** means an additional approved building that is secondary to a building or practice in the business and/or industrial zones, and in such further zones on which the Municipality may decide from case to case, and which may only be erected after or at the same time as the establishment of the primary activity for the accommodation of a caretaker, who works on the premises, and his/her family;

**"carport"** means a building that is open on at least two of the four sides that are not closed by a wall and which satisfies the restrictions in these regulations;

**"casino"** means a gambling premises, irrespective whether it is licensed or not, where a variety of forms of gambling, cards or other games take place, with the aim of determining the profit or loss of money, other property and/or credit and may include a hotel, restaurant, a place of entertainment and any related businesses;

**"cemetery"** means a place where people are buried and may include an ablution facility, security office, wall of remembrance and a mausoleum, but exclude a crematorium;

**"commercial"** means a site and/or building and/or structure used for carrying on a retail concern and may include offices, nursery, restaurant, accommodation facilities, a laundrette, dry-cleaner, arcade games centre, flats above ground level, caretakers quarter's and a retail concern where goods sold are manufactured and/or repaired in such a concern, provided that the floor area relating to such manufacture and/or repair shall not exceed one third of the floor area of the shop, but it does not include any industries, public garages, flats on the ground level, caretaker's quarters, service stations, tavern, supermarkets (with or without the selling of wine/alcoholic beverages), bottle stores or any other form of the sale of liquor;

**"communal area"** means land intended to be under the communal right of ownership and for the communal use of the owners of group erven in a group site (or sites), and may include private streets that provide access to all group erven or certain group erven;

**"community association"** means a duly constituted organisation which represents the interests of a community or a defined group of persons;

**"competent authority"** means, in relation to land use, the authority that is empowered to grant or approve a right to use land for a specified purpose in terms of the Act or any other relevant legislation applicable to land use management and, in this case, is the Municipality;



**"competent person"** means a person who is registered in terms of his or her applicable professional act, e.g. an appropriate category of registration in terms of the Architectural Professions Act, 2000 (Act No. 44 of 2000), the Engineering Profession Act, 2000 (Act No. 46 of 2000), the Natural Scientific Professions Act, 2003 (Act No. 27 of 2003) or any other relevant and applicable Act;

**"conditions of establishment"** means any conditions imposed as contained in either the title deed of land or in the deed of sale or approval by the local authority pertaining to a specific portion of land at the time of township establishment and contains the duties of the developer;

**"conference facilities"** means a building or erf used primarily for conference facilities catering for business conferences and meetings, including a restaurant, conference area with seating and workspace for conference goers and meeting rooms where individuals and groups gather to promote and share common interests, excluding a place of entertainment and any form of entertainment or functions;

**"consent use"** means an additional use to the primary use and is temporary as it is not linked to a specific time, but to a certain person or enterprise and to a site or portion thereof. If the relevant site or enterprise should change in ownership or location, or if it should stop functioning, this consent will automatically, with immediate effect, be revoked and the application will, under the changed circumstances, have to be lodged again;

**"conservation area"** means a premise or area indicated in this scheme to be used by the Municipality, a person or an institution, exclusively for the conservation of the natural environment, land, historical buildings, fauna and/or flora and include tourist facilities that forms an integral part;

**"constitution"** means the Constitution of the Republic of South Africa Act 108 of 1996;

**"consolidation"**, in relation to land, means the merging of two or more adjacent land units into a single land unit, includes the physical preparation of land for consolidation and includes the notarial linking of two or more properties;

**"contractual conservation areas"** means areas designated for conservation purposes in terms of an agreement with a conservation agency, or between landowners, a lease agreement, or a servitude. This category includes conservancies and biodiversity stewardship sites;

**"council"** see municipal council;

**"coverage area"** means the total area, expressed as a percentage of the area of a site, that may be covered by buildings measured over the outside walls and covered by a roof or projection, provided that the area covered by maximum eaves of 1m is excluded in the calculation of the maximum permitted coverage, provided that uncovered porches, boundary walls and covered parking areas are included in coverage area;

**"crematorium"** means a building where corpses are cremated;

## D

**"date of notification"** means the date on which a notice is served as contemplated in this LUMS and/ or published in the local media and/ or the Provincial Gazette, also referring to Section of the Act;

**"dams, reservoirs, water treatment plants and pump houses"** means any infrastructure development which comprises of structures that serves more than the land unit on which it is built;

**"day"** means a calendar day, and when any number of days are prescribed for finalising any process, it must be calculated by excluding the first day and including the last day, however, should the last day fall on a Sunday, Saturday or public holiday, the number of days must be calculated by excluding the first day and also that Sunday, Saturday or public holiday;

**"day-care centre"** means a building/site where between 6 and 20 children are cared for/taken care of by the occupant of the main building, but may not stay overnight;

**"deeds registry"** means a deeds registry as defined in section 102 of the Deeds Registry Act 47 of 1937;

**"departure"** means an altered land use or applicable regulation granted in terms of the provisions of the Act or in terms of an approved zoning scheme and land development procedures and regulations;

**"determine"** means in relation to any application or appeal, to decide on the approval or refusal of an application and "adjudicate" has a similar meaning;

**"develop"** means in relation to land or the physical improvement of land, the use of the land or a part thereof or the physical improvement of the land by preparing it for development, including the in-fill of land, draining or levelling of land, the installation of engineering services, the subdivision of land and the erection, alteration or extension of buildings on land and the construction of any structures under the surface of land;

**"development"** means a process of integrating economic, spatial, social, institutional, environmental, fiscal and other plans and strategies in order to support the optimal allocation and utilisation of scarce resources within and to various sectors, geographical areas and across the jurisdiction of local and provincial government, in a manner that promotes sustainable growth, equity and in particular, but not limited to, the empowerment of the poor and marginalised;

**"development contribution/ charge"** means the payment to be made by the applicant to the Municipality in respect of external engineering services;

**"diagram"** means a diagram approved by the Surveyor General in terms of the Land Survey Act 8 of 1997;

**"directive"** means a directive contained in a Provincial Spatial Development Framework;

**"dwelling/ dwelling-house/ dwelling unit"** see definition of single residential house or group housing unit;

## E

**"engineering service"** means a system for the provision of water, sewerage, electricity, municipal roads, storm water drainage, gas and solid waste collection and removal required for the purpose of land development as referred to in the Act;

**"environment"** means the environment as defined in the National Environment Management Act 107 of 1998;

**"environmental legislation"** means the National Environment Management Act 107 of 1998 and its subordinate legislation and any other legislation that regulates a specific aspect of the environment on a National and Provincial Level;

**"erect"** has a corresponding meaning to erection;

**"erection"** means, with regard to a building or structure -

- a) the erection, alteration, subdivision or converting of, or addition to a building, and
- b) the re-erection or repairing of a building that was wholly or partly destroyed or demolished;

**"erf"** means an area of land in a township shown on a general plan or diagram as an erf, lot, plot or stand and includes a portion of such erf or consolidation of such erven as registered with a deeds registry in terms of the Deeds Registries Act 47 of 1937;

**"equestrian facilities"** are created and maintained for the purpose of accommodating, training or competing equids, especially horses. Based on their use may be known as a barn or stables, with commercial operations described by terms such as a boarding stable, livery yard, or livery stable. Larger facilities may be called an equestrian centre and co-located with complementary services such as a riding school, farriers, vets and tack shops or equipment repair.

**“executive authority”** means the municipal council or executive mayor of the Municipality or if the Municipality does not have aforesaid, committee of councillors appointed by the municipal council;

**“executive council”** means the Executive Council of a Provincial Government established under Section 132 of the Constitution;

**“existing legislation”** means land use and planning legislation in existence at the time of commencement of the Act;

**“existing scheme”** means any land use management scheme approved in terms of legislation repealed in terms of the Act or any land use management scheme approved in terms of any other repealed act;

**“existing use”** means the use or uses which, in accordance with the LUMS, is or are legally practised on any land unit, property, structure, building or part thereof;

**“external engineering service”** means an engineering service situated outside the boundaries of a land area and that is necessary to serve the utilisation and development of the land area;

**“extractive industry”** means an industry which practises the extraction of raw materials from the earth, whether by means of surface or underground methods and may include, but not be limited to the refinery of such extracted materials in order to facilitate in the transportation thereof, as well as any other relevant land uses that are normally associated with an extractive industry, e.g. offices, recreational facilities for staff, caretakers quarters, etc. but does not include the subdivision of individual portions of any unit thereof;

**“extramural activities”** means the utilisation of a building or premise for any extramural activities (sport, art, cultural, recreational or other) which are not normally associated with the primary use or occupants of the site, without disturbances such as noise, traffic congestion, air pollution, the congregation of people, excessive traffic generation or lowering of aesthetics being caused and may include art classes, dance classes, motivation classes, occupational therapists, the writing of exams by students, yoga-, pilates-, aerobics classes or any other fitness related activity;

## F

**“family”** means a parental couple or a single parent with or without own offspring or legally adopted or foster children, that do not have such family relations or legal linkage with the parent or parents;

**“farm”** means an area of land described as a farm on a diagram in terms of the Land Survey Act 8 of 1997;

**“farm stall”** means a building and/or structure which functions as part of an agricultural unit and where a farmer can sell his and other agricultural produce, either to his employees or to the general public;

**“farmstore”** see farm stall;

**“file” or “filing”** means a filing of any document as prescribed in the Act or the Regulations;

**“financial institution”** means any enterprise that renders mainly financial services to clients and includes banks and home-loan enterprises;

**“flat”** means a residential unit which:

- a) is part of a building containing two or more residential units, or
- b) is intended for the use of the caretaker of a non-residential building;

**“flats”** means a building containing more than one residential unit;

**“floor area”** with regard to any building or structure, means the total area of all the storeys of all buildings covered by a roof, slab or projection, excluding a projection not exceeding 1m over an exterior wall if such a wall exists, provided that the area covered by a canopy or projection on the street side of a business building in the business zone and the local business zone shall not be regarded as floor area. Floor area

shall be measured from the outside surface of the walls of the building, and where a building consists of more than one storey, the "total floor area" shall be the sum of the floor area of all the storeys, including the basement, balconies, terraces, corridors, porches or steps, irrespective if it is covered by a roof, slab or other covering;

**"forest wilderness areas / forest nature reserves"** means declared forest wilderness areas e.g. natural forests, woodlands and natural habitats or ecosystem components;

**"four x four route"** means a series of roads, tracks and trails, designed for use by 4x4 vehicles as a leisure or adventure facility, and includes buildings that are normally required for the administration and maintenance, but do not include a resort and/or tourist facilities;

**"freshwater ecosystem priority areas"** means areas identified river and wetland FEPAs and fish support areas, including a generic buffer of 100m, measured from the top of bank of the river or the delineated riparian areas, whichever is larger, and measured from the outside edge of the wetland;

**"funeral parlour"** means a building where corpses are stored prior to burial or cremation;

## G

**"gambling premises"** means an institution, site or enterprise, irrespective whether it is licensed or not, where any form of gambling, cards or other games take place, with the aim of determining the profit or loss of money, other property and/or credit and includes, but not limited to slot machines, "limited pay-out" slot machines, sport betting devices, bingo halls, bookmaking and totalisators.

**"GAP Housing"** means a housing category that caters for the gap market between the normal private housing market and the subsidiary schemes funded by the state. The GAP housing market comprises people who typically earn too little to enable them to participate in the private property market, yet too much to qualify for state assistance;

**"general plan"** means a general plan approved by the Surveyor General in terms of the Land Survey Act 8 of 1997;

**"government uses"** means a building or site for government use of which the extent thereof is such that it cannot be classified or defined under other uses in these regulations and includes uses practised by the State, such as military training centres and installations, telecommunication facilities, police stations and prisons; or by the Provincial or District authority, such as road stations and road camps or any other parastatals such as Eskom, etc.;

**"gross parking area"** means the area of one parking bay plus a portion of the circulation space for such a parking bay;

**"ground floor"** means the lowest floor of a building which is not a basement;

**"group erf"** means a portion of land in a group site which is approved for the erection of a single dwelling as part of a group housing scheme;

**"group housing"** means a group of separate and/or connected individual residential units which were planned, designed and built as a harmonious architectural entity with a medium density character and with units that may vary between single and double storeys and of which each has a ground floor, whether such units are cadastrally divided or not;

**"group housing site"** means a piece of land that can be subdivided into a number of group erven with or without public or private street and/or open space;

**"guest house"** means a dwelling or house where the majority of facilities are shared and where up to five rooms are leased on a short-term basis (maximum 21 days), provided that a dwelling of which two rooms are leased, is not regarded as a guest house. A guest house may include catering facilities for guests that stays overnight, but does not include self-catering facilities;

## H

**"heavy vehicle overnight facilities"** means land and/or buildings used for parking of heavy vehicles and/or where such vehicles and their drivers can refresh, rest or overnight and include a service station;

**"height of buildings"** as specified and restricted in the different zones is the vertical height above the natural ground level directly below any particular point or portion of a building, but in reality also represents multiples of storeys where a storey is defined as a maximum height of 4m in the definition.

**"holiday unit"** means a residential unit used only for holiday purposes, as opposed to permanent occupation;

**"holiday homes & tourism related areas"** means a harmoniously designed and built development with an informal layout which may include the provision of a camping site, caravan park, holiday units and/or other dwelling units where the housing may be rented out or may be separately alienated by means of time sharing, sectional title division, the selling of block shares and/or the subdivision of individual units on condition that a home owners association be established, but does not include mobile homes, a hotel or motel;

**"home owners' association"** means an association as intended by the relevant legislation as found in the Act;

**"hospitality usage"** means a dwelling or building where a combination of land uses are included within the Hospitality Corridor, including a restaurant, an art gallery and other tourism related sales;

**"hotel"** means a building designed to comply with the requirements of a hotel, which is a commercially run establishment providing accommodation to travellers and tourists, but does not include linked or separate buildings or premises for off-sale facilities and where meals are usually provided for guests.

## I

**"incremental housing"** means single residential housing units which are intended to be upgraded incrementally from an informal settlement to a formal settlement. This may apply to individual land units or to blocks containing an informal settlement. In recognition of the realities of poor and marginalised communities, development rules are not very restrictive during the informal stages. Once upgrading of an erf or area has reached an appropriate stage (formal single residential houses), it is contemplated that the erf / area may be rezoned to "single residential house(s)" or another appropriate zoning. All properties zoned as Informal Residential Zone in former zoning schemes are converted to "incremental housing" in this land use management scheme.

**"industrial development zone"** means a purpose built, industrial estate linked to an international air or sea port, which might contain one or multiple Customs Controlled Areas (CCA) tailored for manufacturing and storage of goods to boost beneficiation, investment, economic growth and, most importantly, the development of skills and employment in these regions"

**"industry"** means a building or use, irrespective of whether it correlates with the meaning of a factory, as defined in the applicable act defining a factory, that is used for any trade regarding the manufacturing, assembling, processing, repairing or dumping of a product or part of a product, the storing of a product or raw material, the repairing, reconstructing or dismantling of vehicles, a transport business, printing, the manufacturing of gas and any relevant offices, caretaker's quarters, or any building where the use is additional to, or is usually additional to, or is reasonably necessary regarding the use of such enterprise on the same site, including a warehouse, service station, service trade industry, provided that it excludes buildings where food and beverage are prepared mainly for consumption on the site, a scrap-yard, funeral parlour and noxious industry;

**"informal housing"** means a residential unit that does not comply with the standards of durability as envisaged by the National Building Regulations, as are applicable in the Municipality's jurisdiction;



**"information"** means any book, document, map or chart in electronic or printed format and will include physical objects and models irrespective of the format in which it was produced;

**"institution"** means a building or portion thereof used or intended to be used for a charity, health or welfare institution and/or for the administration thereof, and includes community facilities, a place of assembly, a hospital, a pharmacy linked to a hospital, clinic or reformatory, either private or public, but does not include a prison or place of detention;

**"interested and affected parties"** means a member of public, organisational body and traditional authority, which must, in the opinion of the Municipality, be given the opportunity to scrutinize the documentation regarding the intended action, determine the impact thereof and be given the opportunity to comment .

**"internal engineering service"** means an engineering service within the boundaries of land, land area or land unit which is necessary, as prescribed, for the use and development of the land, land area or land unit and which is to be owned and operated by the Municipality or a service provider as the case may be;

## K

**"kennels"** means a structure or shelter for dogs and cats and could include a building, collection of buildings on the property in which dogs or cats are housed, maintained, and bred.

## L

**"land"** means land with or without improvements and includes land covered with water and any right in or over land and includes any erf, agricultural holding or farm portion, as well as any improvement, alteration or building on the land or there under and any real right in land. Any references to land are restricted to land within the jurisdiction of Kgatelopele Municipality within these Scheme regulations;

**"land area"** means the total area of erven and/or farms or farm portions which are the subject of a land use and development application in terms of the Act or a land use scheme;

**"land development"** means the erection of buildings or structures on land, or the change of use of land, including township establishment, the subdivision or consolidation of land or any deviation from the land use or uses permitted in terms of an applicable land use scheme;

**"land unit"** means any erf, plot or other portion of land that is registered or can be registered in a deed's registry and may include a servitude right or lease contract;

**"land use"** means the purpose for which land is or may be used lawfully in terms of a land use scheme, existing scheme or in terms of any other authorisation, permit or consent issued by a competent authority, including any conditions related to such land use purposes;

**"land use and development application"** means a land use and development application as contemplated in terms of the provisions of the Act, the approved scheme regulations, application procedures, zonings maps, prescribed application procedures and By-Law;

**"land use management system or LUMS"** means the system of regulating and managing land use and conferring land use rights through the use of land use schemes and land development procedures;

**"land use restriction"** means a restriction, in terms of a zoning, on the extent of the improvement or development of land;

**"land use right"** means the right to utilise and/or improve land in concurrence with the zoning thereof or any departure;

**"land use scheme"** means a land use scheme adopted in terms of the Act for the regulation of land use and shall include, where the context so requires, an existing land use scheme that was adopted prior to commencement of the Act and an amendment scheme;

**"land use zone"** means a category of prescriptions which state firstly the purpose for which land may be used, and secondly the land use restrictions applicable in respect of the said land uses, as determined in these regulations;

**"landscaped areas"** means any land which has been set aside in this scheme for use as a private site for playing, rest and recreation or as an ornamental garden or pleasure-garden, provided that the land is under the long term management of a private person or authority;

**"licensed hotel"** means a building designed to provide mainly short-term accommodation to visitors and includes an off-sales facility for liquor and/or public bar;

**"light Industry"** means a building or site used for light industrial activities such as a bakery, service trade industry, a warehouse or any other industrial activity which does not require large machinery and may include caretaker's quarters and service station, but excludes normal industrial development;

**"linked"** in relation to the definition of "group housing", means to be connected by means of a communal wall and/or garage;

## M

**"main roads"** means provincial and regional roads proclaimed in terms of the Roads Ordinance;

**"map"** means the map on which the various zones that are currently valid and provided for in these regulations are visually demarcated, and "zoning map" has a corresponding meaning;

**"minor roads"** means regional and local roads proclaimed in terms of the Roads Ordinance;

**"mixed use development"** means a building or erf that blends a combination of residential, commercial, cultural, institutional, or industrial uses, where those functions are physically and functionally integrated;

**"mobile home"** means a factory-assembled structure, approved by the Provincial Legislator, and with the necessary service connections, which can be moved on the site and designed in such a way that it can be used as a permanent home, but does definitely not include any extensions constructed with building materials;

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

**"mountain catchment areas"** means areas declared as mountain catchment areas that provide for the conservation, use, management and control of such land;

**"municipal area"** means the area of jurisdiction of the Municipality in terms of the Local Government Demarcation Act 27 of 1998;

**"municipal council"** means a Municipal Council referred to in Section 157 of the Constitution;

**"municipal manager"** means the accounting officer of the Municipality as duly appointed in terms of the Local Government: Municipal Systems Act 32 of 2000;

**"municipal planning tribunal"** means the Municipal Planning Tribunal as referred to in chapter 6 of SPLUMA;

**"municipal systems act"** means the Local Government: Municipal Systems Act 32 of 2000;

**"municipal uses"** means a usage practised by a local government and of which the extent thereof is of such nature that it cannot be classified or defined under another usage in these regulations, for example



fire-brigade services, vehicle test centre or any services installation, such as power stations, water reservoirs, mini-substations, substations, etc.;

**“municipality”** means the Kgatelopele Municipality as envisaged in sections 155(1) of the Constitution that is situated within the Province and shall include a Municipal, the Competent Authority, executive authority, Municipal Manager, Municipal Department, Municipal Planning Tribunal or Authorised Official where the context so requires;

**“municipal planning tribunal”** means the Municipal Planning Tribunal appointed and by the Council and established by the Municipality in terms of the Act;

## N

**“national parks”** means areas of national or international biodiversity importance; or containing a representative sample of South Africa’s natural systems, scenic areas or cultural heritage sites; or the ecological integrity of one or more ecosystems. National parks provide spiritual, scientific, educational, recreational and tourism-related opportunities which are mutually and environmentally compatible and can contribute to local and regional economic development, including any activities that forms part of ‘Resort and Tourism related areas’;

**“national roads”** means roads proclaimed in terms of the National Roads Act;

**“natural ground level”** means the natural ground level as indicated on a contour plan before any ground-and/or construction work or landscaping took place;

**“nature reserves”** means provincial, local authority and registered private nature reserves and include areas of significant ecological, biophysical, historical, or archaeological interest or that are in need of long-term protection for the maintenance of its biodiversity or for the provision of environmental goods and services;

**“net plot area”** means the full area of a plot, excluding all land zoned for public purposes;

**“Northern Cape Provincial Spatial Development Framework”** means a framework prepared and adopted in terms of this Act for the Province or a framework prepared and adopted in terms of the Northern Cape Planning and Development Act or any other applicable act;

**“noxious industry”** means any building or premise or portion thereof, designed or used for any known potentially offensive, damaging or repulsive activity, or the usage or storage of such a substance which is a nuisance or can cause a nuisance, as regulations announced from time to time in terms of the relevant legislation and, without limiting the generality of aforementioned, include the following: any chemical works, distillery, brewery, caretaker’s quarters, manure or chemical manure works, treatment of bones, horns or hooves, processing or storage of hides or skins other than in dry conditions, abattoirs, stone crushing, a crematorium, any treatment or manufacturing of cement, a premise for the storage, sorting or any other activity in any form concerning refuse, sewerage or night- soil, oil or other petroleum processing or any other usage which the Municipality may regard as an noxious industry;

**“nursery”** means a building and/or structure where plants are grown and/or sold to the public, including gardening products;

## O

**“occupant”** means any person who legally physically inhabits a building, structure or land on a permanent base;

**“occupational practice”** means the practising of a profession, semi-professional occupation and minor trade like occupation or the conducting of a start-up enterprise or business from a dwelling unit by one or more occupants of the dwelling unit concerned and his or their assistants (limited to 2 assistants per dwelling), without disturbances such as noise traffic congestion, air pollution, the congregation of people,

excessive traffic generation or a lowering of aesthetics being caused; to provide that no motor cars, trucks or similar vehicles and supplies which are normally stored in the open, relating to the business, will be kept or stored on the premises;

**"offices"** means a room or set of rooms or a building utilised for the performance of and administrative function or the conducting of an enterprise and includes a post office, a magistrates office, doctors consulting rooms, any professional offices or professional usage;

**"old-age home"** means a group of separate and/or interlinked individual residential units or rooms with communal facilities and which is planned, designed and built as an entity for the housing of and/or caring for old persons , including a retirement village;

**"open space"** in relation to a land area means land set aside or to be set aside for the use by a community as a recreation area of whatsoever nature, irrespective of the ownership of such land as open space;

**"organ of state"** means an organ of state as defined in Section 239 of the Constitution;

**"other natural areas"** means areas included as Sensitive Coastal Areas, Tracts of natural vegetation that form part of, or link ecosystem components (i.e. tracts of natural vegetation acting as a buffer zone between rivers located in FEPA Fish Support Areas and Fish Sanctuaries, and Category C and D areas) and any other natural areas that are conservation-worthy and which form linkages to natural areas within Category C and D areas;

**"outbuilding"** means an additional and approved single storey structure, either attached to or separate from the main unit, and designed to be normally used for parking of motor vehicles, for storage purposes or open braai areas, in so far as these uses are usually and reasonably required in connection with the main structure, but does not include a second residential unit or any form of living quarters and/or covered braai areas;

**"Owner"**, in relation to land or a building includes:

- a) any person in whose name the land in question is registered in a deed's registry,
- b) the holder of a registered right or lease or any successor in title of such a person, or
- c) for the purpose of processing of any application, the written assignee of the owner (letter of authority must be handed to the Municipality);

## P

**"parking area"** means a site that accommodates more than one parking bay and normally includes holding areas as well as ablution facilities;

**"parking bay"** means a site with a minimum area of 5,5m by 2,5m that is clearly outlined and marked out for the parking of one motor vehicle, as well as any such areas that are needed for circulation and landscaping, and are accessible for public or private use to the Municipality's satisfaction;

**"parks and open spaces"** means any land which falls under, or is intended to come under the ownership of the local authority and which is utilised by the public as an open space, park, garden, square, playground or recreational site, but does not appear on an approved general plan as a "public open space and/or public place and/or public park";

**"part of land"** means an area of land which is part of an erf, agricultural holding or a farm portion which is not separately defined in a diagram or general plan in terms of the Land Survey Act 8 of 1997;

**"person"** means any natural or juristic person including an organ of state;

**"place of assembly"** means a public hall, a town hall, community hall, or civic centre for social functions, music hall, concert hall, meeting place for organisations, including farmers unions or associations or exhibition hall which is not directly related and linked to a commercial undertaking;

**"place of entertainment"** means any building or site where people assemble for entertainment or social relaxation or sport purposes and where an entry fee is usually imposed, and includes a theatre, bioscope, dance hall, night club, amusement park, sport centre, billiard-room, skating rink, a public or private sport-club facility and restaurant where entertainment is provided, but does not include any building or site for a gambling premises or adult entertainment, or wedding and conference facilities;

**"place of instruction"** means a school, college, technical institute, academy, university, lecture hall or other centre of instruction, and includes a hostel appertaining thereto, and a convent, public library, art gallery, museum, sport grounds and facilities, gymnasium and day-care centre of any size, but does not include a building used or intended to be used wholly or primarily as a certified reformatory or industrial school or as a school for the mentally handicapped or primarily conference facilities;

**"place of worship"** means a church, synagogue, mosque, temple, chapel or other place for practising religion. It also includes any building in connection therewith, for instance a hall, Sunday school classes, church offices, day-care centre, a wall of remembrance and parsonage, but does not include funeral parlours;

**"power lines"** means a structure or structures used in electric power transmission and distribution to transmit electrical energy over long distances, whether above or underneath the ground. Above the ground it normally consists of one or more conductors (most often three or four) suspended by towers or utility poles. This may also include mini-stations, sub-stations, offices related to maintenance and vacant land as part of the erf or servitude;

**"power of attorney"** means a written document signed by the owner of land, a land area or a land unit in terms of which the owner appoints an authorised agent to act on his or her behalf to comply with the provisions of the Act and the Planning Professions Act 36 of 2002;

**"pre-application consultation"** means a consultation between an owner, agent or applicant and the Municipality to determine the way forward regarding any application in terms of the LUMS;

**"premier"** means the head of the Executive Council of the province and includes an MEC acting under delegation by the Premier;

**"prescribed"** means prescribed in the Act and by regulations enacted and published in terms of the Act;

**"primary use"** means a land use that is permitted, as contemplated in Table A as described in these regulations, that may be executed by the owner of any land without any consent, barring any restrictions place on the land and/or land uses as part of the conditions of approval;

**"private conservation areas"** means any land which has been set aside in this scheme for use as a private site for recreation or as an ornamental garden or pleasure-garden, provided that the land is under the long-term management of a private person or authority, for the primary use of conservation and includes areas unofficially designated and managed for conservation purposes by the relevant land owner.

**"private open space"** means any land which has been set aside in this scheme for use as a private site for recreation or as an ornamental garden or pleasure-garden within a housing scheme, housing linked to business and commercial premises or housing in public amenities such as Police Stations and institutions, provided that the land is under the long-term management of a private person, institution or authority;

**"private parking area"** means a site or building or part of a building that accommodates more than one parking bay and normally includes holding areas as well as ablution facilities under the control of a private individual or agency;

**"private road"** means a road or section of a road zoned to be used by a specific land owner or group of land owners and normally will be governed by a Home Owners Association;

**"professional offices"** means such types of uses as that is normally and reasonably associated with the concept "professional", e.g. doctors, dentists, architects, engineers, etc. – the rendering of services, in contrast with carrying on a business, is one of the distinguishing factors;



**"professional planner"** means a person registered as a professional planner in terms of the Planning Profession Act 36 of 2002;

**"protected environments"** areas as a buffer zone for the protection of a wilderness area, special natural reserve, national park, world heritage site or nature reserve, to enable owners to conserve biodiversity, protect specific ecosystem and control land use;

**"province"** means the Northern Cape Province;

**"public facilities"** means amenities that are:

- a) intended for the use of the general public;
- b) used to offer a service or for recreation; and
- c) ordinarily owned by the state or a municipality;

**"public holiday"** means a public holiday referred to in section 1 and proclaimed as such in terms of section 2 of the Public Holidays Act 36 of 1994;

**"public park"** means any land which falls under, or is intended to come under the ownership of the local authority, which is utilised by the general public as an open space, park, garden, square, playground or recreational site and appears on an approved general plan as a "public open space and/or public place (POS/POR)";

**"public parking"** means a portion of land and/ or a building or part thereof which is accessible to the general public for parking purposes;

**"public participation"** means inclusive participation in terms of which any interested party may participate, comment or object to the application;

**"public streets"** means public streets and on-street parking provision within urban and rural settlements with the key objective of facilitating both vehicular (motorised and/or non-motorised) and pedestrian traffic circulation. Furthermore, it encompasses any land intended on a plan or map for the purpose of public streets, or where such land is registered as a public street and ownership is vested in a competent authority. This land use may include facilities for public transportation, such as on-route bus or taxi stops and other pavement decorations. It does not, however, include private streets with the intent to facilitate circulation within an enclosed estate/development. It may include informal street vending areas, where such informal trading has been designated and is managed by a competent authority;

**"publish"** means the publication of a general notice or any other notice in the Provincial Government Gazette of the Province;

## R

**"racecourse"** means a site or structure used mainly for races or practising for any form of races, and include vehicle racecourses, motor-cycle racecourses, horse racecourses and any other similar uses;

**"railway facilities"** means a use or undertaking with a primary focus on railway transport and may include railway lines, side lines, offices, shops/retail, restaurants, conference facilities, storage facilities as well as courier services as part of the railway station. By its nature of being a public transport interchange point, railway stations may also include single and/or multilevel parking facilities;

**"rational design"** means any design by a competent person involving a process of reasoning and calculation and which may include a design based on a standard or other suitable document;

**"rear boundary"** of a site or plot means every one of its boundaries (street boundary excluded) that is parallel or within 45 degrees of parallel to any street boundary of such premises or plot and does not join a street boundary;

**"recreational facilities"** means any building or premise where people assemble for entertainment or social, relaxing including sporting purposes, amusement park, sport centre, billiard-room, skating ring and a public



or private sports club facility, but does not include any building or site for a gambling premises, place of entertainment, functions or adult entertainment;

**"region"** in relation to spatial planning means a circumscribed geographical area as defined in terms of a bio regional approach characterised by distinctive economic, social or natural features which may or may not correspond to the administrative boundary of a Municipality or Municipalities, but is limited to the boundaries of the Province;

**"register"** means documents held by a local authority in connection with all concerned zonings, departures, concessions and restrictions and includes a record of all

- a) departures from the town planning conditions,
- b) rezoning conditions that influence the land use right of any land unit, and
- c) concessions approved by the Municipality;

**"registrar of deeds"** means the Registrar of Deeds in terms of the Deeds Registries Act 47 of 1937;

**"regulations"** means the written supplement to the map in terms of which town planning control should be practised and it refers to this document and which was published in terms of the Act;

**"renewable energy structures"** means a plant that utilises renewable energy (wind turbines, trough system, power tower system and photovoltaic system) and where agricultural activities can be practised on areas which are not utilised for the renewable energy plant. It includes all plant and equipment, and other miscellaneous infrastructure associated with the generation, transmission and distribution of renewable energy whether it feeds into the national grid or not. Such infrastructure includes but is not limited to workshops and stores, offices, site canteen, medical station, fire station, a tourist facilitation centre, ambulance garage, compressor house buildings, water supply infrastructure, guard houses, accommodation facilities, as well as recreational facilities for personnel, excluding temporary housing. No subdivision of any section thereof will be allowed;

**"residential building"** means a building consisting of one or more residential units (excluding a residential house, with/ or without a second residential unit) for human habitation, together with the outbuildings used therewith, and it includes boarding-houses, guest houses, group housing, flats, hotels (without off-sales facility/public bar), residential clubs, retirement villages and old-age homes, children's homes and hostels, but excludes buildings that are defined as "place of education" or "institution";

**"residential estate"** means a housing development with a high degree of flexibility for low, medium and higher density residential projects which have integrated site and design features, including internal special land uses such as a club house, golf course, entertainment area, and which require individual design features and unique development control provisions. Such a development must have a central architectural theme, but individual layout options can be formulated in order to include low, medium and higher density units. Such an estate must be governed by a property owners association and is subject to a Site Development Plan, indicating individual zonings, whether it is subdivided or not;

**"residential unit"** means a self-contained interlinking group of rooms for the accommodation and housing of a single family, or a maximum of four persons who do not satisfy the definition of a "family", together with such outbuildings as are ordinarily used therewith containing not more than one kitchen;

**"resort and tourism related areas"** means a harmoniously designed and built holiday development, with an informal layout of which the individual units are only marketed by means of renting to travellers and holiday-makers for short-term residence, and may include a guest house, accommodation facilities, a restaurant, a café, camping sites, caravan park, conference facilities and holiday units, but does not include mobile homes, place of entertainment or functions, recreational facilities, a hotel or motel;

**"responsible authority"** see competent authority;

**"restaurant"** means an enterprise or place that mainly prepares food and refreshments on the site which is served to clients who consume it on the site, and where alcoholic beverages are only served with meals;

**“restrictive condition”** means any restriction or obligation which is binding on the owner of land by virtue of a restrictive condition registered against the title deed of the land restricting the use, development or subdivision of the land concerned;

**“retirement village”** means a residential community or housing or group housing complex designed for elderly adults who are generally able to care for themselves; however, assistance from home care agencies or institutions are allowed and activities and socialization opportunities are often provided and include the following:

- a) most residents are 55 years or older or are retired from full-time employment (or are spouses/partners of such people)
- b) residents receive accommodation and services, other than services provided in a residential care or old-aged care facility, and
- c) institutional facilities and intensive care facilities for people that is unable to care for themselves;

**“rezone”** means, in respect of a specified area of land, to change the land use of that specified area of land and include the change of rights in respect of that land and “rezoning” has the same meaning;

**“riding school”** means a place or enterprise for the hiring out of horses for payment, training schools specifically for horses, the care of stabling of such horses;

**“rivers and riverbeds”** means all perennial and non-perennial rivers and wetlands;

**“road”** means a municipal road, any other public road, a servitude for public road purposes and a road established by law;

## S

**“scrap-yard”** means a building or land used for one or more of the following purposes:

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

**“secondary use”** means a land use which is an additional use to the primary use and becomes a permanent use and cannot be linked to ownership or a specific timeframe. If the new owner or owners of an erf want the approved secondary use to be cancelled, a written motivation and descriptive plans must be submitted to the Municipality for the subsequent adjustments that needs to be made to the LUMS;

**“second residential unit”** means a secondary completely self-contained residential unit erected or adapted on a site where there already is a residential unit and which is used to accommodate a second family or a maximum of four persons who do not satisfy the definition of “family” and may not be alienated by means of sectional title or any similar method;

**“serve” or “notify”** means to serve any document in accordance with the Act and the regulations and “service” or “to give notice” shall have a similar meaning;

**“service”** means a service provided by the Municipality, any other organ of state or a service provider, including services for the provision of water, sewerage, electricity, refuse removal, roads, storm water, and includes infrastructure, systems and processes related to the service;

**“service station”** means a commercial business or concern where the sale of motor vehicles, oil, tyres and motor spares are traded in and includes a business where motor vehicles are provided with fuel for payment, a restaurant and café, as well as the repair and overhaul of motor vehicles, but excludes spray-painting, panel beating, blacksmith work and body work;

**“service trade industry”** means a commercial business or concern mainly geared for service to the public and includes the replacing of car tyres, exhaust systems, shock absorbers, the fitting of car radios and similar practises, bakery, dry-cleanette, carwash service, carpet wash service, dressmaking, framing, printing and any similar work shops or enterprises at the discretion of the Municipality, but does not include

any trade that resorts under the definition of industry, service station, offensive trade or business, unless listed above;

**“servitude”** means a servitude registered against a title deed, general plan or recognized by a South African Court of Law;

**“sewerage plants and refuse areas”** means areas designated as municipal and private sewerage treatment plants and refuse areas, including recycling facilities, composting plants, guard houses, ablution facilities and relevant infrastructure;

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

**“side boundary”** means a boundary of a site or erf which is not also a street boundary or rear boundary;

**“single residential house”** means a building consisting of only one residential unit – a self-contained interlinking group of rooms for the accommodation and housing of a single family, or a maximum of four persons who do not satisfy the definition of a “family”, together with such outbuildings as are ordinarily used therewith containing not more than one kitchen;

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

**“small holding”** means an agricultural unit, normally smaller than 10000m<sup>2</sup>, but not smaller than 2500m<sup>2</sup>, that is used for the breeding of animals on a small scale on pasture, stock or auction pens, the cultivation of crops and at most one single residential house and other buildings that is reasonably relevant to the main agricultural activity on the farm, including bona-fide staff housing that is associated with the primary agricultural use of the property;

**“SMME incubators”** means areas that include designated areas for a combination of small, medium and micro enterprises (SMME), including associated infrastructure to the satisfaction of the relevant authority, focusing on community bases service, trade and retail;

**“social infrastructure”** means community facilities, services and networks that meet social needs and enhance community well-being;

**“special nature reserves”** means areas characterised by sensitive, ecologically outstanding ecosystems or natural habitats, natural communities, populations or species, or unique geological or biophysical features conserved primarily for scientific research, educational and limited nature-based recreational purposes;

**“special zone”** means a land use which is such, or of which the land use restrictions are such that it is not catered for in these regulations, and of which the uses and land use parameters are fully described by means of the conditions as contained in the special zone;

**“SPLUMA”** means the Spatial Planning and Land Use Management Act 2013, Act 16 of 2013 and any regulations enacted in terms thereof;

**“sports fields and related infrastructure”** means a portion of land, or land unit, which is utilised for the practice of outdoor and/or indoor sporting activities. This may include ancillary structures to sporting activities, such as ablution facilities, dressing rooms, show-grounds, sports club buildings (licensed or not), kiosks, ticket offices, spectator stands and parking facilities, but does not include a racecourse. The provision of parking and complimentary uses not listed in this definition will be subject to the consideration of the local authority;

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

**"street boundary"** means the common boundary of a site or land unit and a street and/or any erf boundary closest and parallel to any street from which access is obtained;

**"street building line"** in connection with a land unit, means a building line applicable on a setback or, where no setback is applicable, in connection with a common boundary between the concerned land unit and any adjoining street;

**"subdivide" in relation to land, land area or land unit, means to subdivide the land, whether by means of:**

- a) survey; or
- b) the allocation, with a view to the separate registration of land units, of undivided portions thereof, in a manner which includes the marketing and conclusion of contracts with regard to the alienation, sale or exchange of portions of the property; or
- c) Its preparation for subdivision.

**"subsidised housing"** means a Government funded low-cost housing scheme, consisting of only one residential unit – a self-contained interlinking group of rooms for the accommodation and housing of a single family, or a maximum of four persons who do not satisfy the definition of a "family", together with such outbuildings as are ordinarily used therewith and may include temporary structures;

**"supermarket"** means a retail business with a retail floor area of not less than 350m<sup>2</sup>, utilized for the sale of goods mainly consisting of food, toiletries, and other household goods on a basis of self-service and may include the selling of wine/alcoholic beverages;

**"surveyor general"** means the Surveyor General as defined in the Land Survey Act, 8 of 1997;

## T

**"tavern"** means a building in which the on-site consumption of liquor has been legalised by means of a liquor licence, issued in terms of section 20 of the Liquor Act, 1989 (Act 27 of 1989) or by means of the Sorghum Beer Act, 1962 (Act 63 of 1962);

**"telecommunication- and data infrastructure"** means land or a portion of land accommodating any part of the infrastructure of a telecommunication network for radio/wireless communication including, voice, data and video telecommunications, which may include antennae; any support structure, equipment room, radio equipment and optical communications equipment provided by cellular network operators or any other telecommunication providers and all ancillary structures needed for the operation of telecommunication infrastructure;

**"temporary housing"** means temporary housing provided for the construction phase of a project, and may include tent structures, mobile homes and other structures, that are not permanent and can be removed from the property, including temporary ablution facilities, site offices and catering facilities"

**"title deed"** means any deed registered in a Deeds Registry recording the ownership of land or a real right in land;

**"tourist facilities"** means facilities created in a rural area for the recreation and entertainment of tourists and may include overnight facilities such as a guest house, restaurant and Farm Stall;

**"town house or town housing"** see group housing;

**"township"** means an area of land divided into erven, and may include public places and roads and which is indicated as such on a general plan;

**"township register"** means an approved subdivision register of a township in terms of the Act as read with the Deeds Registries Act, 47 of 1937;

**"traditional area"** means an area in terms of which a traditional authority may exercise the power and functions conferred upon it in terms of national and provincial legislation;



**"traditional authority"** means an authority recognised by law in terms of which traditional leadership, irrespective of the structures concerned, are clothed with power and functions in terms of national and provincial legislation pertaining to land use;

**"transport use"** means a use or undertaking based on the provision of a transport service (rail- and air transport included) and includes public as well as private undertakings, but does not include courier services;

**"tuck shop"** means a small commercial business run by a member/members of the household from a part of the house or outbuilding, provided that stock shall be limited to the volume that can be accommodated in the tuck shop and no stock may be stored outside of the tuck shop;

## U

**"unspecified zone"** means a land unit or section of land unit with no identifiable use assigned to it in accordance with this zoning scheme;

**"undertaker"** means an enterprise that provides coffins and arranges funerals, but does not include a funeral parlour or crematorium;

## W

**"warehouse"** means a building for storage of goods as well as the running of a large wholesale business in connection with such goods (including alcoholic beverages), provided the 'warehouse' excludes retail trade and wholesalers may only sell or deliver to dealers;

**"wedding and conference facilities"** means an area, building or erf that is used primarily to cater for weddings and functions and may include a function hall, restaurant, catering and conference facilities, a chapel (whether covered or open air) and reasonable relevant activity connected to the main activity;

**"wilderness areas"** means areas characterised by their intrinsically wild and pristine appearance and character, or that are capable of being restored to such, and which are undeveloped, without permanent improvements or human habitation;

**"world heritage site"** means cultural or natural areas that has been:

- a) Included on the World Heritage List, or the tentative list of the Republic, and has been proclaimed as a World Heritage Site, or
- b) Proclaimed to be a special heritage site for management in accordance with the Act (such areas cannot be referred to as a World Heritage Site);

## Z

**"zone"** means a portion of land set apart on the map for a particular zoning, irrespective of whether it comprises one or more land units or a portion of a land unit;

**"zoning"** means a category of prescriptions which state firstly the purpose for which land may be used, and secondly the land use restrictions applicable in respect of the said land uses, as determined in these regulations;

**"zoning map"** means the map on which the different land use zones, as listed in table A of these regulations, are demarcated in colour;

**"zoning scheme"** means the scheme consisting of these regulations, the register and the zoning map and also referred to as land use management system (LUMS);

## 4. DEVELOPMENT CONTROL

### 4.1. The summary of the new Land Use Zones

Land Use Zonings have been link directly to the 6 SPC categories as described in die SDF Guidelines, Provincial SDF and SDF of Kgatelopele Municipality and includes the following main categories:

- A. Conservation Areas.
- B. Sensitive Areas.
- C. Agricultural Areas.
- D. Urban Areas.
- E. Industrial Areas.
- F. Surface Infrastructure and Buildings.
- G. Other Land Uses (not part of the SDF categories)

SDF link and Zoning:	COLUMN 1 ZONING CODE	COLUMN 2 PRIMARY USE	COLUMN 3 SECONDARY USE	COLUMN 4 CONSENT USES	COLUMN 5 COLOUR CODE ON MAPS
Conservation Areas:	A.a.1	Wilderness Areas	None	None	Solid Fill: Light Green R=111: G=217: B=117
	A.a.2	Special Nature Reserves	None	None	Hatch: Light Green (hatch = Diagonal 2) R=111: G=217: B=117
	A.a.3	National Parks	None	None	Hatch: Light Green (hatch = Diagonal) R=111: G=217: B=117
	A.a.4	Nature Reserves	None	None	Hatch: Light Green (hatch = Grass 2) R=111: G=217: B=117
	A.a.5	Protected Environments	None	None	Hatch: Light Green (hatch = Fill) R=111: G=217: B=117
	A.a.6	Forest Wilderness Areas/ Forest Nature Reserves	None	None	Hatch: Light Green (hatch = Palm Trees) R=111: G=217: B=117
	A.a.8	World Heritage Site	None	None	Hatch: Light Green (hatch = Parquet Floor) R=111: G=217: B=117
	A.a.9	Mountain Catchment Areas	None	None	Hatch: Light Green (hatch = Dots) R=111: G=217: B=117
	B.a.1	Contractual Conservation Areas	None	None	Hatch: Medium Blue (hatch = Grid 2) R=51: G=102: B=255
Sensitive Areas:	B.a.2	Private conservation areas	None	None	Hatch: Medium Blue (hatch = Diagonal 4) R=51: G=102: B=255
	B.b.1	Freshwater Ecosystem Priority Areas	None	None	Hatch: Medium Blue (hatch = Swamp 2) R=51: G=102: B=255
	B.b.2	Rivers or riverbeds	None	None	Hatch: Medium Blue (hatch = Swamp 1) R=51: G=102: B=255
	B.b.3	Other Natural Areas	None	None	Hatch: Medium Blue (hatch = Swamp 3) R=51: G=102: B=255
	B.c.1	Public Place – POS/POR	None	None	Solid Fill: Green R=0: G=255: B=0
Agricultural Areas:	B.c.2	Landscaped Areas	None	None	Hatch: Green (hatch = Angle) R=0: G=255: B=0
	B.c.3	Parks and Open Spaces	None	None	Hatch: Green (hatch = Weave 1) R=0: G=255: B=0
	C.a.1	Bona-fide Game Farms	Second Residential unit Farm Stall Nursery Equestrian Facilities Animal Hospital Recreational facilities	Occupational Practise	Hatch: Dark Green (hatch = Diagonal 4) R=200: G=255: B=146



SDF link and Zoning:	COLUMN 1 ZONING CODE	COLUMN 2 PRIMARY USE	COLUMN 3 SECONDARY USE	COLUMN 4 CONSENT USES	COLUMN 5 COLOUR CODE ON MAPS
	C.a.2	Agriculture	Second Residential unit Farm Stall Nursery Equestrian Facilities Tourist Facilities Four x four routes Animal Hospital Kennels Recreational facilities	Occupational Practice	Solid Fill: Dark Green R=200: G=255: B=146
	C.b.1	Plantations and Woodlots	Second Residential unit Farm Stall Nursery Equestrian Facilities Tourist Facilities Animal Hospital	Occupational Practice	Hatch: Dark Green (hatch = Weave 1) R=200: G=255: B=146
Urban Areas:	D.f.1	Place of Instruction	Place of assembly	Extramural activities	Solid Fill: Light Blue R=0: G=255: B=255
	D.f.2	Place of Worship	Place of assembly	Extramural activities	Hatch: Black (Hatch = Crosses 1) R=0: G=0: B=0
	D.f.3	Institution	None	None	Hatch: Red (Hatch = Crosses 1) R=255: G=0: B=0
	D.g.1	Government Uses	None	None	Solid Fill: Red R=255: G=0: B=0 and Hatch: Black (Hatch = Diagonal 4) R=0: G=0: B=0
	D.g.2	Municipal Uses	None	None	Solid Fill: Red R=255: G=0: B=0
	D.h.1	Single Residential House	Second residential unit Guest house Day Care centre	Day-care centre Occupational Practice Tuck Shop Birds and Animal Cages	Solid Fill: Yellow R=255: G=255: B=0
	D.h.2	Group Housing	Single Residential House Old-Age Home	Day-Care centre Occupational Practice Tuck Shop Birds and Animal Cages	Solid Fill: Orange R=255: G=204: B=0
	D.h.3	Accommodation Facilities	Hospitality Usage Conference Facilities Hotel	None	Hatch: Orange (hatch = Cork) R=255: G=204: B=0
	D.h.4	Residential Building	Hospitality Usage	Occupational Practice Birds and Animal Cages	Solid Fill: Orange R=255: G=204: B=0 and Hatch: Black (hatch = Diagonal 4) R=0: G=0: B=0
	D.h.5	Mixed Density Residential	Second residential unit Guest house Day Care centre Single Residential House Old-Age Home Hospitality Usage Conference Facilities Hotel	Day-Care centre Occupational Practice Tuck Shop Birds and Animal Cages	Hatch: Orange (hatch = Grid 2) R=255: G=204: B=0
	D.h.8	Incremental Housing	Second Residential unit Guest House	Day-Care centre Occupational Practice Tuck Shop Birds and Animal Cages	Solid Fill: Yellow R=255: G=255: B=0 Hatch: Black (hatch = fill) R=0: G=0: B=0
	D.h.9	Small Holding	Second Residential unit Farm Stall Nursery Equestrian Facilities Tourist Facilities Animal Hospital Recreational facilities	Occupational Practice	Hatch: Dark Green (hatch = Grid 2) R=16: G=163: B=69



SDF link and Zoning:	COLUMN 1 ZONING CODE	COLUMN 2 PRIMARY USE	COLUMN 3 SECONDARY USE	COLUMN 4 CONSENT USES	COLUMN 5 COLOUR CODE ON MAPS
	D.h.10	Residential Estate	Second Residential unit Accommodation Facilities	Day-Care centre Occupational Practice Tuck Shop Birds and Animal Cages	Solid Fill: Orange R=255: G=204: B=0 and Hatch: Black (hatch = Weave 1) R=0: G=0: B=0
	D.i.1	Business Premises	Single Residential House Flats Caretaker's quarters Residential Building Service station Service Trade Industry Funeral Parlour Institution Animal Hospital Warehouse Weddings and conference facilities Place of entertainment	None	Solid Fill: Blue R=0: G=0 B=255
	D.i.2	Commercial	Single Residential House Flats Caretaker's quarters Wedding and conference facilities	None	Solid Fill: Blue R=0: G=0 B=255 and Hatch: Black (hatch = Diagonal 4) R=0: G=0: B=0
	D.j.1	Service Trade Industry	Flats	None	Solid Fill: Purple R=128: G=0 B=128
	D.j.2	Service Station	Flats	None	Solid Fill: Purple R=128: G=0 B=128 and Hatch: Black (hatch = Diagonal 4) R=0: G=0: B=0
	D.k.1	Gambling premises	Service Station Casino	None	Solid Fill: Blue R=0: G=0 B=255 and Hatch: Black (hatch = Diagonal Grid 1) R=0: G=0: B=0
	D.k.2	Adult Entertainment	None	None	Solid Fill: Blue R=0: G=0 B=255 and Hatch: Black (hatch = Weave 1) R=0: G=0: B=0
	D.l.1	SMME Incubators	None	None	Hatch: Blue (hatch = Fill) R=0: G=0 B=255
	D.m.1	Mixed Use Development	None	None	Solid Fill: Blue R=0: G=0 B=255 and Hatch: White (hatch = Diagonal 4) R=255: G=255 B=255
	D.n.1	Cemetery	None	None	Hatch: Green (hatch = Crosses 1) R=0: G=255: B=0
	D.o.1	Sports fields & Related Infrastructure	Recreational facilities	None	Solid Fill: Green R=0: G=255: B=0 and Hatch: Black (hatch = Diagonal 4) R=0: G=0: B=0
	D.p.1	Airport and Related Infrastructure	None	None	Solid Fill: Light Pink R=255: G=182: B=168
	D.q.1	Resort & Tourism Related Areas	Recreational Facilities Hotel Wedding and conference facilities	None	Hatch: Light Green (hatch = Cork) R=111: G=217: B=117
	D.q.2	Holiday homes & Tourism Related Areas	Recreational Facilities Hotel Restaurant Wedding and conference facilities	None	Hatch: Light Green (hatch = Weave 2) R=111: G=240: B=117
Industrial Areas:	E.a.1	Agricultural industry	Agriculture	None	Solid Fill: Dark Green R=16: G=163: B=69 and Hatch: Black (hatch = Diagonal 4) R=0: G=0: B=0
	E.c.1	Light Industry	None	None	Solid Fill: Pink R=255: G=42 B=127
	E.c.2	Industry	Funeral Parlour Scrap Yard	None	Solid Fill: Pink R=255: G=42 B=127 and Hatch: Black (hatch = Diagonal 4) R=0: G=0: B=0
	E.d.1	Noxious industry	Scrap Yard	None	Solid Fill: Pink



SDF link and Zoning:	COLUMN 1 ZONING CODE	COLUMN 2 PRIMARY USE	COLUMN 3 SECONDARY USE	COLUMN 4 CONSENT USES	COLUMN 5 COLOUR CODE ON MAPS
	E.e.1	Extractive industry	None	Temporary Housing	R=255: G=42 B=127 and Hatch: Black (hatch = Grid 2) R=0: G=0: B=0 Solid Fill: Pink R=255: G=42 B=127 and Hatch: Black (hatch = Weave 1) R=0: G=0: B=0
Surface Infrastructure and Buildings:	F.a.1	National roads	None	None	Solid Fill: Dark Grey R=88: G=88 B=88
	F.b.1	Main roads	None	None	Solid Fill: Dark Grey R=88: G=88: B=88 and Hatch: White (hatch = Diagonal 4) R=255: G=255 B=255
	F.c.1	Minor roads	None	None	Solid Fill: Dark Grey R=88: G=88: B=88 and Hatch: White (hatch = Grid 2) R=255: G=255 B=255
	F.d.1	Public Streets	None	None	Solid Fill: Grey R=176: G=176: B=176
	F.d.2	Public Parking	None	None	Solid Fill: Grey R=176: G=176: B=176 and Hatch: Black (hatch = Diagonal 4) R=0: G=0: B=0
	F.d.3	Private Road	None	None	Hatch: Grey (hatch = Brick Wall 1) R=176: G=176: B=176
	F.e.1	Heavy Vehicle Overnight Facilities	Accommodation Facilities	None	Solid Fill: Dark Brown R=127: G=51: B=0
	F.f.1	Railway facilities	None	None	Hatch: Dark Grey (hatch = Diagonal 2) R=88: G=88 B=88
	F.g.1	Power lines	None	None	Hatch: Red (Hatch = Weave 1) R=255: G=0: B=0
	F.h.1	Telecommunication- and data infrastructure	None	None	Hatch: Red (Hatch = Flexible) R=255: G=0: B=0
	F.i.1	Renewable energy structures	None	Temporary Housing	Solid Fill: Turquoise R=51: G=204 B=204 and Hatch: Black (hatch = Diamond Chain Link) R=0: G=0 B=0
Other Land Uses:	F.j.1	Dams, Reservoirs Water Treatment Plants and Pump Houses	None	None	Hatch: Turquoise (Hatch = Cork) R=51: G=204 B=204
	F.l.1	Sewerage Plants and Refuse Areas	None	None	Hatch: Red (Hatch = Fill) R=255: G=0: B=0
	G.a.1	Unspecified Zone	None	None	Hatch: Red (Hatch = Diagonal 4) R=255: G=0: B=0
	G.a.2	Special Zone	None	None	Solid Fill: Purple R=128: G=0 B=128 and Hatch: White (hatch = Grid 3) R=255: G=255 B=255

Table 1: Table 1: Zoning Categories, Primary, Secondary and Consent Uses

## 4.2. The summary of the changes between old zoning descriptions and new zoning descriptions in the LUMS

General description:	COLUMN 1 - Previous Zoning Code	COLUMN 2 - Previous Primary Land Use	COLUMN 4 - New Zoning Code and Primary Land Use
Agriculture:	Agricultural zone I	Agriculture	C.a.1 - Bona-fide Game Farms C.a.2 - Agriculture C.b.1 - Plantations and Woodlots D.h.9 - Small Holding
	Agricultural zone II	Agricultural Industry	E.a.1 - Agricultural industry
Residential	Residential zone I	Residential House	D.h.1 - Single Residential House D.h.5 - Mixed Density Residential D.h.10 - Residential Estate
	Residential zone II	Group Housing	D.h.2 - Group Housing D.h.5 - Mixed Density Residential D.h.10 - Residential Estate
	Residential zone III	Flats Residential Building	D.h.3 - Accommodation Facilities D.h.4 - Residential Building D.h.5 - Mixed Density Residential





General description:	COLUMN 1 - Previous Zoning Code	COLUMN 2 - Previous Primary Land Use	COLUMN 4 - New Zoning Code and Primary Land Use
			D.h.10 - Residential Estate
	Residential zone IV	Informal Dwelling Residential House	D.h.8 - Incremental Housing
Business	Business zone I	Business Premises	D.i.1 - Business Premises D.j.1 - Service Trade Industry D.l.1 - SMME Incubators D.m.1 - Mixed Use Development
	Business zone II	Shop	D.i.2 - Commercial
	Business zone III	Service Station	D.j.2 - Service Station
	Business zone IV	Casino	D.k.1 - Gambling premises
Industrial	Business zone V	Adult Entertainment Bottle Store Tavern	D.i.1 - Business Premises D.k.2 - Adult Entertainment
	Industrial zone I	Service Industry Warehouse Service Station	D.j.1 - Service Trade Industry E.c.1 - Light Industry D.j.2 - Service Station
	Industrial zone II	Industry Warehouse Service Station Transport Use Public Garage	E.c.2 - Industry
Institutional	Industrial zone III	Offensive Industry Crematorium Public Garage	E.d.1 - Noxious industry
	Institutional zone I	Place of Instruction	D.f.1 - Place of Instruction
	Institutional zone II	Public place of worship	D.f.2 - Place of Worship
Resort	Institutional zone III	Institution	D.f.3 - Institution
	Resort zone I	Holiday Accommodation	D.q.1 - Resort & Tourism Related Areas D.q.2 - Holiday homes & Tourism Related Areas
Open Spaces	Open space zone I	Public Open Space	B.c.1 - Public Place – POS/POR B.c.2 - Landscaped Areas B.c.3 - Parks and Open Spaces
	Open space zone II	Private Open Space	D.n.1 - Cemetery D.o.1 - Sports fields & Related Infrastructure
	Open space zone III	Conservation Area	A.a.1 - Wilderness Areas A.a.2 - Special Nature Reserves A.a.3 - National Parks A.a.4 - Nature Reserves A.a.5 - Protected Environments A.a.6 - Forest Wilderness Areas/ Forest Nature Reserves A.a.8 - World Heritage Site A.a.9 - Mountain Catchment Areas B.a.1 - Contractual Conservation Areas B.a.2 - Private conservation areas B.b.1 - Freshwater Ecosystem Priority Areas B.b.2 - Rivers or riverbeds B.b.3 - Other Natural Areas
Transport Zones	Transport zone I	Transport Use	D.p.1 - Airport and Related Infrastructure F.f.1 - Railway facilities
	Transport zone II	Public Street	F.a.1 - National roads F.b.1 - Main roads F.c.1 - Minor roads F.d.1 - Public Streets
	Transport zone III	Public Parking	F.d.2 - Public Parking
	Transport zone IV	Heavy Vehicle Overnight Facilities	F.e.1 - Heavy Vehicle Overnight Facilities
Authority Zones	Authority zone I	Authority Use	D.g.2 - Municipal Uses F.h.1 - Telecommunication- and data infrastructure F.j.1 - Dams, Reservoirs Water Treatment Plants and Pump Houses F.l.1 - Sewerage Plants and Refuse Areas
Special	Authority zone II	Government Use	D.g.1 - Government Uses D.h.10 - Residential Estate E.e.1 - Extractive industry F.g.1 - Power lines
	Special zone	Special Use	F.h.1 - Telecommunication- and data infrastructure F.i.1 - Renewable energy structures G.a.2 - Special Zone
Undetermined	Undetermined zone	None	G.a.1 - Unspecified Zone

Table 2: The summary of the changes between old zoning descriptions and new zoning descriptions in the LUMS



## 4.3. Conservation areas - Category A

### General Description for A.a Categories:

**Statutory Protected Areas:** Areas designated in terms of legislation for biodiversity conservation, defined categories of outdoor recreation and resource use. Conservation purposes are purposes normally or reasonably associated with, the use of land for the protection of the natural and/or built environment, including the protection of the physical, ecological, cultural and historical characteristics of land against undesirable change.

### 4.3.1. All Conservation areas - Category A

Zoning Code	Primary Use	Primary Land Use Description	Secondary Use	Consent Use
A.a.1	Wilderness Areas	Wilderness Areas include areas characterised by their intrinsically wild and pristine appearance and character, or that are capable of being restored to such, and which are undeveloped, without permanent improvements or human habitation.	None	None
A.a.2	Special Nature Reserves	Areas characterised by sensitive, ecologically outstanding ecosystems or natural habitats, natural communities, populations or species, or unique geological or biophysical features conserved primarily for scientific research, educational and limited nature-based recreational purposes.	None	None
A.a.3	National Parks	Areas of national or international biodiversity importance; or containing a representative sample of South Africa's natural systems, scenic areas or cultural heritage sites; or the ecological integrity of one or more ecosystems. National parks provide spiritual, scientific, educational, recreational and tourism-related opportunities which are mutually and environmentally compatible and can contribute to local and regional economic development, including any activities that forms part of 'Resort and Tourism related areas', including the consent uses stipulated as part of D.q.1.	None	None
A.a.4	Nature Reserves	Nature Reserves, including provincial, local authority and registered private nature reserves and include areas of significant ecological, biophysical, historical, or archaeological interest or that are in need of long-term protection for the maintenance of its biodiversity or for the provision of environmental goods and services.	None	None
A.a.5	Protected Environments	Areas as a sensitive zone for the protection of a wilderness area, special natural reserve, national park, world heritage site or nature reserve, to enable owners to conserve biodiversity, protect specific ecosystem and control land use.	None	None
A.a.8	World Heritage Site	World Heritage Site means cultural or natural areas that has been: a) Included on the World Heritage List, or the tentative list of the Republic, and has been proclaimed as a World Heritage Site, or b) Proclaimed to be a special heritage site for management in accordance with the Act (such areas cannot be referred to as a World Heritage Site).	None	None
A.a.9	Mountain Catchment Areas	Mountain Catchment Areas include areas declared as mountain catchment areas that provide for the conservation, use, management and control of such land.	None	None

### 4.3.1.1. Land Use Restrictions for all Conservation areas - Category A

Special consideration:	Specific land use restrictions shall be determined by the Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration. All boards, signs and other forms of advertising or publicity must comply with the Municipality's advertising policy.
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## 4.4. Sensitive areas - Category B

### General Description for Non-Statutory Conservation Areas - B.a Categories:

**Non-Statutory Conservation Areas:** Areas voluntarily set aside by land owners and managed for conservation purposes in terms of the legislation applicable to the current zoning of such land and not in terms of dedicated conservation legislation.

#### 4.4.1. Sensitive areas including B.a. and B.b Areas

Zoning Code	Primary Use	Primary Land Use Description	Secondary Use	Consent Use
B.a.1	Contractual Conservation Areas	Areas designated for conservation purposes in terms of an agreement with a conservation agency, or between landowners, a lease agreement, or a servitude. This category includes conservancies and biodiversity stewardship sites.	None	None
B.a.2	Private conservation areas	Means any land which has been set aside in this scheme for use as a private site for recreation facilities or as an ornamental garden or pleasure-garden, provided that the land is under the long-term management of a private person or authority, for the primary use of conservation and includes areas unofficially designated and managed for conservation purposes by the relevant land owner.	None	None
B.b.1	Freshwater Ecosystem Priority Areas	Identified river and wetland FEPAs and fish support areas, including a generic buffer of 100m, measured from the top of bank of the river or the delineated riparian areas, whichever is larger, and measured from the outside edge of the wetland.	None	None
B.b.2	Rivers and riverbeds	Means all perennial and non-perennial rivers and wetlands.	None	None
B.b.3	Other Natural Areas	This area include Sensitive Coastal Areas, Tracts of natural vegetation that form part of, or link ecosystem components (i.e. tracts of natural vegetation acting as a buffer zone between rivers located in FEPA Fish Support Areas and Fish Sanctuaries, and Category C and D areas) and any other natural areas that are conservation-worthy and which form linkages to natural areas within Category C and D areas.	None	None

##### 4.4.1.1. Land Use Restrictions for all Sensitive Areas for B.a and B.b

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
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#### 4.4.2. B.c.1: Public Park

Zoning Code	Primary Use	Primary Land Use Description	Secondary Use	Consent Use
B.c.1	Public Park	Any land which falls under, or is intended to come under the ownership of the local authority, which is utilised by the general public as an open space, park, garden, square, playground or recreational site and appears on an approved general plan as a "public open space and/or public place".	None	None

##### 4.4.2.1. Land Use Restrictions for B.c.1

Special consideration:	No structure shall be erected or use practised other than those included in the definition of a "public park".
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#### 4.4.3. B.c.2: Landscaped Areas

Zoning Code	Primary Use	Primary Land Use Description	Secondary Use	Consent Use
B.c.2	Landscaped Areas	Any land which has been set aside in this scheme for use as a private site for playing, rest and recreation or as an ornamental garden or pleasure-garden, provided that the land is under the long term management of a private person or authority.	None	None

##### 4.4.3.1. Land Use Restrictions for B.c.2

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
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#### 4.4.4. B.c.3 Parks and Open Spaces

Zoning Code	Primary Use	Primary Land Use Description	Secondary Use	Secondary Use Description	Consent Use	Consent Use Description
B.c.3	Parks and Open Spaces	Any land which falls under, or is intended to come under the ownership of the local authority and which is utilised by the public as an open space, park, garden, square, playground or recreational site, but does not appear on an approved general plan as a "public open space and/or public place".	None	None	None	None

##### 4.4.4.1. Land Use Restrictions for B.c.3

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
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## 4.5. Agricultural areas - Category C

### 4.5.1. C.a.1: Bona-Fide Game Farms

Zoning Code	Primary Use	Bona-Fide Game Farms	The breeding of game on natural veld, land or pasture and at most one single residential house and other buildings that is reasonably relevant to the main agricultural activity on the farm, including Accommodation- and Tourist facilities. Four x four routes and bona-fide staff housing.
C.a.1	Secondary use(s) which may be considered by the municipality	Second Residential unit	A secondary completely self-contained residential unit erected or adapted on a site where there is a residential unit already and which is used to accommodate a second family or a maximum of four persons who do not satisfy the definition of "family" and may not be alienated by means of sectional title or any similar method.
		Farm Stall	A building and/or structure which functions as part of an agricultural unit and where a farmer can sell his and other agricultural produce, either to his employees or to the general public.
		Nursery	A building and/or structure where plants are grown and/or sold to the public.
		Equestrian Facilities	Equestrian facilities are created and maintained for the purpose of accommodating, training or competing equids, especially horses. Based on their use may be known as a barn or stables, with commercial operations described by terms such as a boarding stable, livery yard, or livery stable. Larger facilities may be called an equestrian centre and co-located with complementary services such as a riding school, farriers, vets and tack shops or equipment repair.
		Animal Hospital	A site and/or building where animals/birds receive medical treatment and may stay overnight if necessary, excluding kennels for long term accommodation.
		Recreational Facilities	Any building or premise where people assemble for entertainment or social, relaxing including sporting purposes, amusement park, sport centre, billiard-room, skating ring and a public or private sports club facility, but does not include any building or site for a gambling premises, place of entertainment, functions or adult entertainment.
	Consent use(s) which may be considered by the municipality	Occupational Practice	The practicing of an occupation or trade focussing primarily on administrative functions and not client based occupation or trade, subject to the relevant Municipality Policy and By-Laws (see 2.6.10 for detail of land use control).

#### 4.5.1.1. Land Use Restrictions for C.a.1

Coverage:	Land units smaller than 5000m <sup>2</sup> - 50%.
	Land units larger than 5001m <sup>2</sup> - 30%.
Height:	At most 12m above the natural ground level directly beneath any particular point or portion of the building.
Building Lines:	The street-, rear- and side building lines for the primary residential house are 4,5m. No building or part thereof, with the exception of the primary residential house and farm stalls, boundary walls or boundary fences, may, where the premise borders another premise with a different zoning, be erected closer than 30m from the said boundary of the premise and these building lines are 4.5m where the premise borders another premise also zoned as category C.
Parking:	1 parking bay per 25m <sup>2</sup> of buildings utilised for Secondary/ Consent uses, including Farm Stall, Nursery, Equestrian Facilities, Animal Hospital and Recreational Facilities.
Fencing Certificate:	Any land unit rezoned to this zone must provide the Municipality with a Fencing Certificate.
Relaxing of building lines:	Applications for relaxing of building lines may be approved by the Building Control Officer, if no objections were received from affected/ neighbouring parties.

#### 4.5.1.2. Further restrictions applicable to specific uses / buildings.

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

##### 4.5.1.2.1. Farm stalls/ Nursery/ Tourist Facilities/ Equestrian Facilities, Animal Hospital and Recreational Facilities for Bona-Fide Game Farm:

Floor area:	At most 100m <sup>2</sup> per usage, but can be combined to form a larger complex of up to 500m <sup>2</sup> .
Building Lines:	At least 4,5m from any street reserve boundary and 10m from all other boundaries.
Parking:	The following parking requirements will be applicable: <ul style="list-style-type: none"> <li>i. At least one parking bay for every 25m<sup>2</sup> of the total floor area of the building (excluding any section of the building that is used for residential purposes).</li> <li>ii. A larger parking requirement than the aforementioned, may be required by the Municipality in a particular case where the Municipality is convinced that the specific type of development justifies such a bigger demand.</li> <li>iii. In addition to the parking area and parking bays described above, at least one parking bay, clearly demarcated and properly indicated by means of a notice board, to the satisfaction of the Municipality, for use by visitors, for every two residential units (flats) or every four bedrooms, in the case of hotels, boarding-houses and other residential buildings, must be provided on the site.</li> </ul>



#### 4.5.2. C.a.2: Agriculture

Zoning Code	Primary Use	Agriculture	The breeding of animals on natural veld, land and pasture, stock or auction pens, the processing of products produced on the farm, the cultivation of crops and at most one single residential house and other buildings that is reasonably relevant to the main agricultural activity on the farm, including bona-fide staff housing.
C.a.2	Secondary use(s) which may be considered by the municipality	Second Residential unit	A secondary completely self-contained residential unit erected or adapted on a site where there is a residential unit already and which is used to accommodate a second family or a maximum of four persons who do not satisfy the definition of "family" and may not be alienated by means of sectional title or any similar method.
		Farm Stall	A building and/or structure which functions as part of an agricultural unit and where a farmer can sell his and other agricultural produce, either to his employees or to the general public.
		Nursery	A building and/or structure where plants are grown and/or sold to the public.
		Equestrian Facilities	Equestrian facilities are created and maintained for the purpose of accommodating, training or competing equids, especially horses. Based on their use may be known as a barn or stables, with commercial operations described by terms such as a boarding stable, livery yard, or livery stable. Larger facilities may be called an equestrian centre and co-located with complementary services such as a riding school, farriers, vets and tack shops or equipment repair.
		Tourist Facilities	Facilities created in a rural area for the recreation and entertainment of tourists and may include overnight facilities such as a guest house, restaurant and Farm Stall.
		Four x four routes	A series of roads, tracks and trails, designed for use by 4x4 vehicles as a leisure or adventure facility, and includes buildings that are normally required for the administration and maintenance, but do not include a resort and/or tourist facilities.
		Animal Hospital	A site and/or building where animals/birds receive medical treatment and may stay overnight if necessary, excluding kennels for long term accommodation.
		Kennels	A structure or shelter for dogs and cats and could include a building, collection of buildings on the property in which dogs or cats are housed, maintained, and bred.
		Recreational Facilities	Any building or premise where people assemble for entertainment or social, relaxing including sporting purposes, amusement park, sport centre, billiard-room, skating ring and a public or private sports club facility, but does not include any building or site for a gambling premises, place of entertainment, functions or adult entertainment.
	Consent use(s) which may be considered by the municipality	Occupational Practice	Means the practicing of an occupation or trade focussing primarily on administrative functions and not client based occupation or trade, subject to the relevant Municipality Policy and By-Laws (see 2.6.10 for detail of land use control).

##### 4.5.2.1. Land Use Restrictions for C.a.2

Coverage:	Land units smaller than 5000m <sup>2</sup> - 50%.
	Land units larger than 5001m <sup>2</sup> - 30%.
Height:	At most 12m above the natural ground level directly beneath any particular point or portion of the building.
Building Lines:	The street-, rear- and side building lines for the primary residential house are 4,5m. No building or part thereof, with the exception of the primary residential house and farm stalls, boundary walls or boundary fences, may, where the premise borders another premise with a different zoning, be erected closer than 30m from the said boundary of the premise and these building lines are 4.5m where the premise borders another premise also zoned as Category C.
Parking:	1 parking bay per 25m <sup>2</sup> of buildings utilised for Secondary/ Consent uses, including Farm Stall, Nursery, Equestrian Facilities and Animal Hospital.
Relaxing of building lines:	Applications for relaxing of building lines may be approved by the Building Control Officer, if no objections were received from affected/ neighbouring parties.

##### 4.5.2.2. Further restrictions applicable to specific uses/ buildings.

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

#### 4.5.2.2.1. Farm stalls/ Nursery/ Equestrian Facilities/ Tourist Facilities/ Four x four routes, Animal Hospital, Kennels and Recreational Facilities for Agriculture:

Floor area:	At most 100m <sup>2</sup> per usage, but can be combined to form a larger complex of up to 500m <sup>2</sup> .
Building Lines:	At least 4,5m from any street reserve boundary and 10m from all other boundaries.
Parking:	The following parking requirements will be applicable: <ul style="list-style-type: none"> <li>i. At least one parking bay for every 25m<sup>2</sup> of the total floor area of the building (excluding any section of the building that is used for residential purposes).</li> <li>ii. A larger parking requirement than the aforementioned, may be required by the Municipality in a particular case where the Municipality is convinced that the specific type of development justifies such a bigger demand.</li> <li>iii. In addition to the parking area and parking bays described above, at least one parking bay, clearly demarcated and properly indicated by means of a notice board, to the satisfaction of the Municipality, for use by visitors, for every two residential units (flats) or every four bedrooms, in the case of hotels, boarding-houses and other residential buildings, must be provided on the site.</li> </ul>

#### 4.5.3. C.b.1: Plantations and Woodlots

Zoning Code	Primary Use	Plantations and Woodlots	Plantations, i.e. group of trees cultivated for exploitation of the wood, bark, leaves or essential oils in the trees; forest produce, i.e. anything which appears or grows in such plantation including any living organisms and any product of it and at most one single residential house and other buildings that is reasonably relevant to the main agricultural activity on the farm, including bona-fide staff housing.
C.b.1	Secondary use(s) which may be considered by the municipality	Second Residential unit	A secondary completely self-contained residential unit erected or adapted on a site where there is a residential unit already and which is used to accommodate a second family or a maximum of four persons who do not satisfy the definition of "family" and may not be alienated by means of sectional title or any similar method <b>(see 2.6.13 for detail of land use control)</b> .
		Farm Stall	A building and/or structure which functions as part of an agricultural unit and where a farmer can sell his and other agricultural produce, either to his employees or to the general public.
		Nursery	A building and/or structure where plants are grown and/or sold to the public.
		Equestrian Facilities	Equestrian facilities are created and maintained for the purpose of accommodating, training or competing equids, especially horses. Based on their use may be known as a barn or stables, with commercial operations described by terms such as a boarding stable, livery yard, or livery stable. Larger facilities may be called an equestrian centre and co-located with complementary services such as a riding school, farriers, vets and tack shops or equipment repair.
		Tourist Facilities	Facilities created in a rural area for the recreation and entertainment of tourists and may include overnight facilities such as a guest house, restaurant and Farm Stall.
		Animal Hospital	A site and/or building where animals/birds receive medical treatment and may stay overnight if necessary, excluding kennels for long term accommodation.
	Consent use(s) which may be considered by the municipality	Occupational Practice	Means the practicing of an occupation or trade focussing primarily on administrative functions and not client based occupation or trade, subject to the relevant Municipality Policy and By-Laws <b>(see 2.6.10 for detail of land use control)</b> .

##### 4.5.3.1. Land Use Restrictions for C.b.1

Coverage:	Land units smaller than 5000m <sup>2</sup> - 50%. Land units larger than 5001m <sup>2</sup> - 30%.
Height:	At most 12m above the natural ground level directly beneath any particular point or portion of the building.
Building Lines:	The street-, rear- and side building lines for the primary residential house are 4,5m. No building or part thereof, with the exception of the primary residential house and farm stalls, boundary walls or boundary fences, may, where the premise borders another premise with a different zoning, be erected closer than 30m from the said boundary of the premise and these building lines are 4,5m where the premise borders another premise also zoned as Category C.
Parking:	1 parking bay per 25m <sup>2</sup> of buildings utilised for Secondary/ Consent uses, including Farm Stall, Nursery, Equestrian Facilities and Animal Hospital.
Relaxing of building lines:	Applications for relaxing of building lines may be approved by the Building Control Officer, if no objections were received from affected/ neighbouring parties.

##### 4.5.3.2. Further restrictions applicable to specific uses/ buildings

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

#### 4.5.3.2.1. Farm stalls/ Nursery/ Equestrian Facilities/ Tourist Facilities and Animal Hospital for Plantations and Woodlots:

Floor area:	At most 100m <sup>2</sup> per usage, but can be combined to form a larger complex of up to 500m <sup>2</sup> .
Building Lines:	At least 4,5m from any street reserve boundary and 10m from all other boundaries.
Parking:	<p>The following parking requirements will be applicable:</p> <ol style="list-style-type: none"> <li>At least one parking bay for every 25m<sup>2</sup> of the total floor area of the building (excluding any section of the building that is used for residential purposes).</li> <li>A larger parking requirement than the aforementioned, may be required by the Municipality in a particular case where the Municipality is convinced that the specific type of development justifies such a bigger demand.</li> <li>In addition to the parking area and parking bays described above, at least one parking bay, clearly demarcated and properly indicated by means of a notice board, to the satisfaction of the Municipality, for use by visitors, for every two residential units (flats) or every four bedrooms, in the case of hotels, boarding-houses and other residential buildings, must be provided on the site.</li> </ol>

## 4.6. Urban areas - Category D

### 4.6.1. D.f.1: Place of Instruction

Zoning Code	Primary Use	Place of Instruction	A school, college, technical institute, academy, university, lecture hall or other centre of instruction, and includes a hostel appertaining thereto, and a convent, public library, art gallery, museum, sport grounds and facilities, gymnasium and crèche, but does not include a building used or intended to be used wholly or primarily as a certified reformatory or industrial school or as a school for the mentally handicapped.
D.f.1	Secondary use(s) which may be considered by the municipality	Place of assembly	A public hall, a town hall or community hall for social functions, music hall, concert hall or exhibition hall which is not directly related to a commercial undertaking.
	Consent use(s) which may be considered by the municipality	Extramural activities	The utilisation of a building or premise for any extramural activities (sport, art, cultural, recreational or other) which are not normally associated with the primary use or occupants of the site, without disturbances such as noise, traffic congestion, air pollution, the congregation of people, excessive traffic generation or lowering of aesthetics being caused and may include art classes, dance classes, motivation classes, occupational therapists, the writing of exams by students, yoga-, pilates-, aerobics classes or any other fitness related activity;

#### 4.6.1.1. Land Use Restrictions for D.f.1

Coverage:	60%.		
Height:	No restriction.		
Building Lines:	No building or any part thereof, excluding: i. open porches, ii. eaves for a distance of 1m, but not closer than 0.5m to the erf boundary, iii. boundary walls or boundary fences, iv. entrance steps, v. flower boxes, pergolas, cornices, water pipes, screen walls not higher than 2,0m and closer than 3m from the street boundary and minor decorations not projecting more than 300mm from the building, may be erected nearer than the following distances to the relevant boundaries:		
	Street boundaries:	Land units smaller than 400m <sup>2</sup> - 1m Garage may be 0m if provided with a rolling garage door.	
		Land units of 400m <sup>2</sup> and more, but smaller than 700m <sup>2</sup> - 2m Garage – 4m.	
		Land units of 700m <sup>2</sup> and more - 3m Garage – 4m.	
	Side boundaries:	Land units smaller than 400m <sup>2</sup> - 0m, provided that the combined side space must be 1m.	
		Land Units of 400m <sup>2</sup> and more, but smaller than 700m <sup>2</sup> - 1m, provided that the combined side space must be 4m.	
		Land units of 700m <sup>2</sup> and more - 2m, provided that the combined side boundaries must be 5m.	
	Rear Boundaries	3m notwithstanding the size of the erf.	
No doors or windows are permitted in any wall which is less than 1.5m from any side or rear boundary, notwithstanding the size of the erf.			
Parking:	On-site parking must be provided at a minimum requirement of one parking bay for each classroom. Drop-off zones and vehicle access routes must be clarified and sorted out with the traffic department. If such a place of instruction borders any national or provincial road, the input and approval from the said competent authority must also be obtained.		

#### 4.6.1.2. Further restrictions applicable to specific uses/ building.

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

##### 4.6.1.2.1. Place of Assembly and Extramural Activities for Place of Instruction:

Development control:	The same as for the primary building.
Parking:	On-site parking must be provided at a minimum requirement of one parking bay for every 20 seats provided within the main building. Other buildings on the property do not form part of the calculations.

##### 4.6.1.2.2. Further Restrictions for Place of Instruction:

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
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#### 4.6.2. D.f.2: Place of Worship

Zoning Code	Primary Use	Place of Worship	A church, synagogue, mosque, temple, chapel or other place for practising religion. It also includes any building in connection therewith, for instance a hall, Sunday school classes, church offices, day-care centre, a wall of remembrance and parsonage, but does not include funeral parlours.
D.f.2	Secondary use(s) which may be considered by the municipality	Place of assembly	A public hall, a town hall or community hall for social functions, music hall, concert hall or exhibition hall which is not directly related to a commercial undertaking.
	Consent use(s) which may be considered by the municipality	Extramural activities	The utilisation of a building or premise for any extramural activities (sport, art, cultural, recreational or other) which are not normally associated with the primary use or occupants of the site, without disturbances such as noise, traffic congestion, air pollution, the congregation of people, excessive traffic generation or lowering of aesthetics being caused and may include art classes, dance classes, motivation classes, occupational therapists, the writing of exams by students, yoga-, pilates-, aerobics classes or any other fitness related activity;

##### 4.6.2.1. Land Use Restrictions for D.f.2

0.2.1. Land Use Restrictions for D.1.2

Coverage:	60%.	
Height:	No restriction.	
Building Lines:	No building or any part thereof, excluding: <ul style="list-style-type: none"><li>i. open porches,</li><li>ii. eaves for a distance of 1m, but not closer than 0.5m to the erf boundary,</li><li>iii. boundary walls or boundary fences,</li><li>iv. entrance steps,</li><li>v. flower boxes, pergolas, cornices, water pipes, screen walls not higher than 2,0m and closer than 3m from the street boundary and minor decorations not projecting more than 300mm from the building,</li></ul> may be erected nearer than the following distances to the relevant boundaries:	
	Street boundaries:	Land units smaller than 400m <sup>2</sup> - 1m Garage may be 0m if provided with a rolling garage door.
		Land units of 400m <sup>2</sup> and more, but smaller than 700m <sup>2</sup> - 2m Garage – 4m.
		Land units of 700m <sup>2</sup> and more - 3m Garage – 4m.
	Side boundaries:	Land units smaller than 400m <sup>2</sup> - 0m, provided that the combined side space must be 1m.
		Land Units of 400m <sup>2</sup> and more, but smaller than 700m <sup>2</sup> - 1m, provided that the combined side space must be 4m.
		Land units of 700m <sup>2</sup> and more - 2m, provided that the combined side boundaries must be 5m.
	Rear Boundaries	3m notwithstanding the size of the erf.
No doors or windows are permitted in any wall which is less than 1.5m from any side or rear boundary, notwithstanding the size of the erf.		



	Notwithstanding the above-mentioned building lines, the Municipality may approve the erection of any residential house, outbuildings or second residential unit that exceeds a building line, subject to the following: <ul style="list-style-type: none"> <li>i. that the said building shall not exceed a height of one storey;</li> <li>ii. that no doors or windows shall be allowed in any wall of such building nearer than 1,5m of the relevant side boundary; and</li> <li>iii. that another access way, other than through a building, at least 1m wide, is provided from a street to every other vacant portion of the relevant land unit other than a court-yard.</li> <li>iv. that under all circumstances there will be complied with the required joint side boundary regulation.</li> <li>v. where a building line is 0m, a firewall will be required as per specifications of the National Building Regulations.</li> </ul>
Parking:	On-site parking must be provided at a minimum requirement of one parking bay for every 20 seats provided within the main building. Other buildings on the property do not form part of the calculations.

#### 4.6.2.2. Further restrictions applicable to specific uses/ building.

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

##### 4.6.2.2.1. Place of Assembly and Extramural Activities for Place of Worship:

Development control:	The same as for the primary building.
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##### 4.6.2.2.2. Further Restrictions for Place of Worship:

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
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#### 4.6.3. D.f.3: Institution

Zoning Code:	Primary Use	Institution:	A building or portion thereof used or intended to be used for a charity, health or welfare institution and/or for the administration thereof, and includes community facilities, a place of assembly, a hospital, a pharmacy linked to a hospital, clinic or reformatory, either private or public, but does not include a prison or place of detention.
D.f.3	Secondary use(s) which may be considered by the municipality	None	None
	Consent use(s) which may be considered by the municipality	None	None

##### 4.6.3.1. Land Use Restrictions for D.f.3

Coverage:	60%.	
Height:	No restriction.	
Building Lines:	Street boundaries:	As determined by the Municipality.
	Side boundaries:	As determined by the Municipality.
	Rear Boundaries:	As determined by the Municipality.
	No doors or windows are permitted in any wall which is less than 1.5m from any side or rear boundary, notwithstanding the size of the erf.	
Parking:	As determined by the Municipality.	



#### 4.6.3.2. Further restrictions applicable to specific uses/ building

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

##### 4.6.3.2.1. Further Restrictions for Institution:

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
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#### 4.6.4. D.g.1: Government Uses

Zoning Code:	Primary Use	Government Uses	A building or site for government use of which the extent thereof is such that it cannot be classified or defined under other uses in these regulations and includes uses practised by the State, such as military training centres and installations, telecommunication facilities, police stations and prisons; or by the Provincial or District authority, such as road stations and road camps or any other parastatals such as Eskom, etc.
D.g.1	Secondary use(s) which may be considered by the municipality	None	None
	Consent use(s) which may be considered by the municipality	None	None

##### 4.6.4.1. Land Use Restrictions for D.g.1

Coverage:	As determined by the Municipality.		
Height:	No restriction.		
Building Lines:	Street boundaries:	As determined by the Municipality.	
	Side boundaries:	As determined by the Municipality.	
	Rear Boundaries	As determined by the Municipality.	
	No doors or windows are permitted in any wall which is less than 1.5m from any side or rear boundary, notwithstanding the size of the erf.		
Parking:	As determined by the Municipality.		

#### 4.6.4.2. Further restrictions applicable to specific uses/ building.

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

##### 4.6.4.2.1. Further Restrictions for Government Uses:

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
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#### 4.6.5. D.g.2: Municipal Uses

Zoning Code:	Primary Use	Municipal Uses	A usage practised by a local government and of which the extent thereof is of such nature that it cannot be classified or defined under another usage in these regulations, for example fire-brigade services, vehicle test centre or any services installation, such as power stations, water reservoirs, mini-substations, substations, etc.
D.g.2	Secondary use(s) which may be considered by the municipality	None	None
	Consent use(s) which may be considered by the municipality	None	None

##### 4.6.5.1. Land Use Restrictions for D.g.2

Coverage:	As determined by the Municipality.	
Height:	No restriction.	
Building Lines:	Street boundaries:	As determined by the Municipality.
	Side boundaries:	As determined by the Municipality.
	Rear Boundaries	As determined by the Municipality.
	<i>No doors or windows are permitted in any wall which is less than 1.5m from any side or rear boundary, notwithstanding the size of the erf.</i>	
Parking:	As determined by the Municipality.	

##### 4.6.5.2. Further restrictions applicable to specific uses/ building

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

##### 4.6.5.2.1. Further Restrictions for Municipal Uses:

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
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#### 4.6.6. D.h.1: Single Residential House

Zoning Code:	Primary Use	Single Residential House	A building consisting of only one residential unit – a self-contained interlinking group of rooms for the accommodation and housing of a single family, or a maximum of four persons who do not satisfy the definition of a “family”, together with such outbuildings as are ordinarily used therewith.
D.h.1	Secondary use(s) which may be considered by the municipality	Second Residential unit	A secondary completely self-contained residential unit erected or adapted on a site where there is a residential unit already and which is used to accommodate a second family or a maximum of four persons who do not satisfy the definition of “family” and may not be alienated by means of sectional title or any similar method <b>(see 2.6.13 for detail of land use control)</b> .
		Guest House	A dwelling or house where the majority of facilities are shared and where up to five rooms are leased on a short-term basis (maximum 21 days), provided that a dwelling of which two rooms are leased, is not regarded as a guest house. A guest house may include catering facilities for guests that stays overnight, but does not include self-catering facilities.
	Consent use(s) which may be	Day-Care Centre	A building/site where between 6 and 20 children are cared for/taken care of by the occupant of the main building, but may not stay overnight.

	considered by the municipality	Occupational Practice	Means the practicing of an occupation or trade focussing primarily on administrative functions and not client based occupation or trade, subject to the relevant Municipality Policy and By-Laws (see 2.6.10 for detail of land use control).
		Tuck Shop	A small commercial business run by a member/members of the household from a part of the house or outbuilding, provided that stock shall be limited to the volume that can be accommodated in the tuck shop and no stock may be stored outside of the tuck shop (see 2.6.15 for detail of land use control).
		Bird and Animal Cages	Means permanent structures intended for the confinement/ enclosure of animals/birds, normally associated with breeding, protection and display.

#### 4.6.6.1. Land Use Restrictions for D.h.1

Coverage:	Land units smaller than 400m <sup>2</sup> - 80%.	
	Land units 400m <sup>2</sup> and larger - 50%.	
Height:	At most 8m above the natural ground level directly beneath any particular point or portion of the building.	
Building Lines:	No building or any part thereof, excluding: <ul style="list-style-type: none"> <li>i. open porches,</li> <li>ii. eaves for a distance of 1m, but not closer than 0.5m to the erf boundary,</li> <li>iii. boundary walls or boundary fences,</li> <li>iv. entrance steps,</li> <li>v. flower boxes, pergolas, cornices, water pipes, screen walls not higher than 2,0m and closer than 3m from the street boundary and minor decorations not projecting more than 300mm from the building,</li> <li>vi. swimming pools not above ground level</li> </ul> may be erected nearer than the following distances to the relevant boundaries:	
	Street boundaries:	Land units smaller than 400m <sup>2</sup> - 1m Garage may be 0m if provided with a rolling garage door.
		Land units of 400m <sup>2</sup> and more, but smaller than 700m <sup>2</sup> - 2m Garage - 3m.
		Land units of 700m <sup>2</sup> and more - 3m Garage - 3m.
	Side boundaries:	Land units smaller than 400m <sup>2</sup> - 0m, provided that the combined side space must be 1m.
		Land Units of 400m <sup>2</sup> and more, but smaller than 700m <sup>2</sup> - 1m, provided that the combined side space must be 3m.
		Land units of 700m <sup>2</sup> and more - 2m, provided that the combined side boundaries must be 5m.
		For semi-detached houses on D.h.1: <ul style="list-style-type: none"> <li>i. The joint side boundary between houses slackened to 0m.</li> <li>ii. This slackening is only applicable to D.h.1 houses where existing semi-detached houses are to be found.</li> </ul>
	Rear Boundaries	3m notwithstanding the size of the erf.
	No doors or windows are permitted in any wall which is less than 1.5m from any side or rear boundary, notwithstanding the size of the erf.	
	Notwithstanding the above-mentioned building lines, the Municipality may approve the erection of any residential house, outbuildings or second residential unit that exceeds a building line, subject to the following: <ul style="list-style-type: none"> <li>i. that the said building shall not exceed a height of one storey;</li> <li>ii. that no doors or windows shall be allowed in any wall of such building nearer than 1,5m of the relevant side boundary; and</li> <li>iii. that another access way, other than through a building, at least 1m wide, is provided from a street to every other vacant portion of the relevant land unit other than a court-yard.</li> <li>iv. that under all circumstances there will be complied with the required joint side boundary regulation.</li> <li>v. where a building line is 0m, a firewall will be required as per specifications of the National Building Regulations.</li> </ul>	

#### 4.6.6.2. Further restrictions applicable to specific uses/ building.

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

##### 4.6.6.2.1. Day-Care Centres/ Guest houses and Covered Braai Areas for Single Residential House:

The Municipality policy/ By-law	Guest houses/ Day-Care Centres and Covered Braai Areas must at all times adhere to the relevant the Municipality Policies and By-Laws.
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Building Lines:	The same as for the main buildings on the erf.
Parking for day-care facilities:	On-site parking must be provided at a minimum requirement of one parking bay for each classroom. Drop-off zones and vehicle access routes must be clarified and sorted out with the traffic department. If such a place of instruction borders any national or provincial road, the input and approval from the said competent authority must also be obtained.
Provisions for guesthouses:	<p>The following preconditions for the considering of an application in accordance with guest houses are:</p> <ol style="list-style-type: none"> <li>It is compulsory that the owner/ manager resides within the house and not in a second residential unit or off site.</li> <li>The correct application procedure, including the necessary advertisement procedures shall be followed.</li> <li>All building and other regulations shall strictly be complied with. No relaxation of building lines or maximum coverage shall thus be allowed.</li> <li>The Engineering department must be convinced of the fact that the service network shall be able to carry the additional load and may, even in both instances, put a limit on the number of beds.</li> <li>Building plans for the concerned buildings or part thereof must be submitted with the application.</li> <li>Proof of separate facilities for guests must also be submitted.</li> <li>Proof that parking (detail layout plan) for 1 vehicle for the owner/ manager, 1 vehicle per room, as well as 1 additional parking for every 4 rooms, can be supplied on the premises and must accompany the application.</li> <li>Where food is commercially prepared/sold on the premises to residing guests, the person shall have to register for the preparing and serving of food at the Municipality.</li> </ol>

#### 4.6.7. D.h.2: Group Housing

Zoning Code:	Primary Use	Group Housing	A group of separate and/or connected individual residential units which were planned, designed and built as a harmonious architectural entity with a medium density character and with units that may vary between single and double storeys and of which each unit has a ground floor, irrespective whether such units are cadastrally divided or not and include a private road network.
D.h.2	Secondary use(s) which may be considered by the municipality	Single Residential House	A building consisting of only one residential unit – a self-contained interlinking group of rooms for the accommodation and housing of a single family, or a maximum of four persons who do not satisfy the definition of a “family”, together with such outbuildings as are ordinarily used therewith.
		Old-Age Home	A group of separate and/or interlinked individual residential units or rooms with communal facilities and which is planned, designed and built as an entity for the housing of and/or caring for old persons, including a retirement village.
	Consent use(s) which may be considered by the municipality	Day-Care Centre	A building/site where between 6 and 20 children are cared for/taken care of by the occupant of the main building, but may not stay overnight.
		Occupational Practice	Means the practicing of an occupation or trade focussing primarily on administrative functions and not client based occupation or trade, subject to the relevant Municipality Policy and By-Laws (see 2.6.10 for detail of land use control).
		Tuck Shop	A small commercial business run by a member/members of the household from a part of the house or outbuilding, provided that stock shall be limited to the volume that can be accommodated in the tuck shop and no stock may be stored outside of the tuck shop (see 2.6.15 for detail of land use control).
		Bird and Animal Cages	Means permanent structures intended for the confinement/ enclosure of animals/birds, normally associated with breeding, protection and display.

##### 4.6.7.1. Land Use Restrictions for D.h.2

Density:	At most 30 units per gross hectare, provided that a group site does not exceed two hectares. In specific cases (that is, where group housing sites were originally planned as such and open spaces and/or streets are supplied in a suitable manner and do not have to be included in the subdivision of the site) not more than 40 units per gross hectare with the permission of the Municipality.
Size:	A complex must adhere to a minimum of 2750m <sup>2</sup> in size for 8 units or more.
Form:	A complex must have a maximum of 1:2.5 length and width ratio.
Height:	At most 8m above the natural ground level directly beneath any particular point or portion of the building.
Building Lines:	<p>No building or any part thereof, excluding:</p> <ol style="list-style-type: none"> <li>open porches,</li> <li>eaves for a distance of 1m, but not closer than 0.5m to the erf boundary,</li> <li>boundary walls or boundary fences,</li> <li>entrance steps,</li> <li>flower boxes, pergolas, cornices, water pipes, screen walls not higher than 2,0m and closer than 3m from the street boundary and minor decorations not projecting more than 300mm from the building,</li> <li>swimming pools not above ground level</li> </ol> <p>may be erected nearer than the following distances to the relevant boundaries:</p>

	Street boundaries:	The public street building line may be zero, but if necessary for safe traffic movements or for other reasons like aesthetics and character of the development in the area, a street building line of 2m may be imposed. The written input from the Traffic department must be obtained. The street building line with regard to the garage is 4m for public streets, or alternatively the design should be such that any motor vehicle can be safely parked outside the street reserve and/or road surface when the garage door is closed.
	Private road boundaries	The private road building line within the complex may be zero, but if necessary for safe traffic movements or for other reasons like aesthetics and character of the development in the area, a building line of 2m may be imposed. The building line with regard to the garage or carport is 0m, if the garage is provided with a rolling garage door.
	Side and Rear boundaries:	Except as may be necessary for service mains and space to open windows and doors, the building line with regard to the rear boundary and side boundaries can also be zero. However, where this zone borders another zone (B.c categories excluded), a building line of 2m shall apply with regard to the rear and side boundaries.
	<i>No doors or windows are permitted in any wall which is less than 1.5m from any side or rear boundary, notwithstanding the size of the erf.</i>	
Parking:	At least two parking bays per group house, of which both parking bays must be provided on the group erf, or a portion of the requirement for the project may be provided communally or the entire requirement may be provided in the form of communal parking, provided that at least 50% of the parking bays shall be covered. In addition the mentioned parking bays, one parking bay for every four units must be provide for guest parking facilities.	
Street widths:	For both public streets and private roads, at least a 10m reserve must be provided, but 8m in cases of a cul-de-sac which does not serve more than 14 group houses.	
Communal Open Space:	At least 80m <sup>2</sup> per residential unit for complexes of 15 units and more. These open spaces exclude streets, private outdoor space and communal service areas. This requirement shall fall away if the Municipality is of the opinion that sufficient open space is available.	
Private Open Space:	At least 40% of the gross floor area of the relevant unit in a form of which the sides do not exceed a ratio of 2:1.	
Design:	The purpose reflected in the definition of group housing (as included in the definition) should be followed and implemented very closely.	
Relaxing of building lines:	Applications for relaxing of building lines may be approved by the Building Control Officer, if no objections were received from affected/ neighbouring parties.	
General conditions for complexes:	<ul style="list-style-type: none"> <li>i. In addition to the private outdoor space, a communal or private service yard of sufficient area and screened from public view by a wall, shall be provided for each unit, to the satisfaction of the local authority.</li> <li>ii. A garage that can be locked, carport, service yard and atrium are excluded in the calculation of the floor area for the purposes of the calculation of the 40% private outdoor space.</li> <li>iii. A service yard and carport cannot be regarded as part of private outdoor space, while a patio can be regarded as part thereof.</li> <li>iv. The providing of communal services with regard to different group erven in order to save on service costs is permitted, but separate meters shall be installed where applicable.</li> <li>v. Where paving, landscaping, other provisions (such as the provision of public open space outside the site which is applied for or additional open space inside the site which is applied for) or other aesthetic requirements are deemed necessary in order to render the site suitable for group housing, it may be required at the owner's expense. The Municipality reserves the right to maintain such a site on an annual tender basis at the expense of the owner(s) or not to become involved at all in such maintenance.</li> <li>vi. Subject to the provisions of the Municipal Building Regulations that may come into effect from time to time, no external additions or building construction work is allowed in this particular scheme, unless the appearance of the scheme is not affected negatively.</li> <li>vii. Where a building line is 0m, a firewall will be required as per specifications of the National Building Regulations.</li> </ul>	

#### 4.6.7.2. Further restrictions applicable to specific uses/ building.

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

##### 4.6.7.2.1. Single Residential House for Group Housing:

Development control:	The same as for the primary use in D.h.1.
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**4.6.7.2.2. Day-Care Centres and Covered Braai Areas for Group Housing:**

The Municipality policy/ By-law	Day-Care Centres and Covered Braai Areas must at all times adhere to the Municipality's Policies/ By-Laws that is updated from time to time.
Building Lines:	The same as for the main buildings.
Parking for day-care facilities:	On-site parking must be provided at a minimum requirement of one parking bay for each classroom. Drop-off zones and vehicle access routes must be clarified and sorted out with the traffic department. If such a place of instruction borders any national or provincial road, the input and approval from the said competent authority must also be obtained.
Provisions:	If the proposed Day-Care facility is located within a housing development governed by a Home Owners Association, the approval from the said association must also accompany the application to the Municipality.

**4.6.7.2.3. Old-Age Home for Group Housing:**

Development control:	The same as for the primary use in D.h.2.
Parking for home care agencies and institutional facilities:	The following parking requirements will be applicable: <ul style="list-style-type: none"> <li>i. At least one parking bay for every 25m<sup>2</sup> of the total floor area of the building utilised by the home care agency and one parking per 3 rooms that forms part of the geriatric component.</li> <li>ii. A larger parking requirement than the aforementioned, may be required by the Municipality in a particular case where the Municipality is convinced that the specific type of development justifies such a bigger demand.</li> </ul>

**4.6.8. D.h.3: Accommodation Facilities**

<b>Zoning Code:</b>	Primary Use	Accommodation Facilities	A dwelling, building or individual units, where the majority of facilities are shared and where a maximum of 10 rooms housing not more than 16 guests, are leased on a short-term basis (maximum 21 days) and may include catering facilities for guests that stays overnight, but does not include self-catering facilities. Facilities making provision for more than 10 rooms or for more than 16 guests in total, falls under the description of a hotel.
D.h.3	Secondary use(s) which may be considered by the municipality	Hospitality Usage	A dwelling or building where a combination of land uses are included within the Hospitality Corridor, including a restaurant, an art gallery and other tourism related sales;
		Wedding and conference facilities	An area, building or erf that is used primarily to cater for weddings and functions and may include a function hall, restaurant, catering and conference facilities, a chapel (whether covered or open air) and reasonable relevant activity connected to the main activity.
		Hotel	A building designed to comply with the requirements of a hotel, which is a commercially run establishment providing accommodation to travellers and tourists, but does not include linked or separate buildings or premises for off-sale facilities and where meals are usually provided for guests.
	Consent use(s) which may be considered by the municipality	None	None

**4.6.8.1. Land Use Restrictions for D.h.3**

Coverage:	Land units smaller than 400m <sup>2</sup> - 80%.	
	Land units 400m <sup>2</sup> and larger - 50%.	
Height:	At most 8m above the natural ground level directly beneath any particular point or portion of the building.	
Building Lines:	No building or any part thereof, excluding: <ul style="list-style-type: none"> <li>i. open porches,</li> <li>ii. eaves for a distance of 1m, but not closer than 0.5m to the erf boundary,</li> <li>iii. boundary walls or boundary fences,</li> <li>iv. entrance steps,</li> <li>v. flower boxes, pergolas, cornices, water pipes, screen walls not higher than 2.0m and closer than 3m from the street boundary and minor decorations not projecting more than 300mm from the building,</li> <li>vi. swimming pools not above ground level</li> </ul> may be erected nearer than the following distances to the relevant boundaries:	
	Street boundaries:	Land units smaller than 400m <sup>2</sup> - 1m Garage may be 0m if provided with a rolling garage door.
		Land Units Between 400 and 700m <sup>2</sup> - 2m Garage - 4m.
		Land units larger than 700m <sup>2</sup> - 3m Garage - 4m.
	Side boundaries:	Land units smaller than 400m <sup>2</sup> - 0m, provided that the combined side space must be 1m.
		Land Units Between 400 and 700m <sup>2</sup> - 1m, provided that the combined side space must be 4m.

	Land units larger than 700m <sup>2</sup> - 2m, provided that the combined side space must be 5m.
Rear Boundaries	3m notwithstanding the size of the erf.
	<i>No doors or windows are permitted in any wall which is less than 1.5m from any side or rear boundary, notwithstanding the size of the erf.</i>
	Notwithstanding the above-mentioned building lines, the Municipality may approve the erection of any residential house, outbuildings or second residential unit that exceeds a building line, subject to the following: <ul style="list-style-type: none"> <li>i. that the said building shall not exceed a height of one storey;</li> <li>i. that no doors or windows shall be allowed in any wall of such building nearer than 1,5m of the relevant side boundary; and</li> <li>ii. that another access way, other than through a building, at least 1m wide, is provided from a street to every other vacant portion of the relevant land unit other than a court-yard.</li> <li>iii. that under all circumstances there will be complied with the required joint side boundary regulation.</li> <li>iv. where a building line is 0m, a firewall will be required as per specifications of the National Building Regulations.</li> </ul>
Detached units:	Detached units/ rooms are not allowed on an erf smaller than 1000m <sup>2</sup> .
Parking:	1 Parking bay per room must be provided on site, with 1 guest Parking bay for every 5 rooms and 1 personnel parking for every 5 rooms.
Relaxing of building lines:	Applications for relaxing of building lines may be approved by the Building Control Officer, if no objections were received from affected/ neighbouring parties.

#### 4.6.8.2. Further restrictions applicable to specific uses/ building.

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

##### 4.6.8.2.1. Hospitality Usage for Accommodation Facilities:

Parking:	The following parking requirements will be applicable: <ul style="list-style-type: none"> <li>i. At least one parking bay for every 25m<sup>2</sup> of the total floor area of the building (excluding any section of the building that is used for accommodation facilities).</li> <li>ii. A larger parking requirement than the aforementioned, may be required by the Municipality in a particular case where the Municipality is convinced that the specific type of development justifies such a bigger demand.</li> </ul>
Building Lines:	The same as for the main buildings.

##### 4.6.8.2.2. Wedding and conference facilities for Accommodation Facilities:

Parking:	Each 1.5m <sup>2</sup> of the floor area of the buildings and or rooms used for Wedding and conference facilities, equals 1 person. For each 6m <sup>2</sup> or four persons, one parking bay must be provided for buildings and rooms used to house these facilities.
Building Lines:	The same as for the main buildings.

##### 4.6.8.2.3. Hotels for Accommodation Facilities:

Parking:	One parking bay for every room that is rented out and 50% of the parking bays must be covered and also indicated on building plans. In addition to the parking area and parking bays described above, at least one parking bay for the utilisation of visitors for every four bedrooms that is rented out, must be provided on the site, clearly demarcated and properly indicated by means of a notice board, to the satisfaction of the Municipality.
Building Lines:	The same as for the main buildings.

#### 4.6.9. D.h.4: Residential Building

Zoning Code:	Primary Use	Residential Building	A building consisting of one or more residential units (excluding a residential house, with/ or without a second residential unit) for human habitation, together with the outbuildings used therewith, and it includes boarding-houses, guest houses, group housing, flats, hotels (without off-sales facility/public bar), residential clubs, old-age homes, children's homes and hostels, but excludes buildings that are defined as "place of education" or "institution".
D.h.4	Secondary use(s) which may be considered by the municipality	Hospitality Usage	A dwelling or building where a combination of land uses are included within the Hospitality Corridor, including a restaurant, an art gallery and other tourism related sales.
	Consent use(s) which may be considered by the municipality	Occupational Practice	Means the practicing of an occupation or trade focussing primarily on administrative functions and not client based occupation or trade, subject to the relevant Municipality Policy and By-Laws (see 2.6.10 for detail of land use control).
		Bird and Animal Cages	Means permanent structures intended for the confinement/ enclosure of animals/birds, normally associated with breeding, protection and display.

##### 4.6.9.1. Land Use Restrictions for D.h.4

6.7.1. Land use restrictions for D.1.1.4

Coverage:	50% (covered parking not included).		
Size:	A complex must adhere to a minimum of <b>2500m<sup>2</sup></b> in size, except where an area (nodes and corridors) has been earmarked in the SDF for higher density residential development.		
Height:	At most 16m above the natural ground level directly beneath any particular point or portion of the building.		
Building Lines:	No building or any part thereof, excluding: <ul style="list-style-type: none"><li>i. open porches,</li><li>ii. eaves for a distance of 1m, but not closer than 0.5m to the erf boundary,</li><li>iii. boundary walls or boundary fences,</li><li>iv. entrance steps,</li><li>v. flower boxes, pergolas, cornices, water pipes, screen walls not higher than 2,0m and closer than 3m from the street boundary and minor decorations not projecting more than 300mm from the building,</li><li>vi. swimming pools not above ground level</li></ul> may be erected nearer than the following distances to the relevant boundaries:		
	Street boundaries:	A street building line of 4,5m shall be applicable,	
	Side and Rear boundaries:	The rear and side boundaries shall be 4,5m or half of the height of the building, whichever is the greatest.	
	Notwithstanding these building lines, outbuildings may be erected (in the side and rear spaces) without advertising, but with the permission of the Municipality, provided that: <ul style="list-style-type: none"><li>i. proof is rendered to the Municipality that the neighbouring owner/s involved was consulted by the applicant – the neighbouring owner/s' consent is not essential;</li><li>ii. the street building line remains valid;</li><li>iii. the said outbuildings shall not exceed a height of one storey;</li><li>iv. no door, window or other openings shall be placed in any wall that fronts on the side and/or rear boundary; and</li><li>v. a minimum access way of 1m wide shall be provided to every vacant portion of the site, but not through a building and except to a court-yard.</li></ul>		
Parking:	<ul style="list-style-type: none"><li>i. One parking bay for every residential unit (flat) or, in the case of hotels, boarding-houses and other residential houses, one parking bay for every room that is rented out and 50% of the parking bays must be covered and also indicated on building plans.</li><li>ii. In addition to the parking area and parking bays described above, at least one parking bay for visitors for every two residential units (flats) or every four bedrooms, in the case of hotels, boarding-houses and other residential buildings, must be provided on the site, clearly demarcated and properly indicated by means of a notice board, to the satisfaction of the Municipality.</li><li>iii. A motor vehicle owned by an occupant of a dwelling unit and used for commercial activities conducted away from the dwelling unit, may be parked on the property where the occupant resides provided that:<ul style="list-style-type: none"><li>a) There is adequate space on the property concerned;</li><li>b) No more than one commercial vehicle per dwelling unit shall be parked on the property;</li><li>c) The gross weight of any such commercial vehicle shall not exceed 3 500 kg; and</li><li>d) No such vehicle may be parked in the street.</li></ul></li><li>iv. A recreation vehicle, such as a caravan, may not be used for habitation by the occupant or guests for more than 60 days during any 12-month period.</li></ul>		



	v. No livestock may be kept on any parked vehicle overnight in any residential area.
Relaxing of building lines:	Applications for relaxing of building lines may be approved by the Building Control Officer, if no objections were received from affected/ neighbouring parties.

#### 4.6.9.2. Further restrictions applicable to specific uses/ building.

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

##### 4.6.9.2.1. Hospitality Usage and Covered Braai Areas for Residential Building:

The Municipality policy/ By-law	Hospitality Usage/ Covered Braai Areas must at all times adhere to the Municipality's Policies/ By-Laws that is updated from time to time.
Building Lines:	The same as for the main buildings.
Parking:	The following parking requirements will be applicable: <ol style="list-style-type: none"> <li>At least one parking bay for every 25m<sup>2</sup> of the total floor area of the building (excluding any section of the building that is used for accommodation facilities).</li> <li>A larger parking requirement than the aforementioned, may be required by the Municipality in a particular case where the Municipality is convinced that the specific type of development justifies such a bigger demand.</li> </ol>

#### 4.6.10. D.h.5: Mixed Density Residential Area

Zoning Code:	Primary Use	Mixed Density Residential Area	An area comprising a creative mixture of housing styles and types to allow a diverse combination of age and income groups, designed as a whole in an attractive living environment and emphasizing a range of good circulation opportunities for residents.
D.h.5	Secondary use(s) which may be considered by the municipality per specific component as part of the mixed residential area	Second Residential unit as per description for D.h.1 and D.h.2	A secondary completely self-contained residential unit erected or adapted on a site where there is a residential unit already and which is used to accommodate a second family or a maximum of four persons who do not satisfy the definition of "family" and may not be alienated by means of sectional title or any similar method <b>(see 2.6.13 for detail of land use control)</b> .
		Guest House as per description for D.h.1.	A dwelling or house where the majority of facilities are shared and where up to five rooms are leased on a short-term basis (maximum 21 days), provided that a dwelling of which two rooms are leased, is not regarded as a guest house. A guest house may include catering facilities for guests that stays overnight, but does not include self-catering facilities;
		Old-Age Home as per description for D.h.2	A group of separate and/or interlinked individual residential units or rooms with communal facilities and which is planned, designed and built as an entity for the housing of and/or caring for old persons, including a retirement village.
		Hospitality Usage as per description for D.h.3 and D.h.4.	A dwelling or building where a combination of land uses are included within the Hospitality Corridor, including a restaurant, an art gallery and other tourism related sales;
		Wedding and conference facilities	An area, building or erf that is used primarily to cater for weddings and functions and may include a function hall, restaurant, catering and conference facilities, a chapel (whether covered or open air) and reasonable relevant activity connected to the main activity;
		Hotel	A building designed to comply with the requirements of a hotel, which is a commercially run establishment providing accommodation to travellers and tourists, but does not include linked or separate buildings or premises for off-sale facilities and where meals are usually provided for guests;
	Consent use(s) which may be considered by the municipality	Day-Care Centre as per description for D.h.1 and D.h.2	A building/site where between 6 and 20 children are cared for/taken care of by the occupant of the main building, but may not stay overnight.
		Occupational Practice as per description for D.h.1, D.h.2 and D.h.4.	Means the practicing of an occupation or trade focussing primarily on administrative functions and not client based occupation or trade, subject to the relevant Municipality Policy and By-Laws <b>(see 2.6.10 for detail of land use control)</b> .
		Tuck Shop as per description for D.h.1 and D.h.2	A small commercial business run by a member/members of the household from a part of the house or outbuilding, provided that stock shall be limited to the volume that can be accommodated in the tuck shop and no stock may be stored outside of the tuck shop <b>(see 2.6.15 for detail of land use control)</b> .
		Bird and Animal Cages as per description for D.h.1, D.h.2 and D.h.4.	Means permanent structures intended for the confinement/ enclosure of animals/birds, normally associated with breeding, protection and display.

**4.6.10.1.Land Use Restrictions for D.h.5**

Development control:	The residential area combines the usage of D.h.1, D.h.2, D.h.3 and D.h.4, as well as the respective restrictions and consent uses.
Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.

**4.6.10.2.Further restrictions applicable to specific uses/ building.**

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

**4.6.10.2.1. Single Residential House for Mixed density residential area:**

Development control:	The same as for the primary use in D.h.1.
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**4.6.10.2.2. Group Housing for Mixed density residential area:**

Development control:	The same as for the primary use in D.h.2.
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**4.6.10.2.3. Accommodation Facilities for Mixed density residential area:**

Development control:	The same as for the primary use in D.h.3.
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**4.6.10.2.4. Residential Building for Mixed density residential areas:**

Development control:	The same as for the primary use in D.h.4.
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**4.6.10.2.5. Day-Care Centres/ Guest houses and Covered Braai Areas for Mixed Density Residential Area:**

The Municipality policy/ By-law	Guest houses/ Day-Care Centres and Covered Braai Areas must at all times adhere to the relevant the Municipality Policies and By-Laws.
Building Lines:	The same as for the main buildings on the erf per spatial planning category D.h.1, D.h.2, D.h.3 and D.h.4.
Parking for day-care facilities:	On-site parking must be provided at a minimum requirement of one parking bay for each classroom. Drop-off zones and vehicle access routes must be clarified and sorted out with the traffic department. If such a place of instruction borders any national or provincial road, the input and approval from the said competent authority must also be obtained.
Provisions for guesthouses:	<p>The following preconditions for the considering of an application in accordance with guest houses are:</p> <ol style="list-style-type: none"> <li>It is compulsory that the owner/ manager resides within the house and not in a second residential unit or off site.</li> <li>The correct application procedure, including the necessary advertisement procedures shall be followed.</li> <li>All building and other regulations shall strictly be complied with. No relaxation of building lines or maximum coverage shall thus be allowed.</li> <li>The Engineering department must be convinced of the fact that the service network shall be able to carry the additional load and may, even in both instances, put a limit on the number of beds.</li> <li>Building plans for the concerned buildings or part thereof must be submitted with the application.</li> <li>Proof of separate facilities for guests must also be submitted.</li> <li>Proof that parking (detail layout plan) for 1 vehicle for the owner/ manager , 1 vehicle per room, as well as 1 additional parking for every 4 rooms, can be supplied on the premises and must accompany the application.</li> <li>Where food is commercially prepared/sold on the premises to residing guests, the person shall have to register for the preparing and serving of food at the Municipality.</li> </ol>

**4.6.10.2.6. Old-Age Home for Mixed Density Residential Area:**

Development control:	The same as for the primary use in D.h.2.
Parking for home care agencies and institutional facilities:	The following parking requirements will be applicable: <ol style="list-style-type: none"> <li>At least one parking bay for every 25m<sup>2</sup> of the total floor area of the building utilised by the home care agency and one parking per 3 rooms that forms part of the geriatric component.</li> <li>A larger parking requirement than the aforementioned, may be required by the Municipality in a particular case where the Municipality is convinced that the specific type of development justifies such a bigger demand.</li> </ol>

**4.6.10.2.7. Hospitality Usage for Mixed Density Residential Area:**

Parking:	The following parking requirements will be applicable: <ol style="list-style-type: none"> <li>At least one parking bay for every 25m<sup>2</sup> of the total floor area of the building (excluding any section of the building that is used for accommodation facilities).</li> <li>A larger parking requirement than the aforementioned, may be required by the Municipality in a particular case where the Municipality is convinced that the specific type of development justifies such a bigger demand.</li> </ol>
Building Lines:	The same as for the main buildings.

**4.6.10.2.8. Wedding and conference facilities for Mixed Density Residential Area:**

Parking:	Each 1.5m <sup>2</sup> of the floor area of the buildings and or rooms used for Wedding and conference facilities, equals 1 person. For each 6m <sup>2</sup> or four persons, one parking bay must be provided for buildings and rooms used to house these facilities.
Building Lines:	The same as for the main buildings.

**4.6.10.2.9. Hotels for Mixed Density Residential Area:**

Parking:	One parking bay for every room that is rented out and 50% of the parking bays must be covered and also indicated on building plans. In addition to the parking area and parking bays described above, at least one parking bay for the utilisation of visitors for every four bedrooms that is rented out, must be provided on the site, clearly demarcated and properly indicated by means of a notice board, to the satisfaction of the Municipality.
Building Lines:	The same as for the main buildings.

**4.6.11. D.h.8: Incremental Housing**

Zoning Code:	Primary Use	Incremental housing	Single residential housing units which are intended to be upgraded incrementally from an informal settlement to a formal settlement. This may apply to individual land units or to blocks containing an informal settlement. In recognition of the realities of poor and marginalised communities, development rules are not very restrictive during the informal stages. Once upgrading of an erf or area has reached an appropriate stage (formal single residential houses), it is contemplated that the erf / area may be rezoned to "single residential house(s)" or another appropriate zoning. All properties zoned as Informal Residential Zone in former zoning schemes are converted to "incremental housing" in this land use management scheme.
D.h.8	Secondary use(s) which may be considered by the municipality	Second Residential unit	A secondary completely self-contained residential unit erected or adapted on a site where there is a residential unit already and which is used to accommodate a second family or a maximum of four persons who do not satisfy the definition of "family" and may not be alienated by means of sectional title or any similar method (see 2.6.13 for detail of land use control).
		Guest House	A dwelling or house where the majority of facilities are shared and where up to five rooms are leased on a short-term basis (maximum 21 days), provided that a dwelling of which two rooms are leased, is not regarded as a guest house. A guest house may include catering facilities for guests that stays overnight, but does not include self-catering facilities.
	Consent use(s) which may be considered by the municipality	Day-Care Centre	A building/site where between 6 and 20 children are cared for/taken care of by the occupant of the main building, but may not stay overnight.
		Occupational Practice	Means the practicing of an occupation or trade focussing primarily on administrative functions and not client based occupation or trade, subject to the relevant Municipality Policy and By-Laws (see 2.6.10 for detail of land use control).
		Tuck Shop	A small commercial business run by a member/members of the household from a part of the house or outbuilding, provided that stock shall be limited to the volume that can be accommodated in the tuck shop and no stock may be stored outside of the tuck shop (see 2.6.15 for detail of land use control).
		Bird and Animal Cages	Means permanent structures intended for the confinement/ enclosure of animals/birds, normally associated with breeding, protection and display.

**4.6.11.1. Land Use Restrictions for Incremental Housing**

Development control:	Limited development control is applicable to this zone under special approval by the Municipality, until the area can be upgraded to formal housing. Thereafter the zoning must be changed and all development control conditions determined and described under D.h.1 will be applicable. This zone is a transitional zone from informal housing to formal housing.
Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already



	developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
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#### 4.6.11.1.1. Day-Care Centres/ Guest houses and Covered Braai Areas for Incremental Housing:

The Municipality policy/ By-law	Guest houses/ Day-Care Centres and Covered Braai Areas must at all times adhere to the relevant the Municipality Policies and By-Laws.
Building Lines:	The same as for the main buildings.
Parking for day-care facilities:	On-site parking must be provided at a minimum requirement of one parking bay for each classroom. Drop-off zones and vehicle access routes must be clarified and sorted out with the traffic department. If such a place of instruction borders any national or provincial road, the input and approval from the said competent authority must also be obtained.
Provisions for guesthouses:	<p>The following preconditions for the considering of an application in accordance with guest houses are:</p> <ol style="list-style-type: none"> <li>It is compulsory that the owner/ manager resides within the house and not in a second residential unit or off site.</li> <li>The correct application procedure, including the necessary advertisement procedures shall be followed.</li> <li>All building and other regulations shall strictly be complied with. No relaxation of building lines or maximum coverage shall thus be allowed.</li> <li>The Engineering department must be convinced of the fact that the service network shall be able to carry the additional load and may, even in both instances, put a limit on the number of beds.</li> <li>Building plans for the concerned buildings or part thereof must be submitted with the application.</li> <li>Proof of separate facilities for guests must also be submitted.</li> <li>Proof that parking (detail layout plan) for 1 vehicle for the owner/ manager , 1 vehicle per room, as well as 1 additional parking for every 4 rooms, can be supplied on the premises and must accompany the application.</li> <li>Where food is commercially prepared/sold on the premises to residing guests, the person shall have to register for the preparing and serving of food at the Municipality.</li> </ol>

#### 4.6.12. D.h.9: Small Holding

Zoning Code:	Primary Use	Small Holding	An agricultural unit, normally smaller than <b>10000m<sup>2</sup></b> , but not smaller than <b>2500m<sup>2</sup></b> , that is used for the breeding of animals on a small scale on pasture, stock or auction pens, the cultivation of crops and at most one single residential house and other buildings that is reasonably relevant to the main agricultural activity on the farm, including bona-fide staff housing.
D.h.9	Secondary use(s) which may be considered by the municipality	Second Residential unit	A secondary completely self-contained residential unit erected or adapted on a site where there is a residential unit already and which is used to accommodate a second family or a maximum of four persons who do not satisfy the definition of "family" and may not be alienated by means of sectional title or any similar method (see 2.6.13 for detail of land use control).
		Farm Stall	A building and/or structure which functions as part of an agricultural unit and where a farmer can sell his and other agricultural produce, either to his employees or to the general public;
		Nursery	A building and/or structure where plants are grown and/or sold to the public.
		Equestrian Facilities	Equestrian facilities are created and maintained for the purpose of accommodating, training or competing equids, especially horses. Based on their use may be known as a barn or stables, with commercial operations described by terms such as a boarding stable, livery yard, or livery stable. Larger facilities may be called an equestrian centre and co-located with complementary services such as a riding school, farriers, vets and tack shops or equipment repair.
		Tourist Facilities	Facilities created in a rural area for the recreation and entertainment of tourists and may include overnight facilities such as a guest house, restaurant and Farm Stall.
		Animal Hospital	A site and/or building where animals/birds receive medical treatment and may stay overnight if necessary, excluding kennels for long term accommodation.
		Recreational Facilities	Any building or premise where people assemble for entertainment or social, relaxing including sporting purposes, amusement park, sport centre, billiard-room, skating ring and a public or private sports club facility, but does not include any building or site for a gambling premises, place of entertainment, functions or adult entertainment.
	Consent use(s) which may be considered by the municipality	Occupational Practice	Means the practicing of an occupation or trade focussing primarily on administrative functions and not client based occupation or trade, subject to the relevant Municipality Policy and By-Laws (see 2.6.10 for detail of land use control).

##### 4.6.12.1. Land Use Restrictions for Small Holdings

Coverage:	50%.
Height:	At most 12m above the natural ground level directly beneath any particular point or portion of the building.
Building Lines:	The street-, rear- and side building lines for the primary residential house are 4.5m. No building or part thereof, with the exception of the primary residential house and farm stalls, boundary walls or boundary fences, may, where the premise borders another premise with a different zoning, be erected closer than 30m from the said boundary of the premise and these building lines are 4.5m where the premise borders another premise also zoned as category C.
Relaxing of building lines:	Applications for relaxing of building lines may be approved by the Building Control Officer, if no objections were received from affected/ neighbouring parties.

##### 4.6.12.2. Further restrictions applicable to specific uses

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

###### 4.6.12.2.1. Farm stalls/ Nursery/ Tourist Facilities/ Equestrian Facilities, Animal Hospital and Recreational Facilities for Small Holding:

Floor area:	At most 100m <sup>2</sup> per usage, but can be combined to form a larger complex of up to 500m <sup>2</sup> .
Building Lines:	At least 4,5m from any street reserve boundary and 10m from all other boundaries.
Parking:	The following parking requirements will be applicable: <ul style="list-style-type: none"> <li>i. At least one parking bay for every 25m<sup>2</sup> of the total floor area of the building (excluding any section of the building that is used for residential purposes).</li> <li>ii. A larger parking requirement than the aforementioned, may be required by the Municipality in a particular case where the Municipality is convinced that the specific type of development justifies such a bigger demand.</li> <li>iii. In addition to the parking area and parking bays described above, at least one parking bay, clearly demarcated and properly indicated by means of a notice board, to the satisfaction of the Municipality, for use by visitors, for every two residential units (flats) or every</li> </ul>



	four bedrooms, in the case of hotels, boarding-houses and other residential buildings, must be provided on the site.
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#### 4.6.13. D.h.10: Residential Estate

Zoning Code:	Primary Use	Residential Estate	A housing development with a high degree of flexibility for low, medium and higher density residential projects which have integrated site and design features, including internal special land uses such as a club house, golf course, entertainment area, and which require individual design features and unique development control provisions. Such a development must have a central architectural theme, but individual layout options can be formulated in order to include low, medium and higher density units. Such an estate must be governed by a property owners association and is subject to a Site Development Plan, indicating individual zonings, whether it is subdivided or not.
D.h.10	Secondary use(s) which may be considered by the municipality	Second Residential unit	A secondary completely self-contained residential unit erected or adapted on a site where there is a residential unit already and which is used to accommodate a second family or a maximum of four persons who do not satisfy the definition of "family" and may not be alienated by means of sectional title or any similar method (see 2.6.13 for detail of land use control).
		Accommodation Facilities	A dwelling, building or individual units, where the majority of facilities are shared and where a maximum of 10 rooms housing not more than 16 guests, are leased on a short-term basis (maximum 21 days) and may include catering facilities for guests that stays overnight, but does not include self-catering facilities. Facilities making provision for more than 10 rooms or for more than 16 guests in total, falls under the description of a hotel.
	Consent use(s) which may be considered by the municipality	Day-Care Centre	A building/site where between 6 and 20 children are cared for/taken care of by the occupant of the main building, but may not stay overnight.
		Occupational Practice	Means the practicing of an occupation or trade focussing primarily on administrative functions and not client based occupation or trade, subject to the relevant Municipality Policy and By-Laws (see 2.6.10 for detail of land use control).
		Tuck Shop	A small commercial business run by a member/members of the household from a part of the house or outbuilding, provided that stock shall be limited to the volume that can be accommodated in the tuck shop and no stock may be stored outside of the tuck shop (see 2.6.15 for detail of land use control).
		Bird and Animal Cages	Means permanent structures intended for the confinement/ enclosure of animals/birds, normally associated with breeding, protection and display.

##### 4.6.13.1. Land Use Restrictions for D.h.10

Coverage:	Land units smaller than 400m <sup>2</sup> - 80%.
	Land units larger than 400m <sup>2</sup> - 50%.
Height:	At most 8m above the natural ground level directly beneath any particular point or portion of the building.
Building Lines:	The respective building lines of D.h.1, D.h.2, D.h.3 and D.h.4 will be applicable to any erf within the boundaries of the Estate, as described in the Site Development Plan.
	<i>No doors or windows are permitted in any wall which is less than 1.5m from any side or rear boundary, notwithstanding the size of the erf.</i>
	Notwithstanding the above-mentioned building lines, the Municipality may approve the erection of any residential house, outbuildings or second residential unit that exceeds a building line, subject to the following: <ul style="list-style-type: none"> <li>i. that the said building shall not exceed a height of one storey;</li> <li>ii. that no doors or windows shall be allowed in any wall of such building nearer than 1,5m of the relevant side boundary; and</li> <li>iii. that another access way, other than through a building, at least 1m wide, is provided from a street to every other vacant portion of the relevant land unit other than a court-yard.</li> <li>iv. that under all circumstances there will be complied with the required joint side boundary regulation.</li> <li>v. where a building line is 0m, a firewall will be required as per specifications of the National Building Regulations.</li> </ul>
Relaxing of building lines:	Applications for relaxing of building lines may be approved by the Building Control Officer, if no objections were received from affected/ neighbouring parties.

##### 4.6.13.2. Further restrictions applicable to specific uses/ building.

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

#### 4.6.13.2.1. Accommodation Facilities/ Day-Care Centres and Covered Braai Areas for Residential Estate:

The Municipality policy/ By-law	Accommodation Facilities/ Day-Care Centres and Covered Braai Areas must at all times adhere to the relevant the Municipality Policies and By-Laws.
Building Lines:	The same as for the main buildings on the erf.
Parking for Accommodation facilities:	1 Parking bay per room must be provided on site, with 1 guest Parking bay for every 5 rooms and 1 personnel parking for every 5 rooms.
Parking for day-care facilities:	On-site parking must be provided at a minimum requirement of one parking bay for each classroom. Drop-off zones and vehicle access routes must be clarified and sorted out with the traffic department. If such a place of instruction borders any national or provincial road, the input and approval from the said competent authority must also be obtained.
Provisions for Day-care facilities:	If the proposed Day-Care facility is located within a housing development governed by a Home Owners Association, the approval from the said association must also accompany the application to the Municipality.

#### 4.6.14. D.i.1: Business premises

Zoning Code:	Primary Use	Business Premises	A site and/or building or part thereof used as, or intended to be used as supermarket, shops and/or offices and it includes hotels, licensed hotels, accommodation facilities, flats above ground level, restaurants, a laundrette, dry-cleaners, arcade games centre, undertakers, place of worship, financial institutions, professional offices, places of assembly, doctors' consulting rooms, stock or product exchanges, conference facilities and buildings for similar uses, but it excludes bottle stores, taverns, places of entertainment, a gambling premises, casino, adult entertainment, institutional buildings, funeral parlours, service stations, repairing or fitment functions, industrial buildings, offensive industry or any large wholesale business.
		Single Residential House	A building consisting of only one residential unit – a self-contained interlinking group of rooms for the accommodation and housing of a single family, or a maximum of four persons who do not satisfy the definition of a “family”, together with such outbuildings as are ordinarily used therewith.
D.i.1	Secondary use(s) which may be considered by the municipality	Flats	A building containing more than one residential unit.
		Caretaker's quarters	An additional approved building that is secondary to a building or practice in the business and/or industrial zones, and in such further zones on which the Municipality may decide from case to case, and which may only be erected after or at the same time as the establishment of the primary activity for the accommodation of a caretaker, who works on the premises, and his/her family;
		Residential Building	A building consisting of one or more residential units (excluding a residential house, with/ or without a second residential unit) for human habitation, together with the outbuildings used therewith, and it includes boarding-houses, guest houses, group housing, flats, hotels (without off-sales facility/public bar), residential clubs, old-age homes, children's homes and hostels, but excludes buildings that are defined as “place of education” or “institution”.
		Service Station	A commercial business or concern where the sale of motor vehicles, oil, tyres and motor spares are traded in and includes a business where motor vehicles are provided with fuel for payment, a restaurant and café, as well as the repair and overhaul of motor vehicles, but excludes spray-painting, panel beating, blacksmith work and body work.
		Service Trade Industry	A commercial business or concern mainly geared for service to the public and includes the replacing of car tyres, exhaust systems, shock absorbers, the fitting of car radios and similar practises, bakery, dry-cleanette, carwash service, carpet wash service, dressmaking, framing, printing and any similar work shops or enterprises at the discretion of the Municipality, but does not include any trade that resorts under the definition of industry, service station, garage, offensive trade or business, unless listed above.
		Funeral Parlour	A building where corpses are kept prior to burial or cremation.
		Institution:	A building or portion thereof used or intended to be used for a charity, health or welfare institution and/or for the administration thereof, and includes community facilities, a place of assembly, a hospital, a pharmacy linked to a hospital, clinic or reformatory, either private or public, but does not include a prison or place of detention.
		Animal Hospital	A site and/or building where animals/birds receive medical treatment and may stay overnight if necessary, excluding kennels for long term accommodation.
		Warehouse	A building for storage of goods as well as the running of a large wholesale business in connection with such goods (including alcoholic beverages), provided the ‘warehouse’ excludes retail trade and wholesalers may only sell or deliver to dealers.
		Wedding and conference facilities	An area, building or erf that is used primarily to cater for weddings and functions and may include a function hall, restaurant, catering and conference facilities, a

			chapel (whether covered or open air) and reasonable relevant activity connected to the main activity;
		Place of Entertainment	Any building or site where people assemble for entertainment or social relaxation or sport purposes and where an entry fee is usually imposed, and includes a theatre, bioscope, dance hall, night club, amusement park, sport centre, billiard-room, skating rink, a public or private sport-club facility and restaurant where entertainment is provided, but does not include any building or site for a gambling premises, casino or adult entertainment.
		Tavern	A building in which the on-site consumption of liquor has been legalised by means of a liquor licence, issued in terms of section 20 of the Liquor Act, 1989 (Act 27 of 1989) or by means of the Sorghum Beer Act, 1962 (Act 63 of 1962)
	Consent use(s) which may be considered by the municipality	None	None

#### 4.6.14.1. Land Use Restrictions for D.i.1

Coverage:	No Restriction	
Height:	No Restriction	
Building Lines:	Street boundaries:	Business buildings, flats and residential buildings on top of business buildings may be erected on the street boundary.
	Side and rear boundaries:	With regard to rear and side boundaries, buildings in this zone may be erected on such boundaries. A building or portion of a building may only be erected on the side and rear boundaries of a property if no windows, doors or ventilation openings are let into any wall on such boundary, except where the erf borders even zoned in D.h.1, D.h.2 and D.h.7 and it is not earmarked for future business purposes in the SDF.
	No doors or windows are permitted in any wall which is less than 1.5m from any side or rear boundary, notwithstanding the size of the erf.	
	Notwithstanding these building line regulations for side and rear boundaries, in cases where these boundaries form the division between the business zone and any other zone, a building line on both sides of the communal boundary shall be applicable, which is equal to the relevant building line in the adjoining zone, except where the adjoining sites are earmarked for business development in the SDF. In such a case, if the relaxing of building lines may be approved by the Building Control Officer, if no objections were received from affected/ neighbouring parties.	
	Notwithstanding the above-mentioned building lines, the Municipality may approve the erection of any residential house, outbuildings or second residential unit that exceeds a building line, subject to the following: <ul style="list-style-type: none"><li>i. that the said building shall not exceed a height of one storey;</li><li>ii. that no doors or windows shall be allowed in any wall of such building nearer than 1,5m of the relevant side boundary; and</li><li>iii. that another access way, other than through a building, at least 1m wide, is provided from a street to every other vacant portion of the relevant land unit other than a court-yard.</li><li>iv. that under all circumstances there will be complied with the required joint side boundary regulation.</li><li>v. where a building line is 0m, a firewall will be required as per specifications of the National Building Regulations.</li></ul>	
Parking:	The following parking requirements will be applicable: <ul style="list-style-type: none"><li>i. At least one parking bay for every 25m<sup>2</sup> of the total floor area of the building (excluding any section of the building that is used for residential purposes).</li><li>ii. A larger parking requirement than the aforementioned, may be required by the Municipality in a particular case where the Municipality is convinced that the specific type of development justifies such a bigger demand.</li><li>iii. In addition to the parking area and parking bays described above, at least one parking bay, clearly demarcated and properly indicated by means of a notice board, to the satisfaction of the Municipality, for use by visitors, for every two residential units (flats) or every four bedrooms, in the case of hotels, boarding-houses and other residential buildings, must be provided on the site,</li></ul>	
Parking Provisions:	Parking provision in terms of these regulations shall be done in accordance with a "rational design" for parking areas of 10 or more parking bays that must be provided for any land use as prescribed in the Land Use Restrictions table. In the instance where a particular parking provision is less than 10 parking bays, these specifications may be relaxed, as accordingly determined in each case by the Municipality.	
Site Access	The vehicle access and exit ways to the site shall be discussed with the Traffic Department and their written approval must be obtained and submitted with building plans to the Building Control Officer.	
Existing alternative	The existing alternative parking arrangements as it is to be found for Business sites in die CBD, will remain as per agreement.	

Parking arrangements.	
Protrusions:	In this zone, protrusions, excluding advertising signs approved by the Municipality in accordance with the provisions of any other Act, over streets and building lines shall be limited to minor, distinctive architectural features and one cantilevered open canopy to within 1,00m of the pavement edge; provided that no portion of a projection shall be less than 2,4m above the pavement and further than 3,5m from the edge of the said property and there shall be no access from the building to the canopy.
Basements:	Must be done in accordance with the National Building Regulations provisions (see detail description).

#### 4.6.14.2. Further restrictions applicable to specific uses/ building.

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

##### 4.6.14.2.1. Single Residential House for Business Premises:

Detail Restrictions:	The same restrictions as set out in D.h.1.
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##### 4.6.14.2.2. Flats for Business Premises:

Detail Restrictions:	The same as for the primary buildings, but buildings lines could be imposed under certain conditions.
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##### 4.6.14.2.3. Caretaker's quarters for Business Premises:

Detail Restrictions:	The same as for the primary buildings, but buildings lines could be imposed under certain conditions.
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##### 4.6.14.2.4. Residential Building for Business Premises:

Detail Restrictions:	The same as for the primary buildings, but buildings lines could be imposed under certain conditions.
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##### 4.6.14.2.5. Service Station for Business Premises:

Detail Restrictions:	The same restrictions as set out in D.j.2.
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##### 4.6.14.2.6. Service Trade Industry for Business Premises:

Detail Restrictions:	The same restrictions as set out in D.j.1.
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##### 4.6.14.2.7. Institution for Business Premises:

Detail Restrictions:	The same restrictions as set out in D.f.3.
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##### 4.6.14.2.8. Animal Hospital for Business Premises:

Coverage:	80%
Height:	At most 8m above the natural ground level directly beneath any particular point or portion of the building.

##### 4.6.14.2.9. Warehouses for Business Premises:

Parking Provisions:	At least one parking bay for every 200m <sup>2</sup> total floor area of the entire building while sufficient provision should be made for the loading and unloading of goods.
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##### 4.6.14.2.10. Wedding and conference facilities for Business Premises:

Parking:	Each 1.5m <sup>2</sup> of the floor area of the buildings and or rooms used for Wedding and conference facilities, equals 1 person. For each 6m <sup>2</sup> or four persons, one parking bay must be provided for buildings and rooms used to house these facilities.
Building Lines:	The same as for the main buildings.

##### 4.6.14.2.11. Place of Entertainment and Tavern for Business Premises:

Coverage:	80%
Parking:	One parking bay for every 10 seats. In cases where this criterion for provision of parking cannot be applied, the Municipality shall determine what provision should be made.



## 4.6.15. D.i.2: Commercial

Zoning Code:	Primary Use	Commercial	A site and/or building and/or structure used for carrying on a retail concern and may include offices, nursery, restaurant, accommodation facilities, a laundrette, dry-cleaner, arcade games centre, flats above ground level, caretakers quarters and a retail concern where goods sold are manufactured and/or repaired in such a concern, provided that the floor area relating to such manufacture and/or repair shall not exceed one third of the floor area of the shop, but it does not include any industries, public garages, flats on the ground level, caretaker's quarters, service stations, tavern, supermarkets (with or without the selling of wine), bottle stores or any other form of the sale of liquor.
D.i.2	Secondary use(s) which may be considered by the municipality	Single Residential House	A building consisting of only one residential unit – a self-contained interlinking group of rooms for the accommodation and housing of a single family, or a maximum of four persons who do not satisfy the definition of a “family”, together with such outbuildings as are ordinarily used therewith.
		Flats	A building containing more than one residential unit.
		Caretaker's quarters	An additional approved building that is secondary to a building or practice in the business and/or industrial zones, and in such further zones on which the Municipality may decide from case to case, and which may only be erected after or at the same time as the establishment of the primary activity for the accommodation of a caretaker, who works on the premises, and his/her family;
		Wedding and conference facilities	An area, building or erf that is used primarily to cater for weddings and functions and may include a function hall, restaurant, catering and conference facilities, a chapel (whether covered or open air) and reasonable relevant activity connected to the main activity;
	Consent use(s) which may be considered by the municipality	None	None

## 4.6.15.1. Land Use Restrictions for D.i.2

Coverage:	80%	
Height:	At most 8m above the natural ground level directly beneath any particular point or portion of the building.	
Building Lines:	Street boundaries:	Business buildings, flats and residential buildings on top of business buildings may be erected on the street boundary.
	Side and rear boundaries:	With regard to rear and side boundaries, buildings in this zone may be erected on such boundaries. A building or portion of a building may only be erected on the side and rear boundaries of a property if no windows, doors or ventilation openings are let into any wall on such boundary.
	No doors or windows are permitted in any wall which is less than 1.5m from any side or rear boundary, notwithstanding the size of the erf.	
	Notwithstanding these building line regulations for side and rear boundaries, in cases where these boundaries form the division between the business zone and any other zone, a building line on both sides of the communal boundary shall be applicable, which is equal to the relevant building line in the adjoining zone, except where the adjoining sites are earmarked for business development in the SDF. In such a case, if the relaxing of building lines may be approved by the Building Control Officer, if no objections were received from affected/ neighbouring parties.	
	Notwithstanding the above-mentioned building lines, the Municipality may approve the erection of any residential house, outbuildings or second residential unit that exceeds a building line, subject to the following: <ul style="list-style-type: none"><li>i. that the said building shall not exceed a height of one storey;</li><li>ii. that no doors or windows shall be allowed in any wall of such building nearer than 1,5m of the relevant side boundary; and</li><li>iii. that another access way, other than through a building, at least 1m wide, is provided from a street to every other vacant portion of the relevant land unit other than a court-yard.</li><li>iv. that under all circumstances there will be complied with the required joint side boundary regulation.</li><li>v. where a building line is 0m, a firewall will be required as per specifications of the National Building Regulations.</li></ul>	
Parking:	The following parking requirements will be applicable: <ul style="list-style-type: none"><li>i. At least one parking bay for every 25m² of the total floor area of the building (excluding any section of the building that is used for residential purposes).</li><li>ii. A larger parking requirement than the aforementioned, may be required by the Municipality in a particular case where the Municipality is convinced that the specific type of development justifies such a bigger demand.</li><li>iii. In addition to the parking area and parking bays described above, at least one parking bay for every two residential units (flats) or every four bedrooms, in the case of hotels, boarding</li></ul>	

	houses and other residential buildings, must be provided on the site, clearly demarcated and properly indicated by means of a notice board, to the satisfaction of the Municipality, for use by visitors.
Parking Provisions:	Parking provision in terms of these regulations shall be done in accordance with a "rational design" for parking areas of 10 or more parking bays that must be provided for any land use as prescribed in the Land Use Restrictions table. In the instance where a particular parking provision is less than 10 parking bays, these specifications may be relaxed, as accordingly determined in each case by the Municipality.
Site Access	The vehicle access and exit ways shall be restricted to at most one each per site per street abutting the site. The vehicle access and exit ways to the site shall be discussed with the Traffic Department and their written approval will be obtained.
Projections:	In this zone, projections, excluding advertising signs approved by the Municipality in accordance with the provisions of any other Act, over streets and building lines shall be limited to minor, distinctive architectural features and one cantilevered open canopy to within 1,00m of the pavement edge; provided that no portion of a projection shall be less than 2,4m above the pavement and further than 3,5m from the edge of the said property and there shall be no access from the building to the canopy.
Basements:	Must be done in accordance with the National Building Regulations provisions (see detail description).

#### 4.6.15.2. Further restrictions applicable to specific uses/ building.

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

##### 4.6.15.2.1. Single Residential House for Commercial:

Detail Restrictions:	The same restrictions as set out in D.h.1.
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##### 4.6.15.2.2. Flats for Commercial:

Detail Restrictions:	The same as for the primary buildings, but buildings lines could be imposed under certain conditions.
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##### 4.6.15.2.3. Caretaker's quarters for Commercial:

Detail Restrictions:	The same as for the primary buildings, but buildings lines could be imposed under certain conditions.
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##### 4.6.15.2.4. Wedding and conference facilities for Commercial:

Parking:	Each 1.5m <sup>2</sup> of the floor area of the buildings and or rooms used for Wedding and conference facilities, equals 1 person. For each 6m <sup>2</sup> or four persons, one parking bay must be provided for buildings and rooms used to house these facilities.
Building Lines:	The same as for the main buildings.

#### 4.6.16. D.j.1 Service trade industry

Zoning Code:	Primary Use	Service Trade Industry	A commercial business or concern mainly geared for service to the public and includes the replacing of car tyres, exhaust systems, shock absorbers, the fitting of car radios and similar practises, bakery, dry-cleanette, carwash service, carpet wash service, dressmaking, framing, printing and any similar work shops or enterprises at the discretion of the Municipality, but does not include any trade that resorts under the definition of industry, service station, offensive trade or business, unless listed above.
D.j.1	Secondary use(s) which may be considered by the municipality	Flats	A building containing more than one residential unit.
	Consent use(s) which may be considered by the municipality	None	None

## 4.6.16.1.Land Use Restrictions for D.j.1

Coverage:	80%	
Height:	At most 8m above the natural ground level directly beneath any particular point or portion of the building.	
Building Lines:	Street boundaries:	Business buildings, flats and residential buildings on top of business buildings may be erected on the street boundary.
	Side and rear boundaries:	With regard to rear and side boundaries, buildings in this zone may be erected on such boundaries. A building or portion of a building may only be erected on the side and rear boundaries of a property if no windows, doors or ventilation openings are let into any wall on such boundary.
	<i>No doors or windows are permitted in any wall which is less than 1.5m from any side or rear boundary, notwithstanding the size of the erf.</i>	
	<i>Notwithstanding these building line regulations for side and rear boundaries, in cases where these boundaries form the division between the business zone and any other zone, a building line on both sides of the communal boundary shall be applicable, which is equal to the relevant building line in the adjoining zone, except where the adjoining sites are earmarked for business development in the SDF. In such a case, if the relaxing of building lines may be approved by the Building Control Officer, if no objections were received from affected/ neighbouring parties.</i>	
	Notwithstanding the above-mentioned building lines, the Municipality may approve the erection of any residential house, outbuildings or second residential unit that exceeds a building line, subject to the following: <ul style="list-style-type: none"> <li>i. that the said building shall not exceed a height of one storey;</li> <li>ii. that no doors or windows shall be allowed in any wall of such building nearer than 1,5m of the relevant side boundary; and</li> <li>iii. that another access way, other than through a building, at least 1m wide, is provided from a street to every other vacant portion of the relevant land unit other than a court-yard.</li> <li>iv. that under all circumstances there will be complied with the required joint side boundary regulation.</li> <li>v. where a building line is 0m, a firewall will be required as per specifications of the National Building Regulations.</li> </ul>	
Parking:	The following parking requirements will be applicable: <ul style="list-style-type: none"> <li>i. At least one parking bay for every 25m<sup>2</sup> of the total floor area of the building (excluding any section of the building that is used for residential purposes).</li> <li>ii. A larger parking requirement than the aforementioned, may be required by the Municipality in a particular case where the Municipality is convinced that the specific type of development justifies such a bigger demand.</li> <li>iii. In addition to the parking area and parking bays described above, at least one parking bay for every two residential units (flats), must be provided on the site, clearly demarcated and properly indicated by means of a notice board, to the satisfaction of the Municipality, for use by visitors.</li> </ul>	
Parking Provisions:	Parking provision in terms of these regulations shall be done in accordance with a "rational design" for parking areas of 10 or more parking bays that must be provided for any land use as prescribed in the Land Use Restrictions table. In the instance where a particular parking provision is less than 10 parking bays, these specifications may be relaxed, as accordingly determined in each case by the Municipality.	
Site Access	The vehicle access and exit ways shall be restricted to at most one each per site per street abutting the site. The vehicle access and exit ways to the site shall be discussed with the Traffic Department and their written approval will be obtained.	
Loading and unloading:	For the purpose of loading and unloading of vehicles, a space/s to the satisfaction of the Municipality must be reserved in accordance with section below: For this purpose the loading zone size is 45m <sup>2</sup> and will be calculated as follow:	
	Total Floor Area of Building (to nearest m <sup>2</sup> )	Prescribed Loading and Downloading area:
	0 - 2 500 m <sup>2</sup>	2 loading places
	2 501 - 5 000m <sup>2</sup>	4 loading places
	5 001 - 10 000 m <sup>2</sup>	6 loading places
	Each additional 10 000m <sup>2</sup> or portion thereof	1 additional loading place
Above-mentioned loading places will have vehicle access to the Municipality's satisfaction. Said vehicle access shall be at least 5m wide and 3m high, if through a building. It must have a hard surface and be clearly marked as loading places.		
Existing alternative Parking arrangements.	The existing alternative parking arrangements as it is to be found for Business sites in die CBD, will remain as per agreement.	
Projections:	In this zone, projections, excluding advertising signs approved by the Municipality in accordance with the provisions of any other Act, over streets and building lines shall be limited to minor, distinctive architectural features and one cantilevered open canopy to within 1,00m of the pavement edge; provided that no portion of a projection shall be less than 2,4m above the pavement and further than 3,5m from the edge of the said property and there shall be no access from the building to the canopy.	



Basements:	Must be done in accordance with the National Building Regulations provisions (see detail description).
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#### 4.6.16.2. Further restrictions applicable to specific uses/ building.

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

##### 4.6.16.2.1. Flats for Service Trade industry:

Detail Restrictions:	The same as for the primary buildings, but buildings lines could be imposed under certain conditions.
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#### 4.6.17. D.j.2: Service station

Zoning Code:	Primary Use	Service Station	A commercial business or concern where the sale of motor vehicles, oil, tyres and motor spares are traded in and includes a business where motor vehicles are provided with fuel for payment, a restaurant and café, as well as the repair and overhaul of motor vehicles, but excludes spray-painting, panel beating, blacksmith work and body work.
D.j.2	Secondary use(s) which may be considered by the municipality	Flats	A building containing more than one residential unit.
	Consent use(s) which may be considered by the municipality	None	None

##### 4.6.17.1. Land Use Restrictions for D.j.2

6.17.1 Land Use Restrictions for B.1.2

Coverage:	80%	
Height:	At most 8m above the natural ground level directly beneath any particular point or portion of the building.	
Building Lines:	Street boundaries:	A street line of 3,5m, provided that this building line is also valid for the erection of fuel pumps.
	Side and rear boundaries:	Side and rear building lines may be zero, provided that the Municipality may require side building lines in the interest of public health or in order to enforce the upholding of any act or right.
	No doors or windows are permitted in any wall which is less than 1.5m from any side or rear boundary, notwithstanding the size of the erf.	
	Notwithstanding these building line regulations for side and rear boundaries, in cases where these boundaries form the division between the business zone and any other zone, a building line on both sides of the communal boundary shall be applicable, which is equal to the relevant building line in the adjoining zone, except where the adjoining sites are earmarked for business development in the SDF. In such a case, if the relaxing of building lines may be approved by the Building Control Officer, if no objections were received from affected/ neighbouring parties.	
Parking:	The following parking requirements will be applicable: <ul style="list-style-type: none"><li>i. At least one parking bay per 50m<sup>2</sup> total floor area, provided that the parking bays shall be clearly indicated for visitors.</li><li>ii. A larger parking requirement than the aforementioned, may be required by the Municipality in a particular case where the Municipality is convinced that the specific type of development justifies such a bigger demand.</li><li>iii. In addition to the parking area and parking bays described above, at least one parking bay for every two residential units (flats) must be provided on the site, clearly demarcated and properly indicated by means of a notice board, to the satisfaction of the Municipality, for use by visitors.</li></ul>	
Parking Provisions:	Parking provision in terms of these regulations shall be done in accordance with a "rational design" for parking areas of 10 or more parking bays that must be provided for any land use as prescribed in the Land Use Restrictions table. In the instance where a particular parking provision is less than 10 parking bays, these specifications may be relaxed, as accordingly determined in each case by the Municipality.	
Site Access	The vehicle access and exit ways shall be handled by the relative Authority, whether it is SANRAL or die Local Traffic Department and written proof of the specifications will be required.	
Existing alternative	The existing alternative parking arrangements as it is to be found for Business sites in die CBD, will remain as per agreement.	

Parking arrangements.	
Projections:	In this zone, projections, excluding advertising signs approved by the Municipality in accordance with the provisions of any other Act, over streets and building lines shall be limited to minor, distinctive architectural features and one cantilevered open canopy to within 1,00m of the pavement edge; provided that no portion of a projection shall be less than 2,4m above the pavement and further than 3,5m from the edge of the said property and there shall be no access from the building to the canopy.
Basements:	Must be done in accordance with the National Building Regulations provisions (see detail description).

#### 4.6.17.1.1. Flats for Service Station:

Detail Restrictions:	The same as for the primary buildings, but buildings lines could be imposed under certain conditions.
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#### 4.6.18. D.k.1: Gambling premises

Zoning Code:	Primary Use	Gambling premises	An institution, site or enterprise, irrespective whether it is licensed or not, where any form of gambling, cards or other games take place, with the aim of determining the profit or loss of money, other property and/or credit and includes, but not limited to slot machines, "limited pay-out" slot machines, sport betting devices, bingo halls, bookmaking and totalisators.
D.k.1	Secondary use(s) which may be considered by the municipality	Service Station	A commercial business or concern where the sale of motor vehicles, oil, tyres and motor spares are traded in and includes a business where motor vehicles are provided with fuel for payment, a restaurant and café, as well as the repair and overhaul of motor vehicles, but excludes spray-painting, panel beating, blacksmith work and body work.
		Casino	A gambling premises, irrespective whether it is licensed or not, where a variety of forms of gambling, cards or other games take place, with the aim of determining the profit or loss of money, other property and/or credit and may include a hotel, restaurant, a place of entertainment and any related businesses.
	Consent use(s) which may be considered by the municipality	None	None

##### 4.6.18.1. Land Use Restrictions for D.k.1

D.h.1 Land Use Restrictions for D.h.1

Coverage:	No Restriction	
Height:	No Restriction	
Building Lines:	Street boundaries:	Business buildings may be erected on the street boundary.
	Side and rear boundaries:	With regard to rear and side boundaries, buildings in this zone may be erected on such boundaries. A building or portion of a building may only be erected on the side and rear boundaries of a property if no windows, doors or ventilation openings are let into any wall on such boundary, except where the erf borders erven zoned in D.h.1, D.h.2 and D.h.8 and it is not earmarked for future business purposes in the SDF.
	No doors or windows are permitted in any wall which is less than 1.5m from any side or rear boundary, notwithstanding the size of the erf.	
	Notwithstanding these building line regulations for side and rear boundaries, in cases where these boundaries form the division between the business zone and any other zone, a building line on both sides of the communal boundary shall be applicable, which is equal to the relevant building line in the adjoining zone, except where the adjoining sites are earmarked for business development in the SDF. In such a case, if the relaxing of building lines may be approved by the Building Control Officer, if no objections were received from affected/ neighbouring parties.	
Parking:	The following parking requirements will be applicable: <div><div>i.</div><div>At least one parking bay for every 25m<sup>2</sup> of the total floor area of the building (excluding any section of the building that is used for residential purposes).</div><div>ii.</div><div>A larger parking requirement than the aforementioned, may be required by the Municipality in a particular case where the Municipality is convinced that the specific type of development justifies such a bigger demand.</div><div>iii.</div><div>In addition to the parking area and parking bays described above, at least one parking bay, clearly demarcated and properly indicated by means of a notice board, to the satisfaction of the Municipality, for use by visitors, for every 4 bedrooms, must be provided on the site,</div><div>iv.</div><div>One parking bay for every 10 seats for the casino. In cases where this criterion for provision of parking cannot be applied, the Municipality shall determine what provision should be made.</div></div>	
Parking Provisions:	Parking provision in terms of these regulations shall be done in accordance with a "rational design" for parking areas of 10 or more parking bays that must be provided for any land use as prescribed in the Land Use Restrictions table. In the instance where a particular parking provision is less than 10 parking	



	bays, these specifications may be relaxed, as accordingly determined in each case by the Municipality.
Site Access	The vehicle access and exit ways to the site shall be discussed with the Traffic Department and their written approval must be obtained and submitted with building plans to the Building Control Officer.
Existing alternative Parking arrangements.	The existing alternative parking arrangements as it is to be found for Business sites in die CBD, will remain as per agreement.
Protrusions:	In this zone, protrusions, excluding advertising signs approved by the Municipality in accordance with the provisions of any other Act, over streets and building lines shall be limited to minor, distinctive architectural features and one cantilevered open canopy to within 1,00m of the pavement edge; provided that no portion of a projection shall be less than 2,4m above the pavement and further than 3,5m from the edge of the said property and there shall be no access from the building to the canopy.
Basements:	Must be done in accordance with the National Building Regulations provisions (see detail description).

#### 4.6.18.2. Further restrictions applicable to specific uses/ building.

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

##### 4.6.18.2.1. Service Stations for Gambling Premises:

Detail Restrictions:	The same restrictions as set out in D.j.2.
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#### 4.6.19. D.k.2: Adult entertainment

Zoning Code:	Primary Use	Adult Entertainment	An enterprise or commercial business that mainly supplies adult entertainment, in trade or selling of articles, and includes enterprises such as escort agencies, sex shops and any other enterprises or shops where persons under the age of 18 are not allowed, including a place of entertainment, but does not include a gambling premises, casino, tavern or bottle store.
D.k.2	Secondary use(s) which may be considered by the municipality	None	None
	Consent use(s) which may be considered by the municipality	None	None

##### 4.6.19.1. Land Use Restrictions for D.k.2

Coverage:	No Restriction	
Height:	No Restriction	
Building Lines:	Street boundaries:	Business buildings for Adult Entertainment and a place of entertainment may be erected on the street boundary.
	Side and rear boundaries:	With regard to rear and side boundaries, buildings in this zone may be erected on such boundaries. A building or portion of a building may only be erected on the side and rear boundaries of a property if no windows, doors or ventilation openings are let into any wall on such boundary, except where the erf borders even zoned in D.h.1, D.h.2 and D.h.7 and it is not earmarked for future business purposes in the SDF.
	<i>No doors or windows are permitted in any wall which is less than 1.5m from any side or rear boundary, notwithstanding the size of the erf.</i>	
	<i>Notwithstanding these building line regulations for side and rear boundaries, in cases where these boundaries form the division between the business zone and any other zone, a building line on both sides of the communal boundary shall be applicable, which is equal to the relevant building line in the adjoining zone, except where the adjoining sites are earmarked for business development in the SDF. In such a case, if the relaxing of building lines may be approved by the Building Control Officer, if no objections were received from affected/ neighbouring parties.</i>	
Parking:	The following parking requirements will be applicable: <ol style="list-style-type: none"> <li>At least one parking bay for every 25m<sup>2</sup> of the total floor area of the building (excluding any section of the building that is used for residential purposes).</li> <li>A larger parking requirement than the aforementioned, may be required by the Municipality in a particular case where the Municipality is convinced that the specific type of development justifies such a bigger demand.</li> </ol>	



	<ul style="list-style-type: none"> <li>iii. In addition to the parking area and parking bays described above, at least one parking bay, clearly demarcated and properly indicated by means of a notice board, to the satisfaction of the Municipality, for use by visitors, for every 4 bedrooms, must be provided on the site,</li> <li>iv. One parking bay for every 10 seats for places of entertainment. In cases where this criterion for provision of parking cannot be applied, the Municipality shall determine what provision should be made.</li> </ul>
Parking Provisions:	Parking provision in terms of these regulations shall be done in accordance with a "rational design" for parking areas of 10 or more parking bays that must be provided for any land use as prescribed in the Land Use Restrictions table. In the instance where a particular parking provision is less than 10 parking bays, these specifications may be relaxed, as accordingly determined in each case by the Municipality.
Site Access	The vehicle access and exit ways to the site shall be discussed with the Traffic Department and their written approval must be obtained and submitted with building plans to the Building Control Officer.
Existing alternative Parking arrangements.	The existing alternative parking arrangements as it is to be found for Business sites in die CBD, will remain as per agreement.
Protrusions:	In this zone, protrusions, excluding advertising signs approved by the Municipality in accordance with the provisions of any other Act, over streets and building lines shall be limited to minor, distinctive architectural features and one cantilevered open canopy to within 1,00m of the pavement edge; provided that no portion of a projection shall be less than 2,4m above the pavement and further than 3,5m from the edge of the said property and there shall be no access from the building to the canopy.
Basements:	Must be done in accordance with the National Building Regulations provisions (see detail description).

#### 4.6.19.2. Further restrictions applicable to specific uses/ building.

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

#### 4.6.20. D.I.1: SMME Incubators

Zoning Code:	Primary Use	SMME Incubators	Includes areas designated for a combination of small, medium and micro enterprises (SMME), including associated infrastructure to the satisfaction of the relevant authority, focusing on community bases service, trade and retail.
D.I.1	Secondary use(s) which may be considered by the municipality	None	None
	Consent use(s) which may be considered by the municipality	None	None

##### 4.6.20.1. Land Use Restrictions for D.I.1

Development control:	Any specific business areas designed as part of this zone, will refer to the restrictions set out as part of D.i.1, D.i.2 and D.j.1 for detail.
Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
Parking Provisions:	Parking provision in terms of these regulations shall be done in accordance with a "rational design" for parking areas of 10 or more parking bays that must be provided for any land use as prescribed in the Land Use Restrictions table. In the instance where a particular parking provision is less than 10 parking bays, these specifications may be relaxed, as accordingly determined in each case by the Municipality.

#### 4.6.21. D.m.1: Mixed Use Development

Zoning Code:	Primary Use	Mixed Use Development	A building or erf that blends a combination of residential, commercial, cultural, institutional, or industrial uses, where those functions are physically and functionally integrated;
D.m.1	Secondary use(s) which may be considered by the municipality	None	None
	Consent use(s) which may be considered by the municipality	None	None

##### 4.6.21.1.Land Use Restrictions for D.m.1

Development control:	Any specific restriction that is already indicated in the existing Category D, E and F zones and can be linked to a specific use in this area, should be applicable to that area in this zone.
Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
Parking Provisions:	Parking provision in terms of these regulations shall be done in accordance with a "rational design" for parking areas of 10 or more parking bays that must be provided for any land use as prescribed in the Land Use Restrictions table. In the instance where a particular parking provision is less than 10 parking bays, these specifications may be relaxed, as accordingly determined in each case by the Municipality.

#### 4.6.22. D.n.1: Cemetery

Zoning Code:	Primary Use	Cemetery	A place where people are buried and may include an ablution facility, security office, wall of remembrance and a mausoleum, but exclude a crematorium.
D.n.1	Secondary use(s) which may be considered by the municipality	None	None
	Consent use(s) which may be considered by the municipality	None	None

##### 4.6.22.1.Land Use Restrictions for D.n.1

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
Parking Provisions:	Parking provision in terms of these regulations shall be done in accordance with a "rational design" for parking areas of 10 or more parking bays that must be provided for any land use as prescribed in the Land Use Restrictions table. In the instance where a particular parking provision is less than 10 parking bays, these specifications may be relaxed, as accordingly determined in each case by the Municipality.

#### 4.6.23. D.o.1: Sport fields and Related Infrastructure

<b>Zoning Code:</b>	Primary Use	Sports fields and related Infrastructure	A portion of land, or land unit, which is utilised for the practice of outdoor and/or indoor sporting activities. This may include ancillary structures to sporting activities, such as ablution facilities, dressing rooms, show-grounds, sports club buildings (licensed or not), kiosks, ticket offices, spectator stands and parking facilities, but does not include a racecourse. The provision of parking and complimentary uses not listed in this definition will be subject to the consideration of the local authority.
D.o.1	Secondary use(s) which may be considered by the municipality	Recreational facilities	Any building or premise where people assemble for entertainment or social, relaxing including sporting purposes, amusement park, sport centre, billiard-room, skating ring and a public or private sports club facility, but does not include any building or site for a gambling premises, place of entertainment, functions or adult entertainment.
	Consent use(s) which may be considered by the municipality	None	None

##### 4.6.23.1. Land Use Restrictions for D.o.1

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
Parking Provisions:	Parking provision in terms of these regulations shall be done in accordance with a "rational design" for parking areas of 10 or more parking bays that must be provided for any land use as prescribed in the Land Use Restrictions table. In the instance where a particular parking provision is less than 10 parking bays, these specifications may be relaxed, as accordingly determined in each case by the Municipality.

##### 4.6.23.1.1. Recreational Facilities for Sports field and Related Infrastructure:

Building Lines:	At least 4,5m from any street reserve boundary and 10m from all other boundaries.
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#### 4.6.24. D.p.1: Airport and Related Infrastructure

<b>Zoning Code:</b>	Primary Use	Airport and related Infrastructure	A use or undertaking with a primary focus on air transport and may include, landing strips, hangars, vehicle (land and/or airborne) rentals and/or washing facilities, offices, business premises, commercial, hotels, restaurants, accommodation facilities, conference facilities, storage facilities, long term aircraft storing facilities, mothballing of aircraft, as well as courier services. By its nature of being a public transport interchange point, airports may also include single and/or multilevel parking facilities;
D.p.1	Secondary use(s) which may be considered by the municipality	None	None
	Consent use(s) which may be considered by the municipality	None	None

**4.6.24.1.Land Use Restrictions for D.p.1**

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
Parking Provisions:	Parking provision in terms of these regulations shall be done in accordance with a "rational design" for parking areas of 10 or more parking bays that must be provided for any land use as prescribed in the Land Use Restrictions table. In the instance where a particular parking provision is less than 10 parking bays, these specifications may be relaxed, as accordingly determined in each case by the Municipality.

**4.6.25. D.q.1: Resort and Tourism Related Areas**

Zoning Code:	Primary Use	Resort and Tourism Related Areas	A harmoniously designed and built holiday development, with an informal layout of which the individual units are only marketed by means of renting to travellers and holiday-makers for short-term residence, and may include a guest house, accommodation facilities, a restaurant, a café, camping site, caravan park, conference facilities and holiday units, but does not include private mobile homes, place of entertainment or function, recreational facilities, a hotel or motel.
D.q.1	Secondary use(s) which may be considered by the municipality	Recreational facilities	Any building or premise where people assemble for entertainment or social, relaxing including sporting purposes, amusement park, sport centre, billiard-room, skating rink and a public or private sports club facility, but does not include any building or site for a gambling premises, casino, place of entertainment or adult entertainment.
		Hotel	A building designed to comply with the requirements of a hotel, which is a commercially run establishment providing accommodation to travellers and tourists, but does not include linked or separate buildings or premises for off-sale facilities and where meals are usually provided for guests.
		Wedding and conference facilities	An area, building or erf that is used primarily to cater for weddings and functions and may include a function hall, restaurant, catering and conference facilities, a chapel (whether covered or open air) and reasonable relevant activity connected to the main activity;
	Consent use(s) which may be considered by the municipality	None	None

**4.6.25.1.Land Use Restrictions for D.q.1**

General Parking:	The following parking requirements will be applicable: <ul style="list-style-type: none"> <li>i. At least one parking bay for every 25m<sup>2</sup> of the total floor area of the building (excluding any section of the building that is used for residential purposes).</li> <li>ii. A larger parking requirement than the aforementioned, may be required by the Municipality in a particular case where the Municipality is convinced that the specific type of development justifies such a bigger demand.</li> <li>iii. In addition to the parking area and parking bays described above, at least one parking bay, clearly demarcated and properly indicated by means of a notice board, to the satisfaction of the Municipality, for use by visitors, for every two residential units (flats) or every four bedrooms, in the case of hotels, boarding-houses and other residential buildings, must be provided on the site,</li> </ul>
Parking for Weddings and conference facilities	Each 1.5m <sup>2</sup> of the floor area of the buildings and or rooms used for Wedding and conference facilities, equals 1 person. For each 6m <sup>2</sup> or four persons, one parking bay must be provided for buildings and rooms used to house these facilities.
Parking for Hotels:	One parking bay for every room that is rented out and 50% of the parking bays must be covered and also indicated on building plans. In addition to the parking area and parking bays described above, at least one parking bay for the utilisation of visitors for every four bedrooms that is rented out, must be provided on the site, clearly demarcated and properly indicated by means of a notice board, to the satisfaction of the Municipality.
Parking Provisions:	Parking provision in terms of these regulations shall be done in accordance with a "rational design" for parking areas of 10 or more parking bays that must be provided for any land use as prescribed in the Land Use Restrictions table. In the instance where a particular parking provision is less than 10 parking bays, these specifications may be relaxed, as accordingly determined in each case by the Municipality.

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
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#### 4.6.26. D.q.2: Holiday homes and Tourism Related Areas

Zoning Code:	Primary Use	Holiday homes and Tourism related areas	A harmoniously designed and built development with an informal layout which may include the provision of a camping site, caravan park, holiday units and/or other dwelling units where the housing may be rented out or may be separately alienated by means of time sharing, sectional title division, the selling of block shares and/or the subdivision of individual units on condition that a home owners association be established, but does not include mobile homes, a hotel or motel;
D.q.2	Secondary use(s) which may be considered by the municipality	Recreational facilities	Any building or premise where people assemble for entertainment or social, relaxing including sporting purposes, amusement park, sport centre, billiard-room, skating rink and a public or private sports club facility, but does not include any building or site for a gambling premises, casino, place of entertainment or adult entertainment.
		Hotel	A building designed to comply with the requirements of a hotel, which is a commercially run establishment providing accommodation to travellers and tourists, but does not include linked or separate buildings or premises for off-sale facilities and where meals are usually provided for guests;
		Restaurant	An enterprise or place that mainly prepares food and refreshments on the site which is served to clients who consume it on the site, and where alcoholic beverages are only served with meals;
		Wedding and conference facilities	An area, building or erf that is used primarily to cater for weddings and functions and may include a function hall, restaurant, catering and conference facilities, a chapel (whether covered or open air) and reasonable relevant activity connected to the main activity;
	Consent use(s) which may be considered by the municipality	None	None

##### 4.6.26.1. Land Use Restrictions for D.q.1

Development control:	Any specific restriction that is already indicated in the existing Category D, E and F zones and can be linked to a specific use in this area, should be applicable to that area in this zone.
Parking:	The following parking requirements will be applicable: <ul style="list-style-type: none"> <li>i. At least one parking bay for every 25m<sup>2</sup> of the total floor area of the building (excluding any section of the building that is used for residential purposes).</li> <li>ii. A larger parking requirement than the aforementioned, may be required by the Municipality in a particular case where the Municipality is convinced that the specific type of development justifies such a bigger demand.</li> <li>iii. In addition to the parking area and parking bays described above, at least one parking bay, clearly demarcated and properly indicated by means of a notice board, to the satisfaction of the Municipality, for use by visitors, for every two residential units (flats) or every four bedrooms, in the case of hotels, boarding-houses and other residential buildings, must be provided on the site.</li> </ul>
Parking for Weddings and conference facilities	Each 1.5m <sup>2</sup> of the floor area of the buildings and or rooms used for Wedding and conference facilities, equals 1 person. For each 6m <sup>2</sup> or four persons, one parking bay must be provided for buildings and rooms used to house these facilities.
Parking for Hotels:	One parking bay for every room that is rented out and 50% of the parking bays must be covered and also indicated on building plans. In addition to the parking area and parking bays described above, at least one parking bay for the utilisation of visitors for every four bedrooms that is rented out, must be provided on the site, clearly demarcated and properly indicated by means of a notice board, to the satisfaction of the Municipality.
Parking for Hotels:	One parking bay for every room that is rented out and 50% of the parking bays must be covered and also indicated on building plans. In addition to the parking area and parking bays described above, at least one parking bay for the utilisation of visitors for every four bedrooms that is rented out, must be provided on the site, clearly demarcated and properly indicated by means of a notice board, to the satisfaction of the Municipality.

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
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## 4.7. Industrial areas - Category E

### 4.7.1. E.a.1: Agricultural Industry

Zoning Code:	Primary Use	Agricultural Industry	An industry or enterprise for the processing of agricultural products produced on that or surrounding agricultural unit(s), as a result of the nature, perishability and fragility of the products and includes, amongst others, wine cellars and sheds, packing facilities, juice processing plants, caretaker's quarters and silos, but excludes any type of abattoir.
E.a.1	Secondary use(s) which may be considered by the municipality	Agriculture	The breeding of animals on natural veld, land and pasture, stock or auction pens, the processing of products produced on the farm, the cultivation of crops and at most one single residential house and other buildings that is reasonably relevant to the main agricultural activity on the farm, including bona-fide staff housing.
	Consent use(s) which may be considered by the municipality	None	None

#### 4.7.1.1. Land Use Restrictions for E.a.1

Coverage:	Land units smaller than 5000m <sup>2</sup> - 50%.	
	Land units larger than 5001m <sup>2</sup> - 30%.	
Height:	At most 12m above the natural ground level directly beneath any particular point or portion of the building.	
Building Lines:	The street building line shall be at least 3m from the boundary of the adjoining street. Side and rear building lines may be zero, provided that the Municipality might demand building lines in the interest of public health or to enforce the upholding of any act or right or to provide for storm water drainage or any other engineering service. Furthermore, the same building line will be applicable in the agricultural-industrial zone as in any adjoining zone in terms of the common boundary between the two zones.	
	<i>No doors or windows are permitted in any wall which is less than 1.5m from any side or rear boundary, notwithstanding the size of the erf.</i>	
Parking:	The following parking requirements will be applicable: <ul style="list-style-type: none"> <li>i. At least one parking bay for every 100m<sup>2</sup> of the total floor area of the building up to 1500m<sup>2</sup>, and one additional parking bay per 200m<sup>2</sup> thereafter.</li> <li>ii. A larger parking requirement than the aforementioned, may be required by the Municipality in a particular case where the Municipality is convinced that the specific type of development justifies such a bigger demand.</li> </ul>	
Parking Provisions:	Parking provision in terms of these regulations shall be done in accordance with a "rational design" for parking areas of 10 or more parking bays that must be provided for any land use as prescribed in the Land Use Restrictions table. In the instance where a particular parking provision is less than 10 parking bays, these specifications may be relaxed, as accordingly determined in each case by the Municipality.	
Site Access	The vehicle access and exit ways shall be restricted to at most one each per site per street abutting the site. The vehicle access and exit ways to the site shall be discussed with the Traffic Department and their written approval will be obtained.	
Loading and unloading:	For the purpose of loading and unloading of vehicles, a space/s to the satisfaction of the Municipality must be reserved in accordance with section below: For this purpose the loading zone size is 45m <sup>2</sup> and will be calculated as follow:	
	Total Floor Area of Building (to nearest m <sup>2</sup> )	Prescribed Loading and Downloading area:
	0 - 2 500 m <sup>2</sup>	2 loading places
	2 501 - 5 000m <sup>2</sup>	4 loading places
	5 001 - 10 000 m <sup>2</sup>	6 loading places



	Each additional 10 000m <sup>2</sup> or portion thereof	1 additional loading place
	Above-mentioned loading places will have vehicle access to the Municipality's satisfaction. Said vehicle access shall be at least 5m wide and 3m high, if through a building. It must have a hard surface and be clearly marked as loading places.	
Existing alternative Parking arrangements.	The existing alternative parking arrangements as it is to be found for Business sites in die CBD, will remain as per agreement.	
Projections:	In this zone, projections, excluding advertising signs approved by the Municipality in accordance with the provisions of any other Act, over streets and building lines shall be limited to minor, distinctive architectural features and one cantilevered open canopy to within 1,00m of the pavement edge; provided that no portion of a projection shall be less than 2,4m above the pavement and further than 3,5m from the edge of the said property and there shall be no access from the building to the canopy.	
Basements:	Must be done in accordance with the National Building Regulations provisions (see detail description).	

#### 4.7.1.2. Further restrictions applicable to specific uses/ building.

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

##### 4.7.1.2.1. Agriculture for Agricultural Industry:

Detail Restrictions:	The same restrictions as set out in C.a.2.
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#### 4.7.2. E.c.1: Light Industry

Zoning Code:	Primary Use	Light Industry	A building or site used for light industrial activities such as a bakery, service trade industry, a warehouse or any other industrial activity which does not require large machinery and may include caretaker's quarters and service station, but excludes normal industrial development.
E.c.1	Secondary use(s) which may be considered by the municipality	None	None
	Consent use(s) which may be considered by the municipality	None	None

##### 4.7.2.1. Land Use Restrictions for E.c.1

Coverage:	80%	
Height:	At most 12m above the natural ground level directly beneath any particular point or portion of the building.	
Building Lines:	Street boundaries:	3m
	Side and rear boundaries:	With regard to rear and side boundaries, the building lines may be zero, provided that the Municipality may require side building lines in the interest of public health or in order to enforce the upholding of any act or right or in order to provide storm water drainage or any other engineering service.
	<i>No doors or windows are permitted in any wall which is less than 1.5m from any side or rear boundary, notwithstanding the size of the erf.</i>	
	<i>Notwithstanding these building line regulations for side and rear boundaries, in cases where these boundaries form the division between an industrial zone and any other zone, a building line on both sides of the communal boundary shall be applicable, which is equal to the relevant building line in the adjoining zone, except where the adjoining sites are earmarked for industrial development in the SDF. In such a case, if the relaxing of building lines may be approved by the Building Control Officer, if no objections were received from affected/ neighbouring parties.</i>	
Parking:	The following parking requirements will be applicable: <ul style="list-style-type: none"> <li>i. At least one parking bay for every 100m<sup>2</sup> of the total floor area of the building up to 1500m<sup>2</sup>, and one additional parking bay per 200m<sup>2</sup> thereafter.</li> <li>ii. A larger parking requirement than the aforementioned, may be required by the Municipality in a particular case where the Municipality is convinced that the specific type of development justifies such a bigger demand.</li> </ul>	
Parking Provisions:	Parking provision in terms of these regulations shall be done in accordance with a "rational design" for parking areas of 10 or more parking bays that must be provided for any land use as prescribed in the	



	Land Use Restrictions table. In the instance where a particular parking provision is less than 10 parking bays, these specifications may be relaxed, as accordingly determined in each case by the Municipality.	
Site Access	The vehicle access and exit ways shall be restricted to at most one each per site per street abutting the site. The vehicle access and exit ways to the site shall be discussed with the Traffic Department and their written approval will be obtained.	
Loading and unloading:	For the purpose of loading and unloading of vehicles, a space/s to the satisfaction of the Municipality must be reserved in accordance with section below: For this purpose the loading zone size is 45m <sup>2</sup> and will be calculated as follow:	
	Total Floor Area of Building (to nearest m <sup>2</sup> )	Prescribed Loading and Downloading area:
	0 - 2 500 m <sup>2</sup>	2 loading places
	2 501 - 5 000m <sup>2</sup>	4 loading places
	5 001 - 10 000 m <sup>2</sup>	6 loading places
	Each additional 10 000m <sup>2</sup> or portion thereof	1 additional loading place
	Above-mentioned loading places will have vehicle access to the Municipality's satisfaction. Said vehicle access shall be at least 5m wide and 3m high, if through a building. It must have a hard surface and be clearly marked as loading places.	
Projections:	In this zone, projections, excluding advertising signs approved by the Municipality in accordance with the provisions of any other Act, over streets and building lines shall be limited to minor, distinctive architectural features and one cantilevered open canopy to within 1,00m of the pavement edge; provided that no portion of a projection shall be less than 2,4m above the pavement and further than 3,5m from the edge of the said property and there shall be no access from the building to the canopy.	
Basements:	Must be done in accordance with the National Building Regulations provisions (see detail description).	

#### 4.7.2.2. Further restrictions applicable to specific uses/ building.

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

##### 4.7.2.2.1. Service Stations for Light Industry:

Detail Restrictions:	The same restrictions as set out in D.j.2.
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#### 4.7.3. E.c.2: Industry

Zoning Code:	Primary Use	Industry	A building or use, irrespective of whether it correlates with the meaning of a factory, as defined in the applicable act defining a factory, that is used for any trade regarding the manufacturing, assembling, processing, repairing or dumping of a product or part of a product, the storing of a product or raw material, the repairing, reconstructing or dismantling of vehicles, a transport business, printing, the manufacturing of gas and any relevant offices, caretaker's quarters, or any building where the use is additional to, or is usually additional to, or is reasonably necessary regarding the use of such enterprise on the same site, including a warehouse, service station, service trade industry, provided that it excludes buildings where food and beverage are prepared mainly for consumption on the site, a scrap-yard, funeral parlour and noxious industry.
E.c.2	Secondary use(s) which may be considered by the municipality	Funeral Parlour	A building where corpses are kept prior to burial or cremation.
		Scrap Yard	A building or land used for the storing, depositing or collecting of junk or scrap metal or articles of which the value depends entirely or partially on the material out of which they are manufactured, or the dismantling of second-hand vehicles or machines with the aim to recover components or material.
	Consent use(s) which may be considered by the municipality	None	None

##### 4.7.3.1. Land Use Restrictions for E.c.2

Coverage:	80%	
Height:	At most 12m above the natural ground level directly beneath any particular point or portion of the building.	
Building Lines:	Street boundaries:	3m
	Side and rear boundaries:	With regard to rear and side boundaries, the building lines may be zero, provided that the Municipality may require side building lines in the interest of public health or

		in order to enforce the upholding of any act or right or in order to provide storm water drainage or any other engineering service.
		No doors or windows are permitted in any wall which is less than 1.5m from any side or rear boundary, notwithstanding the size of the erf.
		Notwithstanding these building line regulations for side and rear boundaries, in cases where these boundaries form the division between an industrial zone and any other zone, a building line on both sides of the communal boundary shall be applicable, which is equal to the relevant building line in the adjoining zone, except where the adjoining sites are earmarked for industrial development in the SDF. In such a case, if the relaxing of building lines may be approved by the Building Control Officer, if no objections were received from affected/ neighbouring parties.
Parking:		The following parking requirements will be applicable: <ul style="list-style-type: none"> <li>i. At least one parking bay for every 100m<sup>2</sup> of the total floor area of the building up to 1500m<sup>2</sup>, and one additional parking bay per 200m<sup>2</sup> thereafter.</li> <li>ii. A larger parking requirement than the aforementioned, may be required by the Municipality in a particular case where the Municipality is convinced that the specific type of development justifies such a bigger demand.</li> </ul>
Parking Provisions:		Parking provision in terms of these regulations shall be done in accordance with a "rational design" for parking areas of 10 or more parking bays that must be provided for any land use as prescribed in the Land Use Restrictions table. In the instance where a particular parking provision is less than 10 parking bays, these specifications may be relaxed, as accordingly determined in each case by the Municipality.
Site Access		The vehicle access and exit ways shall be restricted to at most one each per site per street abutting the site. The vehicle access and exit ways to the site shall be discussed with the Traffic Department and their written approval will be obtained.
Loading and unloading:		For the purpose of loading and unloading of vehicles, a space/s to the satisfaction of the Municipality must be reserved in accordance with section below: For this purpose the loading zone size is 45m <sup>2</sup> and will be calculated as follow:
	Total Floor Area of Building (to nearest m <sup>2</sup> )	Prescribed Loading and Downloading area:
	0 - 2 500 m <sup>2</sup>	2 loading places
	2 501 - 5 000m <sup>2</sup>	4 loading places
	5 001 - 10 000 m <sup>2</sup>	6 loading places
	Each additional 10 000m <sup>2</sup> or portion thereof	1 additional loading place
		Above-mentioned loading places will have vehicle access to the Municipality's satisfaction. Said vehicle access shall be at least 5m wide and 3m high, if through a building. It must have a hard surface and be clearly marked as loading places.
Projections:		In this zone, projections, excluding advertising signs approved by the Municipality in accordance with the provisions of any other Act, over streets and building lines shall be limited to minor, distinctive architectural features and one cantilevered open canopy to within 1,00m of the pavement edge; provided that no portion of a projection shall be less than 2,4m above the pavement and further than 3,5m from the edge of the said property and there shall be no access from the building to the canopy.
Basements:		Must be done in accordance with the National Building Regulations provisions (see detail description).

#### 4.7.3.2. Further restrictions applicable to specific uses/ building.

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

##### 4.7.3.2.1. Service Stations for Industry:

Detail Restrictions:	The same restrictions as set out in D.j.2.
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##### 4.7.3.2.2. Scrap-Yard and Transport Business for Industry:

Detail Restrictions:	Any land utilised for the purpose of a scrapyard, builder's yard, coal yard, timber yard or a transport business, shall be completely fenced in at all sides with a wall or fence prescribed by the Municipality.
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#### 4.7.4. E.d.1: Noxious Industry

Zoning Code:	Primary Use	Noxious Industry	Any building or premise or portion thereof, designed or used for any known potentially offensive, damaging or repulsive activity, or the usage or storage of such a substance which is a nuisance or can cause a nuisance, as regulations announced from time to time in terms of the relevant legislation and, without limiting the generality of aforementioned, include the following: any chemical works, distillery, brewery, caretaker's quarters, manure or chemical manure works, treatment of bones, horns or hooves, processing or storage of hides or skins other than in dry conditions, abattoirs, stone crushing, a crematorium, any treatment or manufacturing of cement, a premise for the storage, sorting or any other activity in any form concerning refuse, sewerage or night- soil, oil or other petroleum processing or any other usage which the Municipality may regard as an noxious industry.
E.d.1	Secondary use(s) which may be considered by the municipality	Scrap Yard	A building or land used for the storing, depositing or collecting of junk or scrap metal or articles of which the value depends entirely or partially on the material out of which they are manufactured, or the dismantling of second-hand vehicles or machines with the aim to recover components or material.
	Consent use(s) which may be considered by the municipality	None	None

##### 4.7.4.1. Land Use Restrictions for E.d.1

Coverage:	80%	
Height:	At most 12m above the natural ground level directly beneath any particular point or portion of the building.	
Building Lines:	Street boundaries:	6m
	Side and rear boundaries:	10m
	<i>No doors or windows are permitted in any wall which is less than 1.5m from any side or rear boundary, notwithstanding the size of the erf.</i>	
	<i>Notwithstanding these building line regulations for side and rear boundaries, in cases where these boundaries form the division between an industrial zone and any other zone, a building line on both sides of the communal boundary shall be determined by the Municipality, except where the adjoining sites are earmarked for noxious industrial development in the SDF. In such a case, the existing building lines may be adhered to and may be approved by the Building Control Officer, if no objections were received from affected/ neighbouring parties.</i>	
Parking:	The following parking requirements will be applicable: <ol style="list-style-type: none"> <li>At least one parking bay for every 100m<sup>2</sup> of the total floor area of the building up to 1500m<sup>2</sup>, and one additional parking bay per 200m<sup>2</sup> thereafter.</li> <li>A larger parking requirement than the aforementioned, may be required by the Municipality in a particular case where the Municipality is convinced that the specific type of development justifies such a bigger demand.</li> </ol>	
Parking Provisions:	Parking provision in terms of these regulations shall be done in accordance with a "rational design" for parking areas of 10 or more parking bays that must be provided for any land use as prescribed in the Land Use Restrictions table. In the instance where a particular parking provision is less than 10 parking bays, these specifications may be relaxed, as accordingly determined in each case by the Municipality.	
Site Access	The vehicle access and exit ways shall be restricted to at most one each per site per street abutting the site. The vehicle access and exit ways to the site shall be discussed with the Traffic Department and their written approval will be obtained.	
Loading and unloading:	For the purpose of loading and unloading of vehicles, a space/s to the satisfaction of the Municipality must be reserved in accordance with section below: For this purpose the loading zone size is 45m <sup>2</sup> and will be calculated as follow:	
	Total Floor Area of Building (to nearest m <sup>2</sup> )	Prescribed Loading and Downloading area:
	0 - 2 500 m <sup>2</sup>	2 loading places
	2 501 - 5 000m <sup>2</sup>	4 loading places
	5 001 - 10 000 m <sup>2</sup>	6 loading places
	Each additional 10 000m <sup>2</sup> or portion thereof	1 additional loading place
Projections:	Above-mentioned loading places will have vehicle access to the Municipality's satisfaction. Said vehicle access shall be at least 5m wide and 3m high, if through a building. It must have a hard surface and be clearly marked as loading places.	
	In this zone, projections, excluding advertising signs approved by the Municipality in accordance with the provisions of any other Act, over streets and building lines shall be limited to minor, distinctive	



	architectural features and one cantilevered open canopy to within 1,00m of the pavement edge; provided that no portion of a projection shall be less than 2,4m above the pavement and further than 3,5m from the edge of the said property and there shall be no access from the building to the canopy.
Basements:	Must be done in accordance with the National Building Regulations provisions (see detail description).
Additional measurement s:	Industrial discharges, noise, smoke, gasses and storm water shall be purified, controlled, measured and tested at the expense of the applicant or licence holder, whoever practises the hindrance.

#### 4.7.4.2. Further restrictions applicable to specific uses/ building.

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

##### 4.7.4.2.1. Scrap-Yard and Transport Business for Noxious Industry:

Detail Restrictions:	Any land utilised for the purpose of a scrapyards, builder's yard, coal yard, timber yard or a transport business, shall be completely fenced in at all sides with a wall or fence prescribed by the Municipality.
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#### 4.7.5. E.e.1: Extractive Industry

Zoning Code:	Primary Use	Extractive industry	Means an industry which practises the extraction off raw materials from the earth, whether by means of surface or underground methods and may include, but not be limited to the refinery of such extracted materials in order to facilitate in the transportation thereof, as well as any other relevant land uses that are normally associated with an extractive industry, e.g. offices, recreational facilities for staff, caretaker's quarters, etc. but does not include the subdivision of individual portions of any unit thereof.
E.e.1	Secondary use(s) which may be considered by the municipality	Temporary housing	Temporary housing provided for the construction phase of a project, and may include tent structures, mobile homes and other structures, that are not permanent and can be removed from the property, including temporary ablution facilities, site offices and catering facilities.
	Consent use(s) which may be considered by the municipality	None	None

##### 4.7.5.1. Land Use Restrictions for E.e.1

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
Parking Provisions:	Parking provision in terms of these regulations shall be done in accordance with a "rational design" for parking areas of 10 or more parking bays that must be provided for any land use as prescribed in the Land Use Restrictions table. In the instance where a particular parking provision is less than 10 parking bays, these specifications may be relaxed, as accordingly determined in each case by the Municipality.

## 4.8. Surface infrastructure and buildings - Category F

### 4.8.1. F.a.1: National Roads

Zoning Code:	Primary Use	National roads	National roads proclaimed in terms of the National Roads Act.
F.a.1	Secondary use(s) which may be considered by the municipality	None	None
	Consent use(s) which may be considered by the municipality	None	None

#### 4.8.1.1. Land Use Restrictions for F.a.1

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
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### 4.8.2. F.b.1: Main roads

Zoning Code:	Primary Use	Main roads	Provincial and regional roads proclaimed in terms of the Roads Ordinance.
F.b.1	Secondary use(s) which may be considered by the municipality	None	None
	Consent use(s) which may be considered by the municipality	None	None

#### 4.8.2.1. Land Use Restrictions for F.b.1

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
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### 4.8.3. F.c.1: Minor roads

Zoning Code:	Primary Use	Minor roads	Regional and local roads proclaimed in terms of the Roads Ordinance.
F.c.1	Secondary use(s) which may be considered by the municipality	None	None
	Consent use(s) which may be	None	None



	considered by the municipality		
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#### 4.8.3.1. Land Use Restrictions for F.c.1

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
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#### 4.8.4. F.d.1: Public streets

Zoning Code:	Primary Use	Public Streets	This zoning includes public streets and on-street parking provision within urban and rural settlements with the key objective of facilitating both vehicular (motorised and/or non-motorised) and pedestrian traffic circulation. Furthermore, it encompasses any land intended on a plan or map for the purpose of public streets, or where such land is registered as a public street and ownership is vested in a Municipality. This land use may include facilities for public transportation, such as on-route bus or taxi stops and other pavement decorations. It does not, however, include private streets with the intent to facilitate circulation within an enclosed estate/development. It may include informal street vending areas, where such informal trading has been designated and is managed by a Municipality.
F.d.1	Secondary use(s) which may be considered by the municipality	None	None
	Consent use(s) which may be considered by the municipality	None	None

#### 4.8.4.1. Land Use Restrictions for F.d.1

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
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#### 4.8.5. F.d.2: Public Parking

Zoning Code:	Primary Use	Public Parking	A portion of land and/ or a building or part thereof which is accessible to the general public for parking purposes.
F.d.2	Secondary use(s) which may be considered by the municipality	None	None
	Consent use(s) which may be considered by the municipality	None	None

**4.8.5.1. Land Use Restrictions for F.d.2**

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
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**4.8.6. F.d.3: Private road**

Zoning Code:	Primary Use	Private Road	A road or section of a road zoned to be used by a specific land owner or group of land owners and normally will be governed by a Home Owners Association;
F.d.3	Secondary use(s) which may be considered by the municipality	None	None
	Consent use(s) which may be considered by the municipality	None	None

**4.8.6.1. Land Use Restrictions for F.d.3**

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
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**4.8.7. F.e.1: Heavy Vehicle Overnight Facilities**

Zoning Code:	Primary Use	Heavy Vehicle Overnight Facilities	Land and/or buildings used for parking of heavy vehicles and/or where such vehicles and their drivers can refresh, rest or overnight and include a service station.
F.e.1	Secondary use(s) which may be considered by the municipality	Accommodation Facilities	A dwelling, building or individual units, where the majority of facilities are shared and where a maximum of 10 rooms housing not more than 16 guests, are leased on a short-term basis (maximum 21 days) and may include catering facilities for guests that stays overnight, but does not include self-catering facilities. Facilities making provision for more than 10 rooms or for more than 16 guests in total, falls under the description of a hotel;
	Consent use(s) which may be considered by the municipality	None	None

**4.8.7.1. Land Use Restrictions for F.e.1**

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
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Parking Provisions:	Parking provision in terms of these regulations shall be done in accordance with a “rational design” for parking areas of 10 or more parking bays that must be provided for any land use as prescribed in the Land Use Restrictions table. In the instance where a particular parking provision is less than 10 parking bays, these specifications may be relaxed, as accordingly determined in each case by the Municipality.
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#### 4.8.7.2. Further restrictions applicable to specific uses/ building.

Notwithstanding the foregoing land use restrictions that are applicable to all buildings in this zone, the following further restrictions shall be applicable specifically to the following buildings and/or uses and shall have preference.

##### 4.8.7.2.1. Service Stations for Heavy Vehicle Overnight Facilities:

Detail Restrictions:	The same restrictions as set out in D.j.2.
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##### 4.8.7.2.2. Accommodation Facilities for Heavy Vehicle Overnight Facilities:

Development control:	The same as for the primary use in D.h.3.
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#### 4.8.8. F.f.1: Railway Facilities

Zoning Code:	Primary Use	Railway facilities	A use or undertaking with a primary focus on railway transport and may include railway lines, side lines, offices, shops/retail, restaurants, conference facilities, storage facilities as well as courier services as part of the railway station. By its nature of being a public transport interchange point, railway stations may also include single and/or multilevel parking facilities.
F.f.1	Secondary use(s) which may be considered by the municipality	None	None
	Consent use(s) which may be considered by the municipality	None	None

##### 4.8.8.1. Land Use Restrictions for F.f.1

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
Parking Provisions:	Parking provision in terms of these regulations shall be done in accordance with a “rational design” for parking areas of 10 or more parking bays that must be provided for any land use as prescribed in the Land Use Restrictions table. In the instance where a particular parking provision is less than 10 parking bays, these specifications may be relaxed, as accordingly determined in each case by the Municipality.

#### 4.8.9. F.g.1: Power lines

Zoning Code:	Primary Use	Power lines	A structure or structures used in electric power transmission and distribution to transmit electrical energy over long distances, whether above or underneath the ground. Above the ground it normally consists of one or more conductors (most often three or four) suspended by towers or utility poles. This may also include mini-stations, sub-stations, offices related to maintenance and vacant land as part of the erf or servitude.
F.g.1	Secondary use(s) which may be considered by the municipality	None	None

	Consent use(s) which may be considered by the municipality	None	None
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#### 4.8.9.1. Land Use Restrictions for F.g.1

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
Parking Provisions:	Parking provision in terms of these regulations shall be done in accordance with a "rational design" for parking areas of 10 or more parking bays that must be provided for any land use as prescribed in the Land Use Restrictions table. In the instance where a particular parking provision is less than 10 parking bays, these specifications may be relaxed, as accordingly determined in each case by the Municipality.

#### 4.8.10. F.h.1: Telecommunication- and Data Infrastructure

Zoning Code:	Primary Use	Tele-communication- and data infrastructure	Land or a portion of land accommodating any part of the infrastructure of a telecommunication network for radio/wireless communication including, voice, data and video telecommunications, which may include antennae; any support structure, equipment room, radio equipment and optical communications equipment provided by cellular network operators or any other telecommunication providers and all ancillary structures needed for the operation of telecommunication infrastructure.
F.h.1	Secondary use(s) which may be considered by the municipality	None	None
	Consent use(s) which may be considered by the municipality	None	None

##### 4.8.10.1.Land Use Restrictions for F.h.1

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
Parking Provisions:	Parking provision in terms of these regulations shall be done in accordance with a "rational design" for parking areas of 10 or more parking bays that must be provided for any land use as prescribed in the Land Use Restrictions table. In the instance where a particular parking provision is less than 10 parking bays, these specifications may be relaxed, as accordingly determined in each case by the Municipality.

#### 4.8.11. F.i.1 Renewable Energy Structures

<b>Zoning Code:</b>	Primary Use	Renewable Energy Structures	A plant that utilises renewable energy (wind turbines, trough system, power tower system and photovoltaic system) and where agricultural activities can be practised on areas which are not utilised for the renewable energy plant. It includes all plant and equipment, and other miscellaneous infrastructure associated with the generation, transmission and distribution of renewable energy whether it feeds into the national grid or not. Such infrastructure includes but is not limited to workshops and stores, offices, site canteen, medical station, fire station, a tourist facilitation centre, ambulance garage, compressor house buildings, water supply infrastructure, guard houses, accommodation facilities, as well as recreational facilities for personnel, excluding temporary housing. No subdivision of any section thereof will be allowed.
F.i.1	Secondary use(s) which may be considered by the municipality	Temporary housing	Temporary housing provided for the construction phase of a project, and may include tent structures, mobile homes and other structures, that are not permanent and can be removed from the property, including temporary ablution facilities, site offices and catering facilities.
	Consent use(s) which may be considered by the municipality	None	None

##### 4.8.11.1.Land Use Restrictions for F.i.1

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
Parking Provisions:	Parking provision in terms of these regulations shall be done in accordance with a "rational design" for parking areas of 10 or more parking bays that must be provided for any land use as prescribed in the Land Use Restrictions table. In the instance where a particular parking provision is less than 10 parking bays, these specifications may be relaxed, as accordingly determined in each case by the Municipality.

#### 4.8.12. F.j.1: Dams, Reservoirs, Water Treatment Plants and Pump Houses

<b>Zoning Code:</b>	Primary Use	Dams, Reservoirs, Water Treatment Plants and Pump Houses	Any infrastructure development which comprises of structures that serves more than the land unit on which it is built.
F.j.1	Secondary use(s) which may be considered by the municipality	None	None
	Consent use(s) which may be considered by the municipality	None	None



**4.8.12.1. Land Use Restrictions for F.j.1**

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
Parking Provisions:	Parking provision in terms of these regulations shall be done in accordance with a "rational design" for parking areas of 10 or more parking bays that must be provided for any land use as prescribed in the Land Use Restrictions table. In the instance where a particular parking provision is less than 10 parking bays, these specifications may be relaxed, as accordingly determined in each case by the Municipality.

**4.8.13. F.I.1: Sewerage Plants and Refuse Areas**

Zoning Code:	Primary Use	Sewerage Plants and Refuse Areas	Areas designated as municipal and private sewerage treatment plants and refuse areas, including recycling facilities, composting plants, guard houses, ablution facilities and relevant infrastructure.
F.I.1	Secondary use(s) which may be considered by the municipality	None	None
	Consent use(s) which may be considered by the municipality	None	None

**4.8.13.1. Land Use Restrictions for F.I.1**

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
Parking Provisions:	Parking provision in terms of these regulations shall be done in accordance with a "rational design" for parking areas of 10 or more parking bays that must be provided for any land use as prescribed in the Land Use Restrictions table. In the instance where a particular parking provision is less than 10 parking bays, these specifications may be relaxed, as accordingly determined in each case by the Municipality.



## 4.9. Other - Category G

### 4.9.1. G.a.1: Unspecified Zone

Zoning Code:	Primary Use	Unspecified Zone	A land unit or section of land unit with no identifiable use assigned to it in accordance with this land use scheme.
G.a.1	Secondary use(s) which may be considered by the municipality	None	None
	Consent use(s) which may be considered by the municipality	None	None

#### 4.9.1.1. Land Use Restrictions for G.a.1

Land use restrictions:	None
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### 4.9.2. G.a.2: Special Zone

Zoning Code:	Primary Use	Special Zone	A land use which is such, or of which the land use restrictions are such that it is not catered for in these regulations, and of which the uses and land use parameters are fully described by means of the conditions as contained in the special zone.
G.a.2	Secondary use(s) which may be considered by the municipality	None	None
	Consent use(s) which may be considered by the municipality	None	None

#### 4.9.2.1. Land Use Restrictions for Special Zone G.a.2

Special consideration:	Specific land use restrictions shall be determined by the relevant Municipality taking authority with regard to every site which is being rezoned to this specific land use, while existing (as already developed at commencement of these regulations) developments and approvals which fit into this zone shall be subject to the requirements stated during approval or as per the approved development. When a rezoning application is received in this specific zone, the relevant Municipality, according to each application received, identify restrictions/requirements with regard to density, layout, landscaping, building design (if development is permitted on the property), as part of the application procedure. A detail layout plan of the area earmarked for rezoning may be requested by the relevant Municipality. The development suggestions indicated on such a detail layout plan shall, after the public participation process and the collection of comment and inputs from affected parties and neighbouring land owners, be submitted to the Municipality for consideration.
Parking Provisions:	Parking provision in terms of these regulations shall be done in accordance with a "rational design" for parking areas of 10 or more parking bays that must be provided for any land use as prescribed in the Land Use Restrictions table. In the instance where a particular parking provision is less than 10 parking bays, these specifications may be relaxed, as accordingly determined in each case by the Municipality.

## ANNEXURE

COLUMN 1 ZONING CODE	COLUMN 2 PRIMARY USE	COLUMN 3 COLOUR CODE ON MAPS
A.a.1	Wilderness Areas	Solid Fill: Light Green R=111: G=217: B=117
A.a.2	Special Nature Reserve	Hatch: Light Green (hatch = Diagonal 2) R=111: G=217: B=117
A.a.3	National Parks	Hatch: Light Green (hatch = Diagonal) R=111: G=217: B=117
A.a.4	Nature Reserves	Hatch: Light Green (hatch = Grass 2) R=111: G=217: B=117
A.a.5	Protected Environments	Hatch: Light Green (hatch = Fill) R=111: G=217: B=117
A.a.6	Forest Wilderness Areas/ Forest Nature Reserves	Hatch: Light Green (hatch = Palm Trees) R=111: G=217: B=117
A.a.8	World Heritage Site	Hatch: Light Green (hatch = Parquet Floor) R=111: G=217: B=117
A.a.9	Mountain Catchment Areas	Hatch: Light Green (hatch = Dots) R=111: G=217: B=117
B.a.1	Contractual Conservation Areas	Hatch: Medium Blue (hatch = Grid 2) R=51: G=102: B=255
B.a.2	Private conservation areas	Hatch: Medium Blue (hatch = Diagonal 4) R=51: G=102: B=255
B.b.1	Freshwater Ecosystem Priority Areas	Hatch: Medium Blue (hatch = Swamp 2) R=51: G=102: B=255
B.b.2	Rivers or riverbeds	Hatch: Medium Blue (hatch = Swamp 1) R=51: G=102: B=255
B.b.3	Other Natural Areas	Hatch: Medium Blue (hatch = Swamp 3) R=51: G=102: B=255
B.c.1	Public Park - POS	Solid Fill: Green R=0: G=255: B=0
B.c.2	Landscaped Areas	Hatch: Green (hatch = Angle) R=0: G=255: B=0
B.c.3	Parks and Open Spaces	Hatch: Green (hatch = Weave 1) R=0: G=255: B=0
C.a.1	Bona-fide Game Farms	Hatch: Dark Green (hatch = Diagonal 4) R=200: G=255: B=146
C.a.2	Agriculture	Solid Fill: Dark Green R=200: G=255: B=146
C.b.1	Plantations and Woodlots	Hatch: Dark Green (hatch = Weave 1) R=200: G=255: B=146
D.f.1	Place of Instruction	Solid Fill: Light Blue R=0: G=255: B=255
D.f.2	Place of Worship	Hatch: Black (Hatch = Crosses 1) R=0: G=0: B=0
D.f.3	Institution	Hatch: Red (Hatch = Crosses 1) R=255: G=0: B=0
D.g.1	Government Uses	Solid Fill: Red R=255: G=0: B=0 and Hatch: Black (Hatch = Diagonal 4) R=0: G=0: B=0
D.g.2	Municipal Uses	Solid Fill: Red R=255: G=0: B=0
D.h.1	Single Residential House	Solid Fill: Yellow R=255: G=255: B=0
D.h.2	Group Housing	Solid Fill: Orange R=255: G=204: B=0
D.h.3	Accommodation Facilities	Hatch: Orange (hatch = Cork) R=255: G=204: B=0
D.h.4	Residential Building	Solid Fill: Orange R=255: G=204: B=0 and Hatch: Black (hatch = Diagonal 4) R=0: G=0: B=0
D.h.5	Mixed Density Residential	Hatch: Orange (hatch = Grid 2) R=255: G=204: B=0



COLUMN 1 ZONING CODE	COLUMN 2 PRIMARY USE	COLUMN 3 COLOUR CODE ON MAPS
D.h.8	Incremental Housing	Solid Fill: Yellow R=255: G=255: B=0 Hatch: Black (hatch = fill) R=0: G=0: B=0
D.h.9	Small Holding	Hatch: Dark Green (hatch = Grid 2) R=16: G=163: B=69
D.h.10	Residential Estate	Solid Fill: Orange R=255: G=204: B=0 and Hatch: Black (hatch = Weave 1) R=0: G=0: B=0
D.i.1	Business Premises	Solid Fill: Blue R=0: G=0 B=255
D.i.2	Commercial	Solid Fill: Blue R=0: G=0 B=255 and Hatch: Black (hatch = Diagonal 4) R=0: G=0: B=0
D.j.1	Service Trade Industry	Solid Fill: Purple R=128: G=0 B=128
D.j.2	Service Station	Solid Fill: Purple R=128: G=0 B=128 and Hatch: Black (hatch = Diagonal 4) R=0: G=0: B=0
D.k.1	Gambling premises	Solid Fill: Blue R=0: G=0 B=255 and Hatch: Black (hatch = Diagonal Grid 1) R=0: G=0: B=0
D.k.2	Adult Entertainment	Solid Fill: Blue R=0: G=0 B=255 and Hatch: Black (hatch = Weave 1) R=0: G=0: B=0
D.l.1	SMME Incubators	Hatch: Blue (hatch = Fill) R=0: G=0 B=255
D.m.1	Mixed Use Development	Solid Fill: Blue R=0: G=0 B=255 and Hatch: White (hatch = Diagonal 4) R=255: G=255 B=255
D.n.1	Cemetery	Hatch: Green (hatch = Crosses 1) R=0: G=255: B=0
D.o.1	Sports fields & Related Infrastructure	Solid Fill: Green R=0: G=255: B=0 and Hatch: Black (hatch = Diagonal 4) R=0: G=0: B=0
D.p.1	Airport and Related Infrastructure	Solid Fill: Light Pink R=255: G=182: B=168
D.q.1	Resort & Tourism Related Areas	Hatch: Light Green (hatch = Cork) R=111: G=217: B=117
D.q.2	Holiday homes & Tourism Related Areas	Hatch: Light Green (hatch = Weave 2) R=111: G=240: B=117
E.a.1	Agricultural industry	Solid Fill: Dark Green R=16: G=163: B=69 and Hatch: Black (hatch = Diagonal 4) R=0: G=0: B=0
E.c.1	Light Industry	Solid Fill: Pink R=255: G=42 B=127
E.c.2	Industry	Solid Fill: Pink R=255: G=42 B=127 and Hatch: Black (hatch = Diagonal 4) R=0: G=0: B=0
E.d.1	Noxious industry	Solid Fill: Pink R=255: G=42 B=127 and Hatch: Black (hatch = Grid 2) R=0: G=0: B=0
E.e.1	Extractive industry	Solid Fill: Pink R=255: G=42 B=127 and Hatch: Black (hatch = Weave 1) R=0: G=0: B=0
F.a.1	National roads	Solid Fill: Dark Grey R=88: G=88 B=88



COLUMN 1 ZONING CODE	COLUMN 2 PRIMARY USE	COLUMN 3 COLOUR CODE ON MAPS
F.b.1	Main roads	Solid Fill: Dark Grey R=88: G=88: B=88 and Hatch: White (hatch = Diagonal 4) R=255: G=255 B=255
F.c.1	Minor roads	Solid Fill: Dark Grey R=88: G=88: B=88 and Hatch: White (hatch = Grid 2) R=255: G=255 B=255
F.d.1	Public Streets	Solid Fill: Grey R=176: G=176: B=176
F.d.2	Public Parking	Solid Fill: Grey R=176: G=176: B=176 and Hatch: Black (hatch = Diagonal 4) R=0: G=0: B=0
F.d.3	Private Road	Hatch: Grey (hatch = Brick Wall 1) R=176: G=176: B=176
F.e.1	Heavy Vehicle Overnight Facilities	Solid Fill: Dark Brown R=127: G=51: B=0
F.f.1	Railway facilities	Hatch: Dark Grey (hatch = Diagonal 2) R=88: G=88 B=88
F.g.1	Power lines	Hatch: Red (Hatch = Weave 1) R=255: G=0: B=0
F.h.1	Telecommunication- and data infrastructure	Hatch: Red (Hatch = Flexible) R=255: G=0: B=0
F.i.1	Renewable energy structures	Solid Fill: Turquoise R=51: G=204 B=204 and Hatch: Black (hatch = Diamond Chain Link) R=0: G=0 B=0
F.j.1	Dams, Reservoirs Water Treatment Plants and Pump Houses	Hatch: Turquoise (Hatch = Cork) R=51: G=204 B=204
F.l.1	Sewerage Plants and Refuse Areas	Hatch: Red (Hatch = Fill) R=255: G=0: B=0
G.a.1	Unspecified Zone	Hatch: Red (Hatch = Diagonal 4) R=255: G=0: B=0
G.a.2	Special Zone	Solid Fill: Purple R=128: G=0 B=128 and Hatch: White (hatch = Grid 3) R=255: G=255 B=255

Table 3: Zoning Categories - Colour notation on maps

