



**UMNGENI LAND USE SCHEME
SCHEME CLAUSES**

February 2024

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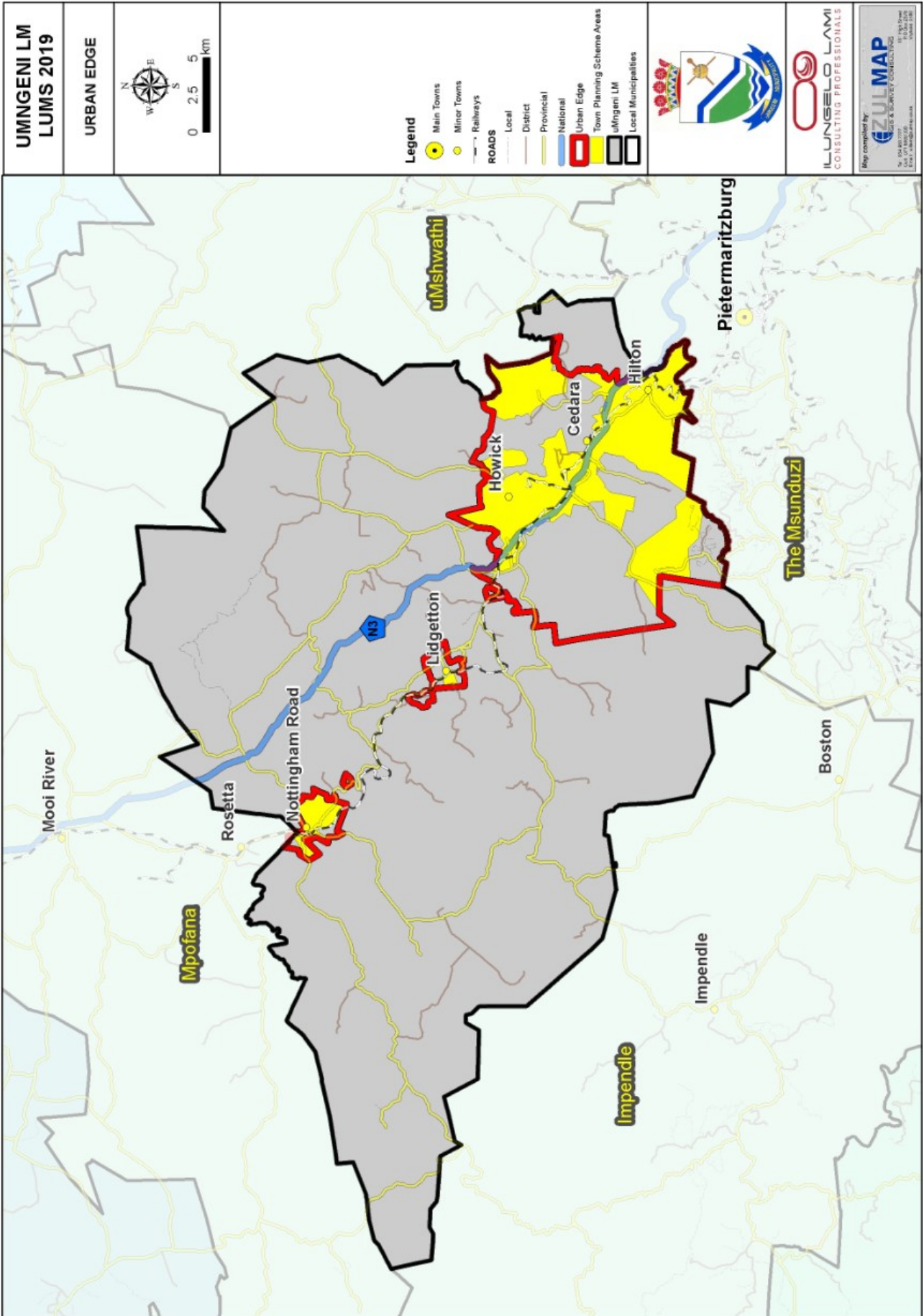
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Urban Scheme Maps

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PART I: GENERAL PROVISIONS

CHAPTER 1: BASIC PROVISIONS

1.1. TITLE

This Scheme shall be known as the uMngeni Local Municipality Land Use Scheme, hereinafter referred to as the Scheme.

1.2. PURPOSE

The purpose of this Scheme is to promote the co-ordinated and harmonious development of the uMngeni Local Municipal area in such a way as will most effectively promote health, safety, order, amenity convenience and general welfare, as well as efficiency and economy in the process of development, and the improvement of communications. In furtherance of this purpose, the uMngeni Local Municipality desires to achieve a pattern and distribution of land uses which generally:

- 1.2.1. Regulate land use and promote orderly development in accordance with the Municipality's Integrated Development Plan (IDP) and Spatial Development Framework (SDF). The uMngeni Spatial Planning and Land Use Management By-Law (hereinafter referred to as the By-Laws), which came into effect on 15 January 2016, and as subsequently amended, provide the authority for the Municipality to adopt, enforce and carry into effect the provisions of the Scheme.
- 1.2.2. Enhance established residential neighbourhoods, commercial and industrial districts; and provide opportunity for the provision of open space and community facilities.
- 1.2.3. Allow for flexibility and the introduction of compatible uses in residential neighbourhoods. This could be linked to the promotion of tourism in the sub-region by the development of appropriate tourist accommodation.
- 1.2.4. Allow for flexibility in the mixed use zones by permitting a combination of service and light industrial uses, commercial uses and residential uses. This would serve to diversify the local economy and allow flexibility in the establishment of business, retail and wholesale trade.
- 1.2.5. Establish uMngeni as an area with varied opportunities and activities, a stable environment for residence and commercial enterprises, expansion of the job market and enhancement of tourism and the environment
- 1.2.6. To incorporate the strategic plans, policies and mechanisms from various sector departments in the Municipal LUMS e.g. Environmental Affairs (EDTEA), Department of Agriculture, Forestry and Fisheries (DAFF) and Department of Rural Development and Land Reform (DRDLR)
- 1.2.7. Protection of agricultural land with regards to the KwaZulu-Natal Agricultural Land Potential Categories.

1.3. SCHEME AREA

The area to which this Scheme applies consists of the area of land under the jurisdiction of the uMngeni Local Municipality (KZ222) as set out in Proclamation No 350 of 2000, as amended, as indicated on the Scheme map included herewith.

1.4. EFFECTIVE DATE OF THIS SCHEME

The effective date of the Scheme is the date whereby the Local Authority's decision to adopt a Singular Scheme for uMngeni comes into effect in terms of Chapter 5 of the Spatial Planning Land Use Management Act 13 of 2013 and Chapter 3 of the Bylaws.

In this case, the Scheme was adopted on the 28 September 2020 and came into effect on the 10 December 2020. This reviewed and updated Scheme came into effect on the 9 February 2024.

1.5. PLANNING AUTHORITY

The Municipal Planning Approval Authority, comprising the Municipal Planning Authorised Officer, the Municipal Planning Tribunal and the Municipal Council as defined in terms of Clause 4 of the By-Laws, shall be responsible for enforcing and carrying into effect the provisions of the Scheme.

1.6. SCHEME MAP

The Scheme Map comprises of various maps as indicated in the key maps UMG-U/10/2020 and UMG-R/10/2020.

1.7. AMENDMENT TO THE SCHEME

The Municipality shall comply with the provisions as set out in the Spatial Planning and Land Use Management Act, Act 16 of 2013 (SPLUMA) and the By-Law.

The effective date to any amendments to this Scheme is determined in Section 58 of the By-law.

1.8. APPEAL

Appeal procedures are laid down in Section 57 of the By-Law and Section 51 of the Act.

1.9. INSPECTION OF THE SCHEME

Access to the information held by the Municipality including the Land Use Scheme is dealt with in Chapter 11 of the By-law.

1.10. PROVISION, MAINTENANCE AND PROTECTION OF UTILITY FACILITIES

Major Infrastructure such as Sewerage Works, Reservoirs, Waterworks and Refuse Sites may be separately zoned. Any other Utility Facility such as a sewer, water pipelines, electricity substations, electricity power lines and telecommunication cables as well as the maintenance thereof, shall be regarded as a Permitted Use in all zones, provided that such uses should, where possible, be situated within Road Reserves or within Servitudes.

A Base Tele-communications Station shall be subject to approval in terms of a Consent application.

Development proposed in close proximity to Utility Facilities and roads shall take into account the building restrictions required by the service authorities.

1.11. ENVIRONMENTAL CONSIDERATION

The Environmental Controls will be applied to all relevant development applications in order to ensure that environmental considerations are taken into account from the outset of an application. This will assist in maintaining the environmental integrity of the Municipality. The Environmental Overlay Map identifies the areas regarded as environmentally sensitive and which therefore require specific attention.

1.12. THE GENERAL PURPOSE, CONTENT AND LEGAL EFFECT OF THE SCHEME

The purpose, content and legal effect of this Scheme is described in Sections 39; 40 and 41 of the By-law.

This Single Land Use Scheme has been prepared in terms of Chapter 5 of the Spatial Planning Land Use Management Act 16 of 2013 (SPLUMA) and Chapter 3 of the By-law. This Scheme replaces all previous Town Planning Schemes within the area to which it applies.

1.13. GUIDELINE DOCUMENTS RELATING TO APPLICATIONS IN TERMS OF THE BY-LAWS

Guidelines and Policies included as Annexures to the Scheme and Application Forms are available from the Municipality, and may be reviewed, amended and adopted independently of the Scheme.

PART 2: ERECTION AND USE OF BUILDINGS AND USE OF LAND

2.1 ERECTION OF BUILDINGS

No person shall erect, alter, or add to any building without applying to and obtaining the permission of the municipality.

2.2 BUILDING RESTRICTIONS AND THE USE OF LAND

The Types of Building and Land Uses shall be as defined in Part 1: General Provisions, Chapter 2: General Definitions and Types of Building and Land Use. The extent and location of the various zones shall be as set out on the adopted Scheme Map.

Any development shall be subject to the Municipality being satisfied with regards to the arrangement made for the disposal of sewerage and the provision of other services.

2.3 USE OF BUILDINGS AND LAND

2.3.1 The use of buildings and land is restricted by the provisions of the specified use zone in which the erf is situated, which stipulates that:

- a) The use is freely permitted. This category includes land uses that are considered to be compatible with the surrounding land uses. A written application and a building plan should be submitted to the municipality.
- b) The use is subject to Consent procedure. This category includes ancillary uses that might have a more intrusive impact and may require special conditions to protect the amenity of the area or mitigate the impact of the proposed use. This procedure involves public advertising, and the municipality may impose conditions in granting Consent.
- c) The use is prohibited. This category includes land uses which are considered to be incompatible with the surrounding land uses and which a municipality is precluded from considering. The use may only be considered if the scheme is amended in terms of Chapter 5, Section 28 of the Spatial Planning and Land Use Management Act (Act 16 of 2013).

2.3.2. The municipality may not consider an application related to the erection or use of a building or the development or use of land, which, under the provisions of the scheme, requires the municipality's Consent and/or amendment to the scheme, until the applicant has completed the requirements of Schedule 4 of The Bylaws.

2.3.3. When considering an application to erect or use a building or to develop or use land, the municipality may determine the position and number of vehicular and pedestrian access points and may, if it deems fit, prohibit pedestrian or vehicular access across any boundary or boundaries of an erf and require that a suitable fence or wall be erected to prevent such access.

In respect of erven fronting onto any Provincial Road, the municipality's approval of the position and number of vehicular and pedestrian access points will be subject to the prior permission of the Provincial Roads authority.

2.4 CONTROLS RELATING TO COVERAGE, FLOOR AREA AND HEIGHT

- 2.4.1 Unless specifically stated otherwise elsewhere in the Scheme, no building shall be erected, altered or extended so as to exceed:
- a) The coverage applicable to a building, as specified in the appropriate clause which is applicable to the use zone in which it is situated.
 - b) The floor area ratio applicable to a building, as specified in the appropriate clause which is applicable to the use zone in which it is situated.
 - c) The height stipulated for a building, as specified in the appropriate clause which is applicable to the use zone in which it is situated, and
 - d) The density specified in the appropriate clause which is applicable to the use zone in which the erf is situated.

Notwithstanding the requirements in respect of floor area and coverage, the council may in special circumstances authorise by special consent the erection of a building of a greater floor area and/or coverage, if it is satisfied that such greater bulk will not result in any significant detriment to the amenities of the area.

Notwithstanding the requirements in respect of height, the Municipality may authorise by special consent the erection of a building of a greater height, if it is satisfied that such greater height will not result in any significant detriment to the amenities of the area, that such greater height is reasonable having regard to the topography and/or the uniqueness of the site.

(See also definitions in Chapter 2)

2.5 MATTERS RELATED TO THE LAND USE SCHEME DEALT WITH IN THE BY-LAWS.

- 2.5.1 **Section 41** of the By-Laws sets out the legal effect of the land use scheme. In summary
- The Scheme applies to all land in the municipality and the owners of the land, including the municipality and the state.
 - Consent granted and the right to use land vests in the land and not a person, unless the Planning Authority has decided otherwise, and such right may not be alienated separately from the land to which it applies.
 - A use which was authorized before the date of the adoption of the Scheme, but which does not conform to the provisions of the Scheme may continue; provided that if such use is discontinued for an uninterrupted period of more than 12 months, such right falls away.
- 2.5.2 **Section 43** provides for the adoption of a land use scheme, and allows the municipality to adopt a scheme progressively or incrementally.
- 2.5.3 **Section 46** outlines activities for which municipal planning approval is required, and **Section 47** lists the activities for which planning approval is not required. These Sections should be read in conjunction with the Scheme.
- 2.5.4 Similarly, **Sections 48 and 49** deal with restrictive conditions of title that may and may not be removed in terms of the By-Laws.

- 2.5.5 **Sections 71 and 72** authorise the municipality to cancel, either partially or totally, any municipal planning approval after ten years if it has not been fully exercised.
- 2.5.6 **Section 87** sets out the activities and actions which constitute an offence in terms of the By-Laws and the penalties that may be imposed upon a successful conviction.
- 2.5.7 **Section 100** allows the lodging and approval of a subsequent application, and the levying of a civil penalty as a condition of such approval.
- 2.5.8 All application and appeal processes, public notice and matters that the Municipal Planning Approval Authority must consider when considering an application for municipal planning approval are all dealt with in the Schedules of the By-Laws.

CHAPTER 2: GENERAL DEFINITIONS AND TYPES OF BUILDING AND LAND USE

Please Note: Building shall mutatis mutandis include use of land.

In these Clauses, unless the context otherwise indicates any word shall, when used in the Scheme, have the same meaning as is assigned to it in the Act, Regulations and/or By-law or as commonly understood and defined in an English Language dictionary, otherwise it shall have the meaning assigned to it in these definitions:

3.1 GENERAL DEFINITIONS:

A

“Access” means safe, adequate, and usable ingress to or egress from a property or use.

“Act” means the Spatial Planning and Land Use Management Act (Act 16 of 2013).

“Agricultural Land” means land as defined in Section 1 of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970).

“Ancillary Use” means a use incidental to, or customarily associated with a lawful specific use located on the same erf/lot or subdivision.

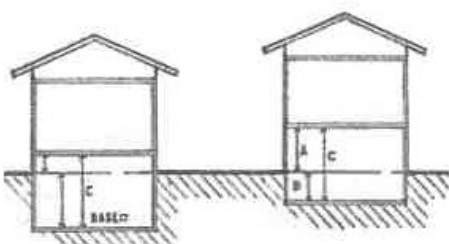
“Applicant” is as defined in Schedule 4 of the By-law.

“Approval” means the written approval of the Municipality in response to an application lodged in terms of this scheme.

B

“Balcony” means a floor projecting outside a building at a level higher than that of the ground floor, enclosed only by low walls or railings or by main containing walls of rooms abutting such projecting floor, and may include a roof, over such floor and any pillars supporting such roof.

“Basement” means the lowest part of any building, which part is constructed with more than 50% of its volume below the lower of either the mean finished ground level or the existing natural ground level immediately surrounding the building.



“Block of Flats” means a building containing more than three dwelling units together with such outbuildings as are ordinarily associated therewith; provided further that it is situated in those zones.

“Boundary” in relation to land, means a cadastral line registered with the Surveyor General, separating a land unit from another land unit or a street or one farm from another.

“Building” includes- (NBR Definition)

(a) Any structure, whether of a temporary or permanent nature and irrespective of the materials used in the erection thereof, erected or used for or in connection with-

- (i) The accommodation or convenience of human beings or animals;
- (ii) The manufacture, processing, storage, display or sale of any goods;
- (iii) The rendering of any service;
- (iv) The destruction or treatment of refuse or other waste materials;
- (v) The cultivation or growing of any plant or crop;

(b) Any wall, swimming bath, swimming pool, reservoir or bridge or any other structure connected
Therewith;

(c) Any fuel pump or any tank used in connection therewith;

(d) Any part of a building, including a building as defined in paragraph (a), (b) or (c);

(e) Any facilities or system, or part or portion thereof, within or outside but incidental to a building, for the provision of a water supply, drainage, sewerage, stormwater disposal, electricity supply or other similar service in respect of the building;

“Building line” means a line parallel to any property boundary, which defines a distance from a specified boundary, within which the erection of buildings or structures are completely or partially prohibited -

“By-law” is a regulation that enables the Municipality to give proper effect to the powers and duties conferred upon it in terms of section 11(3) (m) of the Municipal Systems Act No 32 of 2000, in the context of this Scheme it refers to the uMngeni Spatial Planning and Land Use Management Bylaw as contemplated in the Municipal Notice 4 of 2016 published in the Provincial Gazette of January 2016.

C

“Caravan” means any vehicle permanently fitted out for use by persons for living and sleeping purposes whether or not such vehicle is a trailer or motor driven “Camper Van”.

“Carport” means a building or structure with two open sides, covered by a roof, primarily used for the storage of motor vehicles.

“Common boundary” in relation to a land unit, means a boundary common with the adjoining land unit other than a street boundary.

“Common Land” means that portion of a Multi-Unit Development (MUD) site which is set aside for the use and enjoyment of all the occupants of the dwelling units on that site and from which the general public may be excluded.

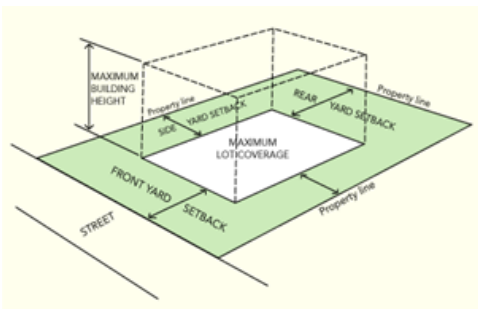
“Composite Building” means a building in which the ground floor is used exclusively for commercial purposes and the upper floors for residential purposes.

“Consent” means permission granted by the Municipal Planning Approval Authority, as mentioned in Section 40 of the SPLUMA By-Law, after due consideration of all relevant facts and lawful, reasonable and procedurally fair administrative action, in terms of which a specific type of land use or activity is permitted, in addition to the primary use right applicable to the land unit concerned.

“Court” Means an open, unoccupied space, on the same erf with a building and bounded on 2 or more sides by the walls of a building.

“Coverage” means the total area of a land unit that may be covered by buildings, expressed as a percentage of the net erf area of such land unit, and shall include all roofed areas; including verandas, balconies etc. the following are excluded in the calculation of coverage:

- cornices, chimney breasts, pergolas, flower boxes, water pipes, drainpipes and minor decorative features not projecting more than 500mm from the wall of the building; and
- Eaves not projecting more than 1,0m from the wall of the building.



$$\text{Coverage} = \frac{\text{area of buildings seen vertically from above}}{\text{Total area of property}} \times \frac{100}{1}$$

$$\text{Coverage} = \frac{220\text{m}^2 + 50\text{m}^2 + 30\text{m}^2}{900} \times \frac{100}{1}$$

$$\text{Coverage} = 33.3\%$$

“Common Land” means that portion of a multiple unit development site which is set aside for the use and enjoyment of all the occupants of the dwelling units on that site and from which the general public may be excluded.

“Curtilage” means an area of land attached to a dwelling unit developed as part of a sectional title scheme, which forms one enclosure with that unit – for example, a garden or a yard.

D

“Days” the number of days shall be calculated as set out in Chapter 12 of the By-law.

“Density” means the number of Chalets, Dwelling Units, Hotel Bedrooms and other residential uses permitted, which is determined, where applicable, the permitted density is expressed in terms of Dwelling Units per hectare.

“Detached” means any building or structure that does not have a wall or roof in common with any other building or structure.

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

“Duplex Flat” means a dwelling unit in a building and each such unit consisting of a ground floor and one upper floor connected by an internal staircase and having direct access to a private open area.

“Dwelling Unit Curtilage” Means a single defined area of land forming part of a Multi-Unit Development (MUD) site comprising the land upon which a dwelling is erected or is intended to be erected together with such private open areas and other areas as are reserved for the exclusive use of the occupants of the dwelling unit.

E

“Ecosystem Services” are direct and indirect benefits derived from the natural environment (ecological Infrastructure), and include production services such as food and oxygen, regulatory services such as flood attenuation and pollination, spiritual and knowledge services and space services, such as settlement areas and farmland.

“Ecotourism” refers to low impact tourism activities related to visiting of fragile, pristine, and usually environmentally sensitive areas.

“Environmental Impact Assessment (EIA)” means a written evaluation of the impact on the environment of an activity identified in terms of the National Environmental Management Act 107 of 1998, which contains the prescribed elements of such an assessment.

“Environmental Management Framework (EMF)” means an operational framework which organizes and coordinates environmental management requirements.

“Environmentally Sensitive Areas” means any area demarcated upon the overlay map whereby reasons of the topography, the unsuitability or instability of the soil or other like reasons, development or building may be prohibited, restricted, or permitted upon such conditions as may be specified having regard to the nature of the said area.

“Erf” or “Lot” means a piece of land:

- i. registered in the Deeds Office of the Surveyor General or any other registration office as an erf, stand or lot by means of a title deed or general plan; or
- ii. Indicated as an erf, stand or lot on an approved subdivision plan, which is approved by any authoritative body and includes a public open space,
- iii. A farm portion or part thereof.

Provided that where, as a provision of the Scheme, a proposed road or a change in zoning divides a registered subdivision into two or more portions, the term "Erf" shall apply to each of such portions as if they had been separately registered.

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

- i. encroachment on a certain portion of the erf used by the public as a street or portion of a street or is recognized by the Council as a street or is recognized by the Council as a street or portion of a street; or
- ii. has been demarcated for street purposes by any other act; or
- iii. has been expropriated by any other act.

“Existing building” and **“Existing development”** means a building or development lawfully erected before the date of adoption or a building erected in accordance with plans which were approved by the Municipality prior to that date.

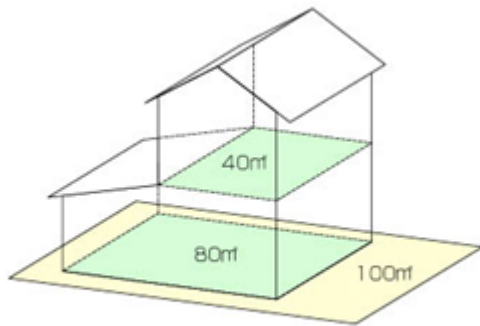
“Existing use” means, in relation to any building, work or land, a continuous use of that building, work or land for the purpose of the same or similar character to that for which it was lawfully used on the effective date or in the case of a newly erected building, erected before such date which has not been used before that date, a continuous use for any purpose for which it was designed, including in any case of a building or land permitted by the Council pending the preparation and approval of the Scheme; provided that: where, on the effective date, a person who was using any land for the purpose of mining, quarrying, the digging of clay, gravel or sand, or the deposit of waste material or refuse, or any other purpose of a similar nature, was entitled also to use neighbouring land shall be deemed to be an existing use.

E

“Family” Means a group of individuals not necessarily related by blood, marriage, adoption, or guardianship, living together in a dwelling unit as a single housekeeping unit.

“Flood line” means the 1:100 year flood line referred to in the National Water Act, 1995 (Act No. 92 of 1995) as amended, the maximum level likely to be reached on an average every 100 years by flood waters in any river, stream, or watercourse.

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



$$\text{FAR (120\%)} = \frac{\text{Floor area (40sqm + 80sqm)}}{\text{Land size (100sqm)}}$$

$$\begin{aligned} \text{FAR} &= \frac{40 + 80}{100} \\ &= 120 / 100 \\ &= 1.2 \end{aligned}$$

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

- i. any area, including a basement, which is reserved solely for parking, loading of vehicles, storage and other non-residential uses, shall be excluded;
- ii. external entrance steps, landings and any area required for external fire escapes shall be excluded;
- iii. a projection including a projection of eaves, and a projection which acts as a sunscreen or an architectural feature, which projection does not exceed 1,0 m beyond the exterior wall or similar support, shall be excluded;
- iv. any uncovered internal courtyard, light well or other uncovered shaft which has an area in excess of 10m² shall be excluded;
- v. external covered pedestrian walkways, shall be excluded;
- vi. any covered paved area outside and immediately adjoining a building at or below the ground floor level, where such paved area is part of a forecourt, yard, external courtyard, pedestrian walkway, parking area or vehicular access, and which is permanently open to the elements, shall be excluded;
- vii. any covered balcony or terrace which, apart from protective railings, is permanently open to the elements on at least the front or long side, and which does not exceed 2,5 m in width, shall be excluded;
- viii. subject to clause (ix), any stairs, stairwells and atriums that are covered by a roof shall be included;
- ix. in the case of multi-storey buildings, any stairwells, light wells or other wells, and any atrium, shall only be counted once; and provided further that: the floor space shall be measured from the outer face of the exterior walls or similar supports of such building, and where the building consists of more than

one story, the total floor space shall be the sum of the floor space of all the storeys, including that of basements.

“Frontage” is the length of the boundary of a lot which is coincident with the boundary of an existing or proposed street.

G

“Garage” means a building for the parking of motor vehicles and includes a carport but does not include a motor garage or petrol filling station.

H

“Habitable room” Means a room designed or used for human habitation in accordance with standards prescribed by the by-laws but excludes a storeroom.

“Harvesting of Medicinal Plants” means the harvesting and collection of natural grasses and medicinal plants for traditional practices and may require permits from the relevant authority.

“Height” of a building means a vertical dimension of the building from the height of natural ground level to the highest point of the building, measured in meters or in number of storeys; provided that:

- i. the height of restriction which refers to storeys does not apply to roofs, domes, chimneys, flues, masts and antennae; and
- ii. elevator motor rooms, satellite dishes, ventilation shafts, water tanks, air conditioning plant and equipment on top of a building, shall not be deemed to constitute a storey, unless enclosed within the roof or hidden behind parapet walls not exceeding 2 m in height, in which case they shall be deemed to form part of the top storey.

“Heritage resource” means any place or object of cultural significance as determined in the National Heritage Resource Act 25 of 1999.

“Home Owner Association” means a company registered as a non-profit company in terms of The Companies Act 71 of 2008, membership of which shall be exclusive to and compulsory for the freehold or registered leasehold owners of dwelling unit cartilages in a Multi-Unit Development (MUD) site.

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

J

“Municipal Planning Tribunal” Means A Municipal Planning Tribunal established in terms of Section 35 of the Spatial planning and Land Use Management Act, 2013 read with Section 9 of the uMngeni Spatial Planning and Land Use Management By-law, 2016.

L

“Land use right” means the right to utilise or improve land in accordance with the zoning thereof, the consent use granted, or condition of approval imposed and where applicable, in accordance with a site development plan.

“Liquor Act” means the National Liquor Act 27 of 1989.

“Listed building” means all buildings older than 60 years and places protected in terms of the Heritage Resource Act 25 of 1999 and listed in a register, including the following:

- National monuments, including provisionally declared monuments; and
- Any historical places (e.g. a building or part of a building, market, millstone, grave stone, landmark or site of a human settlement).

M

“Management Plan” means a document required in terms of the National Environmental Management: Protected Areas Act (Act 57 of 2003) which describes the methods of environmental management of a protected Area.

“Municipal Council” means a Municipal Council referred to in section 157 of the Constitution;

“Municipality” means the municipality as envisaged in section 155(1) of the Constitution, and for the purposes of this Scheme includes a municipal department, the Municipal Council and the municipal manager, where the context so requires;

“Municipal area” means the area of jurisdiction of a municipality in terms of the Local Government: Municipal Demarcation Act, 1998 (Act No. 27 of 1998).

“Municipal Planning Approval Authority” means the Municipal Planning Approval Authority contemplated in Section 4 of uMngeni SPLUMA By-Law.

“Municipal purposes” means such purposes as the local authority may be authorized to carry out in terms of the Local Government Transitional Act 209 of 1993.

N

“Natural level of the ground” means:

- i. The level of the natural surface of a land unit in its unmodified state.

“Net density” means the density of a specified area, calculated by deducting land set aside for public purposes and other ancillary uses, from the total area.

“Net Developable Area” Means the surveyed area of an erf less that area which by virtue of soil instability, liability to flooding, inaccessibility of topography steep slopes or the existence of an environmentally sensitive area, renders such area in the opinion of the Municipality as being undevelopable. In addition, the area of a site or erf, less the area of any public right of way, road servitude, new road reservation or road widening reservation to which the lot may be subject but shall include any registered servitude for overhead or underground services. In the determination of minimum lot areas, the Net Erf Area is to be used. In the case of “hatchet-shaped” or “panhandle” lots, the Net Erf Areas shall also exclude the area of any access way (see also Erf).

“Non-conforming existing use” means any lawfully existing use of a land unit as at the implementation date, which does not conform to the current development parameters applicable to such a land unit, or the provisions of this Scheme.

O

“Occupant” in relation to any building, structure, or land, includes any person occupying such building, structure or land or legally entitled to occupy it or anybody having the charge or management thereof.

“Outbuilding” means a building, or portion of a building used, constructed, designed, or adapted for use as a storeroom, a workshop, the garaging for motor vehicles, or any other use which is deemed by the Municipality to be an outbuilding use.

“Overlay” means a category of informants applicable to a particular area or land unit, which:

- i. stipulates development rules for a land unit or area, in addition to the underlying zoning or base zone requirement; and
- ii. may include provisions relating to consent use limitations, subdivision, urban renewal, environmental protection, or any other purpose, as set out in this zoning scheme; and
- iii. may include further development rules in a particular area or zone which may be more or less restrictive than for the land units which are not covered by the overlay;

“Owner” means –

(a) the person in whose name land is registered in the deeds registry for KwaZulu-Natal;

(b) the beneficial holder of a real right in land;

(c) the person in whom land vests;

P

“Panhandle” means the access portion of a property to the street by means of an access strip.

“Parking bay” means an area measuring not less than 5,0 m x 2,5 m for perpendicular or angled parking and 6,0 m x 2,5 m for parallel parking, which is clearly outlined and demarcated for the parking of one motor vehicle and which is accessible to the satisfaction of the Council;

“Patio” means a paved roofless area adjoining and belonging to a building or an inner court open to the sky.

“Permitted Use” means any building or land use allowed in a land use zone and subject to the provisions applicable to that zone as contemplated in this Scheme.

“Policy” means a non-regulatory directive adopted by Council with the purpose of achieving a desired land development objective and may be updated, amended and adopted independently of the Scheme.

R

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

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

“Residential Density” Means the number of permitted dwelling units, determined by dividing the surveyed area of the erf, (excluding the area of an access way on a “hatchet -shaped” lot), by the minimum erf size applicable to the zone in which the erf is situated, and adjusting this figure to the nearest whole number. The permitted density may be expressed in terms of dwelling units per hectare.

“Road” includes the whole or part of any street, road, bridge, subway, lane, sanitary lane, servitude or thoroughfare shown on the general plan of the township for public use, or in respect whereof the public through long usage or otherwise has obtained a right of way.

“Road Reserve” means the cadastral boundaries reserved for road purposes, which may or may not contain a tarred/paved/gravel public or private road including ancillary uses such as pedestrian paths, cycle lanes, sidewalks etc.

S

“Semi-detached Unit” means a building comprising two dwelling units contained in one building, each provided with a separate entrance with a mutual wall and on separate stands.

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

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

“Side boundary” is any boundary of a lot which meets a street boundary and any other boundary and which is neither a street boundary nor a rear boundary.

“Site development plan” means a scale and dimensioned plan which shows details of proposed development and may include the following:

- i. existing bio-physical characteristics of the property,
- ii. existing and proposed cadastral boundaries
- iii. the layout of the property indicating the use of different portions of the property;
- iv. the position, use and extent of buildings;
- v. sketch plans and elevations of proposed structures including information about their external appearance;
- vi. cross section of the site and buildings on site;
- vii. the alignment and general specification of vehicle access, roads, parking areas and pedestrian footpaths;
- viii. the position and extent of private, public and communal space;
- ix. typical details of fencing or walls around the perimeter of the land unit and within the property;
- x. electricity supply and external lighting proposals;
- xi. provisions for the disposal of storm water, sewage and refuse;
- xii. water supply;
- xiii. external signage details;
- xiv. general landscaping proposals including vegetation to be preserved, vegetation to be removed, vegetation to be planted, external paving, and measures for stabilizing outdoor areas where applicable;
- xv. the phasing of the development;
- xvi. the proposed development in relation to existing and finished ground levels, including excavation, cut and fill;
- xvii. statistical information about the extent of the proposed development, floor area allocations and parking supply; and
- xviii. Any other details as may reasonably be required by the Council.

“Special Landscapes” means landscapes that are important for their natural beauty or vistas or cultural, historical or geological features.

“Storey” Is a room or set of rooms at one level, including any room, the floor of which is split in two or more levels, and shall have the following implications:

- a. Basement shall not count as a storey provided it is used for the purpose of parking vehicles, service installations or storage, and not for residential purposes, or as a shop, factory or work place.
- b. The ground floor may be on several levels.
- c. A pitched roof containing a habitable room and any other type or style of roof which contains or supports any rooms, structures or features over and above those mentioned in paragraph (e) below and which the Municipality considers to be habitable shall count as a storey.

- d. A storey shall not be higher than 4,5 metres. If a storey is higher than this, each 4,5 metres or part thereof shall count as a storey. For commercial and industrial buildings a storey shall not be higher than 6m.
- e. Lift, meter and similar rooms and architectural features which are in proportion to the building do not constitute a storey.

T

“Terrace House” Means a dwelling unit in a building comprising three or more dwelling units, each having a separate entrance on the ground floor with direct access to a private open space area or areas

“Temporary Use, Building or Structure” Means a use, building or structure established for a specified period of time, with the intent to discontinue such use, building or structure at the end of the designated time period.

“Transient” Means a continuous period of 2 weeks or less.

U

“Utility area” means the outdoor private area adjacent to or associated with the kitchen side of a Multi-Unit Development (MUD) unit, the screening of which shall be to the satisfaction of the Local Authority and which includes patios, verandas and drying area.

V

“Veranda” means a covered area (not being an area which is part of a yard or a parking area) or projecting floor outside and immediately adjoining a building at or below the level of the ground floor thereof and includes both such area or floor and the roof or other feature covering it, as well as any low walls or railings enclosing such paved area or floor.

W

“Watercourse” Means:

- a) a river or spring;
- b) a natural channel in which water flows regularly or intermittently
- c) a wetland, lake or dam into which water flows: and
- d) any collection of water which the Minister may, by notice in the gazette declare to be a watercourse, and a reference to a watercourse includes, where relevant, its bed and banks. (Source: National Water Act (No. 36 of 1998), as amended)

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

(Source: National Water Act (No. 36 of 1998), as amended)

Z

“Zone” means that portion of the area shown on the Scheme Map, by distinctive colouring or edging or in some other distinctive manner, for the purpose of indicating the restrictions imposed by this Scheme on the erection and use of buildings or structures, or the use of land.

3.2 LAND USE DEFINITIONS AND TERMINOLOGY

NOTE: In terms of the definitions detailed below, in the approval of any land use, the Municipality may stipulate any condition it considers necessary to protect the amenity of the area, including those such as: maximum size; circumstances for the operation of an activity; maximum number of vehicles permitted on any premises; number of formal parking bays required; maximum number of employees; number of children to be cared for (crèche); maximum noise level; hours of operation; maximum number of rooms to be let; maximum number of guests; whether the owner is required to be resident on the property; control of signage, and so on.

(Note: Building shall mutatis mutandis include use of land)

Unless the context of this Scheme clearly indicates to the contrary, the following building types and land use types have the meaning and interpretation given below:

A

1. **“Abattoir”** a place where livestock and poultry are slaughtered and prepared for distribution.
2. **“Additional Dwelling”** means a self-contained dwelling unit of unlimited size, which may be attached to, or detached from, the principal dwelling with no means of internal access to the principal residence. A second dwelling unit is typically a fully independent residence and may include bathing facilities and/or a kitchen. Other than in the case of an existing building, it shall be architecturally compatible in both style and finish with the main building.

The following provisions apply:

- a) it shall be ancillary to the main dwelling unit, and the initial dwelling unit shall remain the primary use;
- b) only one additional self-contained residential unit be permitted per erf;
3. **“Administration Office”** means an office building used for any central, provincial or municipal purpose, and includes an administrative office, municipal office, town hall, government office, public library, public art gallery, public museum, court house and buildings ordinarily ancillary thereto.
4. **“Administrative/Community”** means the use of land for administrative, community or other institutional purposes to serve the local community and may include service industry and small-scale shopping and offices.
5. **“Agricultural Buildings”** are structures designed for farming and agricultural practices, including but not limited to growing and harvesting of crops and raising livestock and small animals. Such buildings inter alia include, but are not limited to the following: Barns, greenhouses, storage buildings for farm equipment, animal supplies or feed, storage buildings for equipment used to implement farming and/or agricultural practices, Storage buildings for crops grown and raised on site (cold storage), Horticultural nursery.
6. **“Agri-Industry”** means buildings used for the intensive production in any form whatsoever, of poultry, game birds, livestock, vegetables, fruit and allied products; on or close to the land unit where these agricultural products are grown and where processing in such proximity is necessary due to the nature, perishability and fragility of such agricultural products, and includes a winery and

distillery, cheese making industry, butcheries, feedlots, chicken hatcheries, but excludes an abattoir and a service trade.

7. **“Agricultural Land”** means arable, meadow, or pasture land (including farm dams), market gardens, poultry farm, Nursery, and may include a green house or hydroponics, horticulture, permaculture, orchards, and land used for the purpose of breeding or keeping domestic animals, poultry or bees, and includes any buildings connected therewith, but excludes Agricultural Industry use and buildings, and buildings connected with the housing of cats and dogs.

The following provisions apply:

- a) Development requires no application but a building plan must be approved by the municipality prior to development.
 - b) Bona fide staff accommodation is a free entry use on agricultural land to a maximum of 10 85m² units.
8. **“Airfield”** means a defined area (including any buildings, installations and equipment) intended to be used either wholly or in part for the arrival, departure, and movement of aircraft, and may be equipped with hangars, facilities for refuelling, maintenance and repair and buildings for the accommodation of passengers and staff.
9. **“Arts and Craft Workshop”** mean a building wherein the primary purpose is the selling of goods or services and where the processes are operated specifically in conjunction with a shop or office to which the public, as customers, have access. This includes such uses as, inter alia, graphic arts, textile design, weaving, pottery, furniture making, leatherwork, studios, creative fashion design, stained glass, and may include a printer. The processes carried on and the machinery installed shall be such that they will not cause a nuisance to other properties or be detrimental to the amenities of the other zones.

B

10. **“Bed and Breakfast”** means a dwelling house or additional dwelling in which the operator of the dwelling supplies lodging for compensation to transient guests on a daily or weekly basis, with or without meals and includes electronic means of rental such as air BNB.
11. **“Betting Depot”** refers to a building utilised for the purpose of betting on sporting events, in terms of Section 22 (1) and 28 (3) of the Horse Racing and Betting Control Consolidation Ordinance, 1957 (Ordinance No. 28 of 1957).
12. **“Bird Sanctuary”** means a place dedicated to the care, rehabilitation, protection and conservation of bird species, which includes breeding and research programmes, and may be open to the public for educational and recreational purposes.
13. **“Boarding House”** means a building where lodging is provided to no more than 15 lodgers, and may incorporate communal cooking, dining and bathroom facilities for the use of lodgers, together with such outbuildings as are normally used therewith; and includes a building in which rooms are rented for residential purposes, youth hostel, backpackers’ lodge, guest house and residential club; but does not include a hotel, dwelling house, second dwelling or group house;
14. **“Builder’s Yard”** means a land unit, which is used for the storage or sale of building material and equipment,

C

15. **“Carwash Facility”** means a building or structure equipped with mechanical or physical equipment for the purposes of washing motor vehicles, and may include a valet service.
16. **“Cemetery”** means land or premises ear-marked exclusively for the burial or depositing of human remains and may include buildings that are necessary for administration and clerical uses associated therewith, as well as a chapel, memorial wall for keeping of human ashes, whether for public or private utilisation, but does not include a crematorium.
17. **“Clinic”** means a facility providing medical, psychiatric, or surgical service for sick or injured persons, including emergency treatment, diagnostic services, and services to outpatients, employees, or visitors, and may include a day ward as well as staff residences.
18. **“Community Facility”** means premises used for cultural activities, social meetings, gatherings, non-residential clubs, gymnasiums, sport clubs or recreational or other activities where the primary aim is not profit seeking and excludes a place of amusement.
19. **“Community Garden”** in the context of this scheme relates to open areas on active open space, or any social facilities for the growing of vegetables in order to provide food to the community.
20. **“Conference Facility”** Means a building or group of buildings, including associated land, used for meetings, conferences, gatherings, commercial exhibition hall and related catering facilities.
21. **“Convenience Shop”** means a building or part of a building in connection with a fuelling and service station used primarily for the sale of convenience goods, and which use is subservient to that of a fuelling and service station on which site it is situated.
22. **“Conservation Area”** means land used for the conservation of:
- i. Areas deemed to be of scenic beauty;
 - ii. Habitats of indigenous flora or fauna; and
 - iii. Places of historic or scientific interest.
 - iv. The land is either owned or managed by the Municipality and accessible to the general public or owned and managed by a private person or other body and not accessible to the general public.
23. **“Cottages”** Means a building used for a group of residences, for the purpose of commercial rental. Each cottage must be a minimum of 12m² and must include an ensuite bathroom.
24. **“Crematorium”** means a place for incinerating corpses in a furnace, and includes associated facilities such as a chapel and offices

D

25. **“Day Care Centre”** Means a facility operated for the purpose of providing care, protection and guidance to children during only part of a 24-hour day. Day care centre includes crèches, nursery schools, pre-schools and extended pre-schools or school day care facilities, but excludes public and private education facilities or any facility offering care to individuals for a full 24-hour period.
26. **“Dwelling House”** Means a self-contained inter-leading group of rooms with not more than one kitchen, used only for the living accommodation and housing of one family, together with such

outbuildings as are ordinarily used therewith, but excludes a residential building and but shall not include a building which in the opinion of the Municipality is designed in such a way as to enable it to be utilised by two or more separate households.

E

27. **“Educational Building”** means premises used as a place of instruction [including a school, college, technical institute or similar institution] and may include any related uses, such as an academy, research laboratory, library, lecture hall, place of worship, art gallery, museum, an arts and crafts workshop or for other instruction, together with any associated land or buildings, and includes a hostel but does not include a reformatory or a school for the mentally challenged.
28. **“Events Venue”** means a place used for the hosting of events such as weddings and with the necessary ancillary facilities required such as a chapel, kitchen, hall and restaurant, parking and ablution facilities but does not include accommodation for guests.
29. **“Extractive Industry”** means any operation or activity for the purpose of winning any material on, in or under the earth, water or any residue deposit, whether by underground or open working or otherwise, and includes any operation or activity incidental thereto. [Mineral and Petroleum Resources Development Act, Act No. 28 of 2002].

F

30. **“Farm Stall”** means a building or structure, including storage facilities, that shall not exceed a total floor area of 80m² where the owner sells products produced and processed on the farm whether to his employees or to the general public and includes produces such as Fruits, Vegetables, Preservatives, Biltong, etc.
31. **“Funeral Parlour”** means premises used to prepare and store bodies (human corpses) prior to burial or cremation, and may include a place of worship specifically set aside for funeral services, a shop intended primarily for the sale and display of those commodities required for cemetery purposes, funerals and services ordinarily ancillary to funeral management; a workshop for the manufacture of coffins and funeral furniture; but which does not include a monumental mason and crematorium.
32. **“Fuel Depot”** A facility where petroleum and petroleum related products are stored for own use or use by a client. No fuel retail activities are permitted to take place on site and commercial activities are limited to that described as “wholesale” in the Petroleum Amended Act No. 58 of 2003.

Ancillary uses may include a canteen, kiosk, ablution facilities, storage area, wash bay and any other use that Council may at its discretion deem an ancillary use.

G

33. **“Game Reserve”** means land that is specifically reserved for the breeding and keeping of game, together with buildings which are ordinarily used therewith. It may or may not be accessible to the public.
34. **“General Industry”** means uses normally or otherwise reasonably associated with the use of land for the manufacture, altering, repairing assembling or processing of product, or the dismantling or

breaking up of a product, or the processing of raw materials, including a noxious activity and activities with a potentially high impact in terms of noise, vibration, emissions, and traffic.

35. **“General Office”** means a building or portion of a building that is used as an office for business, professional, or administrative purposes and may include a medical profession.
36. **“Guest House”** means a converted dwelling house or second dwelling with more than 3 bedrooms which is used for the purpose of supplying temporary residential accommodation to transient guests for compensation, in an establishment which exceeds the restrictions of a bed and breakfast establishment, offering the resident guest the exclusive use of facilities, including accommodation, breakfast, lunch and dinner by prior arrangement, and is managed by the owner. Refer to Chapter 13.9

H

37. **“Home Activity”** means an activity or use established in, or in conjunction with a Dwelling Unit or a structure erected on the site of an existing Dwelling Unit which –
- a) Shall be restricted to one person who shall reside on the property.
 - b) Shall occupy a minor portion of the Dwelling Unit, or shall, in the case of any structure erected for the purpose of the activity, be deemed to be associated with the Dwelling Unit and shall be not larger than 5% of the erf area but shall not, in any event, exceed 40 m²
 - c) Shall not involve any industrial or workshop activity;
 - d) Shall not generate traffic sufficient to warrant the provision of additional parking;
 - e) Shall not include the storage or display of any goods or items associated with the activity, nor the direct sale of goods or items from the site;
 - f) Shall not involve the exhibition on the property of any notice or sign, nor the quoting of the residential address in any advertisement of the activity;
 - g) Shall, in the case of the keeping of livestock, be subject to the requirements of the Health Bylaws.
38. **“Home Business”** means the conducting of an occupational activity in, or in conjunction with, a dwelling unit, ancillary unit, or a structure on the residential property, by the bona fide residential occupant of that property, provided that the Home Business shall comply with the conditions as set out in Chapter 13.10.
39. **“Hospital”** means an institution providing health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury and deformity and including as an integral part of the institution, related facilities, such as laboratories, mortuary, outpatient facilities, training facilities, medical offices, and staff residences, and may include for those purposes those activities normally associated therewith.

I

40. **“Industrial Purposes”** Means purposes normally or otherwise reasonably associated with the use of land primarily for the manufacture, altering, repairing, assembling or processing of a product, or the dismantling or breaking up of a product, or the processing of raw materials including a noxious activity (*Source: Schedule 2 Spatial Planning and Land Use Management Act*). See also Building and Land Use Definitions of Service, Light, General, Extractive and Noxious Buildings.
41. **“Informal Trade Areas”** means an area in which any economic activity on a small scale is permitted provided each undertaking does not occupy a defined space greater than 20m². Provided further that, notwithstanding anything stated to the contrary in these clauses, no specific provision shall apply to such area, unless considered necessary and so specified by Council.
42. **“Institution”** means a building, or a portion of a building used, or designed for use, as an institution including the administration thereof, and a building designed for use as a home for the aged or physically disabled people, nursing home, sanatorium, convalescence home, orphanage, crisis centre, halfway house, place of safety or other building used as a public or private institution, but does not include a restricted building.

K

43. **“Kennel/Cattery”** The boarding, breeding, raising, grooming or training of two or more dogs, cats or other household pets of any age for commercial gain.

L

44. **“Landfill Site”** means an area set aside by the local authority for the dumping of refuse subject to such conditions as may be required by a relevant authority and environmental legislation and can include associated offices as well as recycling facilities.
45. **“Light Industry”** means an industry whereby the processes carried on or the machinery installed are such as can be carried out without causing nuisance to other properties within such zone or to the general public, or without detriment to the amenities of other use zones, by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust, grit, traffic generation, size or other causes. In this zone no solid fuels may be used in connection with the processes.

M

46. **“Medical Offices”** means a building designed for the use as consulting rooms or offices for medical purposes that is used by a medical doctor, sangoma, herbalist, physiotherapist, homeopath, optometrist or any other similar medical related use that serves the purpose of consultation but excludes a clinic or any other medical use that provides overnight accommodation for patients. This use will only be valid on a residential erf where such person also resides on the erf.
47. **“Mortuary”** A Building or part thereof where corpses are stored, exposed for identification and/or autopsies are performed.
48. **“Motor Garage”** means a building used for the servicing, repair, storage, display, sale, spray painting, overhauling and testing of engines, rebuilding of engines, fuelling or washing and cleaning of vehicles

together with facilities connected with these activities including the storage and sale of fuel, lubricants, motor spares and accessories, tourist maps, display and sale of vehicles, brochures and including an office, storeroom, workshop, grease-pit and machinery; provided that panel beating may be included by special consent.

49. **“Motor Vehicle Show-Room” (Or Sales Area)** Means buildings or an open area used for the display, sale and/or rental of new or used motor vehicles. It may also include for the servicing of motor vehicles, provided that this activity shall be within a building designed for that purpose.
50. **“Multi-Unit Development (MUD)”** means a defined area of land upon which Multi-Unit Development (MUD) established or is proposed to be established, a group of two or more attached and/or detached dwelling units, together with such outbuildings as are ordinarily ancillary thereto, with each dwelling unit having direct access to a private open area and access to common land, the whole development having been designed as a harmonious entity. such development may include storage facilities for use by the occupants.

N

51. **“Nature and Resource Conservation”** Means the long term management, including the associated environmental education opportunities, of natural resources such as bio-diversity resources and sites of social, cultural, spiritual, archaeological, paleontological, geological or scenic value, in order to ensure their continued existence in an acceptable condition, whether or not utilisation, active or passive, is taking place.
52. **“Nature Reserve”** means an area of land that is protected and managed in order to preserve a particular type of habitat and its flora and fauna which are often rare or endangered.
53. **“Noxious Industry”** means any industry or trade that by reason of fumes, gases, vapours, dust, smell, noise, vibration, or other causes, is deemed by the municipality to be likely to become dangerous or harmful to the health, welfare and amenity of the general public. Uses include those that are set out in Schedule A of the Offensive Trade Regulations of Natal made under Section 138 of the Public Health Act No. 36 of 1919 and published in Government Notice 1047 on the 25th June 1924 or any superseding legislation, such as:
- i. the drying or boiling of bones and blood, the sterilizing of animal-hair, the manufacturing of glue or gum, the broiling of fat or melting of fat or talc, or the grinding of any other components of animals;
 - ii. the scraping, cleaning or cooking of tripe or intestines;
 - iii. the burning of charcoal, coke breeze or lime;
 - iv. the slating, braying, tanning or taxidermy of hides and skins;
 - v. the manufacturing of malt;
 - vi. the manufacturing of soap and candles;
 - vii. the manufacturing of any type of bricks or castings, where sand, stone or cement forms part thereof;
 - viii. the manufacturing of yeast;
 - ix. the manufacturing of flakes or down; and

- x. The keeping of poultry older than three weeks and as determined by the local authority, with the provision that the local authority can give permission to keep poultry.

54. **“Nursery”** means land used for the cultivation of plants and trees, as a business enterprise, whether or not they are sold on the premises and includes the sale of allied products or items related to gardening and may include a tea garden and restaurant where tea and other refreshments are sold to the public.

O

55. **“Office Building”** Means a building or part of a building used as an office and includes: a bank, building society, insurance office, post office, estate agent and other professional suites, but does not include a public administration office.

56. **“Overnight Accommodation”** means a building where lodging is provided, and may incorporate cooking, dining and communal facilities for the use of lodgers, together with such outbuildings as are normally used therewith; and includes a building in which rooms are rented for temporary accommodation .

P

57. **“Parking Garage”** Means a building used or land used for the provision of parking of motor vehicles, not related to the parking requirements or provisions of the scheme for another building or site or part thereof.

58. **“Passive Recreation Areas”** means any open public space concurrently used for another intermittent use/purpose such as drainage, water retention etc. and refers to non-consumptive uses such as wildlife observation, walking, biking, and canoeing.

59. **“Petrol Filling Station”** A building or part of a building used or designed for the sale of petroleum, oil, and other fuels and lubricants and accessories used in connection with motor vehicles, and includes an office and storeroom for use in connection therewith, together with facilities for the servicing and maintenance of motor vehicles, and may also include a Convenience Shop and caretakers flat, but shall not include panel beating, spray painting, or the carrying out of vehicle body repairs of a major nature to the engine or transmission system of motor vehicles. It includes electric vehicle charging stations to recharge electric motor vehicles.

60. **“Place of Public Entertainment”** means a place used predominantly for commercial entertainment which may attract relatively large numbers of people, operate outside normal business hours or generate noise from music or revelry on a regular basis.

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

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

63. **“Private Parking”** means a site or building or part of a building, which is used for parking purposes under the control of a private individual or agency.
64. **“Public Open Space”** means land which falls under, or is intended to come under, the ownership of the Council, which is not leased or intended to be leased on a long-term basis and which is utilised or will be utilized as an open space, park garden, botanical garden, picnic area, playground or square, and includes a public place.

Q

R

65. **“Railway Purposes”** means land or buildings used for the purposes of transportation of goods and passengers via rail and may include railway routes, facilities to park, maintain and manoeuvre railway vehicles and shunting/marshalling yards, and may include a Railway Terminal.
66. **“Recreation Area”** means a sport ground, playing field or other open space of a club, firm, private person or other body, including buildings normally ancillary to recreational activities.
67. **“Recreational Building”** means a clubhouse, arena, sports centre, gymnasium, squash court, pavilion, change room, stadium, and any similar facility used in conjunction with a sport or recreational activity. A clubhouse may include dining facilities and lounges, and may include an open space or reserve which the public has a right to use and enjoy, and includes any ancillary facilities but which does not fall under the definition of “nature area”, “open space”, “resort” or “sports ground”, and includes a squash court or other indoor sports centre, theatre, cinema, amusement park, skating rink or discotheque.
68. **“Recycling Depot”** Means an area of land, with or without buildings which is licensed under relevant legislation, where used material are separated and processed for shipment and for eventual re-use in new products.
69. **“Residential Building”** means a building or portion of a building other than a dwelling house, duplex flat, semi-detached unit, terrace house or maisonette, bed and breakfast or guest house used for human habitation, together with such outbuildings as are ordinarily used therewith, and includes a block of flats, boarding-house, hotel, residential club or hostel.
70. **“Resort”** means a camping site, caravan park or number of units of accommodation, belonging to one owner, which is utilized only for short-term accommodation by holiday-makers, tourists, travellers or day-campers, and which comprises a single enterprise of which the individual sites or units, if any, are marketed only by means of short-term renting, time-sharing or block shares and may include ancillary facilities to resident guests only which are reasonably and ordinary related to resort s such as ablution facilities, tourist facilities, recreation facilities, sport facilities, lecture rooms, restaurants, conference facilities, spa / hydro and wellness centre.
71. **“Restaurant”** means a building or portion of a building used primarily for the preparation and sale of food, confectionery and/or beverages for consumption on the premises.
72. **“Restricted Building”** means a building used for such purposes as a clinic or hospital for infectious diseases, a jail, home, mental home or reformatory.

- 73. “Retirement village”** means a multi-unit residential complex with communal facilities that conforms to the following additional conditions:
- i. each dwelling unit may only be occupied by an elderly person or by a family of which at least one member is an elderly person;
 - ii. a range of care facilities and other recreational facilities will be provided to the satisfaction of the council; and
 - iii. Other land use restrictions than those applicable in the residential zone, as the case may be, may in respect of a retirement village be determined by the council.

S

- 74. “Scrap Yard”** means a building or land, which is used for one or more of the following purposes:
- i. the storing, stacking, depositing or collecting of junk or scrap material or articles of which the value depend entirely or partially on the material out of which they are manufactured whether or not intended for the purpose of disposal or recycling of such waste
 - ii. the dismantling or demolition of second-hand vehicles that have been written off or machines to recover components or material; and
 - iii. the storing or sale of second-hand pipes, poles, steel sections, wire, lumber, tyres, bricks, containers or other articles which are suitable to be left in the open without any serious damage being incurred.
- 75. “Service Industry”** means an enterprise which is:
- i. primarily involved in the rendering of a service for the local community such as the repair of household and electrical appliances or the supply of household services; and
 - ii. not likely to be a source of disturbance to surrounding properties; and
 - iii. employs at most 10 people;
 - iv. not liable, in the event of fire, to cause excessive combustion, give rise to poisonous fumes or cause explosions; and
 - v. includes a builder’s yard and allied trades, fitment centre for tyres, shocks or exhausts, and similar types of uses; but
 - vi. does not include an abattoir, brick-making site, sewerage works, service station or motor repair garage;
- 76. “Service Trade”** means an enterprise which is:
- vii. primarily involved in the rendering of a service for the local community such as the repair of household and electrical appliances or the supply of household services; and
 - viii. not likely to be a source of disturbance to surrounding properties; and
 - ix. employs at most 10 people;
 - x. not liable, in the event of fire, to cause excessive combustion, give rise to poisonous fumes or cause explosions; and
 - xi. includes a builder’s yard and allied trades, fitment centre for tyres, shocks or exhausts, and similar types of uses; but

xii. does not include an abattoir, brick-making site, sewerage works, service station or motor repair garage;

- 77. “Shop”** means a building or land used for any retail trade or business wherein the primary purpose is the selling of goods and appliances by retail, the conducting of a personal service, the reception of goods to be washed, cleaned, altered, dry cleaned or repaired. It includes a building used for the purpose of a hairdresser, showroom, auction mart or for the sale of food and drink for consumption off the premises (i.e. Fast-food restaurant) and includes ancillary buildings ordinarily incidental to the conduct of the retail business, but does not include an industrial building, petrol service station, It may include an area for the preparation and consumption of food and beverages on the premises, and where seating is provided for patrons. It may include a drive-through restaurant.
- 78. “Small-Scale Tourism Development”** means development of a small scale tourism facility such as chalet complex, small hotel, and conference facilities, camping and caravan facilities, and cottage industries and art and craft outlets.
- 79. “Special Industrial Building”** Means noxious industrial premises that by reason of fumes, gases, vapours, dust, smell, noise, vibration, or other causes, is deemed by the municipality to be likely to become dangerous or harmful to the health, welfare and amenity of the general public such as, but not limited to, smelting ores and minerals, works for the production of sulphur dyes, the processing of hides and skins or the sintering of sulphur-bearing minerals (Source: KwaZulu-Natal Land Use Management System Guidelines 2011, Appendix C Industry-Noxious Definition).

I

- 80. “Telecommunication Infrastructure”** means, any part of the infrastructure of a telecommunication, and optical communications equipment provided by cellular network operators and any other telecommunication provider as well as all ancillary structures needed for the operation of Telecommunication Infrastructure but is not limited to, any one or more of the following:
- i. antenna support structure including any solid or lattice structure, mast pole, monopole, guyed tower, lattice tower, freestanding tower or other structure designed and primarily used to support antenna;
 - ii. antenna structure including any system of wires, poles, rods or similar devices, used for the transmission or reception of electromagnetic waves, attached to a building or a mast, and includes cabling between the equipment room and the antenna;
 - iii. base station site including the land, antenna support structure, and all associated infrastructure such as antenna, microwave dish, equipment room and access road;
 - iv. equipment room including a structure to house cellular telecommunication equipment associated with an antenna support structure and/or antenna; which may be separated building used exclusively for the equipment, or a container, or a room or rooms within a building with another predominant use; and
 - v. Microwave dish including any device incorporating a reflective surfaced that is solid, open mesh, or bar configured that is the shape of a shallow dish, cone, horn or other, and is used to transmit and/or receive electromagnetic waves.

81. **“Transportation Terminal”** Means land, buildings, or part of a building used for the purpose of parking six or more buses or taxis, or as a public transport station and associated parking area. It includes a bus and taxi rank. For the purpose of this Scheme the term “Bus and Taxi” shall mean a vehicle used to transport people for financial gain and registered as such. Such facilities may include ancillary facilities such as informal trader stalls and public restroom facilities.
82. **“Truck Stop”** Truck stops are facilities used by truck drivers that are en-route for pickup or delivery of freight. Truck stops are used by truck drivers for rest and meals, truck refuelling, and light truck maintenance, if needed.
83. **“Tuck Shop”** means a small retail trade use of which the floor area does not exceed 100 m² including storage space. The operation of the tuck-shop shall comply with the conditions as set out in Chapter 13.11

U

84. **“Utilities Facility”** means land or buildings used for the accommodation and maintenance of plant, equipment, materials and horticultural requisites, and shall include buildings related to the supply of utility services such as water reservoirs, waterworks, sewage treatment plant, electrical substation, telecommunication infrastructure, renewable energy infrastructure and such other utilities as may be necessary for health, communication and sanitation.


V

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

W

86. **“Warehouse”** means a building used for storing goods, which are not dangerous or noxious, before distribution to retailers, but does not include a store for goods normally incidental to a shop, business premises or another building. It includes wholesale trade and may also include ancillary office accommodation, which is subsidiary to the main use, but excludes any retail trade on the property of such building, unless the special consent of the local authority has been given.
87. **“Workshop”** means a building or portion of a building in which any one or more of the activities referred to in sections (a) to (c) of the definition of “Industry” are conducted, but does not include a service station, noxious trade or any comprehensive repair work that may be regarded as a public nuisance by Council.

PART 3: LAND USE ZONES
CHAPTER 3: RESIDENTIAL ZONES

RESIDENTIAL ONLY DETACHED 1			
SCHEME NOTATION:		SCHEME INTENT:	
<p>Fill: </p> <p>Light orange R 255, G 223, B 127</p>	<p>To provide for the development of dwelling units individually located on erven of not less than 4 000m², or low-density housing estates by Consent on land parcels of 2 Hectares or more. This Zone applies to erven unsuitable for denser development due to environmental constraints or location on the outskirts.</p>		
FREELY PERMITTED	PERMITTED BY CONSENT	PERMITTED BY CONSENT BUT IF NEIGHBOURS CONSENT IS OBTAINED SPECIAL CONSENT MAY BE WAIVED	PROHIBITED USES
<p>Additional Dwelling Agricultural Use (restricted to that as defined under Home Business in Chapter 2 or as permitted in terms of Bylaws) Conservation Area Dwelling House Home Activity</p>	<p>Arts and Craft Workshop Boarding House Community Garden Day Care Centre Educational Building Guest House Institution Multi-Unit Development (MUD) Nursery Office Building (restricted to existing buildings footprint) Place of Public Assembly Place of Worship Recreation Area Recreational Building Residential Building Restaurant Telecommunication Infrastructure Utilities Facility</p>	<p>Agricultural Land Bed and Breakfast Home Business</p>	<p>All other uses not identified in this table</p>
MINIMUM ERF SIZE		4 000m ² 6 000m ² (MUD)	PARKING REQUIREMENTS
FRONT BUILDING LINE		7.5m	<p>1 garage or covered parking space for each Dwelling House. For every Dwelling Unit within the Multi-Unit Residential area, there shall be one garage or carport per Dwelling Unit plus one open or covered parking bay, of which at least one space for every 2 Dwelling Units shall be situated in areas easily accessible to visitors, provided the additional parking bays are not placed on the private open area. For non-residential uses, see Clause 14.4 for additional Parking requirements.</p>
SIDE AND REAR BUILDING LINES		4.5m	
MINIMUM FRONTAGE		40m	
DWELLING UNITS PER HECTARE		6	
FLOOR AREA RATIO (FAR)		0,20	
COVERAGE		20 %	
MAXIMUM HEIGHT IN STOREYS		2	
MINIMUM WIDTH OF ACCESS WAY		N/A	

RESIDENTIAL ONLY DETACHED 2			
<p>SCHEME NOTATION:</p> <p>Fill: </p> <p>R 255, G 255, B 115</p>	<p>SCHEME INTENT:</p> <p>To provide, preserve and use land or buildings for the development of dwelling units individually located on erven of not less than 1 500m² in extent, Multi-Unit Development (MUD) is permitted by Consent on erven of 3 000m² or more, dependent on adequate sewage disposal up to 8 units per hectare. A limited number of compatible ancillary uses are allowed which have a non-disruptive impact on neighbourhood amenity.</p>		
USE/BUILDING FREELY PERMITTED	PERMITTED BY CONSENT	PERMITTED BY CONSENT BUT IF NEIGHBOURS CONSENT IS OBTAINED SPECIAL CONSENT MAY BE WAIVED	PROHIBITED USES
<p>Additional Dwelling</p> <p>Agricultural Use (restricted to that as defined under Home Business in Chapter 2 or as permitted in terms of Bylaws)</p> <p>Conservation Area</p> <p>Dwelling House</p> <p>Home Activity</p>	<p>Arts and Craft Workshop</p> <p>Boarding House</p> <p>Community Garden</p> <p>Day Care Centre</p> <p>Educational Building</p> <p>Guest House</p> <p>Institution</p> <p>Multi-Unit Development (MUD)</p> <p>Nursery</p> <p>Place of Public Assembly</p> <p>Place of Worship</p> <p>Recreation Area</p> <p>Recreational Building</p> <p>Residential Building</p> <p>Restaurant</p> <p>Telecommunication</p> <p>Utilities Facility</p>	<p>Agricultural Land</p> <p>Bed and Breakfast</p> <p>Home Business</p>	<p>All other uses not identified in this table</p>
MINIMUM ERF SIZE		1 500m²	PARKING REQUIREMENTS
FRONT BUILDING LINE		5 m	<p>1 garage or parking space for each Dwelling House or Dwelling Unit.</p> <p>In addition, other uses (permitted with Special Consent) must provide a suitable area for visitors parking at the rate of 1 parking bay for every 2 dwelling units, and a loading and unloading area with suitable access to the satisfaction of the Municipality. For non-residential uses, see Clause 14.4 for additional Parking requirements.</p>
SIDE AND REAR BUILDING LINES		2m	
MINIMUM FRONTAGE		30m	
DWELLING UNITS PER HECTARE (Multi-Unit Development (MUD) Units)		12	
FLOOR AREA RATIO (FAR)		0.30	
COVERAGE		30%	
MAXIMUM HEIGHT IN STOREYS		2	
MINIMUM WIDTH OF ACCESS WAY		N/A	

RESIDENTIAL ONLY DETACHED 3			
SCHEME NOTATION: Fill: R 255, G 255, B 000		SCHEME INTENT: To provide, preserve and use land or buildings for single residential use in a form of a dwelling house and ancillary uses on erven not less than 900m ² . Protection of the quality and character of residential neighbourhood and the well-being of its residents limiting multiple uses of buildings to minimize adverse impact on the residential environment.	
FREELY PERMITTED	PERMITTED BY CONSENT	PERMITTED BY CONSENT BUT IF NEIGHBOURS CONSENT IS OBTAINED SPECIAL CONSENT MAY BE WAIVED	PROHIBITED USES
Additional Dwelling Agricultural Use (restricted to that as defined under Home Business in Chapter 2 or as permitted in terms of Bylaws). Dwelling House Home Activity	Arts and Craft Workshop Boarding House Community Garden Day Care Centre Educational Building Guest House Institution Multi-Unit Development (MUD) Nursery Place of Public Assembly Place of Worship Recreation Area Recreational Building Residential Building Telecommunication Infrastructure Restaurant Utilities facility	Agricultural Land Bed and Breakfast Home Business	All other uses not identified in this table
MINIMUM ERF SIZE	900m² 1000m² (MUD)	PARKING REQUIREMENTS	
FRONT BUILDING LINE	5m	1 garage or parking space for each Dwelling House or Dwelling Unit. In addition, other uses (permitted with Special Consent) must provide a suitable area for visitors parking at the rate of 1 parking bay for every 2 dwelling units, and a loading and unloading area with suitable access to the satisfaction of the Municipality. For non-residential uses, see Clause 14.4 for additional Parking requirements.	
SIDE AND REAR BUILDING LINES	2m		
MINIMUM FRONTAGE	18m		
DWELLING UNITS PER HECTARE (Multi-Unit Development (MUD) Units)	15		
FLOOR AREA RATIO (FAR)	0.5		
COVERAGE	30%		
MAXIMUM HEIGHT IN STOREYS	2		
MINIMUM WIDTH OF ACCESS WAY	4m		

ADDITIONAL CONTROLS:

1. Where the erf is used exclusively for Multi-Unit Development purposes the minimum erf area shall be 1800 m²

RESIDENTIAL ONLY DETACHED 4

SCHEME NOTATION:



Fill:


R 255, G 235, B 175

SCHEME INTENT:

To provide, preserve and use land or buildings for single residential use in a form of a dwelling house and ancillary uses on erven not less than 600m². Protection of the quality and character of residential neighbourhood and the well-being of its residents limiting multiple uses of buildings to minimize adverse impact on the residential environment.

FREELY PERMITTED	PERMITTED BY CONSENT	PERMITTED BY CONSENT BUT IF NEIGHBOURS CONSENT IS OBTAINED SPECIAL CONSENT MAY BE WAIVED	PROHIBITED USES
Additional Dwelling Agricultural Use (restricted to that as defined under Home Business in Chapter 2 or as permitted in terms of Bylaws). Dwelling House Home Activity	Arts and Craft Workshop Boarding House Community Garden Cottages Day Care Centre Educational Building Guest House Institution Multi-Unit Development (MUD) Nursery Place of Public Assembly Place of Worship Recreation Area Recreational Building Restaurant Tuck Shop Utilities Facility	Agricultural Land Bed and Breakfast Home Business	All other uses not identified in this table
MINIMUM ERF SIZE	600m² 1000m² (MUD)		PARKING REQUIREMENTS 1 garage or parking space for each Dwelling House or Dwelling Unit. In addition, other uses (permitted with Special Consent) must provide a suitable area for visitors parking at the rate of 1 parking bay for every 2 dwelling units, and a loading and unloading area with suitable access to the satisfaction of the Municipality. For non-residential uses, see Clause 14.4 for
FRONT BUILDING LINE	5m		
SIDE AND REAR BUILDING LINES	2m		
MINIMUM FRONTAGE	15 m		
DWELLING UNITS PER HECTARE (Multi-Unit Development (MUD) Units)	20		
FLOOR AREA RATIO (FAR)	0.60		
COVERAGE	40%		

MAXIMUM HEIGHT IN STOREYS	2	additional Parking requirements.
MINIMUM WIDTH OF ACCESS WAY	4m	
ADDITIONAL CONTROLS:		
1.Where the erf is used exclusively for Multi-Unit Development purposes the minimum erf area shall be 1000 m ²		

RESIDENTIAL ONLY DETACHED 5			
SCHEME NOTATION:  Fill: R 255, G 255, B 175	SCHEME INTENT: To provide, preserve and use land or buildings for single residential use in a form of a dwelling house and ancillary uses on erven not less than 300m ² . Protection of the quality and character of residential neighbourhood and the well-being of its residents limiting multiple uses of buildings to minimize adverse impact on the residential environment.		
FREELY PERMITTED	PERMITTED BY CONSENT	PERMITTED BY CONSENT BUT IF NEIGHBOURS CONSENT IS OBTAINED SPECIAL CONSENT MAY BE WAIVED	PROHIBITED USES
Additional Dwelling Agricultural Use (restricted to that as defined under Home Business in Chapter 2 or as permitted in terms of Bylaws). Dwelling House Home Activity	Arts and Craft Workshop Boarding House Carwash Facility Community Garden Day Care Centre Educational Building Guest House Institution Multi-Unit Development (MUD) Nursery Place of Public Assembly Place of Worship Recreation Area Recreational Building Restaurant Utilities Facility	Agricultural Land Bed and Breakfast Cottages Home Business Place of worship Tuck-shop	All other uses not identified in this table
MINIMUM ERF SIZE	300m²	PARKING REQUIREMENTS	
FRONT BUILDING LINE	3m	1 garage or parking space for each Dwelling House or Dwelling Unit. In addition, other uses (permitted with Special Consent) must provide a suitable area for visitors parking at the rate of 1 parking bay for every 2 dwelling units, and a loading and unloading area with suitable access to the satisfaction of the Municipality.	
SIDE AND REAR BUILDING LINES	1.5m		
MINIMUM FRONTAGE	12m		
DWELLING UNITS PER HECTARE	20		
FLOOR AREA RATIO (FAR)	0.8		
COVERAGE	60%		
MAXIMUM HEIGHT IN STOREYS	2		

MINIMUM WIDTH OF ACCESS WAY	3m	For non-residential uses, see Clause 14.4 for additional Parking requirements.
ADDITIONAL CONTROLS:		
<ol style="list-style-type: none"> 1. Where neighbours' written consent is obtained, the Consent procedure may be waived for all uses indicated as Permitted by Consent. 2. In the case of Residential Only Detached 5 erven situated within the St Johns Estate (Erven 3521-3648 and 3764-3841 Howick) these shall be subject to a maximum coverage of 75%, 0.75 FAR control and are not subject to building lines. 		

RESIDENTIAL ONLY MEDIUM DENSITY 1			
<p>SCHEME NOTATION:</p> <div style="border: 1px solid black; width: 100px; height: 30px; background-color: #f4a460; margin: 10px auto;"></div> <p>Fill: Pale Orange R 209, G 171, B 151</p>	<p>SCHEME INTENT:</p> <p>To provide, preserve and use land or buildings for the development of attached and detached dwelling units in a suburban setting developed as part of a planned residential development each unit being used for a single family. The minimum erf size is 1 800m², with a maximum of 15 units per hectare which can be increased to 20 units per hectare with waterborne sewer. Ancillary uses limited to non-disruptive businesses and activities which are local and neighbourhood-based is allowed.</p>		
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES	
Dwelling House Home Activity Multi-Unit Development (MUD)	Agricultural Land Arts and Craft Workshop Bed and Breakfast Boarding House Community Garden Conference Facility Day Care Centre Educational Building General Office Guest House Home Business Institution Nature Reserve Nursery Place of Worship Shop Sport Facility Telecommunication Infrastructure	Place of Public Assembly Recreation Area Recreational Building Residential Building Restaurant	All other uses not identified in this table
MINIMUM ERF SIZE	1 800m²	PARKING REQUIREMENTS	
FRONT BUILDING LINE	7.5m	1 garage or parking space for each Dwelling House or Dwelling Unit. In addition, other uses (permitted with Special Consent) must provide a suitable area for visitors parking at the rate of 1 parking bay for every 2 dwelling units, and a loading and unloading area with suitable access to the satisfaction of the Municipality. For non-residential uses, see Clause 14.4 for additional Parking requirements.	
SIDE AND REAR BUILDING LINES	4.5m		
MINIMUM FRONTAGE	18m		
DWELLING UNITS PER HECTARE (Multi-Unit Development (MUD))	15		
FLOOR AREA RATIO (FAR)	N/A		
COVERAGE	30%		
MAXIMUM HEIGHT IN STOREYS	3		
MINIMUM WIDTH OF ACCESS WAY	6m		
ADDITIONAL CONTROLS:			

1. Building Lines, Side and Rear space requirements do not apply to MUD dwelling unit curtilages.
2. Provision is to be made for landscaping and maintaining the grounds to the satisfaction of the Municipality, and not less than 25% of the site shall be set aside and maintained as a garden and play area, which must be kept free of parking space and driveways.
3. Where the erf is linked to the existing waterborne sewage disposal system density may be increased to 20 units per hectare.
4. Notwithstanding the above, In respect of Portion 87 (of2) of the Farm Stocklands and Oatlands No. 878 the maximum number of units that will be permitted shall be 25.
5. In the case of Erven 3842 – 3847 Howick situated within the St Johns Estate a density of up to 30 Dwelling Units per hectare shall apply.

RESIDENTIAL ONLY MEDIUM DENSITY 2 (Retirement Village)

SCHEME NOTATION:	SCHEME INTENT:
Fill: Dark Orange 2 R 205, G 190, B 102	This zone is intended to promote the development of small multi-unit residential units as part of a planned development. The minimum erf size is two hectares, with a maximum density of 18 dwelling units per hectare.

USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES
Dwelling House Home Activity Institution Multi-Unit Development (MUD) Office Building (Restricted to the running of the Institution and Doctors Rooms) Recreation Area Recreational Building	Agricultural Land Arts and Craft Workshop Bed and Breakfast Community Garden Conference Facility Educational Building Guest House Home Business (Neighbours Consent) Place of Public Assembly Public Office Restaurant Shop (restricted to 100 m ²)	Telecommunication Infrastructure All other uses not identified in this table


MINIMUM ERF SIZE	2 ha	PARKING REQUIREMENTS
FRONT BUILDING LINE	7.5m	1 garage or parking space for each Dwelling House or Dwelling Unit. In addition, other uses (permitted with Special Consent) must provide a suitable area for visitors parking at the rate of 1 parking bay for every 2 dwelling units, and a loading and unloading area with suitable access to the satisfaction of the Municipality. For non-residential uses, see Clause 14.4 for additional Parking requirements.
SIDE AND REAR BUILDING LINES	4.5m	
MINIMUM FRONTAGE	21m	
DWELLING UNITS PER HECTARE (Multi-Unit Development (MUD))	15 18(where linked to water borne sewage)	
FLOOR AREA RATIO (FAR)	0.35 (if it is not a multi-unit development)	
COVERAGE	35%	
MAXIMUM HEIGHT IN STOREYS	2	
MINIMUM WIDTH OF ACCESS WAY	6m	

ADDITIONAL CONTROLS:
1. Within a Residential Only Medium Density 2 site, a street building line does not apply to dwelling unit curtilages, except along street frontages of the Residential Only Medium Density 2 site, where the street building line shall be 5,0m. 2. Within a Residential Only Medium Density 2 site, side and rear space requirements do not apply to dwelling unit curtilages, except along the side and rear boundaries of the Residential Only Medium Density 3 site where the minimum and rear space shall be 4,5m. 3. Provision is to be made for the landscaping and maintenance of the grounds to the satisfaction of the Municipality and not less than 25% of the site shall be set aside and maintained as a garden and recreational area, which must be kept free of parking space and driveways

RESIDENTIAL ONLY HIGH DENSITY			
<p>SCHEME NOTATION:</p> <div style="background-color: #800000; width: 100px; height: 20px; margin: 5px 0;"></div> <p>Fill: Burnt Orange 2 R 76, G 0, B 0</p>	<p>SCHEME INTENT:</p> <p>To provide, preserve and use land or buildings for the development of multi-unit residential development, each dwelling unit being for occupation by either a single family or a group of guests. Hotels and other residential uses are permitted. The minimum erf size is 1 800 m². It provides for a wide range of services and activity mixes to cater for broader community needs, or the needs within a residential estate or similar development.</p>		
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES	
Bed and Breakfast Conference Facility Dwelling House General Residential Building Home Activity Guest House/Lodge Home Activity Multi-Unit Development (MUD) Recreational Building Residential Building	Agricultural Land Arts and Craft Workshop Community Garden Boarding House Day Care Centre Educational Building Institution Home Business Medical Offices Nursery Office Building Place of Public Assembly Place of Worship	Recreation Area Public Office Recreational Building Restaurant Shop Telecommunication Infrastructure	All other uses not identified in this table
MINIMUM ERF SIZE	1 800m²	<p>PARKING REQUIREMENTS</p> <p>1 garage or parking space for each Dwelling House or Dwelling Unit.</p> <p>In addition, other uses (permitted with Special Consent) must provide a suitable area for visitors parking at the rate of 1 parking bay for every 2 dwelling units, and a loading and unloading area with suitable access to the satisfaction of the Municipality.</p> <p>For non-residential uses, see Clause 14.4 for additional Parking requirements.</p>	
FRONT BUILDING LINE	7.5m		
SIDE AND REAR BUILDING LINES	4.5m		
MINIMUM FRONTAGE	25m		
DWELLING UNITS PER HECTARE (Multi-Unit Development (MUD))	25		
FLOOR AREA RATIO (FAR)	1.50		
COVERAGE	40%		
MAXIMUM HEIGHT IN STOREYS	3		
MINIMUM WIDTH OF ACCESS WAY	6m		
ADDITIONAL CONTROLS:			
<ol style="list-style-type: none"> Building Lines, Side and Rear space requirements do not apply to MUD dwelling unit curtilages Provision is to be made for landscaping and maintaining the grounds to the satisfaction of the Municipality, and not less than 25% of the site shall be set aside and maintained as a garden and play area, which must be kept free of 			

parking space and driveways.


3. Where the erf is used exclusively for Medium Density Housing, the density shall be limited to 15 dwelling units per hectare, and the minimum site area shall be 1800m². Where Multi Unit Development is linked to the existing waterborne sewage disposal system density may be increased to 20 units per hectare.
4. Notwithstanding the above in the case of Erven 3848 to 3851 Howick situated in St Johns Estate the maximum density shall be 40 units dwelling per hectare.


SMALLHOLDINGS				
SCHEME NOTATION:  Fill: R 56, G 168, B 0		SCHEME INTENT: A zone that contains residential smallholdings and that sets aside land for low-density housing and related urban-scale agriculture where the number and magnitude of ancillary land use types is of the kind related to daily employment and service needs. A minimum lot size of 2 hectares applies.		
USE/BUILDING FREELY PERMITTED		USE/BUILDING PERMITTED WITH CONSENT		PROHIBITED USES
Arts and Craft Workshop Agricultural Land Additional Dwelling Bird Sanctuary Dwelling House Home Activity Agricultural Building Conservation Area Nature Reserve Nursery Public Parks	Recreation Area	Airfield Agricultural Industry Arts and Craft Workshop Bed and Breakfast Boarding House Caravan Park Cemetery Community Garden Conference Facility Day Care Centre Events Venue Educational Building Farm Stall Game reserve Guest House Holiday Park Home Business Institution Kennel/Cattery Multi-Unit Development (MUD) Overnight Accommodation Place of Public Assembly	Place of Worship Shop Telecommunication Infrastructure Tuck Shop Recreation Area Recreational Building Recycling Depot Resort Small Scale Tourism Development Recycling Depot Restaurant Veterinary Clinic	All other uses not identified in this table
MINIMUM ERF SIZE		2ha	PARKING REQUIREMENTS	
FRONT BUILDING LINE		15m	Not Applicable.	
SIDE AND REAR BUILDING LINES		5m		
MINIMUM FRONTAGE		21m		

DWELLING UNITS PER HECTARE	1 per/ha	
FLOOR AREA RATIO (FAR)	N/A	
COVERAGE	N/A	
MAXIMUM HEIGHT IN STOREYS	2	
MINIMUM WIDTH OF ACCESS WAY	4m	


URBAN AGRICULTURE			
<p>SCHEME NOTATION:</p> <div style="background-color: #8ebf42; width: 100px; height: 20px; margin: 5px 0;"></div> <p>Fill:</p> <p>R 133, G 153, B 76</p>	<p>SCHEME INTENT:</p> <p>To permit the continued agricultural usage of land in, or adjacent to, urban areas. A minimum erf size of 5 hectares applies.</p> <p>A zone that provides for land located in urban areas for agricultural purposes, utilised for small scale agriculture production, market gardening, horticulture, aquaculture, the keeping of limited livestock and community gardens.</p>		
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES	
Arts and Craft Workshop Agricultural Land Additional Dwelling Bird Sanctuary Dwelling House Home Activity Agricultural Building Conservation Area Nature Reserve Nursery Public Parks Recreation Area	Airfield Agricultural Industry Arts and Craft Workshop Bed and Breakfast Boarding House Caravan Park Cemetery Community Garden Conference Facility Day Care Centre Events Venue Educational Building Farm Stall Fuel Depot Game reserve Guest House Holiday Park Home Business Institution Kennel/Cattery Multi-Unit Development (MUD) Overnight Accommodation Place of Public Assembly	Place of Worship Shop Telecommunication Infrastructure Tuck Shop Recreation Area Recreational Building Recycling Depot Resort Small Scale Tourism Development Restaurant Veterinary Clinic	All other uses not identified in this table
MINIMUM ERF SIZE	5ha	PARKING REQUIREMENTS	
FRONT BUILDING LINE	9m	Not Applicable.	
SIDE AND REAR BUILDING LINES	4.5m		

MINIMUM FRONTAGE	21m	
DWELLING UNITS PER HECTARE	1/2Ha	
FLOOR AREA RATIO (FAR)	N/A	
COVERAGE	N/A	
MAXIMUM HEIGHT IN STOREYS	2	
MINIMUM WIDTH OF ACCESS WAY	6m	

RURAL RESIDENTIAL			
<p>SCHEME NOTATION:</p>  <p>Fill: Light Yellow R 255, G 255, B 153</p>	<p>SCHEME INTENT:</p> <p>This zone is used to manage land and buildings where the primary land use is residential settlement on land that is communally held and/or under the jurisdiction of a Traditional Authority.</p>		
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES	
Agricultural Land Community Garden Dwelling House Home Activity Medium Density Housing Public Open Space Tuck Shop	Agricultural Building Agricultural Industry Arts and Crafts Workshop Bed and Breakfast Day Care Centre Educational Building Farm Stall Guest House Home Business Institution	Place of Public Assembly Recreation Area Recreational Building Recycling Depot Telecommunication Infrastructure	All other uses not identified in this table
MINIMUM ERF SIZE	N/A	PARKING REQUIREMENTS	
FRONT BUILDING LINE	N/A	Not Applicable.	
SIDE AND REAR BUILDING LINES	N/A		
MINIMUM FRONTAGE	N/A		
DWELLING UNITS PER HECTARE	N/A		
FLOOR AREA RATIO (FAR)	N/A		
COVERAGE	N/A		
MAXIMUM HEIGHT IN STOREYS	N/A		
MINIMUM WIDTH OF ACCESS WAY	N/A		
ADDITIONAL CONTROLS:			
1. The existing customary tenure system of land administration shall continue to apply for dwelling units and associated outbuildings, and agricultural usage. 2. The type and magnitude of development shall be as determined by the Traditional Authority.			

AMASIMU		
SCHEME NOTATION:  Fill: R 137, G 205, B 102	SCHEME INTENT: These uses are for agricultural purposes and are used to support life in rural areas.	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES
Dwelling House Community Garden	Agricultural Building Arts and Crafts Workshop Farm Stall Home Business Telecommunication Infrastructure Tuck Shop	All other uses not identified in this table
MINIMUM ERF SIZE	NOT APPLICABLE	PARKING REQUIREMENTS
FRONT BUILDING LINE	NOT APPLICABLE	Not Applicable.
SIDE AND REAR BUILDING LINES	NOT APPLICABLE	
MINIMUM FRONTAGE	NOT APPLICABLE	
DWELLING UNITS PER HECTARE	NOT APPLICABLE	
FLOOR AREA RATIO (FAR)	NOT APPLICABLE	
COVERAGE	NOT APPLICABLE	
MAXIMUM HEIGHT IN STOREYS	NOT APPLICABLE	
MINIMUM WIDTH OF ACCESS WAY	NOT APPLICABLE	
ADDITIONAL CONTROLS:		
1. The ownership of land for amasimu is often transferable from one generation to another in non-urban/traditional areas. The facilities of amasimu that currently exist and those which communities desire to set up must be identified and geo-reference.		

CHAPTER 4: GREEN ZONES

PASSIVE OPEN SPACE			
SCHEME NOTATION:  Fill: R 102, G 204, B 127		SCHEME INTENT: A zone that provides for developed formal and informal parks with associated recreational facilities. Land set aside for public purposes and services to accommodate any independent or linked open space areas owned and maintained by a public agency for passive and active recreational purposes that are used and enjoyed by the general public which may include temporary use as a public or community market, and may also include ancillary facilities or buildings.	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT		PROHIBITED USES
Bird Sanctuary Conservation Area Nature Reserve Passive Recreation Area	Airfield Arts and Crafts Workshop Conference Facility Dwelling House Nursery General Office Institution	Restaurant Shop (restricted to 200 m ²) Telecommunication Infrastructure	All other uses not identified in this table
MINIMUM ERF SIZE	N/A	PARKING REQUIREMENTS	
FRONT BUILDING LINE	7.5m	Not Applicable.	
SIDE AND REAR BUILDING LINES	3m		
MINIMUM FRONTAGE	Not Applicable		
DWELLING UNITS PER HECTARE	Not Applicable		
FLOOR AREA RATIO (FAR)	0.15		
COVERAGE	Not Applicable		
MAXIMUM HEIGHT IN STOREYS	2		
MINIMUM WIDTH OF ACCESS WAY	4m		
ADDITIONAL CONTROLS:			
1. The provision of a dwelling house on site is restricted to accommodation for a manager or a caretaker's flat (limited to 100m ²). General Office is permitted to ancillary, but limited to the manager or caretaker.			

ACTIVE OPEN SPACE			
SCHEME NOTATION: <div style="background-color: #90EE90; width: 100px; height: 20px; margin: 5px 0;"></div> Fill: R 211, G 255, B 190 Border: R 56 G 168 B 0		SCHEME INTENT: This zone provides part of the sustainable open space system which includes independent or linked open space areas and green lung areas of the urban environment for sporting and recreational needs and associated activities of the local and visiting public and may include areas of passive open space where appropriate. These areas are to be developed and maintained for a range of active pursuits.	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT		PROHIBITED USES
Conservation Area Passive Recreation Area Recreation Area Recreational Building Sport Facility	Airfield Agricultural Land Arts and Crafts Workshop Bed and Breakfast Conference Facility Cottage Industrial Building Day Care Centre Dwelling House Educational General Office Guest House Home Activity	Home Business Institution Nursery Place of Public Amusement Place of Public Assembly Restaurant Shop (restricted to 200 m ²) Telecommunication Infrastructure	All other uses not identified in this table
MINIMUM ERF SIZE	N/A	PARKING REQUIREMENTS	
FRONT BUILDING LINE	7.5m	To the satisfaction of the municipality.	
SIDE AND REAR BUILDING LINES	3m		
MINIMUM FRONTAGE	Not Applicable		
DWELLING UNITS PER HECTARE	Not Applicable		
FLOOR AREA RATIO (FAR)	0.15		
COVERAGE	15 %		
MAXIMUM HEIGHT IN STOREYS	2		
MINIMUM WIDTH OF ACCESS WAY	N/A		
ADDITIONAL CONTROLS:			
1. Subject to the provision of a site layout plan which shall be approved by the municipality prior to development. 2. The provision of a dwelling house on site is restricted to accommodation for a manager or a caretaker's flat (limited to 100m ²). General Office is permitted to ancillary, but limited to the manager of caretaker.			

CONSERVATION			
SCHEME NOTATION: Fill: R 153, G 204, B 0	SCHEME INTENT: Land set aside for public purposes and services that is a natural area of land and / or water within which the conservation of the scenic beauty, indigenous flora and fauna, water course and other topographical features, places of historic or scientific interest and the like is of primary importance.		
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES	
Bird Sanctuary Conservation Area Nature Reserve Passive Open Space Passive Recreation Area	Airfield Arts and Crafts Workshop Conference Facility Dwelling House General Office Institution Nursery	Restaurant Shop Telecommunication Infrastructure	All other uses not identified in this table
MINIMUM ERF SIZE	N/A	PARKING REQUIREMENTS	
FRONT BUILDING LINE	7,5m	Not Applicable.	
SIDE AND REAR BUILDING LINES	2m		
MINIMUM FRONTAGE	Not Applicable		
DWELLING UNITS PER HECTARE	Not Applicable		
FLOOR AREA RATIO (FAR)	Not Applicable		
COVERAGE	Not Applicable		
MAXIMUM HEIGHT IN STOREYS	Not Applicable		
MINIMUM WIDTH OF ACCESS WAY	Not Applicable		
ADDITIONAL CONTROLS:			
<ol style="list-style-type: none"> 1. Buildings to be limited to those that are absolutely essential for limited public usage 2. This is a natural area of land and/or water within which the conservation of the scenic beauty, indigenous flora and fauna, water courses and other topographical features, places of historic or scientific interest and the like is of primary importance. No indigenous flora, fauna or any naturally occurring material shall be disturbed or removed. 3. Except where picnic areas and the footpaths through the vegetation have been specially demarcated, the public shall not be admitted. 4. Any work of any kind which is undertaken shall be done in accordance with a layout plan which shall be a duly adopted provision of the Scheme. 			

STATUTORY PROTECTED AREAS

SCHEME NOTATION:



Fill:

Leaf Green

R 075, G 255, B 075

Border:

Olive Green

R 078 G 097 B 040

SCHEME INTENT: To protect, conserve and manage land, dedicated to the conservation and management of natural areas of land and/or water for the ecosystem goods and services that the area provide and the biodiversity which they support, where the land is proclaimed, or where there is an intention to proclaim as a Nature Reserve in terms of the relevant environmental legislation. To consider the inclusion of land uses which are beneficial to the protected area and are in compliance with an approved Management Plan.

USE/BUILDING FREELY PERMITTED

USE/BUILDING PERMITTED WITH CONSENT

PROHIBITED USES

Land uses which are directly aligned with the Management Plan specifically related to the protected area.

All other uses not identified in this table

MINIMUM ERF SIZE

N/A

PARKING REQUIREMENTS

Not Applicable.

FRONT BUILDING LINE

7.5m

SIDE AND REAR BUILDING LINES

3m

MINIMUM FRONTAGE

Not Applicable

DWELLING UNITS PER HECTARE

Not Applicable

FLOOR AREA RATIO (FAR)

Buildings to be limited to those that are absolutely essential for limited public usage

COVERAGE

Buildings to be limited to those that are absolutely essential for limited public usage

MAXIMUM HEIGHT IN STOREYS

1


MINIMUM WIDTH OF ACCESS WAY

4m

ADDITIONAL CONTROLS:

1. The provision of a dwelling house on site is restricted to accommodation for a manager or a caretaker's flat (limited to 100m²). General Office is permitted to ancillary, but limited to the manager or caretaker.
2. No indigenous flora, fauna or any naturally occurring material shall be disturbed or removed.
3. Except where picnic areas and the footpaths through the vegetation have been specially demarcated, the public shall not be admitted.
4. Any work of any kind which is undertaken shall be done in accordance with a layout plan which shall be a duly adopted provision of the scheme.

CHAPTER 5: MUNICIPAL AND GOVERNMENT ZONES AND SOCIAL DEVELOPMENT ZONES

PUBLIC ADMINISTRATION AND SERVICES				
SCHEME NOTATION:		SCHEME INTENT:		
Fill:  R 255, G 170, B 0		The provision of buildings to be erected and used for National, Provincial and Municipal administration and services.		
USE/BUILDING FREELY PERMITTED		USE/BUILDING PERMITTED WITH CONSENT		PROHIBITED USES
Clinic Community Garden Community Facility Conference Facility Conservation Area Dwelling House (for caretaker only) Educational Building Institution Office Building	Parking Garage Place of Public Assembly Recreation Area Public Open Space Public Service Office Recreational Building Recycling Depot Service Industrial Building Transportation Terminal Veterinary Clinic Warehouse	Agricultural Land Carwash Facility Cemetery Day Care Centre Hospital Institution	Restaurant Restricted Building Residential Building Shop Telecommunication Infrastructure Utilities Facility Workshop	All other uses not identified in this table
MINIMUM ERF SIZE		PARKING REQUIREMENTS		
N/A		See Clause 14.4		
FRONT BUILDING LINE				
7.5m				
SIDE AND REAR BUILDING LINES				
3m				
MINIMUM FRONTAGE				
Not Applicable				
DWELLING UNITS PER HECTARE				
Not Applicable				
FLOOR AREA RATIO (FAR)				
1.0				
COVERAGE				
50 %				
MAXIMUM HEIGHT IN STOREYS				
3				
MINIMUM WIDTH OF ACCESS WAY				
N/A				
ADDITIONAL CONTROLS:				
1. Accommodation for motor vehicles to be provided on the erf as per Clause 14.4. 2. Subject to the provision of a site layout plan which shall be approved by the Municipality prior to development or expansion occurring.				

INSTITUTION		
<p>SCHEME NOTATION:</p> <div style="border: 1px solid black; width: 100px; height: 20px; background-color: #f4b084; margin: 5px 0;"></div> <p>Fill: R 255, G 199, B 214</p>	<p>SCHEME INTENT:</p> <p>This zone permits institutional uses on a large scale with a minimum erf size of 1 800 m²</p>	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES
Clinic Community Facility Community Garden Conference Facility Conservation Area Dwelling House General Office Home Activity Hospital Institution Medical Offices Office Building Nursery Place of Public Assembly Public Administration Office Public Service Office Recreation Area Recreational Building	Airfield Agricultural Land Bed and Breakfast Day Care Centre Educational Building Funeral Parlour Guest House Light Industry Mortuary Multi-Unit Development (MUD) Nursery Place of Worship Public Office Recycling Depot Restaurant Shop Telecommunication Infrastructure Veterinary Clinic	All other uses not identified in this table
MINIMUM ERF SIZE	1800m²	PARKING REQUIREMENTS
FRONT BUILDING LINE	7.5m	See Clause 14.4
SIDE AND REAR BUILDING LINES	4.5m	
MINIMUM FRONTAGE	12m	
DWELLING UNITS PER HECTARE	Not Applicable	
FLOOR AREA RATIO (FAR)	1.00	
COVERAGE	50%	
MAXIMUM HEIGHT IN STOREYS	2	
MINIMUM WIDTH OF ACCESS WAY	4m	
ADDITIONAL CONTROLS:		

1. Subject to the provision of a site layout plan which shall be approved by the municipality prior to any development.
2. The provision of a dwelling house on site is restricted to accommodation for a manager or a caretaker's flat (limited to 100m²).
3. The use of General Office is restricted to the provision of administrative buildings related to the development.

HEALTH			
SCHEME NOTATION: Fill: R 255, G 199, B 214 Border: R 255, G 153, B 196		SCHEME INTENT: Provides for a full range of public and private hospitals, medical centre and clinics including supporting residential buildings, office buildings and associated amenities.	
USE/BUILDING FREELY PERMITTED		USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES
Clinic Conservation Area General Office Home Activity Home Business Hospital Institution Medical Offices Mortuary Nursery Office Building	Parking Garage Passive Recreation Area Place of Worship Public Administration Office Public Open Space Residential Building (limited to Staff accommodation)	Agricultural Land Community Facility Community Garden Conference Facility Day Care Centre Educational Building Funeral Parlour Informal Trade Area Recreation Area Recreational Building Recycling Depot Restricted Building Restaurant Shop (limited) Telecommunication Infrastructure Transportation Terminal Utilities Facility Veterinary Clinic	All other uses not identified in this table
MINIMUM ERF SIZE		1800m²	PARKING REQUIREMENTS
FRONT BUILDING LINE		7.5m	See Clause 14.4
SIDE AND REAR BUILDING LINES		Side: 3m / Rear:4.5m	
MINIMUM FRONTAGE		Not Applicable	
DWELLING UNITS PER HECTARE		Not Applicable	
FLOOR AREA RATIO (FAR)		N/A	
COVERAGE		60%	
MAXIMUM HEIGHT IN STOREYS		3	
MINIMUM WIDTH OF ACCESS WAY		4m	

ADDITIONAL CONTROLS:

1. The use of General Office is restricted to the provision of administrative buildings related to the development.

EDUCATION				
SCHEME NOTATION: <div style="border: 1px solid orange; width: 100px; height: 20px; margin: 5px 0;"></div> Fill: R 233, G 255, B 190 Border: R 230, G 152, B 000		SCHEME INTENT: This means a building used as a university, school, college, technical institute, academy, research laboratory, lecture hall, convent, monastery, public library, art gallery, museum, gymnasium or for other instruction, and includes ancillary residential buildings and other ancillary buildings but does not include a reformatory.		
USE/BUILDING FREELY PERMITTED		USE/BUILDING PERMITTED WITH CONSENT		PROHIBITED USES
Active Open Space Community Garden Conference Facility Conservation Area Day Care Centre Dwelling House Educational Building General Office Nursery	Passive Open Space Place of Public Assembly Recreation Area Public Office (Related to Education use) Recreational Building Sports Facility Tuck Shop	Additional Residential Unit Agricultural Land Bed and Breakfast Boarding House Guest House Home Activity Home Business Institution Multi-Unit Development (MUD)	Parking Garage Place of Worship Recycling Depot Residential Building Restaurant Shop Telecommunication Infrastructure	All other uses not identified in this table
MINIMUM ERF SIZE		As determined by the relevant authority.	PARKING REQUIREMENTS	
FRONT BUILDING LINE		7.5m	Not Applicable.	
SIDE AND REAR BUILDING LINES		3m		
MINIMUM FRONTAGE		Not Applicable		
DWELLING UNITS PER HECTARE		Not Applicable		
FLOOR AREA RATIO (FAR)		1		
COVERAGE		30%		
MAXIMUM HEIGHT IN STOREYS		3		
MINIMUM WIDTH OF ACCESS WAY		4m		
ADDITIONAL CONTROLS:				
1. Minimum erf area is to be to the satisfaction of the municipality and the relevant Provincial Departments. 2. On-site accommodation for motor vehicles to be provided on the erf for staff and visitors to the satisfaction of the Municipality. 3. Subject to the provision of a site layout plan which shall be approved by the municipality prior to any development. 4. The provision of a dwelling house on site is restricted to accommodation for staff 5. The use of General Office is restricted to the provision of administrative buildings related to the development. 6. Development must include a designated area for student drop-off and pick-up that is not detrimental to the local traffic flow, promotes the safe movement of learners and is in accordance with the requirements of the Municipal Technical Services.				

CEMETERY		
<p>SCHEME NOTATION:</p> <div style="border: 1px solid black; background-color: #00FF00; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 5px auto;"> C </div> <p>Fill: R 062, G 230, B 162 Notation 'C'</p>	<p>SCHEME INTENT:</p> <p>Provides the preservation and use of land or buildings for public and private cemeteries, memorial parks and includes facilities for associated religious and administrative functions.</p>	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES
Cemetery Conservation Area Mortuary Place of Worship Public Open Space	Crematorium Dwelling House Funeral Parlour General Office Telecommunication Infrastructure	All other uses not identified in this table
MINIMUM ERF SIZE	2ha	PARKING REQUIREMENTS
FRONT BUILDING LINE	7.5m	Not Applicable.
SIDE AND REAR BUILDING LINES	3m	
MINIMUM FRONTAGE	Not Applicable	
DWELLING UNITS PER HECTARE	Not Applicable	
FLOOR AREA RATIO (FAR)	Not Applicable	
COVERAGE	Not applicable	
MAXIMUM HEIGHT IN STOREYS	2	
MINIMUM WIDTH OF ACCESS WAY	6m	
ADDITIONAL CONTROLS:		
<ol style="list-style-type: none"> 1. The provision of a dwelling house on site is restricted to accommodation for a manager or caretaker's flat (limited to 100m²). 2. The use of General Office is restricted to the provision of administrative buildings related to the development. 3. No residential or other highly frequented land use to be located or promoted within a 15m buffer of the Cemetery zone. 		

UTILITIES AND SERVICES

<p>SCHEME NOTATION:</p> <div style="border: 1px solid black; width: 40px; height: 20px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px); margin: 5px auto;"></div> <p>Fill: R 255, G 255, B 255</p>	<p>SCHEME INTENT:</p> <p>The provision of all necessary land areas for capital works mains, overhead and underground cables and pylons and essential services required to promote sustainable development in accordance with national laws and provincial and local guidelines. Including inter alia: capital works mains, overhead and underground electricity cables, sub-stations, reservoirs, water works, sewerage pipelines, pump stations and works and public utilities, Telkom optical fibre cables, pipelines including oil, gas, bulk water and storm water, garden refuse dumps, recycling centres and landfill sites.</p>
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USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES
Conservation Area General Office Telecommunication Infrastructure Utilities Facility	Landfill Site Recycling Centre	All other uses not identified in this table

MINIMUM ERF SIZE	Not Applicable	PARKING REQUIREMENTS
		See Clause 14.4
FRONT BUILDING LINE	7.5m	
SIDE AND REAR BUILDING LINES	4m	
MINIMUM FRONTAGE	Not Applicable	
DWELLING UNITS PER HECTARE	Not Applicable	
FLOOR AREA RATIO (FAR)	Not Applicable	
COVERAGE	Not Applicable	
MAXIMUM HEIGHT IN STOREYS	2	
MINIMUM WIDTH OF ACCESS WAY	4m	

ADDITIONAL CONTROLS:

- 1) The use of General Office is restricted to the provision of administrative buildings related to the development.
- 2) In terms of a Landfill Site or Recycling Centre:
 - a) The site to be developed must be in accordance with the recommendations of an Environmental Impact Assessment [EIA] approved by the Municipality.
 - b) The site shall be used in accordance with a management and operations plan/s which has been approved by the Municipality. Such plan/s shall be prepared in accordance with the specifications established in the Department of Water Affairs “Minimum Requirements for Waste Disposal by Landfill” 1994.
 - c) The municipality shall not grant its consent for a landfill site to be operational prior to the granting of a license by the relevant government departments.
- 3) Hazardous installations and refuse sites would require a consent procedure and an Environmental Impact Assessment and a Record of Decision issued by the Department of Agriculture, Environmental Affairs and Rural Development.

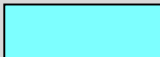
CHAPTER 6: SOCIAL DEVELOPMENT ZONES

WORSHIP		
<p>SCHEME NOTATION:</p> <p>Fill: W</p> <p>R 255, G 170, B 0 Notation 'W'</p>	<p>SCHEME INTENT:</p> <p>To provide, preserve and use land or buildings for a church, mosque, temple, chapel or other place for practicing a faith or religion and ancillary uses ordinarily associated thereto.</p>	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES
Community Facility Community Garden Conference Facility Conservation Area Day Care Centre Dwelling House General Office Home Activity Nursery Passive Recreation Areas Place of Worship	Arts and Craft Workshop Cemetery Clinic Educational Guest House Home Business Institution Nursery Multi-Unit Development (MUD) Recreation Area Recreational Building Residential Building Restaurant Telecommunication Infrastructure	All other uses not identified in this table
MINIMUM ERF SIZE	900m²	PARKING REQUIREMENTS
FRONT BUILDING LINE	7.5m	See Clause 14.4
SIDE AND REAR BUILDING LINES	3m	
MINIMUM FRONTAGE	12m	
DWELLING UNITS PER HECTARE	Not Applicable	
FLOOR AREA RATIO (FAR)	0.5	
COVERAGE	50%	
MAXIMUM HEIGHT IN STOREYS	2	
MINIMUM WIDTH OF ACCESS WAY	4m	
ADDITIONAL CONTROLS:		
1. The provision of a dwelling house on site is restricted to accommodation for a caretaker's flat (limited to 100m ²). 2. The use of General Office is restricted to the provision of administrative buildings related to the development. 3. The development of any Residential Building must solely be for the housing of individuals related to the Worship		


building i.e.: visiting clergy; interning pastors etc.


4. Where an erf is zoned for Worship purposes religious practices including those relating to rites administered prior to burial shall be regarded as permitted uses.


CHAPTER 7: RETAIL ZONES

LOW IMPACT MIXED USE 1				
SCHEME NOTATION: Fill:  Blue R 125, G 255, B 255		SCHEME INTENT: Provides for a limited range of commercial activities, offices, restaurants, residential development at residential level intensities of development and with limited impacts. This zone is intended to provide for local shopping needs, personal service and related small-scale commercial uses. Minimum erf size within this zone is 450 m ² . Where residential usage is provided this shall be in the form of a composite building which includes shopping and/or offices in which case the minimum erf size shall be 1 800m ² .		
USE/BUILDING FREELY PERMITTED		USE/BUILDING PERMITTED WITH CONSENT		PROHIBITED USES
Arts and Crafts Workshop Commercial Workshop Conference Facility General Office Guest House Medical Offices Office Building Public Service Office Residential Building (above ground floor)	Restaurant Service Industry Service Workshop Shop	Builder's Yard Carwash Facility Betting Depot Educational Funeral Parlour Fuel Depot Informal Trade Areas Institution Light Industrial Building Motor Garage Motor Vehicle Show-Room Multi-Unit Development (MUD) Nursery Parking Garage	Petrol Filling Station Place of Public Entertainment Place of Public Assembly Place of Worship Private Parking Recycling Depot Service Station Sports bar/Bar Storage Units Telecommunication Infrastructure Veterinary Clinic Warehouse	All other uses not identified in this table
MINIMUM ERF SIZE		Exclusively Commercial: 450m²/ Commercial and Residential: 1000m²		PARKING REQUIREMENTS See Clause 14.4.
FRONT BUILDING LINE		5m		
SIDE AND REAR BUILDING LINES		2m		
MINIMUM FRONTAGE		15m Commercial/ Composite 21m		
DWELLING UNITS PER HECTARE		N/A		
FLOOR AREA RATIO (FAR)		0,50		
COVERAGE		50%		
MAXIMUM HEIGHT IN STOREYS		2		
MINIMUM WIDTH OF ACCESS WAY		4m		
ADDITIONAL CONTROLS:				
1. The provision of a dwelling house on site is restricted to accommodation for a manager or caretaker's flat (limited to 100m ²).				

2. Where residential use is included in a composite building, the residential portion shall not exceed a FAR of 0.35 and coverage of 50%.
3. The municipality may, by Special Consent, permit a building that effectively constitutes a three-storey building.
4. In respect of the Low Impact Mixed Uses 1 sites situated at the Karkloof entrance to St Johns Estate, namely Erven 3858 – 3861 Howick, notwithstanding anything to the contrary contained in these Clauses, the maximum permissible Coverage shall be restricted to 25%.

LOW IMPACT MIXED USE 2 (Limited Office)				
SCHEME NOTATION:  Fill: R115, G 178, B 255		SCHEME INTENT: This zone permits the development of offices limited to the footprint of existing dwelling houses and outbuildings.		
USE/BUILDING FREELY PERMITTED		USE/BUILDING PERMITTED WITH CONSENT		PROHIBITED USES
Additional Dwelling Dwelling House Home Activity Home Business Office Building (restricted to existing dwelling and related outbuildings)		Arts and Craft Workshop Bed and Breakfast Day Care Centre Educational Building Guest House Home Business Institution Multi-Unit Development (MUD) Office Building (beyond permitted use)	Place of Public Assembly Recreation Area Public Office Recreational Building Restaurant	All other uses not identified in this table
MINIMUM ERF SIZE		N/A		PARKING REQUIREMENTS
FRONT BUILDING LINE		5m		See Clause 14.4.
SIDE AND REAR BUILDING LINES		2m		
MINIMUM FRONTAGE		N/A		
DWELLING UNITS PER HECTARE		N/A		
FLOOR AREA RATIO (FAR)		0,30		
COVERAGE		30%		
MAXIMUM HEIGHT IN STOREYS		2		
MINIMUM WIDTH OF ACCESS WAY		4m		

LOW IMPACT MIXED USE 3 (Office)		
SCHEME NOTATION:  Fill: R 115, G 178, B 255	SCHEME INTENT: This zone permits the development of office parks and related uses.	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES
Dwelling House (Limited to a manager's cottage) Educational Building Office Building Parking Garage Recreation Area Public Office Recreational Building	Day Care Centre Institution Restaurant	All other uses not identified in this table
MINIMUM ERF SIZE	2000m ²	PARKING REQUIREMENTS
FRONT BUILDING LINE	5m	See Clause 14.4.
SIDE AND REAR BUILDING LINES	2m	
MINIMUM FRONTAGE	15m Commercial/ Composite 21m	
DWELLING UNITS PER HECTARE	N/A	
FLOOR AREA RATIO (FAR)	0,50	
COVERAGE	50%	
MAXIMUM HEIGHT IN STOREYS	2	
MINIMUM WIDTH OF ACCESS WAY	4m	
ADDITIONAL CONTROLS:		
1. A landscaping and greening plan for each site is to be submitted to the Municipality for approval.		


MEDIUM IMPACT MIXED USE 1				
SCHEME NOTATION: Fill:  R 046, G 038, B 115		SCHEME INTENT: This zone provides for land and buildings used or designed as a Business Park. Uses permitted include offices, Service Industry buildings and warehouses set in a landscaped environment. The minimum erf size is 5 000m ² .		
USE/BUILDING FREELY PERMITTED		USE/BUILDING PERMITTED WITH CONSENT		PROHIBITED USES
Arts and Crafts Workshop Dwelling House (limited to a managers house) Educational Building Office Building Parking Garage Recreation Area	Public Service Office Service Industry Shop (restricted to a Motor Showroom) Veterinary Clinic Warehouse	Agricultural Land Builder's Yard Carwash Facility Day Care Centre Institution Multi-Unit Development (MUD) Recycling Centre Restaurant	Shop (restricted to uses as set out in the Additional Controls) Storage Units Telecommunication Infrastructure	All other uses not identified in this table
MINIMUM ERF SIZE		5 000m ²		PARKING REQUIREMENTS
FRONT BUILDING LINE		7.5m or where applicable SANRAL requirements		See Clause 14.4.
SIDE AND REAR BUILDING LINES		2m		
MINIMUM FRONTAGE		21m		
DWELLING UNITS PER HECTARE		N/A		
FLOOR AREA RATIO (FAR)		0.6		
COVERAGE		50%		
MAXIMUM HEIGHT IN STOREYS		2		
MINIMUM WIDTH OF ACCESS WAY		4m		
ADDITIONAL CONTROLS:				
1. No Service Industrial Building, Warehouse or Retail Warehouse shall be permitted on Erven 1643 to 1651 Hilton 2. The development of each site shall be in accordance with detailed development and landscaping plans that shall meet the approval of the Municipality. 3. A Street Building Line of 7,5m shall apply except in the case of the national route where it shall comply with the requirements of the South African National Roads Agency. 4. A Side and Rear Space of 5m shall apply, except for erven 1643 – 1652 Hilton where a setback line from the adjacent wetland area shall be as depicted in the Environmental Authorisation. 5. Loading areas shall be to the satisfaction of the Municipality. 6. The categories of shops which could be permitted by special consent of the Municipality in this zone are limited to: <ul style="list-style-type: none"> ➤ Specialised retail outlets requiring large floor area at lower relative rentals, accepting in return a lower, but nevertheless attractive standard of finishes. ➤ Speciality retail shops 7. Storage of materials of any sort shall be confined to buildings erected for that purpose or in areas approved by the Municipality which are satisfactorily screened.				


MEDIUM IMPACT MIXED USE 2		
<p>SCHEME NOTATION:</p> <p>Fill: </p> <p>Blue</p> <p>R 0, G 38, B 115</p>	<p>SCHEME INTENT:</p> <p>This zone promotes diversification of land uses in higher density single residential areas such as Mpophomeni, KwaMevane, Zenzani Village, Lions River and Lidgetton. It enables the rezoning of Erf sizes which are generally below 500m² to enable the establishment of local businesses and services and services beyond the scope of a “Home Activity” and “Home Business” but can be operated without having a negative impact on the residential amenities of the surrounding area.</p>	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES
Arts and Crafts Workshop Bed and Breakfast Commercial Workshop Day Care Centre Dwelling House Guest House Office Building Restaurant Shop	Action/Sports bar/Bar Builder’s Yard Carwash Facility Educational Building Funeral Parlor Institution Light Industry Multi-Unit Development (MUD) Place of Public Assembly Place of Worship Recreational Building Residential Building Storage Units	All other uses not identified in this table
MINIMUM ERF SIZE	300m²	PARKING REQUIREMENTS
FRONT BUILDING LINE	3m	See Clause 14.4.
SIDE AND REAR BUILDING LINES	1.5m	
MINIMUM FRONTAGE	10m	
DWELLING UNITS PER HECTARE	N/A	
FLOOR AREA RATIO (FAR)	1.00	
COVERAGE	70%	
MAXIMUM HEIGHT IN STOREYS	2	
MINIMUM WIDTH OF ACCESS WAY	4m	
ADDITIONAL CONTROLS:		
1. Parking shall be provided in accordance with the Municipality’s requirements, on-site parking requirements may be relaxed if proven to be unpractical at the discretion of the Municipality.		

CORE MIXED USE				
SCHEME NOTATION:		SCHEME INTENT:		
Fill: R O. G 191, B 255		Provides for a mixed-use area only within the Central Business District of the Town where the full range of residential, businesses, offices, service industries, civic and social, educational and environmental uses are permitted, but excludes other forms of industry.		
USE/BUILDING FREELY PERMITTED		USE/BUILDING PERMITTED WITH CONSENT		PROHIBITED USES
Arts and Crafts Workshop Boarding House Commercial Workshop Community Facility Conference Facility Dwelling House Educational Fresh Produce Market General Office Motor Vehicle Showroom Parking Garage Place of Entertainment Place of Public Amusement Place of Public Assembly	Place of Worship Public Service Office Public Open Space Private Parking Public Administration Office Restaurant Recreational Building Residential Building Service Industry Service Industry Building Service Workshop Shop Transportation Terminal Veterinary Clinic	Active Open Space Bed and Breakfast Betting Depot Builder's Yard Carwash Facility Clinic Day Care centre Fuel Depot Funeral Parlour Guest House Hospital Informal Trade-Area Institution Light Industry	Medical Offices Motor Garage Multi-Unit Development (MUD) Nursery Petrol Filling Station Recreational Facility Recycling Depot Storage Units Telecommunication Infrastructure Warehouse	All other uses not identified in this table
MINIMUM ERF SIZE		Exclusively Commercial: 450m²/ Commercial and Residential: 900m²		PARKING REQUIREMENTS See Clause 14.4
FRONT BUILDING LINE		0m		
SIDE AND REAR BUILDING LINES		2m		
MINIMUM FRONTAGE		12m		
DWELLING UNITS PER HECTARE		N/A		
FLOOR AREA RATIO (FAR)		N/A		
COVERAGE		80%		
MAXIMUM HEIGHT IN STOREYS		3		
MINIMUM WIDTH OF ACCESS WAY		4m		
ADDITIONAL CONTROLS:				
1. Any development shall be subject to the Municipality being satisfied with regard to the arrangements for the disposal of sewage. 2. Should the Mixed Use development include a residential component, Multiple-Unit Residential will be located above ground floor. 3. Under special circumstances the Municipality may permit Multi-Unit Residential or residential building development to be located on the ground floor 4. For all residential buildings, provision is to be made for the landscaping and maintaining of the grounds to the satisfaction of the Municipality, and not less than 25% of the site shall be set aside and maintained as a garden and play area, which must be kept free of parking space and driveways.				


CHAPTER 8: INDUSTRIAL RELATED ZONES

PETROL FILLING STATION		
<p>SCHEME NOTATION:</p> <p>Fill: PFS</p> <p>R 0, G 92, B 230</p> <p>Notation 'PFS'</p>	<p>SCHEME INTENT:</p> <p>To provide, preserve and use land or buildings for a Fuelling and Service Station which shall be sited and designed so as to satisfy the uMngeni Municipality that traffic entering and leaving the Erf will not adversely affect movement of pedestrians or vehicles on any public road or place.</p>	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES
Carwash Facility Conservation Area Convenience Shop (Limited to 300m ²) Fuel Depot Petrol Filling Station Office (as an ancillary use) Service Station Restaurant (Limited to 300m ²)	Motor Garage Office Shop	All other uses not identified in this table
MINIMUM ERF SIZE	1800m²	PARKING REQUIREMENTS
FRONT BUILDING LINE	7.5m	See Clause 14.4
SIDE AND REAR BUILDING LINES	4.5m	
MINIMUM FRONTAGE	12m	
DWELLING UNITS PER HECTARE	Not Applicable	
FLOOR AREA RATIO (FAR)	0.5	
COVERAGE	60%	
MAXIMUM HEIGHT IN STOREYS	2	
MINIMUM WIDTH OF ACCESS WAY	6m	
ADDITIONAL CONTROLS:		
1. The establishment of a Restaurant must not exceed 300m ² . 2. Accommodation for motor vehicles to be provided on the erf as per Clause 14.4.		

SERVICE INDUSTRY			
<p>SCHEME NOTATION:</p> <p>Fill: </p> <p>R 233, G 115, B 255</p>	<p>SCHEME INTENT:</p> <p>A zone to accommodate a mix of light and service industries, and associated activities to facilitate local economic development and employment opportunities and may also be used as an interface with other industrial zones. The location and development of these zones must not negatively impact on the built or natural environment or watercourses located near them.</p>		
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES	
Carwash Facility Community Garden Commercial Workshop Dwelling House Nursery Service Industry Service Workshop Storage Units Transportation Terminal Warehouse	Builder's Yard Fuel Depot Funeral Parlour Light Industry Nursery Informal Trade Area Motor Garage	Petrol Filling Station Recycling Depot Restaurant Shop Telecommunication Infrastructure Tuck Shop	All other uses not identified in this table
MINIMUM ERF SIZE	900m ²	PARKING REQUIREMENTS	
FRONT BUILDING LINE	7.5m	See Clause 14.4	
SIDE AND REAR BUILDING LINES	4m		
MINIMUM FRONTAGE	18m		
DWELLING UNITS PER HECTARE	Not Applicable		
FLOOR AREA RATIO (FAR)	1.0		
COVERAGE	60%		
MAXIMUM HEIGHT IN STOREYS	2		
MINIMUM WIDTH OF ACCESS WAY	6m		
ADDITIONAL CONTROLS:			
1. The provision of a dwelling house on site is restricted to accommodation for a manager or caretaker's flat (limited to 100m ²). 2. Where a building line is laid down in an Industrial zone, the area between such building line and the Erf boundary is to be landscaped by the owner or occupier of the erf and may not be used for storage of goods, parking of motor vehicles, depositing of refuse or any other use which in the opinion of the municipality will detract from the visual amenities of the area.			

LIGHT INDUSTRY				
SCHEME NOTATION: Fill:  R 233, G 115, B 255		SCHEME INTENT: A zone to accommodate a mix of light and service industries, and associated activities to facilitate local economic development and employment opportunities and may also be used as an interface with other industrial zones. The zone permits manufacturing uses which are compatible with land uses permitted in adjacent more sensitive land use zones, such as residential, mixed use and open space zones The location and development of these zones must not negatively impact on the built or natural environment or watercourses located near them.		
USE/BUILDING FREELY PERMITTED		USE/BUILDING PERMITTED WITH CONSENT		PROHIBITED USES
Builder's Yard Carwash Facility Commercial Workshop Cottage Industrial Building Dwelling House Light Industry General Office Motor Vehicle Showroom	Nursery Public Administration Office Public Service Office Service Industry Service Workshop Storage Units Transportation Terminal Warehouse	Agricultural Industry Agricultural Land Betting Depot Fuel Depot Funeral Parlour General Industry Informal Trade Area Motor Garage Nursery Office Building Parking Garage Petrol Filling Station Recreation Area	Recreational Building Recycling Centre Restaurant Scrap Yard Service Station Shop Telecommunication Infrastructure Veterinary Clinic	All other uses not identified in this table
MINIMUM ERF SIZE		900m²		PARKING REQUIREMENTS
FRONT BUILDING LINE		7.5m		See Clause 14.4
SIDE AND REAR BUILDING LINES		2m		
MINIMUM FRONTAGE		18m		
DWELLING UNITS PER HECTARE		Not Applicable		
FLOOR AREA RATIO (FAR)		0.6		
COVERAGE		60%		
MAXIMUM HEIGHT IN STOREYS		3		
MINIMUM WIDTH OF ACCESS WAY		6m		
ADDITIONAL CONTROLS:				
1. The provision of a dwelling house on site is restricted to accommodation for a manager or caretaker's flat (limited to 100m ²). 2. The use of General Office is restricted to the provision of administrative buildings related to the development. 3. Where a building line is laid down in an Industrial zone, the area between such building line and the Erf boundary is to be landscaped by the owner or occupier of the erf and may not be used for storage of goods, parking of motor vehicles, depositing of refuse or any other use which in the opinion of the municipality will detract from the visual amenities of the area.				

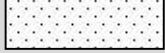
GENERAL INDUSTRY		
<p>SCHEME NOTATION:</p> <div style="background-color: purple; width: 100px; height: 20px; margin: 5px 0;"></div> <p>Fill: R 169, G 0, B 230</p>	<p>SCHEME INTENT:</p> <p>To provide land and buildings that permits industrial activities which may not be compatible with other industrial use and which have major externalities on the adjacent land uses. This zone permits industrial activities that may produce significant vibration, noise, fumes, odour, and high volumes of automobile and truck traffic.</p>	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES
Builder's Yard Carwash Facility Commercial Workshop Cottage Industrial Building Dwelling House (for caretaker only) Garage General Industrial Building Light Industrial Building Parking Garage Public Office Scrap Yard Service Industrial Building Storage Units Warehouse	Funeral Parlour Fuel Depot Noxious Industry Office Building Petrol Filling Station Recreation Area Recreational Building Recycling Depot Restaurant Shop (Ancillary to the main use) Veterinary Clinic	All other uses not identified in this table
MINIMUM ERF SIZE	1800m ²	PARKING REQUIREMENTS
FRONT BUILDING LINE	9m	See Clause 14.4
SIDE AND REAR BUILDING LINES	3m	
MINIMUM FRONTAGE	3m	
DWELLING UNITS PER HECTARE	Not Applicable	
FLOOR AREA RATIO (FAR)	2	
COVERAGE	75%	
MAXIMUM HEIGHT IN STOREYS	3	
MINIMUM WIDTH OF ACCESS WAY	Not Applicable	
ADDITIONAL CONTROLS:		
<ol style="list-style-type: none"> 1. Where a street building line is laid down in an Industrial Zone, no building, boundary walls and fences shall be erected between the street building line and the street boundary. The area between such street building line and street boundary is to be landscaped by the owner or occupier of the erf to the satisfaction of the Municipality and may not be used for the storage of goods, parking of motor vehicles, depositing of refuse or any other use which, in the opinion of the Municipality will detract from the visual amenities of the area. 2. One dwelling unit may be permitted on each Industrial site to accommodate a manager, foreman or caretaker. 		

EXTRACTIVE INDUSTRY		
<p>SCHEME NOTATION:</p> <p>Fill: </p> <p>R 255, G 190, B 235</p>	<p>SCHEME INTENT:</p> <p>This zone comprises land for the extraction of minerals or materials, including sand and stone, in compliance with a permit from DAEA. It shall include the monitoring and control of the operation to minimise amenity disturbance by way of dust, noise (including blasting), heavy vehicles, hours of operation and any remedial programmes once the activity ceases.</p>	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES
Builder's Yard Dwelling House Extractive Industry Service Industry Quarry	Agricultural Land General Industry General Industrial Building (as an ancillary use) Home Business Light Industrial Building (as an ancillary use) Recreation Area Recreational Building Recycling Centre Special Industrial Building Telecommunication Infrastructure	All other uses not identified in this table
MINIMUM ERF SIZE	Not Applicable	PARKING REQUIREMENTS
FRONT BUILDING LINE	Not Applicable	See Clause 14.4
SIDE AND REAR BUILDING LINES	Not Applicable	
MINIMUM FRONTAGE	Not Applicable	
DWELLING UNITS PER HECTARE	Not Applicable	
FLOOR AREA RATIO (FAR)	Not Applicable	
COVERAGE	Not Applicable	
MAXIMUM HEIGHT IN STOREYS	Not Applicable	
MINIMUM WIDTH OF ACCESS WAY	Not Applicable	
ADDITIONAL CONTROLS:		
<ol style="list-style-type: none"> 1. The provision of a dwelling house on site is restricted to accommodation for a manager or caretaker's flat (limited to 100m²). 2. Subject to the provision of a site layout plan which shall be approved by the Municipality prior to development or expansion occurring 		

CHAPTER 9: TRANSPORTATION ZONES

EXISTING ROADS		
<p>SCHEME NOTATION:</p> <p>Fill: <input style="width: 80px; height: 20px;" type="text"/></p> <p>White</p> <p>R 255, G 255, B 255</p>	<p>SCHEME INTENT:</p> <p>A zone that makes provision for the protection of roads and road reserves for the free movement of vehicular and pedestrian transportation.</p>	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES
Community Facility Community Garden Conservation Area Public Open Space Road Reserve Roads	Transportation Terminal Car Park Informal Trade Area	All other uses not identified in this table
MINIMUM ERF SIZE	Not Applicable	PARKING REQUIREMENTS
FRONT BUILDING LINE	Not Applicable	Not Applicable.
SIDE AND REAR BUILDING LINES	Not Applicable	
MINIMUM FRONTAGE	Not Applicable	
DWELLING UNITS PER HECTARE	Not Applicable	
FLOOR AREA RATIO (FAR)	Not Applicable	
COVERAGE	Not Applicable	
MAXIMUM HEIGHT IN STOREYS	Not Applicable	
MINIMUM WIDTH OF ACCESS WAY	Not Applicable	
ADDITIONAL CONTROLS:		
Not Applicable.		

PROPOSED ROADS		
<p>SCHEME NOTATION:</p> <p>Fill: [REDACTED]</p> <p>Red</p> <p>R 225, G 000, B 000</p>	<p>SCHEME INTENT:</p> <p>A zone that makes provision for the reservation of land designated for the proposed development of new roads and areas for reserved for road widening.</p>	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES
Community Facility Community Garden Road Reserve Roads	None	All other uses not identified in this table
MINIMUM ERF SIZE	Not Applicable	PARKING REQUIREMENTS
FRONT BUILDING LINE	Not Applicable	Not Applicable.
SIDE AND REAR BUILDING LINES	Not Applicable	
MINIMUM FRONTAGE	Not Applicable	
DWELLING UNITS PER HECTARE	Not Applicable	
FLOOR AREA RATIO (FAR)	Not Applicable	
COVERAGE	Not Applicable	
MAXIMUM HEIGHT IN STOREYS	Not Applicable	
MINIMUM WIDTH OF ACCESS WAY	Not Applicable	
ADDITIONAL CONTROLS:		
Not Applicable.		

PRIVATE ROADS		
<p>SCHEME NOTATION:</p> <p>Fill: </p> <p>White</p> <p>R 255, G 255, B 255</p>	<p>SCHEME INTENT:</p> <p>A zone that makes provision for the protection of roads and road reserves for the free movement of vehicular and pedestrian transportation.</p>	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES
Community Facility Community Garden Conservation Area Public Open Space Road Reserve Roads	Transportation Terminal Car Park Informal Trade Area	All other uses not identified in this table
MINIMUM ERF SIZE	Not Applicable	PARKING REQUIREMENTS
FRONT BUILDING LINE	Not Applicable	Not Applicable.
SIDE AND REAR BUILDING LINES	Not Applicable	
MINIMUM FRONTAGE	Not Applicable	
DWELLING UNITS PER HECTARE	Not Applicable	
FLOOR AREA RATIO (FAR)	Not Applicable	
COVERAGE	Not Applicable	
MAXIMUM HEIGHT IN STOREYS	Not Applicable	
MINIMUM WIDTH OF ACCESS WAY	Not Applicable	
ADDITIONAL CONTROLS:		
1. Private Road means an erf or erven held in private ownership and maintained by a property owners association for the benefit of, and to provide access to erven owned by the members of the association		
2. Entrance gates and related features, security buildings, and services permitted.		

TRANSPORTATION TERMINAL		
<p>SCHEME NOTATION:</p> <p>Fill: </p> <p>R 122, G 142, B 245</p> <p>Border</p> <p>Neutral Grey</p> <p>R 192, G 192, B 192</p>	<p>SCHEME INTENT:</p> <p>To provide, preserve and use land or buildings for the purpose of parking buses and taxis and/or as a transport depot and associated parking for transportation uses and all that is ancillary thereto.</p>	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES
Informal Trade Area General Office Transportation Terminal Shop Restaurant	Telecommunication Infrastructure	All other uses not identified in this table
MINIMUM ERF SIZE	800m²	PARKING REQUIREMENTS
FRONT BUILDING LINE	7.5m	See Clause 14.4
SIDE AND REAR BUILDING LINES	3m	
MINIMUM FRONTAGE	12m	
DWELLING UNITS PER HECTARE	Not Applicable	
FLOOR AREA RATIO (FAR)	0.25	
COVERAGE	60%	
MAXIMUM HEIGHT IN STOREYS	Not Applicable	
MINIMUM WIDTH OF ACCESS WAY	6m	
ADDITIONAL CONTROLS:		

RAILWAYS		
<p>SCHEME NOTATION:</p> <p>Fill: R</p> <p>Grey</p> <p>R 150, G 150, B 150</p> <p>Notation 'R'</p>	<p>SCHEME INTENT:</p> <p>A zone that makes provision for railway routes, open areas for the storage and repairs of trains, stations and passenger facilities and warehouses for freight operations and ancillary uses thereto.</p>	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES
General Office Warehouse	Telecommunication Infrastructure Transportation Terminal	All other uses not identified in this table
MINIMUM ERF SIZE	Not Applicable	PARKING REQUIREMENTS
FRONT BUILDING LINE	Not Applicable	Not Applicable
SIDE AND REAR BUILDING LINES	Not Applicable	
MINIMUM FRONTAGE	Not Applicable	
DWELLING UNITS PER HECTARE	Not Applicable	
FLOOR AREA RATIO (FAR)	Not Applicable	
COVERAGE	Not Applicable	
MAXIMUM HEIGHT IN STOREYS	Not Applicable	
MINIMUM WIDTH OF ACCESS WAY	Not Applicable	
ADDITIONAL CONTROLS:		
None.		

CHAPTER 10: SPECIAL ZONES

ST JOHNS COMPONENT 2

SZ2.2

SCHEME NOTATION:		SCHEME INTENT:	
Fill:	SZ2.2	To provide for a special zone for St Johns Component 2.	
USE/BUILDING FREELY PERMITTED		USE/BUILDING PERMITTED WITH CONSENT	
Erf 3852 Howick: Educational Building Institution Launderette Medium Density Housing Office Building Place of Public Amusement Place of Public Assembly Private Recreation Area Recreational Building			
			All buildings or land uses not listed on this Table
MINIMUM ERF SIZE		21 000m ²	PARKING REQUIREMENTS
FRONT BUILDING LINE		N/A	See additional Controls
SIDE AND REAR BUILDING LINES		N/A	
MINIMUM FRONTAGE		18m	
DWELLING UNITS PER HECTARE		N/A	
FLOOR AREA RATIO (FAR)		N/A	
COVERAGE		40%	
MAXIMUM HEIGHT IN STOREYS		2	
MINIMUM WIDTH OF ACCESS WAY		N/A	
ADDITIONAL CONTROLS:			
<ol style="list-style-type: none"> 1. Community Centre (comprising a dining room, lounge, kitchen, administrative offices, pool, gym, change rooms, storage and associated Facilities) restricted to a maximum floor area of 2000m². Parking to be provided at 1 bay per 65m² gross floor area. 2. Sectional Title Frail Care and Assisted Living Units restricted to a maximum of 100 units. Parking to be provided at 1 bay per unit for 2 bedroom units (single storey), 1 bay per 2 units for 2 bedroom units (double storey), 1 bay per 4 units for 1 bedroom units and assisted living studio units. Visitors parking to be provided at 1 bay per 4 units. 3. Staff Accommodation Units restricted to 12 dwelling units. Parking to be provided at 1 bay per unit plus 1 visitor's bay per 4 units. 4. A parking bay shall have dimensions not less than 5,5m X 2,5m. 5. Provision is to be made for the landscaping and maintenance of the grounds to the satisfaction of the Municipality. 6. Not less than 25% of Erf 3852 Howick shall be set aside and maintained as a garden and recreational area, which shall be kept free of parking space and driveways. 			

ST JOHNS COMPONENT 2		
SZ2.2		
SCHEME NOTATION:	SCHEME INTENT:	
Fill: SZ2.2	To provide for a special zone for St Johns Component 2.	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES
Erf 3853 Howick: Residential Building Restaurant		All buildings or land uses not listed on this Table
MINIMUM ERF SIZE	5 500m ²	PARKING REQUIREMENTS
FRONT BUILDING LINE	N/A	See additional Controls
SIDE AND REAR BUILDING LINES	N/A	
MINIMUM FRONTAGE	18m	
DWELLING UNITS PER HECTARE	N/A	
FLOOR AREA RATIO (FAR)	N/A	
COVERAGE	40%	
MAXIMUM HEIGHT IN STOREYS	3	
MINIMUM WIDTH OF ACCESS WAY	N/A	
ADDITIONAL CONTROLS:		
<ol style="list-style-type: none"> 1. Boutique hotel, pub restaurant and associated facilities restricted to 40 suites (2 beds per suite). A Nil Building Line shall apply. Parking shall be provided at 1 bay per room plus 5 bays. 2. A parking bay shall have dimensions not less than 5,5m X 2,5m. 3. Provision is to be made for the landscaping and maintenance of the grounds to the satisfaction of the Municipality. 		

ST JOHNS COMPONENT 2		
SZ2.2		
SCHEME NOTATION:	SCHEME INTENT:	
Fill: SZ2.2	To provide for a special zone for St Johns Component 2.	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES
Erven 3854 to 3856 Howick: Launderette Office Building Public Office Restaurant Shop		All buildings or land uses not listed on this Table
MINIMUM ERF SIZE	1 800m²	PARKING REQUIREMENTS
FRONT BUILDING LINE	N/A	See additional Controls
SIDE AND REAR BUILDING LINES	N/A	
MINIMUM FRONTAGE	15m	
DWELLING UNITS PER HECTARE	N/A	
FLOOR AREA RATIO (FAR)	N/A	
COVERAGE	50%	
MAXIMUM HEIGHT IN STOREYS	2	
MINIMUM WIDTH OF ACCESS WAY	N/A	
ADDITIONAL CONTROLS:		
1. Shops, Offices and Restaurants. A Nil Building Line shall apply. Parking shall be provided at 1 bay per 65m ² gross floor area. 2. A parking bay shall have dimensions not less than 5,5m X 2,5m. 3. Provision is to be made for the landscaping and maintenance of the grounds to the satisfaction of the Municipality.		

ST JOHNS COMPONENT 2		
SZ2.2		
SCHEME NOTATION:	SCHEME INTENT:	
Fill: SZ2.2	To provide for a special zone for St Johns Component 2.	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES
Erf 3857 Howick: Institution Office Building (limited to Medical, Para-medical and associated professions) Restricted Building		All buildings or land uses not listed on this Table
MINIMUM ERF SIZE	5 500m ²	PARKING REQUIREMENTS
FRONT BUILDING LINE	N/A	See additional Controls
SIDE AND REAR BUILDING LINES	N/A	
MINIMUM FRONTAGE	18m	
DWELLING UNITS PER HECTARE	N/A	
FLOOR AREA RATIO (FAR)	N/A	
COVERAGE	50%	
MAXIMUM HEIGHT IN STOREYS	2	
MINIMUM WIDTH OF ACCESS WAY	N/A	
ADDITIONAL CONTROLS:		
<ol style="list-style-type: none"> 1. Medical Facility, comprising consulting rooms for doctors, physiotherapists and dentists, a pharmacy, an operating theatre and associated facilities including reception area, administrative offices and laundry, restricted to a maximum of 40 beds. Parking to be provided at 1 bay per 65m² gross floor area. 2. A parking bay shall have dimensions not less than 5,5m X 2,5m. 3. Provision is to be made for the landscaping and maintenance of the grounds to the satisfaction of the Municipality. 		

FALLSDOWNE ESTATE			
SZ5.1			
SCHEME NOTATION:		SCHEME INTENT:	
Fill: SZ2.2		To provide for a special zone for Fallsdowne Estate.	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT		PROHIBITED USES
Dwelling House (See Table 3) Holiday Park (See Table 3) Home Activity Recreation Area Recreational Building Restaurant	Agricultural Land Educational Building Guest House Place of Public Assembly Public Office Shop (Restricted to 100 m ²)	*Additional Residential Unit *Bed and Breakfast *Home Business	All buildings or land uses not listed on this Table
MINIMUM ERF SIZE	See additional Controls	PARKING REQUIREMENTS	
FRONT BUILDING LINE	N/A	See additional Controls	
SIDE AND REAR BUILDING LINES	N/A		
MINIMUM FRONTAGE	See additional Controls		
DWELLING UNITS PER HECTARE	N/A		
FLOOR AREA RATIO (FAR)	N/A		
COVERAGE	See additional Controls		
MAXIMUM HEIGHT IN STOREYS	See additional Controls		
MINIMUM WIDTH OF ACCESS WAY	N/A		
ADDITIONAL CONTROLS:			
<p>* Permitted by Special Consent but if neighbours' consent is obtained Special Consent may be waived</p> <ol style="list-style-type: none"> 40 Residential erven permitted. The controls relating to Residential Only Detached 3 zone shall apply to these erven. The development footprint shall not exceed 350m² per erf. 6 Self-catering Chalets permitted on a single erf. A tourism and recreation facility comprising a restaurant, a lounge/pub, a functions room, public ablution facilities are permitted on a separate erf with a maximum coverage of 350m², and a height restriction of 1 storey. Support facilities shall be restricted to facilities, amenities and associated infrastructure including maintenance and service yard facilities and staff ablutions with a maximum coverage of 350m² and height of 1 storey. The layout or any amendment thereto shall be subject to environmental assessment in terms of the impact on the surrounding environment and tourism facilities. The development shall be run as a private nature reserve and controlled in terms of a layout and an Environmental Management Plan approved by the Provincial Department of Environmental Affairs, and the Municipality. A Land Owners Association (LOA) shall be formed and shall be given and retain ownership of all land other than that covered in 1., 2. & 3. All owners of erven within the Estate shall be a member of the LOA. Servicing and access shall be provided to the development and every erf in terms of a written agreement with the Municipality or relevant Service Authority prior to development occurring. 			

419/116 ALLEMANS DRIFT – HOWICK WEST

SZ8.1

SCHEME NOTATION:		SCHEME INTENT:		
Fill: SZ8.1		To provide for a special zone for 419/116 Allemans Drift – Howick West.		
USE/BUILDING FREELY PERMITTED		USE/BUILDING PERMITTED WITH CONSENT		PROHIBITED USES
Agricultural Land Bed and Breakfast Commercial Workshop Cottage Industrial Building Day Care Centre Dwelling House Educational Building Guest House Holiday Park	Medium Density Housing Office Building Petrol Filling Station Place of Public Assembly Recreation Area Public Office Recreational Building Residential Building Restaurant Shop	Garage Institution Parking Garage Place of Public Amusement Recycling Depot Veterinary Clinic Warehouse	* Home Activity * Home Business	All buildings or land uses not listed on this Table
MINIMUM ERF SIZE		See additional Controls	PARKING REQUIREMENTS	
FRONT BUILDING LINE		N/A	See additional Controls	
SIDE AND REAR BUILDING LINES		N/A		
MINIMUM FRONTAGE		See additional Controls		
DWELLING UNITS PER HECTARE		N/A		
FLOOR AREA RATIO (FAR)		N/A		
COVERAGE		See additional Controls		
MAXIMUM HEIGHT IN STOREYS		See additional Controls		
MINIMUM WIDTH OF ACCESS WAY		N/A		
ADDITIONAL CONTROLS:				
<p>* Permitted by Special Consent, but if neighbours' consent is obtained Special Consent may be waived</p> <ol style="list-style-type: none"> The site is to be developed in accordance with the layout plan entitled "Proposed Midmar / Howick Development on the Farm Allemans Drift for Touchline Properties (Pty) Ltd" dated January 2001 and prepared by FGG Architects. Minor deviations maybe permitted, if fully motivated. Unless specified in these clauses, any development in this zone shall be in accordance with any other provisions contained elsewhere in the Scheme. Set out in Table A are the Management Controls Applicable. 				

TABLE A				
ACTIVITY	BUILDING G.L.A / UNITS	LAND AREA	PARKING	HEIGHT
Petrol Filling Station	1 200 m ²	1 ha	10	1
Hotels and Chalets	160 beds	5 ha	120	2
Shopping Centre	15 000 m ²	6 ha	1050	2
Cottage Industry, Craft Centre, Tour Coaches, Taxis	2 000 m ²	1 ha	120 6 20	2
Farmhouse Restaurant Animal Farm	1 500 m ²	1.5 ha	30	2
Office Park	3 000 m ²	3 ha	160	2
School		2.5 ha		2
Medium Density Housing	max. 240 units	12 ha	2 / unit	2
Private Open Space / Recreation and Roads		10 ha		1
TOTAL		42 ha		

4. All of these land uses to be located substantially in accordance with the layout plan referred to above. (See also Table A).
5.
 - i) Development may be phased in accordance with phases acceptable to the Municipality.
 - ii) An Environmental Management Plan (EMP) shall be prepared to guide the construction and on-going management of the development for each phase.

The EMP shall:

- (a) specify, in detail, the precautionary measures which shall be implemented in the preconstruction, construction and post-construction phases to ensure that there is no degradation of the natural environment; and
 - (b) be the satisfaction of: The Provincial Department of Environmental Affairs; and the Municipality.
6.
 - i) buildings and infrastructure design and finishes shall be substantially in accordance with those shown in the concept drawings;
 - ii) the submission of a landscaping plan to the satisfaction of the Municipality.
 7. This zone is subject to the following service-related conditions:
 - i) a potable water supply to the site shall be established and maintained, at the applicant's expense, to the satisfaction of the Municipality;
 - ii) the sewage and wastewater disposal system shall be designed constructed and maintained, at the applicant's expense, to the satisfaction of the Municipality;
 - iii) arrangements for the disposal of solid waste refuse shall be made by the applicant to the satisfaction of the Municipality;
 - iv) the stormwater disposal system shall be designed, constructed and maintained at the applicant's expense, to the satisfaction of the Municipality and with the necessary approvals from the National Department of Transport on account of the development's proximity to the N3 National Road;
 - v) the internal road network shall be constructed to the satisfaction of the Municipality;
 - vi) road access to the site shall be designed, constructed and maintained to the satisfaction of both the National and Provincial Departments of Transport; and at the cost of the applicant.

12 & REM/30/952 DRIEFONTEIN		
SZ8.2		
SCHEME NOTATION:	SCHEME INTENT:	
Fill: SZ8.2	To provide for a special zone for 12 & REM/30/952 Driefontein- Tumbleweed extension Special Zone 8.2	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES
Residential Component uses as per Residential Only Detached 5 zone. Commercial Component uses as per Low Impact Mixed Use 1 zone. Education Component uses as per Education Zone Community Facilities Component uses as per Municipal and Government Zone.		All buildings or land uses not listed on this Table
MINIMUM ERF SIZE	See additional Controls under 7 below	PARKING REQUIREMENTS
FRONT BUILDING LINE	N/A	See additional Controls
SIDE AND REAR BUILDING LINES	N/A	
MINIMUM FRONTAGE	See additional Controls under 7 below	
DWELLING UNITS PER HECTARE	N/A	
FLOOR AREA RATIO (FAR)	N/A	
COVERAGE	See additional Controls under 7 below	
MAXIMUM HEIGHT IN STOREYS	See additional Controls under 7 below	
MINIMUM WIDTH OF ACCESS WAY	N/A	
ADDITIONAL CONTROLS:		
<ol style="list-style-type: none"> 1. The site is to be developed in accordance with the approved layout plan. 2. Unless specified below development in this zone shall be in accordance with any other provisions contained elsewhere in the Urban Planning Scheme. 3. The maximum residential density in Special Zone 8.2 shall be 30 dwelling units per hectare. 4. Provision is to be made for the landscaping and maintenance of the grounds to the satisfaction of the Municipality. The landscaping of the property is to include a tree planting programme along the Main Road. 5. The development is subject to the provision of a sewage disposal system to the satisfaction of the Municipality. 6. Not more than 1 Dwelling House shall be erected on any erf, provided that where the erf is more than twice the minimum erf size, one additional Dwelling House may be erected on the erf provided the applicant has submitted to the Municipality, and received approval for a drawing showing that the land on which the additional dwelling house will stand is capable of being subdivided in accordance with the provisions of the Scheme. 7. Controls: 		

Density Zone	Maximum Permitted F.A.R., Coverage & Height	Additional Controls
Tumbleweed extension Special Zone 8.2 Residential Component	N/A: 50 : 2	1. Minimum Erf Size: 240m ² , Minimum Frontage: 12m.
Tumbleweed extension Special Zone 8.2 Commercial Component	N/A: 50 : 2	1. Minimum Erf Size: 350m ² , Minimum Frontage: 15m
Tumbleweed extension Special Zone 8.2 Education Component	N/A: 30 : 2	
Tumbleweed extension Special Zone 8.2 Community Facilities Component	N/A: 30 : 2	1. Minimum Erf Size: 900m ² , Minimum Frontage: 18m.

BROOKDALE ESTATE-MIDMAR			
SZ8.3			
SCHEME NOTATION:		SCHEME INTENT:	
Fill: SZ8.3		To provide for a special zone for Brookdale Estate-Special Zone 21.1	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT		PROHIBITED USES
Agricultural Land Dwelling House Recreation Area Recreational Building Residential Building (Restricted to a Lodge)	Commercial Workshop Cottage Industrial Building Day Care Centre Educational Building Institution Medium Density Housing Parking Garage Place of Public Amusement Place of Public Assembly Public Office Recycling Depot Restaurant Shop	*Additional Residential Unit *Bed and Breakfast *Guest House *Home Activity *Home Business	All buildings or land uses not listed on this Table
MINIMUM ERF SIZE	See additional Controls	PARKING REQUIREMENTS	
FRONT BUILDING LINE	N/A	See additional Controls	
SIDE AND REAR BUILDING LINES	N/A		
MINIMUM FRONTAGE	N/A		
DWELLING UNITS PER HECTARE	N/A		
FLOOR AREA RATIO (FAR)	See additional Controls		
COVERAGE	25%		
MAXIMUM HEIGHT IN STOREYS	1 Excl. Conservation Areas		
MINIMUM WIDTH OF ACCESS WAY	N/A		
ADDITIONAL CONTROLS:			
<p>* Permitted by Special Consent but if neighbours' consent is obtained Special Consent may be waived.</p> <ol style="list-style-type: none"> The maximum density permitted shall be 2 units per hectare (70 units) and the layout shall be substantially in accordance with the layout plan numbered 281J, dated February 2008. Provision id to be made for the landscaping and maintenance of the grounds to the satisfaction of the Municipality and not less than 25% of the site shall be set aside and maintained for conservation purposes, which shall be kept free of parking spaces. The development shall be subjects to the provision of a sewage disposal system, to the satisfaction of the Municipality. 			

4. The development shall be subject to the provision of a stormwater disposal system to the satisfaction of the Municipality.
5. A Home Owners Association is to be established which shall be responsible for the maintenance of the conservation area, roads and internal services to the satisfaction of the Municipality.
6. An architectural code is to be evolved. Prior to submission of building plans to the Municipality, these plans shall have been approved by the Home Owners Association as complying with the architectural code.
7. A single Lodge Development shall be permitted within the Estate.

GARLINGTON-HILTON			
SZ10.1			
SCHEME NOTATION:	SCHEME INTENT:		
Fill: SZ10.1	To provide for a special zone for Garlington Country Estate Special Zone 10.1		
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT		PROHIBITED USES
Additional Residential Unit Agricultural Land Dwelling House Home Activity Institution Medium Density Housing Office Building Place of Public Assembly Recreation Area Recreational Building Residential Building Warehouse	Day Care Centre Educational Building Guest House Parking Garage Public Office Recycling Depot Restaurant Service Industrial Building Shop Veterinary Clinic	*Bed and Breakfast *Home Business	All buildings or land uses not listed on this Table
MINIMUM ERF SIZE	See additional Controls under 14 below	PARKING REQUIREMENTS	
FRONT BUILDING LINE	N/A	See additional Controls	
SIDE AND REAR BUILDING LINES	N/A		
MINIMUM FRONTAGE	See additional Controls under 14 below		
DWELLING UNITS PER HECTARE	N/A		
FLOOR AREA RATIO (FAR)	N/A		
COVERAGE	See additional Controls under 14 below		
MAXIMUM HEIGHT IN STOREYS	See additional Controls under 14 below		
MINIMUM WIDTH OF ACCESS WAY	N/A		
ADDITIONAL CONTROLS:			

*** Permitted by Special Consent but if neighbours' consent is obtained Special Consent may be waived.**

1. The Layout shall be substantially in accordance with Plan No. 212xy, prepared by Greene Land as duly modified.
2. Land and building use shall be in accordance with the controls set out below, and the plan titled Garlington Town Planning Scheme Land Use Zones prepared by Greene Land and dated January 2014, or as further amended.
3. Development Densities shall be in accordance with the controls set out below, and the plan titled Garlington Town Planning Scheme Development Zones prepared by Greene Land and dated June 2013 or as further amended.
4. An Institution (Including a High Care Centre) shall be permitted on Erf 381.
5. The owner of any erf or sectional title unit shall be a member of the Garlington Home Owners Association.
6. Accommodation for motor vehicles is to be provided in accordance with Clause 14.4.
7. Access to the estate for the residents shall be via Seeking Drive as the entrance and via Mimosa Drive as the exit.
8. All buildings shall be built in terms of the Garlington Building Code and all building plans must first have been approved by the Garlington Architectural Review Committee before being submitted to the Municipality for approval. The Garlington Building Code may impose more stringent development controls than are imposed by the Scheme and if so, the conditions of the Garlington Building code shall prevail.
9. No further subdivision of any property shall be allowed unless the consent of the Board of the Garlington Home Owners Association has been obtained.
10. No Sectional Title Scheme or Share Block Company may be established without approval of the Garlington Home Owners Association with the exception of erven 318, 322 and 323.
11. Prior to a Special Consent application being lodged with the Municipality for approval, the Board of the Garlington Home Owners Association shall have commented on the application.
12. A Home Owners Association shall be established to cover the township as a whole. The Association will have all the powers referred to in the Scheme but additional powers, functions and duties may be created and assigned to it.
13. The internal reticulation for the water supply, the sewage disposal and the internal roads are to be maintained by the Garlington Home Owners Association.
14. Development shall be substantially in accordance with the layout plans referred to in 1, 2 and 3 above and the controls set out below, provided that a revised layout may be considered by the Municipality. Should the Municipality believe the revised layout to be a substantial deviation it shall call upon the applicant to apply for its Special Consent.

Density Zone	Maximum Permitted F.A.R., Coverage & Height	Additional Controls
Central	1,5: 75: 2 (Provided that in certain instances 3 storeys may be permitted as set out in the Garlington Architectural Code)	14.1 In the Central Zone, the following uses are permitted: Additional Residential Unit Dwelling House Home Activity Medium Density Housing Office Building Place of Public Assembly; Recreation Area; Recreational Building; Residential Building (Only on the following erven: 318, 322, and 323)

		<p>The following uses may only be permitted by Special Consent:</p> <p>Bed and Breakfast (Erven 322 and 323 only)</p> <p>Home Business</p> <p>Restaurant. (Erf 318 only)</p> <p>Shop (Erf 318 only)</p>
Special Residential A	1,0: 50: 2	<p>14.2 In the Residential (Area A) Zone (Row Houses), the following uses are permitted:</p> <p>Dwelling House;</p> <p>Home Activity.</p> <p>The Minimum Erf Size is 200m².</p>
Special Residential B	0,3: 30: 1	<p>14.3 Further controls as per the Residential Only Detached 2 zone except that the Minimum Erf Size shall be 1 900m².</p>
Special Residential C	0,12: 15: 2	<p>14.4 Further controls as per the Residential Only Detached 2 zone except that the Minimum Erf Size shall be 2 300m² except for Erf 253 which is 1 800m² and the area of garden servitude to be included in Coverage and FAR calculations.</p>
Special Residential D	0,25: 20: 2	<p>14.5 Further controls as per the Residential Only Detached 2 zone except that the Minimum Erf Size shall be 3 000m².</p>
Special Residential E	<p>Max Floor Area: 1 200m²</p> <p>Max Coverage: 800m²</p> <p>Max Height: 2</p>	<p>14.6 Further controls as per the Residential Only Detached 1 zone except that the Minimum Erf Size shall be 5 500m²</p>
Institution	0,60: 30: 2	<p>14.7 In the Institution Zone, the following uses are permitted:</p> <p>Institution;</p> <p>Residential Building (Restricted to staff accommodation).</p>
Agriculture	0,15: 25: 2	<p>14.8 Further controls as per the Urban Agriculture 1 zone</p>
Private Open Space		<p>14.9 Controls as per the Active Open Space zone.</p>
Warehouse and Maintenance	0.7: 70: 1	<p>14.10 Permitted uses are:</p> <p>Warehouse</p> <p>Service Industrial Building (Restricted to maintenance and related Office for the management of the estate).</p> <p>Residential Building (Restricted to staff accommodation)</p>

SUBS OF 29/330 HILTON		
SZ10.2		
SCHEME NOTATION:	SCHEME INTENT:	
Fill: SZ10.2	To provide for a special zone for SUBS OF 29/330 Hilton-Residential Estate Development Special Zone 10.2	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES
Dwelling House Home Activity		All buildings or land uses not listed on this Table
MINIMUM ERF SIZE	See additional Controls	PARKING REQUIREMENTS
FRONT BUILDING LINE	N/A	See additional Controls
SIDE AND REAR BUILDING LINES	N/A	
MINIMUM FRONTAGE	See additional Controls	
DWELLING UNITS PER HECTARE	N/A	
FLOOR AREA RATIO (FAR)	N/A	
COVERAGE	See additional Controls	
MAXIMUM HEIGHT IN STOREYS	See additional Controls	
MINIMUM WIDTH OF ACCESS WAY	N/A	
ADDITIONAL CONTROLS:		
Density Zone	Maximum Permitted F.A.R., Coverage & Height	Additional Controls
Special Zone 10.2 (to cover Residential Estate Development on Portion 29/330 Hilton)	Erven 1551 to 1559 and 1561 to 1580: 0.50 : 50 : 2	<ol style="list-style-type: none"> 1. A maximum of 47 dwelling units shall be permitted. 2. The disposition of development shall be generally in accordance with the Layout Plan, No. 10329PA/GA/03 Rev AA dated April 2008, subject to minor amendments approved by the Municipality. 3. Accommodation for motor vehicles shall be a minimum of 3 cars spaces per erf. 4. The floor area, design and finishes of the dwelling units shall be in accordance with the Architectural Controls that shall form part of the Articles of Association. 5. An Owners' Association, which shall have perpetual succession, shall be established simultaneously with the transfer and registration of the first erf. 6. The affairs of the Owners' Association associated with the Special Zone shall be regulated by Articles of Association acceptable to the Municipality and shall include the ownership, maintenance and management of the Common Open Space, Erf 1584, and the services and common property located
	Erven 1533 to 1550: 0.60 : 60 : 2	

		<p>within the Special Zone and membership of the Owners' Association that will be responsible for managing and maintaining the Private Open Space, Erf 1584.</p> <p>7. Membership of the Owners' Association shall be compulsory for and exclusive to the owners of all subdivisions within the Special Zone. Provision shall be made for membership to be extended to include other parties solely for the purpose of maintaining and managing the two grassland areas, Erven 1583 and 1584.</p> <p>8. Services, including the sewer reticulation system, shall be installed to the satisfaction of the Municipality.</p> <p>9. The street building line, side and rear spaces applicable to the outer boundary of the Special Zone shall be 7.5 and 4.5 metres respectively, save with the Municipality's Authority. The street building line, side and rear spaces applicable to the internal erf boundaries shall be determined by the Owners' Association, subject to the provisions of the National Building Regulations and Architectural Controls.</p>
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616 HILTON			
SZ10.3			
SCHEME NOTATION:		SCHEME INTENT:	
Fill: SZ10.3		To provide for a special zone for 616 Hilton – Craft Centre Special Zone 10.3.	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT		PROHIBITED USES
Commercial Workshop Cottage Industrial Building (Restricted to Arts and Crafts) Dwelling House Guest House Home Activity Residential Building Restaurant Shop (Restricted to Arts and Crafts)	Agricultural Land Bed and Breakfast Educational Building Institution Medium Density Housing Place of Public Assembly Recreation Area Public Office Recreational Building Recycling Depot	*Home Business	All buildings or land uses not listed on this Table
MINIMUM ERF SIZE	4000m ²	PARKING REQUIREMENTS	
FRONT BUILDING LINE	N/A	See additional Controls	
SIDE AND REAR BUILDING LINES	N/A		
MINIMUM FRONTAGE	N/A		
DWELLING UNITS PER HECTARE	N/A		
FLOOR AREA RATIO (FAR)	0,10		
COVERAGE	10%		
MAXIMUM HEIGHT IN STOREYS	2		
MINIMUM WIDTH OF ACCESS WAY	N/A		
ADDITIONAL CONTROLS:			
<p>* Permitted by Special Consent but if neighbours' consent is obtained Special Consent may be waived.</p> <ol style="list-style-type: none"> Accommodation of motor vehicles to be provided on the erf as per Clause 14.4 Access and the design and layout of the parking area shall be to the satisfaction of the Municipality. The property shall be landscaped to the satisfaction of the Municipality. Subject to the provision of a sewage disposal system to the satisfaction of the Municipality. If the nature of the use is materially altered such that it is found there is an interference with the amenities of the neighbourhood, the Municipality may call on the occupant to cease the use, and it may initiate a rezoning of the property to Residential Only Detached 2. 			

949 CEDARA-HILTON			
SZ10.5			
SCHEME NOTATION:	SCHEME INTENT:		
Fill: SZ10.5	To provide for a special zone for Cedara – School for the Blind Special Zone 10.5		
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT		PROHIBITED USES
Agricultural Land Commercial Workshop Dwelling House Educational Building Institution Place of Public Assembly Recreational Building Shop	Restaurant	*Bed and Breakfast *Home Business	All buildings or land uses not listed on this Table
MINIMUM ERF SIZE	300m ²	PARKING REQUIREMENTS	
FRONT BUILDING LINE	N/A	See additional Controls	
SIDE AND REAR BUILDING LINES	N/A		
MINIMUM FRONTAGE	N/A		
DWELLING UNITS PER HECTARE	N/A		
FLOOR AREA RATIO (FAR)	0,30		
COVERAGE	30%		
MAXIMUM HEIGHT IN STOREYS	2		
MINIMUM WIDTH OF ACCESS WAY	N/A		
ADDITIONAL CONTROLS:			
* Permitted by Special Consent but if neighbours' consent is obtained Special Consent may be waived.			

12/1453 HILTON QUARRY CENTRE		
SZ11.3		
SCHEME NOTATION:	SCHEME INTENT:	
Fill: SZ11.3	To provide for a special zone for Hilton –Special Zone 11.3.	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES
Office Building Petrol Filling Station Private Recreation Area Public Office Recreational Building Restaurant Shop	Educational Building Recycling Depot	All buildings or land uses not listed on this Table
MINIMUM ERF SIZE	2Ha	PARKING REQUIREMENTS
FRONT BUILDING LINE	N/A	See additional Controls
SIDE AND REAR BUILDING LINES	N/A	
MINIMUM FRONTAGE	N/A	
DWELLING UNITS PER HECTARE	N/A	
FLOOR AREA RATIO (FAR)	0,25	
COVERAGE	20%	
MAXIMUM HEIGHT IN STOREYS	2	
MINIMUM WIDTH OF ACCESS WAY	N/A	
ADDITIONAL CONTROLS:		
<ol style="list-style-type: none"> 1. Accommodation of motor vehicles to be provided on the erf as per Clause 14.4, except in the case of parking for Shops, Offices, (other than medical, dental or veterinary offices) and Restaurant uses, a composite total of 1 bay per 20 m² or major portion thereof of gross floor space, shall be provided. 2. In addition to the general requirements of the Scheme special attention is drawn to Annexure 3 and Clause 13.7. 3. The site shall be landscaped to the satisfaction of the Municipality. 4. Particular attention must be paid to character, design and external appearance of all visually prominent portions of the buildings, including the materials used in their construction, advertisement hoardings and signposting, all of which shall be to the satisfaction of the Municipality. 5. Subject to the provision of a sewage disposal system to the satisfaction of the Municipality. 6. Prior to the lodging of building plans for any further phase Prior to the lodging of building plans for any further phase the following shall be provided: <ol style="list-style-type: none"> 6.1 A framework plan illustrating the likely ultimate future development of the Centre including input from an architect on the expansion possibilities, an engineer’s report on services, a traffic engineers report on access, need for external road upgrades and parking; and a town planners report summarizing this information and providing a planning background perspective. 6.2 An architect’s explanation in regard to the aesthetics of the extensions proposed in the building plans and how these will affect the possible future development as set out in the Framework Plan. 		

- 6.3 An engineer's report addressing servicing needs for the extensions proposed and providing guarantees in these regards in terms of the costs involved.
- 6.4 A Traffic Engineers report addressing the access, external road upgrades and parking requirements for the extensions and providing guarantees in these regards in terms of the costs involved.

616 WINTERS KLOOF-HILTON			
SZ11.5			
SCHEME NOTATION:	SCHEME INTENT:		
SZ11.5	To provide for a special zone for Evergreen Estate Special Zone 11.5		
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT		PROHIBITED USES
Dwelling House Institution (Limited to care for the aged on Erven 869 and 870 only) Lauderette (Erf 870 only) Medium Density Housing (Erf 869 Only) Office Building (Erf 870 only) Place of Public Amusement (Erf 870 Only) Place of Public Assembly (Erf 870 only) Recreational Building (Erf 870 only) Residential Building Erf 870 only) Restaurant (Erf 870 Only) Shop (Erf 870 only)	Commercial Workshop Day Care Centre	Home Activity*	All buildings or land uses not listed on this Table
MINIMUM ERF SIZE	See additional Controls	PARKING REQUIREMENTS	
FRONT BUILDING LINE	N/A	See additional Controls	
SIDE AND REAR BUILDING LINES	N/A		
MINIMUM FRONTAGE	N/A		
DWELLING UNITS PER HECTARE	N/A		
FLOOR AREA RATIO (FAR)	Unrestricted**		
COVERAGE	30%**		
MAXIMUM HEIGHT IN STOREYS	2**		
MINIMUM WIDTH OF ACCESS WAY	N/A		
ADDITIONAL CONTROLS:			
<p>* Permitted by Special Consent but if neighbours' consent is obtained Special Consent may be waived.</p> <p>** Note: Erf 870 shall be restricted to an FAR of 1,00 but a Height of 3 stories shall be permitted on Erf 870</p> <ol style="list-style-type: none"> 1. There shall be a maximum of 458 dwelling units in the Township. 2. Accommodation for motor vehicles to be provided in accordance with Clause 14.4 of Scheme save that visitors' parking shall be allowed and encouraged on the streets. 3. Sewage disposal system shall be provided to the satisfaction of the Municipality. 4. There shall be a 15 metre wide building line along the boundary adjacent to Denis Shepstone Drive and a 7 metre building line along the boundary adjacent to Page Place. 5. Prior to the development of the streets and the private open spaces and recreational areas, a landscaping plan shall be approved by the Municipality and not less than 20% of the site area shall be set aside for private open space, landscaped areas and recreation areas and developed as such to the satisfaction of the Municipality. 			

6. All buildings shall be developed in accordance with an architectural code which must be approved by the Municipality prior to development of the Township.
7. A Home Owners association shall be established to cover the township as a whole.
8. All erven within the Township are to be serviced to the satisfaction of the Municipality and Service Authority, where this is not the Municipality.
9. Internal roads are to be constructed to a standard as laid down by the Municipality and in accordance with an engineer's report.
10. Refuse collection shall be provided to the satisfaction of the Municipality.

FARM GOWRIE NRV			
SZ18.1			
SCHEME NOTATION:		SCHEME INTENT:	
Fill: SZ18.1		To provide for a special zone for Gowrie Farm Estate Special Zone 18.1	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT		PROHIBITED USES
Agricultural Land Dwelling House Office Building Recreation Area Recreational Building	Day Care Centre Educational Building Guest House Place of Public Assembly Public Office Recycling Depot Restaurant Shop (Restricted to 100 m ²) Veterinary Clinic	*Additional Residential Unit *Bed and Breakfast *Home Activity *Home Business	All buildings or land uses not listed on this Table
MINIMUM ERF SIZE	**See additional Controls	PARKING REQUIREMENTS	
FRONT BUILDING LINE	N/A	See additional Controls	
SIDE AND REAR BUILDING LINES	N/A		
MINIMUM FRONTAGE	N/A		
DWELLING UNITS PER HECTARE	N/A		
FLOOR AREA RATIO (FAR)	**See additional Controls		
COVERAGE	**See additional Controls		
MAXIMUM HEIGHT IN STOREYS	**See additional Controls		
MINIMUM WIDTH OF ACCESS WAY	N/A		
ADDITIONAL CONTROLS:			
<p>* Permitted by Special Consent but if neighbours' consent is obtained Special Consent may be waived.</p> <p>** Note: Maximum Height of 1 storey except for the Club House which has a Maximum Height of 2 storeys.</p> <p style="text-align: center;">Certain specifically identified properties are allowed lofts and basements</p> <ol style="list-style-type: none"> The development of the Gowrie Farm Estate shall be substantially in accordance with Plan No. 207L prepared by Greene Land, subject to minor amendments approved by the Municipality. The Land Use of the portions shall be: <ul style="list-style-type: none"> • Ptns 1-125: Residential • Ptn 126: Homeowners Association amenities • Ptn 127: Clubhouse • Ptn 128: Agriculture and Golf Course • Ptn 129-182: Residential The dimensions and area of each portion shall be substantially as shown on layout plan prepared by Greene Land numbered 207L. 			

3. The total floor area of the buildings on any of the proposed residential portions shall not exceed 480m².
4. The proposed clubhouse shall not exceed 1250m² in floor area.
5. A barn like structure may be built on Portion 128, to be used to house the machinery and equipment required to maintain the golf course.
6. Portion 128 shall be limited to uses for agriculture, agricultural buildings, golf course and clubhouse.
7. A Section 21 Company is to be registered to serve as a Home Owners Association. Portion 126 shall be transferred to the Home Owners Association and may have an office building and two barn like structures not exceeding 2 000m² each built on it. The buildings shall be used as an office by the Home Owners Association, for storage of equipment required by the Homeowners Association and for the provision of stables for horses owned by members of the Association.
8. All buildings shall be built in terms of a Building Code and all building plans must first have been approved by an Architectural Review Committee formed as part of the Home Owners Association before being submitted to the Municipality for approval. The Building Code may impose more stringent development controls than are imposed by the Scheme and if so, the conditions of the building code shall prevail.

59/1930 RAWDONS HOTEL NRV		
SZ18.2		
SCHEME NOTATION:	SCHEME INTENT:	
Fill: SZ18.2	To provide for a special zone for Rawdons Hotel Special Zone 18.2	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES
Agricultural Land Bed and Breakfast Dwelling House Guest House Recreation Area Recreational Building Residential Building (Restricted to a Hotel) Restaurant	Day Care Centre Educational Building Institution Place of Public Amusement Place of Public Assembly Public Office Recycling Depot Shop (Restricted to 100 m ²)	All buildings or land uses not listed on this Table
MINIMUM ERF SIZE	As per Planning Approval	PARKING REQUIREMENTS
FRONT BUILDING LINE	N/A	See additional Controls
SIDE AND REAR BUILDING LINES	N/A	
MINIMUM FRONTAGE	N/A	
DWELLING UNITS PER HECTARE	N/A	
FLOOR AREA RATIO (FAR)	As per Planning Approval	
COVERAGE	As per Planning Approval	
MAXIMUM HEIGHT IN STOREYS	As per Planning Approval	
MINIMUM WIDTH OF ACCESS WAY	N/A	
ADDITIONAL CONTROLS:		
As per present Planning Approval		

59/1930 BROOKSDALES SPA NRV BROOKSDALES SPA NRV SZ18.3		
SCHEME NOTATION: Fill: SZ18.3	SCHEME INTENT: To provide for a special zone for Brookedales Spa Special Zone 18.3	
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES
Agricultural Land Bed and Breakfast Dwelling House Guest House Recreation Area Recreational Building Residential Building (Restricted to a Hotel) Restaurant	Educational Building Institution Place of Public Amusement Place of Public Assembly Public Office Recycling Depot Shop (Restricted to 100 m ²)	All buildings or land uses not listed on this Table
MINIMUM ERF SIZE	As per Planning Approval	PARKING REQUIREMENTS
FRONT BUILDING LINE	N/A	See additional Controls
SIDE AND REAR BUILDING LINES	N/A	
MINIMUM FRONTAGE	N/A	
DWELLING UNITS PER HECTARE	N/A	
FLOOR AREA RATIO (FAR)	As per Planning Approval	
COVERAGE	As per Planning Approval	
MAXIMUM HEIGHT IN STOREYS	As per Planning Approval	
MINIMUM WIDTH OF ACCESS WAY	N/A	
ADDITIONAL CONTROLS:		
As per present Planning Approval		

GOWRIE VILLAGE NRV			
SZ19.1			
SCHEME NOTATION:	SCHEME INTENT:		
<div style="border: 1px solid black; padding: 5px; display: inline-block;">SZ19.1</div>	To provide for a special zone for Gowrie Village Special Zone 19.1		
Fill:			
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES	
Commercial Workshop Cottage Industrial Building Dwelling House Home Activity Home Business Office Building Recreation Area Public Office Recreational Building Restaurant Shop	Day Care Centre Educational Building Place of Public Amusement Place of Public Assembly Recycling Depot	*Additional Residential Unit *Bed and Breakfast *Guest House	All buildings or land uses not listed on this Table
MINIMUM ERF SIZE	See additional Controls	PARKING REQUIREMENTS	
FRONT BUILDING LINE	N/A	See additional Controls	
SIDE AND REAR BUILDING LINES	N/A		
MINIMUM FRONTAGE	N/A		
DWELLING UNITS PER HECTARE	N/A		
FLOOR AREA RATIO (FAR)	See additional Controls		
COVERAGE	See additional Controls		
MAXIMUM HEIGHT IN STOREYS	See additional Controls		
MINIMUM WIDTH OF ACCESS WAY	N/A		
ADDITIONAL CONTROLS:			
<p>* Permitted by Special Consent but if neighbours' consent is obtained Special Consent may be waived.</p> <ol style="list-style-type: none"> 1. The proposed development shall be substantially in accordance with plan 85H15A prepared by Greene Land dated April 2001. 2. A Section 21 Company is to be registered to serve as a Home Owners Association which shall maintain road erven and road servitudes registered in its favour, and other bulk services provided that serve the development as a whole. 3. All properties are to be zoned in accordance with the Zoning plan, and Architectural Urban and Zoning conditions approved by the Home Owners Association. The Municipality shall not approve any land use that does not comply with the zoning of the property. Provided that the Home Owners Association may not vary the Zoning Plan or Architectural, Urban and Zoning Conditions without the approval of the Municipality who may call upon the Home Owners Association to follow the Special Consent procedure where it considers the amendment is of a substantial nature. 			

35, 80, 82, 99 GOWRIE 1930 NRV

SZ19.2

SCHEME NOTATION:		SCHEME INTENT:		
Fill:	SZ19.2	To provide for a special zone for Oakwood Village and Sunshine for the Soul Wellness Village-Special Zone 19.2		
USE/BUILDING FREELY PERMITTED		USE/BUILDING PERMITTED WITH CONSENT		PROHIBITED USES
Agricultural Land Commercial Workshop Dwelling House Home Activity Institution Medium Density Housing Office Building Parking Garage Recreation Area Public Office Recreational Building Restaurant Shop		Cottage Industrial Building Day Care Centre Educational Building Funeral Parlour Garage Petrol Filling Station Place of Public Amusement Place of Public Assembly Recycling Depot Service Industrial Building Veterinary Clinic Warehouse		*Additional Residential Unit *Bed and Breakfast *Guest House *Home Business All buildings or land uses not listed on this Table
MINIMUM ERF SIZE		See additional Controls		PARKING REQUIREMENTS
FRONT BUILDING LINE		N/A		See additional Controls
SIDE AND REAR BUILDING LINES		N/A		
MINIMUM FRONTAGE		N/A		
DWELLING UNITS PER HECTARE		N/A		
FLOOR AREA RATIO (FAR)		See additional Controls		
COVERAGE		See additional Controls		
MAXIMUM HEIGHT IN STOREYS		2		
MINIMUM WIDTH OF ACCESS WAY		N/A		
ADDITIONAL CONTROLS:				

*** Permitted by Special Consent but if neighbours' consent is obtained Special Consent may be waived.**

1. The development on site shall be restricted to the following:
 - Residential-40 dwelling units
 - Shops-Total Floor Area 4129m²
 - Offices-Total Floor Area 275m²
 - Civic related- Total Floor Area 926m²
 - Wellness (Holistic healing centre)-Total Floor Area 4230m² and 6 Sectional Title Units
 - Parking-Minimum of 201 parking bays
2. The land use zonings shall be as indicated on the Proposed Land Use Plan No.11 dated March 2004 prepared by BCP Engineers, and in other respects than the restrictions set out in 1 above, shall adhere to the controls as set out in the zones indicated in the second column of the Table below:

DEVELOPMENT COMPONENT	ZONE
Residential	Residential Only Medium Density 2
General Mixed Use	Medium Impact Mixed Use 1
Special Area – Wellness Centre	Institution
Private Open Space	Active Open Space
Agriculture	Urban Agriculture 2

35/ SPRING GROVE 2169 NRV

SZ19.3

SCHEME NOTATION:		SCHEME INTENT:		
Fill:	SZ19.3	To provide for a special zone for Windspur Estate-Special Zone 19.3		
USE/BUILDING FREELY PERMITTED		USE/BUILDING PERMITTED WITH CONSENT		PROHIBITED USES
Dwelling House Guest House Home Activity Office Building Recreation Area Recreational Building		Bed and Breakfast Home Business Institution Public Office Recycling Depot Veterinary Clinic		All buildings or land uses not listed on this Table
MINIMUM ERF SIZE		See additional Controls	PARKING REQUIREMENTS	
FRONT BUILDING LINE		N/A	See additional Controls	
SIDE AND REAR BUILDING LINES		N/A		
MINIMUM FRONTAGE		N/A		
DWELLING UNITS PER HECTARE		N/A		
FLOOR AREA RATIO (FAR)		See additional Controls		
COVERAGE		See additional Controls		
MAXIMUM HEIGHT IN STOREYS		2		
MINIMUM WIDTH OF ACCESS WAY		N/A		
ADDITIONAL CONTROLS:				
<ol style="list-style-type: none"> 1. The development of the Windspur Estate shall be substantially in accordance with Plan No. W01.PZB 000207_SDP_AC dated February 2011 as prepared by SSI Engineers, subject to minor amendments approved by the Municipality. 2. All buildings shall be developed in accordance with an architect code which must be approved by the Municipality prior to submission of building plans. 3. One on-site parking bay shall be provided within the boundary of each residential subdivision. Where a Dwelling is also use for offices, parking shall be provided on-site at the ratio of 1 bay for every 15m² of office floor area. 4. A sewage disposal system shall be provided to the satisfaction of the Municipality. 5. Along Main Road P27-3 a 15m wide building line shall apply to all sites, measured from the surveyed boundary of the property. All sites shall have a nil building line along internal roads. 6. Development on Erf 449 shall be restricted to a gate house, guard house, ablutions and refuse collection point. 7. Development on Erf 450 shall be restricted to support facilities relating to the Estate maintenance including an administration office, maintenance shed, storeroom and under cover parking. 8. Portion 448 shall be designated Private Conservation and no development shall take place except for infrastructure required for the management of the development including private roads, servitudes, water reservoir, boreholes, paths for maintenance and recreation purposes. The Conservation area shall be managed in 				

accordance with the Environmental Management Plan as contemplated in EIA 6859.

9. Four staff housing units each not more than 90m² in extent may be constructed on Erf 447.
10. The minimum Erf size of all sites shall be as shown on Plan No. w01.PZB 000207_SDP_AC dated February 2011.
11. Maximum Floor Area Ratio, Coverage, Height, Side and Rear Space and freely permitted land uses shall be as contemplated in the Table below.
12. The land uses contained in the Table below shall have the meanings defined in this Scheme:

ERF	MAX FAR COVERAGE HEIGHT	SIDE AND REAR SPACE	PERMITTED USES	CONSENT USES	PROHIBITED USES
413-421	0,4: 50%: 2	SS: 0m RS:15m	Dwelling House Home Activity	Home Business Bed & Breakfast Recreation Area	All land uses not specified
422-429, 436-446	0,6: 40%: 2	SS: 3m RS:10m	Dwelling House Home Activity	Home Business Bed & Breakfast Recreation Area	All land uses not specified
430-437	0,4: 40%: 2	SS: 5m RS:15m	Dwelling House Home Activity Office Building (provided that not more than 50% of the dwelling may be used as offices)	Home Business Bed & Breakfast Recreation Area	All land uses not specified
447	0,4: 50%: 2	SS: 5m RS:15m	Dwelling House Guest House Recreation Area	Home Business Bed & Breakfast	All land uses not specified
448	N/A	As required in terms of the Veld & Forest Management Act	Development of paths, walkways and infrastructure only as permitted in terms of the Environmental Authorisation (EIA 6859) of the Department of Environmental Affairs	N/A	All land uses not specified


CHAPTER 11: NON-URBAN ZONES

AGRICULTURE AND RURAL TOURISM ZONE 1

<p>SCHEME NOTATION:</p> <div style="background-color: #90EE90; width: 50px; height: 20px; margin: 5px 0;"></div> <p>Fill: Pale Green 2 R144, G238, B144</p>	<p>SCHEME INTENT:</p> <p>This zone coincides mainly with the existing Midlands Meander Route, and is characterized by high accessibility, a wide range of tourism facilities and smaller sub-divisions. The main objective in this zone is to maintain and enhance the existing rural tourism character, and the full range of rural-based tourism land uses and more intensive agriculture will therefore be encouraged. Land subdivision will not be supported if it will jeopardize the agricultural viability of existing, or possible future farming operations; and large scale land transformation such as residential estates should not be allowed.</p>			
USE/BUILDING FREELY PERMITTED		USE/BUILDING PERMITTED WITH CONSENT		PROHIBITED USES
Additional Dwelling Agricultural Building Agricultural Land Arts and Craft Workshop Bed and Breakfast Bird Sanctuary Conservation Area Day Care Centre Dwelling House Farm Stall	Game Reserve Home Activity Kraal Nature and Resource Conservation Nature Reserve Nursery Small Scale Tourism Development	Airfield Agri-Industry Conference Facility Events Venue Guest house Home Business Kennel/Cattery Multi-Unit Development Overnight Accommodation Sports Bar/Bar	Place of Public Entertainment Place of Public Assembly Place of Worship Quarry Resort Restaurant Restricted Building Telecommunication Infrastructure Truck stop	All Other
MINIMUM ERF SIZE		Not Applicable		PARKING REQUIREMENTS As required by the Municipality
FRONT BUILDING LINE		Not Applicable		
SIDE AND REAR BUILDING LINES		Not Applicable		
MINIMUM FRONTAGE		Not Applicable		
DWELLING UNITS PER HECTARE		Not Applicable		
FLOOR AREA RATIO (FAR)		Not Applicable		
COVERAGE		Not Applicable		
MAXIMUM HEIGHT IN STOREYS		Not Applicable		
MINIMUM WIDTH OF ACCESS WAY		Not Applicable		
ADDITIONAL CONTROLS:				
1. All applications will need approval of Subdivision of Agricultural Land Act 70 of 1970. 2. Refer to Annexure 8 – Non-Urban Evaluation Matrix 3. Refer to Agriculture Map Overlay. 4. Annexure 9, KwaZulu-Natal Agriculture Land Potential Categories, should be adhered to at all times. 5. Refer to Environmental Map Overlay. 6. Bona fide staff accommodation is a free entry use on agricultural land to a maximum of 10 x 85m ² units				

AGRICULTURE AND RURAL TOURISM ZONE 2			
<p>SCHEME NOTATION:</p> <div style="background-color: #90EE90; width: 100px; height: 20px; margin: 5px 0;"></div> <p>Fill: Dark Olive Green 4 R162, G205, B090</p>	<p>SCHEME INTENT: These are the areas on the periphery of the Agriculture and Rural Tourism Zone 1, and along the secondary tourism routes as identified in the Tourism Management Plan. In this area, tourism developments should be rural based, of a small scale, labour orientated and related to the existing agricultural activities and the natural resource base. It is envisaged that agriculture will be the primary land use in this zone, exceeding tourism in importance. Tourism will not be developed as intensely as in Agriculture and Rural Tourism Zone 1. Large scale land transformation such as residential estates and other forms of large scale accommodation should not be allowed. Land sub-division will not be supported if it will jeopardize the agricultural viability of existing, or possible future farming operations. Particular attention should be paid to retention of the integrity of rural landscapes.</p>		
USE/BUILDING FREELY PERMITTED		USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES
Additional Dwelling Agricultural Building Agricultural Land Arts and Craft Workshop Bed and breakfast Bird Sanctuary Conservation Area Dwelling House Farm Stall (Not exceeding 80m ²)	Game Reserve Kraal Nature and Resource Conservation Nature Reserve Nursery	Airfield Agri-Industry Day Care Centre Events Venue Guest house Home Business Home Activity Overnight Accommodation Small Scale Tourism Development Resort Restaurant Telecommunication Infrastructure	All Other
MINIMUM ERF SIZE		Not Applicable	PARKING REQUIREMENTS
FRONT BUILDING LINE		Not Applicable	As required by the Municipality
SIDE AND REAR BUILDING LINES		Not Applicable	
MINIMUM FRONTAGE		Not Applicable	
DWELLING UNITS PER HECTARE		Not Applicable	
FLOOR AREA RATIO (FAR)		Not Applicable	
COVERAGE		Not Applicable	
MAXIMUM HEIGHT IN STOREYS		Not Applicable	
MINIMUM WIDTH OF ACCESS WAY		Not Applicable	
ADDITIONAL CONTROLS:			
<ol style="list-style-type: none"> 1. All applications will need approval of Subdivision of Agricultural Land Act 70 of 1970. 2. Refer to Annexure 8 – Non-Urban Evaluation Matrix 3. Refer to Agriculture Map. 4. Annexure 9, KwaZulu-Natal Agriculture Land Potential Categories, should be adhered to at all times. 5. Refer to Environmental Map Overlay. 6. Bona fide staff accommodation is a free entry use on agricultural land to a maximum of 10 x 85m² units 			

AGRICULTURE / ECO-TOURISM ZONE				
SCHEME NOTATION:	SCHEME INTENT: These are generally areas of lower accessibility and higher environmental sensitivity. The general objective is therefore that agricultural activities should continue, and natural resources be conserved. Tourism developments should be limited to natural and culture-based activities, and preferably integrated with farming activities. Large scale land transformation such as residential estates shall not be allowed in this zone, nor will other forms of accommodation which have no link to the natural resource base and which diminish the agricultural potential should not be allowed. Land subdivision will also be discouraged.			
Fill: Light Olive Green R153, G204, B000				
USE/BUILDING FREELY PERMITTED		USE/BUILDING PERMITTED WITH CONSENT		PROHIBITED USES
Additional Dwelling Agricultural Building Agricultural Land Bed and breakfast Bird Sanctuary Conservation Dwelling house Farm Stall	Game Reserve Kraal Nature and Resource Conservation Nature Reserve Nursery	Airfield Agri-Industry Arts and Craft Workshop Day Care Centre Events Venue Guest house Home Business	Home Activity Overnight Accommodation Small Scale Tourism Development Resort Restaurant Telecommunication Infrastructure	All Other
MINIMUM ERF SIZE		Not Applicable		PARKING REQUIREMENTS
FRONT BUILDING LINE		Not Applicable		As Required by the Municipality
SIDE AND REAR BUILDING LINES		Not Applicable		
MINIMUM FRONTAGE		Not Applicable		
DWELLING UNITS PER HECTARE		Not Applicable		
FLOOR AREA RATIO (FAR)		Not Applicable		
COVERAGE		Not Applicable		
MAXIMUM HEIGHT IN STOREYS		Not Applicable		
MINIMUM WIDTH OF ACCESS WAY		Not Applicable		
ADDITIONAL CONTROLS:				
<ol style="list-style-type: none"> 1. Change of land use from agricultural land use to non-agricultural land uses which are not necessarily in support of the existing agricultural land use may be considered. The change of land use must not be located on the best potential agricultural land nor high priority biodiversity areas (refer to agricultural and environmental overlay) within the land parcel concerned and should not negative impact existing agricultural land uses. The change of land use may be considered particularly if it adds to the viability of the farming unit as a whole. The "Right to farm" should be acknowledged. 2. All applications will need approval of Subdivision of Agricultural Land Act 70 of 1970. 3. Refer to Annexure 8 – Non-Urban Evaluation Matrix. 4. Refer to Agriculture Map. 5. Annexure 9, KwaZulu-Natal Agriculture Land Potential Categories, should be adhered to at all times. 6. Refer to Environmental Map Overlay. 7. Bona fide staff accommodation is a free entry use on agricultural land to a maximum of 10 x 85m² units 				
AGRICULTURAL DEVELOPMENT ONLY				

SCHEME NOTATION:  Fill: Green 3 R153, G255, B102		SCHEME INTENT: Most of the land in the Municipality is utilized for commercial agriculture, and a significant proportion of the land has a very high production potential. Apart from the Howick / Hilton areas, those areas identified through the KZN Department’s agricultural assessment as having the highest agricultural potential have been reflected as areas of agricultural development only. In general, the sub-division of prime agricultural land is discouraged, and the development of this land for non-agricultural purposes should only be allowed if: <ul style="list-style-type: none"> • The land has already been sub-divided to such an extent that it is no longer agriculturally viable • The land has already been developed for non-agricultural purposes • The proposed development does not compromise the primary agricultural activity of the property • The proposed development comprises a secondary activity to supplement a landowner’s income • It will facilitate the implementation of the Land Reform Programme and Labour Tenant Projects. 			
USE/BUILDING FREELY PERMITTED		USE/BUILDING PERMITTED WITH CONSENT		PROHIBITED USES	
Additional Dwelling Agricultural Buildings Agricultural Land Agri-Industry Bed and breakfast Dwelling House Farm Stall		Nature and Resource Conservation Airfield Guest house Home Business Home Activity Overnight Accommodation Small Scale Tourism Development Telecommunication Infrastructure		All Other	
MINIMUM ERF SIZE		Not Applicable		PARKING REQUIREMENTS	
FRONT BUILDING LINE		Not Applicable		Not Applicable	
SIDE AND REAR BUILDING LINES		Not Applicable			
MINIMUM FRONTAGE		Not Applicable			
DWELLING UNITS PER HECTARE		Not Applicable			
FLOOR AREA RATIO (FAR)		Not Applicable			
COVERAGE		Not Applicable			
MAXIMUM HEIGHT IN STOREYS		Not Applicable			
MINIMUM WIDTH OF ACCESS WAY		Not Applicable			
ADDITIONAL CONTROLS:					
1. Change of land use may be supported from agriculture to other land uses as long as this change does not conflict with the surrounding agricultural activity. The activity must also not interfere with existing agricultural activities, especially where agricultural practices are still the main source of income. The "Right to farm" should in all instances be acknowledged. 2. All applications will need approval of Subdivision of Agricultural Land Act 70 of 1970. 3. Refer to Annexure 8 – Non-Urban Evaluation Matrix 4. Refer to Agriculture Map Overlays. 5. Annexure 9, KwaZulu-Natal Agriculture Land Potential Categories, should be adhered to at all times. 6. Bona fide staff accommodation is a free entry use on agricultural land to a maximum of 10 x 85m ² units					

ENVIRONMENTAL MANAGEMENT (CONSERVATION)

<p>SCHEME NOTATION:</p> <div style="background-color: #90EE90; width: 100px; height: 20px; margin: 5px 0;"></div> <p>Fill: Chartreuse 2 R 118, G 238, B 000</p>	<p>SCHEME INTENT: Land set aside for public purposes and services that is a natural area of land and / or water within which the conservation of the scenic beauty, indigenous flora and fauna, water course and other topographical features, places of historic or scientific interest and the like is of primary importance.</p>
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USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES
Community Facility Community Garden Bird Sanctuary Conservation Area Game reserve Nature and Resource Conservation Nature Reserve	Dwelling House General Office Small Scale Tourism Development	Telecommunication Infrastructure All other uses not identified in this table

MINIMUM ERF SIZE	N/A	PARKING REQUIREMENTS
		Not Applicable.
FRONT BUILDING LINE	7.5m	
SIDE AND REAR BUILDING LINES	3m	
MINIMUM FRONTAGE	Not Applicable	
DWELLING UNITS PER HECTARE	Not Applicable	
FLOOR AREA RATIO (FAR)	As determined by responsible authority	
COVERAGE	As determined by responsible authority	
MAXIMUM HEIGHT IN STOREYS	1	
MINIMUM WIDTH OF ACCESS WAY	4m	

ADDITIONAL CONTROLS:
<ol style="list-style-type: none"> 1. The provision of a dwelling house on site is restricted to accommodation for a manager or a caretaker’s flat (limited to 100m²). General Office is permitted to be ancillary but limited to the manager of caretaker. 2. No indigenous flora, fauna or any naturally occurring material shall be disturbed or removed. 3. Except where picnic areas and the footpaths through the vegetation have been specially demarcated, the public shall not be admitted. 4. Any work of any kind which is undertaken shall be done in accordance with a layout plan which shall be a duly adopted provision of the scheme. 5. Buildings to be limited to those that are absolutely essential for limited public usage

STATUTORY PROTECTED AREAS			
<p>SCHEME NOTATION:</p> <div style="background-color: #00FF00; width: 50px; height: 20px; margin: 5px 0;"></div> <p>Fill: Leaf Green R 075, G 255, B 075</p> <p>Border: Olive Green R 078 G 097 B 040</p>	<p>SCHEME INTENT: To protect, conserve and manage land, dedicated to the conservation and management of natural areas of land and/or water for the ecosystem goods and services that the area provides and the biodiversity which they support, where the land is proclaimed, or where there is an intention to proclaim as a Nature Reserve in terms of the relevant environmental legislation. To consider the inclusion of land uses which are beneficial to the protected area and are in compliance with an approved Management Plan.</p>		
USE/BUILDING FREELY PERMITTED	USE/BUILDING PERMITTED WITH CONSENT	PROHIBITED USES	
Land uses which are directly aligned with the Management Plan specifically related to the protected area.			All other uses not identified in this table
MINIMUM ERF SIZE	N/A	PARKING REQUIREMENTS	
FRONT BUILDING LINE	7.5m	Not Applicable.	
SIDE AND REAR BUILDING LINES	3m		
MINIMUM FRONTAGE	Not Applicable		
DWELLING UNITS PER HECTARE	Not Applicable		
FLOOR AREA RATIO (FAR)	Buildings to be limited to those that are absolutely essential for limited public usage		
COVERAGE	Buildings to be limited to those that are absolutely essential for limited public usage		
MAXIMUM HEIGHT IN STOREYS	1		
MINIMUM WIDTH OF ACCESS WAY	4m		
ADDITIONAL CONTROLS:			
<ol style="list-style-type: none"> 1. The provision of a dwelling house on site is restricted to accommodation for a manager or a caretaker's flat (limited to 100m²). Staff Accommodation restricted to staff employed at the site. 2. General Office is permitted according to the requirements to manage the site. 3. All land uses shall comply with the prescriptions of the Protected Areas Act (Act No. 57 of 2003) 			

***PART 3: DEVELOPMENT AND USE STANDARDS AND
REGULATIONS
CHAPTER 13: LAND AND BUILDINGS***

13.1 APPLICATION PROCEDURE, DESIGN LAYOUT OF DEVELOPMENT IN THE MIXED USE ZONE

1. Any person wishing to develop a site in the Mixed-Use Zones shall apply to the Municipality for approval in principle and attach to the application a layout plan showing in outline proposed buildings, roads, access points, parking areas, servicing areas, and pedestrian areas.

2. The plan mentioned in 1. above and the plan/s and drawings mentioned in 3. below shall demonstrate to the satisfaction of the Municipality that the proposed development would ensure safety and convenience of vehicular and pedestrian traffic, adequate provision for parking and servicing, and acceptable level of amenity for the site and nearby areas, and adequate integration with existing and likely future development on land near to the site.

The Council may if it is deemed to be in the interest of good administration, convene a public meeting at which the plan mentioned in 1 above is presented. Such meeting shall be held through the Ward Committee and include the developer, representatives from the surrounding community and other interested and affected parties.

3. The approval in principle mentioned in 1. above having been granted, the applicant shall subsequently submit to the Municipality for its approval:

- a) A Site Development Plan as defined in Chapter 2 of the Clauses
- b) A set of sketch drawings prepared by an architect at a scale of 1: 100 (or 1: 200 in the case of a very large development) showing the plans, sections and elevations of each type of structure within the proposed development and particulars of the materials and colours to be used for the exterior wall finishes and roof or roofs;
- c) A table indicating:
 - (a) the total area of the site;
 - (b) the total floor area and the floor area by type of use and floor level;
 - (c) the total number of car parking spaces provided; and
- d) Any other documents which the Municipality may reasonably require.

The Municipality may exempt any person from the requirements specified in 1. and 3. above to such extent as it considers appropriate in the case of minor development

13.2 BUILDING LINES

- a) The building lines of erven and subdivisions in the various zones are depicted in Table 4 of the previous chapters covering zones.
- b) Within a Multi-Unit Development (MUD) site, a building line does not apply to the dwelling unit curtilages, but only to the external boundaries.

- c) In the Mixed Use Zones, where the lot is used for commercial purposes, the building line shall be the street line, provided that the local authority may impose a 9 metre building line where and when it deems fit to do so.
- d) Where a building line is laid down no building other than boundary walls, fences, pergolas or architectural and garden features, shall be erected between the building line and the street line. Where a new road or road widening is required, the building line is to be set back so as to take into consideration any such new road or widening.
- e) The municipality may, by Consent, may relax the building line if the municipality is satisfied that, on account of the levels of the lot or adjoining land or the position of buildings already in front of the building line or any other special circumstances, compliance with the building line would seriously hamper the development of the lot; provided however that no garage or carport shall be erected nearer than 2.5m to any street boundary.
- f) The municipality may, by Consent, relax the building line if in municipality's opinion the architectural effect will enhance the appearance of the street and contribute to public amenity.
- g) Notwithstanding the provisions of the above clauses in the cases of swimming pools and tennis courts the building line may be relaxed by the municipality to no less than 1 metre; provided that where a swimming pool or tennis court is to be constructed so that any portion of it is within 7.5 metres of a road boundary such pool or tennis court shall be screened to the satisfaction of the municipality.
- h) Cognisance shall be taken in all cases of the building restriction imposed in terms of the Provincial Road Act No.4 of 2001 as amended, and in such circumstances the building restriction line may not be relaxed by the municipality, without the consent of the Provincial Roads authority.

13.3 SIDE AND REAR SPACE

- a) The side and rear spaces of erven and subdivisions in the various zones are depicted in the tables 4 of the applicable zone.
- b) Within a Multi-Unit Development (MUD) Site, side and rear space requirements do not apply to dwelling unit curtilages, but only to the external boundaries.
- c) In the case of the Mixed-Use Zones and Industrial Zones, the side space requirement may be relaxed by Consent of the municipality except where it is necessary to provide access to the rear of the building for loading and parking accommodation or where such buildings adjoin lots zoned for residential purposes.
- d) In the case of residential only lots which are 350m² or less, the side and rear space may be waived with the Special Consent of the municipality and taking into account the amenity of the adjoining properties.
- e) The municipality may, by Special Consent, permit in any zone any building to be erected closer to any boundary than the distances specified in this clause if on account of the siting of existing buildings or the shape, size or levels of the lot, the enforcement of this clause will, in the opinion of the municipality, render the development of the erf unreasonably difficult. In considering any application under this sub-clause the municipality shall have due regard to any possible detrimental effect on adjoining properties and the need for any sewer and drainage servitudes.
- f) Where access to parking courts is required, the side space of affected erven shall be calculated from the boundaries of such access road.

- g) Notwithstanding the a foregoing provisions, the municipality may exempt an applicant from applying for Consent if it is satisfied that no interference with the amenities of the neighbourhood, existing, or as contemplated by this scheme, will result; provided that the prior written consent of the registered owner of each adjoining property, and those properties directly across the street and such other properties as the municipality may direct, has first been obtained. Where any such written consent is not forthcoming, the applicant shall, in seeking the relaxations, be required to apply for the municipality's Special Consent.

13.4 FLOODLINES

- a) No building shall be erected on any land which in the opinion of the municipality is below a flood line.
- b) Where an erf may be subject to a flood line, the municipality may require the owner to indicate the 50-year flood line as defined in the general definitions on a site plan or building plan and to supply a supporting certificate signed by a professional engineer.
- c) Notwithstanding any other provisions contained in these Clauses the municipality may permit a building to be erected below the flood line as defined in the general definitions provided that a certificate signed by a professional engineer is produced confirming that such proposed building will be raised clear of the appropriate flood level.
- d) No structure which may impede the flow of water may be constructed or erected below the flood line as defined in these clauses without the written authority of the municipality.

13.5 SITING OF BUILDINGS AND ACCESS POINTS AND THE CONSERVATION OF INDIGENOUS FLORA AND WATER COURSES

- a) No erf or subdivision shall be cleared of any vegetation without the authority of the municipality. No indigenous vegetation shall be disturbed or removed from any erf without the authority of the municipality.
- b) In considering any application for the development, it shall be the duty of the municipality to ensure wherever it is considered appropriate, that adequate provision be made for the conservation of indigenous flora, the planting or replacement of trees and the protection of watercourses, by means of conditions qualifying the approval of such development.
- c) The siting of any buildings intended to be erected or the development or use of any land shall be subject to the approval of the municipality and persons intending to erect buildings or use land shall, before commencing, apply to the municipality for approval of the siting, use or development and submit a site development plan accurately depicting the physical characteristics of the site including the location of all natural features, for example, water courses, including all vegetation, and existing and proposed buildings, structures and services, including building lines, side and rear spaces, rights-of-way and servitudes.
- d) In respect of any application to develop an erf the municipality may determine the position and number of vehicular or pedestrian points of access and may, if it deems fit, prohibit pedestrian or vehicular access across any boundary or boundaries and require that a suitable fence or wall be erected to prevent such access.

13.6 NON-CONFORMING EXISTING USE

Any existing building or existing use which is not in conformity with the scheme, but for which authority was obtained from the municipality prior to the date of adoption, may continue to be used for the purpose for which it was designed, subject to compliance with any conditions which may have been imposed by the municipality, and provided that:

- a) Any such non-conforming existing building or use of land may be increased by consent on the lot by an amount not greater than 20% of its total floor area or area as the case may be, at the date of adoption, provided that the completed building or use is in conformity with the other provisions of the Scheme, relating to the zone in which such building or use is situated.
- b) Any alteration or addition or change of use which in the opinion of the Local Authority alters the character of an existing building or use of land, shall automatically remove such building or land from the category of "existing building" or "existing use".
- c) Where the non-conforming existing use of any building or land is discontinued for a continuous period of 18 months or longer, such existing use shall be deemed to have lapsed and shall not be recommenced.

13.7 GARAGES AND PETROL SERVICE STATIONS

- a) The layout of a Petrol Service Station including the siting of pumps, buildings and of vehicular access or egress shall be to the satisfaction of the municipality and be based on the recommendations of a traffic assessment.
- b) The following prerequisites and conditions shall be observed whenever it is proposed to erect a new Petrol Service Station, or to extend an existing Petrol Service Station.
 - i. No vehicular entrance to or exit from a Petrol Service Station shall be within 150 metres of a freeway interchange, 60 metres from an intersection with a road which in the opinion of the Local Authority is a major road or 20 metres from an intersection with any road.
 - ii. The frontage of a Petrol Service Station lot shall not be less than 36 metres in length, provided that if conclusively demonstrated to the satisfaction of the Municipality, this may be relaxed.
 - iii. Dwarf walls or other permanent structures satisfactory to the Local Authority shall be erected on the street frontage of the site so as to confine the movement of vehicles into or out of the Petrol Service Station to authorised access points.
 - iv. No Petrol Service Station shall be established upon any lot unless, in the opinion of the Local Authority, it has adequate depth so as to enable all activities to be carried on clear of the street. Filler points for underground tanks shall be so sited as to make it possible for tanker vehicles to stand wholly within the curtilage of the lot when recharging the tanks and for such vehicles to enter and leave the lot in a forward direction. The sweep-path of the tankers entering and leaving the site shall be shown on the accompanying plans.
 - v. Pump islands shall not be less than 5 metres from any boundary of the lot and all traffic routes within the forecourt shall have a minimum width of 5 metres.
 - vi. A Petrol Service Station shall be so sited and designed that traffic entering and leaving the lot will not adversely affect movement of pedestrians or vehicles on any heavily trafficked public street or place.
 - vii. Parking accommodation for motor vehicles to be provided on the lot in accordance with Clause 14.4.

The municipality may relax any of the above conditions (i) - (vii) in respect of any application for a Petrol Service Station which, in the opinion of the municipality, is not a traffic generator in terms of Annexure 3.

13.8 BED AND BREAKFAST

- a) A Bed and Breakfast Establishment shall not consist of more than four bedrooms for the use by patrons of the Establishment;
- b) The owner or manager shall at all times be responsible for the management of the establishment;
- c) The building shall, in the opinion of the Municipality, conform to the appearance and definition of a dwelling house, so that upon the cessation of the use, the building shall be capable of reverting to the use as a dwelling house;
- d) Parking for all guests shall be one bay per room, and parking for the vehicles of the owner/manager shall be provided on-site to the satisfaction of the Manager: Development Planning;
- e) No external advertising shall be permitted on the site other than a maximum of one non-illuminated sign on each road frontage and each sign shall not exceed 0,20m² in area. Any signage larger than 0,20m² will require an application to the signage department;
- f) After granting consent subsequent to the approval being granted, the Municipality may at any time impose any further condition it deems reasonably necessary in order to preserve the residential amenity of the area, or it may withdraw the consent if, in its opinion, the amenities of the neighbourhood are being adversely affected by the activities and
- g) In considering an application for a Bed and Breakfast Establishment, the Municipality shall take into consideration the following:
 - i. The scale of the operation in relation to the character of the area;
 - ii. The suitability of the premises concerned for the proposed use;
 - iii. The availability of on-site parking for motor vehicles; and
 - iv. Any other matters which would, in its opinion, interfere with the amenities of the neighbourhood.
- j) The facilities of the establishment, including the bar and restaurant, shall be only for the use by bona fide paying overnight patrons.
- k) The granting of such an application shall be subject to such terms and conditions as the Municipality may deem proper, including the provision of adequate off-street parking for motor vehicles, the number of persons that may be accommodated on the premises and any other condition it considers necessary or proper in order to ensure that the amenities of the area are not interfered with, provided that if it subsequently finds that there is in fact an interference with the amenities of the neighbourhood, the Municipality may impose further conditions after affording the owner an opportunity of being heard or call on the owner to cease the usage.

13.9 GUESTHOUSE

- a) Uses ancillary to the Guesthouse Establishment shall only be considered with the Special Consent of the Municipality;
- b) A Guest House Establishment shall not consist of more than 15 bedrooms for the use by patrons of the Establishment;
- c) The owner or manager shall at all times be responsible for the management of the establishment.
- d) The building shall, in the opinion of Municipality conform to the appearance and definition of a dwelling house so that upon the cessation of the use; the building shall be capable of reverting to the use as a dwelling house;
- e) Parking for all guests shall be one bay per room, and parking for the vehicles of the owner/manager shall be provided on-site to the satisfaction of the Manager: Development Planning;
- f) No external advertising shall be permitted on the site other than a maximum of one non-illuminated sign on each road frontage and each sign shall not exceed 0,20m² in area; any signage larger than 0,20m² will require an application to the signage department;
- g) After affording the applicant the opportunity of being heard, the Municipality may at any time impose any further condition it deems reasonably necessary in order to preserve the residential amenity of the area, or it may withdraw the consent if, in its opinion, the amenities of the neighbourhood are being adversely affected by the activities; and
- h) In considering an application for a Guest House Establishment, the Municipality shall take into consideration the following:
 - i. The scale of the operation in relation to the character of the area;
 - ii. The suitability of the premises concerned for the proposed use;
 - iii. The availability of on-site parking for motor vehicles; and
 - iv. Any other matters which would, in its opinion, interfere with the amenities of the neighbourhood.
- j) The facilities of the establishment, shall be only for the use of bona fide paying overnight patrons.
- k) The granting of such an application shall be subject to such terms and conditions as the Municipality may deem proper, including the provision of adequate off-street parking for motor vehicles, the number of persons that may be accommodated on the premises and any other condition it considers necessary or proper in order to ensure that the amenities of the area are not interfered with, provided that if it subsequently finds that there is in fact an interference with the amenities of the neighbourhood, the Municipality may after affording the owner an opportunity of being heard impose further conditions or call on the owner to cease the usage.

13.10 HOME BUSINESS

Means the conduct of an occupational activity on a site of a Dwelling Unit which –

- a) shall only be operated with the Special Consent of the Municipality;
- b) shall be limited to the Owner of the property, who shall reside thereon, provided that the Municipality may in exceptional circumstances, and if it is satisfied that the principal use of the

Dwelling Unit as a residence will in no way be prejudiced, permit the activity to be conducted by a person other than the Owner;

1. shall not involve work on motor vehicles;
2. shall provide adequate parking in accordance with Section 6.3;
3. shall not involve the employment of more than five persons on the site;
4. shall not produce a noise level exceeding 7db above the ambient noise level, measured at any point on the property boundary;
5. shall not utilise machinery other than electricity driven or hand machinery;
6. shall not involve any activity with the potential to have a negative impact on the amenity of the neighbours;
7. shall not occupy a floor area greater than 10% of the total area of the site subject to this not being in excess of 25% of the floor area of the principal use being the dwelling unit in question but shall **not**, in any event, exceed 80 m²;
8. shall not involve the erection of a sign larger than 600mm by 450mm, indicating the nature of the activity. Such sign shall be of a material and shall utilise a style and size of lettering which shall comply with Signage Bylaws;
9. shall be subject to the condition that only the goods produced by the Home Business may be displayed and sold on the site;
10. shall be subject to any conditions the Municipality may impose which it considers necessary to protect the amenity of the neighbourhood, provided that if it is subsequently found that there is, in fact, an interference with the amenities of the neighbourhood, the Municipality may call upon the applicant to make fresh application and impose further conditions or call on the occupant to cease the occupational activity.

13.11 TUCK SHOP

- a) A Tuck-shop activity shall only be operated with the Special Consent of the Municipality;
- b) The container (located on the subject property] or area to be utilized for the Tuck-shop shall not exceed 20m² and in the case of the latter, the dwelling house must remain residential in appearance and character, and must at all times comply with the definition of a “dwelling house”.
- c) No external advertising shall be permitted on the site except for one non-illuminated sign on each road frontage, and each sign shall not exceed 0,20m² in area;
- d) No public display of goods will be permissible
- e) Entertainment facilities shall not be permitted within a Tuck-shop;
- f) A Tuck-shop shall not involve the sale of alcohol.
- g) A Tuck-shop must be operated in accordance with all relevant by-laws and other legislation of the Municipality, particularly the fire regulations;
- h) The hours of operation shall be to the satisfaction of the Municipality.
- i) The storage of goods and equipment shall be within the area designated for that purpose on the plan which is to accompany the application for Special Consent, detailing the area to be used for the business as well as any portion of that area in which goods or equipment will be stored.

- j) Only one light delivery vehicle may be used to dispatch goods or supplies;
- k) After affording the applicant the opportunity of being heard, the Municipality may at any time impose any further condition it deems reasonably necessary in order to preserve the residential amenity of the area, or it may withdraw the consent if, in its opinion, the amenities of the neighbourhood are being adversely affected by the activities of the business;
- l) The owner/occupier the Tuck-shop may be assisted by not more than one other person;

13.12 EXEMPTIONS

- a) No part of any Dwelling House or any additional freestanding building which may be erected for use in conjunction with such dwelling may be used as a separate dwelling unit unless such building or part thereof complies with the controls for Ancillary Unit.
- b) Nothing in this Scheme shall prohibit or restrict the use of a place of work, place of instruction, place of public assembly, or an institution as a place of public amusement, provided that such use is restricted to not more than twenty days in each calendar year;
- c) Nothing in this Scheme shall prohibit or restrict the use of residential erven for the cultivation of flowers, fruit and vegetables provided that such activities do not impact on the amenity of the neighbourhood in which such activity is undertaken. The sale of such produce from the site may only be undertaken by Special Consent.
- d) Nothing in this scheme shall prohibit the use of any property for a temporary use subject to the Municipality's approval.

13.13 ERF CONTROL

- a) Erf control:
 - i. The Municipality may refuse to grant its approval or consent for the erection of any building or for the development or use of land where, in the opinion of the municipality, the arrangements made or to be made for the supply of water or for the disposal of sewerage, effluent or waste, or for access, are or will be inadequate or detrimental to amenity or health. Provided that the municipality may grant its approval or special consent subject to such conditions as it deems necessary or appropriate.
 - ii. The minimum sizes of erven and subdivisions shall be as depicted in the tables set out in the preceding chapters for each zone except as provided below, and where any such erf or subdivision was in existence prior to the date of adoption of this Scheme.
 - iii. The provisions of this Section shall not preclude the establishment of dwelling unit curtilages in a Multi-Unit Development from being created and registered as subdivisions provided that, the maximum number of subdivisions shall be in accordance with the density provisions of that specific zone.
 - iv. Where a township is established for the erection of dwellings wholly or partly financed by the State, the municipality may authorise a reduction in the prescribed minimum for any erven so used provided that all such erven are served by a waterborne sewage disposal system to the satisfaction of the municipality.
 - v. Where on the date of adoption, two dwelling houses were existing lawfully on a single erf which is less in extent than the areas prescribed in these clauses, the municipality may, in its discretion, grant authority for the subdivision of the erf into two separate erven, provided also that the area of either of the subdivided lots is not less in extent than 300m² and each subdivision conforms to

other provisions of the Scheme. In giving any such authority the municipality shall take into account the amenity of the locality and of the adjoining properties.

- vi. In the residential only detached zones, one additional dwelling house may be erected on any erf provided it does not exceed the floor area of the primary dwelling and conforms to all other relevant provisions of the Land Use Scheme.

13.14 MINIMUM FRONTAGE REQUIREMENTS

- a) Except in special circumstances the minimum frontage for all erven shall be as depicted in the tables set out in the preceding chapters for each zone. The width of the access way for a "hatchet-shaped" erf is also specified in the tables. Where an erf in the Residential zones is of an irregular shape or occurs in a cul-de-sac or change of road direction, the frontage on the street may, with the authority of the municipality, be less than the prescribed minimum provided the proportion of the lot is in conformity with the ratio provision set out in this Scheme and provided also that the frontage on the street is not less than 4 metres.
- b) Where a township is established for the erection of dwelling units wholly or partly financed by or through the State, the municipality may authorise a reduction in the minimum prescribed frontage to comply with the requirements of that Department.

13.15 ENVIRONMENTAL CONTROLS

1. Environmental Requirements Applicable to all Land Use Zones

- (1) Except as provided in 2. and 3. below, no development shall be permitted in environmentally sensitive areas including, but not limited to, flood plains, watercourses and wetlands, except within land set aside for Utilities and Services, and Existing and Future Roads, and Existing and Future Movement Corridors.
- (2) Notwithstanding the wetlands identified in terms of this Scheme, the following provisions shall apply:
 - (a) Any developments within or adjacent to wetlands and watercourses, either identified or not identified in terms of this Scheme shall be subject to any environmental authorisation and/or water use licence processes in terms of applicable legislation.
 - (b) No building or infrastructure shall be erected on any portion of land which in the opinion of the Municipality is in a wetland or watercourse area as defined in the General Definitions unless Environmental Authorisation has been issued for these activities.
 - (c) Where an erf contains a wetland, the Municipality may require the owner / applicant to appoint an independent wetland specialist to delineate the extent of the wetland using soil hydromorphic characteristics and establish appropriate buffers, and to indicate the delineation and buffers on the site plan or building plan.
- (3) In considering any application for development of land situated within a scheme area in terms of this Scheme, and Chapter 2 of the Act, it shall be the duty of the Municipality to ensure wherever it is considered appropriate, that adequate provision be made for protection of environmentally sensitive areas, by means of conditions qualifying approval of such development. Where possible, areas are to be set aside for conservation purposes, such areas being clearly indicated on a site plan.

2. Environmental Requirements Applicable to "Listed Activities"

- (1) Notwithstanding the provisions of this Scheme, any development or land use activity which is included as a "Listed Activity" in terms of the Environmental Impact Assessment Regulations of the National Environmental Management Act No. 107 of 1998 as amended shall be subject to an

Environmental Impact Assessment as part of an application to obtain Environmental Authorisation from the relevant authority.

- (2) An Environmental Impact Assessment shall be undertaken in the manner prescribed in the Environmental Impact Assessment Regulations of the National Environmental Management Act No. 107 of 1998 as amended.
- (3) Environmental authorisation shall be obtained from the relevant authority prior to the submission of any application for development to the Municipality.
- (4) The Municipality shall at its discretion, include all conditions or part thereof contained in the Environmental authorisation referred to in sub-clause (3) to its conditions of approval issued in terms of the Act.

3. Environmental Requirements Applicable to Environmentally Sensitive Areas

- (1) Notwithstanding the provisions of this Scheme, the Municipality, shall at its discretion, request an applicant to provide an environmental screening report for any development or land use activity on any site or portion thereof which it considers to be an environmentally sensitive area or in an area identified as being critical for biodiversity conservation.
 - (2) The environmental screening report as mentioned in sub-clause (1) must be undertaken by a person that has the necessary knowledge and experience in environmental management, natural resources or ecology, and should include:
 - information about the project including the spatial extent, timing, frequency and duration of the project;
 - the identification of relevant environmental legislation, regulations, policies and plans relevant to the proposed development and identification of those activities that require licensing or authorisation before they can proceed;
 - an understanding of the ecological context based on existing ecological information, data gathering, literature searches, site visits and preliminary ecological surveys, and any baseline studies already carried out;
 - identify project activities likely to cause damage, stress, disturbance or impact on ecosystems processes;
 - identify the factors affecting the integrity of the relevant ecosystems and the conservation status of relevant habitats and species; and, ecological features likely to be significantly affected and therefore requiring further study;
 - identify other significant activities, e.g. access roads, associated with the project/proposal that could result in significant cumulative effects; and,
 - potential strategies to avoid and/or minimise any negative environmental impacts and the identification of opportunities for enhancing biodiversity and promoting Provincial biodiversity objectives
- (3) The Environmental Screening Report shall be included as part of an application submitted to the Municipality else such application shall be deemed incomplete.

CHAPTER 14: OFF-STREET PARKING AND LOADING STANDARDS

14.1 GENERAL PURPOSE

- (1) These regulations are intended to establish comprehensive standards to regulate the number, design and location of off-street parking and loading areas, so as to achieve the following:
- a) To provide accessible, functional, attractive, secure, properly lighted, and well-maintained and screened off-street parking and loading facilities.
 - b) To reduce traffic congestion and hazards.
 - c) To protect neighbourhoods from the effects of vehicular noise and traffic generated by adjacent land uses.
 - d) To assure the manoeuvrability of emergency vehicles.
 - e) To provide an adequate number of appropriately designed parking and loading facilities in proportion to the needs generated by varying types of land use and which are clearly compatible with adjacent properties and the neighbourhood.

14.2 APPLICABILITY

Every use and every building shall have permanently maintained off-street parking areas pursuant to the following provisions. Moreover, every non-residential land use shall have permanently maintained off-street areas pursuant to the following provisions.

14.3 GENERAL REGULATIONS

- a) No structure or use shall be permitted or constructed unless off-street parking spaces are provided in accordance with the provisions of this Scheme.
- b) In mixed use areas, client parking should be provided, be accessible and maintained, to the satisfaction of the municipality. Any alterations to the provision of client parking may not be undertaken unless specific authority has been obtained from the municipality.
- c) The word “use” shall mean both the type and intensity of the use, and that a change in use shall be subject to all of the requirements of this Scheme.
- d) When a structure is enlarged or increased, or when a change in use creates an increase in the required amount of parking, additional parking spaces shall be provided in accordance with the provisions of this Scheme. A parking study may be required to be prepared, to examine the proposed use in light of available off-street parking facilities in the Scheme area.
- e) Requirements for uses not specifically listed herein shall be determined by the municipality based upon the requirements for comparable uses and upon the particular characteristics of the use.
- f) Fractional space requirements shall be rounded up to the next whole space.
- g) Required guest parking in residential land use zones shall be designated as such and restricted to the use of guests.

- h) All parking, including recreational vehicle parking in residential land use zones shall occur on paved or hardened areas to the satisfaction of Council.
- i) Retirement village/senior citizen apartments' parking requirements may be adjusted on an individual project basis, subject to a parking study based on project location and proximity to services for senior citizens including, but not limited to, medical offices, shopping areas, etc.
- j) In the case of places of worship, parking requirements may be adjusted on an individual basis, subject to a parking study.

14.4 SPECIFIC LOADING AND PARKING PROVISIONS

14.4.1 Any person intending to erect, alter or extend a building or develop or use any erf, shall provide loading and parking accommodation within the boundaries of the erf and shall submit proposals therefore in accordance with the following requirements and to the satisfaction of the municipality:

- i. For every residential building there shall be provided 1 garage or covered parking space for each Dwelling unit. In addition, there shall be provided a suitable area for visitors parking at the rate of 1 parking bay for every 2 dwelling units, and a loading and unloading area with suitable access to the satisfaction of the municipality.
- ii. For every dwelling unit within a Multi-Unit Development (MUD) site, there shall be one garage or carport per dwelling unit plus one open or covered parking bay, of which at least one space for every 2 units shall be situated in areas easily accessible to visitors, provided the additional parking bays are not placed on the private open area.
- iii. For every building intended for shopping use within the Mixed Use zones, there shall be provided 6 bays per 100m² of net floor area. In addition, there shall be provided on the erf a loading and unloading area with suitable access to the satisfaction of the municipality.
- iv. For every building intended for office use there shall be provided 4 bays per 100m² of net floor area plus a loading and unloading area. Provided that for every Office Building or portion of Office Building used or intended to be used for accommodation of Medical Practitioners, there shall be provided one space for every 25 m² or major part thereof of gross floor area, plus loading and unloading area.
- v. For every Hotel, Guest House or Boarding House there shall be provided 1 parking bay for every bedroom together with a suitable and convenient area wherein may be parked a minimum of an additional 5 cars. There should also be provided 1 visitor's bay per 2 habitable rooms. Furthermore, where the Hotel is licensed to sell alcoholic beverages, of a further convenient area provided for parking accommodation for an additional number of 15 cars, together with a loading and unloading area with suitable access to the satisfaction of the municipality.
- vi. For every Bed and Breakfast facility there shall be provided 1 parking bay for every bedroom.
- vii. For every Public Service Office there shall be provided a convenient area for parking accommodation for 15 cars.
- viii. For every building or portion of a building intended for use as a Warehouse there shall be provided one parking bay for each 140 m² or major portion thereof of floor area and a loading and unloading area with suitable access to the satisfaction of the municipality.

- ix. For every building or portion of a building intended for use as a hall without fixed seats there shall be provided a parking bay off the street for every 46 m² or major portion thereof of floor area.
- x. For every building intended for use as a theatre, cinema, assembly hall or place of public worship, there shall be provided a parking bay for every 6 seats.
- xi. For every building or portion of a building intended for use as a petrol service station there shall be provided one suitably located parking bay for every 50 m² or major portion thereof of floor area plus a loading and unloading area for bulk tankers to the satisfaction of the municipality.
- xii. For every industrial building there shall be provided on the erf sufficient accommodation for parked cars, calculated on the number of persons engaged in the business, including management, office staff and factory employees, as follows:
 - a) Up to 25 persons employed:
 - o 1 parking bay for every 4 persons or part thereof.
 - b) thereafter, for the next 25 persons:
 - o 1 parking bay for every 5 persons or part thereof.
 - c) thereafter, for any further number of persons:
 - o 1 parking bay for every 10 persons or part thereof.

There shall be in all cases a minimum of 2 parking bays and, in addition to the foregoing, there shall be provided on the erf to the satisfaction of the municipality a further parking and turning space for every commercial vehicle used for the benefit of the industry and a loading and unloading area with suitable access.

Provided that:

- in respect of employees that utilise public transport the municipality may relax the above requirements; and
- the municipality may at any time vary the foregoing requirements if the character or type of manufacturing or processing activity being conducted on the site is changed or altered to an extent which, in the opinion of the municipality materially alters the number and type of vehicles attached to the site; provided that in no case shall such variation result in the number of parking bays provided exceeding a ratio of one parking bay per 150 m² of total floor area of the industrial buildings on the site.

xiii.

- a) Parking bay or parking accommodation means a parking bay of dimensions not less than 5 x 2.5 metres and shall be surfaced and clearly marked to the satisfaction of the municipality.
- b) In addition to (a) above there shall be provided adequate space for vehicular access and manoeuvring to the satisfaction of the municipality.

14.4.2 For any use or development not specified in paragraph (1) above, loading and parking accommodation shall be provided to the satisfaction of the municipality.

14.4.3 The municipality may grant exemption from the provisions of Clause 14.4 (1) with or without conditions.

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- i. Provided that there are special circumstances relating to the proposal and the municipality considers that the proposal will not prejudice the general purpose of the Scheme.
 - ii. If an application for exemption as described in paragraph (a) is made to the municipality for its authority, such application shall be deemed to be and be treated as an application for the Special Consent of the municipality.
 - iii. When considering an application, for the reduction of the parking requirement, the municipality shall have regard to a report submitted by a traffic consultant with regard to the following:
 - a) accessibility of the site by private or public transport;
 - b) availability of off-street parking in the vicinity of the site;
 - c) the number of staff members and customers related to the use of the land or building on the site;
 - d) the socio-economic structure and density of the population which the development serves;
 - e) the size and nature of the proposed development on the site and the size of vehicles to be used in connection with the activity conducted on the site;
 - f) the likelihood of reduction in parking provision causing injury to the amenity of the area in which it is or will be situated including, without prejudice to the generality of the foregoing, increased traffic and parking difficulties, and provided¹ further than a payment, in lieu of the required parking, of a sum of money sufficient for the provision of such parking as a public parking facility shall be made. Where the municipality has agreed to a payment of money in lieu of parking, the amount payable shall be calculated as the market value of an area of the site in question adequate to provide for the parking accommodation which would otherwise be required on the site plus the estimated cost of constructing the paved parking area at ground level. Provided that for the purpose of determining the area of land required, one car parking space shall be taken to be a gross area of 23 m². Such funds as are thus acquired shall be solely for the acquisition of land for public parking and the development of parking areas.

14.4.4 Any applicant or any objector who is aggrieved by the decision of the municipality in terms of these sub-clauses shall have the right of appeal to the Appeal Tribunal.

ANNEXURE 1: APPLICATION PROCEDURE, DESIGN AND LAYOUT OF MULTI-UNIT DEVELOPMENT (MUD) DEVELOPMENT

Any person wishing to develop a site for Multi-Unit Development (MUD) shall apply to the Municipality for approval in principle, and attach to the application a layout plan showing, in outline, proposed buildings, roads, access points and private open areas.

The approval in principle having been granted, the applicant shall subsequently submit to the Municipality for its approval:

- a) A layout plan or plans showing:
 - i. The position, dimensions and materials to be used in the construction of all roads, drive-ways, parking areas, squares and pedestrian access ways, if any;
 - ii. The boundaries of all dwelling unit curtilages, private open areas and common open spaces;
 - iii. The position, nature, extent and levels of all proposed and existing buildings on the site and adjoining sites;
 - iv. The proposed landscaping of the site;
 - v. The proposed public open space;
 - vi. The position and nature of recreation facilities, if any;
 - vii. The position and extent of all utility areas.
- b) A set of sketch drawings prepared by an architect at a scale of 1:100 showing the plans, sections and elevation of each type of structure within the proposed development and particulars of the materials and colours to be used for the exterior wall finishes and roof or roofs; together with both front and rear elevations of each typical group of dwelling units at a scale of 1:100 or 1:200.
- c) A table indicating:
 - i. The total area of the site;
 - ii. The total number of dwelling units;
 - iii. The total floor area;
 - iv. The total number of car parking spaces provided for visitors and for residents;
 - v. The extent of the usable common land, the smallest private open area, the smallest dwelling unit curtilage and the smallest utility area;
 - vi. The areas of public open space and other public uses where applicable; and

The minimum floor area of a garage or carport shall be 20 m².

Where in the opinion of the Municipality a road within a Multi-Unit Development (MUD) site should serve the public, the Municipality may require the road to be registered as a public road, provided that for the purpose of bulk and coverage calculation, the area of the public road shall be included in the gross site area.

The minimum width of a road carriageway within a Multi-Unit Development (MUD) site shall be 3 metres where the carriageway is one-way and 5 metres where the carriageway is two-way.

Situated at the end of every cul-de-sac there shall be provided turning space to the satisfaction of the Municipality.

- i. Notwithstanding the provisions of Chapter 4, the individual dwelling unit curtilages which in this event shall not be less than 200 m² in extent may be transferred in freehold or registered leasehold

title. In the event of the different dwelling unit curtilages being so transferred, the Municipality shall require that:-

- a. The common land shall be owned exclusively by the freehold or registered leasehold owners of the dwelling units in co-ownership; and no co-owners shall be entitled to require the partition of the common land according to the proportion of his share;
- b. A home Owners' Association shall be established. Such Association shall administer and maintain the common land, control the external appearance of buildings within the Multi-Unit Development (MUD) site and deal with any other matter pertaining to the Multi-Unit Development (MUD) site which is of common interest to its members. The affairs of the Association shall be regulated by a Memorandum and Articles of Association. The Memorandum and Articles of Association shall have been submitted to the Municipality who shall have certified that it has no objection to these documents;
- c. No dwelling unit curtilage within the Multi-Unit Development (MUD) site or within any portion of the site specified by the Municipality shall be transferred or separately registered before the whole Multi-Unit Development (MUD) site or the specified portion of the Multi-Unit Development (MUD) site within which the curtilage is situated has been developed to the satisfaction of the Municipality.

Notwithstanding the requirements in 1 and 2.above, wherever it is intended to develop a site for Multi-Unit Development (MUD) in the Residential Low Impact zone, the Special Consent of the Municipality shall first be obtained.

ANNEXURE 2: ADDITIONAL CONDITIONS AND PROVISIONS APPLICABLE TO TELECOMMUNICATION INFRASTRUCTURE

In considering proposals for the erection of telecommunication infrastructure, the Municipal Approval Authority shall be mindful of the following objectives:

- To improve and maintain communication;
- To ensure that there is telecommunication infrastructure;
- To ensure sharing of the telecommunication infrastructure as a means of preventing unnecessary proliferation and duplication of such infrastructure;
- To maintain the visual integrity and amenity of the area;
- To design with the landscape and use mitigation measures;
- To avoid interference with any other structures;
- To protect the general and wellbeing.

Locational Provisions

Due consideration must be given to the impact of telecommunication infrastructure on other developments and natural features, whether existing or contemplated by the Scheme and their location in relation to view corridors.

1. In the selection of a site for telecommunication infrastructure, consideration shall be given to the locational context of the proposed installation in respect of aesthetic suitability and environmental intrusion.
 - 1.1. The principle of multiple use of telecommunication infrastructure by network providers, shall be applied provided that a motivation for exemption from sharing may only be considered on the following basis:
 - (a) that no existing Cellular mast or suitable alternative structures are located within the geographic placement area required to meet the applicant's requirements;
 - (b) that the existing infrastructure is not of sufficient height or structural strength to meet the applicant's engineering requirements;
 - (c) that consideration shall be given to alternative sites where the cumulative radio frequency emissions would exceed the maximum levels permitted should additional transceivers be attached to a mast or where the RF exclusion zone cannot be achieved;
 - (d) that there will be electromagnetic interference resulting from more than one antenna positioned on a single telecommunications mast.
2. Permission to share an existing Cellular mast shall not be unreasonably withheld by the owner of that Cellular mast.
 - 2.1. Every applicant seeking to locate a new Cellular mast or modify such Cellular mast, shall provide the Municipality with an inventory of the existing Cellular mast inclusive of the sites for

which authority is being sought, within a 1 000-metre radius of the Erf on which it is intended to erect telecommunication infrastructure. This shall be supported by a radio plan showing the extent of the existing coverage of these masts and highlighting any gaps of such coverage justifying the need for the new mast.

2.2 When a telecommunication infrastructure requires replacement, it shall be replaced with a mast designed to accommodate multiple carriers.

2.3. No telecommunication infrastructure shall be erected on an Erf, which in the opinion of Municipality, has been identified as containing a building or structure of architectural, cultural, historic, or artistic importance, nor in an area set aside for conservation purposes, whether natural, physical or social, provided that the Municipality may, by Consent, relax this provision if it can be shown that the erection of a Cellular mast, shall not detract from the architectural, cultural, historic.

2.4. Where possible, the equipment room forming part of the Cellular mast shall be sited to the rear of an Erf.

3. Visual Attributes

3.1. Visual amenity and visual aspects relating to the telecommunication infrastructure shall be at the discretion of the Municipality.

3.2. Consideration shall be given to the context of the Erf in relation to its surrounding environment when determining the height of the mast and selecting the type of camouflage appropriate to the area.

3.3. A rooftop telecommunication infrastructure shall not protrude more than 6.00 metres above the highest point of the building or structure onto which it is erected, provided that the Municipality may, by Consent, relax this requirement. For the purposes of this sub-clause, lift motor rooms, air-conditioning plant and equipment rooms above the uppermost slab or roof of the building, shall be regarded as being the highest point of the building.

3.4 All forms of visible lighting on telecommunications infrastructure shall be reduced to the minimum requirements for security as laid down by the South African Civil Aviation Authority with due regard for adjacent land uses. Council reserves the right to insist on the camouflage of telecommunication infrastructure if regarded necessary, as well as the possible relocation of and/or alterations to the mast by and at the expense of the applicant if the need arises.