



# KWADUKUZA LOCAL MUNICIPALITY SCHEME

SEPTEMBER 2018





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**Prepared for:**

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**SECTION 1: INTRODUCTION TO THE SCHEME**

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**1.0 PREAMBLE****1.1 NAME OF THE SCHEME**

1.1.1 This Scheme is to be termed the KwaDukuza Scheme.

1.1.2 It has been prepared in terms of Chapter 5 of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) read with the KwaDukuza Municipality Spatial Planning and Land Use Management By-laws, (As amended and/or prevailing) (as amendend) It includes the Traditional Council Areas formerly administered in terms of the KwaZulu Land Affairs Land Act, 1992 (Act No. 11 of 1992) and areas formerly administered in terms of the Natal Town Planning Ordinance, 1949 (Act No. 27 of 1949). (See Map x 1: Land Administration Areas).

1.1.3 It replaces all previous Town Planning Schemes prepared in terms of 47 (bis) of the Natal Town Planning Ordinance, 1949 (Act No. 27 of 1949) and any approved Schemes and or Layout Plans approved for areas governed under the KwaZulu Land Affairs Act, 1992 (Act No. 11 of 1992).

**1.2 THE APPLICATION OF SCHEME**

1.2.1 The Scheme applies to the whole area of the Municipality in accordance with the area depicted in the accompany Scheme Map 01.1.

1.2.2 The area of the scheme has been determined by the Demarcation Board in terms of the Local Government: Municipal Demarcation Act, 1998 (Act No. 27 of 1998), and set out in Proclamation No. LG 98, 1995, published in the KwaZulu-Natal Provincial Gazette dated 14<sup>th</sup> March 1995.

1.2.3 The Scheme may temporarily not be applicable to the whole area of the municipality, if the boundary has been adjusted to incorporate an area or areas that are not covered by the scheme map because it previously formed part of another Municipality.

**1.3 APPLICATION OF LAWS**

1.3.1 The Scheme has been adopted by the Municipality in terms of Section 24 of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) read with the KwaDukuza Municipality Spatial Planning and Land Use Management By-law, (As amended and/or prevailing).

1.3.2 The status of the Scheme is determined in terms of Section 26 of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) and its relationship with the Municipality's Integrated Development Plan, including the Municipality's Spatial Development Framework.

1.3.3. The Scheme is binding on all persons and all organs of state in terms of Section 26 of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) read with the KwaDukuza Municipality Spatial Planning and Land Use Management By-laws, (As amended and/or prevailing).

1.3.4 Activities for which an application for municipal planning approval is required in terms of the provisions of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) read with Section 47 of the KwaDukuza Municipality Spatial Planning and Land Use Management By-laws, (As amended and/or prevailing), an application for municipal planning approval is required for: –

- (a) the adoption of a land use scheme;
- (b) the amendment of a land use scheme;
- (c) a Municipality's consent in terms of a land use scheme;

- (d) the repeal of a land use scheme;
  - (e) the development of land that is situated outside the area of a land use scheme, if the development constitutes an activity contemplated in Schedule 3;
  - (f) the extension or replacement of a building on a property that is used for a purpose defined in Schedule 3, notwithstanding that municipal planning approval was not required at the time that the use of the original building for that purpose commenced;
  - (g) the subdivision of a property;
  - (h) township establishment;
  - (i) the consolidation of properties;
  - (j) the notarial tying of adjacent properties;
  - (k) the extension of a sectional title scheme by the addition of land to common property in terms of section 26 of the Sectional Titles Act;
  - (l) the permanent closure of a municipal road or a public place;
  - (m) the removal, amendment or suspension of a restrictive condition of title or a servitude;
  - (n) a material change to a Municipality's decision on an application for municipal planning approval;
  - (o) the cancellation of a Municipality's decision on an application for municipal planning approval, except a decision to adopt or amend a land use scheme.
- 1.3.5 An application submitted in terms of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) read in conjunction with the KwaDukuza Municipality Spatial Planning and Land Use Management By-laws, (As amended and/or prevailing), may be combined and processed as one application.
- 1.3.6 A person whose rights are affected by a decision taken by a Municipal Planning Tribunal may appeal against that decision. Such an appeal must be submitted to the municipal manager in terms of Section 51 of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) and Chapter 6 of the KwaDukuza Municipality Spatial Planning and Land Use Management By-laws, (As amended and/or prevailing).
- 1.3.7 The Municipality must enforce the Scheme in terms of Section 32 of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013).
- 1.3.8 Compensation may be payable by the Municipality in terms of Chapter 8 of the KwaDukuza Municipality Spatial Planning and Land Use Management By-law ((As amended and/or prevailing)).
- 1.3.9 All persons must be given unrestricted access to the following records upon a written request in terms of Chapter 11 of the KwaDukuza Municipality Spatial Planning and Land Use Management By-law ((As amended and/or prevailing)).
- 1.3.10 A landowner or a person who acts with the written consent of the land owner may apply to the Municipality an application which shall be submitted in terms of the following procedure for municipal planning approval in terms of Chapter 4 Section 54 of the KwaDukuza Municipality Spatial Planning and Land Use Management By-law ((As amended and/or prevailing)):-
- (a) The procedure in Schedule 4 must be followed for all applications for municipal planning approval, except for the erection of a dwelling house on land declared by the Municipality as land for the settlement of indigent households in an unstructured manner contemplated in section 124(1).
  - (b) The provisions of Schedule 5 apply, if public consultation is required as contemplated in item 11(1) of Schedule 4.
  - (c) An application for an amendment to an application for municipal planning approval prior to notice of a Municipal Planning Approval Authority's decision must follow the process in item 1 of Schedule 6.
  - (d) The procedure in Schedule 7 must be followed for an application for municipal planning approval for the erection of a dwelling house on land declared by the Municipality as land for the settlement of indigent households in an unstructured manner contemplated in section 124(1).

- (e) The provisions of subsections (1) to (3) and sections 55 to 73 do not apply to an application for municipal planning approval for the erection of a dwelling house on land declared by the Municipality as land for the settlement of indigent households in an unstructured manner.

#### 1.4 THE INTERRELATIONSHIP OF PLANS

- 1.4.1 The Scheme shall reflect and be aligned to the strategic intentions of the Spatial Development Framework as part of the Integrated Development Plan completed and adopted by the KwaDukuza Municipality in terms of Chapter 5, Sections 26 and 27 of the Municipal Systems Act, 2000 (Act No. 32 of 2000) as amended.

#### 1.5 EFFECTIVE DATE

- 1.5.1 The **effective date** of the Scheme is the **1<sup>st</sup> September 2018** as per Council Resolution No. C1006 as per the date determined by Council, which is the date of the approval of the resolution of the Municipality to prepare a Scheme for the KwaDukuza Municipality. The **date of adoption** of the Scheme is the 26/06/2018 which the Council in terms of Chapter 2, Section 16 adopts any provision of this Scheme in terms of:-

- (a) Chapter 5 Section 26 of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) read with Chapter 3 Section 41 of the KwaDukuza Municipality Spatial Planning and Land Use Management By-law ((As amended and/or prevailing)); and

The KwaDukuza Local Council, hereinafter referred to as the Council, shall be the authority, responsible for enforcing and carrying into effect the provisions of the Scheme which comprise of the Clauses of the Scheme document and the Maps indicated in Table 1.

Map Sheet AA depicts the zoning for the entire KwaDukuza Local Municipality and is at a scale of 1:45,000. The Map Sheets numbered 1 to 34 on Table 1 depict the zones and reservations of land to which reference is made in the Tables in Section 2 of this document and in respect of which the clauses contained therein shall apply.

#### 1.6 DATE OF ADOPTION

- 1.6.1 The date of adoption is 26/06/2018 which Council adopts the provisions of this Scheme or any amendments thereto in terms of the provisions of Chapter 5 Section 24 of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) read with Chapter 3 Section 43 of the KwaDukuza Municipality Spatial Planning and Land Use Management By-law ((As amended and/or prevailing)).

#### 1.7 PLANNING AUTHORITY

- 1.7.1 The KwaDukuza Local Municipality, hereinafter referred to as the "Municipality", shall be the authority responsible for implementing, amending, reviewing and enforcing the provisions of this Scheme.

#### 1.8 SCHEME MAP

- 1.8.1 The Scheme Maps shall comprise the set of cadastral plans, which are listed in the Table below.
- 1.8.2 Sheet 1 (Drawing No. KDM 01.1) and Sheets 2 -19 (Drawings No. KDM 02.1) through to KDM 19.1), which depict the zones to which reference is made in the Tables in Section 2 of these Clauses and in respect of which the clauses contained therein shall apply.

**Table 1: Scheme Maps**

AREA	DRAWING N°	SCALE	DATE
Municipal Area	KDM 01.1	1: 45,000	November 2016
Darnall	KDM 02.1	1:2,500	November 2016
Zamani Township	KDM 03.1	1:2,000	November 2016
Zinkwazi	KDM 04.1	1:2,000	November 2016
Stanger CBD	KDM 05.1	1:2,500	November 2016
Stanger Manor	KDM 06.1	1:2,500	November 2016
Shakaville	KDM 07.1	1:2,500	November 2016
Ocean View	KDM 08.1	1:2,500	November 2016
Stanger Heights	KDM 09.1	1:2,000	November 2016
Prince's Grant	KDM 07.1	1:5,000	November 2016
Groutville	KDM 08.1	1:5,000	November 2016
Glenhills	KDM 10.1	1:2,500	November 2016
Glendow	KDM 11.1	1:2,500	November 2016
Groutville Hangoes	KDM 12.1	1:2,500	November 2016
Ntshaweni	KDM 13.1	1:3,000	November 2016
Groutville Lloyds	KDM 14.1	1:2,000	November 2016
Groutville Mission	DDM 15.1	1:2,500	November 2016
Groutville Malende	KDM 16.1	1:2,500	November 2016
Groutville Dube Village	KDM 17.1	1:2,000	November 2016
Groutville Dube Ten Acres	KDM 18.1	1:2,000	November 2016
Groutville Dube Thembeni	KDM 19.1	1:2,000	November 2016
Charlottedale	KDM 20.1	1:2,000	November 2016
Etete Velani Township	KDM 21.1	1:2,000	November 2016
Nkobongo	KDM 22.1	1:2,500	November 2016
Shakaskraal	KDM 23.1	1:2,500	November 2016
Umhlali	KDM 24.1	1:3,000	November 2016
Shakahead	KDM 25.1	1:3,000	November 2016
Ballito Business Park	KDM 26.1	1:3,000	November 2016
Zimbali	KDM 27.1	1:3,000	November 2016
Ballito	KDM 28.1	1:3,000	November 2016
Salt Rock	KDM 29.1	1:3,000	November 2016
Sheffield Beach	KDM 30.1	1:3,000	November 2016
Tinley Manor Beach	KDM 31.1	1:2,000	November 2016
Blythedale Beach	KDM 32.1	1:2,500	November 2016
Princes Grant	KDM 33.1	1:2,500	November 2016

AREA	DRAWING N°	SCALE	DATE
Mdlebeni	KDM 34.1	1:2,500	November 2016



## **1.9 INSPECTION OF THE SCHEME**

- 1.9.1 The Local Municipality shall allow any person to inspect the Scheme at any reasonable time. A Register of all amendments to the Scheme shall be kept by the Local Municipality and shall be available for inspection by any person at any reasonable time.

## **1.10 AMENDMENTS TO THE SCHEME**

- 1.10.1 If the local Municipality desires to amend any of the provisions of the Scheme, it shall follow the prescribed procedure set out in Chapter 5 Section 28 of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) read with the provisions of the KwaDukuza Municipality Spatial Planning and Land Use Management By-law.

## **1.11 THE PURPOSE, PRINCIPLES, OBJECTIVES, CONTENT AND LEGAL STATUS OF THE SCHEME**

### **1.11.1 PURPOSE**

The purpose of this Scheme is to guide and manage development in the Local Municipality according to the vision, strategies and policies of the Integrated Development Plan and associated Spatial Development Framework and in the interest of the public to promote sustainable development and quality of life.

The Policy also provides a management tool for other interests such as health, transport, environment, finance and infrastructure.

### **1.11.2 PRINCIPLES**

This scheme is underpinned by the following principle namely:-

- i) The recognition that rural and urban, formal and informal land use development needs to be managed within a sustainable development framework;
- ii) The creation of a statutory framework for land use management and development control;
- iii) The interrelationship of the strategic intentions of the SDF to the implementation of land use management and development ;
- iv) The active promotion of the principles of compact urban form;
- v) To recognise the inter-linkages of the rural and urban components of the area;
- vi) The promotion of efficient and integrated land use development practices;
- vii) The integration of social economic environmental, institutional and spatial aspects of land use development;
- viii) The optimal proximity of residential and economic /employment opportunities;
- ix) The provision and encouragement of a diverse mix of land uses in appropriate locations;
- x) The encouragement of the participation of members of communities in land use development; and
- xi) The protection of the natural resource base whilst promoting optimal sustainable land use and development in the KwaDukuza Local Area,

and thus align the scheme with Chapter 2 Section 7 of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013).

### 1.11.3 SCHEME OBJECTIVES

The objectives of the scheme are:-

- i) To align the strategic intentions of the Spatial Development Framework scheme with the Scheme;
- ii) To translate the vision of the SDF into Statements of Intent for zones;
- iii) To create a legal framework for urban and rural development;
- iv) To provide land use and zones that support development corridors and mixed use nodes;
- v) To allow land uses in appropriate locations to promote mixed use and compact development;
- vi) To protect and promote optimal amenity through the creation of complementary land uses in proximity to one another;
- vii) To provide guidance regarding the location and management of land uses that have negative impact on adjacent land uses;
- viii) To ensure that appropriate land uses, zones and overlays are created to address principles of environmental sustainability;
- ix) To provide zones and land uses aligned to the outcomes of the KwaDukuza Coastal Management Plan; and
- x) To create land use zones that will allow strategic and future development, and thus align the scheme with Section 3 of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013).

### 1.11.4 CONTENTS

The Scheme comprises a map and associated text. The Scheme Maps show (at a scale of 1: 45 000) the area to which the Scheme applies and provides a colour legend and different Land Use Zones, which accommodate various categories of buildings and land uses.

### 1.11.5 LEGAL STATUS

This Scheme is a statutory document upon approval and is binding on all members of the KwaDukuza Local Municipality and all organs of state; in compliance with and Chapter 5 Section 26 of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013).




**SECTION 2: USE ZONES – BUILDING AND LAND USE PARAMETERS****2.0. RESIDENTIAL (RO)****2.1. RESIDENTIAL ONLY DETACHED (RODE)****STATEMENT OF INTENT**







This zone permits the development of primarily detached dwelling units, but does permit multi-family dwellings; and a limited number of compatible uses maybe allowed, provided they do not have a disruptive impact on the surrounding neighbourhood amenity.


**ZONE COLOUR AND SCHEME NOTATION**

Fill: Acid Yellow  
R 255, G 255, and B 000

**2.1.1 ZONES AND DEVELOPMENT PARAMETERS**

ZONE	MINIMUM ERF SIZE (M <sup>2</sup> )	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)	ZONE COLOUR	COLOUR DETAILS
<b>RODE 1(a)</b>	N/A	11 du/ha	25%	2				18 m 4 m for Hatchet and Cul-de-sacs		Fill: Acid Yellow R 255, G 255, and B 000  Border: Black R 2000, G , and B 000  Hatch: Seville Orange R255, G192, B000
<b>RODE 1(b)</b>	N/A	15 du/ha	35%	3				18 m 4 m for Hatchet and Cul-de-sacs		Fill: Acid Yellow R 255, G 255, and B 000  Border: Black R 000, G 000, and B 000  Hatch: Red R255, G000, B000
<b>RODE 1(c)</b>	N/A	25 du/ha	60%	3				18 m 4 m for Hatchet and Cul-de-sacs		Fill: Acid Yellow R 255, G 255, and B 000  Border: Black R000, G000, B000  Diagonal Hatch: Amethyst R 197, G 000, and B 255

<b>RODE 1(d)</b>	N/A	20 *30	25 *35 for MDH	2 *3 for MDH				18 m 4 m for Hatchet and Cul-de-sacs		<p>Fill: Acid Yellow R 255, G 255, and B 000</p> <p>Border: R000, G000, B000</p> <p>Cross Hatch: Blue R 000, G 112, and B 255</p>
<b>RODE 2</b>	450	0.60	75%	2	3 m	1.5 m	1.5 m	12 m 4 m for Hatchet and Cul-de-sac		<p>Fill: Acid Yellow R 255, G 255, and B 000</p> <p>Border: Black R000, G000, and B000</p> <p>Diagonal Hatch: Dusk Coral R 200, G 130, and B 130</p>
<b>RODE 3</b>	1 100	0.50	35%	2	7.5 m	2.5 m 4.5 m for MDH	2.5 m 4.5 m for MDH	18 m 3 m for Hatchet and Cul-de-sac		<p>Fill: Acid Yellow R 255, G 255, and B 000</p> <p>Border: Black R000, G000, and B000</p> <p>Diagonal Brick Hatch: Tarragon Green R 112, G 168, and B 000</p>
<b>RODE 4</b>	250	1.50	75%	2 3 for PG	2 m	2.0 m with one boundary to nil to allow for common wall where dwelling adjoined	2.0 m	10 m 4 m for Hatchet and Cul-de-Sacs		<p>Fill: Acid Yellow R 255, G 255, and B 000</p> <p>Border: Black R000, G000, and B000</p> <p>Diagonal Hatch: Tourmaline Green R 000, G 255, and B 197</p>
<b>RODE 5</b>	900	1.00	50%	2	7.5 m	2.0 m with one boundary to nil to allow for common wall where dwelling adjoined	2.0 m	18 m 4 m for Hatchet and Cul-de-sac		<p>Fill: Acid Yellow R 255, G 255, and B 000</p> <p>Border: Black R000, G000, and B000</p> <p>Hatch: Fuchsia Pink R 255, G 115, and B 223</p>
<b>RODE 6</b>	900	0.35	30%	2	7.5 m	2.0 m	2.0 m	18 m 4m for Hatchet and Cul-de-sac		<p>Fill: Acid Yellow R 255, G 255, and B 000</p> <p>Border: Black R 000, G 000, and B 000</p>

<b>RODE 7</b>	250	0.8	70%	2	2.0 m	1.5 m with one boundary to nil to allow for common wall where dwelling adjoined	1.5 m	4 m		<p>Fill: Acid Yellow R 255, G 255, and B 000</p> <p>Border: Black R000, G000, B000</p> <p>Hatch: Yogo Blue R 115, G 178, and B 255</p>
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### 2.1.2 LAND USE CATEGORIES

[illegible]

BUILDING AND LAND USE CATEGORY	RODE 1(a)	RODE 1(b)	RODE 1(c)	RODE 1(d)	RODE 2 and 3	RODE 4, 5 and 6	RODE 7
	<b>5.2.3 ENVIROMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Beach Amenity Facility</li> <li>Boat Jetty</li> </ul>	<b>5.2.3 ENVIROMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Beach Amenity Facility</li> <li>Boat Jetty</li> </ul>	<b>5.2.3 ENVIROMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Beach Amenity Facility</li> <li>Boat Jetty</li> </ul>	<b>5.2.3 ENVIROMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Beach Amenity Facility</li> <li>Boat Jetty</li> </ul>		<b>5.2.3 ENVIROMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Beach Amenity Facility</li> <li>Boat Jetty</li> </ul>	<b>5.2.3 ENVIROMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Beach Amenity Facility</li> <li>Boat Jetty</li> </ul>
	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts And Craft Workshop</li> <li>Garden Nursery</li> <li>Home Business</li> <li>Personal Service Outlet</li> <li>Tea Garden</li> </ul>	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts And Craft Workshop</li> <li>Garden Nursery</li> <li>Home Business</li> <li>Personal Service Outlet</li> <li>Tea Garden</li> </ul>	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts And Craft Workshop</li> <li>Garden Nursery</li> <li>Home Business</li> <li>Personal Service Outlet</li> <li>Tea Garden</li> </ul>	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts And Craft Workshop</li> <li>Garden Nursery</li> <li>Home Business</li> <li>Personal Service Outlet</li> <li>Tea Garden</li> </ul>	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts And Craft Workshop</li> <li>Home Business</li> <li>Offices, Medical</li> <li>Offices, Professional</li> <li>Personal Services Outlet</li> <li>Restaurant</li> </ul>	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts And Craft Workshop</li> <li>Garden Nursery</li> <li>Home Business</li> <li>Offices, Medical</li> <li>Offices, Professional</li> <li>Personal Service Outlet</li> <li>Restaurant</li> <li>Tavern</li> <li>Tea Garden</li> <li>Tuck Shop</li> </ul>	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts And Craft Workshop</li> <li>Garden Nursery</li> <li>Home Business</li> <li>Offices, Medical</li> <li>Offices, Professional</li> <li>Personal Service Outlet</li> <li>Tavern</li> <li>Tuck Shop</li> </ul>
	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Bed And Breakfast Establishment</li> <li>Boarding House</li> <li>Child Minding Facility</li> <li>Crèche</li> <li>Day Care Centre</li> <li>Guest House</li> </ul>	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Bed And Breakfast Establishment</li> <li>Boarding House</li> <li>Child Minding Facility</li> <li>Crèche</li> <li>Day Care Centre</li> <li>Guest House</li> </ul>	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Bed And Breakfast Establishment</li> <li>Boarding House</li> <li>Child Minding Facility</li> <li>Crèche</li> <li>Day Care Centre</li> <li>Guest House</li> </ul>	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Bed And Breakfast Establishment</li> <li>Boarding House</li> <li>Child Minding Facility</li> <li>Crèche</li> <li>Day Care Centre</li> <li>Guest House</li> </ul>	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Bed And Breakfast Establishment</li> <li>Boarding House</li> <li>Child Minding Facility</li> <li>Crèche</li> <li>Guest House</li> <li>Medium Density Housing</li> </ul>	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Bed And Breakfast Establishment</li> <li>Boarding House</li> <li>Child Minding Facility</li> <li>Crèche</li> <li>Day Care Facility</li> <li>Guest House</li> <li>Medium Density Housing</li> </ul>	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Bed And Breakfast Establishment</li> <li>Boarding House</li> <li>Child Minding Facility</li> <li>Day Care Facility</li> </ul>
	<b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	<b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	<b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	<b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	<b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	<b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	<b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>

BUILDING AND LAND USE CATEGORY	RODE 1(a)	RODE 1(b)	RODE 1(c)	RODE 1(d)	RODE 2 and 3	RODE 4, 5 and 6	RODE 7
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not listed in this table						



**2.1.3. ADDITIONAL CONTROLS**

- 2.1.3.1 In respect of RODE 4, Prince's Grant shall have a FAR of NA, height of 3 and are not subject to building lines.
- 2.1.3.2 All additional controls provided for in the Zimbali Town Planning Scheme shall be applicable and enforceable.
- 2.1.3.3 Where the lot is used exclusively for Medium Density Housing purposes, the minimum lot area shall be 1800m<sup>2</sup> and the maximum number of unit shall not exceed 30 dwelling units per hectare.
- 2.1.3.4 The maximum height shall not exceed 8m measured from the highest point of the natural ground level to the highest point of the roof.
- 2.1.3.5 The following controls shall apply to sites with a gradient exceeding 1:4, where more than 40% of the site is 1:4 and steeper OR where the dwelling footprint is proposed only on the portion of the site with a gradient of 1:4 and steeper:
- The maximum number of storeys is 3;
  - The coverage is 50%;
  - The F.A.R is 0.75.
- 2.1.3.6 An outbuilding may be permitted on a RODE Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom.. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- 2.1.3.7 Accommodation for staff (including ablution facility, kitchenette and one bedroom) may be permitted on a RODE Zone and shall be restricted to 30 square metres.
- 2.1.3.8 The Local Municipality may permit the erection of an additional self-contained residential unit on any (RODE site of 650 square metres or more) with the following controls:-
- i) Such self-contained residential unit shall comprise not more than two bedrooms, a combined lounge and dining room, a kitchen, a bathroom and a toilet.
  - ii) The total floor area shall not exceed 90m<sup>2</sup>.
  - iii) The self-contained unit is to be architecturally compatible with the main dwelling house.
  - iv) The self-contained unit shall be accessed by the same public street or road, which serves the main dwelling house, unless the applicant can demonstrate that exceptional circumstances exist to prevent such shared access.
- 2.1.3.9 A pitched roof capable of containing a habitable room and any other type or style of roof, which is capable of, or contains, or supports any rooms, structures or features over and above those mentioned in Section 5 (Storey definition) below and which the Local Municipality considers habitable shall not count as a storey.
- 2.1.3.10 The Municipality may, in respect of any application to develop a lot permit a maximum of two points of access provided that consent is obtained from the municipal traffic department.
- 2.1.3.11 In respect of a Home Business, a Municipality may stipulate –

- i) That the home business shall be conducted by the owner of the property, who shall be also be resident therein;
  - ii) Under what circumstances the activity may be operated by a person other than the owner;
  - iii) a maximum number of vehicles permitted on the premises at any one time;
  - iv) The maximum weight of vehicles;
  - v) The location of parking;
  - vi) The amount of parking;
  - vii) The maximum number of non-resident employees;
  - viii) The maximum noise level above the prevailing noise level in the surrounding area;
  - ix) hours of operation;
  - x) A maximum floor area of 30 square meters for any office or home business.
  - xi) That the activity shall not be such as to impose a greater load on any public utility service than that which is ordinarily required by other uses permitted in the area;
  - xii) That the activity shall not detrimentally affect the amenity of the surrounding area through the emission of ash, dust, fumes, grit, noise, oil, smell, smoke, soot, steam, vapour, vibration and waste products;
  - xiii) Controls for signs; and,
  - xiv) The activities and occupations that are specifically excluded from this zone.
- 2.1.3.12 All landscaping shall be to the discretion of the Municipality.
- 2.1.3.13 Accommodation for motor vehicles is to be provided on the Erf as per Section 6 Parking Norms and Standards.
- 2.1.3.14 Subject to the provision of a sewerage disposal system to the satisfaction of the Water Services Authority.
- 2.1.3.15 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.1.3.16 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration.
- 2.1.3.16.1 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

## 2.2. RESIDENTIAL ONLY MEDIUM DENSITY (ROMD)



### STATEMENT OF INTENT



A zone that is intended to facilitate the development of attached and detached dwelling units as part of a larger planned residential development.




### ZONE COLOUR AND SCHEME NOTATION



Fill: Light Orange  
R 255, G 153, and B 000  
Border: Black  
R 000, G 000, and B 000

### 2.2.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)	ZONE COLOUR	COLOUR DETAILS
ROMD 1	900	1.2	60%	2	7.5m	2 m	2 m	16 m 4 m for Hatchet and Cul-de-sac		Fill: Light Orange R 255, G 153, and B 000 Border: Black R 000, G 000, and B 000
ROMD 2	1800	N/A	35%	2	7.5m	4.5 m	4.5m	18 m 4 m for Hatchet and Cul-de-sac		Fill: Light Orange R 255, G 153, and B 000 Border: Black R 000, G 000, and B 000  Wave Hatch: Black R000, G000, B000

<b>ROMD 2(a)</b>	10000 350 Curtilage	0.25 For the parent property)	40%	2	7.5m (Outer boundary)	4.5 m (Outer boundary)	4.5m (Outer boundary)	18 m 4 m for Hatchet and Cul-de-sac		<p>Fill: Light Orange R 255, G 153, and B 000</p> <p>Border: Black R 000, G 000, and B 000</p> <p>Hatch line: White R255, G255, B255,</p>
<b>ROMD 3</b>	2000	0.20du/ha	30%	2	7.5	4.5 m	4.5 m	18 m 4 m for Hatchet and Cul-de-sac		<p>Fill: Light Orange R 255, G 153, and B 000</p> <p>Border: Black R 000, G 000, and B 000</p> <p>Cross Hatch: White R255, G255, B255</p>
<b>ROMD 4</b>	10,000	0.25	40%	2	7.5	4.5m	4.5	18 m 4 m for Hatchet and Cul-de-sac		<p>Fill: Light Orange R 255, G 153, and B 000</p> <p>Border: Black R 000, G 000, and B 000</p> <p>Hatch diagonal: R148, G54, B52</p>

## 2.2.2 LAND USE CATEGORIES

BUILDING AND LAND USE CATEGORY	ROMD 1	ROMD 2	ROMD 3 and 4
<b>FREELY PERMITTED</b>	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House</li> <li>Extended Residential Building</li> </ul>	<b>5.2.3 ENVIROMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Conservation Area</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Laundrette (Restricted to use by the occupants of the premises concerned)</li> <li>Office, General (Restricted to sales)</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House</li> <li>Group Housing</li> <li>Medium Density Housing</li> </ul>	<b>5.2.3 ENVIROMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Conservation Area</li> <li>Private Recreational Area</li> <li>Recreational Building</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House</li> <li>Medium Density Housing</li> </ul>
<b>CONSENT</b>	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Garden Nursery</li> <li>Home Business</li> <li>Office, Medical</li> <li>Office, Professional</li> <li>Personal Service Outlet</li> <li>Tuck shop</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Bed And Breakfast Establishment</li> <li>Boarding House</li> <li>Crèche</li> <li>Guest House</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	<b>5.2.2 CIVIC AND SOCIAL / ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Education Building</li> <li>Institution</li> <li>Place of Worship</li> </ul> <b>5.2.3 ENVIROMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Recreational Building</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Garden Nursery</li> <li>Home Business</li> <li>Office, Medical</li> <li>Office, Professional</li> <li>Personal Service Outlet</li> <li>Tea Garden</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Bed And Breakfast Establishment</li> <li>Boarding House</li> <li>Crèche</li> <li>Day Care centre</li> <li>Guest House</li> <li>Residential Building</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	<b>5.2.2 CIVIC AND SOCIAL / ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Education Building</li> <li>Institution</li> <li>Place of Worship</li> </ul> <b>5.2.3 ENVIROMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Recreational Building</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Garden Nursery</li> <li>Home Business</li> <li>Laundrette (Restricted To Use By The Occupants Of The Premises Concerned)</li> <li>Office, Medical</li> <li>Office, Professional</li> <li>Office, Public</li> <li>Personal Service Outlet</li> <li>Tea Garden</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Bed And Breakfast Establishment</li> <li>Boarding House</li> <li>Crèche</li> <li>Day Care Facility</li> <li>Extended Residential Building</li> <li>Guest House</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>
<b>PROHIBITED LAND USES AND BUILDINGS</b>	Buildings and land uses not listed in this table		

### 2.2.3 ADDITIONAL CONTROLS

- 2.2.3.1 The requirements for medium density housing that shall apply and the density shall be limited to 30 dwelling units per hectare.
- 2.2.3.2 Provision to be made for landscaping and maintaining the grounds to the satisfaction of the Local Municipality, and not less than 25% of the site shall be set aside and maintained as a garden and play area, which must be kept free of parking space and drive-ways.
- 2.2.3.3 In respect of Erven 1426-1428 and Lots 325 and 326 Ballito the following shall apply:-
- i.) Minimum lot area: 1 Hectare and 650 square meters per mini sub- division;
  - ii.) Accommodation for motor vehicles to be provided at a rate of 2,5 per dwelling unit;
  - iii.) Subject to the provision of sewage disposal system to the satisfaction of the Municipality; and,
  - iv.) The requirement of clause 4, 7 shall apply and the density shall be limited to 15 Du per Hectare.
- 2.2.3.4 In respect of Lot 204 Shaka's Rock, the following must be considered:-
- i.) A height of 4 stories will be permitted;
  - ii.) A Conservation Area is Freely permitted;
  - iii.) A Beach Facility can be considered as a Consent use; and,
  - iv.) Provision 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 as a garden and play area, which must be free of parking and driveways
- 2.2.3.5 In respect of Lot 659 Shaka's Rock, the following must be considered:-
- i.) A height of 3 stories will be permitted but is restricted to a maximum of 75% of the floor area of the second storey of the building or buildings; and,
  - ii.) The density shall be limited to 25 Du/Hectare
- 2.2.3.6 In respect of Portion 8 of Erf 260 KwaDukuza – the following must be considered in terms of resolution C179/EDP19.
- 2.2.3.7 In respect of Erf 101 Shaka's Rock, the density is limited to 15 Du/hectare.
- 2.2.3.8 All landscaping shall be to the discretion of the Municipality.
- 2.2.3.9 Accommodation for motor vehicles is to be provided on the Erf as per Section 6 Parking Norms and Standards.
- 2.2.3.10 Subject to the provision of a sewerage disposal system to the satisfaction of the Water Services Authority.
- 2.2.3.11 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.

- 2.2.3.12 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- 2.2.3.13 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration.
- 2.2.3.14 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme

### 2.3. RESIDENTIAL ONLY HIGH DENSITY (ROHD)



#### STATEMENT OF INTENT





A zone that is intended to facilitate the development of multi-unit residential units for a wide range of residential accommodation at a high density; together with a mix of activities to cater for broader community needs

#### ZONE COLOUR AND SCHEME NOTATION




Fill: Light Brown  
R 197, G 104, and B 011  
Border: Black  
R 000, G 000, and B 000

#### 2.3.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)	ZONE COLOUR	COLOUR DETAILS
ROHD 1	1,850	0,35 0,75 for Hotel	30% 40% for hotel	6	9.0 m	4.5 m	4.5 m	21 m 9 m for Hatchet and Cul-de-sacs		Fill: Light Brown R 197, G 104, and B 011 Border: Black R 000, G 000, and B 000
ROHD 2	1800	0,40 0,75 for Hotel	30% 40% for Hotel	3 6 for Hotels	9.0 m	4.5 m	4.5 m	21 m 9 m for Hatchet ways and Cul-de-sacs		Fill: Light Brown R 197, G 104, and B 011 Border: Black R 000, G 000, and B 000  horizontal Hatch: Black R000, G000, and B000
ROHD 3	1800	1.8	60%	3	9.0 m	4.5 m	4.5 m	21 m 9 m for Hatchet ways and Cul-de-sacs		Fill: Light Brown R 197, G 104, and B 011 Border: Black R 000, G 000, and B 000  Diagonal Hatch: Red R255, G000, and B000
ROHD 4	1800	2	70%	6	9.0 m	4.5 m	4.5 m	21 m 9 m for Hatchet ways and Cul-de sacs		Fill: Light Brown R 197, G 104, and B 011 Border: Black R 000, G 000, and B 000  Diagonal Hatch: Yellow R 255, G 255 and B 000



ROHD 5	NA	35 du/ha	75%	3	n/a	n/a	n/a	21 m 9 m for Hatchet ways and Cul-de-sacs		<p>Fill: Light Brown R 197, G 104, and B 011</p> <p>Border: Black R 000, G 000, and B 000</p> <p>Cross Hatch: Yellow R 255, G 255, and B 000</p>
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### 2.3.2 LAND USE CATEGORIES

BUILDINGS AND LAND USE CATEGORY	ROHD 1, 2, 3 and 4	ROHD 5	
FREELY PERMITTED	<p><b>5.2.3 ENVIROMENT AND RECREATION</b></p> <ul style="list-style-type: none"> <li>Conservation Area</li> <li>Private Open Space (Restricted to use by the residents of the residential building or Medium Density Housing site)</li> <li>Private Recreational Area</li> <li>Recreational Building (Restricted to the residents of the residential building or Medium Density Housing site.</li> </ul> <p><b>5.2.4 COMMERCIAL</b></p> <ul style="list-style-type: none"> <li>Laundrette</li> </ul> <p><b>5.2.6 RESIDENTIAL</b></p> <ul style="list-style-type: none"> <li>Dwelling House</li> <li>Medium Density Housing</li> <li>Residential Building</li> </ul>	<p><b>5.2.3 ENVIROMENT AND RECREATION</b></p> <ul style="list-style-type: none"> <li>Conservation Area</li> <li>Private Recreational Area</li> <li>Recreational Building</li> </ul> <p><b>5.2.4 COMMERCIAL</b></p> <ul style="list-style-type: none"> <li>Conference Centre</li> <li>Laundrette</li> </ul> <p><b>5.2.6 RESIDENTIAL</b></p> <ul style="list-style-type: none"> <li>Dwelling House</li> <li>Hotel</li> <li>Medium Density Housing</li> <li>Residential Building (Accommodation to hotel development)</li> </ul>	
CONSENT	<p><b>5.2.1 AGRICULTURE</b></p> <ul style="list-style-type: none"> <li>Agricultural Building</li> </ul> <p><b>5.2.2 CIVIC AND SOCIAL / ADMINISTRATIVE</b></p> <ul style="list-style-type: none"> <li>Educational Building</li> <li>Institution</li> <li>Place of Assembly</li> <li>Place of Worship</li> </ul> <p><b>5.2.3 ENVIROMENT AND RECREATION</b></p> <ul style="list-style-type: none"> <li>Beach Amenity Facility</li> <li>Boat Jetty</li> </ul>	<p><b>5.2.2 CIVIC AND SOCIAL / ADMINISTRATIVE</b></p> <ul style="list-style-type: none"> <li>Place of Worship</li> </ul> <p><b>5.2.3 ENVIROMENT AND RECREATION</b></p> <ul style="list-style-type: none"> <li>Beach Amenity Facility</li> <li>Boat Jetty</li> </ul>	

BUILDINGS AND LAND USE CATEGORY	ROHD 1, 2, 3 and 4	ROHD 5	
	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop</li> <li>Conference Centre (As part of a Hotel, Guest House or Lodge)</li> <li>Home Business</li> <li>Personal Services Outlet</li> <li>Office, Medical</li> <li>Office, Professional</li> <li>Restaurant (Other than as ancillary to a hotel)</li> <li>Shop (Limited to 200m<sup>2</sup> on the ground floor)</li> <li>Tea Garden</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Creche</li> <li>Extended Residential Building</li> <li>Hotel</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop</li> <li>Tea Garden</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Creche</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	
<b>PROHIBITED LAND USES AND BUILDINGS</b>	Buildings and land uses not listed in this table.		

### 2.3.3 ADDITIONAL CONTROLS

2.3.3.1 In respect of ROHD 1, Umhlali shall have an FAR of N/A.

2.3.3.2 In respect of ROHD1, Erf 900, Salt Rock the following shall apply:-

- i) The use of a Hotel shall be freely permitted
- ii) Erf 900 shall have a F.A.R. of N/A

2.3.3.3 In respect of ROHD 3, Lot 518 shall be restricted to 2 storeys and limited to 8 units.

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

2.3.3.4 Where the lot is used exclusively for Medium Density Housing the following requirement shall apply:-

- i) The density shall be limited to 30 dwelling units per hectare.
- ii) Maximum coverage may be increased to 35%.
- iii) On Lots that measure 1800m<sup>2</sup> the FAR shall be 0.35.
- iv) On Lots greater than 1800m<sup>2</sup>, the FAR increases at an incremental rate of 0.003 per 100m<sup>2</sup>.
- v) On Lots greater than 6850m<sup>2</sup> and over, the FAR increases at an incremental rate of 0.50 per 100m<sup>2</sup>.

2.3.3.5 In respect of Ptn 4 /133 the following shall apply:-

- i.) Subject to the provision of a sewage disposal system to the satisfaction of the Water Services Authority; and
- ii.) Density shall be limited to 45 dwelling units per hectare.

2.3.3.6 In respect of the Rocky Park Integrated Housing Development, the parking requirements shall be 1,1 parking bay or space per dwelling unit.

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

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

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

2.3.3.7.3 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.

2.3.3.7.4 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.

2.3.3.7.5 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration

2.3.3.7.6 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme

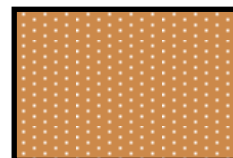
## 2.4. RESIDENTIAL MEDIUM IMPACT (RMIM)



### STATEMENT OF INTENT

A zone that retains a high incidence of residential land uses with an increasing number of appropriate ancillary land uses to satisfy local demands and convenience, excludes industrial, and trade uses. The residential density may increase. This is essentially a transition zone where change of use is permitted with preservation of the existing form.

### ZONE COLOUR AND SCHEME NOTATION



Fill: Pale Orange  
R 204, G 137, and B 074  
Border: Black  
R 000, G 000, and B 000  
Hatch: Dotted at 10%  
R 255, G 255, and B 255

### 2.4.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
RMIM 1	900	0.5	60%	2	7.5 m	2.5 m	2.5 m	18 m for Hatchet and Cul-de-sac

## 2.4.2 LAND USE CATEGORIES

BUILDINGS AND LAND USE CATEGORY	RMIM 1		
FREELY PERMITTED	<b>5.2.3 ENVIROMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>Private open space (Restricted to use by the residents of the residential building or Medium Density Housing site)</li> <li>Recreational Building (Restricted to the residents of the residential building or Medium Density Housing site)</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Home Business</li> <li>Maintenance Building</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House</li> <li>Medium Density Housing</li> </ul>		
CONSENT	<b>5.2.2 CIVIC AND SOCIAL / ADMINISTRAT</b> <ul style="list-style-type: none"> <li>Place of Worship</li> <li>Place of Instruction</li> </ul> <b>5.2.3 ENVIROMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>Beach Amenity Facility</li> <li>Boat Jetty</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Craft Workshop</li> <li>Garden Nursery</li> <li>Office, Medical</li> <li>Office, Professional</li> <li>Tavern</li> <li>Restaurant</li> <li>Personal service outlet</li> <li>Tea Garden</li> <li>Tuck-shop</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Backpackers /Hostelling</li> <li>Bed and Breakfast Facility</li> <li>Boarding House</li> <li>Crèche</li> <li>Day Care Centre</li> <li>Guest House</li> <li>Residential Building</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTs</li> </ul>		
PROHIBITED LAND USES AND LAND BUILDINGS	Buildings and land uses not listed in this table.		

**2.4.3. ADDITIONAL CONTROLS**

- 2.4.3.1. The Floor Area controls will be the same as the original residential zoning.
- 2.4.3.2. Where a lot is used exclusively for Medium Density Housing the density shall be limited to 30 dwelling units per hectare.
- 2.4.3.3. All landscaping shall be to the discretion of the Municipality.
- 2.4.3.4. Accommodation for motor vehicles is to be provided on the Erf as per Section 6 Parking Norms and Standards.
- 2.4.3.5. Subject to the provision of a sewerage disposal system to the satisfaction of the Water Services Authority.
- 2.4.3.6. In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.4.3.7. An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- 2.4.3.8. Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.4.3.9. A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

## 2.5. RESIDENTIAL HIGH IMPACT (RHIM)



### STATEMENT OF INTENT

A zone that permits all types of residential development and a wide range of services and activities, but excludes industrial and trade uses. The residential density may increase. This is essentially a transition zone where change of use is permitted with construction of low-rise residential type buildings

### ZONE COLOUR AND SCHEME NOTATION



Fill: Dark Orange 2  
R 238, G 118, and B 000  
Border: Black  
R 000, G 000, and B 000

### 2.5.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
RHIM 1	1,800	1.8	60%	3	7.5 m	4.5 m	4.5 m	21 m

### 2.5.2 LAND USE CATEGORIES

BUILDING AND LAND USE CATEGORY	RHIM 1		
FREELY PERMITTED	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>• Agricultural Building</li> <li>• Agricultural Land</li> <li>• Community Garden</li> <li>• Market Gardening</li> <li>• Small Scale Agriculture</li> <li>• Urban Agriculture</li> </ul> <b>5.2.3 ENVIRONMENTAL AND RECREATIONAL</b> <ul style="list-style-type: none"> <li>• Conservancy</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>• Dwelling House</li> <li>• Medium Density Housing</li> <li>• Residential Building</li> </ul> <b>5.2.8 UTILITIES</b> <ul style="list-style-type: none"> <li>• Borehole</li> </ul>		
CONSENT	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>• Agricultural Industry</li> </ul> <b>5.2.2 CIVIC AND SOCIAL</b> <ul style="list-style-type: none"> <li>• Institution</li> <li>• Place of Instruction</li> <li>• Place of Worship</li> </ul> <b>5.2.8 UTILITIES</b> <ul style="list-style-type: none"> <li>• BTTS</li> <li>• Waste Water Package Plant</li> </ul>		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not listed in this table.		

### 2.5.3 ADDITIONAL CONTROLS

- 2.5.3.1 All landscaping shall be to the discretion of the Municipality.
- 2.5.3.2 Accommodation for motor vehicles is to be provided on the Erf as per Section 6 Parking Norms and Standards.
- 2.5.3.3 Subject to the provision of a sewerage disposal system to the satisfaction of the Water Services Authority.
- 2.5.3.4 Where a lot is used exclusively for Medium Density Housing the density shall be limited to 30 dwelling units per hectare.
- 2.5.3.5 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.5.3.6 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.



- 2.5.3.7 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.5.3.8 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme

## 2.6. RESIDENTIAL SMALLHOLDINGS (RSMH)



### STATEMENT OF 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.

### ZONE COLOUR AND SCHEME NOTATION



Fill: Yellowish Beige  
R 255, G 236, and B 188  
Border: Black  
R 000, G 000, and B 000

### 2.6.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)	ZONE COLOUR	COLOUR DETAILS
RSMH 1	3,000	0.2	15%	2	7.5 m	2.0 m	2.0 m	21 m		Fill: Yellowish Beige R 255, G 236 and B 180  Border: Black R 000, G 000, and B 000
RSMH 2	10,000	0.35	30%	2	9.0 m	4.5 m	4.5 m	21 m		Fill: Yellow R 255, G 236 and B 180  Border: Black R 000, G 000, B 000  Horizontal Hatch: Black R000, G000, and B000

## 2.6.2 LAND USE CATEGORIES

BUILDINGS AND LAND USE CATEGORY	RSMH 1 and 2		
<b>FREELY PERMITTED</b>	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>• Agricultural Building</li> <li>• Agricultural Land</li> <li>• Community Garden</li> <li>• Market Gardening</li> <li>• Small Scale Agriculture</li> <li>• Urban Agriculture</li> </ul> <b>5.2.2 ENVIRONMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>• Conservancy</li> <li>• Private Recreational Area</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>• Dwelling House</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>• Borehole</li> </ul>		
<b>CONSENT</b>	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>• Agricultural Industry</li> </ul> <b>5.2.2 CIVIC AND SOCIAL</b> <ul style="list-style-type: none"> <li>• Institution</li> <li>• Place of Instruction</li> <li>• Place of Worship</li> </ul> <b>5.2.3 COMMERCIAL</b> <ul style="list-style-type: none"> <li>• Home Business</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>• Bed and Breakfast Facility</li> <li>• Country House</li> <li>• Crèche</li> <li>• Day Care Centre</li> <li>• Guest House</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>• Waste Water Package Plant</li> <li>• BTTS</li> </ul>		
<b>PROHIBITED LAND USES AND BUILDINGS</b>	Buildings and land uses not listed in this table.		

## 2.6.3 ADDITIONAL CONTROLS

- 2.6.3.1 The total floor area of buildings is to be restricted to maximum of 600 m<sup>2</sup>
- 2.6.3.2 All landscaping shall be to the discretion of the Municipality.
- 2.6.3.3 Accommodation for motor vehicles is to be provided on the Erf as per Section 6 Parking Norms and Standards.
- 2.6.3.4 Subject to the provision of a sewerage disposal system to the satisfaction of the Water Services Authority.

- 2.6.3.5 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.6.3.6 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- 2.6.3.7 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration.
- 2.6.3.8 A Site Development Plan may be required on request by the municipality.

## 2.7. HOTEL (RHOT)



### STATEMENT OF INTENT



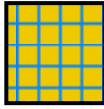
A zone that makes provision for holiday accommodation, including a licensed hotel, and includes a range of related facilities such as conference centre, recreational facilities, shop and Laundromat for the exclusive use of the guests, public lounge, restaurant and bar areas. The provision of parking is an important factor as is the noise generated from the public areas.

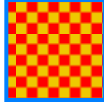
### ZONE COLOUR AND SCHEME NOTATION



Fill: Gold  
R 238, G 201 and B 000  
Border: Blue  
R 000, G 128, B 255

### 2.7.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)	ZONE COLOUR	COLOUR DETAILS
RHOT1	3,600	1.0	60%	8	7,5 m	4.5 m	4.5 m	21 m		Fill: Gold R 238, G 201 and B 000  Border: Blue R 000, G 128, and B 255
RHOT 2	1,800	0.45	40%	2	7.5 m	2.0 m	2.0 m	18 m 4 m for Hatchet and Cul de sac		Fill: Gold R 238, G 201 and B 000  Border: Black R 000, G 000, B 000  Hatch horizontal: Blue R 000, G 128, and B 255
RHOT 3	10,000	0.15	10%	2	7.5 m	2.0 m	2.0 m	N/A		Fill: Gold R 238, G 201 and B 000  Border: Blue R 000, G 128, B 255  Cross Hatch: Blue R 000, G 128, and B 255

<b>RHOT4</b>	10,000	0.75	50%	2	7.5 m	2.0 m	2.0 m	N/A		<p>Fill: Gold R 238, G 201 and B 000</p> <p>Border: Red R 000, G 128, B 255</p> <p>Checker Board Hatch: Red R 255, G 000, and B000</p>
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## 2.7.2 LAND USE CONTROLS

BUILDING AND LAND USES CATEGORY	RHOT 1	RHOT 2 and 4	RHOT 3
<b>FREELY PERMITTED</b>	<b>5.2.2 CIVIC AND SOCIAL</b> <ul style="list-style-type: none"> <li>Place of Assembly</li> </ul> <b>5.2.3 ENVIRONMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Recreational Building</li> <li>Private Recreational Area</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Personal service outlets</li> <li>Place of Public Amusement</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Backpackers/Hostel</li> <li>Bed and Breakfast Facility</li> <li>Boarding House</li> <li>Boutique Hotel</li> <li>Country House</li> <li>Guest House</li> <li>Hotel</li> <li>Lodge</li> </ul>	<b>5.2.2 CIVIC AND SOCIAL</b> <ul style="list-style-type: none"> <li>Place of Assembly</li> </ul> <b>5.2.3 ENVIRONMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Recreational Building</li> <li>Private Recreational Area</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Personal service outlets</li> <li>Place of Public Amusement</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Backpackers/Hostel</li> <li>Bed and Breakfast Facility</li> <li>Boarding House</li> <li>Boutique Hotel</li> <li>Country House</li> <li>Guest House</li> <li>Hotel</li> <li>Lodge</li> </ul>	<b>5.2.2 CIVIC AND SOCIAL</b> <ul style="list-style-type: none"> <li>Place of Assembly</li> </ul> <b>5.2.3 ENVIRONMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Recreational Building</li> <li>Private Recreational Area</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Personal service outlets</li> <li>Place of Public Amusement</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Backpackers/Hostel</li> <li>Bed and Breakfast Facility</li> <li>Boarding House</li> <li>Boutique Hotel</li> <li>Country House</li> <li>Guest House</li> <li>Hotel</li> <li>Lodge</li> </ul>
<b>CONSENT</b>	<b>5.2.2 CIVIC AND SOCIAL</b> <ul style="list-style-type: none"> <li>Place of Instruction</li> </ul> <b>5.2.3 ENVIRONMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Beach Amenity Facility</li> <li>Boat Jetty</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Bank Agency</li> <li>Parking Garage</li> <li>Tea Garden</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Chalet Development</li> <li>Dwelling House</li> <li>Medium Density Housing</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>Municipal Services</li> <li>BTTS</li> </ul>	<b>5.2.2 CIVIC AND SOCIAL</b> <ul style="list-style-type: none"> <li>Place of Instruction</li> </ul> <b>5.2.3 ENVIRONMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Beach Amenity Facility</li> <li>Boat Jetty</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Bank Agency</li> <li>Parking Garage</li> <li>Tea Garden</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Chalet Development</li> <li>Dwelling House</li> <li>Medium Density Housing</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>Municipal Services</li> <li>BTTS</li> </ul>	<b>5.2.2 CIVIC AND SOCIAL</b> <ul style="list-style-type: none"> <li>Place of Instruction</li> </ul> <b>5.2.3 ENVIRONMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Beach Amenity Facility</li> <li>Boat Jetty</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Bank Agency</li> <li>Parking Garage</li> <li>Tea Garden</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Chalet Development</li> <li>Dwelling House</li> <li>Medium Density Housing</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>Municipal Services</li> <li>BTTS</li> </ul>
<b>PROHIBITED LAND USES AND BUILDINGS</b>	Buildings and land uses not listed in this table.		

## 2.7.3 ADDITIONAL CONTROLS APPLICABLE TO HOTELS

The following provisions, conditions and restrictions shall be applicable to all Hotels within the area of the scheme.

2.7.3.1 Except with the approval of the Council, no Hotel shall be erected on a site of less than 3 600m<sup>2</sup> in extent.

2.7.3.2 The small-scale shops and agencies will need to be compatible ancillary activities and established as part of a hotel e.g. a Personal Service Outlet.

2.7.3.3 Provided that:-

- i) For the purposes of this clause, the definition of such aforesaid activities shall be at the discretion of the Council provided that any applicant aggrieved by such definition may appeal;
- ii) No commercial advertising of such aforesaid activities shall be permitted on the site so as to be visible from outside the building;
- iii) Access to such activities shall be from within the Hotel; and for the purpose of Floor Area Ratio, Coverage and Height determination, such aforementioned activities e.g. a hairdressing salon, bookshop, newsagent, automatic vending machines, travel agent, florist, booking agent, curio shop and/or bank agency shall be deemed to be part of the Hotel.

2.7.3.4 In respect of:-

- i) Lot 1639 Ballito and Lot 25 Ballito where the min size being 3036 and 1012 square meters respectively.
- ii) Lot 1639 the permitted FAR will be 0.56 and the Coverage 35%
- iii) Lot 56 No. 931 Ballito, the Front setback may be 3 meters.

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

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

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

2.7.3.9. The Municipality may, in respect of any application to develop a lot permit a maximum of two points of access provided that consent is obtained from the municipal traffic department.

2.7.3.10. In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.

2.7.3.11. A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.



## 2.8. RETIREMENT FACILITIES (REFC)

### 2.8.1 RETIREMENT VILLAGE (REVL)



#### STATEMENT OF INTENT

A zone that provides for an age restricted planned development that includes detached, attached row housing, and medium density housing development which is intended for the accommodation or settlement substantially of persons upon their retirement and in which a Frail Care Centre may be provided. The development emphasizes social and recreational activities, places for communal activity and may provide personal services, and health facilities. A Retirement Village may include an office building, medical consulting rooms, laundrette, shop and restaurant, which in each case shall be restricted as required by the Municipality and be for the sole use of occupants and guests.

#### ZONE COLOUR AND SCHEME NOTATION



Fill: Light Green  
R 225, G 225, and B 153  
Border: Gold  
R 225, G 192, B 000

### 2.8.2 OLD AGE HOME (REHO)



#### STATEMENT OF INTENT






To provide, preserve and use land or buildings for appropriate accommodation for retirees and associated facilities, which are related ordinarily, or incidentally to such facilities. These may occur as medium and/or high-density developments.

#### ZONE COLOUR AND SCHEME NOTATION



Fill: Pale Orange  
R 255, G 204, and B102  
Border: Gold  
R 225, G 192, B 000

## 2.8.3 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)	ZONE COLOUR	COLOUR DETAILS
REVL 1	1.25 ha	0,35	35%	2	7.5	3.0	3.0	184		Fill: Light Green R 225, G 225, and B 153  Border: Gold R 225, G 192, B 000
REVL 2	0,5 ha	0.6	30%	2	7.5	4.5	4.5	18		Fill: White R 225, G 225, and B 255  Border: Gold R 225, G 192, B 000  Horizontal Hatch: R 225, G 225, and B 153
REHO 1	1ha	1.0	60%	2	7,5	4.5	4.5	21		Fill: Light Green R 225, G 225, and B 153  Border: Gold R 225, G 192, B 000  Diagonal Hatch: Red R 255, G 000, and B 000
REHO 2	1 ha	0,6	30%	2	7.5	4.5	4.5	18		Fill: Pale Orange R 255, G 204, and B 102  Border: Gold R 071, G 048, and B 208
REHO 3	1 ha	N/A	30%	2 3	7.5	4.5	4.5	18		Fill: White R 255, G 255, and B 255  Border: Gold R 225, G 192, B 000  Horizontal Hatch: Gold R 225, G 192, B 000

## 2.8.4 LAND USE CONTROLS

BUILDING AND LAND USES CATEGORY	REVL 1	REVL 2	REHO 1	REHO 2	REHO 3
<b>FREELY PERMITTED</b>	<b>5.2.2 CIVIC AND SOCIAL</b> <ul style="list-style-type: none"> <li>Institution</li> <li>Place of Public Assembly</li> </ul> <b>5.2.3 ENVIRONMENTAL AND RECREATIONAL</b> <ul style="list-style-type: none"> <li>Private Open Space</li> <li>Recreational Building</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop</li> <li>Laundrette</li> <li>Offices: Medical</li> <li>Shop (Restricted to patrons of the use)</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House</li> <li>Frail Care Facility</li> <li>Medium Density Housing</li> <li>Residential Building</li> <li>Retirement Village</li> </ul>	<b>5.2.2 CIVIC AND SOCIAL</b> <ul style="list-style-type: none"> <li>Institution</li> <li>Place of Public Assembly</li> </ul> <b>5.2.3 ENVIRONMENTAL AND RECREATIONAL</b> <ul style="list-style-type: none"> <li>Private Open Space</li> <li>Recreational Building</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop</li> <li>Laundrette</li> <li>Offices: Medical</li> <li>Shop (Restricted to patrons of the use)</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House</li> <li>Frail Care Facility</li> <li>Medium Density Housing</li> <li>Residential Building</li> <li>Retirement Village</li> </ul>	<b>5.2.2 CIVIC AND SOCIAL</b> <ul style="list-style-type: none"> <li>Institution</li> <li>Place of Public Assembly</li> </ul> <b>5.2.3 ENVIRONMENTAL AND RECREATIONAL</b> <ul style="list-style-type: none"> <li>Private Open Space</li> <li>Recreational Building</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop</li> <li>Laundrette</li> <li>Offices: Medical</li> <li>Shop (Restricted to patrons of the use)</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House</li> <li>Frail Care Facility</li> <li>Medium Density Housing</li> <li>Residential Building</li> <li>Retirement Village</li> </ul>	<b>5.2.2 CIVIC AND SOCIAL</b> <ul style="list-style-type: none"> <li>Institution</li> <li>Place of Public Assembly</li> </ul> <b>5.2.3 ENVIRONMENTAL AND RECREATIONAL</b> <ul style="list-style-type: none"> <li>Private Open Space</li> <li>Recreational Building</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop</li> <li>Laundrette</li> <li>Offices: Medical</li> <li>Shop (Restricted to patrons of the use)</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House</li> <li>Frail care facilities</li> <li>Medium Density Housing</li> <li>Residential Building</li> <li>Retirement Village</li> </ul>	<b>5.2.2 CIVIC AND SOCIAL</b> <ul style="list-style-type: none"> <li>Institution</li> </ul> <b>5.2.3 ENVIRONMENTAL AND RECREATIONAL</b> <ul style="list-style-type: none"> <li>Private Open Space</li> <li>Recreational Building (including common dining room with kitchen, library, hobby room)</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop</li> <li>Laundrette</li> <li>Office, general</li> <li>Restaurant (including a coffee shop)</li> <li>Shop (limited to 200m<sup>2</sup>)</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House</li> <li>Frail care facilities</li> <li>Medium Density Housing</li> <li>Residential Building</li> <li>Retirement Village</li> </ul>
<b>CONSENT</b>	  <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Personal Service Outlet</li> <li>Restaurant</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	  <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Personal Service Outlet</li> <li>Restaurant</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	  <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Personal Service Outlet</li> <li>Restaurant</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	  <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Personal Service Outlet</li> <li>Restaurant</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	<b>5.2.2 CIVIC AND SOCIAL</b> <ul style="list-style-type: none"> <li>Place of Public Assembly</li> </ul>  <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>
<b>PROHIBITED LAND USES AND BUILDINGS</b>	Land uses and buildings not listed in this table.				

**2.8.5. ADDITIONAL CONTROLS APPLICABLE TO RETIREMENT FACILITIES**

- 2.8.5.1 A shop and a restaurant area are permitted within this but shall be restricted to 200 m<sup>2</sup> and to be for the exclusive use of the residents and their guests.
- 2.8.5.2 A frail care centre shall be provided to the satisfaction of the Municipality, and should be accommodated on the same site or on an adjacent site.
- 2.8.5.3 In respect of REHO 3, Frail Care Facilities shall be permitted a height of 3 storeys.
- 2.8.5.4 Where Medium Density-Housing uses are included; the requirements in respect of the Design and Layout requirements for Medium Density Housing Development.
- 2.8.5.5 The density shall be limited to 20 units per hectare where unit size is > 75 m<sup>2</sup> or 30 units per hectare where unit size is < 75 m<sup>2</sup>.
- 2.8.5.6 All landscaping shall be to the discretion of the Municipality.
- 2.8.5.7 Accommodation for motor vehicles is to be provided on the Erf as per Section 6 Parking Norms and Standards.
- 2.8.5.8 Subject to the provision of a sewerage disposal system to the satisfaction of the Water Services Authority.
- 2.8.5.9 All internal roads shall be designed to the satisfaction of the Municipality and will be of sufficient width to allow access by emergency medical vehicles and firefighting trucks.
- 2.8.5.10 In respect of REHO 2, the following shall apply:-
- i.) The minimum lot area to be no less than 1 hectare.
  - ii.) Provision to be made for landscaping and maintaining the grounds to the satisfaction of the Municipality. During the final planning (SDP) phase, the layout and development must be evaluated and approved by an independent Environmental Assessment Practitioner / Ecologist to ensure appropriate planning and mitigation of potential environmental aspects.
  - iii.) An EMPr must be developed and implemented and an ECO appointed during the pre-construction phase to ensure the conservation of sensitive aspects and the prevention of environmental degradation and pollution.
  - iv.) Subject to the provision of a sewage disposal system to the satisfaction of the Municipality.
  - v.) Parking shall be provided at a rate of one parking bay, carport or garage for every dwelling unit.
  - vi.) Visitors parking will be provided at a rate of 50% of the rate provided in paragraph (v) above.
  - vii.) The development on Sub 10 (of 9) of Lot 52 No. 1566 will be limited to a maximum of 126 dwelling units, 500m<sup>2</sup> of communal recreational / administration facilities, as well as 3 200m<sup>2</sup> of medical and related facilities, frail care and assisted living rooms.
  - viii.) The minimum floor area of a free-standing dwelling unit will be no less than 120m<sup>2</sup>; and,
  - ix.) The minimum floor area of an 'apartment type' dwelling unit will be no less than 85m<sup>2</sup>.
- 2.8.5.11 In consideration of an application for a Frail- care Facility, the applicant will need to demonstrate how they have addressed the following general principles in the design

of the building, security, access to medical support and institutional/management arrangements:-

- i.) At the frail care stage, a person would require a lot of nursing and he/she may need help with dressing and washing themselves and toileting and may or may not be bedridden.
- ii.) A frail person may also be physically capable but mentally frail, requiring constant supervision.
- iii.) A mentally frail person could be exhibiting signs of senile dementia (Alzheimer's, vascular dementia or other forms of dementia) and, as such, may be confused, disoriented, agitated, restless, or anxious.
- iv.) A person who is instead suffering from early stages of dementia and who needs a little orientation from time to time and who is still social and able to socialise would be best looked after in a frail-care environment.
- v.) It is important to point out that each care facility has their own definition and classification for what they call frail-care and it is therefore important to discuss the nursing requirements of a family member with the care facility before admitting them.
- vi.) Most care facilities, in any event, will want to assess the patient before admission in order to determine whether they are able to provide the necessary care.
- vii.) They may also require a doctor's report on the patient

2.8.5.12 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration

2.8.5.13. In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.

2.8.5.14 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.

2.8.5.15 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme

## 2.9. Resort (REST)



## STATEMENT OF INTENT

A zone that permits the development of tourist associated residential complexes that include conference facilities, a wellness centre, hydros, spas, health resorts. Additional recreational facilities such as public entertainment areas, golfing, sport, water sports, wildlife viewing and walks, cultural, historical, and gambling are permissible.

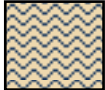


## ZONE COLOUR AND SCHEME NOTATION



Fill: Wheat 2  
R 238, G 216, and B 174  
Border: Black  
R 000, G 000, and B 000

## 2.9.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)	ZONE COLOUR	COLOUR DETAILS
REST 1	N/A	N/A	10%	2	9 m	4.5 m	4.5 m	21 m 9 m		Fill: Wheat 2 R 238, G 216, and B 174  Border: Black R 000, G 000, and B 000  Hatch 20%: Red R 255, G 000, and B 000
REST 2	15 000	0.25	20%	3	7.5 m	2.5	2.5 m	21 m 9 m for Hatchet and Cul de sac		Fill: Wheat 2 R 238, G 216, and B 174  Border: Black R 000, G 000, and B 000  Horizontal Hatch: Black R000, G000, and B000
REST 3(a)	N/A	20 du/ha	60% 35% for MDH	3 6 for Hotel 2 for RODE & MDH	7.5 m	2.5	2.5 m	21 m 9 m for Hatchet and Cul de sac		Fill: Wheat 2 R 238, G 216, and B 174  Border: Black R 000, G 000, and B 000  Cross Hatch Black: R000, G000, B000

<b>REST 3(b)</b>	N/A	25 du/ha	50%	2	7.5 m	2.5	2.5 m	21 m 9 m for Hatchet and Cul de sac		<p>Fill: Wheat 2 R 238, G 216, and B 174</p> <p>Border: Black R 000, G 000, and B 000</p> <p>Wave Hatch Dark blue: R023, G054, and B093</p>
<b>REST 3(c)</b>	N/A	As per additional controls	60%	6	7.5 m	2.5	2.5 m	21 m 9 m for Hatchet and Cul de sac		<p>Fill: Wheat 2 R 238, G 216, and B 174</p> <p>Border: Black R 000, G 000, and B 000</p> <p>Cross Hatch: Red R255, G000, and B000</p>
<b>REST 4</b>	15,000	0.50	30%	2	9 m	4.5 m	4.5 m	9 m		<p>Fill: Wheat 2 R 238, G 216, and B 174</p> <p>Border: Black R 000, G 000, and B 000</p> <p>Diagonal Hatch Green: R000, G176, and B080</p>

## 2.9.2 LAND USE CATEGORIES

BUILDING AND LAND USE CATEGORY	REST 1	REST 2	REST 3(a)	REST 3(b)	REST 3(c)	REST 4
<b>FREELY PERMITTED</b>	<p><b>5.2.3 ENVIROMENTAL AND RECREATION</b></p> <ul style="list-style-type: none"> <li>Private Recreation Area</li> <li>Recreational Building</li> </ul> <p><b>5.2.4 COMMERCIAL</b></p> <ul style="list-style-type: none"> <li>Launderette (as an ancillary use)</li> <li>Maintenance Building</li> <li>Office, General (Restricted to Security and Administration Control)</li> </ul>	<p><b>5.2.3 ENVIROMENTAL AND RECREATION</b></p> <ul style="list-style-type: none"> <li>Private Recreation Area</li> <li>Recreational Building</li> </ul> <p><b>5.2.4 COMMERCIAL</b></p> <ul style="list-style-type: none"> <li>Launderette (as an ancillary use)</li> <li>Maintenance Building</li> <li>Office, General (Restricted to Security and Administration Control)</li> <li>Restaurant</li> </ul>	<p><b>5.2.2 CIVIC AND SOCIAL/ADMINISTRATIVE</b></p> <ul style="list-style-type: none"> <li>Place of Assembly</li> </ul> <p><b>5.2.3 ENVIROMENTAL AND RECREATION</b></p> <ul style="list-style-type: none"> <li>Private Recreation Area</li> <li>Private Open Space</li> <li>Recreational Building</li> </ul> <p><b>5.2.4 COMMERCIAL</b></p> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop</li> <li>Conference Centre (as an ancillary use to the Resort Zone)</li> <li>Launderette (as an ancillary use)</li> <li>Maintenance Building</li> <li>Office, General (Restricted to Security and Administration Control)</li> <li>Parking Garage</li> <li>Place of Amusement</li> <li>Restaurant</li> <li>Service Station</li> <li>Shop</li> </ul>	<p><b>5.2.2 CIVIC AND SOCIAL/ADMINISTRATIVE</b></p> <ul style="list-style-type: none"> <li>Place of Assembly</li> </ul> <p><b>5.2.3 ENVIROMENTAL AND RECREATION</b></p> <ul style="list-style-type: none"> <li>Private Recreation Area</li> <li>Private Open Space</li> <li>Recreational Building</li> </ul> <p><b>5.2.4 COMMERCIAL</b></p> <ul style="list-style-type: none"> <li>Launderette (as an ancillary use)</li> <li>Office, General (Restricted to Security and Administration Control)</li> <li>Maintenance Building</li> <li>Parking Garage</li> <li>Place of Amusement</li> <li>Restaurant</li> <li>Shop (restricted to 200m2)</li> </ul>	<p><b>5.2.2 CIVIC AND SOCIAL/ADMINISTRATIVE</b></p> <ul style="list-style-type: none"> <li>Place of Assembly</li> </ul> <p><b>5.2.3 ENVIROMENTAL AND RECREATION</b></p> <ul style="list-style-type: none"> <li>Private Recreation Area</li> <li>Private Open Space</li> <li>Recreational Building</li> </ul> <p><b>5.2.4 COMMERCIAL</b></p> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop</li> <li>Conference Centre</li> <li>Launderette</li> <li>Maintenance Building</li> <li>Office, General (Restricted to 7500m2)</li> <li>Parking Garage</li> <li>Place of Amusement</li> <li>Restaurant</li> <li>Shop (restricted to 200m2)</li> </ul>	<p><b>5.2.2 CIVIC AND SOCIAL/ADMINISTRATIVE</b></p> <ul style="list-style-type: none"> <li>Place of Assembly</li> </ul> <p><b>5.2.3 ENVIROMENTAL AND RECREATION</b></p> <ul style="list-style-type: none"> <li>Private Recreation Area</li> <li>Private Open Space</li> <li>Recreational Building</li> </ul> <p><b>5.2.4 COMMERCIAL</b></p> <ul style="list-style-type: none"> <li>Conference Centre (as an ancillary use to the Resort Zone)</li> <li>Launderette (as an ancillary use)</li> <li>Maintenance Building</li> <li>Office, General (Restricted to Security and Administration Control)</li> <li>Parking Garage</li> <li>Restaurant</li> <li>Shop (restricted to 200m2)</li> </ul>



BUILDING AND LAND USE CATEGORY	REST 1	REST 2	REST 3(a)	REST 3(b)	REST 3(c)	REST 4
	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House</li> <li>Lodge</li> <li>Medium Density Housing</li> </ul>	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Backpackers/Hostel</li> <li>Caravan Park</li> <li>Country House</li> <li>Dwelling House</li> <li>Guest House</li> <li>Holiday Resort</li> <li>Lodge</li> <li>Medium Density Housing</li> <li>Residential Building</li> <li>Self-Catering</li> </ul>	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Creche</li> <li>Dwelling House</li> <li>Medium Density Housing</li> <li>Residential Building</li> </ul>	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House (Restricted to Caretakers Cottage)</li> <li>Medium Density Housing</li> <li>Residential Building</li> </ul>	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Creche</li> <li>Dwelling House (restricted to 450 units)</li> <li>Medium Density Housing</li> <li>Residential Building (Restricted to 200 hotel rooms)</li> </ul>	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Backpackers/Hostel</li> <li>Caravan Park</li> <li>Chalet Development</li> <li>Country House</li> <li>Dwelling House</li> <li>Guest House</li> <li>Holiday Resort</li> <li>Medium Density Housing</li> <li>Residential Building</li> <li>Self-Catering</li> </ul>
CONSENT	<b>5.2.3 ENVIROMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Beach Amenity Facility</li> <li>Boat Jetty</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Garden Nursery</li> <li>Restaurant</li> <li>Tea Garden</li> </ul>	<b>5.2.3 ENVIROMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Beach Amenity Facility</li> <li>Boat Jetty</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop</li> <li>Conference Centre (as an ancillary use to the Resort Zone)</li> <li>Garden Nursery</li> <li>Maintenance building</li> <li>Office, Professional</li> <li>Place of Amusement</li> <li>Shop (As an ancillary use to the Resort Zone and restricted to 200m2)</li> </ul>	<b>5.2.3 ENVIROMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Beach Amenity Facility</li> <li>Boat Jetty</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Garden Nursery</li> <li>Office, General</li> </ul>	<b>5.2.3 ENVIROMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Beach Amenity Facility</li> <li>Boat Jetty</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop</li> <li>Garden Nursery</li> </ul>	<b>5.2.3 ENVIROMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Beach Amenity Facility</li> <li>Boat Jetty</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Garden Nursery</li> <li>Office, General (Greater than 7500m2)</li> <li>Service Station</li> <li>Shop (Greater than 200m2 gross shop area)</li> </ul>	<b>5.2.3 ENVIROMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Beach Amenity Facility</li> <li>Boat Jetty</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop</li> <li>Garden Nursery</li> <li>Place of Amusement</li> <li>Service Station</li> </ul>

BUILDING AND LAND USE CATEGORY	REST 1	REST 2	REST 3(a)	REST 3(b)	REST 3(c)	REST 4
	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Backpackers/Hostel</li> <li>Bed and Breakfast Facility</li> <li>Camping Ground</li> <li>Country House</li> <li>Guest House</li> <li>Holiday Resort</li> <li>Hotel</li> <li>Self-Catering</li> </ul>	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Bed and Breakfast Facility</li> <li>Camping Ground</li> <li>Guest House</li> </ul>	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Backpackers/Hostel</li> <li>Camping Ground</li> <li>Country House</li> <li>Caravan Park</li> <li>Guest House</li> <li>Holiday Resort</li> <li>Self-Catering</li> </ul>	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Backpackers/Hostel</li> <li>Camping Ground</li> <li>Country House</li> <li>Caravan Park</li> <li>Guest House</li> <li>Holiday Resort</li> <li>Self-Catering</li> </ul>	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Backpackers/Hostel</li> <li>Camping Ground</li> <li>Caravan Park</li> <li>Country House</li> <li>Dwelling House (Greater than 450 units)</li> <li>Holiday Resort</li> <li>Guest House</li> <li>Residential Building (Greater than 200 hotel rooms)</li> <li>Self-Catering</li> </ul>	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Camping Ground</li> </ul>
	<b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	<b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	<b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	<b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	<b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	<b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>
<b>PROHIBITED LAND USES AND BUILDINGS</b>	Buildings and land uses not listed in this table.					

### 2.9.3 ADDITIONAL CONTROLS

2.9.3.1 All additional controls provided for in the Zimbali Town Planning Scheme shall be applicable and enforceable.

2.9.3.2 In accordance with the requirements of Tables of this Scheme, a Resort may comprise one, or more of a combination of, the following uses:

- (i) A caravan park;
- (ii) Medium density housing, flats and hotels, restricted to non-permanent accommodation for holidaymakers and tourists;
- (iii) Recreational facilities and amenities;
- (iv) Commercial activities related to recreation and tourism such as restaurants, curio shops, tourist information and booking agents; and
- (v) Service facilities such as a service station, convenience shop, auto bank facilities and launderette.

- 2.9.3.3 Where Medium Density-Housing uses are included; the requirements in respect of the Design and Layout requirements for Medium Density Housing Development.
- 2.9.3.4 Erf 407 Zinkwazi Beach shall be limited to a maximum of 68 units.
- 2.9.3.5 Where a caravan park is included, the design and layout thereof shall be in accordance with the standards laid down in the Code of Practice for Caravan Parks (SABS 10092-2004), prepared by the South African Bureau of Standards, and published by the South African Bureau of Standards.
- 2.9.3.4 All building and land use activities within the Resort Zone shall be subject to the provisions of a Site Development Plan approved by the Municipality and as reflected in section three of this document.
- 2.9.3.5 All landscaping shall be to the discretion of the Municipality.
- 2.9.3.6 The Municipality may, in respect of any application to develop a lot permit a maximum of two points of access provided that consent is obtained from the municipal traffic department.
- 2.9.3.7 Accommodation for motor vehicles is to be provided on the Erf as per Section 6 Parking Norms and Standards.
- 2.9.3.8 Subject to the provision of a sewerage disposal system to the satisfaction of the Water Services Authority.
- 2.9.3.9 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.9.3.10 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- 2.9.3.11 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.9.3.12 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme

## 2.10. CARAVAN PARK (RCPK)



### STATEMENT OF INTENT

A zone that permits the accommodation of caravans used primarily for holiday dwellings in conjunction with recreation, ablution and sanitary facilities, and kitchen facilities.

### ZONE COLOUR AND SCHEME NOTATION



Fill: Antique White  
R 250, G 235 and B 215  
Border: Black  
R 000, G 000, and B 000  
Diagonal Hatch: Purple  
R178, G161, and B199

### 2.10.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
RCPK 1	10,000	0,20	25%	2	9.0 m	4.5 m	4.5 m	21 m 9 m for Hatchet and Cul de sac

**2.10.2 LAND USE CATEGORIES**

BUILDINGS AND LAND USE CATEGORY	RCPK 1		
<b>FREELY PERMITTED</b>	<b>5.2.3 ENVIRONMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>Conservation Area</li> <li>Private Recreation Area</li> <li>Recreation Building</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Launderette</li> <li>Office, General</li> <li>Shop (Restricted to 150m2 and the sale of day to day commodities)</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Camping Ground</li> <li>Caravan Park</li> <li>Dwelling House (Limited to a Managers Cottage)</li> </ul>		
<b>CONSENT</b>	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>Agriculture (Limited to smallholding activities)</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Restaurant (Restricted to 150m2)</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Chalet Development</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>		
<b>PROHIBITED LAND USES AND BUILDINGS</b>	Buildings and land uses not listed in this table.		

**2.10.3 ADDITIONAL CONTROLS**

- 2.10.3.1 The design and layout of caravan parks shall be in accordance with the provisions of the publication entitled *Code of Practice for Caravan Parks (Metric Units)*, prepared by the South African Bureau of Standards, published by the Municipality of the South African Bureau of Standards (SABS 10092-2004) dated August 1971.
- 2.10.3.2 All landscaping shall be to the discretion of the Municipality.
- 2.10.3.3 Accommodation for motor vehicles is to be provided on the Erf as per Section 6 Parking Norms and Standards.
- 2.10.3.4 Subject to the provision of a sewerage disposal system to the satisfaction of the Water Services Authority.
- 2.10.3.5 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.

- 2.10.3.6 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- 2.10.3.7 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.10.3.7.1 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

**2.11. MOBILE HOME PARK (RMHP)****STATEMENT OF INTENT**

A zone that makes provision for the establishment of mobile home parks for holiday or permanent dwellings in conjunction with recreation, ablution and sanitary facilities.

**ZONE COLOUR AND SCHEME NOTATION**

Fill: Golden Brown  
R 237 G 181, and B 018  
Border: Black  
R 000, G 000, and B 000

**2.11.1 ZONES AND DEVELOPMENT PARAMETERS**

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
RMHP 1	10,000	0,30	30%	2	9.0 m	4.5 m	4.5 m	18 m

**2.11.2 LAND USE CATEGORIES**

BUILDING AND LAND USE CATEGORY	RMHP 1		
<b>FREELY PERMITTED</b>	<b>5.2.3 ENVIROMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>Conservation Area</li> <li>Private Recreation Area</li> <li>Recreation Building</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Launderette</li> <li>Maintenance Building</li> <li>Office, General</li> <li>Shop (Restricted to 150m2)</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House (Limited to a Managers Cottage)</li> <li>Mobile Home</li> </ul>		
<b>CONSENT</b>	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>Agricultural Land</li> <li>Urban Agriculture</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Restaurant (Restricted to 150m2)</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Crèche</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTs</li> </ul>		
<b>PROHIBITED LAND USES AND BUILDINGS</b>	Buildings and land uses not listed in this table.		

**2.11.3 ADDITIONAL CONTROLS**

- 2.11.3.1 All landscaping shall be to the discretion of the Municipality.
- 2.11.3.2 The Municipality may, in respect of any application to develop a lot permit a maximum of two points of access provided that consent is obtained from the municipal traffic department.
- 2.11.3.3 Accommodation for motor vehicles is to be provided on the Erf as per Section 6 Parking Norms and Standards.
- 2.11.3.4 Subject to the provision of a sewerage disposal system to the satisfaction of the Water Services Authority.
- 2.11.3.5 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.



- 2.11.3.6 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- 2.11.3.7 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.11.3.8 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

**2.12. RAPID URBANISATION MANAGEMENT AREA (RUMA)****STATEMENT OF INTENT**

A zone that demarcates areas that have been informally settled and may require urgent land use interventions to address housing needs, disaster management, environmental impacts; service provision and residential development.

**ZONE COLOUR AND SCHEME NOTATION**

Fill: Dark Goldenrod  
R 184, G 134, and B 015  
Border: Brown  
R 153, G 051, and B100

**2.12.1 ZONES AND DEVELOPMENT PARAMETERS**

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
RUMA 1	N/A	0,30	30%	2	N/A	N/A	N/A	N/A

**2.12.2 LAND USE CATEGORIES**

BUILDINGS AND LAND USE CATEGORY	RUMA 1		
<b>FREELY PERMITTED</b>	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>Community Gardens</li> <li>Urban Agriculture</li> <li>Woodlots</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Home Business</li> <li>Shop</li> <li>Taverns</li> <li>Tuck-shop</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Crèche</li> <li>Day Care Facility</li> <li>Dwelling House</li> <li>Extended Residential Building</li> <li>Social Housing</li> </ul>		
<b>CONSENT</b>	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>Agricultural Building</li> <li>Community Gardens</li> <li>Dipping Facility</li> <li>Extensive Grazing</li> <li>Market Gardening</li> </ul> <b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATION</b> <ul style="list-style-type: none"> <li>Clinic</li> <li>Institution</li> <li>Place of Worship</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Craft Workshop</li> <li>Place of Instruction</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Bed and Breakfast Facility</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>		
<b>PROHIBITED LAND USES AND BUILDINGS</b>	Buildings and land uses not listed in this table.		

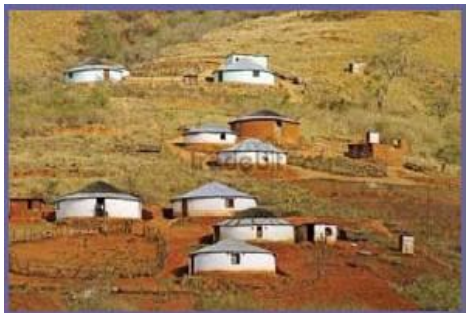
**2.12.3 ADDITIONAL CONTROLS**

2.12.3.1 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.

2.12.3.2 The Municipality may, in respect of any application to develop a lot permit a maximum of two points of access provided that consent is obtained from the municipal traffic department.

2.12.3.3. In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.

- 2.12.3.4 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- 2.12.3.5 In respect of Erf 3233 Groutville, Luthuli Museum an “Educational Building” shall be a freely permitted land use.
- 2.12.3.6 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.12.3.6 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

**2.13. IMIZI (RIMI)****STATEMENT OF INTENT**

A zone for the development and management of traditional residential settlement under the management of the Traditional Councils and administration of the Area and which is primarily for housing including traditional homesteads and includes home based economic activities, limited cropping and grazing.

**ZONE COLOUR AND SCHEME NOTATION**

Fill: Canary Yellow  
R 255, G 255, and B 122  
Border: Dark Green  
R 000, G100, B 000

**2.13.1 ZONES AND DEVELOPMENT PARAMETERS**

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
<b>RIMI 1</b>	600 m <sup>2</sup>	0,30	30%	2	N/A	N/A	N/A	N/A

### 2.13.2 LAND USE CATEGORIES

BUILDING AND LAND USE CATEGORY	RIMI 1		
FREELY PERMITTED	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>Agricultural Building</li> <li>Agriculture Grazing Land</li> <li>Community Gardens</li> <li>Market Gardening</li> <li>Woodlots</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Home Business</li> <li>Social Facility</li> <li>Shop</li> <li>Tavern</li> <li>Tuck Shop</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Crèche</li> <li>Day Care Facility</li> <li>Dwelling House</li> </ul>		
CONSENT	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>Dipping Tanks</li> </ul> <b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Place of Worship</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Craft Workshop</li> <li>Place of Instruction</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Bed and breakfast facility</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>		
PROHIBITED LAND USE AND BUILDINGS	Buildings and land uses not listed in this table.		

### 2.13.3 ADDITIONAL CONTROLS

2.13.3.1 Residential sites and uses listed in 2.13.2 above can be allocated by Traditional Councils in terms of customary law with due regard for environmental considerations, space between buildings, adequate site size where on-site sewerage disposal is used and there is suitable access for vehicles and services.

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

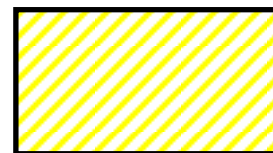
All applications for change of land use are subject to the relevant requirements of the National Environmental Management Act (Act No. 107 of 19988) which requires an Environmental Impact Assessment and Environmental Authorisation (EA) from the Department of Economic Development, Tourism and Environmental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

2.13.3.3 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.

- 2.13.3.4 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.13.3.5 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- 2.13.3.6 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.13.3.7 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

**2.14. FUTURE RESIDENTIAL (RFUT)****STATEMENT OF INTENT**

A zone used to identify land where future residential dwellings and associated facilities are to be provided.

**ZONE COLOUR AND SCHEME NOTATION**

Fill: Yellow  
R 255, G 255, and B 000  
Pattern: Diagonal  
Border: Black

**2.14.1 ZONES AND DEVELOPMENT PARAMETERS**

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
RFUT 1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**2.14.2 LAND USE CATEGORIES**

BUILDINGS AND LAND USE CATEGORY	RFUT 1		
FREELY PERMITTED	N/A		
CONSENT	N/A		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not listed in this table.		

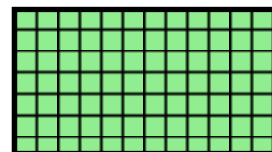


**2.14.3 ADDITIONAL COMMENTS**

- 2.14.3.1. There are no land use or development controls ascribed to this zone since the delineation could take up one of several forms. Consequentially only the residential nature and extent of the proposed zone will be demonstrated through the provision of a layout plan.
- 2.14.3.2 Only upon the development of the layout plan, can the details of the land use be converted to one or more the residential zones in the Scheme.
- 2.14.3.3. The sub-division of land for future residential development is subject to the Sub-division of Agricultural Land Act (Act No 70 of 1970).
- 2.14.3.4. The development of residential land requires an approval from the Department of Agriculture and Rural Development (DARD) with a copy provided to the provincial Department of Economic Development, Tourism and Environmental Affairs (DEDTEA).
- 2.14.3.5 All applications for change of land use are subject to the relevant requirements of the National Environmental Management Act (Act No. 107 of 19988) which requires an Environmental Impact Assessment and Environmental Authorisation (EA) from the Department of Economic Development, Tourism and Environmental Affairs (EDTEA).
- 2.14.3.6 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.14.3.7 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.14.3.8 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.14.3.9 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme

**2.15. AGRICULTURE (AGRI)****2.15.1 AGRICULTURE 1 (AGRI 1)****STATEMENT OF INTENT**

A zone intended to provide for land and buildings where the primary activity is both intensive and extensive agricultural production of crops, poultry, livestock or products.

**ZONE COLOUR AND SCHEME NOTATION**

Fill: Pale Green 2  
R 144, G 238, and B 144  
Border: Black  
R 000, G 000, and B 000  
Cross hatch: Black R000, G000, and B000

**2.15.2 AGRICULTURE 2 (AGRI 2)****STATEMENT OF INTENT**

A zone where the land is used for low intensity and small scale agricultural practices in association with other related uses in Traditional Council areas and may include market gardening, wood lots the production of small areas of sugar cane, poultry and livestock.

**ZONE COLOUR AND SCHEME NOTATION**

Fill: Dark Olive Green 4  
R 162, G 205, and B 090  
Border: Black  
R 000, G 000, and B 000

**2.15.3 URBAN AGRICULTURE (AGUR)****STATEMENT OF INTENT**

A zone, which allows land located in urban areas for, utilised for small-scale agricultural production, market gardening, horticulture, and aquaculture, the keeping of limited livestock and community gardens.

**ZONE COLOUR AND SCHEME NOTATION**

Fill: Green 2  
R 000, G 238, and B 000  
Border: Black  
R 000, G 000, and B 000

## 2.15.4 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
AGRIC 1	20,000m <sup>2</sup>	0.15	15%	2	7.5 m	2.5 m	2.5 m	N/A
AGRIC 2	10,000 square meters Sub division is permissible with the consent of the Traditional Council	0.2	0.20	2	7.5 m	2.0 m	2.0 m	N/A
AGUR	2,000m <sup>2</sup>	0.5	50%	2	7.5 m	2.0 m	2.0 m	N/A

## 2.15.5 LAND USE CATEGORIES

BUILDING AND LAND USE CATEGORY	AGRIC 1	AGRIC 2	AGUR
<b>FREELY PERMITTED</b>	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>• Agro-Forestry</li> <li>• Agricultural Building</li> <li>• Agricultural Enterprise</li> <li>• Agricultural Land</li> <li>• Agri-Village</li> <li>• Apiary</li> <li>• Aviary</li> <li>• Barn</li> <li>• Bee keeping</li> <li>• Cropping</li> <li>• Dipping Tank</li> <li>• Extensive grazing</li> <li>• Farm stall</li> <li>• Fish farming</li> <li>• Nursery</li> <li>• Horticulture</li> <li>• Forestry</li> <li>• Poultry Farm</li> </ul> <b>5.2.3 ENVIRONMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>• Conservation area</li> <li>• Private Open Space</li> <li>• Private Recreation Area</li> <li>• Recreational Building</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>• Crèche</li> <li>• Kennels/Cattery</li> </ul>	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>• Agro –Forestry</li> <li>• Agricultural Building</li> <li>• Agri-Village</li> <li>• Community Gardens</li> <li>• Cropping</li> <li>• Dipping Tank</li> <li>• Extensive grazing</li> <li>• Farm stall</li> <li>• Fish farming</li> <li>• Forestry</li> <li>• Horticulture</li> <li>• Market Gardening</li> <li>• Woodlots</li> </ul> <b>5.2.3 ENVIRONMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>• Conservation area</li> <li>• Private Recreation Area</li> <li>• Recreational Building</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>• Crèche</li> <li>• Day care facilities</li> <li>• Nursery</li> <li>• Kennels/Cattery</li> <li>• Tuck-shop</li> </ul>	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>• Agro-Forestry</li> <li>• Agricultural Building</li> <li>• Aviary</li> <li>• Community Gardening</li> <li>• Cropping</li> <li>• Dipping Tank</li> <li>• Extensive grazing</li> <li>• Farm stall</li> <li>• Fish farming</li> <li>• Nursery</li> <li>• Forestry</li> <li>• Horticulture</li> <li>• Intensive Agriculture</li> <li>• Market Gardening</li> </ul> <b>5.2.3 ENVIRONMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>• Conservation area</li> <li>• Private Recreation Area</li> <li>• Recreational Building</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>• Crèche</li> <li>• Kennels/Cattery</li> <li>• Tuck-shop</li> </ul>

BUILDING AND LAND USE CATEGORY	AGRIC 1	AGRIC 2	AGUR
	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House</li> <li>Homestead</li> </ul> <b>2.5.7 TRANSPORTATION</b> <ul style="list-style-type: none"> <li>Landing Strip</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>Borehole</li> <li>Waterworks</li> </ul>	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House</li> <li>Homestead</li> <li>Home business</li> </ul> <b>2.5.7 TRANSPORTATION</b> <ul style="list-style-type: none"> <li>Landing Strip</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>Borehole</li> <li>Waterworks</li> </ul>	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling house</li> <li>Homestead</li> </ul> <b>2.5.7 TRANSPORTATION</b> <ul style="list-style-type: none"> <li>Landing Strip</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>Borehole</li> <li>Waterworks</li> </ul>
CONSENT	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>Abattoir</li> <li>Agricultural Industry</li> <li>Communal Land</li> <li>Farm Store</li> </ul> <b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Educational Building</li> <li>Institution (Provided there is adequate sewerage and wastewater disposal to the satisfaction of the Council).</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop</li> <li>Drive-in Cinema</li> <li>Restaurant</li> <li>Service Station</li> <li>Shop (Limited to provide for day to day needs of local community)</li> <li>Tea Garden</li> </ul> <b>5.2.5 INDUSTRIAL</b> <ul style="list-style-type: none"> <li>Extractive Industry</li> <li>Light Industrial Building</li> <li>Service Industrial Building</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Bed and Breakfast Facility</li> <li>Caravan Park</li> <li>Country House</li> <li>Guest House</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> <li>Desalination Plant</li> <li>Landfill Site</li> <li>Photovoltaic Power Station</li> <li>Solar Farm</li> <li>Wind Farm</li> </ul>	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>Abattoir</li> <li>Agricultural Industry</li> <li></li> </ul> <b>5.2.2 CIVIC AND SOCIAL / ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Educational Building</li> <li>Institution (Provided there is adequate sewerage and waste water disposal to the satisfaction of the Council)</li> <li>Place of Worship</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Craft Workshop</li> <li>Restaurant</li> <li>Shop (Limited to provide for day to day needs of local community )</li> <li>Tea Garden</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Bed and Breakfast Facility</li> <li>Country House</li> <li>Guest House</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> <li>Desalination Plant</li> <li>Landfill Site</li> <li>Photovoltaic Power Station</li> <li>Solar Farm</li> <li>Wind Farm</li> </ul>	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Craft Workshop</li> <li>Restaurant</li> <li>Shop (Limited to day-to-day goods)</li> <li>Tea Garden</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Caravan Park</li> <li>Country House</li> <li>Guest House</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not included in this table.		

**2.15.6 ADDITIONAL CONTROLS**

- 2.15.6.1 The consent uses listed above in 2.15.5 may be approved by the Municipality, if the application demonstrates that:-
- i.) There is adequate water supply to support the development;
  - ii.) There is adequate sewerage and wastewater disposal to the satisfaction of the Water Services Authority;
  - iii.) The applicant has a water use licence from the Department of Water and Sanitation.
  - iv.) The applicant has a water abstraction licence from the Department of Water and Sanitation; and,
  - v.) Those commercial facilities (shops) are limited to providing for the day-to-day shopping needs of the local community.
- 2.15.6.2 The sub-division of land for uses other than agricultural production is subject to the Sub-division of Agricultural Land Act (No. 70 of 1970). It requires approval from the national Department of Agriculture, Forestry and Fisheries (DAFF) copied to the provincial Department of Agriculture and Environmental Affairs (DAEA).
- 2.15.6.3 All applications for change of land use are subject to the relevant requirements of the National Environmental Management Act (Act No. 107 of 1998) which requires an Environmental Impact Assessment and Environmental Authorisation (EA) from the Department of Economic Development, Tourism and Environmental Affairs (EDTEA).
- 2.15.6.4 Accommodation for parking is to be as per Section 6 Parking Norms and Standards
- 2.15.6.5 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.15.6.6 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- 2.15.6.7 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.15.6.8 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme

## 2.16. AGRI-BUSINESS (AGBS)



### STATEMENT OF INTENT

A zone that provides for land or buildings for low impact mix of industrial activities and services related to the production and processing of agricultural production and maybe be an interface to high impact industrial areas; or as independent entities. Commercial activities such as factory shop, wholesale and shops are permitted at the discretion of the Municipality. Extractive and noxious industrial activities are prohibited on this zone.

### ZONE COLOUR AND SCHEME NOTATION



Fill: Green Brown  
R 153, G 204, and B 000  
Border: Antwerp Blue  
R 000, G 064, and B 128

### 2.16.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
AGBS	20,000	0.50	50%	2	7.5 m	3.0 m	3.0 m	N/A

### 2.16.2 LAND USE CATEGORIES

BUILDING AND LAND USE CATEGORY	AGBS		
FREELY PERMITTED	<p><b>5.2.1 AGRICULTURE</b></p> <ul style="list-style-type: none"> <li>• Agro-Forestry</li> <li>• Agricultural Building</li> <li>• Agricultural Land</li> <li>• Cropping</li> <li>• Extensive grazing</li> <li>• Farm stall</li> <li>• Fish Farming</li> <li>• Horticulture</li> <li>•</li> </ul> <p><b>5.2.3 ENVIRONMENT AND RECREATION</b></p> <ul style="list-style-type: none"> <li>• Conservation area</li> <li>• Private Recreation Area</li> <li>• Recreational Building</li> </ul> <p><b>5.2.4 COMMERCIAL</b></p> <ul style="list-style-type: none"> <li>• Garden Nursery</li> <li>• Kennels/Cattery</li> </ul>		

BUILDING AND LAND USE CATEGORY	AGBS		
	<b>5.2.5 INDUSTRIAL</b> <ul style="list-style-type: none"> <li>Warehouse</li> </ul>		
	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House</li> <li>Homestead</li> </ul> <b>5.2.7 TRANSPORTATION</b> <ul style="list-style-type: none"> <li>Landing Strip</li> </ul>		
CONSENT	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>Agricultural Industry</li> </ul> <b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Educational Building</li> <li>Institution</li> <li>Public Services</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop</li> <li>Private Recreation</li> <li>Restaurant</li> <li>Service Station</li> <li>Shop (Limited to provide for day to day needs of local community)</li> <li>Tea Garden</li> <li>Veterinary Hospital</li> <li>Veterinary Clinic</li> </ul> <b>5.2.5 INDUSTRIAL</b> <ul style="list-style-type: none"> <li>Light Industrial Building</li> <li>Service Industrial Building</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Bed and Breakfast Facility</li> <li>Caravan Park</li> <li>Crèche</li> <li>Country House</li> <li>Guest House</li> <li>Residential Building</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>		
PROHIBITED LAND USES AND BUILDINGS	Land and buildings not included in this table.		

### 2.16.3 ADDITIONAL CONTROLS

- 2.16.3.1 The consent uses listed above in 2.16.2 may be approved by the Municipality, if the application demonstrates that:-
- i) There is adequate water supply to support the development;
  - ii) There is adequate sewerage and wastewater disposal to the satisfaction of the Water Services Authority; and,
  - iii) Those commercial facilities (shops) are limited to providing for the day-to-day shopping needs of the local community.
- 2.16.3.2. The sub-division of land for uses other than agricultural production is subject to the Sub-division of Agricultural Land Act (No. 70 of 1970). It requires approval from the national Department of Agriculture, Forestry and Fisheries (DAFF) copied to the provincial Department of Economic Development, Tourism and Environmental Affairs (DEATEA).
- 2.16.3.3 All applications for change of land use are subject to the relevant requirements of the National Environmental Management Act (Act No. 107 of 19988) which requires an Environmental Impact Assessment and Environmental Authorisation (EA) from the Department of Economic Development, Tourism and Environmental Affairs (EDTEA).
- 2.16.3.4 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.16.3.5 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.16.6.7 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- 2.16.3.8 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration.



## 2.17. CIVIC AND SOCIAL (CSOC)

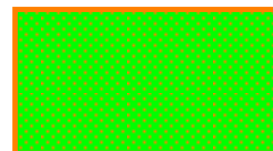
### 2.17.1 EDUCATION (CSED)



#### STATEMENT OF INTENT

This zone provides for a full range of educational facilities including, infants, pre-primary, primary, secondary, tertiary and adult education and training with associated buildings and recreational facilities.

#### ZONE COLOUR AND SCHEME NOTATION



Fill: Bright Green  
R 000, G 255, and B 000  
Border: Caramel  
R 255, G 128, and B 000  
Dotted Hatch: Caramel  
R255, G128, and B000

### 2.17.2 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
CSED 1	10,000	0,50	30%	3	7.5 m	2.0 m	2.0 m	21 m 9 m for Hatchet and Cul de sac

### 2.17.3 LAND USE CATEGORIES

BUILDING AND LAND USE CATEGORY	CSSED 1		
<b>FREELY PERMITTED</b>	<b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Educational Building</li> <li>Place of instruction</li> </ul> <b>5.2.3 ENVIROMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>Playing fields</li> <li>Private open space</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Shop (to serve learners and staff only)</li> <li>Tuck-shop</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Crèche</li> <li>Child minding facility</li> <li>Day care centre</li> <li>Dwelling House (Restricted to staff accommodation)</li> <li>Medium Density Housing (Restricted to staff accommodation)</li> <li>Residential Building (Restricted to staff accommodation and hostels)</li> </ul>		
<b>CONSENT</b>	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>Agricultural Land</li> <li>Community Gardens</li> </ul> <b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Place of Assembly</li> <li>Place of instruction</li> </ul> <b>5.2.3 RECREATION</b> <ul style="list-style-type: none"> <li>Private Recreation Area</li> <li>Recreational Building</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Conference Centre</li> </ul>		
<b>PROHIBITED LAND USES AND BUILDINGS</b>	Buildings and land uses not listed in this table.		

### 2.17.4 ADDITIONAL CONTROLS

- 2.17.4.1 All applications for change of land use are subject to the relevant requirements of the Department of Education.
- 2.17.4.2 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.17.4.3 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration

- 2.17.4.4 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.17.4.5 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- 2.17.4.6 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

## 2.18. HEALTH AND WELFARE (CSHW)



### STATEMENT OF INTENT HEALTH AND WELFARE

This zone provides for the full range of public and private hospitals, which provide a full range of surgical, post-operative, general medical and bed care, medical centres, clinics that provide primary care services only, sanatoria, community care, welfare and social requirements including pension pay points.

### ZONE COLOUR AND SCHEME NOTATION



Fill: Misty Rose  
R 255, G 228, and B 255  
Border: Light Pink  
R 255, G 174, and B 185

### 2.18.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
CSHW 1	2000	1.00	70%	3	9 m	4.5 m	4.5 m	21 m 9m for Hatchet ways and Cul de sacs
CSHW 2 (Clinics)	1800	0.5	50%	3	7.5 m	2.5 m	2.5 m	18 m 4m for Hatchet ways and Cul de sacs

### 2.18.2 LAND USE CATEGORIES

BUILDING AND LAND USE CATEGORY	CSHW 1	CSHW 2 (Clinics)	
FREELY PERMITTED	<b>5.2.2 CIVIC AND SOCIAL/ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Community Hall</li> <li>Chapel</li> <li>Clinic</li> <li>Educational Building</li> <li>Hospital</li> <li>Institution</li> <li>Place of Assembly</li> <li>Place of Safety</li> <li>Multi-Purpose Centre</li> <li>Restricted Building</li> </ul> <b>5.2.3 RECREATION AND ENVIRONMENT</b> <ul style="list-style-type: none"> <li>Private Recreation Area (For staff)</li> <li>Private Open Space</li> <li>Public Open Space</li> <li>Recreational Building (For staff)</li> </ul>	<b>5.2.2 CIVIC AND SOCIAL/ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Community Hall</li> <li>Clinic</li> <li>Institution</li> <li>Multi-Purpose Centre</li> <li>Place of Assembly</li> </ul> <b>5.2.3 RECREATION AND ENVIRONMENT</b> <ul style="list-style-type: none"> <li>Private Recreation Area (For staff)</li> <li>Private Open Space</li> <li>Public Open Space</li> <li>Recreational Building (For staff)</li> </ul>	

BUILDING AND LAND USE CATEGORY	CSHW 1	CSHW 2 (Clinics)	
	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop (Restricted for patients)</li> <li>Laundrette</li> <li>Office, Medical</li> <li>Office, Public</li> <li>Shop (to provide for the needs of occupants)</li> <li>Tea Garden</li> <li>Veterinary Hospital</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House</li> <li>Medium Density Housing (Restricted to staff accommodation)</li> <li>Residential Building (Restricted to staff accommodation)</li> </ul>	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and crafts Workshop (for occupational therapy)</li> <li>Office, Public</li> <li>Office, Medical</li> <li>Veterinary Clinic</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House</li> <li>Medium Density Housing (Restricted to staff accommodation)</li> <li>Residential Building (Restricted to staff accommodation)</li> </ul>	
CONSENT	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Flea Market</li> <li>Personal Service Outlet</li> <li>Place of Amusement</li> <li>Restaurant (To provide for the needs of occupants)</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Crèche</li> <li>Day Care Facility</li> </ul> <b>5.2.7 TRANSPORTATION</b> <ul style="list-style-type: none"> <li>Heli-pad</li> </ul>	<b>5.2.2 CIVIC AND SOCIAL/ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Restricted Building</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Flea Market</li> <li>Shop (To provide for the needs of occupants)</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Crèche</li> <li>Day care Facility</li> </ul>	
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not listed in this table		

### 2.18.3 ADDITIONAL CONTROLS

- 2.18.3.1 All applications for change of land use are subject to the relevant requirements of the Department of Health.
- 2.18.3.2 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.18.3.2 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.18.3.3 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.

- 2.18.3.3 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

## 2.19 WORSHIP (CSWO)



### STATEMENT OF INTENT

This zone provides for land and buildings to be used as a church, chapel, oratory, synagogue, mosque, temple, Sunday School, open area of worship (Shembe Circles) and other places of public devotion.

### ZONE COLOUR AND SCHEME NOTATION



Fill: Lavender  
R 230, G 230, and B 250  
Border: Black  
Notation: Red (R 255, G 000 and B000)

### 2.19.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
CSWO 1	1800	0.50	40%	15m	7.5 m	2.5 m	2.5 m	21 m 9 for Cul-de-sacs

## 2.19.2 LAND USE CATEGORIES

BUILDING AND LAND USE CATEGORY	CSW01		
FREELY PERMITTED	<b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATION</b> <ul style="list-style-type: none"> <li>Place of Assembly (Office restricted to the use of the worship)</li> <li>Place of Worship</li> </ul> <b>5.2.3 RECREATION AND ENVIRONMENT</b> <ul style="list-style-type: none"> <li>Conservation Area</li> <li>Private Recreation Area</li> <li>Private Open Space</li> <li>Public Open Space</li> <li>Recreational Building</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House (Restricted to the leader, minister or caretaker)</li> </ul>		
CONSENT	<b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATION</b> <ul style="list-style-type: none"> <li>Educational Building (Restricted to early and adult learning, skills development and community training and like uses etc.)</li> <li>Institution</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop</li> <li>Shop (Limited to the sale of religious merchandise e.g. rosaries, statutes, books, tapes and DVD's)</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Crèche</li> <li>Medium Density Housing (Restricted to staff accommodation)</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not listed in this table.		



### 2.19.3 ADDITIONAL CONTROLS

- 2.19.3.1 in addition to any other relevant provision of the Scheme; the following provisions, conditions and restrictions shall be applicable to all Places of Public Worship and the sites thereof within the area of the Scheme:-
- i) No Place of Public Worship shall be established or used on a site except with the approval of the Council.
  - ii) The site of a Place of Public Worship shall not simultaneously be the site of one or more Dwelling Units, provided that the Municipality may grant its approval to the erection;
  - iii) The use of one or more Dwelling Units, upon such site, to be used in conjunction with the use of such a site as the site of a Place of Public Worship;
  - iv) Approval of an application for the establishment of a Place of Public Worship shall include measures to address noise abatement; and,
  - v) A Place of Public Worship shall not be allowed to use a public address system where the site is located in a residential area.
- 2.19.3.2 The use of a public address system by religious groups for calls to prayer, ceremonies, burials or other functions will be subject to a separate application to the municipality, extensive public consultation and subject to the volume being kept with the bylaws related to the control of noise, specific time-periods and decibel levels appropriate for public health and safety.
- 2.19.3.3 In granting the use of a public address system, the municipality may outline additional restrictions or conditions as it deems to be necessary to be in the interest of the public and to protect the amenity of surrounding properties.
- 2.19.3.4 Any such permission granted in terms of the application outlined in 2.19.3.2 and 2.19.3.3. above, shall be withdrawn due to a public complaint or non-compliance with the conditions attached to the granting of such an application by the municipality.
- 2.19.3.5 Where a Place of Public Worship has existing rights to use a public address system, which predate the commencement of this Scheme, such rights, will remain until the site is subject to a rezoning application for another land use. At this point, the continued use of such rights may be subject to review by the municipality.
- 2.19.3.6 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.19.3.7 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 1.19.3.8 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.

- 1.19.3.9 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- 1.19.3.10 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

**2.20 MUNICIPAL AND GOVERNMENT (CSMG)**

**STATEMENT OF INTENT  
MUNICIPAL AND GOVERNMENT**

This zone is intended for buildings erected and used for National, Provincial and Municipal administration and services

**ZONE COLOUR AND  
SCHEME NOTATION**



Fill: Peach Puff  
R 255, G 218 and B 185  
Border: Black  
R 000, G 000 and B 000

**2.20.1 ZONES AND DEVELOPMENT PARAMETERS**

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
CSMG 1	1800	1.00	50%	3	9 m	4.5 m	4.5 m	18 m 4 m for Hatchet ways and Cul-de-sacs
CSMG 2	3000	1.50	70%	6	9 m	4.5 m	4.5 m	18 m 4 m for Hatchet ways and Cul-de-sacs

## 2.20.2 LAND USE CATEGORIES

BUILDING AND LAND USE CATEGORY	CSMG 1	CSMG 2	
<b>FREELY PERMITTED</b>	<b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Community Hall</li> <li>Educational Building</li> <li>Multi-Purpose Centre</li> </ul> <b>5.2.3 RECREATION AND ENVIROMENT</b> <ul style="list-style-type: none"> <li>Private Recreation Area (Primarily for use by staff)</li> <li>Recreational Building (Primarily for use by staff)</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Office, Public</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House (for caretaker and essential on-site staff)</li> <li>Medium Density Housing (Restricted to staff accommodation)</li> <li>Residential Building (Restricted to staff accommodation)</li> </ul>	<b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Community Hall</li> <li>Community Centre</li> <li>Educational Building</li> <li>Multi-Purpose Centre</li> <li>Place of Safety</li> <li>Place of Worship</li> <li>Social Facility</li> <li>Social Hall</li> </ul> <b>5.2.3 RECREATION AND ENVIROMENT</b> <ul style="list-style-type: none"> <li>Private Recreation Area (Primarily for use by staff)</li> <li>Recreational Building (Primarily for use by staff)</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Office, General</li> <li>Office, Professional</li> <li>Office, Public</li> <li>Office, Medical</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House (for caretaker and essential on-site staff)</li> <li>Medium Density Housing (Restricted to staff accommodation)</li> <li>Residential Building (Restricted to staff accommodation)</li> </ul>	
<b>CONSENT</b>	<b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Institution</li> <li>Restricted Building</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop</li> <li>Canteen</li> <li>Shop (to provide for the needs of occupants)</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Crèche</li> <li>Day Care Facility</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	<b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Institution</li> <li>Restricted Building</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop</li> <li>Canteen</li> <li>Shop (to provide for the needs of occupants)</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Crèche</li> <li>Day Care Facility</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	
<b>PROHIBITED LAND USES AND BUILDINGS</b>	Buildings and land uses not listed in this table		

**2.20.3 ADDITIONAL CONTROLS**

- 2.20.3.1 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.20.3.2 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.20.3.3 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- 2.20.3.4 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.20.3.5 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

## 2.21. INSTITUTION (CSIN)



### STATEMENT OF INTENT

This zone is intended for land and buildings for places of safety, orphanages, hostels and related types of residential accommodation.

### ZONE COLOUR AND SCHEME NOTATION



Fill: Dark Orange  
R 255, G 102, and B 000  
Border: Black  
R 000, G 000, and B 000

### 2.21.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
CSIN 1	1 800	1.0	70%	3	7,5 m	2.5 m	2.5 m	18 m 4 m for Hatched ways and Cul-de-sacs

**2.21.2 LAND USE CATEGORIES (TO BE COMPLETED)**

BUILDINGS AND LAND USE CATEGORY	CSIN 1		
<b>FREELY PERMITTED</b>	<b>5.2.2 CIVIC AND SOCIAL/ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Educational Building</li> <li>Institution</li> <li>Multi-purpose Centre</li> <li>Place of Assembly</li> <li>Place of Safety</li> </ul> <b>5.2.3 RECREATION</b> <ul style="list-style-type: none"> <li>Private Recreation Area</li> <li>Recreational Building</li> </ul> <b>2.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop (for occupational therapy purposes of residents)</li> <li>Laundrette (Restricted to use by occupants)</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House (Restricted to institution)</li> <li>Crèche</li> <li>Medium Density Housing (Restricted to institution)</li> <li>Residential Building (Restricted to Institution)</li> </ul>		
<b>CONSENT</b>	<b>5.2.2 CIVIC AND SOCIAL/ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Restricted Building</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Shop (Limited to providing for the needs of occupants)</li> </ul>		
<b>PROHIBITED LAND USES AND BUILDINGS</b>	Buildings and land uses not listed in this table		

**2.21.3 ADDITIONAL CONTROLS**

- 2.21.3.1 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.21.3.2 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.21.3.3 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- 2.21.3.4 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration

- 2.21.3.5 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.



**2.22. PRISON (CSPR)****STATEMENT OF INTENT**

A zone, which permits the use of land for the confinement of persons, convicted and sentenced to imprisonment. Facilities can include recreational, staff accommodation, administration and educational components.

**ZONE COLOUR AND SCHEME NOTATION**

Fill: Light Green  
R 062, G 230 and B 162  
Border Black  
Notation Red (R 255, G 000 and B000)

**2.22.1 ZONES AND DEVELOPMENT PARAMETERS**

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
CSPR 1	2000	1.0	40%	3	7.5 m	7.5 m	7.5 m	N/A

**2.22.2 LAND USE CATEGORIES**

BUILDINGS AND LAND USE CATEGORY	CSPR 1		
FREELY PERMITTED	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>Community garden</li> </ul> <b>5.2.2 CIVIC AND SOCIAL/ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Educational Building</li> <li>Place of Public Assembly</li> <li>Restricted Building</li> </ul> <b>5.2.3 ENVIROMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>Private open space</li> <li>Private recreational area</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Office, Public</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Residential Building</li> </ul>		
CONSENT	<b>5.2.2 CIVIC AND SOCIAL/ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Institution</li> </ul>		

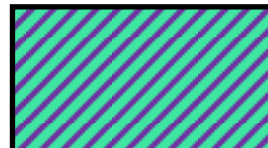
BUILDINGS AND LAND USE CATEGORY	CSPR 1		
	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop (For occupational therapy purposes of residents)</li> <li>Laundrette (Restricted to use by occupants)</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>		
<b>PROHIBITED LAND USE AND BUILDINGS</b>	Buildings and land uses not listed in this table		

### 2.22.3 ADDITIONAL CONTROLS-

- 2.22.3.1 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.22.3.2 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.22.3.3 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.22.3.4 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

**2.23. CEMETERY (CSCE)****STATEMENT OF INTENT**

A zone which permits the use of land and buildings for the purposes of burial and interment or cremation for all religious denominations and includes on site places for prayer, shrines, crematoria, funeral chapels and gardens of remembrance

**ZONE COLOUR AND SCHEME NOTATION**

Fill: Light Green  
R 062, G 230 and B 162  
Border Black

R 000, G 000, and B 000  
Notation Black

Hatch Line: R112, G048,  
B160

**2.23.1 ZONES AND DEVELOPMENT PARAMETERS**

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
CSCE 1	N/A	0,1	10%	1	7.5 m	2.0 m	2.0 m	N/A

**2.23.2 LAND USE CATEGORIES**

BUILDING AND LAND USE CATEGORY	CSCE 1		
<b>FREELY PERMITTED</b>	<b>5.2.2 CIVIC AND SOCIAL/ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Cemetery/Burial Ground</li> <li>Chapel</li> <li>Community Hall</li> <li>Crematoria</li> <li>Place of Assembly</li> <li>Social Hall</li> </ul> <b>5.2.3 ENVIROMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>Conservation Area</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Maintenance Building</li> </ul>		
<b>CONSENT</b>	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Shop (Restricted to the sale of items directly related to funerals and burial purposes)</li> </ul>		

BUILDING AND LAND USE CATEGORY	CSCE 1		
	5.2.8 UTILITIES AND SERVICES • BTTS		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not listed in this table		

### 2.23.3 ADDITIONAL CONTROLS

- 2.23.3.1 Cemeteries may only be established with the permission of the national Department of Agriculture, Fisheries and Forestry (DAFF) and the provincial Department of Agriculture and Environmental Affairs (DAEA) and are managed by the Local Municipality in terms of the conditions of authorisation and in terms of the KwaZulu-Natal Cemeteries and Crematoria Act (No. 12 of 1996).
- 2.23.3.2 Where an on-site crematorium is located within a cemetery, its construction, operation and management shall comply with the guidelines prescribed in the KwaZulu-Natal Cemeteries and Crematoria Act (No. 12 of 1996) and any other applicable legislation.
- 2.23.3.3 The location of a cemetery site is subject to a geo-technical certificate from a suitably qualified engineer, which indicates that the nature of the soil is suitable for burial and disposal of human remains and will not affect any underground or adjacent water sources.
- 2.23.3.4 An application for the establishment of a new cemetery shall include a layout plan, which indicates the use of the land to accommodate different religious beliefs, e.g. a wall area for Jewish burial.
- 2.23.3.5 An internal road system, parking and loading areas for buses, taxis and hearses will be provided on site together with adequate turning circles.
- 2.23.3.6 A dedicated site may be allocated within the cemetery for the temporary erection of marques for on-site funeral services.
- 2.23.3.7 A shop may be permitted but is to be restricted to the sale of items directly related to funerals and burials purposes such as flowers and refreshments.
- 2.23.3.8 All applications for change of land use are subject to the relevant requirements of the National Environmental Management Act (Act No. 107 of 1998) which requires an Environmental Impact Assessment and Environmental Authorisation (EA) from the Department of Economic Development, Tourism and Environmental Affairs (EDTEA).
- 2.23.3.9 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.23.3.10 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.

- 2.23.3.11 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.23.3.12 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

## 2.24. ENVIRONMENTAL SERVICES (ES)

### 2.24.1 ACTIVE OPEN SPACE (EAOS)



#### STATEMENT OF INTENT

This is a zone for sporting and recreational needs of the public including active sports activities, cycling, walking and hiking trails and permits a limited range of ancillary uses and buildings, and parking space.

#### ZONE COLOUR AND SCHEME NOTATION



Fill: Chartreuse 2

R 118, G 238, and B 000

Border: Black

R 000, G000, and B 000

### 2.24.2 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
EAOS 1	N/A	0,15	10%	2	7.5 m	2.5 m	2,0 m	N/A
EAOS 2	N/A	N/A	75%	3	7.5 m	2.5 m	2,0 m	N/A

### 2.24.3 LAND USE CATEGORIES

BUILDINGS AND LAND USE CATEGORY	EAOS 1	EAOS 2	
<b>FREELY PERMITTED</b>	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>Agricultural Land</li> </ul> <b>5.2.2 CIVIC AND SOCIAL/ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Educational Building (Limited to environmental education, conservation awareness, research facilities)</li> </ul> <b>5.2.3 RECREATION AND ENVIRONMENT</b> <ul style="list-style-type: none"> <li>Bird Sanctuary</li> <li>Conservation Area</li> <li>Playing Fields</li> <li>Public Open Space</li> <li>Private Open Space</li> <li>Private Recreational Area</li> <li>Recreational Building</li> </ul>	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>Agricultural Land</li> </ul> <b>5.2.2 CIVIC AND SOCIAL/ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Educational Building (Limited to environmental education, conservation awareness, research facilities)</li> </ul> <b>5.2.3 RECREATION AND ENVIRONMENT</b> <ul style="list-style-type: none"> <li>Bird Sanctuary</li> <li>Conservation Area</li> <li>Playing Fields</li> <li>Public Open Space</li> <li>Private Open Space</li> <li>Private Recreational Area</li> <li>Recreational Building</li> </ul>	

BUILDINGS AND LAND USE CATEGORY	EAOS 1	EAOS 2	
	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Maintenance Building</li> <li>Office, General (Restricted to Zimbali Development and Community)</li> <li>Parking Garage</li> <li>Shop (Restricted to sports related goods and refreshments)</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House (Restricted to staff accommodation)</li> <li>Medium Density Housing (Restricted to staff accommodation)</li> </ul>	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Launderette</li> <li>Maintenance Building</li> <li>Office, General (Restricted to the Estate Management)</li> <li>Restaurant</li> <li>Shop</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House (Restricted to staff accommodation)</li> <li>Medium Density Housing (Restricted to staff accommodation)</li> <li>Residential Building (Restricted to staff/ hotel accommodation)</li> </ul>	
CONSENT	<b>5.2.3 RECREATION AND ENVIRONMENT</b> <ul style="list-style-type: none"> <li>Park</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop (Limited to activities associated with tourism, recreation, environment and conservation)</li> <li>Restaurant</li> <li>Tea Garden</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	<b>5.2.3 RECREATION AND ENVIRONMENT</b> <ul style="list-style-type: none"> <li>Park</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop (Limited to activities associated with tourism, recreation, environment and conservation)</li> <li>Tea Garden</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not listed in this table		

#### 2.24.4 ADDITIONAL CONTROLS

2.24.4.1 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.

2.24.4.2 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.

2.24.4.3 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.

2.24.4.4 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration

2.24.4.5 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme

## 2.25. PASSIVE OPEN SPACE (EPOS)



### STATEMENT OF INTENT

This is a zone for developed formal and informal parks with associated recreational facilities.

### ZONE COLOUR AND SCHEME NOTATION



Fill: Forest Green

R 034, G 139, and B 034

Border: Black

R 000, G000, and B 000

### 2.25.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
EPOS 1	N/A	0.15	15%	2	9 m	4.5 m	4.5 m	23 m 9 m for Cul-de-Sacs

### 2.25.2 LAND USE CATEGORIES

BUILDING AND LAND USE CATEGORY	EPOS 1		
FREELY PERMITTED	<b>5.2.2 CIVIC AND SOCIAL/ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Educational Building (Limited to environmental education, conservation awareness, research facilities)</li> </ul> <b>5.2.3 ENVIROMENT AND RECREATIONAL</b> <ul style="list-style-type: none"> <li>Bird Sanctuary</li> <li>Park</li> <li>Private Recreation Area</li> <li>Public Open Space</li> <li>Recreational Building</li> </ul>		
CONSENT	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>Horticulture</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop (Limited to activities associated with tourism, recreation, environment and conservation)</li> <li>Flea Market</li> <li>Restaurant</li> <li>Shop (Limited to the sale of take away commodities refreshments, curios and commodities associated with tourism, recreation, environment and conservation)</li> <li>Tea Garden</li> </ul>		



BUILDING AND LAND USE CATEGORY	EPOS 1		
	5.2.8 UTILITIES AND SERVICES • BTTS		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not listed in this table		

### 2.25.3 ADDITIONAL CONTROLS

- 2.25.3.1 This land is preserved as open space for the use and enjoyment of the public, to the requirements and satisfaction of the Area and once such areas are in the registered ownership of Council.
- 2.25.3.2 Permitted works, activities and uses in such areas include, **intern alia**:-
- the establishment of parking areas associated with the use of such land by the public;
  - musical entertainment;
  - the creation of public parks,
  - Municipal gardens, together with associated plants and equipment;
  - the establishment of recreation grounds;
  - swimming pools, botanical/zoological gardens, aquariums and the like;
  - refreshment facilities for the public;
  - seating and other equipment;
  - leasing/hiring of grounds for fairs, fetes,
  - “flea markets”, sporting, social welfare and other related activities; and,
  - the erection of public conveniences/ablution facilities;
- 2.25.3.3 As contemplated in Section 264 of the Natal Local Authorities Ordinance, 1974 (Ordinance No. 25 of 1974), and which shall be at the sole discretion of Council.
- 2.25.3.4 In the carrying out of any of the afore-mentioned activities or uses, the Council shall observe the necessary requirements to ensure the proper management of, and enhance, the conservation of existing indigenous flora and fauna, habitats and natural systems and the protection of the unique characteristics or circumstances, which may pertain to the land concerned.
- 2.25.3.5 An applications for the installation of the Base Telecommunication Tower Station shall indicate the position of base tower at least 500 meters from other facilities and shall comply with the necessary requirements of the National Environmental Management Act (No. 107 of 1998) regulations as amended.
- 2.25.3.6 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.25.3.7 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.25.3.8 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration

- 2.25.3.9 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

**2.26. PRIVATE OPEN SPACE (EPRS)****STATEMENT OF INTENT**

A zone to accommodate any open space owned and maintained by a private or public agency for recreational purposes that is used and enjoyed by members of a club and the general public and may include ancillary facilities or buildings.

**ZONE COLOUR AND SCHEME NOTATION**

Fill: Light Green  
R 204, G 255, and B 204  
Border: Black  
R 000, G 000, and B 000

**2.26.1 ZONES AND DEVELOPMENT PARAMETERS**

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
EPRS 1	N/A	0.10	25%	2	N/A	N/A	N/A	N/A
EPRS 2	2,000	0.15	15%	2	9 m	4.5 m	4.5 m	23 m 9 m for Cul-de-Sacs

**2.26.2 LAND USE CATEGORIES**

BUILDING AND LAND USE CATEGORY	EPRS 1	EPRS 2	
<b>FREELY PERMITTED</b>	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>Agricultural Land (Restricted to horse stabling and ancillary uses for an Equestrian Village including a veterinary clinic)</li> </ul> <b>5.2.3 ENVIROMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>Conservation Area</li> <li>Private Recreation Area</li> <li>Private Open Space</li> <li>Recreational Building</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Office, Building (Restricted to Equestrian Centre Administration and a veterinary clinic)</li> <li>Shop (Limited to sales and goods directly related to the Equestrian Usage)</li> </ul>	<b>5.2.3 ENVIROMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>Conservation Area</li> <li>Park</li> <li>Private Recreation Area</li> <li>Private Open Space</li> <li>Recreational Building</li> </ul>	

BUILDING AND LAND USE CATEGORY	EPRS 1	EPRS 2	
	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House</li> <li>Medium Density Housing</li> </ul>	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House (Restricted to caretaker or manager)</li> <li>Residential Building (Restricted to key personnel /members)</li> </ul>	
CONSENT	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop</li> <li>Place of (Public) Amusement</li> <li>Restaurant (Limited to a tea garden)</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>Agricultural Land</li> <li>Horticulture</li> </ul> <b>5.2.3 ENVIROMENT AND RECREATIONAL</b> <ul style="list-style-type: none"> <li>Bird Sanctuary</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop (Limited to the activities of the club or body concerned)</li> <li>Conference Centre</li> <li>Flea Market</li> <li>Place of Public Amusement</li> <li>Place of Public Assembly</li> <li>Shop (Directly related to the activities of the club or body concerned)</li> <li>Tea Garden</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Crèche</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not included in this table.		

### 2.26.3 ADDITIONAL CONTROLS

- 2.26.3.1 An application for the installation of the Base Telecommunication Tower Station shall indicate the position of base tower at least 500 meters from other facilities and shall comply with the necessary requirements of the National Environmental Management Act (No 107 of 1998) regulations as amended.
- 2.26.3.2 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.26.3.3 EPRS1 (5.2.6) Residential applies to Zimbali.
- 2.26.3.4 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.

- 2.26.3.5 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- 2.26.3.6 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.26.3.7 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme

**2.27. PRIVATE CONSERVATION (ESPC)****STATEMENT OF INTENT**

A zone where the protection of the natural environment is of primary importance and land ownership is to remain with the private sector, albeit with limited rights subject to approval by the Municipality. It is not suitable for Council or public body owned land. The zone normally imposed on site that carries an alternative primary zone, i.e. split zoning. The final 'set-back line' is to be determined on the ground prior to development.

**ZONE COLOUR AND SCHEME NOTATION**

Fill: Leaf Green  
R 153, G 255, and B 153,  
Border: Emerald Green  
R 000, G 128, and B 000.

**2.27.1 ZONES AND DEVELOPMENT PARAMETERS**

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
ESPC 1	N/A	N/A	N/A	2	7.5 m	3.0 m	3.0 m	N/A

## 2.27.2 LAND USE CATEGORIES

BUILDING AND LAND USE CATEGORY	ESPC 1		
FREELY PERMITTED	<b>5.2.2 CIVIC AND SOCIAL/ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Educational Building</li> </ul> <b>5.2.3 ENVIRONMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Bird Sanctuary</li> <li>Boma</li> <li>Conservation</li> <li>Game Reserve</li> <li>Game Capture Facility</li> <li>Nature Reserve</li> <li>Recreational Building</li> <li>Private Recreation Area</li> <li>Private Open Space</li> <li>Recreational Building</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Maintenance Building</li> <li>Office, General</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>Waste Storage Areas</li> <li>BTTS</li> </ul>		
CONSENT	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Restaurant</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Lodges</li> <li>Residential Building(limited to conservation staff only)</li> </ul>		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not included in this table.		

**2.27.3 ADDITIONAL CONTROLS**

2.27.3.1 Only ancillary land uses complimentary to the primary aim of the conservation of the natural environment shall be permitted.

2.27.3.2 Privately owned land, which is dedicated to one of the following functions:-

- i.) the conservation and management of natural areas of land and/or water,
- ii.) for the provision of ecosystem goods and services that such natural systems provide;
- iii.) the biodiversity which they support and/or
- iv.) areas with scenic beauty, the protection of indigenous flora and fauna,
- v.) water courses;
- vi.) topographical features and,
- vii.) places of historic or scientific interest,

will allow public access under controlled conditions, which do not negatively impact upon the primary conservation function.

2.27.3.3 .While specific bulk factors are not set, only nominal development shall be permitted so as not to negatively impinge on the amenity or natural ambience of the particular area. The final extent of the Amenity zone shall take into consideration the 1:50 year flood levels, and the clearance of physical features.

2.27.3.4 Within an Amenity zone without the prior written authorisation from the Municipality's Environmental Management Department:-

- (vi) No earthworks, development or the erection of any structure, including but not restricted to buildings, public conveniences, fencing, swimming pools, wastewater and storm water infrastructure (including evapotranspiration areas for on-site sanitation), roads, tracks, driveways, walking or cycling trails or dams shall be permitted.
- (vii) No landscaping or planting of any vegetation, unless it is a requirement for the rehabilitation of the environment in terms of a management plan agreed with the Municipality, shall be permitted.
- (viii) No harvesting, collecting, cutting, hunting or otherwise damaging of flora or fauna and soil and water resources, shall be permitted. (iv) No pets or other domestic animals shall be permitted.

2.27.3.5 Vehicles shall only be permitted on a regulated basis to prior approved parking areas and shall be confined en route to the designated roadways.

2.27.3.6 Prior to rezoning to another zone, environmental authorisation is required from the provincial environmental authority in terms of the Geographic Area and the Regulations (or bylaws) prepared in terms of Section 24 of National Environmental Management Act, 1998 (Act No. 107 of 1998).

2.27.3.7 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.

2.27.3.8 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.



- 2.27.3.9 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.27.3.10 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme

**2.28. CONSERVATION AREA (ESCA)****STATEMENT OF INTENT**

This is a zone that provides part of the sustainable open space system. It includes independent or linked areas of natural habitat, open space areas, conservancies, rivers, riparian reserves, wetlands, and natural forests and permits only limited and specific developments.

**ZONE COLOUR AND SCHEME NOTATION**

Fill: Verdigris  
R 036, G 093, B 019  
Border: Emerald Green  
R 000, G 128, B 000

**2.28.1 ZONES AND DEVELOPMENT PARAMETERS**

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
ESCA 1	N/A	N/A	10	1	N/A 7.5 m	N/A 2.5 m	N/A 2.5 m	N/A

**2.28.2 LAND USE CATEGORIES**

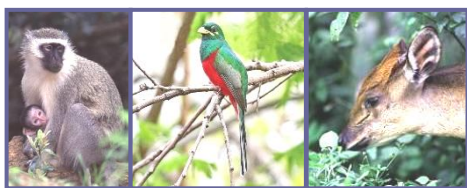
BUILDING AND LAND USE CATEGORY	ESCA 1		
FREELY PERMITTED	<b>5.2.2 CIVIC AND SOCIAL/ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Educational Building</li> </ul> <b>5.2.3 ENVIROMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>Bird Sanctuary</li> <li>Boma</li> <li>Conservancy</li> <li>Conservation area</li> <li>Recreational Building</li> <li>Wildlife Orphanage</li> <li>Wildlife Sanctuary</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Office, General (Limited to environmental education, conservation awareness, research facilities)</li> </ul>		
CONSENT	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>Horticulture</li> </ul> <b>5.2.3 ENVIROMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>Park</li> <li>Picnic Sites</li> </ul>		

BUILDING AND LAND USE CATEGORY	ESCA 1		
	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Restaurant Shop (Limited to the sale of take away commodities refreshments, curios and commodities associated with tourism, recreation, environment and conservation)</li> <li>Tea Garden</li> </ul>		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not included in this table.		

### 2.28.3 ADDITIONAL CONTROLS

- 2.28.3.1 The erection of any building within conservation areas shall be subject to environmental appraisal or EIA application
- 2.28.3.2 An application for the designation of conservation areas shall be undertaken in consultation with KwaZulu-Natal Ezemvelo-Wildlife and take due cognizance of the requirements of the NEMA Biodiversity Act (Act 10 of 2004) and the Provincial Biodiversity Framework Plan.
- 2.28.3.3 No indigenous flora, fauna or any naturally occurring material shall be disturbed or removed.
- 2.28.3.4 Except where picnic areas and footpaths through the vegetation have been specially demarcated, the public shall not be admitted.
- 2.28.3.5 Any work of which is undertaken shall be done in accordance with a layout plan, which shall be a duly adopted provision of the scheme.
- 2.28.3.6 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.28.3.7 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.28.3.8 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.28.3.9 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme

## 2.29. NATURE RESERVE (ESNR)



### STATEMENT OF INTENT

A zone for nature reserves designated in terms of section 32 of the Natural Environmental Management: Protected Areas Act (No. 57 of 2003) or other laws and which is intended to protect specific biodiversity assets, natural resources, plants, animals, birds, insects and reptiles insects, with only limited uses that support this outcome.

### ZONE COLOUR AND SCHEME NOTATION



Fill: Leaf Green  
R 075, G 255, B 075  
Border: Olive Green  
R 078, G 097, B 040

### 2.29.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
ESNR	N/A	N/A	10	1	N/A 7.5 m	N/A 2.5 m	N/A 2.5 m	N/A

## 2.29.2 LAND USE CATEGORIES

BUILDING AND LAND USE CATEGORY	ESNR		
FREELY PERMITTED	<p><b>5.2.2 CIVIC AND SOCIAL/ADMINISTRATIVE</b></p> <ul style="list-style-type: none"> <li>Educational Building</li> </ul> <p><b>5.2.3 ENVIROMENT AND RECREATIONAL</b></p> <ul style="list-style-type: none"> <li>Boma</li> <li>Bird Sanctuary</li> <li>Conservation Area</li> <li>Nature Reserve</li> <li>Game Reserve</li> <li>Recreational Building (Limited to the provision of Shelter. Ablution facilities, services, braai and picnicking facilities and amenities related to tourist/recreational pursuits)</li> <li>Wildlife Sanctuary</li> <li>Wildlife Rehabilitation Centre</li> <li>Wildlife Orphanage</li> </ul> <p><b>5.2.4 COMMERCIAL</b></p> <ul style="list-style-type: none"> <li>Office, General (Limited to environmental education, conservation awareness, research facilities)</li> </ul>		
CONSENT	<p><b>5.2.1 AGRICULTURE</b></p> <ul style="list-style-type: none"> <li>Horticulture</li> </ul> <p><b>5.2.3 ENVIROMENTAL AND RECREATION</b></p> <ul style="list-style-type: none"> <li>Park</li> <li>Picnic Sites</li> </ul> <p><b>5.2.4 COMMERCIAL</b></p> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop (Limited to activities associated with tourism, recreation, environment and conservation)</li> <li>Restaurant</li> <li>Shop (Limited to the sale of take away commodities refreshments, curios and commodities associated with tourism, recreation, environment and conservation)</li> <li>Tea Garden</li> </ul> <p><b>5.2.6 RESIDENTIAL</b></p> <ul style="list-style-type: none"> <li>Country House</li> <li>Lodge</li> </ul>		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not included in this table.		

### 2.29.3 ADDITIONAL CONTROLS

- 2.29.3.1 The erection of any building within conservation areas shall be subject to environmental appraisal or EIA application.
- 2.29.3.2 An application for the designation of conservation areas shall be undertaken in consultation with KwaZulu-Natal Ezemvelo-Wildlife and take due cognizance of the requirements of the NEM: Protected Areas Act (No. 57 Of 2003) as amended , the NEM: Biodiversity Act (No. 10 of 2004) as amended, and the Provincial Biodiversity Framework Plan.
- 2.29.3.3 No indigenous flora, fauna or any naturally occurring material shall be disturbed or removed.
- 2.29.3.4 Except where picnic areas and footpaths through the vegetation have been specially demarcated, the public shall not be admitted.
- 2.29.3.5 Any work of which is undertaken shall be done in accordance with a layout plan, which shall be a duly adopted provision of the scheme.
- 2.29.3.6 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.29.3.7 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.29.3.8 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.29.3.9 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

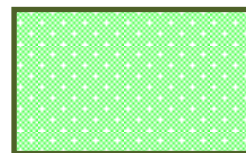
## 2.30 ENVIRONMENTAL INTERFACE (ESEI)



### STATEMENT OF INTENT

A zone which supports and protects sensitive terrestrial and aquatic environmental areas by the creation of an intervening buffer or interface, which provides protection from adjacent intensive land uses and where development is limited to the primary function of preservation.

### ZONE COLOUR AND SCHEME NOTATION



Fill: Leaf Green (Speckled)

R 075, G 255, B 075

Border: Olive Green

R 078, G 097, B 040

### 2.30.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
ESEI	N/A	N/A	N/A	1	N/A	N/A	N/A	N/A

### 2.30.2 LAND USE CATEGORIES

BUILDING AND LAND USE CATEGORY	ESEI		
FREELY PERMITTED	<b>5.2.2 CIVIC AND SOCIAL/ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Educational Building</li> </ul> <b>5.2.3 ENVIROMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>Conservation</li> <li>Nature Reserve</li> <li>Recreational Building (Limited to the provision of shelter, ablution facilities, services, braai and picnicking facilities and amenities related to tourist/recreational pursuits)</li> </ul>		

BUILDING AND LAND USE CATEGORY	ESEI		
CONSENT	<b>5.2.3 ENVIRONMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>• Bird Sanctuary</li> <li>• Park</li> <li>• Picnic Sites</li> </ul>		
	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>• Tea Garden</li> </ul>		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not included in this table.		

### 2.30.3 ADDITIONAL CONTROLS

- 2.30.3.1 The erection of any building within an environmental interface zone shall be subject to environmental appraisal or EIA application
- 2.30.3.2 An application for the designation of related conservation areas shall be undertaken in consultation with KwaZulu-Natal Ezemvelo-Wildlife and take due cognizance of the requirements of the NEM: Protected Areas Act (Act No. 57 of 2003), the NEM: Biodiversity Act (Act No. 10 of 2004) and the Provincial Biodiversity Framework Plan.
- 2.30.3.3 No indigenous flora, fauna or any naturally occurring material shall be disturbed or removed.
- 2.30.3.4 Except where picnic areas and footpaths through the vegetation have been specially demarcated, the public shall not be admitted.
- 2.30.3.5 Any work of which is undertaken shall be done in accordance with a layout plan, which shall be a duly adopted provision of the scheme.
- 2.30.3.6 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.30.3.7 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.30.3.8 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.30.3.9 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.



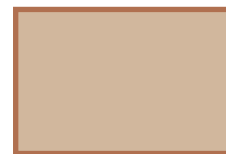
## 2.31. SEA SHORE (ESSH)



## STATEMENT OF INTENT

This is a zone for the management and development of the land along the coast located within the low and high water mark, as defined in the Integrated NEMA Coastal Management Act (No. 24 of 2008) and with due regard to the requirements of the Act.

## ZONE COLOUR AND SCHEME NOTATION



Fill: Orientale  
R 209, G 183, and B 157  
Border: Barley Beige  
R 176, G 112, and B 080

## 2.31.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
ESSH	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

## 2.31.2 LAND USE CATEGORIES

BUILDING AND LAND USE CATEGORY	ESSH		
FREELY PERMITTED	<b>5.2.3 ENVIRONMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>Ablution Facilities</li> <li>Conservation Area</li> <li>Marine Reserve</li> <li>Private Recreation Area</li> <li>Public Open Space</li> <li>Recreational Building</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>Life Guard Hut</li> <li>Maintenance Building</li> </ul>		
CONSENT	<b>5.2.3 ENVIRONMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>Beach Amenity Facility</li> <li>Boat Jetty</li> <li>Marina</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop</li> <li>Restaurant</li> <li>Shop (Restricted to services and associated activities of the coastline)</li> <li>Tea Garden</li> </ul>		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not included in this table.		

### 2.31.3 ADDITIONAL CONTROLS

- 2.31.3.1 The development and use of land located in the seashore area shall comply with the requirements of the NEMA: Integrated Coastal Management Act (No. 24 of 2008).
- 2.31.3.2 In addition any applications locates adjacent to or located in the designated seashore area will have to take cognizance of the requirement of the Coastal Management Plan prepared for the Area in terms of the NEMA: Integrated Coastal Management Act (No. 24 of 2008).
- 2.31.3.3 The Coastal Management Plan shall be aligned with the Scheme to ensure that sustainable development is undertaken along the seashore and thus all development applications have to be considered in terms of both plans.
- 2.31.3.4 Additional conditions shall be applied to applications that are located adjacent to sensitive estuarine or coastal areas identified in terms of the Coastal Management Plan or a Biodiversity Plan.
- 2.31.3.5 The primary purpose of this zone shall be to protect the quality and character of land and water bodies, to conserve environmentally sensitive habitats and natural systems and to encourage their use for tourist, recreational and education facilities and activities.
- 2.31.3.6 Building, land use shall be in accordance with the provisions of Site Development Plan(s) approved by the Municipality in terms of the provisions of Clauses 3.18 and 3.22 of this Scheme.
- 2.31.3.7 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.31.3.8 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.31.3.9 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.31.3.10 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

**2.32. BEACH FRONT FACILITY (ESBF)****STATEMENT OF INTENT**

This is a zone for the management and development of the land adjacent to the high water mark as defined in the NEMA: Integrated Coastal Management Act (No. 24 of 2008), and where low impact land uses are permitted to support recreational facilities.

**ZONE COLOUR AND SCHEME NOTATION**

Fill: Orientale  
(Speckled)  
R 209, G 183, and B  
157  
Border: Barley Beige  
R 176, G 112, and B  
080

**2.32.1 ZONES AND DEVELOPMENT PARAMETERS**

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
ESBF	N/A	0.35	30%	1	N/A	N/A	N/A	N/A

**2.32.2 LAND USE CATEGORIES**

BUILDING AND LAND USE CATEGORY	ESBF		
<b>FREELY PERMITTED</b>	<b>5.2.3 ENVIROMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>Ablution Facilities</li> <li>Beach Amenity Facility</li> <li>Boat Jetty</li> <li>Conservation Area</li> <li>Private Recreation Area</li> <li>Recreational Building</li> </ul> <b>5.2.8 UTILITIES ANS SERVICES</b> <ul style="list-style-type: none"> <li>Maintenance Building (Restricted to services and associated activities of the coastline)</li> <li>Life Guard Hut</li> </ul>		
<b>CONSENT</b>	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House</li> <li>Residential Building (Restricted to a single flat for a caretaker)</li> </ul>		

BUILDING AND LAND USE CATEGORY	ESBF		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not included in this table.		

### 2.32.3 ADDITIONAL CONTROLS

- 2.32.3.1 The development and use of land located adjacent to the seashore area shall comply with the requirements of the NEMA: Integrated Coastal Management Act (No. 24 of 2008).
- 2.32.3.2 In addition, any application located adjacent to or located in the designated seashore area will have to take cognizance of the requirement of the Coastal Management Plan prepared for the Area in terms of the NEMA: Integrated Coastal Management Act (No. 24 of 2008).
- 2.32.3.3. In respect of Lot 297 Salt Rock; the parking shall be a minimum of 22 parking bays; and a restaurant may be permitted, but is restricted to members of the relevant Homeowners Association.
- 2.32.3.4 In respect of Lot 219 Tinley Manor; no restaurant may be permitted on the site.
- 2.32.3.5 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.32.3.6 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.32.3.7 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- 2.32.3.8 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.32.3.9 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

## 2.33. MIXED-USE / COMMERCIAL

### 2.33.1 CORE MIXED USE (MUCO)



#### STATEMENT OF INTENT


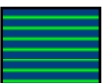

This is a zone intended to provide for the use of retail, personal services, entertainment, offices, residential, public facilities and related commercial uses at high intensities that comprise a town centre

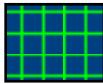

#### ZONE COLOUR AND SCHEME NOTATION



Fill: Antwerp Blue  
R 000, G 064, and B 128  
Border: Black  
R 000, G 000 and B 000

### 2.33.2 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)	ZONE COLOUR	COLOUR DETAILS
MUCO 1	900	1,0	70%	6	Street line	2.5 m	2.5 m	18 m 4 m		Fill: Antwerp Blue R 000, G 064, and B 128  Border: Black R 000, G 000 and B 000
MUCO 2	900	1.00	70%	4	7.5 m	2.5 m	2.5 m	18 m 4 m		Fill: Antwerp Blue R 000, G 064, and B 128  Border: Black R 000, G 000 and B 000  Horizontal Hatch: Green R000, G255 and B000
MUCO 3	450	1.25	80%	6	Street line	N/A	N/A	12 m 4 m		Fill: Antwerp Blue R 000, G 064, and B 128  Border: Black R 000, G 000 and B 000  R190, G210 and R B255

<b>MUCO 4</b>	1500	1.00	70%	3	7.5 m	4.5m	4.5m	18m		Fill: Antwerp Blue R 000, G 064, and B 128  Border: Black R 000, G 000 and B 000  Hatch Cross: Green R000, G255, B000
<b>MUCO 5</b>	450	1.00	80%	3	9 m	4.5 m	4.5 m	18 m		Fill: Antwerp Blue R 000, G 064, and B 128  R 000, G 000 and B 000  Hatch mesh: R190, G210, B255

### 2.33.3 LAND USE CATEGORIES

BUILDING AND LAND USE CATEGORY	MUCO 1 and 2	MUCO 3	MUCO 4	MUCO 5
FREELY PERMITTED	<b>5.2.3 ENVIROMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>Private Recreational Area</li> <li>Recreational Building</li> </ul>	<b>5.2.3 ENVIROMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>Conservation Area</li> <li>Private Recreational Area</li> <li>Recreational Building</li> </ul>	<b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Hospital</li> </ul>	<b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Educational Building</li> <li>Institution</li> </ul>
	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop</li> <li>Betting Depot</li> <li>Commercial Workshop</li> <li>Launderette</li> <li>Motor Car Showroom</li> <li>Office, Business Services</li> <li>Offices, General</li> <li>Offices, Medical</li> <li>Office, Professional</li> <li>Office, Public</li> <li>Place of Amusement</li> <li>Restaurant</li> <li>Restaurant, Fast Food</li> <li>Shop</li> <li>Service Station</li> </ul>	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Art and Craft Workshop</li> <li>Betting depot</li> <li>Car Wash</li> <li>Commercial Workshop</li> <li>Launderette</li> <li>Motor Car Showroom</li> <li>Office, Business \ Services</li> <li>Office, Professional</li> <li>Offices, General</li> <li>Offices, Medical</li> <li>Office, Public</li> <li>Parking Garage</li> <li>Place of Amusement</li> <li>Restaurant</li> <li>Restaurant, Fast Food</li> <li>Shop</li> <li>Service Station</li> </ul>	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Art and Craft Workshop</li> <li>Commercial Workshop</li> <li>Launderette</li> <li>Motor Car Showroom</li> <li>Office, Business Services</li> <li>Offices, General</li> <li>Offices, Medical</li> <li>Office, Professional</li> <li>Office, Public</li> <li>Place of Amusement</li> <li>Public Office</li> <li>Restaurant</li> <li>Restaurant, Take-away</li> <li>Shop</li> </ul>	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Art and Craft Workshop</li> <li>Commercial Workshop</li> <li>Launderette</li> <li>Motor Car Showroom</li> <li>Office, Business Services</li> <li>Offices, General</li> <li>Offices, Medical</li> <li>Office, Professional</li> <li>Office, Public</li> <li>Place of Public</li> <li>Public Office</li> <li>Restaurant</li> <li>Restaurant, Fast Food</li> <li>Shop</li> </ul>
	<b>5.2.5 INDUSTRIAL</b> <ul style="list-style-type: none"> <li>Warehouse</li> <li>Wholesale Shop</li> </ul>	<b>5.2.5 INDUSTRIAL</b> <ul style="list-style-type: none"> <li>Warehouse</li> <li>Wholesale Shop</li> </ul>	<b>5.2.5 INDUSTRIAL</b> <ul style="list-style-type: none"> <li>Warehouse</li> <li>Wholesale Shop</li> </ul>	<b>5.2.5 INDUSTRIAL</b> <ul style="list-style-type: none"> <li>Warehouse</li> <li>Wholesale Shop</li> </ul>

Building and Land Use Category	MUCO 1 and 2	MUCO 3	MUCO 4	MUCO 5
	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Hotel</li> <li>Residential Building (Except on ground floor)</li> </ul>	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Residential Building (Except on ground floor)</li> </ul>	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Hotel</li> <li>Residential Building (Except on ground floor)</li> </ul>	<b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Hotel</li> </ul>
CONSENT	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>Agricultural Land</li> </ul> <b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Educational Building</li> <li>Place of Assembly</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Funeral Parlour</li> <li>Parking Garage</li> </ul> <b>5.2.5 INDUSTRIAL</b> <ul style="list-style-type: none"> <li>Service Industrial</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	<b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Educational Building</li> <li>Place of Assembly</li> </ul>  <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Crèche</li> <li>Hotel</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	<b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Place of Assembly</li> <li>Institution</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Betting Depot</li> <li>Funeral Parlour</li> <li>Parking Garage</li> <li>Service Station</li> </ul> <b>5.2.5 INDUSTRIAL</b> <ul style="list-style-type: none"> <li>Service Industrial Building</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House</li> <li>Residential Building (on ground floor)</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	<b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Place of Public Assembly</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Betting Depot</li> <li>Funeral Parlour</li> <li>Garage</li> <li>Place of Amusement</li> <li>Parking Garage</li> <li>Service Station</li> </ul> <b>5.2.5 INDUSTRIAL</b> <ul style="list-style-type: none"> <li>Service Industry</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Crèche</li> <li>Dwelling House</li> <li>Residential Building (Except on ground floor)</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not listed in this table.			

**2.33.4 ADDITIONAL CONTROLS**

2.33.4.1 In respect of the MUCO 3 zone, where residential use is included in a composite building, the floor area ratio for such residential use shall exceed 0,4 and the total Coverage for all buildings shall not exceed 50%; provided that where the building is to comprise a Commercial use with one flat (not exceeding 84 sq. meters in extent) for a manager or caretaker, the maximum coverage of 80% shall continue to apply, the F.A.R for such residential use shall not exceed 0.4 of the total area of the site.

2.33.4.2 In respect of the MUCO 1 zone, no Lot within a General Commercial or Limited Commercial zone used for a composite building in which the ground floor is to be used exclusively for commercial purposes and the upper floor(s) for residential flats, shall be less than 1800m<sup>2</sup> in extent.

2.33.4.3 In respect of the MUCO 3 zone, the Local Authority may, in the event of being satisfied that the visual, architectural design and general layout qualities of any proposed development on any Lot will be favourably promoted and enhanced by way of an increase in either or all of FAR, Coverage, Height, it may grant its written approval accordingly as in the following table:

<u>LOT SIZE:</u>	<u>F.A.R.:</u>	<u>COVERAGE:</u>	<u>HEIGHT:</u>
up to 1000m <sup>2</sup>	1,50	100%	6
1001m <sup>2</sup> to 3000m <sup>2</sup>	2,50	100%	6
3001m <sup>2</sup> upwards	2,50	100%	greater than 6

2.33.4.4 In respect of Lot 9062, the following density controls shall apply:

FAR – 1,25

Coverage – 70%

Height – 3 storeys

2.33.4.5 In respect of the MUCO 4 zone, the minimum lot size shall be 900m<sup>2</sup> in Umhali.

2.33.4.6 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.

2.33.4.7 That in respect of Erf 2195, 112 -114 King Shaka Street, Kwadukuza, Council has condoned the 50 % obligatory parking provisions (i.e 26 Parking bay provision) on condition that the balance of the money in the amount of R 394 444.70 is paid to the Municipality.

2.33.4.8 In respect of the MUCO 3 zone, Erf 18, a “Place of Public Assembly” shall be a freely permitted land use.

2.33.4.9 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.

2.33.4.10 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.

2.33.4.11 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and



written consent in terms of its policy/legislation must be submitted along with the development application for consideration

- 2.33.4.12 In respect of the MUCO zone, where it is physically impractical to provide on-site parking the Local Authority shall call upon the developer to provide a minimum of 50% obligatory onsite parking and contribute towards the shortfall of parking into the parking reserve fund by way of such payment in lieu. The cash payment shall be calculated basis of the cost to the local authority of providing the car spaces at ground level that would have been required in terms of the scheme. In terms of this clause, a car space shall be taken to be an area of 23 square meters, which includes manoeuvring space. This contribution shall be made on the approval of the building plans and shall be paid before the release of the occupancy certificate.

All monies received by the Local Authority shall be paid into the parking reserve fund and shall be used only for the provision of vehicular parking and service roads within the area.

The calculations for payment into the parking reserve fund shall be as

Cost per Bay =  $(P \times M) + C$

P = Size of parking Bay

M = Land Value in  $m^2$

C = Actual construction Cost / Bay of  $23m^2$

- 2.33.4.13 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

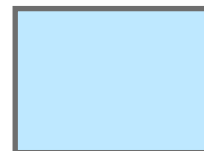
## 2.34. MIXED USE LIGHT IMPACT (MULI)



### STATEMENT OF INTENT

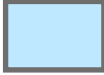

This is a zone intended to provide for the use of commercial uses such as offices, service industry, retail, personal services, showrooms, workshops and related commercial uses at low impact intensities adjacent to or part of a town centre.

### ZONE COLOUR AND SCHEME NOTATION



Fill: Powder Blue  
R 190, G232, and B  
255  
Border: Light Grey  
R 110, G 110, and B  
110

### 2.34.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)	ZONE COLOUR	COLOUR DETAILS
MULI 1	2ha	0.8	40%	3	7.5 m	3.0 m	3.0 m	18 m 4 m		Fill: Powder Blue R 190, G232, and B 255  Border: Light Grey R 110, G 110, and B 110
MULI 2	900	1.00	70%	3	7.5 m	3.0 m	3.0 m	18 m 4 m		Fill: Powder Blue R 190, G232, and B 255  Border: Light Grey R 110, G 110, and B 110  Horizontal Hatch: R000, G038 and B115

## 2.34.2 LAND USE CATEGORIES

BUILDING AND LAND USE CATEGORY	MULI 1	MULI 2	
<b>FREELY PERMITTED</b>	<b>5.2.2 CIVIC AND SOCIAL/ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>•</li> </ul> <b>5.2.3 ENVIROMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>• Private Recreational Area</li> <li>• Private Open Space</li> <li>• Recreational Building</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>• Arts and Crafts Workshop</li> <li>• Commercial Workshop</li> <li>• Launderette</li> <li>• Motor Car Showroom</li> <li>• Office, Public</li> <li>• Office, Business Services</li> <li>• Office, Professional</li> <li>• Offices, General</li> <li>• Offices, Medical</li> <li>• Place of Amusement</li> <li>• Restaurant</li> <li>• Restaurant, fast food</li> <li>• Shop</li> </ul> <b>5.2.5 INDUSTRIAL</b> <ul style="list-style-type: none"> <li>• Warehouse,</li> <li>• Wholesale Shop</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>• Residential Building (Except on ground floor)</li> <li>• Hotel</li> </ul>	<b>5.2.2 CIVIC AND SOCIAL/ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>•</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>• Art and Craft Workshop,</li> <li>• Commercial Workshop</li> <li>• Funeral Parlour</li> <li>• Launderette</li> <li>• Motor Car Showroom</li> <li>• Office, Public</li> <li>• Parking Garage</li> <li>• Restaurant</li> <li>• Restaurant, fast food</li> <li>• Shop</li> </ul> <b>5.2.5 INDUSTRIAL</b> <ul style="list-style-type: none"> <li>• Warehouse,</li> <li>• Wholesale Shop</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>• Residential Building (Except on ground floor)</li> </ul>	
<b>CONSENT</b>	<b>5.2.2 CIVIC AND SOCIAL/ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>• Institution</li> <li>• Educational Building</li> <li>• Place of Assembly</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>• Funeral Parlour</li> <li>• Parking Garage</li> <li>• Service Station</li> </ul> <b>5.2.5 INDUSTRIAL</b> <ul style="list-style-type: none"> <li>• Service Industry</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>• Crèche</li> <li>• Dwelling House</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>• BTTS</li> </ul>	<b>5.2.2 CIVIC AND SOCIAL/ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>• Institution</li> <li>• Educational Building</li> <li>• Place of Assembly</li> </ul> <b>5.2.3 ENVIROMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>• Private Open Space</li> <li>• Recreational Building</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>• Service Station</li> <li>• Place of Amusement</li> </ul> <b>5.2.5 INDUSTRIAL</b> <ul style="list-style-type: none"> <li>• Service Industrial Building</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>• Crèche</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>• BTTS</li> </ul>	
<b>PROHIBITED LAND USES AND BUILDINGS</b>	Land and Buildings not listed above		

**2.34.3 ADDITIONAL CONTROLS**

- 2.34.3.1 Where residential use is included in a composite building, the F.A.R for such residential use shall not exceed 0,4 of the total area of the site.
- 2.34.3.2 The total coverage for all buildings shall not exceed 70%.
- 2.34.3.3 Where the building is to comprise a Commercial Use with one flat (not exceeding 75 square meters in extent) for a manager or caretaker, the maximum coverage shall continue to apply.
- 2.34.3.4 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.34.3.5 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.34.3.6 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- 2.34.3.7 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.34.3.8 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.




**2.35. MULTI-PURPOSE RETAIL AND OFFICE (MPRO)****STATEMENT OF INTENT**


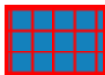
This is a zone that permits the development of a hierarchy of suburbanized multi-use shopping facilities, usually at density levels less than that of a town centre

**COLOUR AND SCHEME NOTATION**

Fill: Process Blue  
R 020, G 129, and B 188  
Border: Mars  
R 255, G 000, and B 000

**2.35.1 ZONES AND DEVELOPMENT PARAMETERS**

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)	ZONE COLOUR	COLOUR DETAILS
<b>MPRO 1</b>	450 and 2000 for multi-use	0,5	50%	2	7.5 m	2.5 m	2.5 m	18 m 21 m when residential		Fill: Process Blue R 020, G 129, and B 188  Border: Mars Red R 255, G 000, and B 000
<b>MPRO 2</b>	N/A	N/A	100%	3	7.5 m	2.5 m	2.5 m	18 m 4 m for Hatchet ways and Cul-de-sacs		Fill: Process Blue R 020, G 129, and B 188  Border: Mars Red R 255, G 000, and B 000  horizontal Hatch: Mars Red R 255, G 000 and B 000
<b>MPRO 3</b>	N/A	N/A	15%	2	7.5 m	2.5 m	2.5 m	18 m 4 m for Hatchet ways and Cul-de-sacs		Fill: Process Blue R 020, G 129, and B 188  Border: Mars Red R 255, G 000, and B 000  Cross Hatch: White R 255, G 255 and B 255

<b>MPRO 4</b>	N/A	0.2	60%	2	7.5 m	2.5 m	2.5 m	18 m 4.0 m for Hatchet ways and Cul-de- sacs		Fill: Process Blue R 020, G 129, and B 188  Border: Mars Red R 255, G 000, and B 000  Dotted Hatch: R255, G255 and B255
<b>MPRO 5</b>	1800	0.6	60%	3	7.5 m	2.5 m	2.5 m	18 m 4.0 m for Hatchet ways and Cul-de- sacs		Fill: Process Blue R 020, G 129, and B 188  Border: Mars Red R 255, G 000, and B 000  Hatch Cross R 255, G 000 and B 000

### 2.35.2 LAND USE CATEGORIES

BUILDING AND LAND USE CATEGORY	MPRO 1 and 5	MPRO 2	MPRO 3	MPRO 4
<b>FREELY PERMITTED</b>	<b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Place of Assembly</li> </ul> <b>5.2.3 ENVIROMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>Private Recreation Area</li> <li>Private Open Space</li> <li>Recreational Building</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop</li> <li>Commercial Workshop</li> <li>Launderette</li> <li>Maintenance Building</li> <li>Office, Public</li> <li>Office, Professional</li> <li>Offices, General</li> <li>Offices, Medical</li> <li>Restaurant</li> <li>Restaurant, Fast Food</li> <li>Shop</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Residential Building (Exception on ground floor)</li> </ul>	<b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Place of Assembly</li> </ul> <b>5.2.3 ENVIROMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>Private Recreation Area</li> <li>Private Open Space</li> <li>Recreational Building</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop</li> <li>Conference Centre</li> <li>Launderette</li> <li>Maintenance Building</li> <li>Office, Professional</li> <li>Offices, General</li> <li>Offices, Medical</li> <li>Place of Amusement</li> <li>Restaurant</li> <li>Shop</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Crèche</li> <li>Medium Density Housing</li> <li>Residential Building</li> </ul>	<b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Place of Assembly</li> </ul> <b>5.2.3 ENVIROMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>Private recreation area</li> <li>Private Open space</li> <li>Recreational building</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Arts and Craft Workshop</li> <li>Conference Centre</li> <li>Launderette</li> <li>Maintenance Building</li> <li>Office Building (Providing service to Zimbali development company and the community)</li> <li>Place of Amusement</li> <li>Restaurant</li> <li>Shop</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Crèche</li> <li>Medium Density Housing</li> <li>Residential Building</li> </ul>	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Launderette</li> <li>Office, Public</li> <li>Office, Professional</li> <li>Offices, General</li> <li>Offices, Medical</li> <li>Restaurant</li> <li>Shop</li> <li>Workshop</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Residential Building (Exception on ground floor)</li> </ul>

BUILDING AND LAND USE CATEGORY	MPRO 1 and 5	MPRO 2	MPRO 3	MPRO 4
CONSENT	<p><b>5.2.4 COMMERCIAL</b></p> <ul style="list-style-type: none"> <li>• Carwash</li> <li>• Place of Amusement</li> <li>• Service Station</li> <li>• Tea Garden</li> </ul> <p><b>5.2.6 RESIDENTIAL</b></p> <ul style="list-style-type: none"> <li>• Crèche</li> </ul> <p><b>5.2.8 UTILITIES AND SERVICES</b></p> <ul style="list-style-type: none"> <li>• BTTS</li> </ul>	<p><b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b></p> <ul style="list-style-type: none"> <li>• Institution</li> </ul> <p><b>5.2.8 UTILITIES AND SERVICES</b></p> <ul style="list-style-type: none"> <li>• BTTS</li> </ul>	<p><b>5.2.4 COMMERCIAL</b></p> <ul style="list-style-type: none"> <li>• Parking Garage</li> <li>• Service Station</li> </ul> <p><b>5.2.6 RESIDENTIAL</b></p> <ul style="list-style-type: none"> <li>• Dwelling House (Restricted to Caretakers Cottage)</li> </ul> <p><b>5.2.8 UTILITIES AND SERVICES</b></p> <ul style="list-style-type: none"> <li>• BTTS</li> </ul>	<p><b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b></p> <ul style="list-style-type: none"> <li>• Institution</li> </ul> <p><b>5.2.4 COMMERCIAL</b></p> <ul style="list-style-type: none"> <li>• Tea Garden</li> </ul> <p><b>5.2.6 RESIDENTIAL</b></p> <ul style="list-style-type: none"> <li>• Crèche</li> </ul> <p><b>5.2.8 UTILITIES AND SERVICES</b></p> <ul style="list-style-type: none"> <li>• BTTS</li> </ul>
PROHIBITED LAND USES AND BUILDINGS	Land and buildings not listed in this table.			

### 2.35.3 ADDITIONAL CONTROLS

- 2.35.3.1 In respect of Shakaskraal 3 Storeys shall be applicable under the MPRO 1 zone.
- 2.35.3.2 Residential use limited to upper floor, where a lot is less than 1800 square metres in extent.
- 2.35.3.3 The residential usage shall not exceed 50% of the permitted Floor Area Ratio (F.A.R.).
- 2.35.3.4 In respect of Lots 617 and Lot 93 Ballito, Setbacks may be waived subject to the discretion of the Municipality; and the fourth storey is to be contained in the roof of the building.
- 2.35.3.5 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.35.3.6 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.35.3.7 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- 2.35.3.8 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.35.3.9 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme




**2.36. MIXED USE – OFFICES (MOFF)****STATEMENT OF INTENT**

This is a zone makes provision for the development of distinct office areas adjacent to other forms of commercial development.


**COLOUR AND SCHEME NOTATION**

Fill: Process Blue  
R 020, G 129, and B 188  
Border Lemon Yellow  
R 255, G 255, and B 000

**2.36.1 ZONES AND DEVELOPMENT PARAMETERS**

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)	ZONE COLOUR	COLOUR DETAILS
<b>MOFF 1</b>	1500	0.45	30%	2	7.5 m	4.5 m	4.5 m	18 m 4 m for Hatchet ways and Cul-de-sacs		Fill: Process Blue R 020, G 129, and B 188  Border: Lemon Yellow R 255, G 255, and B 000
<b>MOFF 2</b>	900	0.8	50%	6	7.5 m	2 m	2 m	16 m 4 m for Hatchet ways and Cul-de-sacs		Fill: Process Blue R 020, G 129, and B 188  Border: Lemon Yellow R 255, G 255, and B 000  Horizontal Hatch: white R 255, G 255 and G 255
<b>MOFF 3</b>	1500	0.5	50%	2	7.5 m	2 m	2 m	16 m 4 m for Hatchet ways and Cul-de-sacs		Fill: Process Blue R 020, G 129, and B 188  Border Lemon Yellow R 255, G 255, and B 000  Vertical Hatch: Black R 000, G 000 and B 000



<b>MOFF 4</b>	NA	NA	35%	2	7.5 m	2 m	2 m	16 m 4 m for Hatchet ways and Cul-de-sacs		Fill: Process Blue R 020, G 129, and B 188  Border: Lemon Yellow R 255, G 255, and B 000  Wave Hatch: White R 255, G 255, and B 255
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### 2.36.2 LAND USE CATEGORIES

BUILDING AND LAND USE CATEGORY	MOFF 1	MOFF 2	MOFF 3	MOFF 4
<b>FREELY PERMITTED</b>	<b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Educational Building</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Office, Business Services</li> <li>Office, Professional</li> <li>Offices, General</li> <li>Offices, Medical</li> <li>Office, Public</li> <li>Restaurant</li> <li>Shop (Restricted to 200m2)</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House</li> </ul>	<b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Educational Building</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Office, Business Services</li> <li>Office, Professional</li> <li>Offices, General</li> <li>Offices, Medical</li> <li>Office, Public</li> <li>Restaurant</li> <li>Shop (Restricted to 200m2)</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Residential Building (Except on ground floor)</li> </ul>	 <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Office, Business Services</li> <li>Office, Professional</li> <li>Offices, General</li> <li>Offices, Medical</li> <li>Office, Public</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Residential Building (Except on ground floor)</li> </ul>	<b>5.2.3 ENVIRONMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>Private Open Space</li> <li>Private Recreation Area</li> <li>Recreational Building (Excluding a hotel)</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Office, Business Services</li> <li>Office, Professional</li> <li>Offices, General</li> <li>Offices, Medical</li> <li>Parking Garage</li> <li>Restaurant</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Residential Building (Excluding a hotel and not on the ground floor)</li> </ul>
<b>CONSENT</b>	 <b>5.2.3 ENVIRONMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>Private Recreation Area</li> <li>Recreational Building</li> </ul>	 <b>5.2.3 ENVIRONMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>Private Recreation Area</li> <li>Recreational Building</li> </ul>	<b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Educational Building</li> </ul> <b>5.2.3 ENVIRONMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>Private Recreation Area</li> <li>Recreational Building</li> </ul>	<b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Institution</li> <li>Place of Assembly</li> </ul> <b>5.2.3 ENVIRONMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>Recreational Building</li> </ul>

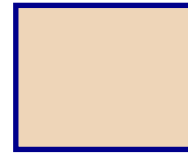
BUILDING AND LAND USE CATEGORY	MOFF 1	MOFF 2	MOFF 3	MOFF 4
			<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>• Restaurant Shops (Restricted to 200m<sup>2</sup>)</li> </ul>	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>• Conference Centre</li> <li>• Maintenance Building</li> <li>• Place of Amusement</li> <li>• Shop</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>• Creche</li> <li>• Dwelling House (Restricted to Caretaker)</li> <li>• Medium Density Housing</li> </ul>
	<b>5.2.8 UTILITIES</b> <ul style="list-style-type: none"> <li>• BTTS</li> </ul>	<b>5.2.8 UTILITIES</b> <ul style="list-style-type: none"> <li>• BTTS</li> </ul>	<b>5.2.8 UTILITIES</b> <ul style="list-style-type: none"> <li>• BTTS</li> </ul>	<b>5.2.8 UTILITIES</b> <ul style="list-style-type: none"> <li>• BTTS</li> </ul>
<b>PROHIBITED LAND USES AND BUILDINGS</b>	Land and buildings not listed in this table.			

### 2.36.3 ADDITIONAL CONTROLS

- 2.36.3.1 In respect of MOFF 3, the following shall apply:
- i) the permissible F.A.R. and Coverage be 1,2 and 70% respectively for Erven 3243, 1552, 1554, 1555 and 3244 Ballitoville;
  - ii) The maximum permitted height in respect of Erven 1552 and 1555 Ballitoville will be limited to three (3) storeys;
  - iii) An "Institutional Building" may be considered by Special Consent for Erven 3243, 1552, 1555 and 3244 Ballitoville; and
  - iv) In respect of ERF 1552 Ballitoville the use of a Shop(s) shall be restricted to 1000m<sup>2</sup>.
- 2.36.3.2 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.36.3.3 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.36.3.4 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- 2.36.3.5 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.36.3.6 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme

**2.37. INTERFACE ZONE (MITF)****STATEMENT OF INTENT**

This is a zone, which provides for a range of residential, businesses, offices, civic and social and educational uses. Its function is to reduce the negative impacts that incompatible industrial uses would have on adjacent residential areas. Under certain conditions may permit light industry, and showrooms but excludes other industrial uses

**ZONE COLOUR AND SCHEME NOTATION**

Fill: Bisque 2  
R 238, G 213, and B 184  
Border: Blue 4  
R 000, G 000, and B 139

**2.37.1 ZONES AND DEVELOPMENT PARAMETERS**

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
MITF	1000	0.5	50%	2	7.5 m	5.0 m	5.0 m	18 m

## 2.37.2 LAND USE CATEGORIES

BUILDING AND LAND USE CATEGORY	MITF 1		
FREELY PERMITTED	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>Community Garden</li> </ul> <b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Community Hall</li> </ul> <b>5.2.3 ENVIRONMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>Park</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Kennels/Catteries</li> <li>Office, Business Services</li> <li>Offices, General</li> <li>Offices, Medical</li> <li>Office, Professional</li> <li>Office, Public</li> <li>Personal Service outlet</li> <li>Showrooms</li> <li>Veterinary Clinic</li> </ul> <b>5.2.5 INDUSTRY</b> <ul style="list-style-type: none"> <li>Research Laboratory</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Dwelling House</li> </ul> <b>5.2.7 TRANSPORTATION</b> <ul style="list-style-type: none"> <li>Transportation facility</li> </ul>		
CONSENT	<b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Educational Building</li> <li>Institution</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Drive-in Cinema</li> <li>Flea Market</li> <li>Place of Amusement</li> <li>Tea Garden</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Medium Density Housing</li> </ul> <b>5.2.8 UTILITIES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not listed in this table.		

**2.37.3 ADDITIONAL CONTROLS**

- 2.37.3.1 Applications for the development of an interface zone will be required to produce a landscaping plan as part of or in addition to their development application, which shall demonstrate the appropriate attention has been paid to screening and the planting of indigenous vegetation and trees.
- 2.37.3.2 Where necessary the application will have to show that the architectural design, height and position of the buildings is compatible with the surrounding development and does not negatively affect the amenity of established residential areas adjacent to it.
- 2.37.3.3 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.37.3.4 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.37.3.5 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- 2.37.3.6 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.37.3.7 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

**2.38. GARAGE AND PETROL FILLING STATION (MPFS)****STATEMENT OF INTENT**

This zone provides for the development used or designed for the sale of petroleum, oil and other fuels and lubricants and accessory used in connection with motor vehicles and includes an office and storeroom, together with facilities for the servicing and maintenance of motor vehicles and may also include space devoted to restaurants, shops and related services. It shall not include panel beating, spray painting or the carrying out of vehicle body repairs of a major nature to the engine or transition system of motor vehicles.



**ZONE COLOUR AND SCHEME NOTATION**

Fill: Royal Blue  
R 065, G 105, and B 255  
Border: Black  
Notation Black



Fill: Royal Blue  
R 065, G 105, and B 255  
Border: Black  
Notation Black  
Hatch R 190, 233, 255  
Horizontal

**2.38.1 ZONES AND DEVELOPMENT PARAMETERS**

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)	ZONE COLOUR	COLOUR DETAILS
MPFS 1	1 800	0.40	60%	2	9 m	4.5 m	4.5 m	36 m		Fill: Royal Blue R 065, G 105, and B 255 Border: Black Notation Black
MPFS 2	1 800	0.40	60%	2	9 m	4.5 m	4.5 m	36 m		Fill: Royal Blue R 065, G 105, and B 255  Border: Black R 000, G 000 and B 000  Horizontal Hatch: Black R 000, G 000 and B 000

### 2.38.2 LAND USE CATEGORIES

BUILDING AND LAND USE CATEGORY	MPFS 1	MPFS 2	
<b>FREELY PERMITTED</b>	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>• Car Wash</li> <li>• Garage</li> <li>• Petrol Service Station</li> </ul>	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>• Car Wash</li> <li>• Garage</li> <li>• Petrol Service Station</li> </ul> <b>5.2.7 TRANSPORTATION</b> <ul style="list-style-type: none"> <li>• Truck Stop</li> </ul>	
<b>CONSENT</b>	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>• Drive-In Cinema</li> <li>• Motor Showroom</li> <li>• Office Building</li> <li>• Parking Garage</li> <li>• Personal Service outlet</li> <li>• Restaurant, Fast Food Restaurant (Limited to 200m<sup>2</sup>)</li> <li>• Shop (Limited to 200m<sup>2</sup>)</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>• Dwelling House (Restricted to Caretaker or Manager)</li> <li>• Residential Building</li> </ul> <b>5.2.7 TRANSPORTATION</b> <ul style="list-style-type: none"> <li>• Vehicle Repairs Shop</li> <li>• Truck Stop</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>• BTTS</li> </ul>	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>• Arts and Crafts Workshop (And fresh produce centre)</li> <li>• Motor Showroom</li> <li>• Office Building</li> <li>• Parking Garage</li> <li>• Personal Service outlet</li> <li>• Restaurant, Fast Food Restaurant (Limited to 200m<sup>2</sup>)</li> <li>• Shop (Limited to 250m<sup>2</sup>)</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>• Hotel</li> </ul> <b>5.2.7 TRANSPORTATION</b> <ul style="list-style-type: none"> <li>• Vehicle Repairs shop</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>• BTTS</li> </ul>	
<b>PROHIBITED LAND USES AND BUILDINGS</b>	Buildings and land uses not included in this table.		

### 2.38.3 ADDITIONAL CONTROLS

- 2.38.3.1 In respect of Stanger, the minimum lot size shall be 900m<sup>2</sup>.
- 2.38.3.2 This zone is site specific and is subject to the approval of a detailed Environmental Impact Assessment (EIA) application as required in terms of the regulation related to the National Environmental Management Act (No. 107 of 1998) as amended.
- 2.38.3.3 Its approval is subject to Environmental Authorisation issued by the Department of Economic Development, Tourism and Environmental Affairs.
- 2.38.3.4 The Municipality may request additional controls in relation to ingress and egress and other traffic related matters in conjunction with the Department of Transport regulations and provincial policy guidelines.
- 2.38.3.5 Any site considered for the establishment of a petrol filling station needs to have sufficient area and width/depth that allows the safe parking of delivery tankers and vehicles on site.

- 2.38.3.6 In considering applications for the establishment of petrol filling stations, the need for a new site needs to be assessed and to have regard to the location of other existing stations in the area.
- 2.38.3.7 The existing and/or contemplated future development of the area must be taken into account when considering the need for the new petrol filling station.
- 2.38.3.8 Any argument, based on the solo- site system, that all brands of petrol should be available within any particular area should not be taken into account.
- 2.38.3.9 Pump islands in petrol filling stations should be not less than 5 metres from the property boundary.

(a) The design and layout of garages and service stations shall be to the satisfaction of the Municipality and the following requirements and conditions shall be observed wherever is it proposed to erect, or extend and existing, garage or service station:

- (i) No garage or service station shall have direct vehicular access to an existing or proposed limited access major traffic arterial;
- (ii) No vehicular entrance to, or exist from, a garage or service station shall be within 150m of a freeway interchange, 60m from an intersection with a road which, in the opinion of the Municipality, is a major road, or 20m from an intersection with any other road;
- (iii) The frontage of a lot intended for use as a garage or service station shall not be less than 36m;
- (iv) A dwarf wall or other permanent structures, to the satisfaction of the Municipality, shall be erected on the street frontage of the site to confine the movement of vehicles into, or out of, the garage or service station to authorized access points;
- (v) No lot may be used for a garage or service station where it is, in the opinion of the Municipality, of insufficient depth to enable all activities associated with the operation of the use to be clear of the street;
- (vi) Filler points for underground tanks shall be so positioned as to make it possible for tanker delivery vehicles to stand wholly within the lot while discharging fuel and for the vehicle to enter and leave the property in a forward direction;
- (vii) Pump islands shall not be less than 5m from any boundary of the lot and all traffic routes within the forecourt shall have a minimum width of 5m; and
- (viii) A garage or service station shall be designed in a manner that traffic entering and leaving the property on which it is situated will not adversely affect the movement of pedestrians on any heavily trafficked public street or place.

(b) In granting its authority or consent for the establishment of a garage or service station, the Municipality shall take due cognisance of the standards set out in Appendix 4 relating to the Planning Standards for Control of Traffic Generating Sites.

2.38.3.10 A Restaurant / Fast-food outlet and a Shop is permitted when ancillary to a Garage and Service Station and not to exceed a combined Floor Area of 500m<sup>2</sup> in extent.

2.38.3.12 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.

2.38.3.13 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances



and the proposal for such must be accompanied by written consent from the municipal Traffic Department.

- 2.38.3.14 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.38.3.15 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

**2.39. FUTURE MIXED USE (MFUT)****STATEMENT OF INTENT**

This zone is used to manage land and buildings where future mixed use development is to be provided

**ZONE COLOUR AND SCHEME NOTATION**

Fill: Antwerp White  
R 255, G 255, and B 255  
Diagonal Hatch:  
Antwerp Blue  
R 000, G 064, and B 128  
Border: Black  
R 000, G000 and B 000

**2.39.1 ZONE AND DEVELOPMENT PARAMETERS**

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
MFUT	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**2.39.2 LAND USE CATEGORIES**

BUILDING AND LAND USE CATEGORIES	MFUT		
FREELY PERMITTED	N/A		
CONSENT	N/A		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not listed in this table.		

**2.39.3 ADDITIONAL CONTROLS**

2.39.3.1 There are no additional controls applicable to this site at present.

**2.40. INDUSTRY (IN)****2.40.1 QUARRYING AND MINING (INQM)****STATEMENT OF INTENT**

This zone allows appropriately located land to be used for the extraction of minerals and raw materials including sand and stone. Any extraction requires a permit from Department of Mineral and Energy Affairs (DMA) and the Department of Agriculture, Forestry and Fisheries (DAFF).

**ZONE COLOUR AND SCHEME NOTATION**

Fill: Leather  
R 126, G 072, and B 000  
Border: Black  
R 000, G000 and B 000

**2.40.2 ZONES AND DEVELOPMENT PARAMETERS**

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
INQM	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

### 2.40.3 LAND USE CATEGORIES

BUILDINGS AND LAND USE CATEGORY	INQM		
FREELY PERMITTED	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Canteen</li> </ul> <b>5.2.5 INDUSTRIAL</b> <ul style="list-style-type: none"> <li>Extractive Industry</li> <li>Quarrying</li> <li>Sand mining</li> <li></li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>Borehole</li> </ul>		
CONSENT	<b>5.2.5 INDUSTRIAL</b> <ul style="list-style-type: none"> <li>Large Scale Manufacturing</li> <li>Warehouse</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not included in this table.		

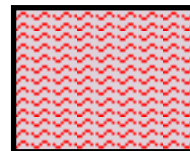
### 2.40.4 ADDITIONAL CONTROLS

- 2.40.4.1 All applications for quarrying and mining will be required to have the necessary approved permits issued from the Department of Minerals Resources (DoMR) in terms of the Mineral and Petroleum Resources Development Act (No. 28 of 2002).
- 2.40.4.2 An application for quarrying and mining will need to have an approved Environmental Impact Assessment approved by the Department of Agriculture, Forestry and Fisheries (DAFF).
- 2.40.4.3 An application for quarrying and mining will need to address itself to issues of noise, dust, the control of and safe storage and disposal of waste on site.
- 2.40.2.4 The application shall provide details regarding safety measures, fencing, notices, access control, and lighting to ensure that the potential dangers associated with the activity are minimised.
- 2.40.4.5 Where pollution measures are reliant to electricity, the mining operation will install an emergency generator to ensure that no spillage can occur.
- 2.40.4.6 The application shall include a strategy to address the monitoring and control of the operation to minimise amenity disturbance by way of dust, noise, pollution, heavy vehicles, hours of operation and any remedial programmes once the activity ceases.
- 2.40.4.7 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.40.4.8 In addition, all developments for quarrying and mining will need to submit a detailed post-production restoration plan to show how the site is to be rehabilitated. Such a plan shall address the following aspects:-
- i) The restoration of the mine or quarrying site;

- ii) The restoration of the natural environment through the planting of original indigenous plants and trees;
  - iii) Pollution control mechanisms;
  - iv) The long term management of all tailing and sludge dams once the extractive process has been completed;
  - v) The short term and longer term time period in which the rehabilitation plan will be completed; and
  - vi) The naming of an agency that will be responsible with completing the rehabilitation work.
- 2.40.4.9 Accommodation for a caretaker/manager in the INQM Zone may be permitted. It shall be restricted to a maximum floor area of 90 square metres.
- 2.40.4.10 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.40.4.11 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.40.4.12 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

**2.41. EXTRACTIVE INDUSTRY (INEX)****STATEMENT OF INTENT**

This zone is for the extraction and processing of mineral resources, while ensuring their compatibility with adjacent land uses. Additionally, this zone provides for the interim uses including but not limited to timber yards, outdoor storage, and plant nurseries, which do not impair the long-term ability to extract and process mineral resources.

**ZONE COLOUR AND SCHEME NOTATION**

Fill: Grey Purple  
R 222, G 209, and B 217  
Border: Black  
R 000, G000, and B 000  
Wave Hatch: Red R 255, G 000 and B 000

**2.41.1 ZONES AND DEVELOPMENT PARAMETERS**

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
INEX	N/A	0.20	20%	2	9.0 m	4.5 m	4.5 m	N/A

**2.41.2 LAND USE CATEGORIES**

BUILDING AND LAND USE CATEGORY	INEX 1		
FREELY PERMITTED	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Canteen</li> </ul> <b>5.2.5 INDUSTRIAL</b> <ul style="list-style-type: none"> <li>Extractive Industry</li> <li>Quarrying</li> <li>Sand mining</li> <li></li> </ul> <b>5.2.7 TRANSPORTATION</b> <ul style="list-style-type: none"> <li>Intermodal Transportation Facility</li> </ul>		
CONSENT	<b>5.2.5 INDUSTRIAL</b> <ul style="list-style-type: none"> <li>Large Scale Manufacturing</li> <li>Industrial Building</li> <li>Offensive Warehouse</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>Borehole</li> <li>BTTS</li> </ul>		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not included in this table		

### 2.41.3 ADDITIONAL CONTROLS

- 2.41.3.1 All applications for extractive industry will be required to have the necessary approved permits issued from the Department of Minerals Resources (DoMR) in terms of the Mineral and Petroleum Resources Development Act (No. 28 of 2002).
- 2.41.3.2 An application for extractive industry will need to provide the Council with an air quality plan, which complies with the requirements of the National Environmental Management Act: Air Quality Act (No. 39 of 2004).
- 2.41.3.3 An application for an extractive industry will need to address itself to issues of noise, dust, the control of and disposal of waste and a strategy to address the monitoring and control of the operation to minimise amenity disturbance by way of dust, noise, pollution, heavy vehicles, hours of operation and any remedial programmes once the activity ceases.
- 2.41.3.4 In addition, all developments for extractive industry will need to submit a detailed remedial plan to show how the site is to be rehabilitated (including all tailing and sludge dams) once the mining or extractive process is completed. Such a plan will be required to address the short and long-term management of the rehabilitation plan and the naming of a responsible agency that will be tasked with completing the rehabilitation work.
- 2.41.3.5 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.41.3.6 A storey in respect of industrial zones shall not exceed 7.5 meters, the Municipality may authorize the erection of a building of greater height through the special consent process if it is satisfied that such greater height shall not result in detriment to the amenities of the area.
- 2.41.3.7 Accommodation for a caretaker/manager in the INEX Zone may be permitted. It shall be restricted to a maximum floor area of 90 square metres.
- 2.41.3.8 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.41.3.9 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.41.3.10 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme

## 2.42. NOXIOUS INDUSTRY (INOX)



### STATEMENT OF INTENT

This zone permits manufacturing uses which may not be compatible with other manufacturing uses and which would have major externalities on adjacent sensitive land uses. This zone would permit manufacturing activities that may produce significant vibration, noise, odour, or high volume automobile and truck traffic. Warehousing of materials that may be considered noxious or hazardous may be permitted in buildings in this zone, with possible conditions and/or exceptions, i.e. via a Consent procedure.

Outdoor storage, as either a principal use or an ancillary use, can also be permitted in the zone, with some possible conditions or restrictions, i.e. as a Consent Use.

Office uses, as a principal use, would not be permitted in the zone. Retail stores, eating establishments and other personal service uses would also not be permitted. Of the service related uses, only service shops and showrooms would be permitted.

### ZONE COLOUR AND SCHEME NOTATION



Fill: Magenta 2  
R 238, G 000, and B 238  
Border: Black  
R 000, G 000, and B 000

### 2.42.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
INOX	1800	1.00	70%	3	9.0 m	4.5 m	4.5 m	21 m 9 m for Hatchet ways and Cul-de-sacs



## 2.42.2 LAND USE CATEGORIES

BUILDING AND LAND USES CATEGORY	INOX		
<b>FREELY PERMITTED</b>	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>• Canteen</li> <li>• Offices, General (to onsite activities)</li> <li>• Parking Garage</li> </ul> <b>5.2.5 INDUSTRIAL</b> <ul style="list-style-type: none"> <li>• Extractive Industry</li> <li>• Industry, High Impact Manufacturing</li> <li>• Industry, Large scale Manufacturing</li> <li>• Noxious Industry</li> <li>• Research Laboratory (Linked to onsite activities)</li> <li>• Warehouse</li> </ul> <b>5.2.7 TRANSPORTATION</b> <ul style="list-style-type: none"> <li>• Bus and Taxi Rank</li> <li>• Intermodal Transportation Facility</li> <li>• Trucking Facility</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>• Wastewater Treatment Plant</li> <li>• Waste Incinerator</li> </ul>		
<b>CONSENT</b>	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>• Petrol Filling Station</li> <li>• Shop (Restricted to staff)</li> <li>• Restaurant (Restricted to staff)</li> <li>• </li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>• BTTS</li> <li>• Waste Facility</li> </ul>		
<b>PROHIBITED LAND USES AND BUILDINGS</b>	Buildings and land uses not included in this table		

### 2.42.3 ADDITIONAL CONTROLS

- 2.42.3.1 All applications for noxious industry will be required to have the necessary approved permits issued from the Department of Mineral Resources (DoMR) in terms of the Mineral and Petroleum Resources Development Act (No. 28 of 2002).
- 2.42.3.2 An application for extractive industry will need to provide the Area with an air quality plan, which complies with the requirements of the National Environmental Management Act: Air Quality Act (Act No. 39 of 2004)
- 2.42.3.3 An application for a noxious industry will need to address itself to issues of noise, dust, the control of and disposal of waste and a strategy to address the monitoring and control of the operation to minimise amenity disturbance by way of dust, noise, pollution, heavy vehicles, hours of operation and any remedial programmes once the activity ceases.
- 2.42.3.4 All applications for noxious industry will need to submit a detailed remedial plan to show how the site is to be rehabilitated (including the decontamination of buildings, on site waste, all tailings and sludge dams) should the industry cease its operations. Such a plan will be required to address the short and long-term management of the rehabilitation plan and the naming of a responsible agency that will be tasked with completing the rehabilitation work.
- 2.42.3.5 All applications for noxious industry will need to provide a water quality/protection plan.
- 2.42.3.6 Such a water quality plan will take cognizance of the requirements of the National Water Act (No. 36 of 1998) and will indicate how the disposal of waste and grey water will be undertaken on site and what additional protective measures shall be instituted if the development is located near a water source e.g., river, stream wetland, estuary.
- 2.42.3.7 The Municipality shall reserve the right not to approve the application if the sections 2.42.3.1- 2.42.3.6, are not complied with.
- 2.42.3.8 Eating establishments and most other personal service uses are not permitted in the zone.
- 2.42.3.9 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.42.3.10 A storey in respect of industrial zones shall not exceed 7.5 meters, the Municipality may authorize the erection of a building of greater height through the special consent process if it is satisfied that such greater height shall not result in detriment to the amenities of the area.
- 2.42.3.11 Accommodation for a caretaker/manager in the INOX Zone may be permitted. It shall be restricted to a maximum floor area of 90 square metres.
- 2.42.3.12 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.

- 2.42.3.13 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.42.3.14 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

**2.43. GENERAL INDUSTRY (IGEN)****STATEMENT OF INTENT**

The General Industrial zone permits manufacturing uses. As a cumulative industrial zone, it would permit a combination of light manufacturing uses found in other zones and more intensive manufacturing uses that are incompatible with sensitive land uses, such as those found in the residential and environmental services zones.

Warehousing of materials considered non-noxious or non-hazardous are permitted in buildings in this zone.

**ZONE COLOUR AND SCHEME NOTATION**

Fill: Lavender  
R 204, G 153, and B 255

Border: Black  
R 000, G 000, and B 000

**2.43.1 ZONES AND DEVELOPMENT PARAMETERS**

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
IGEN	1,800	1.00	75%	3	7.5 m	2.5 m	2.5 m	21 m 9 m for Hatchet ways and Cul-de-sacs

## 2.43.2 LAND USE CATEGORIES

BUILDING AND LAND USE CATEGORY	IGEN 1		
FREELY PERMITTED	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>Agricultural Industry</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Canteen</li> <li>Commercial Workshop</li> </ul> <b>5.2.5 INDUSTRIAL</b> <ul style="list-style-type: none"> <li>Builders Supply Yard</li> <li>Large Scale Manufacturing</li> <li>Non Polluting Light Manufacturing</li> <li>Office, Public</li> <li>Open storage</li> <li>Public works yard</li> <li>Recovery Facility</li> <li>Recycling plant</li> <li>Research Laboratory</li> <li>Salvage yard</li> <li>Service Industrial Building</li> <li>Treatment Plant</li> <li>Vehicle repair shop</li> <li>Warehouse</li> <li>Wholesaling</li> <li>Workshops and Service Outlets</li> </ul> <b>5.2.7 TRANSPORTATION</b> <ul style="list-style-type: none"> <li>Bus and Taxi Rank</li> <li>Transshipment</li> <li>Trucking Facility</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>Waste incinerator</li> </ul>		
CONSENT	<b>5.2.3 ENVIRONMENT AND RECREATION</b> <ul style="list-style-type: none"> <li>Private Recreational Area</li> <li>Recreational Building</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Car Wash Facility</li> <li>Drive-in Cinema</li> <li>Parking Garage</li> <li>Office, General (Linked to onsite activities)</li> <li>Service Station</li> <li>Shop(Limited to the day to day needs of the workers in this zone)</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not included in this table.		

**2.43.3 ADDITIONAL CONTROLS**

- 2.43.3.1 Outdoor storage, as an ancillary use, may be permitted in the zone, subject to certain restrictions involving the amount of area permitted on a lot, setbacks, screening, and possibly the type of materials permitted to be stored outdoors; i.e. via a Consent Use procedure.
- 2.43.3.2 Office uses, retail stores, and certain eating establishments will be permitted in the zone with certain conditions. The intention is to ensure that office use is limited in size and scale and is permitted to function with permitted manufacturing and warehouse uses. Retail stores and eating establishments shall be permitted for the purposes of servicing manufacturing and warehouse uses in all of the employment industrial zones.
- 2.43.3.3 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.43.3.4 A storey in respect of industrial zones shall not exceed 7.5 meters, the Municipality may authorize the erection of a building of greater height through the special consent process if it is satisfied that such greater height shall not result in detriment to the amenities of the area.
- 2.43.3.5 Accommodation for a caretaker/manager in the IGEN Zone may be permitted. It shall be restricted to a maximum floor area of 90 square metres.
- 2.43.3.6 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.44.3.6 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.44.3.7 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

## 2.44. LIGHT INDUSTRY (INLI)



### STATEMENT OF INTENT




The Light Industrial zone permits manufacturing uses, which are compatible with land uses permitted in adjacent sensitive land use zones, such as residential, mixed use and open space zones. As a light industrial zone, it would permit manufacturing activities that usually do not involve significant vibration, noise, odour, or high volume of automobile and truck traffic.

### ZONE COLOUR AND SCHEME NOTATION



Fill: Pale Lilac  
R 239, G 198, and B 255  
Border: Black  
R 000, G 000, and B 000

### 2.44.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)	ZONE COLOUR	COLOUR DETAILS
INLI 1	900	0.60	60%	3	7.5 m	2.5 m	2.5 m	21 m 9 m for Hatchet ways and Cul-de-sacs		Fill: Pale Lilac R 239, G 198, and B 255 Border: Black R 000, G 000, and B 000
INLI 2	450	1	75%	3	7.5 m	2 m	2 m	16 m 4 m for Hatchet ways and Cul-de-sacs		Fill: Pale Lilac R 239, G 198, and B 255 Border: Black R 000, G 000, and B 000 Cross Hatch: Purple R 132, G 000 and B 168
INLI 3	900	0.50	50%	2	7.5 m	3.0	3.0 m	18 m 4 m for Hatchet ways and Cul-de-sacs		Fill: Pale Lilac R 239, G 198, and B 255 Border: Black R 000, G 000, and B 000 Diagonal Hatch: R 132, G 000 and B 168

## 2.44.2 LAND USE CATEGORIES

BUILDING AND LAND USES CATEGORY	INLI 1 and 2	INLI 3	
<b>FREELY PERMITTED</b>	<p><b>5.2.4 COMMERCIAL</b></p> <ul style="list-style-type: none"> <li>Arts and Craft Workshop</li> <li>Commercial Workshop</li> <li>Funeral Parlour</li> <li>Laundrette</li> <li>Office, Public</li> <li>Office, Business Services</li> <li>Office, General</li> <li>Parking Garage</li> <li>Restaurant (Limited to the day to day needs of the workers of the zone)</li> <li>Service Station</li> <li>Shop (Limited to the day to day needs of the workers of the zone)</li> </ul> <p><b>5.2.5 INDUSTRIAL</b></p> <ul style="list-style-type: none"> <li>Dry Cleaning</li> <li>Industrial Sales and Service</li> <li>Light Industrial Building</li> <li>Non Polluting Light Manufacturing</li> <li>Research Laboratory</li> <li>Service Industrial Building</li> <li>Warehouse</li> <li>Wholesaling</li> <li>Wholesale Shop</li> <li>Workshop</li> </ul> <p><b>5.2.7TRANSPORTATION</b></p> <ul style="list-style-type: none"> <li>Bus and Taxi Rank</li> <li>Transshipment</li> </ul>	<p><b>5.2.3 ENVIROMENT AND RECREATION</b></p> <ul style="list-style-type: none"> <li>Conservation Area</li> </ul> <p><b>5.2.4 COMMERCIAL</b></p> <ul style="list-style-type: none"> <li>Arts and Craft Workshop</li> <li>Commercial Workshop</li> <li>Funeral Parlour</li> <li>Laundrette</li> <li>Office, Public</li> <li>Office, General</li> <li>Parking Garage</li> <li>Restaurant (Limited to the day to day needs of the workers of the zone)</li> <li>Service Station</li> <li>Shop (Limited to the day to day needs of the workers of the zone)</li> </ul> <p><b>5.2.5 INDUSTRIAL</b></p> <ul style="list-style-type: none"> <li>Light Industrial Building</li> <li>Service Industrial Building</li> <li>Warehouse</li> <li>Wholesale Shop</li> </ul> <p><b>5.2.7TRANSPORTATION</b></p> <ul style="list-style-type: none"> <li>Bus and Taxi Rank</li> <li>Transshipment</li> </ul>	
<b>CONSENT</b>	<p><b>5.2.1 AGRICULTURE</b></p> <ul style="list-style-type: none"> <li>Agricultural Building</li> <li>Agricultural Industry</li> <li>Agricultural Land</li> </ul> <p><b>5.2.3 ENVIROMENT AND RECREATION</b></p> <ul style="list-style-type: none"> <li>Conservation Area</li> <li>Private Recreation Area</li> <li>Recreation Building</li> </ul> <p><b>5.2.4 COMMERCIAL</b></p> <ul style="list-style-type: none"> <li>Betting Depot</li> <li>Car Wash Facility</li> <li>Drive-in Cinema</li> <li>Personal Service Outlet</li> <li>Restaurant</li> <li>Showroom</li> </ul>	<p><b>5.2.1 AGRICULTURE</b></p> <ul style="list-style-type: none"> <li>Agricultural Building</li> <li>Agricultural Land</li> </ul> <p><b>5.2.3 ENVIROMENT AND RECREATION</b></p> <ul style="list-style-type: none"> <li>Private Recreation Area</li> <li>Recreation Building</li> </ul> <p><b>5.2.4 COMMERCIAL</b></p> <ul style="list-style-type: none"> <li>Car Wash Facility</li> <li>Drive-in Cinema</li> <li>Large scale Manufacturing</li> <li>Office, General</li> <li>Personal Service outlet</li> <li>Public Office</li> <li>Restaurant</li> <li>Showroom</li> </ul>	



BUILDING AND LAND USES CATEGORY	INLI 1 and 2	INLI 3	
	<b>5.2.5 INDUSTRIAL</b> <ul style="list-style-type: none"> <li>• Building Supply Yard</li> <li>• Offensive Warehouse</li> <li>• Large Scale Manufacturing</li> </ul> <b>5.2.7 TRANSPORTATION</b> <ul style="list-style-type: none"> <li>• Trucking Facility</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>• BTTS</li> </ul>	<b>5.2.5 INDUSTRIAL</b> <ul style="list-style-type: none"> <li>• Building Supply Yard</li> <li>• Offensive Warehouse</li> </ul> <b>5.2.7 TRANSPORTATION</b> <ul style="list-style-type: none"> <li>• Trucking Facility</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>• BTTS</li> </ul>	
<b>PROHIBITED LAND USES AND BUILDINGS</b>	Buildings and land uses not included in this table		

### 2.44.3 ADDITIONAL CONTROLS

- 2.44.3.1 Warehousing of materials considered non-obnoxious or non-hazardous are permitted in buildings in this zone, with possible conditions.
- 2.44.3.2 Outdoor storage, as an ancillary use, would be extremely limited if not outright prohibited. Office uses would be permitted with conditions in this zone i.e. with a Consent Use Procedure. Retail stores are limited as ancillary uses to permitted manufacturing uses (i.e., the selling of products manufactured on site).
- 2.44.3.3 Eating establishments and most other personal service uses shall not be permitted in the zone.
- 2.44.3.4 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.44.3.5 Where a building line is laid down in the Industrial zones, no building, boundary walls and fences shall be erected between the building line and the street boundary. The area between such building line and the street boundary is to be landscaped by the owner or occupier of the lot to the satisfaction of the Council and may not be used for storage of goods, parking of motor vehicles, depositing of the council, with detract from the visual amenities of the area.
- 2.44.3.6 A storey in respect of industrial zones shall not exceed 7.5 meters, the Municipality may authorize the erection of a building of greater height through the special consent process if it is satisfied that such greater height shall not result in detriment to the amenities of the area.
- 2.44.3.7 Accommodation for a caretaker/manager in the INLI Zone may be permitted. It shall be restricted to a maximum floor area of 90 square metres.
- 2.44.3.8 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.44.3.9 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration

- 2.44.3.10 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

## 2.45 LOGISTICS (INLG)



### STATEMENT OF INTENT

A zone that permits the warehousing of materials considered non-noxious or non-hazardous are permitted in buildings in this zone. Transportation, transshipment and related uses are permitted. Outdoor storage, as both an independent and an ancillary use, may be permitted in the zone, subject to certain restrictions involving the amount of area permitted on a lot, setbacks, screening, and possibly the type of materials permitted to be stored outdoors. Office uses, retail stores, and certain eating establishments will be permitted in the zone with certain conditions.

### ZONE COLOUR AND SCHEME NOTATION



Fill: Dove Grey  
R 102, G 102, and B 153  
Border: Black  
R 000, G 000, and B 000

### 2.45.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
INLG	1800	1.00	50%	3	7.5 m	2.5 m	2.5 m	21 m 9 m for Hatched ways and Cul-de-sacs

## 2.45.2 LAND USE CATEGORIES

BUILDING AND LAND USE CATEGORY	INLG		
FREELY PERMITTED	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Office, Business Services</li> <li>Offices, General</li> <li>Office, Public</li> </ul> <b>5.2.5 INDUSTRIAL</b> <ul style="list-style-type: none"> <li>Research Laboratory</li> <li>Warehouse</li> <li>Wholesaling</li> <li>Workshop</li> <li></li> </ul> <b>5.2.7 TRANSPORTATION</b> <ul style="list-style-type: none"> <li>Bus and Taxi Rank</li> <li>Transshipment</li> <li>Trucking Facility</li> </ul>		
CONSENT	<b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Place of Instruction</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Car Wash Facility</li> <li>Office, Medical</li> <li>Personal Services Outlet</li> <li>Place of Amusement</li> <li>Restaurant</li> <li>Showroom</li> </ul> <b>5.2.5 INDUSTRIAL</b> <ul style="list-style-type: none"> <li>Builders Supply Yard</li> <li>Non-polluting Light Manufacturing</li> <li>Vehicle Repair Shop</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not included in this table.		

**2.45.3 ADDITIONAL CONTROLS**

- 2.45.3.1 The intent of this zone is to ensure that office use is limited in size and scale and is permitted to function with permitted warehouse and ancillary uses.
- 2.45.3.2 Retail stores and eating establishments shall be permitted for the purposes of servicing manufacturing and warehouse uses in all of the employment industrial zones.
- 2.45.3.3 Retail stores and eating establishments in the zone shall be limited in size and/or may only be permitted as an ancillary use when on a lot with other permitted uses.
- 2.45.3.4 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.45.3.5 A storey in respect of industrial zones shall not exceed 7.5 meters, the Municipality may authorize the erection of a building of greater height through the special consent process if it is satisfied that such greater height shall not result in detriment to the amenities of the area.
- 2.45.3.6 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.45.3.7 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.45.3.8 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

## 2.46 BUSINESS PARK (INBP)

### STATEMENT OF INTENT






The Business / Office Park zone is a mixed-use zone that permits a range of office uses, which are generally compatible with each other, as well as adjacent sensitive zones, such as residential, commercial, mixed use, and open space zones. These areas are typically described as 'office business parks' and involve large campus-like developments in prestigious landscaped settings. Financial institutions, hotels, and personal service shops would be permitted in the zone; retail stores and eating establishments would be the kind of uses permitted but with conditions or specific limitations

### ZONE COLOUR AND SCHEME NOTATION



Fill Light Blue  
R 171, G 186, and B 222  
Border Black  
R 000, G 000, and B 000

### 2.46.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)	ZONE COLOUR	COLOUR DETAILS
INBP 1	1500	1.00	70%	3	5 m	3 m	3 m	21 m 9 m for Hatchet ways and Cul de sacs		Fill: Light Blue R 171, G 186, and B 222  Border: Black R 000, G 000, and B 000
INBP 2	1800	0.6	60%	2 Max 12m	5.0 m	5.0 m	5.0 m	21 m 9 m for Hatchet ways and Cul de sacs		Fill: Light Blue R 171, G 186, and B 222  Border: Black R 000, G 000, and B 000  Cross Hatch: Yellow R255, G255 and B255
INBP 3	1800	1.5	70%	6	9.0 m	4.5 m	4.5 m	21 m 9 m for Hatchet ways and Cul de sacs		Fill: Light Blue R 171, G 186, and B 222  Border Black R 000, G 000, and B 000  Diagonal Hatch: R 000, G 077 and B 168

## 2.46.2 LAND USE CATEGORIES

BUILDING AND LAND USE CATEGORY	INBP 1	INBP 2	INBP 3
FREELY PERMITTED	<p><b>5.2.3 ENVIRONMENT AND RECREATION</b></p> <ul style="list-style-type: none"> <li>Private Open Space</li> </ul> <p><b>5.2.4 COMMERCIAL</b></p> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop</li> <li>Laundrette</li> <li>Motor Car Showroom</li> <li>Motor Dealership</li> <li>Office, General</li> <li>Office, Public</li> <li>Office, Business Services</li> <li>Office, Professional</li> <li>Offices, General</li> <li>Offices, Medical</li> <li>Restaurant</li> <li>Place of Amusement</li> <li>Warehouse</li> <li>Wholesale Shop</li> </ul> <p><b>5.2.5 INDUSTRIAL</b></p> <ul style="list-style-type: none"> <li>Commercial Workshop</li> <li>Factory Shop</li> <li>Service Industry</li> <li>Light Industrial Building</li> <li>Non Polluting Light Manufacturing</li> <li>Research Laboratory</li> </ul> <p><b>5.2.7 TRANSPORTATION</b></p> <ul style="list-style-type: none"> <li>Bus and Taxi Rank</li> </ul>	<p><b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b></p> <ul style="list-style-type: none"> <li>Place of Public Assembly</li> </ul> <p><b>5.2.3 ENVIRONMENT AND RECREATION</b></p> <ul style="list-style-type: none"> <li>Amenity Reserve</li> <li>Private Open Space</li> <li>Public Open Space</li> </ul> <p><b>5.2.4 COMMERCIAL</b></p> <ul style="list-style-type: none"> <li>Arts and Crafts Workshop</li> <li>Funeral Parlour</li> <li>Laundrette</li> <li>Motor Car Showroom</li> <li>Motor Dealership</li> <li>Office, General</li> <li>Office, Public</li> <li>Office, Business Services</li> <li>Office, Professional</li> <li>Offices, Medical</li> <li>Shop</li> <li>Warehouse</li> <li>Wholesale Shop</li> </ul> <p><b>5.2.5 INDUSTRIAL</b></p> <ul style="list-style-type: none"> <li>Factory Shop</li> <li>Non Polluting Light Manufacturing</li> <li>Research Laboratory</li> </ul> <p><b>5.2.6 RESIDENTIAL</b></p> <ul style="list-style-type: none"> <li>Dwelling House (Restricted to 1 unit to accommodate a manager, foreman or Residential Building caretaker)</li> </ul> <p><b>5.2.7 TRANSPORTATION</b></p> <ul style="list-style-type: none"> <li>Bus and Taxi Rank</li> </ul>	<p><b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b></p> <ul style="list-style-type: none"> <li>Community Hall</li> <li>Institution</li> <li>Place of Worship</li> </ul> <p><b>5.2.3 ENVIRONMENT AND RECREATION</b></p> <ul style="list-style-type: none"> <li>Private Open Space</li> </ul> <p><b>5.2.4 COMMERCIAL</b></p> <ul style="list-style-type: none"> <li>Funeral Parlour</li> <li>Laundrette</li> <li>Motor Car Showroom</li> <li>Motor Dealership</li> <li>Office, Public</li> <li>Office, Business Services</li> <li>Office, Professional</li> <li>Offices, General</li> <li>Offices, Medical</li> <li>Shop</li> <li>Warehouse</li> <li>Wholesale Shop</li> </ul> <p><b>5.2.6 INDUSTRIAL</b></p> <ul style="list-style-type: none"> <li>Factory Shop</li> <li>Non Polluting Light Manufacturing</li> <li>Research Laboratory</li> </ul> <p><b>5.2.6 RESIDENTIAL</b></p> <ul style="list-style-type: none"> <li>Crèche</li> </ul> <p><b>5.2.7 TRANSPORTATION</b></p> <ul style="list-style-type: none"> <li>Bus and Taxi Rank</li> </ul>
CONSENT	<p><b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b></p> <ul style="list-style-type: none"> <li>Community Hall</li> <li>Educational Building</li> <li>Institution</li> <li>Place of Public Assembly</li> <li>Place of Worship</li> </ul> <p><b>5.2.3 ENVIRONMENT AND RECREATION</b></p> <ul style="list-style-type: none"> <li>Public Recreation Area</li> <li>Recreational Building</li> </ul>	<p><b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b></p> <ul style="list-style-type: none"> <li>Community Hall</li> <li>Educational Building</li> <li>Institution</li> <li>Place of Worship</li> </ul>	

BUILDING AND LAND USE CATEGORY	INBP 1	INBP 2	INBP 3
	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Car Wash Facility</li> <li>Funeral Parlour</li> <li>Parking Garage</li> <li>Service Station</li> <li>Shop</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Crèche</li> <li>Dwelling House (Restricted to 1 unit to accommodate a manager, foreman or Residential Building caretaker)</li> <li>Residential Building</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Car Wash Facility</li> <li>Place of Amusement</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Crèche</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Car Wash Facility</li> <li>Petrol Filling Station</li> <li>Personal Service outlet</li> <li>Place of Amusement</li> <li>Restaurant</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>
<b>PROHIBITED LAND USES AND BUILDINGS</b>	Buildings and land uses not included in this table		

### 2.46.3 ADDITIONAL CONTROLS

- 2.46.3.1 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.46.3.2 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.46.3.3 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- 2.46.3.4 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.46.3.5 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.



**2.47. FUTURE INDUSTRIAL (IFUT)****STATEMENT OF INTENT**

This zone is used set aside land for future industrial development and to manage land and buildings where future industrial development and associated facilities are to be provided

**ZONE COLOUR AND SCHEME NOTATION**

Fill: Dark Orchid 4  
R 104, G 034 and B 139  
Border: Black  
R 000, G 000 and B 000  
Diagonal Hatch  
R 000, G 000 and B 000

**2.47.1 ZONES AND DEVELOPMENT PARAMETERS**

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
IFUT	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**2.47.2 LAND USE CATEGORIES**

BUILDING AND LAND USE CATEGORY	IFUT		
FREELY PERMITTED	N/A		
CONSENT	N/A		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not listed in this table.		

**2.47.3 ADDITIONAL CONTROLS**

2.47.3.1 There are no additional controls applicable to this zone at present.

## 2.48. TRANSPORTATION (TR)

### 2.48.1 AIRPORT (TRAP)



#### STATEMENT OF INTENT

A zone where aircraft can land and take-off, usually equipped with hangars, facilities for refuelling and repair, and various facilities for passengers and cargo.

#### ZONE COLOUR AND SCHEME NOTATION



Fill White  
R 255, G 255, and B 255  
Border: Blue  
R 000, G 051, and B 153  
Notation: Blue Plane

### 2.48.2 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
TRAP	N/A	N/A	N/A	2	10 m	7.5 m	7.5 m	N/A

### 2.48.3 LAND USE CATEGORIES

BUILDING AND LAND USE CATEGORY	TRAP		
FREELY PERMITTED	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>Agricultural Land</li> <li>Agriculture Building</li> </ul>		
	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Personal Service outlet</li> <li>Parking Garage</li> <li>Offices, Public (Airfield and ancillary uses)</li> <li>Office, General</li> <li>Restaurant</li> <li>Shop</li> <li>Travel Agent</li> </ul>		
	<b>5.2.7 TRANSPORTATION</b> <ul style="list-style-type: none"> <li>Airport</li> <li>Air Strip, landing Strip</li> <li>Aircraft Hanger</li> <li>Transshipment</li> </ul>		

BUILDING AND LAND USE CATEGORY	TRAP		
CONSENT	<p><b>5.2.1 AGRICULTURE</b></p> <ul style="list-style-type: none"> <li>• Extensive Agriculture</li> <li>• Urban Agriculture</li> </ul> <p><b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b></p> <ul style="list-style-type: none"> <li>• Community Hall</li> <li>• Place of Instruction</li> <li>• Institution</li> </ul> <p><b>5.2.4 COMMERCIAL</b></p> <ul style="list-style-type: none"> <li>• Car Wash Facility</li> <li>• Petrol Filling Station</li> </ul> <p><b>5.2.5 INDUSTRIAL</b></p> <ul style="list-style-type: none"> <li>• Light Industry</li> <li>• Warehouse</li> </ul> <p><b>5.2.6 RESIDENTIAL</b></p> <ul style="list-style-type: none"> <li>• Dwelling House (For personnel only)</li> <li>• Residential Building (For personal only)</li> </ul> <ul style="list-style-type: none"> <li>•</li> </ul> <p><b>5.2.8 UTILITIES AND SERVICES</b></p> <ul style="list-style-type: none"> <li>• BTTS</li> <li>• Reservoirs</li> <li>• Waste Water Package Plant</li> </ul>		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not listed in this table.		

#### 2.48.4 ADDITIONAL CONTROLS

- 2.48.4.1 Land uses specified in Table 2.48.3 are permitted in the Airport Zone at Council's sole discretion and must be specifically related to the functioning of the airport.
- 2.48.4.2 Other land uses and works ancillary to the function of an airfield and subject to agreement being reached on the permissible floor area ratio, coverage and height restrictions, the placing of buildings on the site, on-site parking requirements and/or any other related matters by way of a site development plan in terms of Clause 3.21 of this Scheme.
- 2.48.4.3 Such a site development plan shall have due consideration for any relevant regulations on airports and any related legislation as may be laid down from time to time by the Minister of Transport or any other responsible authority.
- 2.48.4.4 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.48.4.5 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.

- 2.48.3.6 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- 2.48.3.7 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.48.3.7 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

## 2.49. AIR STRIP (TRAS)



### STATEMENT OF INTENT

A zone applied to a designated stretch of land, which is cleared and compacted so that light aircraft can land and take-off, and is usually equipped with hangars, facilities for refuelling and repair, and limited storage facilities.

This zone will be utilised in conjunction with agricultural activities, eco-tourism and regional aeronautical training facilities.

### ZONE COLOUR AND SCHEME NOTATION



Fill: White  
 R 255, G 255, and B 255  
 Border: Black  
 R 000, G 000, and B 000  
 Notation: Black Plane  
 R 000, G 000, and B 000

### 2.49.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
TRAS	N/A	N/A	N/A	2	10 m	7.5 m	7.5 m	N/A

### 2.49.2 LAND USE CATEGORIES

BUILDING AND LAND USE CATEGORY	TRAS		
FREELY PERMITTED	<p><b>5.2.1 AGRICULTURE</b></p> <ul style="list-style-type: none"> <li>• Agricultural Land</li> <li>• Agriculture Building</li> <li>• Extensive Agriculture</li> <li>• Urban Agriculture</li> </ul> <p><b>5.2.4 COMMERCIAL</b></p> <ul style="list-style-type: none"> <li>• Public, Offices (Airfield and ancillary uses)</li> <li>• Office, General</li> <li>• Shop</li> <li>• Warehouse</li> <li>• Travel Agent</li> </ul> <p><b>5.2.5 INDUSTRIAL</b></p> <ul style="list-style-type: none"> <li>• Warehouse</li> </ul> <p><b>5.2.7 TRANSPORTATION</b></p> <ul style="list-style-type: none"> <li>• Air strip, Landing Strip</li> </ul>		

BUILDING AND LAND USE CATEGORY	TRAS		
CONSENT	<p><b>5.2.1 AGRICULTURE</b></p> <ul style="list-style-type: none"> <li>Agro-Industry</li> </ul> <p><b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b></p> <ul style="list-style-type: none"> <li>Institution</li> <li>Place of Instruction</li> </ul> <p><b>5.2.4 COMMERCIAL</b></p> <ul style="list-style-type: none"> <li>Petrol Filling Station</li> </ul> <p><b>5.2.5 INDUSTRIAL</b></p> <ul style="list-style-type: none"> <li>Light Industry</li> </ul> <p><b>5.2.6 RESIDENTIAL</b></p> <ul style="list-style-type: none"> <li>Dwelling House (For personnel only)</li> <li>Residential Buildings (For personal only)</li> </ul> <p><b>5.2.7 TRANSPORTATION</b></p> <ul style="list-style-type: none"> <li>Transshipment</li> </ul> <p><b>5.2.8 UTILITIES AND SERVICES</b></p> <ul style="list-style-type: none"> <li>Borehole</li> <li>BTTS</li> <li>Reservoirs</li> <li>Waste Water Package Plant</li> </ul>		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not listed in this table.		

### 2.49.3 ADDITIONAL CONTROLS

- 2.49.3.1 Land uses specified in Table 2.49.2 are permitted in the Airstrip Zone at Council's sole discretion and must be specifically related to the functioning of the land use.
- 2.49.3.2 Other land uses and works ancillary to the function of an airfield and subject to agreement being reached on the permissible floor area ratio, coverage and height restrictions, the placing of buildings on the site, on-site parking requirements and/or any other related matters by way of a site development plan in terms of Clause 3.21 of this Scheme.
- 2.49.3.3 Such a site development plan shall have due consideration for any relevant regulations on airports and any related legislation as may be laid down from time to time by the Minister of Transport or any other responsible authority.
- 2.49.3.4 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.49.3.5 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.

- 2.49.3.6 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- 2.49.3.7 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.49.3.8 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

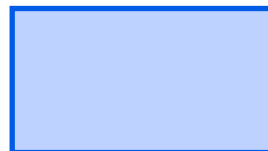
## 2.50. HARBOUR RESORT (TRHR)



### STATEMENT OF INTENT

A zone that makes provision for the development of a harbour resort and includes hotels, residential development, limited commercial activity, social, health and recreational activities for visitors. Environmentally important areas located within the harbour resort area are identified and protected through the alignment of the Scheme and the Coastal Management Plan.

### ZONE COLOUR AND SCHEME NOTATION



Fill: Light Powder Blue  
R 190, G 210, and B 255  
Border: Baby Blue  
R 000, B 092, and G 230

### 2.50.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
Harbour Resort	N/A	N/A	Council discretion	See clause on height below				

### 2.50.2 LAND USE CONTROLS

BUILDING AND LAND USE CATEGORY	TRHR 1		
FREELY PERMITTED	<p><b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b></p> <ul style="list-style-type: none"> <li>Place of Assembly</li> </ul> <p><b>5.2.3 ENVIRONMENT AND RECREATION</b></p> <ul style="list-style-type: none"> <li>Place of Public Amusement</li> <li>Private Recreational Use</li> <li>Recreational Building</li> </ul> <p><b>5.2.4 COMMERCIAL</b></p> <ul style="list-style-type: none"> <li>Kiosk</li> <li>Laundrette</li> <li>Shop</li> <li>Office, Public</li> <li>Office, General</li> <li>Parking Garage</li> </ul> <p><b>5.2.7 TRANSPORTATION</b></p> <ul style="list-style-type: none"> <li>Transshipment</li> </ul>		



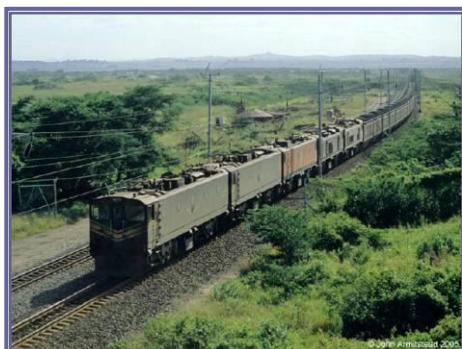
BUILDING AND LAND USE CATEGORY	TRHR 1		
CONSENT	<b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Place of Assembly</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Commercial Workshop</li> <li>Office, Medical</li> </ul> <b>5.2.5 INDUSTRIAL</b> <ul style="list-style-type: none"> <li>Vehicle repair shop</li> <li>Warehouse</li> <li>Light Industry</li> <li>Service Industry</li> <li>Service workshop</li> </ul> <b>5.2.6 RESIDENTIAL</b> <ul style="list-style-type: none"> <li>Chalet Development</li> <li>Dwelling House</li> <li>Hotel</li> <li>Residential Building</li> </ul> <b>5.2.7 TRANSPORTATION</b> <ul style="list-style-type: none"> <li>Bus Depot</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not listed in this table.		

### 2.50.3 ADDITIONAL CONTROLS APPLICABLE TO THE HARBOUR RESORT ZONE

- 2.50.3.1 An application for a harbour resort must comply with the requirement of the Integrated Coastal Management Act (No. 24 of 2008) and take cognizance of the Coastal Management Plan prepared by the Municipality in terms of this legislation.
- 2.50.3.2 Notwithstanding the foregoing provisions of this Scheme, the Harbour Resort Zone may only be used for the erection and use of buildings reflected in Table 2.46.2 above and within the scope of the principles set out below to the sole discretion of the Municipality.
- 2.50.3.3 The developers of the Harbour Resort shall be responsible for the provision of all essential services within the said zones, subject to the provisions of Clause 2.46.3.2 above.
- 2.50.3.4 Notwithstanding the above, the provision of such services by Municipality shall be at Council's sole discretion, within its budgeting limitations and/or by contractual agreement between the Developers of the Harbour Resort and/or its agent and the Municipality.
- 2.50.3.5 The provisions of Clause 2.46.3.2 and 2.46.3.3 shall, *mutatis mutandis*, apply to all land and building uses within these zones.

- 2.50.3.6 Where no registered subdivision exists, the provisions of the Scheme shall apply to any leased area or area of use so identified by the Municipality.
- 2.50.3.7 The height of any building or structure shall not impede the efficient control by the Resort or its appointed agents over recreational, boating and water activities, as determined by such authority.
- 2.50.3.8 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.50.3.9 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.50.3.10 An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- 2.50.3.11 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration.
- 2.50.3.12 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

## 2.51. RAILWAYS (TRRW)



## STATEMENT OF INTENT

A zone that makes provision for the necessary commuter, passenger and goods railway infrastructure within the rural and urban context; and includes open areas for the storage and repairs of trains, warehouses for freight operations, sidings and stations.

## ZONE COLOUR AND SCHEME NOTATION



Fill: Grey 40%  
R 150, G 150, and B 150  
Border: Black  
R 000, B 000, and G 000

## 2.51.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
TRRW	-	-	-	-	7,5 m	3 m	3 m	N/A

## 2.51.2 LAND USE CONTROLS

BUILDING AND LAND USE CATEGORY	TRRW		
FREELY PERMITTED	<b>5.2.1 AGRICULTURE</b> <ul style="list-style-type: none"> <li>Agricultural Buildings</li> <li>Agricultural Land</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Kiosk</li> <li>Personal service outlets</li> <li>Office, Public</li> <li>Ticket Office</li> </ul> <b>5.2.7 TRANSPORT</b> <ul style="list-style-type: none"> <li>Intermodal facilities</li> <li>Railway Station</li> <li>Railway Yard</li> <li>Railway Junction</li> <li>Siding Platform</li> <li>Transshipment</li> <li>Transportation facilities</li> <li>Trucking Facility</li> </ul>		
CONSENT	<b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Place of Instruction</li> </ul>		

BUILDING AND LAND USE CATEGORY	TRRW		
	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>• Informal Trade Area</li> <li>• Office, General</li> <li>• Restaurant</li> <li>• Shop</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>• BTTS</li> </ul>		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not listed in this table.		

### 2.51.3 ADDITIONAL CONTROLS

- 2.51.3.1 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.51.3.2 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.51.3.3 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.51.3.4 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

## 2.52. INTERMODAL FACILITY (TRIF)



### STATEMENT OF INTENT

A zone that makes provision for the linkage of different modes of public transport e.g. rapid rail, bus, min buses, commercial taxis and private vehicles all of which converge on a single node and where passengers can change the type of public/private transport being used. The zone allows additional transportation, service industrial and commercial land uses that support the amenities offered in the node.

### ZONE COLOUR AND SCHEME NOTATION



Fill: Steel Blue (Speckled)  
R 070, G 130, and B 180  
Border: Neutral Grey  
R 192, G 192, and B 192

### 2.52.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
TRIF	1800 m <sup>2</sup>	0,5	50%	3	7,5 m	3 m	3 m	21 m

### 2.52.2 LAND USE CONTROLS

BUILDING AND LAND USE CATEGORY	TRIF		
FREELY PERMITTED	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>• Car Wash Facility</li> <li>• Informal Trade Area</li> <li>• Kiosk</li> <li>• Office, Public</li> <li>• Parking Garage</li> <li>• Personal service outlet</li> <li>• Restaurant</li> <li>• Shop</li> <li>• Ticket Office</li> </ul> <b>5.2.7 TRANSPORTATION</b> <ul style="list-style-type: none"> <li>• Bus and Taxi Rank</li> <li>• Bus depot</li> <li>• Intermodal transportation facility</li> <li>• Trucking facility</li> <li>• Truck stop</li> <li>• Transport Terminal</li> </ul>		

BUILDING AND LAND USE CATEGORY	TRIF		
CONSENT	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Office, General</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not listed in this table.		

### 2.52.3 ADDITIONAL CONTROLS

- 2.52.3.1 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.52.3.2 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances; and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.52.3.3 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.52.3.4 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

### 2.53. BUS AND TAXI RANK (TRBS)



#### STATEMENT OF INTENT



A zone that makes provision for the drop off and collection of passengers by public and private bus services and mini bus taxis, includes parking, and may permit ancillary services.

#### ZONE COLOUR AND SCHEME NOTATION



Fill: Steel Blue  
R 070, G 130, and B 180  
Border: Neutral Grey  
R 192, B 192, and G 192

#### 2.53.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)	ZONE COLOUR	COLOUR DETAILS
TRBS 1	1800 m <sup>2</sup>	0,5	50%	2	7,5 m	3 m	3 m	21 m		Fill: Steel Blue R 070, G 130, and B 180 Border: Neutral Grey R 192, B 192, and G 192
TRBS 2	1800 m <sup>2</sup>	1.5	100%	3	0 m	3 m	3 m	21 m		Fill: Steel Blue R 070, G 130, and B 180  Border: Neutral Grey R 192, B 192, and G 192  Horizontal Hatch: R 192, G 192 and B 192

## 2.53.2 LAND USE CONTROLS

BUILDING AND LAND USE CATEGORY	TRBS 1	TRBS 2	
FREELY PERMITTED	<b>5.2.2 CIVIC AND SOCIAL/ ADMINISTRATIVE</b> <ul style="list-style-type: none"> <li>Place of Instruction</li> </ul> <b>5.2.3 ENVIROMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Ablutions</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Car Wash</li> <li>Office, Public</li> <li>Office, General</li> <li>Parking Garage</li> <li>Personal service outlet</li> <li>Restaurant</li> <li>Shop</li> </ul> <b>5.2.7 TRANSPORTATION</b> <ul style="list-style-type: none"> <li>Taxi/ Bus Facilities</li> </ul>	<b>5.2.3 ENVIROMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Ablutions</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Car Wash</li> <li>Office, Public</li> <li>Office, General</li> <li>Parking Garage</li> <li>Personal service outlet</li> <li>Restaurant</li> <li>Shop</li> </ul> <b>5.2.7 TRANSPORTATION</b> <ul style="list-style-type: none"> <li>Taxi/ Bus Facilities</li> </ul>	
CONSENT	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Informal Trade Area</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Informal Trade Area</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not listed in this table.		

## 2.53.3 ADDITIONAL CONTROLS

- 2.53.3.1 That necessary approvals be obtained Department of Transport.
- 2.53.3.2 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.53.3.3 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.53.3.4 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration.



## 2.54. TRANSPORTATION – CAR PARKING (TRCP)



### STATEMENT OF INTENT

A zone that reserves land for parking purposes and includes public and private parking garages and open parking lots. Certain commercial activities which do not impact upon the primary use of the land for parking may be permitted.

### ZONE AND SCHEME NOTATION



Fill: Dark Salmon  
R 233, G 150, and B 122  
Border: Neutral Grey  
R 192, G 192, and B 192

### 2.54.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
TRCP	1800	1.0	60%	5	4M	2 m	4 m	21 m

### 2.54.2 LAND USE CONTROLS

BUILDING AND LAND USE CATEGORY	TRCP		
FREELY PERMITTED	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Office, Public</li> <li>Parking Garage</li> <li>Shop (Limited to 250m<sup>2</sup>)</li> </ul>		
CONSENT	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Carwash Facility</li> <li>Personal service outlet</li> </ul> <b>5.2.7 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not listed in this table.		

**2.54.3 ADDITIONAL CONTROLS**

2.54.3.1 In addition to any other relevant provision of the Scheme, the following provisions shall be applicable to all Parking Erven and Parking Garages, which may be used for parking purposes only. No building other than a parking garage, automatic teller machine and carwash facility shall be permitted as ancillary uses.

**2.54.3.2 PARKING LOTS:-**

All Parking Lots shall conform to the following clauses:-

- i) The surface of all areas used for parking of motor vehicles and access roads shall be hardened, and if required by the Municipality, paved or surfaced or sealed and maintained in a dust free condition to the satisfaction of the Municipality.
- ii) Points of ingress to and egress from Parking Lots, from and to, respectively, the Public Street System shall be situated, constructed, paved and maintained to the satisfaction of the Municipality.
- iii) The dimensions and layout of parking spaces on Parking Lots shall conform to the minimum standards contained in Section 3.10 of this Scheme.
- iv) Accommodation for parking is to be as per Section 6 Parking Norms and Standards.

**2.54.3.3 PARKING GARAGES:-**

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

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

2.54.3.3.2 The development of land reserved as Public Car Park shall be the responsibility of the Municipality and it may permit the development of the whole or portion thereof by a developer or owner who is providing parking or cash in lieu of on-site parking in accordance with the provisions of Clause 3.10

2.54.3.3.3 Land reserved for this purpose and which is not already in the ownership of the Municipality shall be acquired by it in accordance with the provisions of Section 95 of Chapter 9 of the KwaZulu-Natal Planning and Development Act (No. 6 Of 2008).

2.54.3.3.4 The construction of parking garages within these areas is permitted.

2.54.3.3.5 Bus and taxi rank facilities may be provided to the satisfaction of the Municipality.

- 2.54.3.3.6    2.1.3.16.1 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

**2.55. EXISTING ROADS (TRER)****STATEMENT OF INTENT**

This zone makes provision for the protection of roads and road reserves for the free movement of vehicular and pedestrian transport.

**ZONE COLOUR AND SCHEME NOTATION**

Fill White  
R 255, G 255, and B 255  
Border Black  
R 000, G 000, and B 000

**2.55.1 ZONES AND DEVELOPMENT PARAMETERS**

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
TRER	-	-	-	-	-	-	-	-

**2.55.2 LAND USE CONTROLS**

BUILDING AND LAND USE CATEGORY	TRER
FREELY PERMITTED	To be used for transportation purposes only subject to temporary uses specified by Council.
CONSENT	N/A
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not listed in this table.

**2.55.3 ADDITIONAL CONTROLS**

- 2.55.3.1 All existing public roads and rights of way (ROW) registered in favour of the Council, Municipality, or private rights of way to give access to lawfully approved developments, provide the vehicular and pedestrian communications framework of the Municipality.
- 2.55.3.2 Such registered roads and Right of Ways (ROW), shall be maintained by the Council or its accredited agent, and the usage thereof by the public shall be subject to such lawful terms and conditions as the Council may determine from time to time.
- 2.55.3.3 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration

**2.56. PROPOSED NEW ROADS (TRNR) AND ROAD WIDENING (TRRW)****STATEMENT OF INTENT**

This zone makes provision for the reservation of land designated as for existing roads, proposed new roads and for existing roads which need upgrading and widening.

**ZONE COLOUR AND SCHEME NOTATION**

Fill: Red  
R 255, G 000, and B 000  
Pattern: Diagonal Hatch  
for Road Widening  
Border Black  
R 000, B 000, and G 000

**3.56.1 ZONES AND DEVELOPMENT PARAMETERS**

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
TRNR	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
TRRW	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**3.56.2 LAND USE CONTROLS**

BUILDING AND LAND USE CATEGORY	TRNR	TRRW	
FREELY PERMITTED	<b>5.2.3 ENVIROMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Ablution Facility</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>Municipal Purposes</li> </ul>	<b>5.2.3 ENVIROMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Ablution Facility</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>Municipal Purposes</li> </ul>	
CONSENT	N/A	N/A	
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not listed in this table.		

**2.56.3 ADDITIONAL CONTROLS**

- 2.56.3.1 These areas are reserved for new public road purposes, or for the widening of existing public roads, the extent of which (other than road closures) must be acquired by Council, where not already in its ownership, at dates to be negotiated with the registered owners.
- 2.56.3.2 Such areas, where still in private ownership, must be kept clear of any building activity. However, they may remain, or be included, in the use and activities that occur on the property concerned with the written authority of Council and on such terms and conditions, which it may impose.
- 2.56.3.3 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.56.3.4 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

## 2.57. UTILITIES AND SERVICES (US)

### 2.57.1 REFUSE SITE (USRS)



#### STATEMENT OF INTENT

This zone makes provision for refuse disposal works and infrastructure necessary for the Municipality to dispose of or recycle waste materials.

#### ZONE COLOUR AND SCHEME NOTATION



Fill Speckled Brown  
Green  
R 077, G 089, and G013  
Border Black  
R 000, B 000, and G 000

### 2.57.2 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
USRS	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

### 2.57.3 LAND USE CONTROLS

BUILDING AND LAND USE CATEGORY	USES	
FREELY PERMITTED	<b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Public Office (Restricted to the on-site operations)</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>Landfill Site</li> <li>Waste disposal facility</li> <li>Waste facility – general</li> <li>Waste Recycling Plant</li> </ul>	
CONSENT	<b>UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>BTTS</li> </ul>	
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not listed in this table.	

**2.57.4 ADDITIONAL CONTROLS**

- 2.57.4.1 Any application for the establishment of the waste site will need to provide documentation and a plan indicating that the facility is compliant with the requirements of the National Environmental Management: Waste Management Act (Act 59 of 2008) and whether there is to be a recycling programme operating on site.
- 2.57.4.2 An application for a refuse site or landfill will need to have an approved Environmental Impact Assessment approved by the Department of Agriculture, Forestry and Fisheries (DAFF).
- 2.57.4.3 An application for a refuse site or landfill will need to address itself to issues of noise, dust, the control of and safe storage and disposal of waste on site.
- 2.57.4.4 The application shall provide details regarding safety measures, fencing, notices, access control, and lighting to ensure that the potential dangers associated with the activity are minimised.
- 2.57.4.5 Where pollution control or safety measures are reliant on electricity, the refuse or land fill site will install an emergency generator to ensure that no spillage can occur.
- 2.57.4.6 The application shall include a strategy to address the monitoring and control of the operation to minimise amenity disturbance by way of dust, noise, pollution, heavy vehicles, hours of operation and any remedial programmes once the activity ceases.
- 2.57.4.7 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.57.4.8 In addition, all developments for a refuse or land fill site will need to submit a detailed post-production restoration plan to show how the site shall be rehabilitated. The plan shall address the following aspects:-
- i) The restoration of the land fill site;
  - ii) The restoration of the natural environment through the planting of original indigenous plants and trees;
  - iii) Pollution control mechanisms;
  - iv) The long term management of all leachate once the land fill site is closed;
  - v) The short term and longer term time period in which the rehabilitation plan will be completed; and
  - vi) the naming of an agency that will be responsible with completing the rehabilitation work
- 2.57.4.9 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.57.4.10 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and



written consent in terms of its policy/legislation must be submitted along with the development application for consideration

- 2.57.4.11 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

## 2.58. WATERWORKS (USWW)



### STATEMENT OF INTENT

This zone makes provision for the establishment and maintenance of reservoirs, water works, and purification plants including pipelines, conduits, reticulation and distribution pumping stations and other infrastructure necessary for the Municipality to deliver water throughout the Municipality for domestic and industrial use.

### ZONE COLOUR AND SCHEME NOTATION



Fill: Light Blue Green  
R 161, G 217 and G 214  
Border Black  
R 000, B 000, and

### 2.58.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
USWW	-	-	-	-	-	-	-	-

### 2.58.2 LAND USE CONTROLS

BUILDING AND LAND USE CATEGORY	USWW		
FREELY PERMITTED	<b>5.2.3 ENVIROMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Ablution Facility</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Office, General (Restricted to the on-site operations)</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>Waste water Package Plant</li> <li>Water desalination plant</li> </ul>		
CONSENT	N/A		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not listed in this table.		

**2.58.3 ADDITIONAL CONTROLS**

- 2.58.3.1 Any application for the establishment of the water works will need to provide documentation and a plan indicating that the facility is compliant with the requirements of the National Water Act, 1998 (Act No. 36 of 1998).
- 2.58.3.2 Any application for the establishment of a water works will need to provide the requisition authorisation for the discharge of water and treatment of wastewater in terms of the National Water Act, (No. 36 of 1998).
- 2.58.3.3 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.58.3.4 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.58.3.5 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.58.3.5 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

## 2.59. SEWERAGE WORKS (USSW)



## STATEMENT OF INTENT

This zone makes provision for sewerage treatment works including pumping stations, pipelines, filtration beds, and associated infrastructure necessary for the Municipality to treat and decontaminate domestic, medical and industrial sewage.

## ZONE COLOUR AND SCHEME NOTATION



Fill: Toner Grey  
R 212, G 207, and B 203  
Border: Black  
R 000, B 000, and G000

## 2.59.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
USSW	-	-	-	-	-	-	-	-

## 2.59.2 LAND USE CONTROLS

BUILDING AND LAND USE CATEGORY	USSW		
FREELY PERMITTED	<b>5.2.3 ENVIROMENTAL AND RECREATION</b> <ul style="list-style-type: none"> <li>Ablutions</li> </ul> <b>5.2.4 COMMERCIAL</b> <ul style="list-style-type: none"> <li>Site Office (Restricted to the on-site operations)</li> </ul> <b>5.2.8 UTILITIES AND SERVICES</b> <ul style="list-style-type: none"> <li>Site Office (Restricted to the on-site operations)</li> <li>Waste water Package Plant</li> <li>Water desalination plant</li> </ul>		
CONSENT	N/A		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not listed in this table.		

**2.59.3 ADDITIONAL CONTROLS**

- 2.59.3.1 Any application for the establishment of the sewage works will need to provide documentation and a plan indicating that the facility is compliant with the requirements of the National Environmental Management: Waste Management Act (No. 59 of 2008).
- 2.59.3.2 The application will need to address what precautions are to put in place to prevent the contamination of underground or surface water systems.
- 2.59.3.3 The applicant shall provide written proof of the installation of a back-up electrical generator of sufficient capacity, which will operate in times of power outage and form part of the pollution prevention programme.
- 2.59.3.4 The application shall provide details of additional holding ponds for the containment of sewerage on site that is compliant with the national regulations set out by the Department of Water Affairs, Agriculture and Fisheries (DWAF).
- 2.59.3.5 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.59.3.6 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.59.3.7 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.59.3.8 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

## 2.60. ELECTRICAL SUBSTATION (USES)



### STATEMENT OF INTENT

This zone makes provision for the infrastructure and ancillary service buildings, which forms part of an electrical generation system for the transmission and distribution of power after conversion of the voltages for commercial, domestic and industrial use.

### COLOUR AND SCHEME NOTATION



Fill: Toner Grey  
Speckled  
R 212, G 207, and B 203  
Border: Black  
R 000, G 000, and B 000

### 2.60.1 ZONES AND DEVELOPMENT CONTROLS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
USES	600m <sup>2</sup>	-	60%	1	5 m	5 m	5 m	7,5 m

### 2.60.2. LAND USE CONTROLS

BUILDING AND LAND USE CATEGORY	USES		
FREELY PERMITTED	<ul style="list-style-type: none"> <li>5.2.8 UTILITIES AND SERVICES               <ul style="list-style-type: none"> <li>Electricity grid</li> <li>Photovoltaic power station</li> <li>Solar farm</li> <li>Solar Park</li> <li>Substation</li> <li>Maintenance Building</li> </ul> </li> </ul>		
CONSENT	N/A		

BUILDING AND LAND USE CATEGORY	USES		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not listed in this table		

### 2.60.3 ADDITIONAL CONTROLS

- 2.60.3.1 An application for an Electrical Substation that falls outside the designated boundary of the scheme adoption boundary is subject to the Sub-division of Agricultural Land Act (No 70 of 1970) and requires approval from the national Department of Agriculture, Forestry and Fisheries.
- 2.60.3.2 All applications for change of land use are subject to the relevant requirements of the National Environmental Management Act (Act No. 107 of 1998) which requires an Environmental Impact Assessment and Environmental Authorisation (EA) from the Department of Economic Development, Tourism and Environmental Affairs (EDTEA).
- 2.60.3.3 An application for an Electrical Substation located on land administered by the Ingonyama Trust Board must include the necessary approval required by the Ingonyama Trust Amendment Act (No.9 of 1997).
- 2.60.3.4 All applications for the establishment of Electrical Substation shall submit to the Local Municipality a detailed report, which includes the following items:-
- The proximity to other development;
  - The current state and usage of the site;
  - The aesthetic compatibility with surrounding land uses; and,
  - The proximity of the site to sensitive environment areas, wilderness areas, nature reserves, and Nature Conservation or Biodiversity Reserves.
- 2.60.3.5 An application for the development of Electrical Substation shall include the appropriate fencing, access controls, appropriate safety measures and notices to ensure public safety.
- 2.60.3.6 The application shall include the programme for consultation with interested and affected parties.
- 2.60.3.7 Accommodation for parking is to be as per Section 6 Parking Norms and Standards.
- 2.60.3.8 In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 2.60.3.9 Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- 2.60.3.10 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

## 2.61. UNDETERMINED (UNDT)



### STATEMENT OF INTENT

This zone makes provision for primarily public or municipal owned land that will be managed in terms of a holding zone until more detailed, permanent zonings are determined.

### ZONE COLOUR AND



Fill: Black Hatch  
R 000, G 000, B 000  
Border: Black  
R 000, G 000 and B  
000

### 2.61.1 ZONES AND DEVELOPMENT PARAMETERS

ZONE	MINIMUM LOT SIZE	FAR	COVERAGE (%)	HEIGHT (STOREY)	FRONT SETBACK LINE (M)	SIDE SETBACK (M)	REAR SETBACK (M)	FRONTAGE (M)
UNDT	-	-	-	-	-	-	-	-

### 2.61.2 LAND USE CONTROLS

BUILDING AND LAND USE CATEGORY	UNDT		
FREELY PERMITTED	To be used for agricultural and municipal purposes. Consent may permit temporary uses not in conflict with titles.		
CONSENT	N/A		
PROHIBITED LAND USES AND BUILDINGS	Buildings and land uses not listed in this table.		

### 2.61.3 ADDITIONAL CONTROLS

- 2.61.3.1 Density, parameters and controls in relation to any building and land use for which consent has been granted shall be to the satisfaction and sole discretion of the Municipality.
- 2.61.3.2 The Council shall not grant its consent for any building and land use, which, in its opinion, may intrude upon the residential amenity of existing, adjoining residential properties.
- 2.61.3.3 The Council shall not grant its consent for the development of a site, whose use is deemed to be incompatible with, or detract from the future planning design and development of adjacent sites for civic purposes by the Municipality.



**2.62. SPECIAL ZONES**

- 2.62.1 Most of the Special Zones brought into existence through DFA applications or inherited from previous Town Planning Schemes (in preparation) approved in terms of the Natal Town Planning Ordinance (No. 27 of 1949) will retain all rights applicable and form part of the Consolidated KwaDukuza Land Use Management System.
- 2.62.2 Additional detail regarding this process can be found in the Companion Document 1 that accompanies this Scheme.
- 2.62.3 Assessment of these areas will be as per the controls set out in the approvals / judgements.
- 2.63.1 A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with section three 3.22 of this land use management scheme.

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**SECTION THREE: DEVELOPMENT PARAMETERS AND REGULATIONS**

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**3.1. FRONT SET BACKS**

3.1.1 The setback lines in respect of all lots and dwelling unit curtilage shall be as reflected in Development Parameters Tables in Section 2, except where otherwise stated.

3.1.2 All lots shall be subject to the setback lines as per development controls provided that the Municipality may relax the building line restriction subject to the continuity of the shopping frontage not being disrupted. Notwithstanding the provisions of 3.1.1 above, and where the applicant submits written support of adjoining property owners, the Municipality may, in its discretion:

- (a) Relax the Front Setback to nil in the Mixed Use Zones with consideration of:-
    - (i) The continuity of the shopping frontage not being disrupted; and
    - (ii) There being no disruption to the free flow of pedestrian movement;
  - (b) Relax the Front Setback to such extent as may be requested where:-
    - (i) on account of the levels of the lot or adjoining land, or the propinquity of buildings already in front of the Front Setback, or any other special circumstances, compliance with the Front Setback would seriously hamper the development of the lot ; or
    - (ii) if is demonstrated by the applicant that the architectural effect, as a consequence of the relaxation sought, will enhance the appearance of the street and contribute to public amenity;
  - (c) Relax the Front Setback on corner lots in Residential only zones to 3 metres, provided that
    - (i) the relaxation is confined to one boundary only; and
    - (ii) any buildings which are erected forwards of the prescribed Front setback of 7,5 metres, as a consequence of the relaxation, may not be closer than 3 metres to the side boundary of the adjoining lot; or
  - (d) In the cases of swimming pools, a relaxation of no less than 1 meter, may be permitted, if it is within 7,5m of a road boundary and being screened to the satisfaction of the Municipality provided further that, before granting the relaxation sought, and where it is of the opinion the relaxation may be detrimental to the amenity of adjoining properties or that of the neighbourhood in which the lot is situated, the Municipality may call upon the applicant to apply for Consent to do so.
  - (e) All walls in excess of 2m require the submission of a relaxation application.
- 3.1.3 Where a Front Setback is prescribed no building other than boundary walls, fences, pergolas or architectural and garden features, shall be erected between the building and the front boundary; provided that, where a new road or road widening is required, the Front Setback shall be set back in order to take into consideration any new road or road widening.

- 3.1.4 Within a Medium Density Housing Site, a building line does not apply to the dwelling unit curtilages, except along street frontages of the Medium Density Housing site, where the building line shall be 7, 5 metres
- 3.1.5 In addition, cognisance shall be taken of Front Setbacks imposed in terms of the KwaZulu-Natal Roads Act (No. 4 of 2001 as amended) and the Municipality may not relax any building line below the restriction without first obtaining the consent of the KwaZulu KwaZulu-Natal Department of Transport.

### **3.2. SIDE AND REAR SETBACKS**

- 3.2.1 The side and rear spaces in respect of all lots, except where otherwise stated, shall be as reflected in the Development Control Tables in Section Two.
- 3.2.2 Properties zoned Medium Density housing, Resort, multi-unit and caravan park sites, the side and rear spaces prescribed in Sub-clause 3.2.1 above shall not apply to the individual lots or curtilages other than in respect of the side and rear boundaries of the sites.
- 3.2.3 Notwithstanding the provisions of Clause 3.2.1 above, the Municipality may, in its discretion, and upon application in writing to it:
- (a) authorize the erection of single storey outbuildings in Residential Only Detached, Residential Medium Density and Residential Only High Density Residential zones, where the applicant demonstrates that the owners of the property or properties contiguous to the common boundary or boundaries, have consented in writing to the relaxation.
  - (b) Relax the side setback to zero where:
    - (i) the common boundary or boundaries in the development of semi-detached or row houses in the Residential Only Detached zones; provided that the party wall servitudes are registered against the respective properties in the KwaZulu- Natal Deeds Registry; or
    - (ii) Commercial or industrial buildings, except where space is necessary to provide parking and loading areas; or
    - (iii) Where buildings adjoins lots zoned for residential purposes; v) any zone if, on account of the siting of existing buildings, or the shape, size and levels of the lot or dwelling unit curtilage, the enforcement of the side and rear setbacks requirements would, in the opinion of the Municipality, render the development of the property unreasonably difficult;

Provided that, before granting any relaxation sought, and where it is of the opinion that the relaxation may be detrimental to the amenity of adjoining properties, or that of the neighbourhood in which the lot is situated, the Municipality may call upon the applicant to apply to it for its Consent to do so.

### **3.3. FLOOR AREA RATIO, COVERAGE AND HEIGHT**

- 3.3.1 In any zone, the density of building development and the erection of buildings shall not exceed the maximum Floor Area Ratio (FAR), Coverage and Height figures for the zone as specified in the Development Parameters Tables.
- 3.3.2 In calculating the permissible floor area, as defined in area definitions of the General Definitions, "Erf Area, Floor Area, Floor Area Ratio"; the following floor areas are to be excluded:
- (a) Any area used exclusively for the parking of motor vehicles, except as provided for in the Design and Layout Requirements for Resorts, (See clause 2.9.2.);
  - (b) Garages, carports, swimming pools, squash courts and tennis courts that are for private use only;
  - (c) Covered public arcades and malls in commercial zones which are not used for retail purposes or for the display, sale or storage of goods;
  - (d) The un-walled access ways and driveways covered by canopies of garages and service stations; and
  - (e) Patios, verandahs and decks enclosed on two sides only.
- 3.3.3 In calculating the permissible coverage as defined in Section 3.3.2; only roofed or covered areas shall be included; (See the Definitions Coverage, Erf / Erven).

### **3.4 LOT AREA**

- 3.4.1 In any zone, except in cases where any the lot was in existence prior to the date of adoption, no lot shall be less in area than the minima prescribed in the development Control Tables in respect of the particular zone concerned.
- 3.4.2 Notwithstanding the provisions of Clause 3.4. (a), the Municipality may require the minimum lot be increased where it is of the opinion that the method to be used for the disposal of sewerage and wastewater warrants such an increase. In determining the extent of the increase, the Municipality shall be advised by a professional engineer in accordance with the capabilities of the method of disposal to be used in relation to the particular lot, medium density housing site or curtilage.
- 3.4.3 Where, on the date of adoption, two dwelling houses existed lawfully on a single lot which is less in extent than double the minimum prescribed in Development Control Tables for the zone in which the dwelling occur, the Municipality may grant authority for the subdivision of the property into two separate portions, provided that:
- (a) The area of either of the subdivided portions shall not be less in extent than 12, 5% below the minimum area prescribed for the zone;
  - (b) Each portion conforms to all of the other provisions of the Scheme; and
  - (c) Arrangements for the disposal of sewerage and wastewater can be made to the satisfaction of the Municipality.

- 3.4.4 Provided further that, in giving any authority, the Municipality shall take into account the amenity of the locality and of the adjoining properties and it may call upon the applicant to apply to it first for its consent.
- 3.4.5 Where an existing lot in any zone has been reduced in area by the expropriation or alienation of land for road widening and / or construction or public purposes as reserved in the Scheme, the Municipality may grant its authority for the construction of buildings thereon as contemplated in the zone, provided that
- (i) The remaining extent of the lot is not less in extent than 12, 5% below the minimum area prescribed for the zone; and
  - (ii) Arrangements for the disposal of sewerage and wastewater can be made to the satisfaction of the Municipality.

**3.5. RESTRICTIONS OF THE NUMBER OF DWELLINGS ON A LOT IN RESIDENTIAL ONLY DETACHED ZONES**

- 3.5.1 In the RODE zones, not more than one dwelling house shall be erected on any lot or lot, provided that
- (a) if a lot is greater in extent than double the minimum prescribed in the development parameters (controls) for the zone in which it occurs, additional dwelling houses may be erected thereon, the number of which shall be determined by dividing the area of the lot by the prescribed minimum for the zone, any fraction thereof which shall be discounted; provided further that:
    - (i) the applicant shall first submit a drawing to the Municipality for its approval showing that the property on which the additional dwelling (or dwellings) is to be constructed is capable of being subdivided to create a lot for each dwelling which will conform to the provisions of the Scheme;
    - (ii) the applicant furnishes the Municipality with an undertaking to construct and maintain all internal services, roads and storm water drainage as the Municipality shall specify, which shall be to the Municipality's satisfaction until it is able to take over responsibility thereof upon the formal subdivision of the property; and
    - (iii) the applicant furnishes the Municipality with a further undertaking that any land required under the scheme for road construction, road widening or public purposes shall be transferred to the Municipality, and that all servitudes as may be required are registered in favour of the Municipality, or the authority, at dates to be determined by the Municipality and/or authority; and
  - (b) A number of dwelling houses or units on individual lots or curtilages may be grouped on a particular lot in the Residential Only Detached zones, provided that:
    - (i) The minimum area of a lot shall not be less than twice the minima specified for relevant zones in Development Control Tables; and
    - (ii) the consent of the Municipality is applied for and obtained in respect of the siting of the buildings, the width and standard of all internal roads, access ways, services and landscaping of the property,
  - (c) The number of which shall be determined as set out in (a) above.

**3.6. ADDITIONAL DWELLING UNIT IN RESIDENTIAL ONLY DETACHED ZONES**

3.6.1 The Local Municipality may permit the erection of an additional self-contained residential unit on any RODE site of 650sqm or more.

- (a) For the purposes of this clause only, such self-contained residential unit shall comprise not more than one bedroom, a combined lounge and dining room, a kitchen, a bathroom and a toilet. The total floor area shall not exceed 90m
- (b) be architecturally compatible with the main dwelling house, attached directly to it or by means of a screen wall which will place the unit at a distance no greater than 5m from the main dwelling house, unless the applicant can demonstrate that exceptional circumstances exist which prevent such attachment;
- (c) be served by the same access to the public street or road which serves the main dwelling house, unless the applicant can demonstrate that exceptional circumstances exist to prevent such shared access; and
- (d) Be provided with adequate sewerage and wastewater disposal to the satisfaction of the Municipality, provided further that the Municipality may waive the need for a consent application where the applicant demonstrates that the owners of adjoining properties have consented in writing, that they would have no objection to the erection of the proposed additional dwelling.

**3.7. THE SHAPE OF LOTS IN RESIDENTIAL ONLY DETACHED ZONES**

3.7.1 Except in special circumstances, the depth of the lot in relation to the frontage shall not exceed the ratio of 3 to 1 in proportion, provided that where a lot is an irregular shape, it shall be capable of containing within its boundaries a rectangle not exceeding the ratio of 3 to 1, having an area of 75% of the minimum prescribed area for the zone in which it is situated.

**3.8. PARKING, LOADING AND UNLOADING ACCOMMODATION**

(This must be read together with Section 6 of this Scheme)

- 3.8.1 A person intending to erect, alter or extend a building, or develop or use any lot, medium density housing site or curtilage, must provide parking accommodation within the boundaries of the lot, site or curtilage and shall submit proposals to the extent specified in the Parking Standards and Requirements and in accordance with the requirements set out hereunder and to the satisfaction of Municipality
- 3.8.2 In addition to the requirements of Sub-clause 3.8(a) above, and other than in respect of single dwellings within the Residential Only Detached zones, adequate areas for the loading and unloading of vehicles shall be provided, the location, access, demarcation and surfacing of shall be to the satisfaction of the Municipality; provided further that on any lot, Medium Density Housing site or curtilage where commercial vehicles are accommodated shall, in addition, provide sufficient parking accommodation and turning space for such vehicles to the satisfaction of the Municipality.
- 3.8.3 For the purposes of providing parking accommodation as contemplated in Sub-clause 3.8 (a) above, in respect of each car space:

- (a) The dimensions shall be no less than 5, 0 by 2,5m in extent;
  - (b) Adequate space for vehicular access and manoeuvring shall be provided to the satisfaction of the Municipality; and
  - (c) The demarcation and surfacing of site shall be to the satisfaction of the Municipality.
- 3.8.4 The design of the parking, loading and unloading layout shall include adequate provision for the management and disposal of storm water to the satisfaction of the Municipality.
- 3.8.5 Other than with the prior written authority of the Municipality, vehicular ingress to, and egress from, the lot shall:
  - (a) Be restricted to not more than two ingress and egress points, whether combined or separate; and
  - (b) Be constructed to a minimum width of 7, 5 metres in the case of a combined access and 5 metres where separated where it crosses the lot boundary. The access width shall be continued to where it joins the street, and shall be located no closer than 5, 0 metres to the intersection of two streets related to the lot in question.
- 3.8.6 Until all on-site parking has been provided to the satisfaction of the Municipality, no building constructed or land developed in association may be occupied and used.
- 3.8.7 For any commercial site where in accordance with the previous schemes an arrangement has to be made with the Municipality regarding the shortfall of the minimum parking requirement, the owner/ developer of such site shall contribute to the parking reserve fund. However, a minimum of 50% of the total required parking must be allocated on the site.

### **3.9 THE PROHIBITION IN RESPECT OF THE PARKING OF TRADE AND PUBLIC MOTOR VEHICLE**

- 3.9.1 Except with the prior approval of the Municipality, no person shall bring onto any premises of a dwelling house or unit, or cause to allow to be present thereon, any trade, public heavy (or extra-heavy) motor vehicle for any period in excess of two hours, except for the *bona fide* purposes of delivering or supplying goods or services to these premises; provided that where, in the opinion of the Municipality, the granting of this approval may interfere with the amenity of adjoining properties, or that of the neighbourhood in general in which the premises occurs, the Municipality may require that the applicant first applies to it for its consent.
- 3.9.2 For the purposes of this clause, the expression “public motor vehicle”, “trade vehicle” and “heavy and extra-heavy motor vehicle” shall have the same meaning assigned thereto by the National Road Traffic Amendment Act (No. 21 of 1999) Water.

### **3.10. CASH PAYMENT IN LIEU OF THE PROVISION OF ON-SITE PARKING)**

- 3.10.1 Notwithstanding the provisions of Clause 3.8(a), in the Mixed Use Zones, and on written application to it, the Municipality may consider calling upon the developer of any premises on any lot to contribute to a parking fund by way of a cash payment in lieu of the provision of on-site parking prescribed where it can be shown that:



- (a) It is physically impossible or impracticable to provide on-site parking without disturbing the continuity of the shopping frontage continuity;
- (b) The lot is of such proportions that on-site parking cannot be reasonably provided; or
- (c) Where it is it is physically impractical to provide on-site parking the Local Authority shall call upon the developer to provide a minimum of 50% obligatory onsite parking and contribute towards the shortfall of parking into the parking reserve fund by way of such payment in lieu
- (d) In respect of historical buildings or buildings with unique architectural merit or value only, that the provision of on-site parking on the lot would be unnecessarily onerous.

### **DETERMINING A CASH IN LIEU**

The cash in lieu amount shall be calculated on the basis of the cost to the Local Authority of providing the car spaces, at ground level that would be required in terms of the scheme. The cost of providing the required car spaces shall include the cost of construction and the cost of acquisition of the land per square meter as per the latest valuation on the date of receiving the written application a car space shall be taken to be an area of 23sqm, which includes manoeuvring space.

In determining the amount of cash in lieu of parking payable to the Local Authority, the following formula shall be applied:

$\text{COST PER BAY} = (\text{PXM}) + \text{C}$  Where

P = Size of parking Bay i.e. 23sqm

M = land value in m<sup>2</sup>

C = Actual Construction Cost / bay of 23sqm

### **PROCEDURE FOR OBTAINING APPROVAL TO CASH IN LIEU**

In respect of the MUCO zone, where it is it is physically impractical to provide on-site parking the Local Authority shall call upon the developer to provide a minimum of 50% obligatory onsite parking and contribute towards the shortfall of parking into the parking reserve fund by way of such payment in lieu.

The cash payment shall be calculated basis of the cost to the local authority of providing the car spaces at ground level that would have been required in terms of the scheme. In terms of this clause, a car space shall be taken to be an area of 23 square meters, which includes manoeuvring space. This contribution shall be made on the approval of the building plans and shall be paid before the release of the occupancy certificate.

An application to participate in cash in lieu of parking shall by the consent of Council and shall be in writing and must be motivated in terms of the criteria above.

### **PAYMENT INTO PARKING RESERVE FUND**

This contribution shall become payable by no later than the date of approval of the building plans and all monies so received by Council shall be paid by it into a Parking Reserve Fund for the sole use by it of providing vehicular parking within the commercial area(s).

Funds obtained shall be used exclusively for the purposes of:

- (a) Acquiring land for public parking



- (b) Acquiring and developing off street parking facilities

### **3.11. LANDSCAPE RESERVES IN INDUSTRIAL AREAS**

- 3.11.1 In industrial zones, no building, boundary walls or fences shall be erected between the Front Setback and the street boundary. This area is to be landscaped by the owner or occupier of the lot or curtilage concerned. It shall be kept free from the storage of goods of any kind, depositing of refuse or for any other use which in the opinion of the Municipality, will detract from the visual amenities of the area in general. The area may be used for the parking of motor vehicles, the landscaping, design and layout of which shall be to the satisfaction of the Municipality.

### **3.12. LAND AND ZONES RESERVED FOR PARTICULAR USES**

- 3.12.1 Land zoned for Public Open Space, Environmental Services and Amenity Zone, new Roads, Road Widening, and Road Closures and Car Parks shall be subject to the following clauses.
- 3.12.2 The land showed on the Scheme Maps and in terms of the following zones Public Open Space, Environmental Services and Amenity Zone, new Roads, Road Widening, and Road Closures and Car Parks shall not be used for any other purpose. No land use that would conflict with the use for which it has been reserved, save that any such land may continue to be used for the purpose for which it was used on the date of adoption will be approved. Where any of the land is in the Municipality's ownership, it may execute thereon any development necessary or incidental to the purpose for which the land has been reserved.
- 3.12.3 Until land which is reserved in this Scheme has been acquired by the relevant body or authority, other than the continued use of building and land contemplated in Sub-clause 3.12.1 above; no person shall erect a building, or execute any other work, or use such buildings or land on the reserved land save with the consent where the Municipality is not the owner thereof.
- 3.12.4 In granting its Consent for 3.12.2.above, the Municipality shall only permit uses which are of a temporary nature and it shall specify the date on which any Consent granted shall expire and the circumstances under which the building or land use shall discontinue or buildings or structures be removed from the land.
- 3.12.5 As at the date of adoption, any existing building and use thereof or the use of any land which is reserved for the purposes indicated in the 3.12.1 above, and which does not conform therewith, may continue until such time as the body or authority concerned has acquired the land and taken transfer thereof.
- 3.12.6 Nothing contained in this clause shall be construed as prohibiting the fencing of land in conformity with any by-laws.

### **3.13. DECLARING OR DIVERTING OF STREETS**

- 3.13.1 All new streets and roads shown in red on the Scheme Map and listed in section 3.12 above, the widening of existing streets and roads shown in red on the said map shall:

- (a) become effective at dates to be determined, either in accordance with the provisions of Chapter 4 Section 48 of the Spatial Planning and Land Use Management By-Laws ((As amended and/or prevailing)).
- (b) upon the development or subdivision of the land concerned in accordance with any relevant conditions of approval which may be attached to such development or subdivision.

### **3.14. TYPES OF BUILDINGS AND THE USE OF LAND**

- 3.14.1 The types of Building and Land Uses are defined in the Development Parameters Tables in Section 2 of this Scheme.
- 3.14.2 The various zones are indicated on the current adopted Scheme Map and determine both the extent and location of the land uses associated with them.
- 3.14.3 Any subsequent adopted amendment, which changes the zones, and land uses are approved in terms of the provisions of Chapter 4 of the Spatial Planning and Land Use Management By-Laws ((As amended and/or prevailing)).

### **3.15. THE ERECTION AND USE OF BUILDINGS AND USE OF LAND**

- 3.15.1 In all zones of the Scheme as indicated on the Scheme Map, the purposes for which
  - (a) Buildings may be erected and used and land may be used only with the prior written authority of the Municipality
  - (b) Buildings may be erected and used and land may be used only with the prior Consent of the Municipality; and
  - (c) Buildings may not be erected and used and land may not be used as set out in the Development Parameters Tables in Section 2.
- 3.15.2 The area depicted as Undetermined on the Scheme Maps has been so zoned in order for the landowners to prepare detailed proposals for the development of the zone as a future uses.
- 3.15.3 Such zone shall be replaced in terms of the provisions of Section 28 of the Spatial Planning and Land Use Management Act (Act No. 16 of 2013) and/or relevant legislation at the instance of the landowners to the satisfaction of Municipality and by a date, which Municipality may set on application to it. The Municipality shall, thereafter determine an alternative appropriate zone or zones in the event that this requirement is not met.

### **3.16. EXISTING LAND USE RIGHTS**

- 3.16.1 Any existing building or existing use which is not in conformity with this Scheme, but for which legal authority was obtained from the Municipality prior to the adoption date of the Consolidated KwaDukuza Scheme, and which continued to be used for the purpose for which it was designed and/or was completed legally and is so used after the said adoption date, may continue to be so used, subject to compliance with any conditions which may have been imposed by the Municipality.

- 3.16.2 Any existing building may be demolished and replaced by a new building on the Erf and the existing use or uses may continue in the new building provided that the new building shall contain no greater cubic space than the previous structure.
- 3.16.3 Any new building constructed in terms of clause 3.16.2 above, shall ensure that it is in conformity with the requirements of the Scheme.
- 3.16.4 Any such new building shall be commenced, at least to the extent of completing the foundations of the new buildings within a period of eighteen (18) months after the date upon which the demolition of the existing building and the clearance of the site is completed. Any failure to commence rebuilding within the period of eighteen months shall be deemed to terminate the existing use.
- 3.16.5 Any alteration or addition or change which materially alters the use of land or the character of an existing building shall automatically remove shall a use of land or building from the category of "existing land use" or "existing building" in terms of this Scheme.

### **3.17. NON-CONFORMING LAND USES**

- 3.17.1 Any such non-conforming existing building or use of land may be increased on the Erf by an amount not greater than 12.5 per cent of its total floor area or area as the case may be, at the SAID date of adoption of 24 November 2016, provided further, 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. Notwithstanding the provisions of this sub-clause, the above 12.5 per cent additional floor area or area allowance may be increased by Special Consent up to 20 per cent in total.
- 3.17.2 Any alteration or addition or change of use, which in the opinion of the Municipality alters the character of an existing building or use of land, shall automatically remove such building or land from the category of building or existing use.
- 3.17.3 Where the non-conforming existing use of any building or land is discontinued for a continuous period of 18 months or longer, such an existing use shall be deemed to have lapsed and shall not be recommenced.
- 3.17.4 Existing buildings that exceeded the maximum height of 7, 5 meters in terms of the previous non-consolidated Schemes clauses for KwaDukuza, will be required to submit an application for regularisation of their height controls in terms of the new Scheme parameters.

### **3.18. THE SITING OF BUILDINGS AND ACCESS POINTS AND PROTECTION OF INDIGENOUS FLORA, FAUNA HABITATS AND NATURAL SYSTEMS**

- 3.18.1 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.
- 3.18.2 Before commencing with any activity, persons intending to erect buildings or use land shall apply to the Municipality for approval of the siting, use or development and for the identification of this indigenous flora, fauna, habitats and natural systems which must be conserved and protected.

3.18.3 In terms of the provisions of this Scheme, the Municipality in considering any application submitted under Chapter 4 of the Spatial Planning and Land Use Management By-Laws ((As amended and/or prevailing)) shall ensure that adequate provisions are made in regard

- (a) the siting of buildings and access ways for the conservation of indigenous flora and fauna
- (b) the protection of habitats and natural systems;
- (c) the replacement of trees and vegetation; by means of conditions qualifying the approval of such applications.

### **3.19. NO BUILDING OR USE OF LAND WITHOUT PRIOR APPLICATION**

3.19.1 At any time after the effective date, and subject to the provisions of Clause 3.17 in respect of non – conforming existing uses, no person shall:

- (a) Erect a new building, or alter or add to an existing building, or carry out any other proposed work;
- (b) Develop or use any land, or use any building or structure for any purpose different from the purpose for which it was being developed or used on such date; or,
- (c) Use any building or structure erected after such date for, or in a manner different from, the purpose for which it has been erected;

Until such person has first applied to Municipality in writing for authority, in terms of the provisions of Section 33 of the Spatial Planning and Land Use Management Act (Act No. 16 of 2013) and Section 4 of the Spatial Planning and Land Use Management By-Laws ((As amended and/or prevailing)), and the Municipality has approved the application either with or without conditions.

3.19.2 Any person aggrieved by a decision taken by the Municipality as contemplated in Clause 3.19.1 above, shall have the right of appeal to the Appeals Board in terms of the provisions of Section 51 of the Spatial Planning and Land Use Management Act (Act No. 16 of 2013) and Chapter 6 of the Spatial Planning and Land Use Management By-Laws ((As amended and/or prevailing)).

3.19.3 Any approval as contemplated in Clause 3.19.1 above which is granted by the Municipality shall remain valid for 18 months from the date of its granting such approval.

3.19.4 Where any building or work referred to in any approval given by the Municipality has not been substantially commenced within the said period of 18 months, or within 18 months of the date of notification of the decision of the Appeals Board in any appeal lodged with it, or where there has been an interruption in the construction of any building or development and use of land in respect of which approval has been given for a continuous period of 18 months, the said approval and/or decision shall automatically be deemed to have lapsed,

3.19.5 Once the period of 18 months has lapsed, no building activity or development and use of the land may commence or be recommenced until a fresh application has been lodged with the Municipality and the necessary approval obtained.

- 3.19.6 After the date of adoption, no person shall erect, extend or alter a building, or institute work, which is not in conformity with the provisions of this Scheme relating to the erection and use of buildings and the use of land.
- 3.19.7 For the purposes of obtaining the authority of the Municipality in terms of the provisions of this Scheme under Section 67(1) of the Ordinance or Chapter 3 (Section 21) for the KwaZulu-Natal Planning and Development Act (No. 6 of 2008); ordinary applications under the by-laws shall be considered to be sufficient notice.
- 3.19.8 The Municipality may call upon any person making such application to provide any additional information or plans it deems necessary, or to provide a fresh building survey of the property.
- 3.19.9 No land in any zone may be used for the purposes of the deposit or disposal of waste material or refuse, tipping or dumping, scrap yard, motor graveyard, used car lot, or any other similar purpose until the owner thereof, or duly authorized agent, has first applied for, and received, the written approval of the Municipality.
- 3.19.10 Upon the receipt of such application contemplated in Section 3.19.3 above, the Municipality may approve it, provided it is of the opinion that the said approval thereof may not cause detriment to the amenity of the neighbourhood concerned.
- 3.19.11 Should the application determine that the application contemplated in Section 3.19.3 above shall cause Council may detriment to the amenity of the neighbourhood concerned, it may require that the consent procedures prescribed in Section 67 *bis* of the Town Planning Ordinance (No. 27 of 1949) shall first be followed.

### **3.20. CONTRAVENTION OF THE SCHEME AND APPROVALS GIVEN**

- 3.20.1 Any person who erects, alters or extends any building, or uses such building, or develops or uses any land within the area of effect of the scheme which is in conflict with any provision of this scheme, or the terms and conditions of any approval granted therefore by the Municipality, and who does not comply with the provisions of any notice which the Municipality shall serve, shall be guilty of an offence and be liable for prosecution and recovery of any fines and infringement levies by the Municipality as contemplated in Sections 86 and 87 of the Spatial Planning and Land Use Management By-Laws ((As amended and/or prevailing))
- 3.20.2 Where any person contravenes the provisions of this Scheme, or does not comply with the terms and conditions of any approval granted by the Municipality, it shall serve a notice and order upon such person, and take the necessary action in law where there is non-compliance therewith, as required in Sections 86 and 87 of the Spatial Planning and Land Use Management By-Laws ((As amended and/or prevailing))

### **3.21. BUILDINGS, THE EXISTING USE OF BUILDINGS AND LAND AND NON-CONFORMING EXISTING USE OF BUILDINGS AND LAND**

- 3.21.1 Any building or use of such building or land in existence at the date of adoption, or the construction of any building and the use of land which had substantially commenced, for which lawful authority has been obtained from the Municipality or other competent authority prior to such date, and which is not in conformity with any of the provisions of this Scheme, may continue or be completed and continue to

be used for the purpose for which it was approved, subject to compliance with any conditions which may have been imposed, and prove that:

- (a) Any such non-conforming existing building or use of building or land may be increased on the lot or curtilage by an amount not greater than 12% of its total floor area, or area of land being used, as the case may be, at the date of adoption; provided further that the completed building or use is in conformity with the other provisions of the Scheme relating to the zone in which such building, use of building or use of land situated;
- (b) Any existing building, whether conforming or not, may be demolished and replaced by a new building on the same lot or curtilage and the use thereof may continue therein; provided further that the proposed new building:-
  - (i) Shall contain no greater cubic content above ground level than the existing building; and
  - (ii) It shall conform with all other provisions of the Scheme applicable to the zone in which it is situated;
- (c) Any alteration or addition or change of use which, in the opinion of the Municipality alters the character of an existing building or use of land shall automatically remove such building or land use from the category of an "existing building" or "existing use of building or land" and may become subject to the provisions of Clause 4.7 above; and
- (d) Where the non-conforming existing use of a building or use thereof, or use of land is discontinued for a continuous period of 18 months or longer, such existing building or use, or land use, shall be deemed to have lapsed and shall not be recommence.

### 3.22. SITE DEVELOPMENT PLANS

- (a) In addition to the zonings that specifically require a site development plan, the KwaDukuza Municipality may require a site development plan in respect of the following development types:
  - (i) shopping centres and shopping complexes;
  - (ii) business and office park developments;
  - (iii) industrial park developments;
  - (iv) developments in conservation areas;
  - (v) developments that will be sectionalised;
  - (vi) incremental residential developments; and
  - (vii) any other uses that the municipality deems it necessary to have a site development plan submitted;
  - (viii) minor / major developments where there are concerns relating to urban form, heritage, traffic, utility services or spatial planning in general.
  - (ix) Developments that require comments / approval from other sector departments such as the department of transport, department of education etc.
  - (x) The KwaDukuza Municipality may require some or all of the following information for a site development plan:
    - (xi) existing bio-physical characteristics of the property
    - (xii) existing and proposed cadastral boundaries;
    - (xiii) the layout of the property, indicating the use of different portions thereof;



- (xiv) the massing, position, use and extent of buildings;
  - (xv) sketch plans and elevations of proposed structures, including information about external finishes;
  - (xvi) cross-sections of the site and buildings on site;
  - (xvii) the alignment and general specification of vehicle access, roads, parking areas, loading areas, pedestrian flow and footpaths;
  - (xviii) the position and extent of private, public and communal space;
  - (xix) typical details of fencing or walls around the perimeter of the land unit and within the property;
  - (xx) electricity supply and external lighting proposals;
  - (xxi) provisions for the supply of water, management of stormwater, and disposal of sewage and refuse;
  - (xxii) external signage details;
  - (xxiii) general landscaping proposals, including vegetation to be preserved, removed or to be planted, external paving, and measures for stabilising outdoor areas where applicable;
  - (xxiv) the phasing of a development;
  - (xxv) the proposed development in relation to existing and finished ground levels, including excavation, cut and fill;
  - (xxvi) statistical information about the extent of the proposed development, floor space allocations and parking supply;
  - (xxvii) relationship of the proposed development to the quality, safety and amenity of the surrounding public environment;
  - (xxviii) relationship of the proposed development to adjacent sites, especially with respect to access, overshadowing and scale;
  - (xxix) illustrations in a three-dimensional form depicting visual impacts of the proposed development on the site and in relation to surrounding buildings; and
  - (xxx) any other details as may reasonably be required by the municipality.
- (b) The municipality may require that the area covered by a site development plan shall extend beyond the site under consideration if, in its opinion, the proposed development will have a wide impact. The municipality may determine the extent of such area.
- (c) When required in terms of this land use management scheme, a site development plan shall be submitted to the municipality for its approval before any development on a land unit may commence.
- (d) A site development plan shall be refused / deferred / disapproved if it is not consistent with the development rules of a zoning, overlay zoning, condition of approval or any other external commenting / approving authority.
- (e) The municipality may require amendments of detail to the site development plan to address reasonable concerns relating to access, parking, architectural form, urban form, landscaping, environmental management, engineering services or similar concerns.
- (f) The following provisions shall apply with regard to site development plans:
- i. Development of the property shall be in accordance with an approved site development plan;
  - ii. If the municipality considers it necessary, a transport or traffic impact statement or assessment may be required in conjunction with a site development plan, the

extent of which shall be determined by the municipality depending on the magnitude of the development;

- iii. If the municipality considers it necessary, a stormwater impact assessment and/or stormwater management plan may be required in conjunction with a site development plan, the extent of which shall be determined by the municipality depending on the magnitude of the development;
- iv. In circumstances where a site development plan is required in terms of this development management scheme, no application for building plan approval in terms of the National Building Act shall be granted by the municipality, unless a site development plan has first been approved;
- v. An approved site development plan shall be considered as setting additional development rules applicable to the base zoning, and any application for amendment shall comply with the municipalities requirements for such amendments.
- vi. In the submission of a Site Development Plan, a developer or owner may be required by the Municipality to provide information related to the use of green technology in the development of site or building of the development.
- vii. The Municipality may request the inclusion of information related to on site water storage and recycling measures in the Site Development Plan
- viii. The municipality may impose any condition of approval for any Site Development Plan related to any services infrastructure upgrades required for any development related to internal business units comments or any other condition imposed by an external party
- ix. The municipality reserves the right to refer any specialist studies submitted with any site development plan by the applicant or agent for review.

### **3.23. TELECOMMUNICATION BASE TOWERS**

- 3.23.1. An application for the sub-division of land for a Telecommunication Base Tower which falls outside the designated boundary of the scheme adoption boundary is subject to the Sub-division of Agricultural Land Act (No 70 of 1970) and requires approval from the national Department of Agriculture, Forestry and Fisheries.
- 3.23.2. All applications for change of land use are subject to the relevant requirements of the National Environmental Management Act (Act No. 107 of 1998) which requires an Environmental Impact Assessment and Environmental Authorisation (EA) from the Department of Economic Development, Tourism and Environmental Affairs (EDTEA).
- 3.23.3. Any application for the establishment of a Telecommunication Base Tower will need to provide documentation and a detailed plan indicating that the facility is compliant with the requirements of section 24 the National Constitution Act (No. 108 of 1996), the Cellular Telecommunications Infrastructure regulated by the Electronic Communications Act (No 36 of 2005), the National Building Regulations and any other relevant legislation, bylaws and municipal policy.
- 3.23.4. An application for a Telecommunication Base Tower located on land administered by the Ingonyama Trust Board must include the necessary approval required by the Ingonyama Trust Amendment Act (No.9 of 1997).



- 3.23.5. All applications for the establishment of Telecommunication Base Tower or mast shall submit to the Local Municipality a detailed report which includes the following items:-
- (a) The proximity to other development;
  - (b) The possibility of using other appropriate structures rather than applying for a new site;
  - (c) The current state and usage of the site;
  - (d) The aesthetic compatibility with surrounding land uses;
  - (e) The proximity of the Telecommunication Base Tower to other communication installations;
  - (f) The proximity of the site to sensitive environment areas, wilderness areas, nature reserves, ecotourism destinations, Special Case Areas, and Nature Conservation or Biodiversity Reserves; and,
  - (g) The proximity of the proposed tower to airfields.
- 3.23.6. Any application for the erection of a cellular mast on the roof of a multi-storey building will show measures taken to reduce the visual impact of the mast.
- 3.23.7. The applicant shall provide a description of what measures are to be taken to improve the aesthetic impact of the Telecommunication Base Tower or mast.
- 3.23.8. The application will address what security measures are to be put in place to prevent the unauthorised access to the Telecommunication Base Tower, including fencing, access points and warning notices on site and along access roads.
- 3.23.9. The application for a Telecommunication Base Tower or mast shall include a locality plan showing adjacent land use, and shall include a safety zone plan indicating the extent of EMR from the mast for an area of a minimum of 400 meters.
- 3.23.10. The applicant shall indicate if the Telecommunication Base Tower or mast is a shared or stand-alone facility.
- 3.23.11. The applicant shall provide a natural rehabilitation and maintenance plan for the post construction phase of the Telecommunication Base Tower and surrounding area.
- 3.23.12. The application shall include an agreement by the owner/lessee for the removal of the Telecommunication Base Tower and related infrastructure once it becomes redundant and shall include a rehabilitation plan for the restoration of the site to its original condition.
- 3.23.13. An application for a telecommunication tower shall include the permission of the South African Civil Aviation Authority, which shall be submitted, to the municipal offices before a telecommunication tower is erected.
- 3.23.14. The application shall include the programme for consultation with interested and affected parties.
- 3.23.15. Accommodation for parking is to be as per Section 6 Planning Norms and Standards.

#### **3.24. THE ESTABLISHMENT AND MEMBERSHIP OF A MANAGEMENT ASSOCIATION**

- 3.24.1 Prior to the commencement of construction, and/or occupation, of any Medium Density Housing, Sectional Title or Multi Unit Developments, there shall be established an Association in terms of Section 60(1) of the Companies Act, 1973. The duty of this Association shall be to exercise such aspects of the management and control of the development proposed which do not constitute the statutory functions and obligations of Municipality in terms of this Scheme, the Spatial Planning and Land Use Management Act (Act No. 16 of 2013) or any other law.

3.24.2 Membership of the Association shall be obligatory for, and limited to, a registered owner of a unit, lot, site or curtilage and all Bodies Corporate, including their successor and assigns.

3.24.3 The Articles of Association, or any subsidiary Association/Bodies Corporate, and subsequent amendments thereto, rules, guidelines, codes and/or regulations shall be endorsement prior to their finalization and formalization.

### **3.25. ADVERTISEMENTS**

3.25.1 No advertisements shall be displayed, or signs or hoardings erected, without the written authority of the Municipality, provided that where it is of the opinion that a proposed advertisement or boards is likely to have a negative impact upon the amenities of the neighbourhood concerned, it may call upon the applicant to lodge a Consent application. Applications shall be accompanied by such drawings of the proposed advertisement, sign or boards and other information, which the Municipality may from time to time require.

3.25.2 Notwithstanding the provisions of Sub-clause 3.22.1 above, no application to the Municipality shall be required in respect of nameplates not exceeding 0,2m<sup>2</sup> in extent.

3.25.3 This Clause shall not apply to casual advertisements for fund raising, entertainment, property sales, and auctions to be held on premises or meetings, provided that they are not, in the opinion of the Municipality, to be unduly ostentatious, in which event it may require that they be forthwith removed.

3.25.4 Prior to the approval of any site development plan, the norms and standards of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration. Any conditions imposed by any of the mentioned entities will be enforceable.

### **3.26. FLOOD LINES**

3.26.1 No habitable portion of a building intended for residential purposes may be erected below the 1 in 100 years flood line, defined in terms of the relevant provisions of the National Water Act, 1998 (No.36 of 1998), as amended, without the prior approval of the Municipality, to whom shall be produced a certificate, signed by a Professional Engineer, confirming that such proposed buildings are vertically clear of such flood level.

### **3.27. SUB-DIVISION AND CONSOLIDATION OF LAND**

3.27.1 Nothing in this Scheme shall prohibit or restrict the subdivision of any lot in any use zone, provided that the effect of any subdivision shall not be contrary to the provisions of this Scheme.

3.27.2 Prior to the lodgement of any diagram in respect of the consolidation of any lot with the Office of the Surveyor-General, KwaZulu-Natal in terms of the relevant provisions of the Land Survey Act, 1927 (Act No. 9 of 1927, as amended), such diagram shall first be submitted to Council for its approval.

**3.28. SITES UTILISED FOR THE ERECTION OF TELECOMMUNICATION INFRASTRUCTURE AND BTTS**

- 3.28.1 Any site for which a Consent application that is submitted to the Municipality for the erection of Telecommunication Infrastructure (including BTTS) shall demonstrate that it complies with the Provincial Norms and Standard that apply to such sites.
- 3.28.2 Any site for which a Consent application that is submitted to the Municipality for the erection of Telecommunication Infrastructure (including BTTS) shall demonstrate that it complies with the KwaDukuza Policy Guidelines that apply to such sites.

**3.29. THE INSPECTION OF THE SCHEME**

- 3.29.1 The Municipality shall keep a register, of all applications and decisions taken in terms of this Scheme in accordance with the requirements of the Section 31 of the Spatial Planning and Land Use Management Act (Act No. 16 of 2013) and shall allow any person to inspect such register, or registers, or the Scheme, at any reasonable time.

**3.30. CONFLICT OF LAWS**

- 3.30.1 Nothing in this Scheme shall be construed as enabling any person or organization to erect or use any building, or to develop or use any land, which is in conflict with any condition of title imposed in terms of the Removal of Restrictions Act (No. 84 of 1967), or the Spatial Planning and Land Use Management Act (Act No. 16 of 2013) or by the state or any other authority under any other law.
- 3.30.2 The Scheme provisions shall apply over and above the Bylaws where they are more onerous than the Bylaws or, where the Scheme makes no provision, the Bylaws shall apply.
- 3.30.3 In the case of any conflict or difference in interpretation between the English and any other versions of the Scheme, which may exist, the English version shall prevail.
- 3.30.4 Any decision, order or authorization given by :-
- (a) the previous Appeals Board in terms of Section 73 *quat* of the Ordinance;
  - (b) decisions confirmed on review by the Premier in terms of the provisions of Section 73~~sex~~ of the said Ordinance; or
  - (c) Granted by the Appeals Authority in terms of Section 51 of the Spatial Planning and Land Use Management Act (Act No. 16 of 2013).
  - (d) Granted by the Appeals Tribunal in terms of Section 100(1) of the KwaZulu-Planning and Development Act (No. 6 of 2008); shall be deemed to be valid authority granted by the Municipality in terms of these Clauses. As such, these decisions shall be construed as being in accordance with the duly adopted provisions of the Scheme.

**3.31. FUTURE ZONES AND/ OR NEW ZONES**

- 3.31.1 All zones depicted as future zones and/or new zones shall not be construed as enabling any person or organization to have development rights, therefore a development application is still required to be submitted for the municipality's consideration.

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**SECTION FOUR: MANAGEMENT OVERLAYS**

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**4.0. GENERAL PROVISIONS FOR OVERLAY ZONES**

This chapter deals with procedures to prepare, adopt, replace, amend, or recommend Management Overlays and gives legal status to them.

**4.1. REQUIREMENTS AND PROCEDURES FOR MANAGEMENT OVERLAYS**

The following clauses outlined in sections 4.2 and 4.3 shall apply to the use of Management Overlays as part of the Scheme.

**4.2. REQUIREMENTS TO PREPARE AN OVERLAY ZONE**

- 4.2.1 The municipality may prepare any Management Overlay as provided for in this zoning scheme.
- 4.2.2 The owner of land may prepare and submit an application for one or more Management Overlays to the Municipality for its consideration.
- 4.2.3 The preparation of a Management Overlay shall take into consideration the following requirements where applicable:-
  - (i) the principles contained in planning law;
  - (ii) the Municipality's Integrated Development Plan;
  - (iii) the desired spatial form, including the, infrastructure investment, , spatial reconstruction, location and nature of development, urban edge, scenic routes, areas of strategic intervention, mitigation of development impacts;
  - (iv) the principles as set out in a Spatial Development Framework or policy plan;
  - (v) the conservation and protection of environmental and heritage aspects in accordance with national "norms and standards";
  - (vi) the principles of co-operative governance and the duties and objectives of local government as set out in the Municipal Systems Act and the National Constitution, 1996.
- 4.2.4 A Management Overlay must not detract from the municipality's ability to serve the needs of the municipal area as a whole.

**4.3 ADOPTION, REPLACEMENT, AMENDMENT OR RECOMMENDING MANAGEMENT OVERLAY**

- 4.3.1 The municipality may adopt, replace, amend, or recommend any Management Overlay providing development directives.
- 4.3.2 The municipality may recommend to the competent authority the adoption, replacement, or amendment of any Management Overlay providing strategic incentives or specific management mechanisms as stipulated in the procedures for amending and replacing zoning schemes.
- 4.3.3 The municipality may grant departures from the development rules of any Management Overlay by following the departure procedures stipulated.

**4.4. THE IDENTIFICATION AND NUMBERING OF MANAGEMENT OVERLAYS**

- 4.4.1 The municipality shall approve a distinctive name and number for each Management Overlay when adopting such a Management Overlay.
- 4.4.2 The municipality may indicate the area of a Management Overlay on the zoning map and:
- (a) shall record the existence of a Management Overlay adopted in terms of relevant legislation in the relevant annexure at the back of this zoning scheme;
  - (b) shall record the detailed provisions of each Management Overlay adopted in terms of relevant legislation, with a reference to the relevant name and number of the Management Overlay concerned, within 30 days after a final decision is made or the amendment is promulgated whichever is the case.

**4.5. THE STATUS OF MANAGEMENT OVERLAYS**

- 4.5.1 A Management Overlay applies, in addition to the underlying zone or base zone of the properties to which it relates, and may vary the development rules relating to a particular area or land unit, or may set new development rules.
- 4.5.2 The provisions of a Management Overlay may be more restrictive or more permissive than the provisions applicable to the base zone of the property concerned, or may set specific development rules for a particular area or land unit.
- 4.5.3 If the provisions of a Management Overlay are different to, or in conflict with, the provisions of a base zone, the more restrictive provisions shall apply.
- 4.5.4 The provisions of a Management Overlay do not detract in any way from any obligations in terms of national and provincial legislation and the municipality's compliance with them.
- 4.5.5 The provisions of a Management Overlay may apply to a land unit or land units, identified within a specific area or to the city as a whole, as may be stipulated in the adoption of such a Management Overlay.
- 4.5.6 The provisions of more than one Management Overlay may apply to a land unit or area.

**4.6. THE REGISTER OF MANAGEMENT OVERLAYS**

The KwaDukuza Local Municipality shall maintain a register of formally adopted/incorporated Management Overlays which will be maintained as an Appendix to the Scheme e.g. KwaDukuza Appendix 8.

**SECTION FIVE: DEFINITIONS****5.0. DEFINITIONS**

In these clauses, unless the context otherwise indicates, any word, shall, when used in this Scheme have the same meaning as is assigned to it in the Spatial Planning and Land Use Management Act (Act No. 16 of 2013), otherwise it shall have the meaning assigned to it in these definitions below.

**5.1. GENERAL DEFINITIONS**

<b>CATEGORY</b>	<b>DEFINITION</b>
<b>Admiralty Reserve</b>	Means the strip of the land adjoining the inland side of the high water mark, which was designated as being in state ownership or reserved in terms of an official plan, deed of grant, title deed or other document and which is set aside as being part of the Admiralty Reserve. It is generally described as being the strip of land between 45 meters to 60 meters wide, inland of the high water mark. (See the National Environmental Management Integrated Coastal Management Act (No. 24 of 2008).
<b>Ambience</b>	Means this is the character or tone of an area, as determined by building scale and design, amount and type of activity, intensity of use, location and design of open space, and related factors that influence the perceived quality of the environment.
<b>Amenity</b>	Means a natural or created feature or aspect that enhances the aesthetic quality, visual appeal, or makes it more attractive or satisfying for a particular property, place or area.
<b>Ancillary Use</b>	Means a use customarily associated with, a specific use, located on the same Erf/Lot or subdivision.
<b>Approval</b>	Means the authority or consent of the Municipality granted in respect of any application to it for the erection of buildings and the use of buildings and land as required in terms of the provisions of this Scheme and may include the approval subject to a condition or conditions.
<b>Arcade or Pedestrian Mall</b>	Means an area forming part of a building which may or may not be covered, reserved exclusively for pedestrian traffic, but may include fountains, benches and other similar features and shall be subject to the relative urban design standards as determined by the Municipality.
<b>Area of Scheme</b>	Means the area, which lies within the boundary line illustrated on the Scheme Map(s) and designated in terms of a notice published by the Demarcation Board in terms of the Local Government: Municipal Demarcation Act (No. 27 of 1998).
<b>Association:</b>	Means any Management Association of an Estate being an Association not having a share capital and registered in terms of Section 60 (1) and the Regulations of the Companies Amendment Act, (No.3 of 2011), as amended.

<b>Attic</b>	Means the part of a building that is immediately below and wholly or partly within the roof.
<b>Basement</b>	Means the lowest part of any building, which part is constructed with more than 50 % (percent) of its volume below the natural ground level. A Basement is a non-habitable storey.
<b>Biosphere</b>	Means a designated area created to integrate the natural environment and surrounding communities by the conservation and protection of the diversity and integrity of biotic communities, plants and animals within their natural eco-systems.
<b>Body Corporate</b>	Means a controlling body for a Sectional Title Scheme or development including land and buildings and that is established in terms of Section 2(1) of the Sectional Titles Scheme Management Act, (No. 8 of 2011).
<b>Boundary, Front</b>	Means a line, which defines the extent of an Erf and is indicated on a diagram registered in the Surveyor General's office.
<b>Boundary, Rear</b>	Means that boundary of a lot, site or dwelling unit curtilage which is furthest from any street or access and which does not meet any street or access.
<b>Boundary, Side</b>	Means 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.
<b>Building</b>	Means any structure or erection of an immovable nature for whatever purposes used and includes any tank, swimming pool, mast (telecommunication or other), aerial and any wall, retaining wall or close-boarded fence more than 2 (two) metres in height at any point, but excluding any open fence, post, steps, pier, ramp, fountain, statue, fish-pond, pergola or other garden ornamentation".
<b>Building and Demolition Waste</b>	Means waste, excluding hazardous waste, produced during the construction, alteration, repair or demolition of any structure, and includes rubble, earth, rock and wood displaced during that construction, alteration, repair or demolition.  (Reference National Environmental Management Waste Act (No. 59 of 2008).
<b>Building and Development Committee</b>	Means any Committee established by a development agency for the purpose of scrutinizing, and recommending, to the Municipality in respect of all applications required in terms the conditions pertaining to its management.
<b>Building and Development Committee: - Zimbali Development</b>	The Zimbali Building and Development Committee <b><u>SHALL</u></b> comprise such representatives from the Association <b><u>AND THE LOCAL AUTHORITY</u></b> and /or their duly appointed officials and professional advisors as may be agreed from time to time. In the event of there being any dispute between the Association and the Local Authority as to the membership of the said Committee, such membership shall be determined by mediation.
<b>Building Line</b>	Means a line parallel to a fixed distance from any street, public right of way or road reserve.

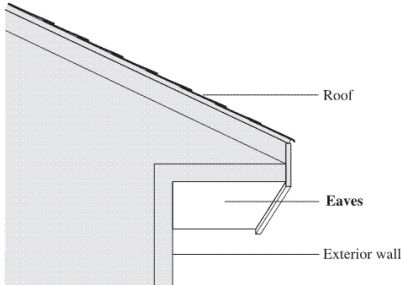


<b>Bylaw</b>	Means a by-law or regulation made to enable the Municipality to give proper effect to the powers and duties conferred or imposed upon it in terms of the Local Authorities Ordinance No. 25 of 1974 (as amended) or any other relevant national and provincial laws.
<b>Caravan</b>	Means any vehicle permanently fitted out for use by persons for living and sleeping purposes, whether or not such vehicle is a trailer.
<b>Car Parking Space</b>	Means a demarcated space with the minimum dimensions of 2.5m x 5.0m for the parking of a motor vehicle, and excludes manoeuvring space.
<b>Casino</b>	Means a building that is used for casino games, bingo and gambling machines, as defined in the KwaZulu-Natal Gambling Act, 1996 (Act No. 10 of 1996), are located.
<b>Catchment</b>	Means the area from which any rainfall will drain into the watercourse or watercourses or part of a watercourse, through surface flow to a common point or common points (Act No. 36 of 1998).
<b>Catchment Management</b>	Means the improving and integration of the way in which land, water and natural resources are managed in order to achieve the sustained and optimal use of these resources. It includes the control and protection of water catchment areas.
<b>Chalet</b>	Means a dwelling unit used as a holiday dwelling or for permanent habitation, consisting of not more than three living rooms with or without sanitary convenience, bathroom, shower and kitchen; with a floor area not exceeding 53 square metres and not less than 32 square meters.
<b>Chalet Development</b>	Means a grouping of a number of chalets on an erf; where a chalet means a detached habitable building used as a holiday dwelling with a floor area not exceeding 53 square metres and not less than 32 square metres. The building shall consist of not more than three living rooms with or without sanitary convenience, bathroom, shower and kitchen, together with approved outbuildings or ancillary buildings to be used in conjunction with a chalet or series of chalets, but shall not include a dwelling house or residential building. A series or chalets shall denote any grouping of a number of chalets (See Provincial Notice No. 786 of 1970).
<b>Cluster Housing</b>	Mean the development of a group or cluster of dwelling units on an Municipality of land and comprising separate dwelling units properties, together with common open space and streets as may be required by the Municipality.
<b>Coastal Resource</b>	Means any coastal wetland, beach, dune, barrier island reef, estuary, or fish and wildlife habitat, which is determined by the relevant authority to be of substantial biological or natural resource importance and requiring protection.
<b>Common Land/Property</b>	In relation Medium Density Housing site, or section of a Sectional Title Scheme: means :- i.) the land included in the scheme; ii.) such parts of the building or buildings as are not included in



	<p>a section; and</p> <p>iii.) land referred to in section 5(1)(d) of the Sectional Tittles Management Act (No. 8 of 2011); and which is set aside for the exclusive use and enjoyment of the occupants and owners of such sites or sections. This is the common property and may include driveways.</p>
<b>Common Open Space</b>	Means that portion of the common land which is not covered by vehicular road reserves and parking areas but may include walkways, whether grassed or hardened, and structures or buildings intended for recreational use of the occupants of the dwelling units to the satisfaction of the Municipality.
<b>Consent</b>	<p>Means when the Municipality is required to consider when:-</p> <p>i.) the use that is proposed falls within the Consent column of the Land Use Table of this scheme;</p> <p>ii.) a use is not specified in the Scheme, and in the case of land or buildings which is used in conflict with any provision of this Scheme;</p> <p>iii.) a use that is proposed is a precluded use in terms of the Land Use Table or any proposal that is in conflict of any provisions of the Scheme, the Municipality is bound to refuse such application.</p> <p>In considering any Consent application (for a use contained in the Land Use Table), the Municipality shall take into consideration the impact of the proposed use on the surrounding area and may impose any conditions it deems necessary to protect the amenities of the area.</p>
<b>Conservancy</b>	Means a group of individual farms or similar contiguous land parcels which, through their owners' initiative, are combined together for the protection and preservation of the natural bio-diversity of the eco-systems in that area.
<b>Conservation,; Architecture</b>	In relation to buildings and monuments, means the preservation or restoration from loss, damage deterioration or neglect of historically important cultural landmarks or sites.
<b>Conservation: Environmental</b>	In relation to the natural environment, means the protection, use and saving of natural resources and includes, the preservation, management, or restoration of wildlife and of natural resources such as forests, soil, and water.
<b>Constitution</b>	Means the national Constitution of the Republic of South Africa, 1996 as set out in Act (No. 108 of 1996).
<b>Coverage</b>	Means that proportion of a lot, site or dwelling unit curtilage which may be covered by buildings, the areas of decks elevated or on the first floor should be included in the calculation of covering excluding swimming pools, floor decks around a swimming pool, tennis courts and bowling greens; and is expressed as a percentage of the lot area as defined.
<b>Curtilage</b>	Means the whole of the area of ground within the boundaries of the building lot or lots forming the site of any building or proposed

	buildings.
<b>Develop Land or "Development"</b>	In relation to any land, means the construction or erection of buildings and structures, the carrying out of construction, engineering mining or other operations on, under or over land and a material changes to the existing use of any building or land for non – agricultural purposes (SPLUMA No. 16 of 2013, Chapter 1).
<b>Developable Area</b>	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 environmental sensitivity and/or slope.
<b>Development Charge</b>	Means a once-off charge determined by the Municipality in terms of a condition of approval of a land development application in order to cover the total cost to be incurred by the municipality towards the construction or erection of any infrastructure required for the provision of an external engineering service to the development to which the application relates.
<b>Development Footprint</b>	Means the defined surface area within which development on a lot or site may be prescribed by the Association and/ or Building and Development Committee and within which only specified trees, shrubs and vegetation may be removed for construction.  Beyond such limits, no indigenous trees, shrubs and vegetation may be disturbed or removed unless approved by the relevant committee and e subject to the relevant environmental authority's permission.
<b>Dwelling Unit</b>	Means a self-contained inter-leading group of rooms used exclusively for human habitation, including not more than one kitchen together with relevant ancillary outbuildings.
<b>Dwelling Unit, Duplex Flat:</b>	Means a dwelling unit in a building, where each such unit consisting of a ground floor and one upper floor is connected by an internal staircase and may have direct access to a private open area.
<b>Dwelling Unit, Maisonette</b>	Means a two-storey building consisting of two dwelling unit placed one above the other with separate entrances.
<b>Dwelling Unit, Semi-Detached</b>	Means a building comprising two dwelling units contained in one building, separated by common walls, each with a separate entrance at ground level.
<b>Dwelling Unit, Row House</b>	Means three or more dwelling units contained in one building, each having a separate entrance on the ground floor and with direct access to a private open area or areas. Each unit is accessed from an internal circulation system.
<b>Dwelling Unit, Terrace House</b>	Means three or more dwelling units contained in one building, each having a separate entrance on the ground floor and with direct access to a private open area or areas. Each unit will be accessed directly from the road.
<b>Dwelling Unit, Multi -family</b>	Means a building or portion thereof, which contains three or more dwelling units, regardless of the method of ownership and may include an Umuzi or cluster of traditional dwellings established on

	Ingonyama Trust land.
<b>Eaves</b>	<p>Means a portion of a roof not projecting more than 1m beyond the face of the building. anything more than one meter will require an application for relaxation to be done.</p>  <p>The diagram illustrates a cross-section of a building's roof and exterior wall. The roof is shown sloping downwards from left to right. The eaves are the horizontal portion of the roof that extends beyond the exterior wall. Labels with leader lines point to the 'Roof', 'Eaves', and 'Exterior wall'.</p>
<b>Electrical Sub-station</b>	Means a dedicated area that is more than 50m <sup>2</sup> in extent that houses transformers and that is used to transform electricity from high voltage to low voltage or from low voltage to high voltage.
<b>Environment</b>	Means the surroundings within which humans exist and including the land, water and atmosphere of the earth; microorganism, plant and animal life; any part or combination of the above and the interrelations amongst and between them; and, the physical, chemical, aesthetic and cultural properties and conditions of the afore-going that influences human health and well-being.
<b>Environmental Impact</b>	Means a positive or negative environmental change caused by a human act.
<b>Environmental Management Plan</b>	Means a plan referred to in section 24 of the National Environmental Management Act (No. 107 of 1998).
<b>Erection of a Building</b>	Means the construction of a new building or a structural addition to any building, which is done in accordance with the written approval of the Municipality.
<b>Erf or Erven</b>	<p>Means any piece of land registered as an erf, lot, a sectional title unit, plot or stand in the Deeds Registry, including any stand or lot forming part of a piece of land laid out as a township, whether or not it has been formally recognized, approved or proclaimed as such and includes any portion of such parent farm portion, erf, stand or lot, but does not include lots, erven or plots set aside as public places.</p> <p>Reference the Survey Act (No 8 of 1997) and the Deeds Registry Act (No. 47 of 1937) as amended.</p>
<b>Estate</b>	Means the entire physical extent of the land improvements within a specific development or township layout, which is managed as a single entity within this Scheme.
<b>Estuary</b>	Means that part of a river or stream, partially or fully enclosed body of water, with a connection to the open sea or that is open to the sea permanently; or within which the seawater can be diluted with fresh water derived from land drainage.
<b>Existing Building</b>	Means a building lawfully erected before the date of adoption of the Scheme, building erected in accordance with plans which were

	approved by the Municipality prior to that date, or any authority lawfully granted prior to that date.
<b>Existing Use</b>	Means the continuous use of a building or land for the same purpose for which such a building or land was designed and lawfully authorised on the date of the Adoption of the Scheme (see clause) and provided that discontinuance of the existing use of a building or land at any time after the date of adoption for a continuous period exceeding 18 months shall be deemed to interrupt the continuous use.
<b>Factory</b>	Means premises, or a building, where an article, or part of an article, is manufactured, mounted, processed, repaired, rebuilt or packed, falling within the scope of interpretation of a factory as defined in terms of the General Regulations of the Occupational Safety Act (No. 6 of 1983) as amended.
<b>Family</b>	Means a group of individuals, not necessarily related by blood, marriage, adoption, or guardianship, living together in a dwelling unit as a single entity under a common housekeeping management plan based on an intentionally structured relationship providing organization and stability and shall include child headed households.
<b>Flood Line</b>	Means the lines depicted on a map or drawing which indicate the water levels likely to be reached by a flood having a specified recurrence interval e.g. 1 in 50 year or 1 in 100 year flood line and within which development should be avoided.
<b>Floor Area</b>	Means the floor area of a building shall be taken as the sum of the roofed areas of the building at each floor level measured over and including wall thicknesses, lift shafts, staircases, balconies and access galleries; provided that staircases shall be counted over all floors less one and lift shafts shall be counted on only one floor.
<b>Floor Area Ratio</b>	The total floor area of all buildings or structures on a lot divided by the total lot area; excluding areas used exclusively for the parking of motor vehicles, public arcades and malls and patios, verandas and swimming pools used for private use only, as identified in Clause 3.3.2 under Section 3 of this Scheme.
<b>Frontage</b>	Is the length of a boundary on an Erf, which is coincident with the boundary of an existing or proposed street.
<b>General Waste</b>	<p>Mean waste that does not pose an immediate hazard or threat to health or to the environment, and includes:-</p> <ul style="list-style-type: none"> <li>i.) domestic waste;</li> <li>ii.) building and demolition waste;</li> <li>iii.) business waste; and</li> <li>iv.) inert waste.</li> </ul> <p>(Reference National Environmental Management Waste Act (No. 59 of 2008).</p>
<b>Generator</b>	Means a machine that converts one form of energy into another, especially mechanical energy into electrical energy and can be used

	as a supplementary back up system to reticulated power supplies.
<b>Gross Leasable Area (GLA)</b>	Means the sum of the floor area designed for, or capable of occupancy and control by tenants, including storage, utility and ancillary areas, measured from the centre line of joint partitions to the exterior of outside walls or as may be otherwise demarcated, but <u>shall exclude:-</u> <ul style="list-style-type: none"> <li>i.) Open roof;</li> <li>ii.) Parking;</li> <li>iii.) Public areas such as toilets, un-leased mall areas, escalators, stair cases and other common areas; and,</li> <li>iv.) Lift shafts, accommodation for lift motor room and other mechanical or electrical equipment required for the proper functioning of the building.</li> </ul>
<b>Gross Office Area</b>	Means the sum of the floor areas of the office space in a building including storage, corridors, lift shafts, staircases, kitchens and conveniences, and shall include wall thicknesses and basements used other than for parking purposes.
<b>Gross Shop Area</b>	Means the sum of the floor areas of both the storage and retail areas of a shop and shall include wall thicknesses and basements used, not used for parking purposes, but shall exclude public conveniences.
<b>Grouped Housing</b>	See the definition for Cluster Housing.
<b>Habitable Room</b>	Means any room designed for human occupation, but excludes bathrooms, toilets, water closets, staircases, passageways, domestic garages, lifts, photographic dark rooms, kitchens, sculleries, domestic laundries and cold rooms.
<b>Hawking / Street Vending</b>	Means the informal sale of goods and services from a public place, primarily streets, road intersections and pavements.
<b>Hazardous Waste</b>	Means any waste that contains organic or inorganic elements or compounds that may, owing to the inherent physical, chemical or toxicological characteristics of that waste, have a detrimental impact on health and the environment (Reference National Environmental Management Waste Act (No. 59 of 2008).
<b>High Water Mark</b>	Means the highest line reached by coastal waters, but excluding any line reached as a result of:- <ul style="list-style-type: none"> <li>a) exceptional or abnormal floods or storms that occur no more than once in ten 40 years: or</li> <li>b) an estuary being closed to the sea.</li> </ul> Reference Integrated National Environmental Management Coastal Management Act (No. 24 of 2008).
<b>Height</b>	Means the height of a habitable building in storeys or floors, expressed as a number; provided that, where the ground floor of a building is on more than one level, such building shall be regarded as formed of portions in relation to each respective level and the height of such building shall be calculated separately in respect of each portion as if such portion were a separate building. The height

	of any other building means the height expressed in metres above the natural ground level.
<b>Holiday Accommodation Site</b>	Means a defined area of land upon which holiday accommodation is established or is proposed to be established and which included common land but excludes any land required by the Municipality for public purposes.
<b>Holiday Resort</b>	Means a combination of holiday resort facilities, including a chalet development in association with a caravan park and a resort or public picnic place together with such entertainment facilities, service rooms, ablution and sanitary facilities as are ordinarily used therewith, all under the supervision of a resident supervisor or caretaker.
<b>Home Business</b>	Means an occupation or business, which results in a service or product for financial gain and is conducted from part of a dwelling unit, ancillary outbuilding or other structure approved by the Municipality. It is an accessory or incidental use that is subordinate to the residential use of the property but shall not allow for storage and display of goods and shall provide for adequate on-site parking.
<b>Home Owners Association</b>	Means a company registered in terms of Section 21 of the Companies Act (Act No. 61 of 1973), , membership of which shall be exclusive to and compulsory for the registered owners or lessees of dwelling units and curtilages in a Medium Density Housing Site or Holiday Accommodation Site.
<b>Hospital</b>	Means an institution providing health services and medical and/or surgical care to persons suffering from illness, disease, injury and includes related facilities such as laboratories, medical offices, and staff residences.  A hospital provides primarily for inpatient care; while a clinic is orientated towards outpatient care.
<b>Hospitality Use</b>	See types of uses in Land Use Definitions.
<b>Housing - Attached</b>	See Dwelling Unit, Semi-Detached Dwelling Unit, Row House
<b>Listed Building</b>	Means any building, structure or place of architectural, historic or artistic interest, which is listed by the Municipality.
<b>Loading Space</b>	Means a demarcated area where vehicles shall be parked while loading or unloading goods.
<b>Local Municipality</b>	Means a municipality that shares municipal executive and legislative authority in its area with a district municipality within whose area it falls, and which is described in section 155 (1) of the Constitution as a category B municipality.  See Municipality.
<b>Lot</b>	Means a parcel or one of several contiguous pieces of land of which a block is composed. Immovable property is commonly described in terms of lots and block numbers on recorded maps. A registered lot is also referred to as an Erf.  See the definition of erf.



<b>Lot Area</b>	Means the area of a lot, less the area of the access ways in the Hatchet-shaped lots and any rights of way, road servitude, new road reservation or road widening reservation to which the lot may be subject, but shall include any other registered servitude for overhead or underground services.  See also Clause 3.3) for calculating floor area and coverage in developing a lot.
<b>Mall</b>	Means a shopping area where stores front on both sides of a pedestrian way, which may be enclosed or open and may include fountains, benches and other similar features as well as kiosks.
<b>Marine Protected Area</b>	Means an area located along the seashore, which has conservation status and is intended to include coastal and marine habitats such as sandy beaches, estuaries, dunes, and different types of rocky shores, which may be used to rebuild depleted fish stocks and to conserve bio-diversity.
<b>Medium Density Housing</b>	Means 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 duplex flats, semi-detached houses, terrace houses, maisonettes or dwelling houses.
<b>Medium Density Housing Site</b>	Means a defined area of land upon which Medium Density Housing can be established and which comprises dwelling units and common land, but excludes any land required by the Municipality for public purposes.
<b>Mezzanine</b>	Means any intermediate floor in a building, the area of which does not exceed 25% of the floor below.
<b>Mixed-Use</b>	Means the development of a tract of land comprising several separate properties with buildings, or structures with a variety of complementary and integrated uses, such as, but not limited to, residential, office, retail, public, or entertainment in a compact urban form.
<b>Multi-Use Development</b>	Means the development of a structure(s) with two or more different land uses, including, but not limited to, a combination of residential, office, retail, public services and manufacturing in a single or physically integrated group of buildings.
<b>Multiple Unit Development</b>	See Medium Density Housing.
<b>Municipality</b>	Means the Local Municipality established in terms of the provisions of the Local Government: Municipal Structures Act, (Act No. 117 of 1998), as may be amended).  See Local Municipality.
<b>Municipal, Council</b>	Means the established council or authority as is contemplated in the provisions of the Local Government: Municipal Structures Act, (No. 117 of 1998), as may be amended.
<b>Municipal and</b>	Means land, building, and facilities, which are provided, financed,

<b>Government</b>	built and managed by the various spheres of governance at national, provincial or local level.
<b>National Building Regulations</b>	Means the National Building Regulations made in terms of section 17 of the National Building Regulations and Building Standards Act (Act No. 103 of 1977), as amended.
<b>Net Developable Area</b>	Means the surveyed area of a lot less that area which by virtue of its biodiversity/ environmental importance, soil instability, liability to flooding, inaccessibility of topography or steep slopes, and relevant setbacks in the opinion of the Area as being undevelopable.
<b>Noxious Trade or Industry</b>	Means a use, which constitutes a health hazard as, envisaged in terms of the National Public Health Act, (No. 61 of 2003), the operation of a schedule process as defined in Section 1 of the National Environmental Management Air Quality Act (No. 39 of 2004), and the manufacture of explosives as defined in Section 1 of the Explosives Act (No. 15 of 2003) as amended.
<b>Occupant</b>	Means any person who occupies a building, structure or land, or legally entitled to occupy it, or a person having the charge or management thereof, and includes the agent of such a person who is absent from the area or whose whereabouts are unknown.
<b>Outbuilding</b>	Means a building ordinarily used in conjunction with a dwelling unit(s), and used for the garaging of private motor vehicles, storeroom, private laundry, workroom and other such similar uses. Games rooms, private gymnasiums, pool-rooms, entertainment rooms and other such similar uses are not deemed out-building uses. It shall be architecturally compatible in both style and finish with the main building. Access at a first floor level shall only be permitted under exceptional circumstances.
<b>Owner's Association</b>	Means a legal entity, the membership of which shall be exclusive to and compulsory for the freehold or registered leasehold owners of dwelling unit curtilages in a medium density housing scheme or any development where landowners are required to form an Owner's Association.
<b>Panhandle Site</b>	Means a site with access being obtained via a handle – shaped access way which shall not be less than 4.0m in width for the entire length
<b>Planning Scheme</b>	See the definition for Scheme.
<b>Pollution</b>	Means any change in the environment caused by substances, radio-active or other emissions, noise, odour, heat or dust emitted from an activity, including the storage or treatment of waste or other substances, construction and the provision of services, and where the change has an adverse effect on human health or well-being or on the composition, resilience and productivity of natural or managed ecosystems, or on material useful to people or will have such an effect in the future.
<b>Premier</b>	Means the Premier of the Province of KwaZulu-KwaZulu-Natal acting upon the advice and with the consent of the Executive Committee of the said Province in accordance with the powers and functions bestowed on the office in terms of the relevant national



	and provincial legislation.
<b>Private Open Area</b>	Means a usable area, exclusive of utility areas, driveways and parking areas, which is open to the sky and which is adjacent to and has direct access from a dwelling unit on a medium density housing site or holiday accommodation site, with such private open areas being reserved for the exclusive use of the occupants of the associated dwelling unit, but may include covered open areas (patios) and verandas.
<b>Profession or Occupation</b>	Means Accountants, Architects, Doctors, Environmental Planners, Lawyers,, Town and Regional Planners, and other activities registered with a recognized statutory Council or Institute.
<b>Property</b>	Means any piece of land registered in the Deeds Registry, including a lot, a sectional title unit,, a plot, a stand, a farm and a portion of a parent farm or piece of land sub-divided from an original Erf.
<b>Public Transportation</b>	Means any vehicle or transportation system, owned or regulated by a government agency, used for the mass transport of people.
<b>Pump Station</b>	Means a dedicated area that is more than 50m <sup>2</sup> in extent that houses pumps that assists with the bulk distribution and reticulation of water
<b>Railways</b>	Means a set of permanent parallel steel lines fixed to wooden sleepers for the transport of goods and passengers by train.
<b>Rear Boundary</b>	See the definition for Boundary, Rear.
<b>Regulations</b>	Means any national or provincial regulations promulgated by the relevant departments of the Premier to enable the Municipality to give effect to the powers and duties conferred upon it or imposed upon it in terms of such regulations.
<b>Reservoir</b>	Means an artificially constructed container for the collection and storage of water above and below ground often in association with a wind pump and which is used for the supplying of water for communities, commercial and industrial use, watering of livestock and for the irrigation of land.
<b>Residential Density</b>	Means the number of permitted dwelling units, determined by dividing the surveyed area of the lot, (excluding the area of an access way on a "Hatchet-shaped" lot), by the minimum lot size applicable to the zone in which the lot is situated. The permitted density is expressed in terms of dwelling units per hectare.
<b>Riparian Habitat</b>	Means the physical structure and associated vegetation of the areas associated with a watercourse which are characterised by alluvial soils, and which are inundated or flooded to an extent and with a frequency sufficient to support vegetation of species, which have a composition and physical structure distinct from those of adjacent land areas.
<b>Road</b>	Means a way by which the public has access for the purposes of

	transporting people and goods or for commuting.
<b>Roof Top Features</b>	Means a feature and furniture used in connection with, or which would ordinarily be incidental to, or reasonably necessary, in connection with the use of the site. The feature shall not be covered and its height when erected shall not exceed the permitted maximum height restriction.
<b>Rural Residential Building</b>	Means a building used in connection with, or which would ordinarily be incidental to, or reasonably necessary, in connection with the use of the site of that building as rural residential land.
<b>Scheme</b>	<p>Means a scheme contemplated in Sections 25 of the SPLUMA, adopted by a municipality in terms of Sections 24 of the SPLUMA and includes:-</p> <ul style="list-style-type: none"> <li>i.) Approved amendments thereto contemplated in Sections 28 of the SPLUMA and</li> <li>ii.) Permissions in terms thereof contemplated in Sections 24 and 25 of the SPLUMA</li> </ul> <p>The Consolidated KwaDukuza Planning Scheme in the course of preparation, as amended includes the previous Town Planning Schemes for Umhlali, Zimbali, Stanger (KwaDukuza), Shaka's Kraal, Prince's Grant, Nkwazi, Ballito, Blythedale Beach, and Tinley Manor.</p>
<b>Scheme Map</b>	<p>Means the plan that accompanies the Scheme document as defined in the Spatial Planning and Land Use Management Act (Act No. 16 of 2013) and is aligned with the Spatial Development Framework Plan.</p> <p>These maps include those for the former Town Planning Scheme areas of Umhlali, Zimbali, Stanger (KwaDukuza), Shaka's Kraal, Prince's Grant, Nkwazi, Ballito, Blythedale Beach, and Tinley Manor.</p>
<b>Sea Shore</b>	Means the water and the land between the low and high water marks as defined in NEM: Integrated Coastal Management Act (No. 24 of 2008).
<b>Self-Contained residential Unit</b>	A building ancillary to a dwelling house and comprising an inter-leading group of rooms, which shall not consist of more than two bedrooms, a combined, lounge/dining area, a kitchen, a bathroom and toilet. A Self-Contained Residential Unit is restricted to a maximum floor area of 90m <sup>2</sup> .
<b>Setback, Rear</b>	Means the space between the full height of a building facade and the rear boundary.
<b>Setback, Side</b>	Means the space between a side boundary of a lot and the elevation for the full height of a building facing the side boundary.
<b>Setback, Front</b>	Means a line parallel to the front boundary of a lot which is coterminous with a street, public right of way or road reservation; or in the case of "Hatchet shaped" lots, a line parallel to the boundary nearest to the street which is not a boundary of the access strip; defining an area on the lot within which buildings may not be erected without the consent of the Municipality.
<b>Shelter</b>	Means a unit of residential accommodation of any material whatsoever, which may not comply with the National Building Regulations and Building Standards Act (No. 103 of 1977) as

	amended, as applicable to the area of jurisdiction of the Municipality.
<b>Site Development plan</b>	All development for Medium Density Housing, Commercial and any other determined by the municipality will require the submission of a Site Development Plan. The developer shall prepare the site development plan prior to the submission of building plans and any construction-taking place on the site.
<b>Special Consent</b>	See the definition for "Consent".
<b>Split Zone</b>	A split-zoned erf is an erf or subdivided erf with two or more zoning designations or zone areas. All applicable zoning regulations for each particular zone shall be applied separately for each portion of a parcel or subdivided lot / erf which is split-zoned.
<b>State Land</b>	Means the land that is owned by an organ of State or which vests in an organ of state.
<b>Static Caravan</b>	See the definition for Mobile Home.
<b>Storey</b>	<p>Means a room or set of rooms at any level, including any room the floor of which is split into two or more levels, and shall have the following implications:-</p> <ul style="list-style-type: none"> <li>i.) the floors of a building not used for residential purposes but used solely for the purpose of parking vehicles, service installations, such as transformer and meter rooms, or storage shall not count as a storey provided such an area or areas constitutes a basement;</li> <li>ii.) if the ground floor of a building is elevated above the mean finished ground level immediately surrounding the building by a structure other than a basement such structure shall count as a storey(s);</li> <li>iii.) 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 (4) below and which the local authority considers to be habitable shall count as a storey;</li> <li>iv.) 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. Provided however that in a multi-storey residential building each storey shall not be higher than 3 metres and if a storey is higher than this each 3 metres or part thereof shall count as a storey;</li> <li>v.) A storey for industrial uses shall not exceed 5.5 meters;</li> <li>vi.) with the exception of lift rooms, stairwells, ornamental towers or similar architectural feature, any structures or (other) architectural features situated on the roof of a building and greater than 1,2 metres in height shall constitute a storey; and,</li> <li>vii.) other than the case of where there is a habitable room contained within a pitched or any other type or style of roof, the roof shall not count as a storey, whether or not it</li> </ul>

	exceeds 4.5 metres in height.
<b>Telephone Line</b>	Means cables and associated infrastructure that is used for the bulk transfer of telephone signals from one location to another location
<b>Traditional Council</b>	Means a Council established in term of section 3 of the Traditional Leaders and Governance Act (No 41 of 2003).
<b>Traditional Leader</b>	Means any person who, in terms of customary law of the traditional community concerned, holds a traditional leadership position, and is recognised in terms the Traditional Leaders and Governance Act (No 41 Of 2003).
<b>Trails</b>	Means a beaten path or track extending through areas that are considered to be of conservation value or ecologically sensitive, and that are used for educational purposes.
<b>Utility Area</b>	Means the outdoor private area adjacent to or associated with the kitchen side of a medium density-housing unit, the screening of which shall be to the satisfaction of the Municipality, and which includes patios, verandas and drying areas.
<b>Utilities Facility General</b>	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 reservoir, waterworks, sewage treatment plant, electrical sub-station, telephone exchange and such other utilities as may be necessary for health, communication and sanitation.
<b>Water Course</b>	<p>Means:-</p> <ul style="list-style-type: none"> <li>i.) A river or spring:</li> <li>ii.) A natural channel in which water flows regularly or intermittently:</li> <li>iii.) A wetland, lake or dam into which, or from which, water flows: and</li> <li>iv.) Any collection of water which the Minister may, by notice in the Gazette which is declared to be a watercourse.</li> </ul> <p>A reference to a watercourse includes relevant bed and banks that bound it.</p>
<b>Water Resource</b>	Means surface water and includes watercourses, aquifers, estuary or natural channels which flow intermittently or regularly.
<b>Waterworks</b>	Means any borehole, structure, earthwork or equipment constructed, installed or used connection with water use.
<b>Water Management Area</b>	Means an area that has been established as a management unit in the terms of the national water resource strategy and within which a catchment management agency will conduct the protection, use, development, conservation, management and control of water resources.
<b>Waste</b>	Means any solid material or material that is suspended, dissolved or transported in water (including sediment) and which is spilled or deposited on land or into a water resource in such volume, composition or manner as to cause, or to be reasonably likely to

	<p>cause. the water or ground resource to be polluted.</p> <p>(Reference National Environmental Management Waste Act (No. 59 of 2008).</p>
<b>Waste Treatment</b>	<p>Means any method, technique or process that is designed to—</p> <ul style="list-style-type: none"> <li>i.) change the physical, biological or chemical character or composition of a waste; or</li> <li>ii.) remove, separate, concentrate or recover a hazardous or toxic component of a waste; or</li> <li>iii.) destroy or reduce the toxicity of a waste, in order to minimise the impact of the waste on the environment prior to further use or disposal.</li> </ul> <p>(Reference National Environmental Management Waste Act (No. 59 of 2008).</p>
<b>Waste Water Pump Station</b>	<p>Means a dedicated area that is more than 50m<sup>2</sup> in extent that houses pumps and related equipment that assists with the bulk reticulation of waste water for processing and purification.</p>
<b>Wetlands</b>	<p>Means land which is transitional between terrestrial and aquatic systems where the water table is usually near the surface, or the land is periodically covered with shallow water and would support vegetation adapted to living in saturated soil National Water Act (No. 36 of 1998).</p>
<b>Zone</b>	<p>Means that portion of the area shown on the Scheme Plan by distinctive colouring or edging or in some other individual manner, for the purposes of indicating the restrictions imposed by this Scheme on the erection and use of buildings or structures, or the use of land in relation to the areas.</p>

## 5.2 BUILDINGS AND LAND USE DEFINITIONS

(NOTE: “Building” shall *mutatis mutandis* include “use of land”)

### 5.2.1 AGRICULTURE

CATEGORY	DEFINITION
<b>Abattoir</b>	Means the buildings and land where game animals, livestock and poultry are killed and prepared for distribution to butcheries and food markets and which is registered in terms of the relevant sections of the Meat Safety Act, 2000 (No. 40 of 2000).  See Slaughterhouse.
<b>Agricultural Building</b>	Means a building used in connection with, or which would ordinarily be incidental to, or reasonably necessary in connection with the use of the property for agricultural purposes.
<b>Agricultural Industry</b>	Means the large-scale industrialized production, processing, and marketing of livestock, food and non-food farm commodities and their products if such processing does not constitute a use as defined in schedule A of the Offensive Trade Regulations of KwaZulu-Natal (See Annexure D). The process may be conducted within a building.
<b>Agri-Village</b>	Means an area especially designated for the purposes of housing for farmers actively engaged in agricultural production practices in a demarcated surrounding or adjacent area, and related agricultural infrastructure, of which the extent is limited and based on the long-term sustainable production potential of the demarcated agricultural production area.  Reference – the Preservation and Development of Agricultural Land Framework Bill 2015.
<b>Agricultural Land</b>	Means the use of land and buildings for the production of food, and fruits and fibre and include different types of farming, dairying, pasturage, agriculture, horticulture viticulture, animal husbandry and poultry or bees and includes any buildings connected therewith, but excludes buildings connected with the housing of cats and dogs.
<b>Agricultural Enterprise</b>	Means an institutional unit in its capacity as a producer of agricultural goods and services and which has:-  i.) autonomy in respect of financial and investment decision-making; and  ii.) authority and responsibility for allocating resources for the production of agricultural goods and services,  iii.) with the following divisions:  a) crop and rangeland production;  b) animal production;  c) forestry and logging; and

CATEGORY	DEFINITION
	d) fishing and aquaculture
	Reference – the Preservation and Development of Agricultural Land Framework Bill 2015.
<b>Apiary</b>	Means the keeping of a single beehive or a set of beehives, which are accommodated, and managed for agricultural, commercial or domestic use.
<b>Apiary Site</b>	Means a cleared or designated site where an apiary or set of beehives are kept and managed and can be referred to as a Bee Farm.
<b>Apiculture</b>	See Bee Keeping.
<b>Agro-Forestry</b>	Means the use of land for agricultural purposes and timber production.
<b>Arable Agriculture</b>	Means the use of land for the production of crops or pasture and where the land is ploughed or tilled regularly, generally under a system of crop rotation.
<b>Aviary</b>	Means a large enclosure surrounded by bars or wire in which captive birds are kept in confinement, managed and used for breeding purposes and is large enough to accommodate natural vegetation, water features, and allows the birds to fly can fly around and a person can enter it.
<b>Barn</b>	Means a large farm building used for storing grain, hay, or straw or for housing livestock and farm vehicles.
<b>Bee Farm</b>	See Apiary Site.
<b>Bee Keeping</b>	Means the management and husbandry of honeybees with the aim of assisting the pollination process in agricultural production or in the cultivation of flowers, fruit and vegetables and can include the collection of honey and bee products for commercial use.
<b>Community Garden</b>	Means a neighbourhood site in private or public ownership that is designed, developed and managed by local residents and used for growing plants for food, herbs, and flowers, shared, and may include ancillary uses such as play areas, a viewing garden and small stall for the sale of goods grown on site.
<b>Cropping</b>	Means the use of land for the cultivation and production of edible and harvestable products that are farmed, planted, grown, and harvested for animal and human consumption.
<b>Communal Land</b>	Means land held by a group of people who, in accordance with a system of communal tenure or a statutory form of such tenure, holds secure and exclusive collective rights to own, manage, lease or use land and natural resources, referred to as common pool resources,



CATEGORY	DEFINITION
	<p>including land used for:-</p> <ul style="list-style-type: none"> <li>i.) crop and rangeland production;</li> <li>ii.) animal production;</li> <li>iii.) forestry and logging; and</li> <li>iv.) fishing and aquaculture.</li> </ul> <p>Reference – the Preservation and Development of Agricultural Land Framework Bill 2015.</p>
<b>Extensive Grazing</b>	Means the use of land FOR A system of grazing management based on a low carrying capacity of animals on unimproved indigenous grasslands or pasture usually without the use of irrigation.
<b>Dipping Tank</b>	Means a tank or deep container where livestock are immersed in water and insecticide for the purposes of health and control of parasites.
<b>Farm stall</b>	Means a building used for retailing of fresh farm produce including home-made items.
<b>Fish Farming</b>	Means an area devoted to the cultivation of seawater and fresh water fish and other seafood for commercial sale.
<b>Forestry</b>	Means the use of land primarily for timber production, tree farms, forest nurseries, the gathering of forest products, or the performing of forest services.
<b>Horticulture</b>	Means the use of land for the production of flowers, fruit and vegetables.
<b>Intensive Agriculture</b>	Means the optimal use of a small building or piece of land for the concentrated production of crops or animals and includes the use of technology and fertilizers.
<b>Intensive Livestock Industry</b>	Means a building or land used for the concentrated fattening of any types of livestock for market and may include the final processing thereof.
<b>Irrigated Cropping</b>	Means the use of land for the production of harvestable products, planted, grown and cultivated in the soil and grown with supplementary water.
<b>Market Gardening</b>	Means the relatively small-scale production of fruits, vegetables and flowers as cash crops, which are produced and is sold to local markets, consumers and restaurants.
<b>Nursery Garden</b>	Mean land used for the purpose of growing, displaying and selling of plants and items incidental thereto and includes the erection of buildings and structures ordinarily used therewith e.g. green houses, growing tunnels and sheds.
<b>Poultry Farm</b>	Means the raising of domesticated birds such as chickens, turkeys, ducks, and geese, for the purposes of farming meat or eggs for food,



CATEGORY	DEFINITION
	which can be done on an intensive or extensive basis.
<b>Slaughterhouse</b>	Means a fixed or mobile facility on or at which animals are to be slaughtered/killed for consumption and includes areas adjacent to such facilities where the carcasses are chilled, stored and where meat and associated products are separated and processed.
<b>Small Scale Agriculture</b>	Means land used as a country residence or small farm on which the keeping of farm animals is restricted to one head of large stock and one hundred head of small stock for every completed 3,600 square metres contained in the area of the lot concerned.  For the purposes of this definition “large stock” means horses, mules, donkeys, cattle, sheep or goats, but not pigs, and “small stock” means poultry or rabbits.
<b>Small Holdings</b>	Means a small farm or piece of land supporting one family where the primary activity is the growing of cash and subsistence crops and can include stables with horses and or other livestock.
<b>Storage Facility</b>	Means a building or series of adjoined buildings that have been designed and used to store farm equipment, dried crops and or personal property and they can be commercially leased out.
<b>Subsistence Agriculture</b>	Means a form of agriculture where the crops raised and animals products are used primarily by the farmer and the immediate family or dependents with little surplus for sale.
<b>Traditional Agriculture</b>	Means the use of land under the administration of a Traditional Authority and Council, which is primarily used for subsistence agriculture.
<b>Urban Agriculture</b>	Means the practice of cultivating, processing and distributing food at a small scale, in and around a village, town and city. It includes animal husbandry, aquaculture, agro-forestry, and horticulture. It also implies intensive production methods using, reusing natural resources, and urban waste to yield a diversity of crops.
<b>Woodlot</b>	Means a small plantation of trees which will support the small-scale production of forest products such as wood fuel, sap for glue, saw-logs, and can be used for recreational uses like bird watching, and bushwalking.

## 5.2.2. CIVIC AND SOCIAL/ADMINISTRATIVE

CATEGORY	DEFINITION
<b>Cemetery</b>	Means a place, which is used for the purposes of the burial of human or animal remains.
<b>Clinic</b>	Means a facility, which may include a day-ward, providing medical, psychiatric, or surgical service for sick or injured persons including emergency treatment, diagnostic services and services to outpatients, employees or visitors.
<b>Chapel</b>	Means a building or structure, that by design and construction is primarily intended for conducting religious services and associated accessory uses.
<b>Clinic</b>	Means a small private or public facility rendering primary medical or health care to patients and includes ancillary uses such as offices. See the definition for hospital.
<b>Community Hall</b>	Means a large room where local residents and visiting members of the public may gather for recreational activities, concerts, group activities, social support, public information, political meetings and other purposes. A hall may be a stand-alone building or part of multi-purpose community centre.
<b>Community Centre</b>	Means a building or set of buildings where people from a particular neighbourhood can meet for social events, education classes, cultural events or recreational activities and includes ancillary use e.g. a small office and kitchen.
<b>Convention Centre</b>	Means land or building or part thereof used or adapted to be used for the conducting of conferences, seminars, gatherings, recreation, public entertainment, exhibitions and such other uses which are ancillary to or reasonably necessary for the use of the building as a convention centre.
<b>Crematoria</b>	Means any premises where the deceased are burned to ash, and includes facilities for associated religious and administrative functions.
<b>Educational Building</b>	Means a building used as a school, college, technical institute, academy, research laboratory, lecture hall, convent, monastery, public library, art gallery, museum or for other instruction together with any associated land or buildings and includes a hostel, but does not include a reformatory.
<b>Government Municipal Building</b>	Means a building used for carrying out one or more government or municipal functions, which may include the supply of essential protective, health, community, administrative, support or other similar services and recreational or other similar facilities.
<b>Hospital</b>	Means an institution providing primary health services and medical or surgical care to persons suffering from illness, disease, injury and deformity and including, related facilities, such as laboratories, outpatient facilities, training facilities, medical offices, and staff

CATEGORY	DEFINITION
	residences.
<b>Institution</b>	Means a building or portion of a building used or designed for use as a charitable institute including the administration thereof, and a building designed for use as a hospital, homes for the aged or for mentally or physically retarded children, nursing home, sanatorium, clinic, convalescent home, orphanage or other building used as a public or private institution.
<b>Multi-Purpose Centres</b>	Means a centre built primarily for rural and peri-urban communities and which accommodates a number of government service units to assist residents, and may include a Post Office, municipal offices, a community hall, facilities for an informal market and a pension pay-out point.
<b>Place of Assembly:</b>	Means a building or land, used for meetings, social gatherings, religious purposes or indoor recreation, but does not include a place of amusement.
<b>Place of Instruction</b>	Means a facility that provides education and/or training, including tutoring or vocational training, in limited subjects. Examples of these facilities include:- <ul style="list-style-type: none"> <li>i.) Art schools;</li> <li>ii.) Ballet and other dance school;</li> <li>iii.) Business, secretarial, and vocational schools;</li> <li>iv.) Drama schools;</li> <li>v.) Driver education schools;</li> <li>vi.) Establishments providing distance learning or courses by mail;</li> <li>vii.) ITC, computers and electronics schools;</li> <li>viii.) Language schools;</li> <li>ix.) Martial arts schools;</li> <li>x.) Music schools;</li> <li>xi.) Professional school (law, medicine, etc.); and,</li> <li>xii.) Seminaries/a religious or ministry training facility.</li> </ul>
<b>Place of Safety</b>	Means a place of interim accommodation registered with the Department of Social Welfare and is designed specifically for women and children who have been removed from home based violence and all forms of abuse and need housing prior to relocation or to foster services.
<b>Place of Worship</b>	Means a building or portion of a building used, constructed, designed or adapted to be used as a church, chapel, oratory, synagogue, mosque, temple, Sunday school or other place of public devotion, but does not include a funeral chapel.

CATEGORY	DEFINITION
<b>Social Facility</b>	Means a building or structure owned and operated by a government or non-governmental agency to provide a range of services to the public.
<b>Social Hall</b>	See the definition for Community Hall.
<b>Restricted Building</b>	Means a building used for such purposes as a clinic or hospital for infectious diseases, a jail, mental home or hospital, or reformatory.
<b>Thusong Centre</b>	See Multi- Purpose Centre.

## 5.2.3. ENVIRONMENTAL AND RECREATION

CATEGORY	DEFINITION
<b>Ablution Facilities</b>	Means a building or room with toilets, showers and washing facilities for public use and which may be used for religious rites at worship sites and as part of recreation facilities.
<b>Amenity Area</b>	Means land reserved for the protection of places of scenic beauty, natural vegetation, rivers and other topographical features, fauna and flora, places of historical interest and the like, but which may be used by the public for passive recreation.
<b>Amenity Reserve:</b>	Means public or private land reserved in the Scheme in order for the protection of places of scenic beauty, natural vegetation, rivers and other topographical features, fauna and flora, places of historical interest and the like which land the public may use if necessary with the consent of the owner, for passive recreation, but does not include a caravan park or camping site.
<b>Wildlife Sanctuary</b>	Means a facility where wild animals, reptiles and birds are accommodated, cared for and protected on a permanent basis.  See Wildlife Orphanage.
<b>Beach Amenity Facility</b>	Means a building designed to service the needs of the general public or private exclusive use, proximate to the beach zone and may include a tearoom/restaurant; a kiosk restricted to the sale of beach apparel, toiletries and photographic goods; public toilets, storage and kiosks for beach equipment and/ or Municipal uses.
<b>Bird Sanctuary</b>	Means a place dedicated to the care, rehabilitation, protection and conservation of birds, which includes breeding and research programs and may be open to the public for educational and recreational purposes.
<b>Boat Jetty</b>	Means a structure, such as a landing or small pier, that projects into a body of water at which boats can dock or be moored and which is built to influence the current or tide or to protect a harbour or shoreline from storms or erosion.
<b>Boma</b>	Means a livestock enclosure or stockade which can be used for the temporary housing of wild animals in conservation areas that require protection or specialised care.
<b>Camping Ground</b>	Means any lot on which tents, intended for temporary use by persons for dwelling or sleeping purposes are erected or used, and which shall be provided with adequate ablution and sanitary facilities, water points and approved refuse receptacles. It excludes the use of caravans.
<b>Caravan Park</b>	Means an area of land arranged for the accommodation of caravans and static caravans on sites within the curtilage, and which are used primarily for temporary holiday dwelling units. The sites are provided with or without communal kitchens, permanent water points, and approved refuse receptacles; and with adequate ablution and sanitary facilities. The site shall contain sufficient open space for recreational purposes a. One permanent dwelling house for the manager's use or flat for caretaker may be permitted.
<b>Conservancy</b>	Means a conservancy is a vehicle and platform for community-based

CATEGORY	DEFINITION
	conservation. It is a voluntary association of environmentally conscious land-owners and land-users who choose to cooperatively manage their natural resources in an environmentally sustainable manner without necessarily changing the land-use of their properties. A “Conservancy” is a cooperative venture and needs to be formally registered with the Municipality.
<b>Conservation Area</b>	An area of notable environmental, scientific, architectural or historical interest or importance and whose character or appearance is desirable or necessary to preserve because they are discrete examples of a specific habitat, style or are irreplaceable.
<b>Estuary –Protected</b>	Means a body of surface water:- <ul style="list-style-type: none"> <li>i.) that is part of a water course that is permanently or periodically open to the sea;</li> <li>ii.) in which a rise and fall of the water level as a result of the tides is measurable at spring tides when the water course is open to the sea; or</li> <li>iii.) in respect of which the salinity is measurably higher as a result of the influence of the sea; and,</li> </ul> which has protected status in terms of the National Environmental Management: Integrated Coastal Management Act (No. 24 of 2008) and the local Coastal Management Plan produced for the Local Municipality.
<b>Forestry</b>	Means the use of land primarily for the cultivation and management of natural and alien trees for timber production, wood and paper products and includes tree farms, forest nurseries, and the gathering of forest products.
<b>Game Reserve</b>	Means an area of land that is protected and managed to preserve rare or endangered animal or plant species and habitats, and in which human activities are limited and the natural environment is protected from man-made interventions.
<b>Horticulture</b>	Means the use of land for the practice and science of cultivating gardens and includes the production of flowers, fruits, ornamental plants or vegetables, nuts and fruits.
<b>Launching Site</b>	Means a specialised place on a beach or riverbank, which may have a hardened surface from which boats and small watercraft are launched into the sea and loaded onto trailers for transportation.
<b>Life Guard Hut</b>	Means a building for use by a lifeguard or lifeguards who are employed to rescue bathers or swimmers who get into difficulty at a beach or swimming pool. The building may be used to store equipment related to the primary land use e.g. a rubber dingy, tubes oars etc.
<b>Marina</b>	Means a facility for the storing, servicing, fuelling, berthing, and securing of boats and may include eating, sleeping, and retail facilities for owners, crews and guests.
<b>Marine Reserve</b>	Means an area situated on the coastline including estuaries where the natural habitat, fish and aquatic plant life are protected and conserved.

CATEGORY	DEFINITION
<b>Nature Reserve</b>	Means areas in which human activities are very limited and where the natural environment is protected from development or change brought about by the interaction with people.
<b>Park</b>	Means a piece of land set aside for public use in or near a city or town which is used for ornamental and recreation and includes city squares, and areas maintained in its natural state with as part of an ecological or environmental system.
<b>Private Recreational Area</b>	Means a sport ground, playing field, swimming pool or other open space or recreational buildings of a club, firm or other body.
<b>Private Open Space</b>	Means an open space area for the purposes of play, rest and recreation and may include parking facilities, sporting amenities such as golf courses, tennis courts, squash courts, bowling greens, swimming pools, and other recreational buildings and facilities, including pavilions, change rooms, clubhouses and ancillary premises for the supply and sale of refreshments.
<b>Playing Fields</b>	Means a large level grassed or surfaced area that is used for playing recreational sports, especially that part of a field that is officially marked as the place where the action of a game happens. Ancillary uses such as changing rooms, ablution facilities or small kiosk may be permitted with the development of the playing field.
<b>Public Open Space</b>	Means an open space or reserve, which the public has the right to use and enjoy, including all ancillary facilities and buildings.
<b>Recreational Building</b>	Means buildings used as a clubhouse, a gymnasium, squash courts, a pavilion, change-rooms and any similar buildings used in conjunction with playing recreational sports. A clubhouse may include dining facilities and lounges.
<b>Special Landscapes</b>	Means landscapes that have been selected for their natural beauty or value and that represent protected bio-diversity, unique cultural, historical significance or geological features and need to be protected.
<b>Wildlife Orphanage</b>	Means a facility for the accommodation, the treatment and care of a sick, abuse, injured or orphaned wild animals, some of whom will be permanently cared for. Such facilities have research, educational and conservation aims and are linked to and supported by other animal welfare organizations.
<b>Wildlife Rehabilitation Centre</b>	Means a facility for the is the accommodation, the treatment and care of a sick, abuse, injured or orphaned wild animals with the aim of nursing them back to optimal health and preparing them for release back in the wild.
<b>Wildness Area</b>	Means a wild and uncultivated region either formally designated for conservation purposes or in existence which has remained undisturbed by human interventions or activities e.g. mountains, forest, seas shore areas or desert which is uninhabited or inhabited only by wild animals and naturally occurring vegetation.



## 5.2.4. COMMERCIAL

CATEGORY	DEFINITION
<b>Arts and Crafts Kiosk</b>	Means a small building or temporary stall that used for the sale of the arts and crafts products and may include jewellery, art or paintings, pottery, leather goods and small woven rugs or bric-a-brac.
<b>Arts and Crafts Market</b>	Means land used for the erection of temporary structures for a defined period of time and for the purpose of selling goods such as jewellery, art or paintings, pottery, leather goods and small woven rugs or bric-a-brac and may include food stalls.
<b>Arts and Crafts Workshop</b>	Means a building that is primarily used for the production and selling of goods or services for retail purposes and where the processes are operated in conjunction with a shop or office to which the customers, have access. It includes such uses as, fine arts and graphic arts, design, weaving, pottery, leatherwork studios, creative fashion designing, and may include printing, but excludes a garage or service station. The processes carried on and the machinery installed shall not cause nuisance to other properties in the relevant zone, and without detriment to the amenities of other use zones.
<b>Automated Teller Machine</b>	Means a machine or an electronic banking outlet, which allows customers to complete basic transactions without the aid of a branch representative or teller, provides cash accept deposits, facilitate credit card payments and report account information, and performs other banking services on the insertion of a special card by the account holder.
<b>Bank</b>	Means an establishment or financial institution with tellers, safe deposit boxes, vaults and ATMs and provides services, such as for the custody, loan, exchange accepting deposits, giving business loans and auto loans, mortgage lending, and basic investment products, e.g. the issue of money for the extension of credit, and for facilitating the transmission of funds.
<b>Bank Agency</b>	Means an office, which acts in some capacity on behalf of another bank and which offers limited financial services to clients of the main bank.
<b>Beauty Salon</b>	Means is an establishment dealing with cosmetic treatments for men and women and includes facial and body therapies, manicures and pedicures.
<b>Betting Depot</b>	Means a building used for the purpose of a bookmaker's premises or a totalisator agency as defined in the Regulations of the Racing and Betting Ordinance, 1957 (Ordinance No. 28 of 1957, and the KwaZulu-Natal Gambling Act, 1996 (Act No. 10 of 1996).
<b>Book Shop</b>	Means a shop where books, magazines, and newspapers are sold and may include ancillary uses such as a small coffee shop or restaurant.
<b>Booking Agent</b>	Means a person from whom tickets for entertainment and travel can



CATEGORY	DEFINITION
	be purchased. See the definition for Ticket Office.
<b>Car Wash</b>	Means an area or building used for the washing and polishing of motor cars and vacuuming or valet of their interiors and may make use of automated or specialised equipment. It includes the management of water use, drying areas, and litter and debris control.
<b>Commercial Workshop</b>	Means a light industrial building wherein the primary purpose is the selling of goods or services by retail and where the processes are operated specifically in conjunction with a shop or office to which the public, as customers has access. It includes such uses as a watch repairer, shoe repairer, radio/television repairer, computer repairer, electrician and may include a jobbing a printer, but excludes a garage or service station.
<b>Canteen</b>	Means a building or part thereof used for the preparation and disposal of foodstuff and allied products, to the staff of an undertaking to which it is related.
<b>Conference Centre</b>	Means a building, including associated land, used for such activities as social gatherings, meetings, conferences, workshops, seminars, indoor recreation and exhibitions, associated with catering / restaurant facilities.
<b>Convenience Shop</b>	Means a building or portion of a building, where the activities are restricted to the sale of convenience goods such as bread and confectionery, dairy products, fresh produce, beverages, canned foods, magazines and newspapers and which is restricted to a maximum area of 15 square meters or larger at the discretion of the Municipality.
<b>Drive- in- Cinema</b>	Means a site prepared and equipped for the viewing of cinema performances from parked motor vehicles and includes toilet buildings and may include a cafeteria, office, seating facilities, and one dwelling house or flat for a caretaker or manager's use.
<b>Exhibition Centre</b>	Means a building used for the display of goods or for public entertainment, including offices for the administration the centre; and other uses considered by the Municipality to be ancillary to, or reasonably necessary for the use of the building as an exhibition centre.
<b>Flea Market</b>	Means an occasional or periodic market held in an open area or structure where groups of individual sellers offer goods for sale to the public.
<b>Florist</b>	Means a shop where flowers and ornamental plants are ordered, arranged, sold or grown for sale to the public.
<b>Funeral Parlour:</b>	Means a building used for the purpose of funeral management, which may include a place of worship, morgue, mortuary, a shop intended for the sale and display of those commodities required for cemetery purposes and services ordinarily ancillary to funeral

CATEGORY	DEFINITION
	management, but which excludes a monumental mason or crematorium.
<b>Gambling Premises</b>	Means a building or portion thereof within which gambling takes place in accordance with a licence issued in terms of the provisions of the KwaZulu-Natal Gambling Act, 1996 (Act No. 10 of 1996).
<b>Garden Nursery</b>	Means land that is used for the purpose of growing, displaying and selling of plants and items incidental thereto, and includes the erection of buildings and structures ordinarily used therewith.
<b>Health Club</b>	Means an establishment that provides facilities for aerobic exercises, running and jogging, exercise equipment, game courts, swimming facilities, saunas, showers, massage rooms; and ancillary uses, which may include a shop, coffee bar, doctors and physiotherapist rooms and a beauty parlour.
<b>Home Activity</b>	Means the practice running a shop that is less than 30 square meters in conjunction with a residence or dwelling house where the owner lives.
<b>Home Business</b>	Means the operation of a single non-impacting occupational activity in or in conjunction with a dwelling house by a bona fide residential occupant of that property, providing that the dominant use of the property concerned shall remain for the living accommodation of the occupants, and the property complies with the requirements contained in the Scheme Clauses for a home business. Home business does not include a shop.
<b>Informal Trading</b>	Means a commercial activity undertaken by entrepreneurs (individuals and/or groups) in the informal sector. See the definition of street trading.
<b>Informal Trading Area</b>	Means a public area, which is engaged in the selling of any goods or the supplying or offering to supply any service for reward and which has been set aside for the purpose of informal or street trading and where each operator occupies a defined space or stall. The area may include ablution and limited storage facilities. See the definition for Street Trading.
<b>Kennel /Cattery</b>	Means a registered and approved establishment for the boarding, breeding, raising, grooming or training of dogs, cats or other household pets for commercial gain.
<b>Kiosk</b>	Means a building or structure used for any retail trade or business wherein the primary purpose is the selling of goods and appliances by retail and includes a building or structure used for the sale of light refreshments. A kiosk is restricted to a maximum of 10 m <sup>2</sup>
<b>Launderette</b>	Means a building used for the purpose of washing and drying of clothing and household fabrics, where the customer may operate the machinery. The washing media used in the laundrette shall be of a type that shall not cause any harmful effluent to be discharged into the sewerage or storm water system.

CATEGORY	DEFINITION
<b>Maintenance Building</b>	Means a building which is used for the accommodation and maintenance of the Estate; plant, equipment, materials and horticultural requisites; and shall include buildings related to the supply of utility services such as water reservoir, sewage treatment plant, electrical sub-station, telephone exchange and such other utilities as may be necessary for health, communication and sanitation, and the gate house and office buildings required for the administration of the Estate including offices for dwelling rental or sales.
<b>Motor Car Showroom</b>	See the definition of Motor Dealership.
<b>Motor Dealership</b>	Means the use of any building, land area, or other premises for the display and sale of new and/or used vehicles.
<b>Motor Repair Workshop</b>	Means a building used for the servicing, repair, storage, display, sale, spray painting, 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, brochures, a convenience shop, an office, storeroom, workshop, grease-pit and machinery; provided that panel beating may be included by Consent.
<b>Office Park</b>	Means a development that may contain a number of office buildings with ancillary uses and open space designed, planned, constructed, and managed on an integrated and co-ordinated basis.
<b>Office, Business Services</b>	Means a building used for activities such as cleaning, delivery, security. Repair, maintenance or other services for individual and business purposes.
<b>Office, Professional</b>	Means an office used for conducting the profession of, or occupation of, an accountant, architect, consulting engineer, land surveyor, legal practitioner, quantity surveyor, town planner, bookkeeper, draughtsman, or any other profession or occupation, excluding a profession normally carried out in a medical office, which the Municipality may, at its sole discretion permit and which, in its opinion is not likely to interfere with the amenities of the surrounding area.
<b>Offices, General</b>	Means a building used for business, professional, medical or administrative offices but excluding a banking hall and the direct selling or storage or display of any goods or commodity whether or not the holding of a general dealers trade licence is required.
<b>Offices, Medical</b>	Means an establishment operated by doctors, dentists, or similar practitioners that is primarily engaged in the provision of health services, but which does not provide overnight care or serve as a base for an ambulance service.
<b>Office, Public</b>	Means an office building used for any Central, Provincial or Local Government purpose, and includes an administrative office, Local Municipality office and town hall, government office, court house, police station, post office, public library, public art gallery, public

CATEGORY	DEFINITION
	museum, and buildings ordinarily ancillary thereto.
<b>Parking Garage</b>	Means a building, part of a building or land designed primarily for the purpose of parking, and may include washing and servicing of motor vehicles, but does not include use as a workshop for the repair of motor vehicles or for the sale of petrol, oil and accessories.
<b>Pet Shop</b>	Means a retail business, which sells different kinds of domestic animals, birds, fish and reptiles to the public and where a variety of animal supplies and pet accessories are sold e.g. food, treats, toys, collars, leashes, cat litter, cages and aquariums.
<b>Personal Services Outlets</b>	Means small scale establishments primarily engaged in providing ancillary services involving the care of a person or his/her personal goods and can include the following:- <ul style="list-style-type: none"> <li>i.) ATM's,</li> <li>ii.) Bank Agencies,</li> <li>iii.) Barber Shops;</li> <li>iv.) Beauty Parlour,</li> <li>v.) Bookshops and News Agents;</li> <li>vi.) Booking Agents,</li> <li>vii.) Curio shops;</li> <li>viii.) Dry-cleaning;</li> <li>ix.) Florists,</li> <li>x.) and Hair Dressers,</li> <li>xi.) Health Facilities and Spas; ,</li> <li>xii.) Laundry; and</li> <li>xiii.) Travel Agents.</li> </ul>
<b>Petrol Filling Station</b>	See the definition for Service Station.
<b>Place of Amusement:</b>	Means a building or land used for entertainment and includes a theatre, cinema, music hall, concert-hall, amusement arcade, dance hall, skating-rink, racetrack, sports-arena, exhibition-hall, billiards room, a fun fair and similar recreational uses.
<b>Restaurant</b>	Means a building or portion of a building used primarily for the preparation and sale of food, confectionery and beverages for consumption on the premises.
<b>Restaurant, Fast-food</b>	Means a building or portion of a building designed for use, or used primarily for the preparation of food and liquid refreshments for consumption primarily off the premises.

CATEGORY	DEFINITION
<b>Service Station</b>	<p>Means a building:-</p> <p>a) Wherein is sold, by retail sale only:</p> <p>i) Petrol or petroleum derivatives capable of use in internal combustion engines,</p> <p>ii) Lubricating oils and grease</p> <p>iii) Spare parts, including electrical equipment,</p> <p>iv) Tyres, tubes, valves and repair equipment, or</p> <p>v) Tourists brochures and other such incidentals.</p> <p>and</p> <p>b) Where the following operations may be carried on:-</p> <p>i) Running repairs of a minor nature;</p> <p>ii) Lubricating and greasing;</p> <p>iii) Washing and cleaning;</p> <p>however, shall not include panel beating, spray painting or the carrying out of body repair work, or repairs of a major nature to the engine or transmission system thereof.</p> <p>{A Municipality may stipulate the size of the convenience shop and restaurant.}</p>
<b>Shop</b>	<p>Means a building or land used for the selling of goods and appliances; services such as a hairdresser, ticket agency, and video hire; showroom, (including motor showroom restricted to the display and sale of vehicles only); auction mart; the sale of food and drink for consumption off the premises; for the reception of goods to be washed, cleaned, altered, dry-cleaned or repaired; but does not include an industrial building, garage, service station, milk depot, hotel, funeral parlour, casino and betting depot/totaliser.</p>
<b>Showrooms</b>	<p>Means an establishment for selling a single manufactures good or type of good with large display areas.</p>
<b>Spa</b>	<p>Means a place or resort developed around a curative natural mineral springs which may be hot and includes ancillary uses and swimming pools.</p>
<b>Spaza</b>	<p>See the definition of a Tuck-shop.</p>
<b>Street Trading</b>	<p>Means the selling of any goods or the supplying or offering to supply any service for reward, in a public road, or public place, by a street trader.</p>
<b>Tavern</b>	<p>Means a building or portion of a building used for the consumption of liquor on the premises and may include the preparation and consumption of food.</p>
<b>Tea Garden</b>	<p>Means a building or portion of a building or land used primarily for the preparation, sale and consumption of light meals; confectionery, and non-alcoholic beverages, but shall preclude any use as defined</p>

CATEGORY	DEFINITION
	under shop. Opening time is restricted to daylight hours.
<b>Tuck-Shop</b>	<p>Means the sale of day-to-day convenience goods from a dwelling unit, associated outbuilding or container where the goods are generally sold through window, door way or hatchway and does not include a walk-in shop where goods are on public display. A Municipality may stipulate:-</p> <ul style="list-style-type: none"> <li>i.) the maximum size of the tuck shop;</li> <li>ii.) hours of operation;</li> <li>iii.) that the tuck shop may be operated from a dwelling or a container;</li> <li>iv.) whether the tuck shop should be separated from the residential component of a dwelling;</li> <li>v.) the type of other goods permitted to be sold</li> <li>vi.) on or off-site parking requirements; and,</li> <li>vii.) the amount of additional storage space permitted.}</li> </ul>
<b>Travel Agent</b>	Means a private retailer or a business that provides travel, transportation and tourism related services to members of the public on behalf of suppliers such as the airlines, car rentals, cruise lines, hotels, railways, and package tours.
<b>Ticket Office</b>	Means an office or kiosk where tickets especially for entertainment events or transportation services.
<b>Veterinary Clinic</b>	Means a place where animals are given medical care and the boarding of animals is limited to short-term care incidental to the hospital use and may include a grooming parlour and a retail outlet restricted to the sale of veterinary and animal maintenance products.
<b>Veterinary Hospital</b>	Means a place where animals are given medical care, can receive surgical attention, and the bordering of animals is permitted for a recovery period or a longer-term period and may include a grooming parlour and a retail outlet restricted to the sale of veterinary and animal maintenance products.

## 5.2.5. INDUSTRIAL

CATEGORY	DEFINITION
<b>Builders Supply Yard</b>	Means premises which is used for the storage or sale of building material and equipment.
<b>Carpenters Shop</b>	Refer to the definition for a Workshop.
<b>Custom Workshop</b>	Refer to the definition for a Workshop.
<b>Dry Cleaning</b>	Refer to the definition for a Laundry.
<b>Industrial Building</b>	Means any building used in the manufacturing of goods.
<b>Container depot</b>	A place for the handling and storage of large cargo-carrying containers destined to be loaded on to a container ship, truck, or rail carriage.
<b>Factory Shop</b>	Refer to the definition for a Retail Warehouse Facility.
<b>Industrial Sales and Service</b>	Refer to the definition for a factory Shop or Warehouse Sales.
<b>Retail Warehouse Facility</b>	Means a retail operation from a warehouse as an ancillary use to the principal use of production.
<b>Extractive Industry</b>	Means the process of extracting, mining, winning or quarrying of raw materials of any kind from, and below, the ground surface and water bodies, including the structures, machinery, plant and buildings connected with such activity.
<b>Industry, High Impact Manufacturing</b>	<p>Means any activity, undertaking, premises, building and/or land that permit manufacturing uses which may not be compatible with other manufacturing uses and which would have major externalities on adjacent sensitive land uses. It would permit manufacturing activities that may produce significant vibration, noise, odour, or high volume automobile and truck traffic. Manufacturing uses included in this category include:-</p> <ul style="list-style-type: none"> <li>i.) Tannery;</li> <li>ii.) Asphalt;</li> <li>iii.) Paint and Varnish;</li> <li>iv.) Petrochemical;</li> <li>v.) Resin and Rubber;</li> <li>vi.) Metal;</li> <li>vii.) Abattoir;</li> <li>viii.) Adhesive;</li> <li>ix.) Cement and concrete products; and,</li> <li>x.) Fertilizer, Soap and Cleaning.</li> </ul>
<b>Industry, Large Scale Manufacturing</b>	Means any manufacturing activity other than a Restricted Industry or an Extractive Industry, in which the processes carried on or the machinery installed are of such nature that it could be carried out or



CATEGORY	DEFINITION
	<p>operated without any detriment to amenity or to health by reason of, inter alia:-</p> <ul style="list-style-type: none"> <li>(i) Noise, vibration or glare;</li> <li>(ii) Odour, gas, fumes or smoke;</li> <li>(iii) Soot, ash, dust, grit or other particulate matter;</li> <li>(iv) Radiation, fire or explosion hazards;</li> <li>(v) Electronic or electromagnetic interference;</li> <li>(vi) Heat or humidity; and/or</li> <li>(vii) the discharge of any other vapour, gas, effluvium, liquids and solid matter; and</li> <li>(viii) may include a convenience shop restricted to the sale of goods manufactured on the site.</li> </ul> <p>Manufacturing uses included in this category include:-</p> <ul style="list-style-type: none"> <li>i.) Wood manufacturing;</li> <li>ii.) Pharmaceuticals;</li> <li>iii.) Plastic;</li> <li>iv.) Glass; and,</li> <li>v.) Clay.</li> </ul>
<b>Non Polluting Light Manufacturing</b>	<p>Means manufacturing activities that permits manufacturing uses which are compatible with land uses permitted in adjacent sensitive land use zones, such as residential, mixed use and open space zones, as such, it would permit manufacturing activities that usually do <u>not</u> involve significant vibration, noise, odour, or high volume of automobile and truck traffic Manufacturing uses included in this category include:-</p> <ul style="list-style-type: none"> <li>i.) Apparel and Textiles;</li> <li>ii.) Printing;</li> <li>iii.) Furniture;</li> <li>iv.) Fabricated metal;</li> <li>v.) Machinery;</li> <li>vi.) Food and Beverage; and,</li> <li>vii.) Transport Equipment.</li> </ul>
<b>Light Industrial Building</b>	<p>Means a building used for the manufacture or assembly of products from previously treated material where no impact is created to the adjacent uses and no hazardous materials are used in the production of such products. Examples include: -</p> <ul style="list-style-type: none"> <li>i.) Athletic equipment,</li> <li>ii.) Bakeries, camera,</li> <li>iii.) Clothing,</li> </ul>



CATEGORY	DEFINITION
	iv.) Electronics, v.) Musical instruments, vi.) Optical goods, and vii.) Photo equipment, viii.) Woodworking (limited).
<b>Noxious Industry</b>	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 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.
<b>Offensive Warehouse</b>	Means a building used for the storage of goods, which the Municipality regards as unsightly, noisy, offensive or dangerous.
<b>Service Industrial Building</b>	Means a factory or building which is neither a General or Special Industrial in nature and which caters primarily for the local customer, where the nature of the machinery installed and the business carried out therein excludes it from the category of a Light Industrial Building and which includes such uses as builder's yards and allied trades, repair and replacement of components of motor vehicles, laundry, bakery, dairy depot and dry-cleaning establishments.
<b>Service Workshop</b>	Means a light industrial building, providing direct service to the retail customer, in which not more than eight persons are employed, whether or not mechanical power is used and may include such activities as bakery, dry cleaner, cobbler, dressmaker, and tailor.
<b>Service Industry</b>	Means activities involved in the repair and replacement of components of vehicles, household goods, and machinery; often requiring appropriate accessibility for the public at large.
<b>Saw Mill</b>	Means a mill or a factory where wooden logs are cut to make boards and other wood products and may include a chipping machine.
<b>Workshops and Service Outlets</b>	<p>Means light and service industrial activities which cater for the local customer or provides a service direct to the retail customer and which is directly associated with a shop or an office building in respect of which the public, as customer, has access, but excludes a Public Garage or Petrol Filling Station.</p> <p>Uses included in this category includes:-</p> <ul style="list-style-type: none"> <li>i.) Custom Workshop Carpenters Shop;</li> <li>ii.) Industrial sales and service</li> <li>iii.) Dry Cleaning;</li> <li>iv.) Workshops; and,</li> </ul>

CATEGORY	DEFINITION
	v.) Builders Yard.
<b>Open Storage</b>	Means the storage of various materials outside of a structure other than fencing, either as a primary use or as an accessory.
<b>Public Works Yard</b>	Means national, provincial or municipal, administrative buildings; warehouses, garages, vehicle yards, and storage yards that are owned and operated by a government department.
<b>Quarrying</b>	Means a place where rock ore, stone and similar materials are excavated for sale or for off-site use.
<b>Recovery Facility</b>	Means a facility with or without buildings, upon which used materials are separated and processed for onward transshipment for eventual reuse in new products.
<b>Recycling Plant</b>	Means an area of land, with or without buildings, which the Municipality, at its discretion, may require to be screened, upon which used materials are separated and processed for shipment and for eventual re-use in new products.
<b>Research Laboratory</b>	Means an establishment or other facility where investigations or research into the natural, physical, or social sciences, is carried out and which may include product development.
<b>Retail Warehouse Outlet</b>	Means a retail operation from a warehouse as an ancillary use to the principal warehouse use:- A Municipality may stipulate: <ul style="list-style-type: none"> <li>i.) that the retail establishment shall be accessory to and incidental to the principal warehouse use;</li> <li>ii.) the maximum floor area within the warehouse which may be used for retail sales;</li> <li>iii.) the hours of operation;</li> <li>iv.) that the items on sale in the retail establishment are actually part of the stock of the warehouse;</li> <li>v.) that adequate parking in accordance with the retail standards is required for the retail space.</li> </ul>
<b>Salvage Yard</b>	Means a facility involved in the processing of converting used materials for storage and recycling of used materials.
<b>Sand-mining</b>	Means any operation or activity for the purpose of winning of sand on, in, or under the earth, water, or any residue deposit, whether by underground or open working or otherwise, and may include activities directly associated with the winning process.
<b>Special Industrial Building</b>	Means a building intended for use for any of the purposes set out in Schedule A of the Offensive Trade Regulations of KwaZulu-Natal read in conjunction with Section 40 (1) (a) (i) of the Health Act of 1977 ( Act No. 63 of 1977).
<b>Warehouse</b>	Means a building used primarily for the storage of goods, except

CATEGORY	DEFINITION
	those of an offensive or dangerous nature and may include a Food Warehouse and a small-scale Cold Storage Facility.
<b>Food Warehouse</b>	Means a building used for the large-scale storage of tinned, packaged, dry and processed goods and cereals for commercial sale and may include ancillary uses such as an administrative office, guard hut and parking area for trucks and cars.
<b>Cold Storage Facility</b>	Means a large refrigerated building for the storage of large volumes of meat, vegetables, and perishable goods usually located in a commercial or industrial zone and may include ancillary uses such as a packaging facility, administrative office, guard hut and parking area for trucks and cars.
<b>Vehicle Repair shop</b>	Means premises that are used for the general repair and servicing of light motor vehicles and heavy trucks, including auto-electrical repairs, the fitting and sale of motor spares and accessories, and may include an office, storeroom.
<b>Wholesaling</b>	Means establishments or places of business primarily engaged in selling merchandise to retailers, to industrial, commercial, institutional, or professional business users.
<b>Wholesale Shop</b>	Means a building used for the wholesale trade or wholesale business.
<b>Workshop</b>	Means premises available for the creation, assemblage, and/or repair of artefacts, using hand-powered and table-mounted electrical machinery, and including their retail sale.

## 5.2.6. RESIDENTIAL

CATEGORY	DEFINITION
<b>Assisted Living</b>	Means a development that is designed to provide residents with assistance with basic activities of daily living. Assisted living developments also allow assisted living to offer medication assistance.
<b>Assisted Living developments</b>	A development specifically designed and built to offer assisted living to aged or physically or mentally challenged persons.
<b>Bed and Breakfast Establishment /Facility</b>	Means an establishment, which is primarily a dwelling and makes excess rooms available to transient guests. The bathrooms may or may not be en suite. This establishment may be managed by the owner and/or designated person. Breakfast may be available for all guests. Public areas are usually shared by guests and owners/hosts alike". The facility is restricted to a maximum of 6 rooms. Refer to Appendix on Planning Criteria for Hospitality Uses.
<b>Boarding House</b>	Means a dwelling unit or part thereof in which the owner or operator provides temporary or permanent lodging to three or four; but not more than fourteen boarders and which does not have a liquor licence. Refer to Appendix on Planning Criteria for Hospitality Uses.
<b>Boutique Hotel</b>	Means a small and intimate accommodation establishment limited to a maximum of 50 rooms and typically offering an enhanced level of service and marketed to an affluent clientele.
<b>Camping Ground</b>	Means any lot on which tents, but excluding caravans, intended for temporary use by persons for dwelling or sleeping purposes, are erected or used or intended to be erected or used and on which shall be provided adequate ablution and sanitary facilities, water points and approved refuse receptacles.
<b>Caravan Park</b>	Means an area of land provided with adequate ablution and sanitary facilities with or without communal kitchens, constructed with permanent materials arranged for the accommodation of caravans and static caravans which are used primarily for temporary holiday dwelling units and provided also with permanent water points, approved refuse receptacles and containing within the curtilage a sufficient open space for recreational purposes, and may also include one dwelling house or flat for caretaker or manager's use.
<b>Chalet Development</b>	Means a grouping of a number of chalets on a lot; together with approved outbuildings or ancillary buildings to be used in conjunction with a chalet or series of chalets, but shall not include a dwelling house or residential building.
<b>Child Minding Facility</b>	Means a building or portion of a building, which is used for the providing of care for of six or less children, especially pre-schoolers during the daytime.
<b>Country House</b>	Means an establishment that is purpose built/altered, is located in peaceful/tranquil surrounds (i.e. farm, lake, dam, river, forest etc)

CATEGORY	DEFINITION
	and is for the sole use of providing transient guests with accommodation. This establishment may be managed by the owner and/or manager/host/hostess. The public areas are for the exclusive use of the guests. This facility will offer breakfast and depending on location, dinner and other facilities may be offered” The facility is restricted to a maximum of 12 rooms.
<b>Crèche</b>	Means the provision of a building or portion of buildings to be used for the care of no less than six or more infants and young children during the daytime.
<b>Curio Shop</b>	Means a shop that sell object of art, paintings, sculptures, ornaments, decorated clothing, jewellery bric a brac and antiques usually as part of tourist attraction or boutique shopping centre.
<b>Day Care Centre</b>	Means a facility used for providing care, protection and guidance to seven or more individuals during only part of a 24-hour day. This term includes crèches, nursery schools, preschools, day care centres for individuals, and other similar uses but excludes public and private education facilities or any facility offering care to individuals for a full 24-hour period.
<b>Dwelling House/Unit</b>	Means a self-contained inter-leading group of rooms used exclusively for human habitation, including not more than one kitchen together with relevant ancillary outbuildings.
<b>Extended Residential Building</b>	Means a building other than a dwelling house but having the general appearance of a single dwelling house, which is used, constructed, designed or adapted for use of human habitation and comprises not more than 2 dwelling units, together with such outbuildings as are ordinarily used therewith.
<b>Frail Care Facility</b>	Means a building or portion of a building in homes for the aged, or nursing home and which are designed or used as a care facility or hospital, and includes other buildings that are used as a public or private institution as well as the administration thereof.
<b>Group Housing</b>	Means a group of residential units on stands that have been designed to form a harmonious whole and that can be held by separate title.
<b>Lodge</b>	Means a lodge is an accommodation facility that is located / situated in a game/nature reserve. It may comprise a building, or group of buildings, under single management containing both rooms and dwelling units available for temporary rental to transient individuals or families and may include services such as a conference centre, recreational facilities, shop and Laundromat for the exclusive use of residents only and shall a Place of Public Entertainment.
<b>Self-catering Apartments and Villas</b>	Means a dwelling house, cabana, cottage, chalet, bungalow, flat, studio, and apartment, villa, where the owner/agent does not reside and facilities and equipment are provided for guests to cater for themselves as temporary holiday accommodation. The facilities should be adequate to cater for the maximum advertised number of

CATEGORY	DEFINITION
	residents the facility can accommodate. The booking is usually done through an agent and check in procedures would not normally be completed on site”.
<b>Backpackers / Hostelling Establishment</b>	Means a backpacker / hostelling establishment is an accommodation facility that offers a range of alternative sleeping arrangements i.e. dormitories, en suite bedrooms, bungalows, etc. as well as communal facilities. Selected meals may be provided, however, adequate facilities must also be provided to cater for the advertised number of guests. Only establishments that cater for transient guests qualify. Check in procedures are usually completed on site, and the owner/manager may reside on the site.
<b>Guest House</b>	Means an establishment that is purpose built/altered for the sole use of providing transient guests with accommodation. This establishment shall be occupied by and may be managed by the owner or manager/host/hostess. The public areas are for the exclusive use of the guests. This facility will offer breakfast and depending on location, dinner and other facilities may be offered. The facility is restricted to a maximum of 12 Rooms.
<b>Hotel</b>	Means a facility offering transient lodging or accommodation to the general public and providing additional services, such as restaurants, meeting rooms, entertainment, recreational facilities, and in respect of which a hotel liquor licence has been, is intended to be or may be issued in terms of the Liquor Act (No. 6 of 2010) as amended, but excludes any off sale facility.
<b>Hospitality Use, Country House</b>	Means a country house that can be either a guesthouse or a Bed and Breakfast, and which is situated in agricultural or natural, peaceful surroundings such as a farm, in or near a nature reserve, a forest, and a lake.
<b>Holiday Accommodation</b>	Means living accommodation which is designed or used for holiday occupancy and may take the form of single rooms, double rooms, family rooms, cottages or houses in such a mixture as may be determined by the developer with the approval of the Municipality.
<b>Holiday Resort</b>	Means a combination of holiday resort facilities, including a chalet development in association with a caravan park and a resort or public picnic place which may include inter alia hotels, conferencing, public entertainment areas, golfing, sport, water sports, wildlife, wellness centres, hydro's, spas, health resorts, cultural, historical, and gambling.” service rooms, ablution and sanitary facilities as are ordinarily used therewith, all under the supervision of a resident supervisor or caretaker.
<b>Homestead</b>	Means a house, especially a farmhouse, with adjoining buildings and land which is occupied by the land-owner and associated with family farms or communal land holdings.
<b>Medium Density Housing</b>	Means 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

CATEGORY	DEFINITION
	open area and access to common land, the whole development having been designed as a harmonious entity. Such development may include duplex flats, semi-detached houses, terrace houses, maisonettes or dwelling houses.
<b>Mobile Home</b>	Means a factory assembled structure, constructed in accordance with the requirements of the SABS specification for Mobile Homes, with the necessary service connections and designed as a permanent dwelling.
<b>Mobile Home Park</b>	Means a site laid out to the satisfaction of the Municipality and which complies with environmental requirements on which there are adequate roads, essential services, open spaces, and communal facilities, intended for the accommodation of house boats, as well as factory assembles self-contained dwelling unit, each unit of which can be transported from the factory to the destination in not more than two pieces.
<b>Residential Building</b>	means a building or portion thereof, other than a dwelling house, bed and breakfast establishment, medium density housing, duplex flat, maisonette, semi-detached house or town / terrace house used for human habitation, together with such outbuildings as are ordinarily used therewith, and includes a block of flats, boarding house, guest house / lodge, hotel, residential club or hostel.
<b>Retirement Village</b>	A medium density housing development intended for the accommodation or settlement substantially of persons upon their retirement and in which facilities may be provided for a frail care centre and place of communal activity. The Village may include an office building, medical consulting rooms, laundrette, shop and restaurant, which in each case shall be restricted as required by the Municipality and be for the sole use of occupants and guests.
<b>Secondary Dwelling Unit</b>	Means a stand-alone full unit on as permitted within the density zoning.



## 2.5.7. TRANSPORTATION

CATEGORY	DEFINITION
<b>Airport</b>	Means a place where aircraft can land and take off, usually equipped with hangars, facilities for refuelling and repair and various accommodations for passengers.
<b>Air strip, Landing Strip</b>	Means an artificially surfaced strip of ground designed for landing and the taking-off of aircraft with limited ancillary facilities and services.
<b>Aircraft Hanger</b>	Means a large building with an extensive floor area, typically for the storage, repairing and building of aircraft.
<b>Bus Depot</b>	Means a building for the servicing and parking of buses and includes ancillary uses such as a guard hut, ablutions, office and vehicle washing facility.
<b>Bus and Taxi Rank</b>	<p>Means land, a lot, a building, or part of a building or structure used for the purposes of parking six or more buses or taxis and loading passengers. May include parking facilities and commercial facilities to service transit passengers.</p> <p>For the purposes of this Scheme, the terms “Bus” and “Taxi” shall mean a vehicle used to transport people for gain and registered as such.</p>
<b>Helipad</b>	An area, either at ground level or elevated on a structure, licenced by an appropriate state agency or approved for the loading, landing and take-off of helicopters and including auxiliary facilities, such as parking, waiting rooms, fuelling and maintenance equipment.
<b>Intermodal Transportation Facility</b>	Means a lot or structure used for the purposes of parking, loading and unloading freight and passengers from train or bus transportation and may include parking facilities or other commercial amenities to service transit passengers.
<b>Railway Station</b>	Means a place where freight and passenger trains stop on a railway line, typically with platforms and buildings such as ticket offices, ablutions and waiting rooms. The smallest stations are most often referred to as 'stops' or, in some parts of the world, as 'halts' (flag stops).
<b>Railway Junction</b>	Means a point where two or more railway lines meet or cross and then diverge into different tracks.
<b>Siding Platform</b>	Means a platform located alongside a railway siding (see railway siding).
<b>Railway Yard</b>	Means an open area an area consisting of a network of railway



CATEGORY	DEFINITION
	tracks, sidings, and sheds for storing, maintaining, repairing and joining engines and carriages.
<b>Railway Siding</b>	Means a low speed track, which is separate from the main running line or routes and may be connected to through tracks or other sidings at either end. They often have lighter rail meant for lower speed or less heavy rail traffic.
<b>Transportation Facility</b>	Means establishments that are engaged in furnishing all types of public transportation including rail, taxis, busses, with terminal and service facilities.
<b>Transport Terminal</b>	Means a building or land that is used for parking of six or more buses or taxis, or as a public transport station.
<b>Trucking Facility</b>	Means a building or land that is used for the parking, storage and repair of six or more trucks and includes houses and separate trailers.
<b>Truck Stop</b>	Means land or buildings used primarily as a stopover facility for commercial vehicles. A Truck Stop may include facilities for the maintenance or repair of commercial vehicles, the dispensing of motor fuel or other petroleum products directly into motor vehicles and the sale of accessories or equipment for trucks and similar commercial vehicles. A Truck Stop may also include overnight accommodation and restaurant facilities primarily for the use of truck crews. A truck stop will always be a Consent Use.
<b>Transshipment</b>	Means those buildings and land which involve the act of transferring freight between two modes of transport, such as truck to rail; or the act of transferring freight from long-haul trucks to local delivery vehicles.

## 5.2.8. UTILITIES AND SERVICES

CATEGORY	DEFINITION
<b>Borehole</b>	Means a narrow gauge shaft that is drilled into the earth either vertically or horizontally and has the express purpose of locating water or other liquids e.g. petroleum, oil, or natural gases. A borehole can form part of a geotechnical investigation, environmental site assessment for carbon storage, mineral exploration or the measurement of temperature.
<b>BTTS (Base Telecommunications Transmission Station)</b>	Means any structure designed and used for the accommodation of equipment used in the transmitting or receiving of electronic communications signals and includes a telecommunications mast.
<b>Cell Phone Tower</b>	See the definition of BTTS.
<b>Desalination</b>	Means the process of reverse osmosis that removes salt and other minerals from seawater and makes it usable for agricultural, commercial, domestic, and industrial uses.
<b>Desalination Plant</b>	Means a factory or the treatment plant located on or near the sea and which uses the process of reverse osmosis to remove salt and other minerals from seawater, so that it can be used for agricultural, commercial domestic and industrial uses. It includes the pump, infrastructure and maintenance facilities associated with this activity.
<b>Electricity Grid</b>	Means an interconnected system of high and low voltage transmission and distribution lines, pylons, substations and transformers that provide energy from power suppliers to consumers.
<b>Landfill Site</b>	Means a site which is also known as a tip, dump, rubbish dump or dumping ground and is used for the disposal of waste materials by burial usually
<b>Municipal Purposes</b>	See the definition for Office – Public.
<b>Photovoltaic Power Station</b>	Means a large-scale Photovoltaic System (PV System) designed for the supply of merchant solar power into the electricity grid and is known as a Solar Park.
<b>Sewerage Treatment Plant</b>	Means a facility that receives water borne sewerage from domestic or industrial sources and processes separates and sanitizes the wastes to remove or convert pollutants to produce an effluent that will not violate water quality standards or endanger public health when discharged.  Solid waste produced from the treatment process can be transported to a Landfill site for burial or alternatively utilised for the production of compost if it does not violate waste quality standards, or endanger public health.
<b>Solar Farm</b>	Means a designated area of land upon which a large series of interconnected solar photovoltaic (PV) panels are installed for the conversion of solar power from sunlight or solar energy for

CATEGORY	DEFINITION
	agricultural, commercial, domestic or industrial use and includes the infrastructure required to feed the converted power into the public or private electricity grids.
<b>Solar Park</b>	Means the installation of multiple solar photovoltaic (PV) modules, which are usually, mounted 1.5- 2.5 metres above either greenfield or brownfield land and occupy a land area of between 2 and 15 hectares on a separate site or in association with other agricultural activities.  See Solar Farm
<b>Waste</b>	Means any substance, whether or not that substance can be reduced, re-used, recycled and recovered:- <ul style="list-style-type: none"> <li>i.) that is surplus, unwanted, rejected, discarded, abandoned or disposed of;</li> <li>ii.) which the generator has no further use of for the purposes of production;</li> <li>iii.) that must be treated or disposed of; or,</li> <li>iv.) that is identified as a waste by the Minister by notice in the <i>Gazette</i>;</li> <li>v.) and includes waste generated by the mining, medical or other sector, but— <ul style="list-style-type: none"> <li>a) a by-product is not considered waste; and</li> <li>b) any portion of waste, once re-used, recycled and recovered, ceases to be waste.</li> </ul> </li> </ul> Reference National Environmental Management: Waste Act (No. 59 of 2008).
<b>Waste Disposal Facility</b>	Means any site or premise used for the accumulation of waste with the purpose of disposing of that waste at that site or on that premises.
<b>Waste Facility – General</b>	Means a facility that receives generalised non-hazardous waste for disposal or onward transportation for disposal at a Landfill site or Waste Incinerator facility.
<b>Waste Facility -Hazardous</b>	Means a specialist facility that receives hazardous waste from agricultural, industrial, or chemical processing and may include paint, industrial chemicals, and fertilizers, spray cans, fluorescence tubes and light bulbs for disposal and incineration.  Such a facility has to comply with the standards provided for in the Hazardous Substances Act (No. 5 of 1973).
<b>Waste Facility – Medical</b>	Means a specialist facility that receives medical waste from hospitals, clinics and other health facilities and may include body tissues and parts for disposal and incineration.
<b>Waste Incinerator</b>	Means a place and building that used to burn domestic, medical and

CATEGORY	DEFINITION
	industrial waste substances (liquid, solid or gaseous) into gases and residue containing little or no combustible material. It is distinct from a Crematorium.
<b>Waste Recycling Facility</b>	Means a shed or building where waste is sorted and the recyclable components such as paper, plastic, glass, cans, metal, bottles, batteries, fabric and clothes are sorted for their reuse.
<b>Waste Water Package Plant</b>	Means a small-scale wastewater treatment facility utilised in large Medium Density or large scale residential developments, which are not connected to municipal waste water systems and need to undertake on-site treatment prior to disposal. In eco-estates, filtered grey water can be reused for the watering of gardens etc.
<b>Wastewater Treatment Plant</b>	Means a facility that receives influent wastewaters from domestic or industrial sources and processes the wastewaters to remove or convert pollutants to produce an effluent that will not violate water quality standards or endanger public health when discharged.
<b>Water Desalination Plant</b>	See Desalination Plant.
<b>Wind Farm</b>	Means an area of land that has grouped wind turbines or energy producing windmills from which electrical energy is produced and stored or fed into a grid structure and includes associate maintenance and storage facilities
<b>Wind Turbine</b>	Means a large vanned wheel device that converts kinetic energy from the wind into electrical power and is used on Wind Farms.

**SECTION SIX: PARKING NORMS AND STANDARDS****Parking Standards and Requirements**

(NOTE: see Clause 3.8 (a) for relaxation and exemptions)

**6.1 PLANNING STANDARDS FOR THE CONTROL OF TRAFFIC GENERATING SITES****6.1.1 TABLE OF PARKING STANDARDS AND REQUIREMENTS**

Use	Standards	Additional requirements
<b>AGRICULTURE</b>		
Abattoir	1 car space for every 140 m <sup>2</sup> or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Agricultural Industry	Up to 25 persons employed : 1 car space for every 5 persons Thereafter, for the next 25 persons employed : 1 car space for every 10 persons.	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Farm Stall	1 car space per Stall.	On-site loading and unloading access to be provided to the satisfaction of the Municipality.

**CIVIC AND SOCIAL / ADMINISTRATIVE**

Cemetery/Crematorium	2 Parking bays per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Clinic	3 Parking bays per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Community Hall / Multi-purpose centre	4 parking bays per 100m <sup>2</sup> G of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Convention Centre	4 parking bays per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.

Use	Standards	Additional requirements
<b>Educational Building</b>		
College/Technikon	1 Parking bay per 4 students 1 Parking bay per classroom/office.  Onsite drop off and pick up zone to the satisfaction of the Local Authority.	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Primary / Secondary School	2 Parking bays per classroom Onsite drop off and pick up zone to the satisfaction of the Local Authority.	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Nursery School/crèche	1 Parking bays per 6 children 2 Parking bays for office Onsite drop off and pick up zone to the satisfaction of the Local Authority.	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Frail Care Facility	1.5 car space for every 2 units  2 car spaces per 100m <sup>2</sup> (administrative)  Parking bay dimension to be 2m x 4m	On-site loading and unloading accommodation to be provided to the satisfaction of the municipality
Government Municipal Building	For every public office there shall be provided 6bays/100m <sup>2</sup> and an additional 15 bays for visitors.	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Hospital	2 parking bay per bed and adequate on-site parking for staff together.	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Institution	1 car space per 50 m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the Municipality.
Place of Assembly	4 Parking bays per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Place of Instruction	4 Parking bays per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.

Use	Standards	Additional requirements
Place of Worship	1 car space for every 3 seats.	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Restricted Building	4 Parking bays per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.

#### ENVIRONMENTAL AND RECREATION

Camping ground	2 parking bays per unit and a trailer bay facility.	On-site loading and unloading accommodation to be provided to the satisfaction of the municipality.
Caravan park	2 parking bays per unit and a trailer bay facility.	On-site loading and unloading accommodation to be provided to the satisfaction of the municipality.
Conservation Area	Adequate parking to be provided to the satisfaction of the Municipality.	On-site loading and unloading accommodation to be provided to the satisfaction of the municipality.
Game Reserve	Adequate parking to be provided to the satisfaction of the Municipality.	On-site loading and unloading accommodation to be provided to the satisfaction of the municipality.
Nature Reserve	Adequate parking to be provided to the satisfaction of the Municipality.	On-site loading and unloading accommodation to be provided to the satisfaction of the municipality.
Private Recreational Area	1 parking bay per 4 seats.	On-site loading and unloading accommodation to be provided to the satisfaction of the municipality.
Recreational building	2 parking bays per unit and a trailer bay facility.	On-site loading and unloading accommodation to be provided to the satisfaction of the municipality.

Use	Standards	Additional requirements
<b>COMMERCIAL</b>		
Betting depot	35 parking bays per establishment.	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
4 Parking bays per 100m <sup>2</sup> G.L.A	4 Parking bays per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Carwash	Minimum of 6 parking bays.	
Commercial Workshop	4 car spaces per 100m <sup>2</sup> of the Gross Floor Area.	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Conference Centre	4 car space per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Convenience Shop	1 car space per 25 m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Cinema, Theatre and Assembly Hall	1 car space for every 3 seats	On-site loading and unloading area with suitable access to the satisfaction of the Municipality.
Flea Market	1 parking bay per stall	
Funeral parlour:	2 parking bays per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Gambling premises	1 car space per 25m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Garden nursery	1 car space per 50m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Health club	4 car space per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.



Use	Standards	Additional requirements
Home business	1 car space per 25m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Kennel/Cattery	1 car space per 50m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Laundrette	1 car space per 50m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Motor Car Showroom	4 Parking bays per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the Municipality.
Motor repair workshop	4 Parking bays per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the Municipality.
Offices (Office Park, Business Services, Professional, General, and medical)	1 car space per 50m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Parking Garage	1 car space for every 50 m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the Municipality.
Pet Shop	1 car space per 50m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Place of amusement	4 Parking bays per 100m <sup>2</sup> of the Gross Floor Area.	On-site loading and unloading area with suitable access to be provided to the satisfaction of the Municipality.
Restaurant	6 car spaces per 100 m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the Municipality
Restaurant, Fast-food	6 car spaces per 100m <sup>2</sup> of the	On-site loading and unloading

Use	Standards	Additional requirements
	Gross Floor Area	area with suitable access to be provided to the satisfaction of the Municipality.
Service Station	1 car space per 50m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Shop	4 car spaces per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Spaza shop/tavern	1 car space per 25 m <sup>2</sup> of the Gross floor area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Showrooms	4 Parking bays per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the Municipality.
Spa	4 car space per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Tea garden	1 car space per 25 m <sup>2</sup> of Gross floor area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Tuck-shop	1 car space per 25 m <sup>2</sup> of the Gross floor area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Veterinary clinic	1 car space per 50m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Veterinary hospital	2 car space per 50m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the municipality.

Use	Standards	Additional requirements
<b>INDUSTRIAL</b>		
Extractive Industry	1 per 140m <sup>2</sup> or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Industry, High Impact Manufacturing	1 car space for every 140 m <sup>2</sup> or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Industry, Large Scale Manufacturing	1 car space for every 140 m <sup>2</sup> or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Industry, Large Scale Manufacturing	1 car space for every 140 m <sup>2</sup> or major portion of the floor area.	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Industrial building	<p>Up to 25 persons employed : 1 car space for every 3 persons Thereafter, for the next 25 persons employed :</p> <p>1 car space for every 5 persons. Thereafter, for any further number of persons employed :</p> <p>1 car space for every 10 persons In addition, one car space for every commercial vehicle used in the industry.</p>	<p>On-site loading and off-loading accommodation to be provided to the satisfaction of the municipality</p> <p>“Persons employed” shall include management, office staff and factory employees.</p> <p>There shall at all times be a minimum of 2 car spaces and in no case shall the number of car spaces provided exceed the ratio of one car space per 150m<sup>2</sup> gross industrial floor area.</p> <p>The number of car spaces to be provided may be reduced at the discretion of council in the case of unskilled labour and who rely on public transport</p>
Light Industrial Building	1 car space for every 100 m <sup>2</sup> or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Non Polluting Light Manufacturing	1 car space for every 140 m <sup>2</sup> or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Noxious industry	1 car space for every 140 m <sup>2</sup> or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the municipality

Use	Standards	Additional requirements
Offensive Warehouse	1 car space for every 140 m <sup>2</sup> or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Recycling plant	2 per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Research Laboratory	2 per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Retail Warehouse Outlet	4 per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Salvage Yard	1 car space for every 140 m <sup>2</sup> or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Service industrial Building	2 car space for every 100 m <sup>2</sup> or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Service Workshop	2 car space for every 100 m <sup>2</sup> or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Warehouse	1 car space for every 140 m <sup>2</sup> or major portion of the floor area.	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Vehicle Repair Shop	1 car space for every 140 m <sup>2</sup> or major portion of the floor area.	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Wholesaling Shop	4 per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Workshops and service outlets	1 per 100m <sup>2</sup> of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality

Use	Standards	Additional requirements
<b>RESIDENTIAL</b>		
Backpackers / Hostelling Establishment	1 car space for every 2 bedrooms  1 bus bay for every 25 rooms  2 mini-bus bays per 10 rooms  2 bays for the owner/manager/occupier  15 bays minimum for the general public	On-site loading and unloading accommodation to be provided to the satisfaction of the municipality
Bed and Breakfast Facility	1 car space per lettable room	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Boarding House	1 car space for every bedroom  2 bays for the owner/manager/occupier  Plus a minimum of 5 additional conveniently located car spaces	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Boutique Hotel	1 car space for every bedroom  1 bay for every 25% of restaurant  2 bays for the owner/manager/occupier  1 bay for every 25 m <sup>2</sup> of conference seating  15 bays minimum for the general public	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Creche	1 Parking bays per 6 children 2 Parking bays for office  Onsite drop off and pick up zone to the satisfaction of the Local Authority.	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Day Care Centre	1 Parking bays per 6 children 2 Parking bays for office	On-site loading and unloading access to be provided to the satisfaction of the Municipality.

Use	Standards	Additional requirements
	Onsite drop off and pick up zone to the satisfaction of the Local Authority.	
Dwelling House	1 garage or covered space per dwelling unit  1 garage or covered space per additional self-contained unit.	Site loading and unloading accommodation to be provided to the satisfaction of the municipality  Visitor's parking to be conveniently Located to entrance to building
Extended Residential Building	1 garage or covered space per dwelling unit  1 garage or covered space per additional self-contained unit	Site loading and unloading accommodation to be provided to the satisfaction of the municipality  Visitor's parking to be conveniently Located to entrance to building
Group Housing	1 parking bays or space per dwelling unit  1 parking bay or car space per 2 dwelling units for visitors	On-site loading and unloading accommodation to be provided to the satisfaction of the Municipality  Visitor's parking to be conveniently located to dwelling units and not within private open areas
Guest House	1 car space for every bedroom  2 bays for the owner/manager/occupier  I bay for every 2 conference seats	Site loading and unloading accommodation to be provided to the satisfaction of the municipality
Hotel	1 car space for every bedroom  1 Bay for every 25% of restaurant  2 bays for the owner/manager/occupier  I bay for every 25 of conference seating  15 bays minimum for the	Site loading and unloading accommodation to be provided to the satisfaction of the Municipality

Use	Standards	Additional requirements
	General Public	
Lodge	<p>1 car space for every bedroom</p> <p>1 Bay for every 25% of restaurant space</p> <p>2 bays for the owner/manager/occupier</p> <p>15 bays minimum for the general public</p> <p>1 bay for every 25 m<sup>2</sup> of Conference</p>	On-site loading and unloading accommodation to be provided to the satisfaction of the Municipality
Medium Density Housing	<p>1 parking bays or space per dwelling unit</p> <p>1 parking bay or car space per 2 dwelling units for visitors</p>	<p>On-site loading and unloading accommodation to be provided to the satisfaction of the Municipality</p> <p>Visitor's parking to be conveniently located to dwelling units and not within private open areas</p>
Residential Building	<p>1 parking bays or space per dwelling unit</p> <p>1 parking bay or car space per 2 dwelling units for visitors</p>	<p>On-site loading and unloading accommodation to be provided to the satisfaction of the Municipality</p> <p>Visitor's parking to be conveniently located to dwelling units and not within private open areas</p>
Retirement Village	<p>1.5 car space for every 2 units</p> <p>2 car spaces per 100m<sup>2</sup> (administrative)</p>	On-site loading and unloading accommodation to be provided to the satisfaction of the Municipality
Self-Catering Apartments and Villas	2 Parking bays per unit and a Trailer bay facility	On-site loading and unloading accommodation to be provided to the Satisfaction of the Municipality.

**6.1.2 GENERAL NOTES AND REQUIREMENTS**

- (a) All parking shall be provided within the site of the development proposed.
- (b) Where the use proposed is not contained in this document, parking shall be provided at the discretion of the Director Development Planning.
- c) This document contains minimum parking and loading requirements which shall be complied with in terms of this document. The onus however remains on the developers/owner/applicant to ensure that adequate parking and loading facilities, in addition to the minimum requirement are provided within the site of the development proposed.
- d) All loading facilities shall be in accordance with the requirements from the traffic department.
- e) Tandem parking bays may be permitted, provided that it is over and above the applicant meeting with the required parking bays.
- f) Vehicles must be parked in such a way that each vehicle can be freely moved in and out of its parking bay in a single manoeuvre.
- g) The parking layout should be designed so that structural columns, beams, walls, etc. shall not obstruct the free manoeuvring of vehicles into and out of parking bays.
- h) The width of one-way driveways, ramps and entrances shall be a minimum of 3.0m. The width of two-way driveways and ramps shall be a minimum of 6.0m.



### 6.1.3. DEFINITIONS

- (a) The term “road” shall mean, for the purposes of this Annex and Scheme, a way which is intended, prepared, or used for the travelling of foot – passengers (other than where such way is used exclusively for foot passengers), riders and vehicles, inclusive of the full extent of its width, notwithstanding that only portion thereof may be in actual use for travelling purposes, and shall include a street.
- (b) The terms “traffic generator” or “traffic generating site” shall mean an erf, site or curtilage, business or activity wherein (on), or by reason whereof, a larger number of motor vehicles are required to enter or leave a public street, roadway or right of way and shall include, but not be confined to, properties whereon petrol service stations, parking garages, parking lots, churches, sports stadia, blocks of flats, hotels, halls or shopping centres are established.

### 6.1.4. INTERSECTIONS

- (a) No vehicular entrance to, or exit from, a traffic generator should be permitted in the immediate vicinity of a road intersection, junction or interchange.
- (b) In the case of an intersection or junction at grade in rural conditions, the distance from such entrance or exit to any such intersection or junction, measured parallel to the direction of travel along the road to which to, or exit from, it is afforded shall not be less than 150 m.
- (c) Under urban conditions, this distance may be reduced, in which case the desirable minimum shall be 20m and 60m from an intersection of junction with a minor and major street respectively. No such entrance or exit shall be permitted within a distance of 150 m from the limits of an interchange, which limits shall be determined by the relevant road authority concerned.
- (d) Any unavoidable reduction in these minimum distances shall be in exceptional circumstances only and where additional safeguards may be imposed, such as special speed limits, acceleration and deceleration lanes or other traffic controls.

### 6.1.5. ACCESS TO PROVINCIAL ROADS

- (a) There shall be no direct vehicular or pedestrian entrance to, or exit from, a traffic generator to or from a Provincial Main Road, freeways, expressways or heavily – trafficked arterial roads in urban areas without the prior approval of the KwaZulu-Natal Department of Transport.

### 6.1.6. COMMERCIAL PREMISES

- (a) No commercial premises with direct access to a flanking service road should be permitted, unless direct pedestrian access from the main carriageway to such service road has been rendered impracticable.

### 6.1.7. PEDESTRIAN CONFLICT

- (a) No traffic generator should be permitted upon any Erf, site or curtilage that, by virtue of its proximity and situation in relation to schools, churches, cinemas, bus depots, taxi

ranks, railway stations, major recreation grounds, beaches or other similar places which generate heavy pedestrian movements at certain times, is likely to cause conflict between vehicular and pedestrian traffic.

#### **6.1.8. GARAGES AND PETROL FILLING STATIONS**

- (a) In considering applications for the establishment of garages and service stations, the Municipality should take into account the need therefore within the area in which such are to be located, having regard to the location of other existing and / or contemplated facilities. Any argument based on the “solo – site” system that all brands of fuel should be available within any particular area should not be taken into account.

#### **6.1.9. SPECIFIC STANDARDS FOR TRAFFIC GENERATING SITES**

- (a) The following standards should be adopted in considering the establishment of any traffic generators:
  - (i) Where separate entrance and exit points are to be provided, such should not be placed at, or near, either end of a frontage of not less than 36 metres;
  - (ii) The property should be of sufficient depth for the whole activity to be carried on clear of the street and should in no case be less than 15 metres in depth;
- (b) The property should be sufficiently large and so laid out as to include a waiting area near to the entrance sufficiently large to accommodate vehicles awaiting service so as to avoid queuing in the public road;
- (c) The minimum sight distance along the road should be 120 metres, measured from the entrance / exit point, the height of the eye being 1,37metres to an object, which is 1,37 metres high;
- (d) No traffic generator should be permitted with entrance to, or exit from, a street whose gradient is steeper than 1 in 8 and access ramp should be steeper than 1 in 10;
- (e) In rural areas, buildings should be sited at least 36 metres from the nearest point of the road reserve of any main road; and
- (f) Pump islands in garages and service stations should not be less than 5m from the property boundary.

#### **6.2. THE GENERAL REQUIREMENTS FOR ADDITIONAL CONTROLS FOR ALL ZONES**

- 6.2.1 The sub-division of land for residential purposes that falls outside of the designated boundary of the scheme adoption area is subject to the Sub-division of Agricultural Land Act (Act No 70 of 1970) and requires approval from the provincial Department of Agriculture and Environmental Affairs.
- 6.2.2 All applications for change of land use are subject to the relevant requirements of the National Environmental Management Act (Act No. 107 of 19988) which requires an Environmental Impact Assessment and Environmental Authorisation (EA) from the Department of Economic Development, Tourism and Environmental Affairs (EDTEA).

### 6.3. DESIGN AND LAYOUT REQUIREMENTS FOR MEDIUM DENSITY HOUSING DEVELOPMENT

6.3.1 The following minimum areas per dwelling unit shall apply to a Medium Density Housing Site:

- (i) Private Open Area: 30m<sup>2</sup>;
- (ii) Usable Common Open Space: 50m<sup>2</sup>;
- (iii) Utility Area: 15m<sup>2</sup>;
- (iv) Floor Area of Garage or Carport: 18m<sup>2</sup>; and
- (v) Dwelling Unit: 80m<sup>2</sup>.

6.3.2 Where, in the opinion of the Municipality, a road within a Medium Density Housing Site should serve the public, it may require the road to be registered as a public road; provided that, for the purposes of calculating the Floor Area Ratio and Coverage, the area of the public road shall be excluded from the gross site area.

[NOTE: There has been a tendency to include the public road area in a Medium Density Housing layout in the gross site area. However, this is at variance with the definition of Lot Area, which excludes the area of any public road or rights of way. There must therefore, be consistency in the Scheme]

6.3.3 The minimum unobstructed width of a road carriageway within a medium density-housing site shall be 3m where the carriageway is one-way and 5,5m where the carriage way is two-way.

6.3.4 Every *cul-de-sac* shall have a turning space to the Municipality's satisfaction.

6.3.5 Where the Municipality considers it necessary to do so, it may require that the Medium Density Housing Site to be developed in phases.

6.3.6 In calculating the number of dwelling units which may be erected on any Medium Density Housing Site in accordance with the provisions of the Development Control Tables, any fraction of a unit above 0,5 may be raised to the next whole number.

### 6.4 REQUIREMENTS FOR BED AND BREAKFAST ESTABLISHMENTS

**(Refer to Appendix 4 for details)**

6.4.1 The operation of a Bed and Breakfast establishment from a dwelling house or unit as contemplated in Appendix 4 shall conform to the following:

- (i) The residential character of the dwelling house or unit is to be retained so as to ensure that the residential integrity of the zone in which it occurs is protected.
- (ii) No kitchen facility shall be provided within the lettable rooms;
- (iii) On-site parking for clients shall be provided; and
- (iv) In addition to ablution facilities, which may or may not be *en suite*, guests shall be permitted unrestricted access to at least the dining room and lounge facilities of the dwelling house or unit.

6.4.2 Where the Municipality has required that a consent application be made to it in respect of the continued practice of a bed and breakfast establishment as contemplated in Sub-clause (a) above, then such application shall include:

- (i) Details and sketches as to the proposed signage to be erected on the lot;
- (ii) A site plan showing the location and extent of all buildings and structures on the lot, vehicular access to and from the lot and the layout of the on-site parking to be provided the local area of the KwaDukuza Municipality; and
- (iii) A sketch plan of the dwelling house or unit identifying those rooms, and their use, to be utilised for the operation of the bed and breakfast establishment.

**SECTION SEVEN: - APPENDICES****APPENDIX 1: DETAILED DEFINITION OF A FACTORY**

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1.0 For the purposes of this Scheme, “factory” will mean:-

1.1 Any premises on or within which any person performs work in connection with any business, undertaking or institution, whether an employer or employee, pupil or inmate of an institution or otherwise, in any one or more of the following activities:-

- i) The making of any article or part thereof;
- ii) The altering, repairing, renovating, ornamenting, painting, spraying, polishing, finishing, cleaning, dyeing, washing or breaking up of any article;
- iii) The adaption for sale or use of any article;
- iv) The sorting, assembling or packing (including washing or filling bottles or other containers) of any articles;
- v) The construction, reconstruction, assembling, repairing or breaking up of vehicles or parts thereof (but excluding premises used for the purpose of housing vehicles where only minor adjustments are carried out);
- vi) Printing or letterpress, lithography, photogravure or other similar process, including any activity associated with the printing industry;
- vii) The production and storage of gas in a holder of more than five thousand (5 000) cubic feet (141, 6 cubic metres) storage capacity;
- viii) The freezing, chilling or storage in cold storage of any article;
- ix) The slaughtering of livestock;
- x) The generation of electricity;
- xi) Photographic work; and
- xii) Any activity carried on that is necessary, or incidental, to any activity referred to in subparagraph 1) to XI), inclusive, if the premises on which it is carried out, or form part of, is adjacent to the premises to which it is so incidental; and

1.2 Any premises on which bookkeeping, typewriting or any other clerical work incidental to any activity referred to in paragraph 1.1 is performed, if such premises forms part of, or are adjacent to, the premises in which the said activity is carried on.

1.3 Notwithstanding the provisions of 1.0 above, “factory” shall not include:

- i) Any premises on which fewer than three (3) persons perform work in any activity referred to in 1.0, unless :
- ii) Mechanical power (other than for ordinary lighting purposes) is used in the activity conducted on or within such premises, whether such power is derived from steam, electricity, gas, liquid or from any other source; and
- iii) Such premises have been registered as a factory in terms of the relevant legislation;
- iv) Premises on or within which any activity referred to in 1.1.4 or 1.1.8 is incidental to the conduct of a business engaged mainly in the sale of goods by retail;
- v) Premises on or within which any activity referred to in 1.1.4 is incidental to the conduct of a business engaged mainly in the sale of goods by wholesale;

- vi) Any mine or works as defined in Section 102 of the Mine, Health and Safety Act (No. 29 of 1996), as amended, or any subsequent applicable legislation;
  - vii) Dwelling houses, hotels, boarding houses, restaurants, refreshment or tea rooms or eating houses in respect of any activity referred to in 1.0 above which is ordinarily incidental to the conduct of such establishment;
  - viii) Premises used temporarily or exclusively for the carrying on of any activity connected with the construction, alteration, renovation, repair or demolition of any building, bridge, road or irrigation works, or any other similar works;
  - ix) Premises on a farm in respect of which a farmer, including a partnership or group of persons, other than a company, carries out any activity referred to in 1.1 above solely in connection with processes and products related to such farm and which are directly connected to the primary farming activities thereon;
  - x) A workroom associated with a *bona fide* institution; and
  - xi) The danger area of an explosives factory as described in the regulations under the Explosives Act, (No. 15 of 2003), as amended.
- 1.4 For the purposes of this Annex and Scheme, “power” does not include hand or foot power used to operate any mechanical appliance or power derived from machinery rated to develop not more than 0,7457 kw machine power.

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**APPENDIX 2: OFFENSIVE/NOXIOUS TRADES, FACTORIES AND STORAGE FACILITIES**

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1. Chemical works;
2. Dye works;
3. Manure, superphosphate or fertilizer works or stores;
4. Fell monger;
5. Tanning and leather – dressing works;
6. Works or premises used for the storage, drying, preserving or otherwise dealing with bones, horns, hoofs or hides;
7. Whaling stations and premises or works used for storing or dealing with material derived from whales;
8. Knackers' yards;
9. Glue or sizing factories
10. Soap and candle works;
11. Fat – melting or tallow – melting works and any similar works or establishment dealing with meat, bones, blood, offal, horns, hoofs or other animal organic matter;
12. Wattle – bark grinding or extracting) works;
13. Brick – burning and lime – burning works;
14. Breweries and distilleries;
15. Fish canning works;
16. Bacon factories, sausage factories and similar works;
17. Gut – scraping works;
18. Tripe – cleaning or tripe – boiling works; and,
19. Destructors or other works for the treatment of household refuse, trade refuse, street refuse, sewage or “night – soil”.

**APPENDIX 3: ADMISSION OF RETAIL USES INTO INDUSTRIAL ZONES**

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- 1.0 Certain categories of retail outlets may be permitted within industrial zones with the prior consent of the Municipality. The remaining ones must be the subject of a rezoning application.
- 2.0 The categories of retail outlets, which may be admitted within industrial zones by consent, include, *inter alia*:-
- i) Low – order convenience goods and service shops catering for the immediate day-to-day needs of people working within the industrial area concerned, provided that the total floor area of any shop or contiguous set of shops (including a set of shops separated by a road or pedestrian way or route) shall in no case exceed 300m<sup>2</sup>;
  - ii) Shops which are incompatible with the vast majority of the types of shops normally located within commercial zones, but which fit in well in industrial areas, such as builders' supply dealers, firms dealing in wire, gates and fences, timber merchants and firms dealing in agricultural implements;
  - iii) Shops which deal largely with other firms normally located in industrial areas such as service stations, specialist industrial concerns in the motor trade (panel beaters and auto – electrical specialists), builders and engineering firms (paint shops, firms dealing in engineering supplied) and motor spares shops; and
  - iv) Shops which:
    - a) Are situated on the same site as the industrial activities concerned;
    - b) Retail only products of the industrial concern to which they relate, or which deal with directly associated products; and
    - c) Have floor areas not exceeding ten per cent of the total floor area of all buildings on the lot, Erf, site or curtilage, or 150m<sup>2</sup>, whichever is the lesser;

Provided that there shall only be one shop for each industrial undertaking thereon.



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**APPENDIX 4: PLANNING APPLICATION CRITERIA FOR HOSPITALITY USES**

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**1.0 BED AND BREAKFAST ESTABLISHMENT****1.1 Policy Statement:**

Bed and Breakfast accommodation is provided in a private family home and the owner / manager lives in the house or on the property. Breakfast must be available. In general, the guests share the public areas with the host family. The primary use on the premises remains residential for occupation by the host family.

The operation of a Bed and Breakfast facility shall not detract, as defined solely by the Municipality, from the residential character and amenities of the property concerned or the immediate surroundings.

**1.2 Rates Policy:**

For rating purposes, it is suggested that three categories of varying impact be applied, i.e.:-

- Historically Disadvantaged area Bed and Breakfast - 1-6 Rooms (60% rebate on residential property)
- Low Impact Bed and Breakfast - 1-3 Rooms (Residential classification with a 50% rebate)
- Medium Impact Bed and Breakfast - 4+ Rooms (RCP classification with 40% rebate)
- Grading incentive rebate - + 5%

**1.3 Minimum Requirements:**

The following minimum requirements shall be met on the application site:

*(1) Minimum Lot Size and Zoning Requirements:*

- The maximum number of lettable rooms shall be determined by the available lot area and space for provision of parking.
- A Band B Establishment may only be permitted on land zoned or land used for "Special Residential", "Rural Residential", "Peri-Urban Residential" and "Low Density Residential" purposes.
- Notwithstanding the provisions of the relevant planning scheme, the Municipality may, in the use zones referred to above, exempt an applicant from applying for Consent and relax the requirements of the scheme to such an extent as it may decide if it is satisfied that no interference with the amenities of the neighbourhood existing, or as contemplated by the scheme will result; provided that the prior written consent of the registered owner of each adjoining property with street frontages contiguous to the site and such other properties within a 100 meter radius from the application site has first been obtained.
- If the written consent cannot first be obtained within a 60 days period, then the Consent procedure shall apply.
- No place of public assembly or place of entertainment will be permitted.
- A valid Public Liability Insurance Policy shall cover the establishment at all times and a valid certificate to this effect shall be displayed.
- An indemnity form shall be signed by all guests and a sign of indemnity shall be displayed at all times.

*(2) Particular Parking Requirements and Accommodation of Motor Vehicles on the Lot:-*

- 1 Parking bay per guest room and
- 2 Parking bays for the owner / occupier.
- All loading and parking provision has to be provided off street and it shall be to the satisfaction of the Local Municipality. The Municipality may relax these requirements on application and consider the unique merits of the application, with specific emphasis on the attempt to promote the hospitality industry in historically disadvantaged areas.

*(3) The Maximum Number of Bedrooms/beds, which may be Rented Out:-*

- The maximum number of rooms shall be determined by the available lot area and the applicable planning scheme density controls.
- No unit or room shall be let out for self-catering purposes.

*(4) Serving of Meals:-*

- Meals provided and facilities offered shall be limited to guests only.

*(5) Control of signage:-*

- No advertising sign or notice shall be larger than 0,5m<sup>2</sup>, and there shall be no public display of goods.

**2.0. GUEST HOUSE****2.1 Policy Statement:**

A guesthouse may include a building or group of buildings under single management containing both rooms and dwelling units available for temporary rental to transient individuals or families. A guesthouse may offer Band B accommodation as well as self-catering accommodation. A guesthouse will have public areas for the exclusive use of its guests. A guesthouse is a commercial enterprise and the owner or manager must live on the premises. The Guest House may include a business/conference centre not exceeding 20m<sup>2</sup> GLA in area, for use of its guests.

The operation of a Guest House facility shall not detract, as defined solely by the Municipality, from the residential character and amenities of the property concerned or the immediate surroundings.

**2.2 Rates Policy:**

For rating purposes, it is suggested that three categories be applied:

- Historically Disadvantaged Area - 1-12 rooms (Residential Classification and 50% rebate)
- Low Impact Guest House - 1 - 6 Rooms (RCP classification and 40% rebate)
- Medium Impact Guest House - 7+ Rooms (RCP classification and 30% rebate)
- Grading incentive rebate - + 5%

**2.3 Minimum Requirements:**

The following minimum requirements shall be met on the application site:

*(1) Minimum Lot Size and Zoning Requirements:*

- The maximum number of rooms shall be determined by the available lot area and the applicable planning scheme density controls.
- A Guesthouse Establishment of less than 6 rooms may only be permitted on land on which the **Consent** of the Municipality has been obtained.

- A Guesthouse Establishment of more than 6 rooms may only be permitted on land zoned for “Guest House” purposes. In other words, a **rezoning application** has to be submitted.
- (2) *Particular Parking Requirements and Accommodation of Motor Vehicles on the Lot:-*
- 1 Parking bay per guest room and
  - 2 Parking bays for the owner / manager / occupier.
  - 1 Parking bay for every two conference centre seats, and provision of bus and / or minibus parking may be required at the discretion of the Municipality.
  - All loading and parking provision has to be provided off street and it shall be to the satisfaction of the Local Municipality.
- (3) *The Maximum Number of Rooms which may be Rented Out:-*
- The maximum number of rooms shall be determined by the available lot area and the applicable planning scheme density controls.
- (4) *The Maximum Number of Guests:-*
- There shall be no restriction on the number of persons that may be employed in connection with the use, whether or not such persons ordinarily reside on the premises.
- (5) *Serving of meals:-*
- Meals provided shall be limited to guests only.
  - A Liquor Licence may be applied for guests only.
- (6) *Control of Signage:-*
- No advertising sign or notice shall be larger than 0,5m<sup>2</sup>, and there shall be no public display of goods.

### 3.0 COUNTRY HOUSE

#### 3.1 Policy Statement:

A country house can be either a Guest House or a Bed and Breakfast, situated in agricultural or natural, peaceful surroundings such as a farm, in or near a nature reserve, a forest, a lake etc. The rates charged are usually inclusive of all meals and the experience offered at the Country House or -lodge, with game drives, tours, etc. The amenities, including the restaurant, may be open to the general public. A Place of Public Assembly and place of Public Entertainment may be allowed to cater for weddings and other similar type of events. A small curios / arts and crafts / fresh produce (farm) shop may be permitted, provided that it does not exceed 50m<sup>2</sup> GLA. The owner and/or manager must live on the premises.

#### 3.2 Rates Policy:

For rating purposes, it is suggested that a single category be applied regardless of size of establishment and that residential rate to be applied to these sites.

### 3.3 Minimum Requirements:

The following minimum requirements shall be met on the application site:

(1) *Minimum Lot Size and Zoning Requirements:*

- The minimum lot area shall be 1 hectare.
- A Country House or -Lodge Establishment may only be permitted on land zoned for, and used for "Agricultural", "Resort", "Conservation Area" or "Game Reserve" purposes.
- Environmental Authorisation, and Planning approval, through the Spatial Planning and Land Use Management Act (Act No. 16 of 2013) or any other relevant legislation shall first be obtained.

(2) *Particular Parking Requirements and Accommodation of Motor Vehicles on the Lot:-*

- 1 Parking bay per guest room
- 1 Parking bay per 25% of the restaurant seating capacity
- Minimum of 15 bays for use by general public if the facility is open to the general public and
- 2 Parking bays for the owner / manager / occupier.
- All loading and parking provision has to be provided off street and it shall be to the satisfaction of the Local Municipality.

(3) *The Maximum Number of Rooms which may be Rented Out:-*

- A maximum of 12 rooms may be permitted.

(4) *The Maximum Number of Guests:-*

- The maximum daily number of visiting guests shall be determined by the nature and size of the operation, and it shall be controlled by the planning and environmental authorisation stipulations.

(5) *Serving of Meals:-*

- Meals provided need not be limited to guests only, provided that the necessary planning authorisation has been obtained for a restaurant.
- A Liquor Licence may be applied for.

(6) *Control of Signage:-*

- No advertising sign or notice shall be larger than 1m<sup>2</sup>.

## 4.0 BOUTIQUE HOTEL

### 4.1 Policy Statement:

A Boutique Hotel is a building, which is not used as a Dwelling House or Guest House, and which is used for temporary accommodation in the form of single or double rooms, with en suite or communal ablution facilities, which may or may not have a liquor license, the occupants of which are provided with meals in a communal dining room or restaurant, lounge and other amenities such as in a lapa or similar facility. The restaurant and other amenities such as Conference facilities, meeting room(s), and business centre may be open for use by the general public"

Boutique hotels differentiate themselves from larger chain or branded hotels by providing an exceptional and personalized level of accommodation, services and facilities. The concept the term "boutique" may also refer to the term "lifestyle hotels".

Boutique hotels are sometimes furnished in a themed, stylish and/or inspirational manner. Although usually considerably smaller than a mainstream hotel (maximum 50 guestrooms)

boutique hotels are generally fitted with telephone and Wi-Fi Internet connections, honesty bars and often cable/pay TV. Guest services are attended to by 24-hour hotel staff. The boutique hotels may have on site dining facilities, and offer an attractive bars as well as lounge facility, which may also be open to the public.

#### **4.2 Rates Policy:**

For rating purposes, it is suggested that a single commercial related category be applied.

#### **4.3 Minimum Requirements:**

The following minimum requirements shall be met on the application site:

*(1) Minimum Lot Size and Zoning Requirements:*

- The minimum lot area shall be 5000m<sup>2</sup>.
- A Boutique Hotel may only be permitted on land zoned for, and used for "Boutique Hotel" purposes.
- Environmental Authorisation, and Planning approval, vide a rezoning / zoning as per the provisions of the Spatial Planning and Land Use Management Act (Act No. 16 of 2013) as amended, or any other relevant legislation, shall first be obtained.
- The conference facility / meeting rooms may not cater for more than 50 guests.
- The business centre may not exceed 80m<sup>2</sup> GLA.
- The curio / arts and crafts shop may not exceed 50m<sup>2</sup> GLA.

*(2) Particular Parking Requirements and Accommodation of Motor Vehicles on the Lot:-*

- 1 Parking bay per guest room
- 1 Parking bay per 25% of the restaurant seating capacity
- 1 Parking bay per 25m<sup>2</sup> GLA conference / meeting room / business centre area
- Minimum of 15 bays for use by general public if the facility is open to the general public and
- 2 Parking bays for the owner / manager / occupier.
- Adequate Staff Parking and public transport pick up and drop off facilities shall be provided.
- All loading and parking provision has to be provided off street and it shall be to the satisfaction of the Local Municipality.

*(3) The Maximum number of rooms, which may be rented out:-*

- A maximum of 50 rooms may be permitted.

*(4) The Maximum Number of Guests:-*

- The maximum daily number of visiting guests shall be determined by the nature and size of the operation, and it shall be controlled by the planning and environmental authorisation stipulations.

*(5) Serving of Meals:-*

- Meals provided may not be limited to guests only.

*(6) Control of Signage:-*

- No advertising sign or notice shall be larger than 2m<sup>2</sup>.

### **5.0 LODGE**

#### **5.1 Policy Statement:**

A Lodge is usually situated in a conservation area or a nature reserve, such as a forest, a lake, coastal belt etc. The rates charged are usually inclusive of all meals and the experience offered at the lodge, with guided tours, etc. The amenities, including the restaurant, may be open to the

public. A place of public assembly, such as conference facilities and place of public entertainment may be allowed to cater for weddings and other similar type of events. A small curios / arts and crafts shop may be permitted, and a business centre if it does not exceed 50m<sup>2</sup> and 20m<sup>2</sup> GLA respectively. The owner and/or manager must live on the premises.

## **5.2 Rates Policy:**

For rating purposes, it is suggested that a single commercial category be applied.

## **5.3 Minimum Requirements:**

The following minimum requirements shall be met on the application site:

### *(1) Minimum Lot Size and Zoning Requirements:*

- The minimum lot area shall be 1 hectare.
- A Lodge Establishment may only be permitted on land zoned for, and used for “Resort”, “Conservation Area” or “Game /Nature Reserve” purposes.
- Environmental Authorisation, and planning approval, via either the Spatial Planning and Land Use Management Act (Act No. 16 of 2013) as amended, or any other relevant legislation, shall first be obtained.

### *(2) Particular Parking Requirements and Accommodation of Motor Vehicles on the Lot:-*

- 1 parking bay per guest room
- 1 parking bay per 25% of the restaurant seating capacity

[illegible]

## APPENDIX 6: REGISTER OF DEVELOPMENT APPLICATIONS LODGED WITH THE KWADUKUZA SCHEME

[illegible]



**APPENDIX 7: REGISTER OF MANAGEMENT OVERLAYS FOR THE KwaDukuza Scheme**

REGISTER OF MANAGEMENT OVERLAYS				
APPLICATION REFERENCE NUMBER	FILE NUMBER	DETAILS OF OVERLAY	DATE OF DECISION	REMARKS
XXX	TP----			
XXX	TP----			
XXX	TP----			

NOTE: This register is to be filled in in terms of ADOPTED Management Overlay Informants, and Management Overlay Plans e.g.:-

- Biodiversity Informants;
- KwaDukuza BOS Informant;
- KwaDukuza Coastal Management Plan; and,
- ILembe Environmental Management Plan.

**APPENDIX 8: LIST OF DFA APPROVALS/ SPECIAL ZONES**

<b>No.</b>	<b>Development Reference/Property Description</b>	<b>DFA Reference Number</b>
1.	Erf 506 Shakashead	2001/1109
2.	Erf 2014 Ballitoville	2002/192
3.	Steve Bhiko	2002/391
4.	Groutville Phase 1	2002/596
5.	Shayamoya Nkobongo	2002/667
6.	Simbithi Eco Estate	2003/653
7.	Dunkirk Estate	2003/653
8.	Simbithi Phase 2,3,4	2004/149
9.	Zululami	2004/567
10.	Brettenwood Estate	2004/754
11.	Nkwazi/Siyambezi	2004/841
12.	Shakashead Ext 2 Phase 2	2004/861
13.	Sheffield Manor	2004/929
14.	Chairmans Rest	2005/766
15.	Palm Lakes	2005/766
16.	Blythedale Coastal Resort	2005/1298
17.	Mount Richmore	2006/210
18.	Bogmore Residential Estate	2006/933
19.	Woodmead Residential Estate	2006/1281
20.	Ballito Estates	2007/560
21.	Sheffield Shopping Centre	2007/561
22.	Avon Peaking Power Plant	2007/818
23.	Zimbali Lakes	2007/858
<b>No.</b>	<b>Development Reference/Property Description</b>	<b>DFA Reference Number</b>
24.	Manor Estates	2007/1120
25.	Sheffield Manor	2007/1250
26.	Shayamoya Coastal and Forest Estate	2007/1411
27.	Hyde Park Country Estate	2007/1499
28.	Helmsley Agricultural Estate	2008/99
29.	Natures Glen at Sheffield Beach	2008/481
30.	Thornhill Estate	2008/738
31.	Mnyundwini Housing Project	2008/771
32.	Njekane and Ntsheni Housing Projects	2008/772

33.	Imbonini Service Park	2008/1022
34.	Royal Palm Estate	2008/1092
35.	Rocky Ridge	2009/153

Zone Reference	Deeds Town	Property Description
1.	Ballitoville (Special Zone - Lifestyle Centre)	Erf 2348 Ballito
2.	Ballitoville (Special Zone - Lifestyle Centre)	Portion 1 of Erf 2564 of Ballitoville
3.	Ballitoville (Special Zone - Lifestyle Centre)	Portion 3 of Erf 2564 of Ballitoville
4.	Ballitoville (Special Zone - Lifestyle Centre)	Erf 3671 of Ballitoville
5.	Ballitoville	Portion 88 of Erf 931 of Ballitoville
6.	Ballitoville	Portion 528 of Erf 931 of Ballitoville
7.	Ballitoville	Erf 1 of Ballitoville
8.	Ballitoville	Erf 11 of Ballitoville
9.	Ballitoville	Erf 12 of Ballitoville
10.	Ballitoville	Erf 13 of Ballitoville
11.	Ballitoville	Portion 2 of Erf 1385 of Ballitoville
12.	Ballitoville	Erf 617 of Ballitoville
13.	Ballitoville	Erf 618 of Ballitoville
14.	Ballitoville	Erf 93 of Ballitoville
Zone Reference	Deeds Town	Property Description
15.	Ballitoville	Erf 1639 of Ballitoville
16.	Blythedale Beach ( Special Zone - Club Guest House)	Erf 246 of Blythedale Beach
17.	Farm Addington	Portion 13 of Erf 1385 of Farm Addington
18.	Farm Addington	Portion 14 of Erf 1385 of Farm Addington
19.	Farm Gledhow Mount	Portion 6 of Erf 1983 of Farm Gledhow Mount
20.	Farm Lot 56	Portion 601 of Erf 931 of Farm Lot 56
21.	Farm Lot 56	Portion 602 of Erf 931 of Farm Lot 56
22.	Farm Lot 56	Portion 12 of Erf 931 of Farm Lot 56
23.	Farm Lot 56	Portion 365 of Erf 931 of Farm Lot 56
24.	Farm Lot 69	Portion 54 of Erf 917 of Farm Lot 69
25.	Farm Lot 69	Portion 140 of Erf 917 of Farm Lot 69
26.	Farm Lot 72	Portion 48 of Erf 1526 of Farm Lot 72
27.	Farm Lot 72	Portion 50 of Erf 1526 of Farm Lot 72
28.	Farm Lot 72	Portion 49 of Erf 1526 of Farm Lot 72
29.	Farm New Guelderland ( Special Zone: Waste Disposal and Recycling Site)	Portion 159 of Erf 1404 of Farm New Guelderland

30.	Farm Zimbali West	The Farm Zimbali West No 17744
31.	Farms	Portion 13 of Erf 1526 of Farms
32.	Farms	Portion 67 of Erf 917 of Farms
33.	Highridge	Erf 69 of Highridge
34.	Port Zimbali	Erf 325 of Port Zimbali
35.	Port Zimbali	Portion 247 of Erf 325 of Port Zimbali
36.	Port Zimbali	Portion 229 of Erf 325 of Port Zimbali
37.	Port Zimbali	Portion 246 of Erf 325 of Port Zimbali
38.	Salt Rock	Portion 1 of Erf 343 of Salt Rock
39.	Salt Rock	Portion 585 of Erf 1521 of Salt Rock
40.	Sheffield Beach	Portion 25 of Erf 917 of Sheffield Beach
<b>Zone Reference</b>	<b>Deeds Town</b>	<b>Property Description</b>
41.	Sheffield Beach	Portion 32 of Erf 917 of Sheffield Beach
42.	Sheffield Beach	Erf 848 of Sheffield Beach
43.	Sheffield Beach	Erf 858 of Sheffield Beach
44.	Sheffield Beach	Erf 860 of Sheffield Beach
45.	Sheffield Beach	Erf 864 of Sheffield Beach
46.	Sheffield Beach	Erf 865 of Sheffield Beach
47.	Sheffield Beach	Erf 867 of Sheffield Beach
48.	Sheffield Beach	Erf 866 of Sheffield Beach
49.	Sheffield Beach	Erf 859 of Sheffield Beach
50.	Sheffield Beach	Erf 857 of Sheffield Beach
51.	Sheffield Beach	Erf 856 of Sheffield Beach
52.	Sheffield Beach	Erf 855 of Sheffield Beach
53.	Sheffield Beach	Erf 854 of Sheffield Beach
54.	Sheffield Beach	Erf 853 of Sheffield Beach
55.	Sheffield Beach	Erf 852 of Sheffield Beach
56.	Sheffield Beach	Erf 851 of Sheffield Beach
57.	Sheffield Beach	Erf 850 of Sheffield Beach
58.	Sheffield Beach	Erf 847 of Sheffield Beach
59.	Sheffield Beach	Erf 849 of Sheffield Beach
60.	Sheffield Beach	Erf 862 of Sheffield Beach
61.	Sheffield Beach	Erf 863 of Sheffield Beach
62.	Sheffield Beach	Erf 861 of Sheffield Beach
63.	Sheffield Beach	Erf 868 of Sheffield Beach
64.	Sheffield Beach	Erf 859 of Sheffield Beach

65.	Sheffield Beach	Erf 857 of Sheffield Beach
66.	Sheffield Beach	Erf 856 of Sheffield Beach
67.	Sheffield Beach	Erf 855 of Sheffield Beach
68.	Sheffield Beach	Erf 854 of Sheffield Beach
69.	Stanger (Special Zone 1)	Erf 1933 of Stanger
70.	Stanger (Special Zone 1)	Portion 3 of Erf 5290 of Stanger
<b>Zone Reference</b>	<b>Deeds Town</b>	<b>Property Description</b>
71.	Stanger (Special Zone 1)	Portion 4 of Erf 5290 of Stanger
72.	Stanger (Special Zone 1)	Erf 5326 of Stanger
73.	Stanger (Special Zone 1)	Portion 2 of Erf 5290 of Stanger
74.	Stanger (Special Zone 1)	Erf 267 of Stanger
75.	Stanger	Portion 8 of Erf 260 of Stanger

**Disclaimer:** List is subject to amendments and further inclusions.