

Land Use Scheme for: **MORETELE LOCAL MUNICIPALITY**

Land Use Scheme – June 2016



**rural development
& land reform**

Department:
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REPUBLIC OF SOUTH AFRICA



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PART 1: GENERAL MATTERS

1.1. Title

- 1.1.1. This scheme shall be known as the Moretele Local Municipality Land Use Scheme, 2016, and shall hereafter be referred to as the “Scheme”.

1.2. Enactment

- 1.2.1. The Scheme has been prepared in terms of Section 24 of the Spatial Planning and Land Use Management Act, 2013, (Act No. 16 of 2013) and enacted in terms of the Moretele Spatial Planning and Land Use Management By-Law.
- 1.2.2. The Scheme shall come into operation on the date determined by the Municipal Manager by publication of a notice thereof in the Provincial Gazette.

1.3. Land Use Rights

- 1.3.1. Whether or not land is registered in terms of the Deeds Registries Act, 1937 (Act No. 47 of 1937), the land may be used only in accordance with the land use rights held in terms of the Scheme. All conditions included in a title deed of a land parcel within the municipality supersede the land use rights granted by the Moretele Land Use Scheme.
- 1.3.2. A Register of Land Use Rights shall be the definitive source of the land use and development rights of a property.

1.4. Authorised Local Municipality

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

1.5. Area of Scheme

- 1.5.1. The Scheme is applicable to the area of jurisdiction of the Moretele Local Municipality, as proclaimed.

1.6. Purpose of the Land Use Scheme

- 1.6.1. A land use scheme must give effect to and be consistent with the municipal spatial development framework and determine the use and development of land within the municipal area to which it relates in order to promote—
- i. economic growth;
 - ii. social inclusion;
 - iii. efficient land development; and
 - iv. minimal impact on public health, the environment and natural resources.

1.7. Components of the Land Use Scheme

1.7.1. This Land Use Scheme consist of:

- i) regulations setting out the procedures and conditions relating to the use and development of land in any zone;
- ii) a map indicating the zoning of the municipal area into land use zones; and
- iii) a register of all amendments to such land use scheme.
- iv) a register of all land use rights of all properties.

1.8. Transitional Arrangements

- 1.8.1. All existing, legal land use rights that were in effect on properties prior to the effective date are deemed to continue in full force and effect and are hereby incorporated into the Scheme.
- 1.8.2. Should a mistake or oversight be made in the recording of an existing land use right, such mistake or oversight shall be rectified, on the producing of proof of such existing land use right by the land owner.
- 1.8.3. Any application made and accepted in terms of a former zoning scheme or town planning scheme which is still in process at the commencement date shall be assessed and finalised in terms of such former zoning scheme or town planning scheme regulations, except where it has been withdrawn by the applicant in writing.
- 1.8.4. Where a rezoning application was approved prior to the commencement of this Land Use Scheme but has not yet been acted on, or where a rezoning was approved as contemplated in Section 1.8.3 within the provisions of a former zoning scheme or town planning scheme, after the commencement of this scheme, the affected land unit/s in such approval shall be deemed to be allocated with a corresponding zone in accordance with this Land Use Scheme, where such an approval is acted on.
- 1.8.5. Where a building plan application was formally submitted and accepted:
- a) before commencement of this Land Use Scheme and which is still being processed; or
 - b) after commencement of this Land Use Scheme, with the express purpose to act on a valid approval granted for any application in terms of planning law or in terms of a former zoning scheme;

such building plan will be assessed and finalised within the approval granted and the land use restrictions or provisions of the applicable zone in the former zoning scheme.

- 1.8.6. Where any approval in terms of the Ordinance or a former zoning scheme has been acted on and constitutes a contravention of any provision in a zone in this Land Use Scheme, for the purposes of this Land Use Scheme it will not be considered to be an offence but a lawful non-conforming use.
- 1.8.7. Development applications that, prior to this scheme, were submitted and approved, but not proclaimed, are deemed to be proclaimed.
- 1.8.8. If flats were erected on stands in this use zone on or before the fixed date, such flats are deemed to be a primary right.

1.9. Land Use Rights Register

1.9.1. The Municipality must keep and maintain a land use scheme register in a hard copy and electronic format as approved by the Council and may contain the following but is not limited to:

- (a) Date of application;
- (b) Name and contact details of applicant;
- (c) Type of application;
- (d) Township/farm name;

- (e) Erf or farm number;
- (f) Portion/remainder;
- (g) Property description;
- (h) Existing zoning;
- (i) Square metres granted;
- (j) Density;
- (k) Floor area ratio;
- (l) Height (storeys/meters);
- (m) Coverage;
- (n) Building line;
- (o) Parking requirements;
- (p) Amendment scheme number;
- (q) Annexure number;
- (r) Item number;
- (s) Item date;
- (t) Decision (approved/not approved);
- (u) Decision date.

PART 2: DEFINITIONS

2.1. Interpretation

2.1.1. In this Land Use Scheme, annexures, appendixes, registers, any note on the zoning map and in any condition imposed in terms of this Land Use Scheme, the words and expressions shall have the meanings assigned to them in accordance with the definitions contained in Section 2.1.1, except where another interpretation is clear from the context. Interpretation of words not defined in this chapter will have the meanings assigned to them in the 'New Shorter Oxford English Dictionary' published by Oxford University Press, except where another interpretation is clear from the context.

2.2. Definitions

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

“Act” or **“The Act”** means the Spatial Planning and Land Use Management Act, 2013, (Act No. 16 of 2013).

“Active Mine” or **“Active Mining”** means a mine actuated by the reflection from a target of a signal emitted by the mine.

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

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

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

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

and “advertisement” has a corresponding meaning.

“Advertisement” means any audible or visible representation of a word name, letter, figure or object or of an abbreviation of a word or name, or of any sign or symbol, or any light which is not intended solely for illumination or as a warning against any danger, which has as its object the furthering of any industry, trade, business undertaking, event, or activity of whatever nature.

“Advertising Sign” means the design or use of signs and symbols to communicate a message to a specific group, usually for the purpose of marketing or informing the public of any activity taking place.

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

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

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

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

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

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

“Amusement Facility” means a facility where fun or recreation is provided by means of rides, gaming devices or bowling alleys in amusement parks, amusement arcades, water parks, theme parks or such other places but does not include a place within such facility where other services are provided;

“Ancillary” means a land use, purpose, building, structure or activity which is directly related to, and subservient to, the lawful dominant use of the property;

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

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

“Appeal Authority” means the executive authority of the Municipality or any other body or institution outside of the Municipality authorised by that Municipality to assume the obligations of an appeal authority for purposes of appeals lodged in terms of the Act;

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

“Application” means a land development and land use application as contemplated in the Act;

“Approval” means the written approval of the Local Municipality on application lodged as per the municipal by-law.

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

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

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

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

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

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

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

“Basement” means any floor of a building which the greater part of the ceiling is below the average ground level of the area covered by the building.

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

- (a) the dominant use of the dwelling house concerned shall remain for the living accommodation of one family; and
- (b) the land unit complies with the requirements contained in this Scheme for a bed and breakfast establishment;
- (c) a maximum of 4 rooms for a maximum of 8 occupants shall be permitted. An application for the relaxation of this may be lodged with the Local Municipality.

but does not include a guest house or a guest lodge

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

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

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

“Boundary” in relation to a land unit means one or more of the cadastral lines separating the land unit from another land unit or from a road reserve;

“Boundary Wall” means any wall, fence or enclosing structure erected on or directly next to a cadastral property boundary, and any other structure, including security devices, such as spikes, barbed wire, razor wire or electric fences, affixed to or on top of a boundary wall;

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

“Brickyard” means a place where bricks are made.

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

“Building” without in any way limiting its ordinary meaning, includes—

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

“Building Line” means a line indicating the furthest boundary of a building restriction area from a street, or any other boundary of a property other than a street boundary and which is at a fixed distance from a boundary of the property.;

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

“Bus Bay” means a designated spot on the side of a road where buses may pull out of the flow of traffic to pick up and drop off passengers;

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

“Business Premises” means a building used as an office, warehouse or for other business purposes, but does not include a place of instruction or place of amusement or any building mentioned, whether by way of inclusion in or exclusion from the definition of “institution” or a building designed and used as a shop, place of refreshment, public garage, industrial building or noxious industrial building.

“Bus Station” means a building where buses start and finish their journeys, or where buses that travel long distances stop to let passengers get on and off;

“Bus Terminus” means a designated place where a bus starts or ends its scheduled route;

“By-laws” means the municipal by-laws in force in the area of the Scheme by virtue of applicable legislation.

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

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

“Camping” means to use land for the erection of tents, cabins or other temporary structures for temporary lodging by travellers or holiday-makers, which:

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

“Camping Site” means land and buildings used for transient guests for overnight accommodation in tents and may include ablution facilities.

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

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

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

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

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

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

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

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

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

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

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

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

“Commonage” means undeveloped land inside villages located within the boundaries of gazetted Traditional or Tribal Authorities.

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

“Communal Land” means land under the jurisdiction of a Traditional or a Tribal Council determined in terms of Section 6 of the North West Traditional Leadership and Governance Act, 2005 (Act No. 2 of 2005) and which was at any time vested in

(a) the government of the South African Development Trust established by Section 4 of the Development Trust and Land Act, 1936 (Act No. 18 of 1936), or

(b) the government of any area for which a legislative assembly was established in terms of the Self-Governing Territories Constitution Act, 1971 (Act No. 21 of 1971);

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

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

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

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

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

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

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

“Consolidation” means the joining of two or more pieces of land into a single entity;

“Constitution” means the Constitution of the Republic of South Africa, 1996;

“Construction” applies to building construction where the building has been:

- (a) amended, subdivided or converted or any other additions made to it;
- (b) the reconstruction or repair done to a building in partial or total disrepair or to a building which was totally demolished.

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

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

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

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

“Crèche” means any building or premises maintained or used for the custody and care during the whole or part of the day on all or only some days of the week, for more than 10 children of pre-school going age and which has been registered as a place of care under the Children’s Act, 1960.

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

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

“Day Care Facility” means a building or portion of a building used by the owner or occupant, to provide day care for young children in the absence of their parents and includes a play group or after school services. The number of children may not exceed 5.

“Deeds Registry” means a deeds registry as defined in section 102 of the Deeds Registries Act, 1937 (Act No. 47 of 1937);

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

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

“Diagram” means a diagram as defined in the Land Survey Act, 1997 (Act No. 8 of 1997);

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

“Disposal of Mining Materials” means the legal disposal of materials that have been mined during mining operations.

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

“District Municipality” means a district municipality as defined in terms of Section 1 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);

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

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

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

(c) includes a youth hostel and backpacker lodge;

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

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

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

“Duet Dwelling” means a house with two separate free-standing units on one stand.

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

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

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

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

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

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

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

“Environment” means the external circumstances, conditions and objects that effect, (i.e. positively or negatively), the existence and development of an individual, organisation or group, including biophysical, social, economic, historical and political aspects.

“Environmental Conservation Act” means the Environment Conservation Act, 1989, (Act No. 73 of 1989).

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

“Environmental Legislation” means the National Environmental Management Act, 1998, (Act No. 107 of 1998).

“Erection” in relation to a building or structure includes—

- 1) the construction of a new building or structure;
- 2) the alteration or conversion of, or addition to, a building or structure; and
- 3) the re-construction of a building or structure which has completely or partially been demolished;

“Erf” means a registered piece of land.

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

- a) encroachment on a certain portion of the erf used by the public as a street or portion of a street or is recognised by the Council
- b) as a street or portion of a street; or
- c) has been demarcated for street purposes by any other act; or
- d) has been expropriated by any other act.

“Exercise” means to utilise in terms of a use right.

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

“Extended Family” - comprises a family with related family members.

“Extraction” means the crushing and separating ore into valuable substances or waste by any of a variety of techniques.

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

“Factory Shop” means a shop that sells things more cheaply because it sells them directly from the company that made them.

“Family” means—

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

“Farm Stall” means a building on a property zoned “Agricultural 1”, “Institutional 1” and “Government 1” used for the sale of agricultural produce.

“Filling Station” means land and buildings used for:

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

5) The sale of LP Gas.

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

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

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

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

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

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

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

$$\text{FAR} = \frac{\text{Floor area of a building}}{\text{Total surface of the land unit}}$$

Total surface of the land unit

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

- a) any area, including a basement, which is reserved solely for parking or loading of vehicles is excluded;
- b) external entrance steps and landings, a canopy, a stoep and an area required for external fire escapes is excluded;
- c) a projection including a projection of eaves, and a projection which acts as a sunscreen or an architectural feature, which projection does not exceed 1metre beyond the exterior wall or similar support, is excluded;
- d) any uncovered internal courtyard, light well or other uncovered shaft which has an area in excess of 10 m² is excluded;
- e) any covered paved area outside and immediately adjoining a building at or below the ground floor level, where such paved area is part of a forecourt, yard, external courtyard, pedestrian walkway, parking area or vehicular access, and which is permanently open to the elements on at least the front or long side, is excluded;
- f) any covered balcony, veranda or terrace which, apart from protective railings, is permanently open to the elements on at least the front or long side, and which does not exceed 2,5 metres in width, is excluded;
- g) subject to paragraph (h), any stairs, stairwells and atriums that are covered by a roof is included;
- h) in the case of multi-level buildings, any stairwells, lift wells, light wells or other wells, and any atrium, is only counted once; and provided further that—
 - i. floor space is measured from the outer face of the exterior walls or similar supports of the multi-level building; and
 - ii. the total floor space is the sum of the floor space of all the levels of the multi-level building, including that of any basement;

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

“Funeral Parlour” means a building used or designated for use as a mourning or funeral chapel and includes such other buildings designed for use in connection therewith and which is normally ancillary to or reasonably necessary for the business of a funeral undertaker but shall exclude a crematorium: Provided that the establishment and operation of a funeral parlour shall be subject to the provisions of the Regulations relating to Funeral Undertaker’s Premises promulgated in the Government

Gazette by virtue of Notice No. R237 on 08 February 1985 in terms of Sections 33 and 39 of the Health Act, 1977 (Act 63 of 1977).

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

“General Plan” means a plan which, representing the relative positions and 35 dimensions of two or more pieces of land, has been signed by a person recognised under any law then in force as a land surveyor, or which has been approved or certified as a general plan by a Surveyor-General and includes a general plan or a copy thereof prepared in a Surveyor-General's office and approved or certified as such or a general plan which has, prior to the commencement of this Act, been lodged for registration in a deeds registry or Surveyor-General's office in the Republic or any area which became part of the Republic at the commencement of the Constitution, 1993.

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

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

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

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

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

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

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

“Guest Lodge” means a house or place where in transit guests or visitors sleep over.

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

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

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

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

“Helicopter Landing Pad” means land and buildings used and designed for landing and taking off of helicopters and may include a terminal for passengers.

“Heritage Resource” means any place or object of cultural significance as determined in the National Heritage Resource Act, 1999, (Act No. 25 of 1999).

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

“High Intensity Land Uses” means land uses that change the character of the land / property or that require licences, determined rights, approval from another authority etc. from a parallel legislation.

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

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

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

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

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

“Home Occupation” means the practice of a profession or occupation on any residential erf by persons permanently occupying such even where the dominant use of the dwelling house concerned shall remain the living accommodation of one family and excludes the practice of any panel beating, spray painting, day care facility, armed response, joinery, upholstery, workshop activity, refilling or repair of gas cylinders, social congregation of people and any noxious practises or uses which will interfere

with the ambience of the surrounding properties or be of nuisance value by virtue of noise, appearance, smell or activities any other reason whatsoever.

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

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

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

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

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

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

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

(cc) solely in connection with consultative professional services;

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

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

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

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

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

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

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

(c) a jail or prison.

“Integrated Development Plan (IDP)” means a participatory planning process aimed at developing a strategic development plan to guide and inform all planning, budgeting, management and decision-making in a Municipality, in terms of the requirements of Chapter 5 of the Municipal Systems Act, 2000 (Act 32 of 2000).

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

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

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

“Land” means:

- (a) any erf, agricultural holding or farm portion, and includes any improvements or building on the land and any real right in land, and
- (b) the area of communal land to which a household holds an informal right recognized in terms of the customary law applicable in the area where the land to which such right is held is situated and which right is held with the consent of, and adversely to, the registered owner of the land;

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

“Land Development Officer” means the authorised official defined in the by-law;

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

“Land Surveyor” means a person registered as a professional land surveyor in terms of the Professional and Technical Surveyors' Act, 1984 (Act No. 40 of 1984).

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

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

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

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

“Land Use Scheme” means the land use scheme adopted and approved in terms of the by-law and for the purpose of the by-law includes an existing scheme until such time as the existing scheme is replaced by the adopted and approved land use scheme;

“Leisure Activity” means an activity chosen for pleasure, relaxation, or other emotional satisfaction;

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

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

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

“Liquor Act” means the National Liquor Act, 1989, (Act No. 27 of 1989).

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

“Listed Activities” - development actions that are likely to result in significant environmental impact as identified by the Minister of Environmental Affairs and Tourism in terms of Section 21 of the Environment Conservation Act, 1989 (Act 73 of 1989) and the Environmental Impact Assessment Regulations, 2014.

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

“Local Municipality” means the proclaimed authority controlling this jurisdictional area as circumscribed on the key map.

“Lodger” means a person who utilises lodging services;

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

“Map” means a map which forms part of the Scheme including any amendment thereto.

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

- a) any area including a basement which is reserved solely for the parking of vehicles, will be excluded;
- b) any area required for an external fire escape will be excluded;
- c) subject to (d) below, any balconies, terraces, stairs, stairwells, veranda’s, common entrances and common passages covered by a roof will be included except in the case of a residential building on a residential site, where it will be excluded;
- d) any stairs, lift walls or other walls, in the case of multi-storey buildings, will only be calculated once; and
- e) any arcade, with a minimum width of 2 metres and which at all times provides access through the building concerned from public parking of a pavement or public road, street or open space and which at all times is open to the public by means of a servitude, as well as any other covered walkway through which the roof allows light, will be excluded.

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

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

“Member of the Executive Council” or “M.E.C.” means the Member of the Executive Council responsible for local government in the Province;

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

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

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

“Mining Activities – Extraction and Beneficiation” means activities linked to the extraction and beneficiation from raw materials extracted from the earth. These may also include the crushing and the separation of ore into valuable substances or waste by any of a variety of techniques.

“Mining Rehabilitation Areas” means an area designated for the re-engineering process that attempts to restore an area of land back to its natural state after it has been damaged as a result of some sort of disruption.

“Minor Structural Alterations” - means small structural changes to an existing building for which a building plan is not a requirement.

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

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

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

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

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

“Motor Vehicle” means a wheeled vehicle designed or used for propulsion by means of an internal combustion or electrical engine, and includes a motor cycle, trailer or caravan, but excludes a vehicle moving exclusively on rails;

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

“Municipal Planning Tribunal” means the Moretele Municipal Planning Tribunal established in terms of Section 32 of the Act;

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

“Municipal Manager” means the Municipal Manager of the Council and includes a municipal official acting under delegated powers.

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

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

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

“National Environmental Management Act” means the National Environmental Management Act, 1998 (Act No. 107 of 1998);

“Natural Ground Level” means the level of the land in its unmodified state, or in a state which has been graded, with the Municipality’s approval, for the purposes of development.

“Natural level of the ground” means:

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

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

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

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

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

(d) particular neighbourhood feeling or conduct;

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

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

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

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

- (a) the drying or boiling of bones and blood, the sterilizing of animal-hair, the manufacturing of glue or gum, the broiling of fat or melting of fat or talc, or the grinding of any other components of animals;
- (b) the scraping, cleaning or cooking of tripe or intestines;
- (c) the burning of charcoal, coke breeze or lime;
- (d) the salting, braying, tanning or taxidermy of hides and skins;
- (e) the manufacturing of malt;
- (f) the manufacturing of soap and candles;
- (g) the manufacturing of any type of bricks or castings, where sand, stone or cement forms part thereof;
- (h) the manufacturing of yeast;
- (i) the manufacturing of flakes or down; and
- (j) the keeping of poultry older than three weeks and as determined by the Local Municipality, with the provision that the Local Municipality can give permission to keep poultry.

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

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

- (a) any archaeological artefact;
- (b) palaeontological and rare geological specimens;
- (c) meteorites;
- (d) other objects referred to in the Heritage Resource Act.

“Objector” means a person who has lodged an objection with the Municipality to a draft municipal spatial development framework or draft land use scheme or an application;

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

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

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

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

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

“Ordinance” means the Town-Planning and Townships Ordinance, 1986, (Ordinance No. 15 of 1986).

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

“Overlay Zone” means a category of zoning applicable to a particular area or land unit that—

- (a) stipulates development parameters or use rights in addition to the base zoning requirements, which may be more or less restrictive; and
- (b) may include provisions and development parameters relating to primary uses, or consent uses, provisions in the base zone, subdivision and subdivisional areas, development incentives, density limitations, urban form, urban renewal, heritage and environmental protection, management of the urban edge, scenic drives or local areas or any other purpose, as set out in this Land Use Scheme;

“Overnight Accommodation” means accommodation provided for in transit visitors lasting for, extending over, or remaining during a night.

“Owner” in relation to land, means—

- (a) the person or entity in whose name the land is registered in a deeds registry in terms of the Deeds Registries Act, 1937 (Act No. 47 of 1937) or in whom the ownership of the land vests;
- (b) the holder of a registered servitude right or registered lease;
- (c) any successor in title of the owner; and
- (d) a person authorised by a power of attorney to act on behalf of the owner;

“Panel Beating” - the replacement, reparation and/or panel beating of the body and spare parts of vehicles and / or the spray-painting thereof.

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

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

“Panhandle Erf” or **“Panhandle Portion”** – means that part of a property to which access is gained by means of a panhandle provided that the registered owner of the panhandle portion shall, when required by the Municipality, at its own expense:

- (a) provide the panhandle with a dust free surface to the satisfaction of the Municipality prior to or simultaneously with the erection of any building on the erf and such roadway shall thereafter be maintained dust free to the satisfaction of the Municipality;
- (b) erect a screen wall(s) or dense barrier(s) along the boundaries of the panhandle to the satisfaction of the Municipality, the extent, material, design, height, position and maintenance of such screen wall(s) or barrier(s) shall be to the satisfaction of the Municipality.

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

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

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

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

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

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

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

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

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

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

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

“Planning Law” or **“Planning Legislation”** means the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013),

“Policy Plan” means a policy adopted by the Municipality, structure plan, spatial development framework or other policy plan approved in terms of Planning Law;

“Pollution” means any change in the environment caused by substances, radio-active or other emissions, noise, odour, heat or dust emitted from any activity, including the storage or treatment of waste or other substances, construction and the provision of services, whether engaged in by any person, organs of state 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 future.

“Porch” means a roof (not being the floor of a balcony) projecting from the outside of a building above a doorway, and forming a covered entrance to the building, and includes any paved area thereunder and any low walls or railings enclosing that paved area, and any pillars supporting that roof;

“Premier” means the head of the Executive Council of the North West Provincial Government.

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

“Prescribed” means prescribed in terms of legislation.

“Primary Use” in relation to property means any land use specified in this Land Use Scheme as a primary use, being a use that is permitted within a zoning without the need to obtain the Municipality’s approval;

“Principles” means a set of values and guiding rules that should guide and inform ongoing planning and development.

“Private Club” means land used or a building designed or used as a private meeting place for an association of persons meeting with common objective. Should liquor be sold or consumed at such premises it must be legalised by means of a liquor license issued, in terms of Section 23 of the Liquor Act, 1989 (Act 27 of 1989). It excludes any noxious practices or uses which will interfere with the amenity of the surrounding properties or is of nuisance value by virtue of noise, appearance, smell or activities or for any other reason whatsoever.

“Private Open Space” means any land zoned in this Scheme for use as private grounds for sports, games, rest, recreation site or ornamental garden.

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

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

“Province” means the Province of North West referred to in section 103 of the Constitution;

“Provincial Legislation” means legislation contemplated in Section 10 of the Act promulgated by the Province;

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

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

“Public Authority” means a State Department, Local Municipality or other Organ of State;

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

“Public Garden” means an institution that maintains collections of plants for the purposes of public education and enjoyment, in addition to research, conservation, and higher learning.

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

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

“Public Park” means an area of land set aside for public use, as:

- (a) A piece of land with few or no buildings within or adjoining a town, maintained for recreational and ornamental purposes.
- (b) A landscaped city square.
- (c) A large tract of rural land kept in its natural state and usually reserved for the enjoyment and recreation of visitors.

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

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

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

“Public Square” means an open public space commonly found in the heart of a traditional town used for community gatherings.

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

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

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

“Railway Station” means a place on a railway line where trains stop to pick up or let off passengers or goods, especially one with ancillary services;

“Rear boundary” means any boundary opposite to a street boundary: Provided that, where a property has two or more street boundaries, the boundaries opposite to such street boundaries shall be deemed to be side boundaries.

“Reconnaissance” means a preliminary survey of the ground for mining purposes.

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

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

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

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

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

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

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

“Register of Land Use Rights” means a register where all land use rights issued as a result of applications to the Local Municipality that have been approved are captured and recorded.

“Regulations” means the Spatial Planning and Land Use Management Regulations: Land Use Management and General Matters, 2015.

“Religious Gathering” means a group of people gathered for religious worship.

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

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

“Residential Building” means a building other than a dwelling house or hotel, designed or used for human habitation and includes a boarding house, a residential club and a hostel.

“Residential Hotel” means an apartment building offering maid service, a dining room, and room meal service;

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

“Restaurant” means a building or part of a building used for the preparation and sale of meals and refreshments, as well as confectionery for consumption on the erf or the property and includes entertainment subsidiary to the main use and can include a place of refreshment, as well as a drive-thru restaurant provided that the establishment and operation of a Restaurant for the sale or supply to customers of any foodstuff in the form of meals for consumption on or away from the property shall be subject to a licence in terms of the Business Act, 1991, (Act No. 71 of 1991).

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

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

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

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

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

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

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

“Road Reserve” means the designated area of land that contains a public street or private road (including the road and associated verge), which land may or may not be defined by cadastral boundaries;

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

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

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

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

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

“Scheme Regulations” has the meaning assigned thereto in the By-Law.

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

- (a) the storing, stacking, depositing or collecting of junk or scrap material or articles of which the value depend entirely or partially on the material out of which they are manufactured whether or not intended for the purpose of disposal or recycling of such waste
- (b) the dismantling or demolition of second-hand vehicles that have been written off or machines to recover components or material; and
- (c) the storing or sale of second hand pipes, poles, steel sections, wire, lumber, tyres, bricks, containers or other articles which are suitable to be left in the open without any serious damage being incurred.

“Sectoral Plan” means any written strategy or plan which deals mainly with one of the sectors or elements or particular subjects that form part of an Integrated Development Plan and which may be a spatial, economic, land reform, environmental, housing, water or transport plan.

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

“Service Enterprise” means land and / or buildings used for the supply of personal services and goods incidental thereto for compensation and which is excluded in the definition of “Bakery”, “Office”, “Institution”, “Public Garage”, “Noxious Use”, “Commercial” and “Medical Consulting Rooms” and include such activities as for example hairdressers, beauty parlours, slimming

centres, provided that the provision of personal services as listed in Schedule 1 (Item 2) of the Business Act, 1991 (Act 71 of 1991) shall be subject to a licence in terms of the said Act.

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

“Service Provider” means a person lawfully appointed by the Local Municipality or other organ of state to carry out, manage or implement any service, work or function on behalf of or by the direction of the Municipality or organ of state;

“Service Trade” means an enterprise:

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

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

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

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

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

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

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

“Shopping Centre” means a purpose-built complex of shops, restaurants, etc., for the use by buyers.

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

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

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

“Sign” means any sign, sign-writing, mural, graphic design, signboard, screen, blind, boarding or other device by means of which an advertisement or notice is physically displayed, and includes any advertisement or object, structure or device which is in itself an advertisement or which is used to display an advertisement;

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

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

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

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

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

“Spatial Development Framework” means the Moretele Spatial Development Framework prepared and adopted in terms of the Act and the by-law;

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

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

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

“Sports Fields” means a pitch or a sports ground is an outdoor playing area for various sports.

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

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

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

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

“Stormwater” means water resulting from natural processes, the precipitation or accumulation thereof, and includes groundwater and spring water ordinarily conveyed by the storm water system, as well as sea water within estuaries, but excludes water in a drinking-water or waste-water reticulation system;

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

“Street Boundary” means the boundary between a land unit and a public street or private road; provided that the boundary of a pedestrian way or service lane that cannot or will never be used by motor vehicles, may be regarded as a common boundary for the purpose of determining building lines, a street centreline setback and site access requirements;

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

“Structure” without in any way limiting its ordinary meaning, includes any building, shelter, wall, fence, pillar, tower, pergola, steps, landing, terrace, sign, ornamental architectural feature, swimming pool, fuel pump or underground tank, any building ancillary to service infrastructure provision, and any portion of a structure;

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

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

“Subdivisional Area” means an area of land contemplated by

- (a) a density requirement;
- (b) the conditions and stipulations contained in these regulations;
- (c) the planning stipulations of any applicable structure plan; and
- (d) any other conditions laid down by Council at the times of the approval of the rezoning,

has been rezoned as a subdivisional area.

“Subletting” means allowing someone to use an apartment, house, etc. for a period of time in return for payment.

“Subsistence Farming” means a low-scale farming or a system of farming that provides all or almost all the goods required by the farm family usually without any significant surplus for sale.

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

“Systems Act” means the national Local Government: Municipal Systems Act, No 32 of 2000.

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

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

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

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

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

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

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

- (a) the erection and use of temporary buildings, or the use of existing buildings for site offices, storage rooms, workshops or such other uses as may be necessary during the erection of any permanent building or structure on the land; Provided that such consent shall ipso facto lapse upon completion of the permanent structure or on the expiry date thereof as determined by the Municipality;
- (b) the occasional use of land or buildings for public religious exercises, place of instruction, institution, place of amusement or social hall;
- (c) the use of land or buildings thereon for State or Municipal purposes;
- (d) the use of land or the erection of buildings necessary for the purpose of informal retail trade.

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

“Top of the Roof” for the purpose of height control, means the top of the roof ridge in the case of a pitched roof, or the top of the parapet where a parapet extends above the roof;

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

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

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

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

and a town house will have a similar meaning.

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

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

“Traditional Council” means a Council established in terms of Section 3 and includes a traditional sub-council established in terms of Section 4B of the Traditional Leadership and Governance Framework Act, 2003, (Act No. 41 OF 2003);

“Unsurveyed State Land” means land that is owned by the Republic of South Africa and has not been surveyed by a registered Land Surveyor.

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

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

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

“Utility Services” means those services that are community based, to satisfy either community or domestic service needs.

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

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

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

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

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

“Water Act” means the national Water Act, 1998, (Act No 36 of 1998), as amended.

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

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

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

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

“Zone”, when used as a verb in relation to land, means to set aside the land for a particular zoning.

“Zoning” includes base zoning and overlay zoning;

PART 3: LAND USE ZONES AND DEVELOPMENT PARAMETERS

3.1. Context

- 3.1.1. A Land Use Zone does not indicate the existing land use rights on a property.
- 3.1.2. A Land Use Zone is a demarcated portion of land or area in terms of which regulations pertaining to the potential use and development of that land are imposed. These regulations are derived from the Municipal Spatial Development Framework and have as goal the implementation of the municipal development objectives through the application of land use control.
- 3.1.3. Even though the Land Use Zones may create an expectation with regards to the development of the land, the need and desirability of any development still has to be proven by way of application and every application will be considered on the individual merits thereof.
- 3.1.4. All developments must comply with the regulations contained in the applicable zone and all applications for land use rights shall be considered against the regulations.

3.2. Land Use Zones

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

- a) Aerodrome
- b) Agriculture
- c) Authority Use
- d) Business 1
- e) Business 2
- f) Commonage
- g) Conservation
- h) Industrial 1
- i) Industrial 2
- j) Institutional
- k) Mining and Quarrying
- l) Private Open Space
- m) Public Open Space
- n) Residential 1
- o) Residential 2
- p) Special
- q) Transport

Code: AE	AERODROME				R=204; G=204; B=204, with white hatching at 135 Degrees
Objectives of this Zone:					
<ul style="list-style-type: none"> To accommodate air transport service functions. 					
RULES REGARDING THE USE OF LAND AND BUILDINGS					
What land may be used for:				Land uses that are prohibited:	
Primary Uses:	Written Consent Uses:	Special Consent Uses:		Any use not mentioned under Primary Uses.	
Aerodrome and purposes such as storerooms, offices, shops, places of refreshment directly related and sub-ordinate to the aerodrome.	Such uses as may be approved by the Municipality	Such uses as may be approved by the Municipality			
RULES REGARDING THE EXTENT OF DEVELOPMENT					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
As approved by the Municipality.	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	
RULES REGARDING BUILDING LINES			RULES REGARDING PARKING AND LOADING		
Street boundary:		As approved by the Municipality.		Refer to Section 3	
Rear boundary:		As approved by the Municipality.			
Side boundary:		As approved by the Municipality.			
OTHER REGULATIONS					

Code: A	AGRICULTURE			R=233; G=255; B=227	
Objectives of this Zone:					
<ul style="list-style-type: none"> To utilize agricultural land on a sustainable basis. To ensure that land deemed to have high agricultural potential is optimally used. To provide mechanisms for the identification and protection of productive agricultural land. To ensure that agricultural practices are consistent with environmental considerations and pollution controls. 					
RULES REGARDING THE USE OF LAND AND BUILDINGS					
What land may be used for:					Land uses that are prohibited:
Primary Uses:		Written Consent Uses:		Special Consent Uses:	
Agriculture		Authority Use, Prospecting and Mining activities < 5 years (Permit), Additional Dwelling Units and Home Enterprise/Occupation		Agricultural Industry, Conference Facility, Crèche, Guest House/Lodge, Nursery, Restaurant, Tourist facilities, Intensive Feed Farming. Renewable energy. Place of Assembly, Place of Instruction and Place of Worship.	
Any use not mentioned under Primary, Written or Special Consent uses.					
RULES REGARDING THE EXTENT OF DEVELOPMENT					
Maximum Density:		Maximum Coverage:		Maximum FAR:	
1 Dwelling unit per erf and 1 Additional Dwelling Unit at a density of 1 unit per 10 hectares to a maximum of 5 Additional Dwelling Units.*		20%		As approved by the Municipality	
				Maximum Height:	
				3 storeys	
				Other:	
				As approved by the Municipality	
RULES REGARDING BUILDING LINES				RULES REGARDING PARKING AND LOADING	
Street boundary:		10 metres		Refer to Section 3.3	
Rear boundary:		10 metres			
Side boundary:		10 metres			
OTHER REGULATIONS					
<ol style="list-style-type: none"> Title conditions on farm land shall be applicable. All land within this zone is subject to regulation in terms of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970) unless such land is excluded from the act. A mining right, mining permit, exploration right or production right may be required in terms of the Mineral and Petroleum Resources Development Act, 2002, (Act No. 28 of 2002). Mining activities can only take place if there is a 5-year permit issued. There must be compliance with National and Provincial environmental legislation. A water use licence/authorisation may be required in terms of the National Water Act, 1998, (Act No. 36 of 1998). 					

Code: AU	AUTHORITY USE				R=205; G=170; B=102
Objectives of this Zone:					
<ul style="list-style-type: none"> The Authority Use zone provides for utility services such as electrical substations and water reservoirs, which may be supplied by, government or parastatal; and makes provision for government or authority uses, such as prisons and military bases, that are not covered by another use or zoning category. The uses may also include State uses such as military training centres, installations and police stations, Provincial Government uses such as road camps and road stations and Local Municipality uses such as fire services, sewage farms, dumping grounds, reservoirs, composting installations and water purification works and museums; 					
RULES REGARDING THE USE OF LAND AND BUILDINGS					
What land may be used for:				Land uses that are prohibited:	
Primary Uses:	Written Consent Uses:	Special Consent Uses:		Any use not mentioned under Primary, Written or Special Consent uses.	
Cemetery, Municipal Landfill Site, Electrical Purposes, Utility Services and Authority Use,	Transmission Tower.	Urban Agriculture, Helicopter Landing Pad, Special Usage and Renewable energy.			
RULES REGARDING THE EXTENT OF DEVELOPMENT					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
As approved by the municipality	As approved by the municipality	As approved by the municipality	As approved by the municipality	As approved by the municipality	
RULES REGARDING BUILDING LINES				RULES REGARDING PARKING AND LOADING	
Street boundary:	2 metres			Refer to Section 3.3	
Rear boundary:	2 metres				
Side boundary:	2 metres				
OTHER REGULATIONS					

Code: B1	BUSINESS 1			R= 255; G=48; B=0
Objectives of this Zone:				
<ul style="list-style-type: none"> To provide for intensive business and mixed-use development with relatively few restrictions in order to promote urban vitality and economic growth. The objective of this zone is to provide for the retail sale of goods and services to the public. 				
RULES REGARDING THE USE OF LAND AND BUILDINGS				
What land may be used for:			Land uses that are prohibited:	
Primary Uses:	Written Consent Uses:	Special Consent Uses:	Any use not mentioned under Primary, Written or Special Consent uses.	
Business, Dry Cleaner, Dwelling House, Public Garage, Filling Station. Place of Entertainment. Nursery. Residential Buildings. Place of Instruction, Place of Worship and Veterinary Clinic.	Institutional Use,	Adult Entertainment, Builders' Yard, Special Usage, Transmission Tower and Warehouse.		
RULES REGARDING THE EXTENT OF DEVELOPMENT				
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	
More than 40 dwelling units per hectare.	100% for Business use and 70% for Residential use.	2	6 storeys	
RULES REGARDING BUILDING LINES			RULES REGARDING PARKING AND LOADING	
Street boundary:	0 metres		Refer to Section 3.3	
Rear boundary:	0 metres			
Side boundary:	0 metres			
OTHER REGULATIONS				
<ol style="list-style-type: none"> The Liquor Act, 2003, (Act No. 59 of 2003), (administered by the Department of Trade and Industry) requires a liquor license for land uses where liquor is sold. Business Act, 1991, (Act No. 71 of 1991) requires business licenses for the following types of business: <ol style="list-style-type: none"> Food provision Turkish baths, saunas and health baths; massage or infra-red treatments; male and female escorts; three or more slot machines and electronic games; three or more snooker or billiard tables; nightclubs and discotheques, where live or loud music is played; cinemas and theatres; and adult premises. The National Gambling Act, 2004, (Act No. 7 of 2004) may also require a gambling license depending on the nature of gambling activities. In the case of residential buildings, the provision of open space and children's' playgrounds must be to the satisfaction of the Municipal Council. 				

Code: B3	BUSINESS 2			R= 148; G=0; B=0
Objectives of this Zone:				
<ul style="list-style-type: none"> The objective of this zone is to provide for low intensity commercial and mixed-use development in rural areas. 				
RULES REGARDING THE USE OF LAND AND BUILDINGS				
What land may be used for:			Land uses that are prohibited:	
Primary Uses:	Written Consent Uses:	Special Consent Uses:	Any use not mentioned under Primary, Written or Special Consent uses.	
Canteen, Carwash, Commercial Use, Dry Cleaner, Electrical Purposes, Funeral Parlour, Gymnasium / Fitness Centre, Informal Business, Light Industry, Offices, Parking, Place of Assembly, Place of Entertainment, Residential Building, Shop, Restaurant, Veterinary Clinic., Nursery and Tavern.	Community Facility.	Special Usage, Filling Station & Transmission Tower.		
RULES REGARDING THE EXTENT OF DEVELOPMENT				
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	
Not more than 40 dwelling units per hectare.	70%	2	3 storeys	
RULES REGARDING BUILDING LINES			RULES REGARDING PARKING AND LOADING	
Street boundary:	0m		Refer to Section 3.3	
Rear boundary:	1 metre (2 metres – abutting residential use)			
Side boundary:	1 metre (2 metres – abutting residential use)			
OTHER REGULATIONS				
<ol style="list-style-type: none"> The Liquor Act, 2003, (Act No. 59 of 2003), (administered by the Department of Trade and Industry) requires a liquor license for land uses where liquor is sold. Business Act, 1991, (Act No. 71 of 1991) requires business licenses for the following types of business: <ol style="list-style-type: none"> Food provision Turkish baths, saunas and health baths; massage or infra-red treatments; male and female escorts; three or more slot machines and electronic games; three or more snooker or billiard tables; nightclubs and discotheques, where live or loud music is played; cinemas and theatres; and adult premises. The National Gambling Act, 2004, (Act No. 7 of 2004) may also require a gambling license depending on the nature of gambling activities. In the case of residential buildings, the provision of open space and children's' playgrounds must be to the satisfaction of the Municipal Council. 				

Code: CM	COMMONAGE			R= 225; G=225; B=225
Objectives of this Zone:				
<ul style="list-style-type: none"> • To create integrated, safe and sustainable environments for all communities. • To protect grazing and farming land for rural communities. • To promote and enable densification within built-up areas. 				
RULES REGARDING THE USE OF LAND AND BUILDINGS				
What land may be used for:			Land uses that are prohibited:	
Primary Uses:	Written Consent Uses:	Special Consent Uses:	Any use not mentioned under Primary, Uses.	
Agriculture, Subsistence Farming, Grazing, Private Road and Open Space.	Not Applicable	Not Applicable		
RULES REGARDING THE EXTENT OF DEVELOPMENT				
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:
Not Applicable	Not Applicable	Not Applicable	Not Applicable	As may be approved by the municipality from time to time.
RULES REGARDING BUILDING LINES			RULES REGARDING PARKING AND LOADING	
Street boundary:	Not Applicable		Not Applicable	
Rear boundary:	Not Applicable			
Side boundary:	Not Applicable			
OTHER REGULATIONS				

Code: C	CONSERVATION				R=189, G=247, B=135
Objectives of this Zone:					
<ul style="list-style-type: none"> To provide adequate measures for the protection of areas deemed for conservation purposes. To ensure that such facilities are located and maintained to attract visitors and tourists. To set aside areas of land for the provision of parks, botanical gardens and other open spaces as well as corridor linkages between open areas for passive recreational purposes. 					
RULES REGARDING THE USE OF LAND AND BUILDINGS					
What land may be used for:			Land uses that are prohibited:		
Primary Uses:		Special Consent Uses:	Any use not mentioned under Primary, Written or Special Consent Uses.		
All declared / undeclared national, provincial and private Nature Reserves, all other protected areas (including Biospheres), Conservancy, Conservation Purposes, Cultural Heritage Sites and Protected Areas.		Agriculture, Airport, Conference Facilities, Filling Station, Guest Hotel, Lodge, Place of Assembly, Place of Entertainment, Shop, Special Usage and Telecommunication Mast.			
RULES REGARDING THE EXTENT OF DEVELOPMENT					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
As approved by the Municipality.	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	
RULES REGARDING BUILDING LINES			RULES REGARDING PARKING AND LOADING		
Street boundary:	As approved by the Municipality.		Refer to Section 3.3		
Rear boundary:	As approved by the Municipality.				
Side boundary:	As approved by the Municipality.				
OTHER REGULATION					
1. There must be compliance with National and Provincial environmental legislation in the development of nature reserves, land for conservation purposes, cultural heritage sites, protected areas and listed activities.					

Code: I1	INDUSTRIAL 1				R=233; G=115; B=255
Objectives of this Zone:					
<ul style="list-style-type: none"> To provide appropriate locations for light and service industries that has limited impact. To provide appropriate locations for a range of industrial, warehousing and related activities in specific areas. To ensure that the location of industrial development is such that it minimises their impacts on surrounding areas. To provide a proper balance for employment and sectoral growth and sustainable development To ensure that there is sufficient on-site space to accommodate the proposed uses, traffic and any potential impact resulting from these developments. To provide an interface between industrial areas and adjacent residential or other land uses. To ensure that the location and development of these sites do not negatively impact on the natural environment or watercourses located near them. 					
RULES REGARDING THE USE OF LAND AND BUILDINGS					
What land may be used for:				Land uses that are prohibited:	
Primary Uses:		Written Consent Uses:		Special Consent Uses:	
Abattoir, Dwelling House, Authority Use, Builders' Yard, Canteen, Commercial Use,, , Filling Station, Funeral Parlour, Industrial Use, Light Industry, Municipal Purposes, Nursery, Offices, Parking, Place of Entertainment, Public Garage, Railway Purposes, Scrapyard, Service Station, Transport Usage and Veterinary Clinic.				Special Usage and Transmission Tower.	
Noxious Use and any use not mentioned under Primary, Written or Special Consent uses.					
RULES REGARDING THE EXTENT OF DEVELOPMENT					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
N/A	75%	1.5	3 Storeys	As approved by the municipality	
RULES REGARDING BUILDING LINES				RULES REGARDING PARKING AND LOADING	
Street boundary:		5 metres		Refer to Section 3.3	
Rear boundary:		2 metres			
Side boundary:		2 metres			
OTHER REGULATIONS					
<ol style="list-style-type: none"> Compliance with National and Provincial environmental legislation, Notwithstanding the fact that an activity constitutes a primary use right in terms of this zone, no activity or use which includes the on-site storage of hazardous substances shall be permitted unless a risk management and prevention plan has been submitted and Municipality has given approval thereto. 					

Code: I2	INDUSTRIAL 2				R=132; G=0; B=168
Objectives of this Zone:					
<ul style="list-style-type: none"> To provide appropriate locations for noxious industries. To provide opportunities for local economic development and employment opportunities. To ensure that the location and development of these sites do not negatively impact on the natural environment or watercourses located near them. 					
RULES REGARDING THE USE OF LAND AND BUILDINGS					
What land may be used for:				Land uses that are prohibited:	
Primary Uses:		Written Consent Uses:		Special Consent Uses:	
Builders' Yard, Coal Yard, Commercial Use, Crematorium, Electrical Purposes, Filling Station, Funeral Parlour, Light Industry, Noxious Use, Nursery, Offices, Parking, Public Garage, Railway Purposes, Scrapyard, Service Station, Transport Usage, Veterinary Clinic, Institutional Use and Shop.		Any use not mentioned under Primary Uses.		Special Usage and Transmission Tower and any use not mentioned under Primary Uses.	
RULES REGARDING THE EXTENT OF DEVELOPMENT					
Maximum Density:		Maximum Coverage:		Maximum FAR:	
N/A		75%		1.5	
Maximum Height:		Other:			
-		As approved by the municipality			
RULES REGARDING BUILDING LINES				RULES REGARDING PARKING AND LOADING	
Street boundary:		5 metres		Refer to Section 3.3	
Rear boundary:		2 metres			
Side boundary:		2 metres			
OTHER REGULATIONS					
<ol style="list-style-type: none"> Compliance with National and Provincial environmental legislation. A water use licence/authorisation may be required in terms of the National Water Act, 1998, (Act No. 36 of 1998). 					

Code: I	INSTITUTIONAL				R=0; G=160; B=239
Objectives of this Zone:					
<ul style="list-style-type: none"> To provide an adequate number of accessible social and civic facilities to meet the needs of communities in the fields of health, education, social and cultural services, which includes public and private service providers and administrative or government functions including education, health, pension offices, museums, libraries, community halls, jails / prisons, juvenile facilities, cemeteries and crematoria. To ensure that such facilities are designed to address the special needs of the physically challenged, elderly, women, and children. 					
RULES REGARDING THE USE OF LAND AND BUILDINGS					
What land may be used for:				Land uses that are prohibited:	
Primary Uses:	Written Consent Uses:	Special Consent Uses:		Any use not mentioned under Primary, Written or Special Consent uses.	
Community Facility, Crèche, Dormitory Establishment, Hospital, Place of Assembly, Place of Instruction, Place of Worship, Institution and Sport & Recreation.	Dwelling House.	Special Usage and Transmission Tower,			
RULES REGARDING THE EXTENT OF DEVELOPMENT					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
As approved by the municipality	60%	As approved by the municipality	4 Storeys	As approved by the municipality	
RULES REGARDING BUILDING LINES			RULES REGARDING PARKING AND LOADING		
Street boundary:	5 metres		Refer to Section 3.3		
Rear boundary:	2 metres				
Side boundary:	2 metres				
OTHER REGULATIONS					

Code: MQ	MINING & QUARRYING				R=151; G=108; B=85
Objectives of this Zone:					
<ul style="list-style-type: none"> To provide appropriately located land to allow the extraction of minerals and raw materials and associated business operations. To ensure that the extraction is carried out in a manner that takes cognizance of its impact on the site and surrounding properties and seeks to minimise the long term effects of the activity. To ensure that the relevant environmental considerations are adhered to regarding the actual extraction process, its impact on the environment, and to the rehabilitation of a site or sites once the activity has ceased. 					
RULES REGARDING THE USE OF LAND AND BUILDINGS					
What land may be used for:			What land may be NOT be used for:		
Primary Uses:	Written Consent Uses:	Special Consent Uses:	Any use not mentioned under Primary, Written or Special Consent uses.		
Mining Activities – Extraction and Beneficiation. Cemetery. Crematorium. Dwelling Unit. Electrical Purposes. Offices. Private Open Space. Public Garage. Public Open Space and Railway Purposes.	Such uses as may be approved by the Municipality	Special Usage.			
RULES REGARDING THE EXTENT OF DEVELOPMENT					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
As approved by the Municipality.	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	
RULES REGARDING BUILDING LINES			RULES REGARDING PARKING AND LOADING		
Street boundary:	As approved by the Municipality.		Refer to Section 3.3		
Rear boundary:	As approved by the Municipality.				
Side boundary:	As approved by the Municipality.				
OTHER REGULATIONS					
<ol style="list-style-type: none"> A mining right, mining permit, exploration right or production right may be required in terms of the Mineral and Petroleum Resources Development Act, 2002, (Act No. 28 of 2002). National Environmental Management Amendment Act of 2003, requires authorisation in terms of EIA regulations. A water use licence/authorisation may be required in terms of the National Water Act, 1998, (Act No. 36 of 1998). No quarrying for the taking of sand, stone, rock, gravel, clay and soil for any purpose whatsoever shall be conducted on any property unless authorised in terms of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002) and in any amendments thereof. 					

Code: PROS	PRIVATE OPEN SPACE				R=112; G=168; B=0
Objectives of this Zone:					
<ul style="list-style-type: none"> To provide adequate numbers of appropriately situated sites of a private nature that are easily accessible for recreational purposes and activities for certain communities 					
RULES REGARDING THE USE OF LAND AND BUILDINGS					
What land may be used for:			Land uses that are prohibited:		
Primary Uses:		Special Consent Uses:	Any use not mentioned under Primary or Special Consent uses.		
Agriculture, Private Clubs, Private Open Spaces, Private Caravan Parks, Places of Refreshment and Sport & Recreation		Transmission Tower and Special Usage.			
RULES REGARDING THE EXTENT OF DEVELOPMENT					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
As approved by the Municipality.	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	
RULES REGARDING BUILDING LINES			RULES REGARDING PARKING AND LOADING		
Street boundary:		As approved by the Municipality.	Refer to Section 3.3		
Rear boundary:		As approved by the Municipality.			
Side boundary:		As approved by the Municipality.			
OTHER REGULATION					
<ol style="list-style-type: none"> Only 1 dwelling unit for supervising personnel. National Environmental Management Amendment Act of 2003, require authorisation in terms of EIA regulations. 					

Code: POS	PUBLIC OPEN SPACE				R=112; G=168; B=0
Objectives of this Zone:					
<ul style="list-style-type: none"> To provide adequate numbers of appropriately situated sites that are easily accessible for recreational purposes and activities for local and wider communities. To ensure that such parks address the special needs of the physically challenged, elderly, women, and children. To ensure that such facilities are located and maintained to attract visitors and tourists. To set aside areas of land for the provision of parks, botanical gardens and other open spaces as well as corridor linkages between open areas for passive recreational purposes. 					
RULES REGARDING THE USE OF LAND AND BUILDINGS					
What land may be used for:				Land uses that are prohibited:	
Primary Uses:		Written Consent Uses:		Any use not mentioned under Primary or Written Consent uses.	
Public Open Space		Transmission Tower.			
RULES REGARDING THE EXTENT OF DEVELOPMENT					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
As approved by the Municipality.	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	
RULES REGARDING BUILDING LINES			RULES REGARDING PARKING AND LOADING		
Street boundary:	As approved by the Municipality.		Refer to Section 3.3		
Rear boundary:	As approved by the Municipality.				
Side boundary:	As approved by the Municipality.				
OTHER REGULATIONS					
<ol style="list-style-type: none"> The Municipality may consider utilizing over-provided public open spaces for residential infill or other uses. Such development will require the amendment of the Scheme to a suitable zone Urban agricultural uses may be considered on larger open space systems, subject to environmental legislation. Such developments will require the amendment of the Scheme to a suitable zone. 					

Code: R1	RESIDENTIAL 1				R= 255; G=235; B=0
Objectives of this Zone:					
<ul style="list-style-type: none"> To provide adequate land for residential purposes at a low density. To create integrated, safe and sustainable residential environments for all communities. To protect the residential use and amenity by limiting the compatible uses allowed to those that can be accommodated within the residential fabric with minimal impact or disruption. To protect conservation-worthy buildings as determined by the National Heritage Resources Act, 1999, (Act No. 25 of 19991). 					
RULES REGARDING THE USE OF LAND AND BUILDINGS					
What land may be used for:				Land uses that are prohibited:	
Primary Uses:	Written Consent Uses:	Special Consent Uses:		Any use not mentioned under Primary, Written or Special Consent uses.	
Single Dwelling Unit, Bed and Breakfast, Home Occupation and Cultural Heritage Site	Additional Dwelling, Day Care Facility, Duet Dwelling, Service Trade and Spaza Shop.	Boarding House, Community Facility, Guest House, Place of Instruction, Place of Worship, Special Usage and Transmission Tower.			
RULES REGARDING THE EXTENT OF DEVELOPMENT					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
One dwelling unit per erf with additional dwelling unit subject to written consent and a minimum erf size according to management overlay.	60%	-	2 storeys	As may be approved by the municipality from time to time.	
RULES REGARDING BUILDING LINES				RULES REGARDING PARKING AND LOADING	
Stand size	Street (m)	Rear (m)	Side (m)	Residential Uses – as per Site Development Plan. For non-residential uses, refer to Section 3.3	
≤ 350m ²	1	1	1		
>350m ² +	3	1.5	1.5		
OTHER REGULATIONS					
<ol style="list-style-type: none"> Properties that are ≤ 350m² may have coverage of up to 75%. Conservation worthy buildings must be linked to cultural heritage as per the National Heritage Resources Act, 1999, (Act No. 25 of 19991). 					

Code: R4	RESIDENTIAL 2				R= 255; G=255; B=0
Objectives of this Zone:					
<ul style="list-style-type: none"> To provide adequate land for residential purposes in rural areas. To provide for areas of traditional / tribal uses and traditional / tribal land use practises. To create integrated, safe and sustainable residential environments for all rural communities. To protect the residential use and amenity by limiting the compatible uses allowed to those that can be accommodated within the residential fabric with minimal impact or disruption. 					
RULES REGARDING THE USE OF LAND AND BUILDINGS					
What land may be used for:				Land uses that are prohibited:	
Primary Uses:	Written Consent Uses:	Special Consent Uses:		Any use not mentioned under Primary, Written or Special Consent uses.	
Boarding House, Dwelling House, Subletting, Home Occupation,, Subsistence Farming and Bed & Breakfast,	Community Facility, Day Care Facility, Service Trade, Shelter and Spaza Shops.	Clinic, Conference Facility, Electrical Purposes, Guest House, Institution, Place of Instruction, Place of Worship, Place of Assembly, Special Use, Transmission Tower, Transport Usage and Utility Services.			
RULES REGARDING THE EXTENT OF DEVELOPMENT					
Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
Not Applicable	60%	Not Applicable	2 storeys	As may be approved by the municipality from time to time.	
RULES REGARDING BUILDING LINES			RULES REGARDING PARKING AND LOADING		
Street boundary:	5 metres		For non-residential uses, refer to Section 3.3		
Rear boundary:	1 metres				
Side boundary:	1 metres				
OTHER REGULATIONS					
1. Consideration of cultural heritage sites as determined by a competent authority in terms of the National Heritage Resources Act, 1999, (Act No. 25 of 1991).					

Code: SP	SPECIAL				R=255; G=51; B=176
Objectives of this Zone:					
<ul style="list-style-type: none"> To accommodate land uses with special characteristics not catered for under any other use zone. 					
RULES REGARDING THE USE OF LAND AND BUILDINGS					
What land may be used for:				Land uses that are prohibited:	
Primary Uses:		Written Consent Uses:		Any use not mentioned under Primary, Written or Special Consent uses.	
As approved by the Municipality.		As approved by the Municipality.			
Special Consent Uses:					
As approved by the Municipality.					
RULES REGARDING THE EXTENT OF DEVELOPMENT					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
As approved by the Municipality.	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	
RULES REGARDING BUILDING LINES			RULES REGARDING PARKING AND LOADING		
Street boundary:		As approved by the Municipality.		Refer to Section 3.3	
Rear boundary:		As approved by the Municipality.			
Side boundary:		As approved by the Municipality.			
OTHER REGULATIONS					

Code: T	TRANSPORT				R=0; G=0; B=0,
Objectives of this Zone:					
<ul style="list-style-type: none"> To accommodate road and rail transport service functions. To provide for rail stations. To accommodate road service functions. To provide for land usage for railway and transport purposes. To provide adequate parking related land uses in the municipal area. 					
RULES REGARDING THE USE OF LAND AND BUILDINGS					
What land may be used for:				What land may be NOT be used for:	
Primary Uses:	Written Consent Uses:	Special Consent Uses:		Any use not mentioned under Primary Uses.	
Railway Purposes, Transport Usage, Bus Terminus, Taxi Ranks, Private Street & Parking, Public Street & Parking. Parking Bays, Parking Garages, Restrooms, Proposed new roads and widenings.	Such uses as may be approved by the Municipality	Such uses as may be approved by the Municipality			
RULES REGARDING THE EXTENT OF DEVELOPMENT					
Maximum Density:	Maximum Coverage:	Maximum FAR:	Maximum Height:	Other:	
As approved by the Municipality.	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	As approved by the Municipality	
RULES REGARDING BUILDING LINES				RULES REGARDING PARKING AND LOADING	
Street boundary:		As approved by the Municipality.		Refer to Section 3.3	
Rear boundary:		As approved by the Municipality.			
Side boundary:		As approved by the Municipality.			
OTHER REGULATIONS					

3.3. Parking and Loading Requirements

- 3.3.1. Effective and paved on-site parking and loading spaces together with the necessary manoeuvring area shall be provided for a development as set out in Table 1: On-site Parking and Loading requirements.
- 3.3.2. Any owner may provide the parking area required in terms of this clause on any alternative site approved by the Municipality and such site shall be notarial bound to the subject site.
- 3.3.3. The owner of a building in respect of which parking spaces are required in terms of this clause shall keep such parking spaces in a proper condition for such purpose to the satisfaction of the Municipality.
- 3.3.4. The gross floor area per parking space shall be calculated on 15m², excluding manoeuvring and road areas, and shall be applicable on all new buildings (except a single dwelling unit) and/or extensions to existing buildings (except a single dwelling unit).
- 3.3.5. The loading and off-loading of goods shall take place only within the boundaries of the erf to the satisfaction of the Municipality, unless the Municipality has provided loading facilities in the street reserve
- 3.3.6. The gross floor area per loading space shall be calculated at 50m² and shall be applicable to new buildings and/or additions.
- 3.3.7. Visitors' parking spaces may not be reserved temporarily or permanently whether it be for payment or not.
- 3.3.8. The on-site parking and loading requirements for developments are set out in Table 1: On-site Parking and Loading Requirements, hereunder. The Municipality may, at its discretion, either decrease or increase the requirements contained in the table for specific developments.

Table 1: Parking & Loading Requirements

Land Use	Number of Parking spaces to be provided	Requirements for loading spaces and areas.
Abattoir	5 spaces for the first 1000m ² floor area or part thereof and 2 spaces for every 1000m ² thereafter, or part thereof.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Adult entertainment business	6 spaces per 100m ² public floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Agricultural Industry	1 space per 100m ² floor area and 3 spaces per 100m ² office floor area.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Aerodrome or Airport	2 spaces for the first 100m ² floor area or part thereof and 1 space for every 100m ² thereafter, or part thereof.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Bakery	3 spaces per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Boarding House	1 space per room and 1 space for every 3 rooms.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Botanical Garden	3 spaces per hectare or part thereof.	Not applicable.
Brickyard	40% of property reserved for parking and loading requirements.	
Builders Yard	40% of property reserved for parking and loading requirements.	
Camping Site	1 Space per tent or caravan or mobile dwelling unit site and 4,5 spaces per 100 m ² office floor area and 1 space per 4 seats and 6 spaces per 100m ² place of refreshment public floor area and 6 spaces per 100 m ² retail floor area.	1 Space per first 2000 m ² place of refreshment or retail floor area, or part thereof and 1 space per every 2000 m ² place of refreshment or retail floor area thereafter.
Canteen	2 Spaces per 100 m ² floor area.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Carwash	6 spaces per 100m ² area or part thereof.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Cemetery	40% of property reserved for parking and loading requirements	

Land Use	Number of Parking spaces to be provided	Requirements for loading spaces and areas.
Crèche or Day Care Facility	1 space for every 4 children.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Coal Yard	40% of property reserved for parking and loading requirements	
Commonage	6 Spaces per 100m ² informal trade floor area.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Conference Centre	6 spaces per 100m ² floor area and 1 space per 4 seats	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Conservation	As per the site development plan	Not applicable
Crematorium	3 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Dry Cleaner	3 spaces per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Dwelling House	One space on-site per unit.	Not applicable
Dwelling Units	1 covered space per dwelling unit and 1 uncovered space per 2 dwelling units	1 Space per 10 dwelling units.
Factory Shop	6 spaces per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Farm Stall	6 spaces per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Funeral Parlour	3 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Government Use / Purposes	4, 5 spaces per 100m ² office floor area and 6 spaces per 100m ² public floor area and 1 space per 4 seats.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Guest House	1 space per guest room	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Gymnasium / Fitness Centre	6 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Helicopter Landing Pad	4, 5 Spaces per 100m ² office floor area, 1 space per 100m ² repair facility and 1 space per rotary wing aircraft storage unit.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Home Occupation	3 parking spaces	Not applicable
Hospital	1 space per bed	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Hotel	1 spaces per room and 6 spaces per 100m ² public floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Industry	1 space per 100m ² floor area and 3 spaces per 100m ² office floor area.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Informal Trading	3 Spaces per 100m ² floor area.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Institution	6 spaces per 100m ² floor area and 1 spaces per 4 seats	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Laboratory	3 spaces per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Lodging	1 spaces per guest room or suite and 6 spaces per 100m ² public floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.

Land Use	Number of Parking spaces to be provided	Requirements for loading spaces and areas.
Mining	40% of property or site reserved for parking and loading requirements	
Municipal Purposes	4, 5 spaces per 100m ² office floor area and 6 spaces per 100m ² public floor area and 1 space per 4 seats.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Noxious Trade	1 spaces per 100m ² floor area and 3 spaces per 100m ² office floor area.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Office	4,5 spaces per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Place Of Amusement	1 space per 4 seats and 6 spaces per 100m ² public floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Place Of Education	2 Spaces per 100m ² office floor area and 1 space per classroom and 5 drop-off spaces for passenger vehicles per 100 students.	1 drop-off space for buses per 100 students.
Place Of Worship	1 space per 6 seats	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Place Of Refreshment	10 spaces per 100m ² public floor area.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Prison or Jail	4, 5 Spaces per 100m ² office floor area and 1 space per 10 holding cells.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Private Open Space	1 Space per 100m ² sport, recreation or play area.	Not Applicable
Public Open Space	1 Space per 100m ² sport, recreation or play area.	Not Applicable
Railway Station	4, 5 spaces per 100m ² office floor area and 6 spaces per 100m ² public floor area and 1 space per 4 seats.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter.
Residential Building	1 space per room and 1 space for every 3 rooms.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Resort	1 space per room and 6 spaces per 100m ² public floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Scrapyard	3 spaces per 100m ² floor area	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Service Station	40% of property reserved for parking and loading requirements and 6 spaces per 100m ² retail floor area.	
Showroom	3 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Social Hall	4, 5 spaces per 100m ² office floor area and 6 spaces per 100m ² public floor area and 1 space per 4 seats.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Tavern	2 spaces per 100m ² floor area	Not applicable
Taxi Rank	4, 5 spaces per 100m ² office floor area and 6 spaces per 100m ² public floor area and 1 space per 4 seats.	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Telecommunication Infrastructure	40% of property reserved for parking and loading requirements	
Tourist Facilities	6 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.
Utility Services	40% of property reserved for parking and loading requirements	
Veterinary Clinic	3 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.

Land Use	Number of Parking spaces to be provided	Requirements for loading spaces and areas.
Warehousing And Packaging	1 space per 100m ² floor area and 3 spaces per 100m ² office floor area.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Waste Disposal Site	40% of property reserved for parking and loading requirements	
Wholesale Trade	1 space per 100m ² trade floor area and 3 spaces per 100m ² office floor area.	2 spaces per first 1000m ² floor area, or part thereof and 1 space per every 1000m ² floor area thereafter
Workshop	6 spaces per 100m ² floor area	1 Space per first 2000 m ² floor area, or part thereof and 1 space per every 2000 m ² floor area thereafter.

3.4. Zoning Map

3.4.1. The Zoning Map depicts—

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

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

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

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

PART 4: OVERLAY ZONES

4.1. Purpose of Overlay Zones

- 4.1.1. Overlay zones provide a mechanism for land use management whereby the Municipality may give effect to specific guidelines contained in a spatial development framework or policy plan. These guidelines could promote development, require a limitation to or set additional land use types, stipulate more or less restrictive development rules, or identify specific development rules. It provides a mechanism for elevating specific policy guidelines, as approved by the Municipality, to land use regulations.
- 4.1.2. An overlay zone will apply in addition to the base zone of a property (as stated in Section 3.2.1). An overlay zone may only be introduced if it complies with the requirements set out in this scheme, and may not be introduced for the purposes of promoting, causing or facilitating social exclusion and separation.

4.2. Requirements and Procedures

- 4.2.1. The Municipality Council may prepare any overlay zone as provided for in this Land Use Scheme.
- 4.2.2. Preparation of an overlay zone shall take into consideration the following requirements where applicable:
- (a) the principles contained in the Act;
 - (b) the Municipality's planning vision and principles as set out in its Spatial Development Framework and Integrated Development Plan;
 - (c) desired spatial form, including but not limited to the development of public and private land, infrastructure investment, utilisation of space, spatial reconstruction, location and nature of development, urban edge, scenic routes, areas of strategic intervention, mitigation of development impacts;
 - (d) the principles as set out in an approved spatial development framework or a policy plan;
 - (e) environmental and heritage protection and conservation; and
 - (f) the principles of co-operative governance and the duties and objectives of local government as set out in the Municipal Systems Act and the Constitution.
- 4.2.3. An overlay zone must not detract from Municipality's ability to serve the needs of the municipal area as a whole.
- 4.2.4. The Municipality may adopt, replace, amend or recommend overlay zones that provide for development directives by following the rezoning procedures stipulated in the Act.

4.3. Overlay Zone 1: Hydrology

- 4.3.1. The purpose of this overlay zone is to ensure the sustainability of natural water supply in the Municipality. In addition, residents of the municipality should also be protected from the adverse effects of locating to close to surface water.
- 4.3.2. In the absence of a determined 1:50 year and 1:100 year flood lines, the following development controls apply:
- 4.3.2.1. No development allowed within 200 m of the centreline of a perennial river, as indicated on the Zoning maps.
 - 4.3.2.2. No development allowed within 100 m of the centreline of a non-perennial river or stream, as indicated on the Zoning maps.
 - 4.3.2.3. No development allowed within 200 m of the outside figure of all inland water bodies, as indicated on the Zoning maps.

4.4. Overlay Zone 2: Environmental Areas

- 4.4.1. This overlay zone is indicated on the Use Zone Map as OZ2: Environmental Areas.
- 4.4.2. The purpose of this overlay zone is to protect all environmentally sensitive areas as identified by the Municipality's Environmental Management Framework (EMF) and to protect areas of biodiversity as determined by the National Environmental Management: Biodiversity Act, 2004, (Act No. 10 of 2004).
- 4.4.3. The overlay zone makes provision for the protection and management of the special natural and environmental characteristics of environmentally-sensitive places and areas, or those that are worthy of protection in order to ensure that development responds sensitively to these characteristics, that impacts are mitigated, and to promote sustainable development for the benefit of the general public, including tourists.
- 4.4.4. In addition to the primary and consent use rights of the specific use zones, properties within this overlay zone are further subject to the following:

- 4.4.4.1. The Municipality may approve any appropriate use as a consent use in terms of this overlay zone provided that:
- (a) it considers such use to be desirable or justified in order to provide the owner with an incentive to preserve the environmental resource, and
 - (b) the Municipality may require cessation of the consent use right if the environmental resource is not properly maintained and protected to Municipality's satisfaction.

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

- 4.4.5.1. The use or maintenance of land in a substantially natural state with the object of preserving the biophysical and heritage characteristics of that land, as well as flora and fauna living on the land, and includes associated infrastructure required for such use.
- 4.4.5.2. No development may be allowed within this zone unless approved by a Controlling Authority in terms Environmental Legislation

4.5. Overlay Zone 3: Protection Zone 100m

- 4.5.1. This overlay zone is indicated on the Use Zone Map as OZ3: Protection Zone 100m and as determined by the processes of the Province's Liquor Board
- 4.5.2. The purpose of this overlay zone is to protect all community facilities as to prevent land uses that will lead to pollution or cause a nuisance.
- 4.5.3. The following use restrictions apply to the property in this zone:
- 4.5.3.1. There should be a 100 metre buffer around churches, crèches, community halls, clinics and schools. All taverns, mortuaries, noxious uses, bottle stores and dumping sites should be discouraged in these areas.

4.6. Overlay Zone 4: Geotechnical: Swelling Clays

- 4.6.1. This overlay zone is indicated on the Zoning Map as OZ4: Swelling Clays.
- 4.6.2. Conditions applicable to townships or erven in dolomite areas or on land with detrimental soil conditions:
- 4.6.2.1. No French drain shall be permitted on the erf.
- 4.6.2.2. Trenches and excavations for foundations, pipes cables or for any other purpose, shall be properly refilled with damp soil in layers not thicker than 150 mm, and shall be compacted until the same grade of compaction as that of the surrounding material is obtained to the satisfaction of the Local Municipality,
- 4.6.2.3. All pipes which carry water shall be watertight and shall be provided with watertight flexible couplings.
- 4.6.2.4. The entire surface of the erf shall be drained to the satisfaction of the Local Municipality in order to prevent surface water from damming up, and water from roof-gutters shall be discharged away from the foundations.
- 4.6.2.5. Proposals to overcome detrimental soil conditions to the satisfaction of the Local Municipality shall be contained in all building plans submitted for approval and all buildings shall be erected in accordance with the precautionary measures accepted by the Local Municipality.
- 4.6.2.6. If required, a soil report drawn up by a qualified person acceptable to the Local Municipality indicating the soil conditions of the erf and recommendations as to suitable founding methods and depths shall be submitted to the Local Municipality simultaneously with the submission of building plans prior to the commencement of any building operations on the erf.
- 4.6.2.7. Geotechnical investigations should be determined / undertaken before construction can ensue within this overlay zone.

PART 5: GENERAL PROVISIONS

1.1. Encroachment of building lines

- 5.1.1. Building lines are only applicable to buildings covered by a roof and does not prohibit the erection of boundary walls, garden decorations, pergolas, swimming pools or tennis courts in the building restriction area.
- 5.1.2. Unless otherwise stipulated, the building lines are applicable to all properties according to the use zones as set out therein.
- 5.1.3. In addition to the building lines:
- 5.1.3.1. where an erf or other land borders on a national or provincial road, or if provided otherwise in the conditions of title, the applicable building line shall be the building line prescribed by the Controlling Authority, or the building line for the relevant use zone, whichever is the wider, and such building line, if imposed in terms of Act 21 of 1940 or any other legislation, shall not be relaxed, modified or amended without the written consent of the Controlling Authority;
- 5.1.3.2. the Municipality has the right to use a 2 m strip next to any two boundaries of a property for the installation of engineering services and such strips are to be considered as building restriction areas which can be relaxed or waved with the approval of a building plan, if not needed for the said purpose;
- 5.1.3.3. the erection of buildings on distances from boundaries other than street boundaries must comply with the Act on National Building Regulations and Building Standards, 1977 (Act 103 of 1977) and any amendments thereof;
- 5.1.3.4. the Municipality may relax the building line for the applicable use zone after receipt of a written application, if convinced that the relaxation is justified in terms of the particular circumstances of the request, and in the consideration of such requests the Municipality can take cognisance of the factors such as the proximity of existing buildings, the form, slope and size of the property and the character of the surrounding area;
- 5.1.4.5. the Municipality may, if it is deemed necessary, impose a new building line upon granting its consent in terms of Clause 5.1.3.2 or 5.1.3.3 supra;
- 5.1.3.6. if a relaxation of a building line has been approved or where it is otherwise permitted that a building be erected on the boundary or in such a way that it will not be easily accessible, the side of the building facing the boundary shall be erected to be aesthetically pleasing in terms of the materials used and the finishing thereof to the satisfaction of the Municipality and shall be maintained to the satisfaction of the Municipality.
- 5.1.4. No material or goods of any nature may be deposited or stored within the building restriction area along the boundary of any existing street, proposed street or widening and such portion shall not be used for any purpose other than for laying out and maintaining lawns, gardens, parking or accesses.
- 5.1.5. For the purpose of applying this clause, a sanitary alley is not considered to be a street or road.
- 5.1.6. Notwithstanding the building line requirements set out in Section 3.1, the following structures or portions of structures may be erected within the prescribed building lines, provided they do not extend beyond the boundaries of a land unit:
- 5.1.6.1. boundary walls, fences and gates;
- 5.1.6.2. open and uncovered stoeps that are less than 500 millimetres in height from the natural level of the ground;
- 5.1.6.3. entrance steps, landings and entrance porches, excluding a porte cachet;
- 5.1.6.4. a covered entrance or gatehouse that has a roofed area not exceeding 5 m² and a roof height not exceeding 3 metres from floor to highest point;
- 5.1.6.5. eaves and awnings projecting no more than 1 metre from the wall of a building;
- 5.1.6.6. cornices, chimney breasts, flower boxes, water pipes, drain pipes and minor decorative features not projecting more than 500 millimetres from the wall of a building;
- 5.1.6.7. screen-walls not exceeding 2,1 metres in height above the natural ground level abutting such wall;
- 5.1.6.8. swimming pools not closer than 1 metre from any boundary;
- 5.1.6.9. a basement, provided that no part thereof projects above natural ground level; and
- 5.1.6.10. a refuse room required by the Municipality in terms of the relevant legislation.

1.2. Site Development Plans

5.2.1. In addition to the zones that specifically require a site development plan, the Municipality may require a site development plan in respect of the following development types:

- 5.2.1.1. "Residential 2"
- 5.2.1.2. "Business 1"
- 5.2.1.3. "Business 2"
- 5.2.1.4. "Industrial 1"
- 5.2.1.5. "Industrial 2"
- 5.2.1.6. "Institutional"
- 5.2.1.7. "Guest House"
- 5.2.1.8. "Transport"
- 5.2.1.9. "Special"
- 5.2.1.10. "Cemetery"

or as determined by the Municipality.

5.2.2. The Municipality may require some or all of the following information for a site development plan for :

- (a) existing bio-physical characteristics of the property;
- (b) existing and proposed cadastral boundaries;
- (c) the layout of the property, indicating the use of different portions thereof;
- (d) the massing, position, use and extent of buildings;
- (e) sketch plans and elevations of proposed structures, including information about their external appearance;
- (f) cross-sections of the site and buildings on site;
- (g) the alignment and general specification of vehicle access, roads, parking areas, loading areas, pedestrian flow and footpaths;
- (h) the position and extent of private, public and communal space;
- (i) typical details of fencing or walls around the perimeter of the land unit and within the property;
- (j) electricity supply and external lighting proposals;
- (k) provisions for the supply of water, management of storm water, and disposal of sewage and refuse;
- (l) external signage details;
- (m) general landscaping proposals, including vegetation to be preserved, removed or to be planted, external paving, and measures for stabilising outdoor areas where applicable;
- (n) the phasing of a development;
- (o) the proposed development in relation to existing and finished ground levels, including excavation, cut and fill;
- (p) statistical information about the extent of the proposed development, floor area allocations and parking supply;
- (q) relationship of the proposed development to the quality, safety and amenity of the surrounding public environment;
- (r) relationship of the proposed development to adjacent sites, especially with respect to access, overshadowing and scale;
- (s) illustrations in a three-dimensional form depicting visual impacts of the proposed development on the site and in relation to surrounding buildings; and
- (t) any other details as may reasonably be required by the Municipality.

5.2.3. The Municipality may require that the area covered by a site development plan must extend beyond the site under consideration if, in its opinion, the proposed development will have a wide impact.

5.2.4. The Municipality may determine the extent of the area covered by a site development plan.

5.2.5. An applicant must submit a site development plan to the Municipality if it is required in terms of this Land Use Scheme, before any development on the relevant land unit may commence.

5.2.6. A site development plan may not be rejected if it is consistent with the development parameters of a base zone, overlay zone, or condition of approval.

5.2.7. The Municipality may require amendments of detail to the site development plan to address reasonable concerns relating to access, parking, architectural form, urban form, landscaping, environmental management, engineering services or similar concerns.

5.2.8. The following provisions apply with regard to site development plans:

- (a) an approved building plan must be in accordance with an approved site development plan;
- (b) if the Municipality considers it necessary, a transport or traffic impact statement or assessment may be required in conjunction with a site development plan, the extent of which must be determined by the Municipality depending on the magnitude of the development;
- (c) if the Municipality considers it necessary, a storm water impact assessment or storm water management plan or both may be required in conjunction with a site development plan, the extent of which must be determined by the Municipality depending on the magnitude of the development; and

1.3. Hazardous Substance

- 5.3.1. Any use or ancillary activity that involves the storage or keeping of hazardous substances that may result in an installation being declared a major hazardous installation in terms of occupational health and safety law is not permitted, unless a risk management and prevention plan has been submitted by the owner, and the Municipality has given approval thereto.
- 5.3.2. The Municipality's approval in terms of Subsection **Error! Reference source not found.** above does not exempt the owner from applying for permission in terms of other relevant legislation.

1.4. Maintenance of property

- 1.4.1. Property must be properly maintained by the owner or occupier and may not:
- 1.4.1.1. be left in a neglected or offensive state, as may be determined by the Municipality;
 - 1.4.1.2. contain an unsightly accumulation of papers, cartons, garden refuse, rubble or other waste material, as may be determined by the Municipality; ~~contain~~ contain an accumulation of motor wrecks or un-roadworthy vehicles or used motor parts, unless these are part of a primary or consent use in terms of this Land Use Scheme;
 - 1.4.1.3. contain outdoor storage of building material, appliances or similar items unless these:
 - (a) forms part of a primary or consent use in terms of this Land Use Scheme;
 - (b) are temporarily being stored for the purpose of construction in accordance with a valid building plan approval; or
 - (c) are being stored in conjunction with the holding of a yard or garage sale with a duration of not more than two consecutive days.

1.5. Placement of vehicles in residential zones

- 1.5.1. A motor vehicle of an occupant of a dwelling unit and used for commercial activities conducted away from the dwelling unit, may be parked on the property where the occupant resides, provided that:
- (a) there is adequate space on the property concerned;
 - (b) no more than one commercial vehicle per dwelling unit may be parked on the property; and
 - (c) the gross weight of any such commercial vehicle may not exceed 3 500kg.

1.6. Splay of Corners

- 1.6.1. Except where shown on the Map, the corners of all streets and street junctions shall be splayed from the junction of the street boundaries for a distance of 2 metres (calculated to the nearest metre): Provided that this provision shall not be applied to townships established before the adoption of this Scheme.

1.7. Lines of No Access, New Streets and Street Widening

- 5.7.1. Entrance to and exit from a property from or to a public street or road may be prohibited across any boundary-. Provided that:-
- 1.7.1.1. Any boundary so designed shall be shown on the Scheme Map;
 - 1.7.1.2. The Local Municipality may, on receipt of a written application, relax the access restriction subject to such conditions as it may deem desirable, if as a result of exceptional circumstances, observance of the access restriction would interfere with the development of the property to an unreasonable degree;
 - 1.7.1.3. Provided further that these provisions shall not be applicable to any Provincial or National Road insofar as they are in conflict with the requirements of the Local Municipality.
 - 1.7.1.4. The Local Municipality has the right to use a 2m strip next to any two boundaries a property for the installation of engineering services and such strips are to be considered as building restriction areas which can be relaxed or waived with the approval of a building plan, if not needed for the said purpose.
 - 1.7.1.5. The erection of buildings on distances from boundaries other than street boundaries must comply with the Act on National Building Regulations and Building Standards, 1977, (Act No. 103 of 1977) and any amendments thereof.
 - 1.7.1.6. The Local Municipality may relax the building line, after receipt of a prescribed request, except building lines under Act 21 of 1940 or any other legislation, convinced that the relaxation is justified in terms of the particular circumstances of the request, and in the consideration of such requests the Local Municipality can take cognisance of factors such as existing buildings, the form and the size of the property and the character of the surrounding area.
- 5.7.2. For the purpose of this Clause, a sanitary alley is not considered to be a street or a road.

1.8. Conditions applicable to all properties.

- 1.8.1. The following conditions shall be applicable to all erven and/or properties:
- 1.8.1.1. Except with the written consent of the Local Municipality and subject to such conditions as it may impose, nobody shall:
 - a) Save and except to prepare the erf for building purposes, excavate therefrom any material;
 - b) Sink any wells or boreholes thereon or subtract any subterranean water therefrom.
 - 1.8.1.2. Where, in the opinion of the Local Municipality it is impracticable for storm water to be drained from higher lying erven direct to a public street system, the owner of the lower lying erf shall be obliged to accept and/or permit the passage over the erf of such stormwater: Provided that the owners of any higher lying erven from which storm water is discharged over any lower lying erf, shall be liable to pay a proportionate share of the cost of any pipeline or drain which the owner of the lower lying erf may find necessary to lay or construct for the purpose of conducting the water so discharged over the erf.
 - 1.8.1.3. The siting of buildings, including outbuildings, erected on the property, and entrances to and exits from the property shall be to the satisfaction of the Local Municipality.
 - 1.8.1.4. No material or goods of any nature shall be dumped or stored within the building restriction area along the boundary of any existing or proposed street, and such portion shall not be used for any purpose other than laying out and maintaining lawns, gardens, parking or access.
 - 1.8.1.5. A screen wall shall be erected as and when required by the Local Municipality to its satisfaction.
 - 1.8.1.6. If the property is fenced, the fence shall be erected and maintained to the satisfaction of the Local Municipality.
 - 1.8.1.7. No informal structures may be erected on any property within the area of the land use scheme, provided that the Local Municipality, in consultation with the community, may consent to the erection of an informal structure on "Residential 1" in certain areas.

PART 6: COMPLIANCE AND ENFORCEMENT

6.1. Enforcement

- 6.1.1. The Municipality must adopt fines and contravention penalties to be imposed in the enforcement of this land use scheme as determined by the section of the by-law that deals with enforcement.

6.2. Power of entry for enforcement purposes

- 6.2.1. The power of entry for enforcement purposes by the Local Municipality is as determined section of the by-law that deals with enforcement.

6.3. Serving of Notices

- 6.3.1. Any order, notice or other document required or authorised to be served under the Scheme, may be signed by the Municipal Manager or other official authorised thereto, as determined by the section of the by-law that deals with the serving of the notices.

6.4. Findings and Appeals

- 6.4.1. Any objector or the applicant who is aggrieved by the decision of the Local Municipality or any condition of such decision, can appeal, to the appeal authority, against the decision or condition in the manner prescribed in the section of appeals in the by-law.

6.5. Advertising Signs

- 6.5.1. No advertising sign or display board that is visible from the outside of the property, may be displayed or erected without the consent of the Municipality. The Municipality will disallow such application if it is convinced that the proposed sign or board will be injurious to the amenity of the neighbourhood. Provided further that this Clause does not prohibit the display of a name-plate not exceeding 300mm x 450mm on a fence, entrance, entrance hall or front door of a property or building in use zone "Residential 1" provided that such name-plate be utilised exclusively to indicate the name and vocation of the occupant.

6.6. Contravention of the Scheme

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

PART 7: LAND DEVELOPMENT APPLICATIONS

7.1. Application for Land Development Requirements

7.1.1. Application for land development requires that:

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

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

7.2.1. The Moretele Land Use Scheme of 2016 divides the municipal area of Moretele into zones, and provide information as to what and may and may not be used for in any of the zones.

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

7.3. Land Use and Land Development Applications

7.3.1. Distinction is made between land development and land use applications. Land Development Applications are considered by the Municipal Planning Tribunal, and are explained in Section 7.4 below. Land Use Applications are applications for other compatible rights that the land unit does not yet possess but which are permitted in terms of the land use scheme and which may be obtained by application which is explained in Section 7.4 below.

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

7.4.1. The Municipal Council may from time to time, determine categories of planning applications through a Council Resolution

7.4.2. The resolution contemplated above will also determine applications to be considered by the Municipal Planning Tribunal and applications to be considered and determined by an official in the employ of the Municipality.

7.4.3. The categories of land development and land use management for the Municipality, as contemplated in Section 35(3) of the Act, are as follows –

- (a) Category 1: Land Development Applications;
- (b) Category 2: Land Use Applications;

7.4.4. Land development applications are applications for -

- (a) the establishment of a township or the extension of the boundaries of a township;
- (b) the amendment of an existing scheme or land use scheme by the rezoning of land;
- (c) subject to subsection (7.4.5), the removal, amendment or suspension of a restrictive or obsolete condition, servitude or reservation registered against the title of the land;

- (d) the amendment or cancellation in whole or in part of a general plan of a township;
- (e) the subdivision and consolidation of any land other than a subdivision and consolidation which is provided for as a
- (f) Category 2 application;
- (g) permanent closure of any public place;
- (h) any consent or approval required in terms of a condition of title, a condition of establishment of a township or condition of an existing scheme or land use scheme;
- (i) instances where the Municipality acting on its own accord wishes to remove, amend a restrictive or obsolete condition, servitude or reservation registered against the title deed of a property or properties which may also arise out of a condition of establishment of a township or any other legislation;
- (j) any consent or approval provided for in a provincial law; and
- (k) any development on communal land that will have a high impact on the community.

7.4.5. Land use applications are applications for other compatible rights that the land unit does not yet possess but which are permitted in terms of the land use scheme and which may be obtained by application in terms of the municipal by-law and includes:

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

7.5. General criteria for consideration and determination of application by Municipal Planning Tribunal or Land Development Officer

7.5.1. When the Municipal Planning Tribunal or Land Development Officer considers an application it must have regard to the following:

- (a) the application submitted in terms of the municipal by-law;
- (b) the procedure followed in processing the application;
- (c) the desirability of the proposed utilisation of land and any guidelines issued by the Member of the Executive Council regarding proposed land uses;
- (d) the comments in response to the notice of the application and the comments received from Organs of State and Internal Departments;
- (e) the response by the applicant to the comments referred to in paragraph (d);
- (f) investigations carried out in terms of other laws which are relevant to the consideration of the application;
- (g) a written assessment by a professional planner as defined in Section 1 of the Planning Profession Act, 2002, in respect of land development applications to be considered and determined by the Municipal Planning Tribunal.
- (h) the integrated development plan and municipal spatial development framework;
- (i) the applicable local spatial development frameworks adopted by the Municipality;
- (j) the applicable structure plans;
- (k) the applicable policies of the Municipality that guide decision-making;
- (l) the provincial spatial development framework;
- (m) where applicable, the regional spatial development framework;
- (n) the policies, principles, planning and development norms and criteria set by national and provincial government;
- (o) the matters referred to in Section 42 of the Act;
- (p) the relevant provisions of the land use scheme

7.6. Conditions of approval

7.5.1. When the Municipal Planning Tribunal or Land Development Officer approves an application subject to conditions, the conditions must be reasonable conditions and must arise from the approval of the proposed utilisation of land.

7.5.2. Conditions imposed in accordance with subsection (7.5.1) may include conditions relating to—

- (a) the provision of engineering services and infrastructure;
- (b) the cession of land or the payment of money;
- (c) the provision of land needed for public places or the payment of money in lieu of the provision of land for that purpose;
- (d) the extent of land to be ceded to the Municipality for the purpose of a public open space or road as determined in accordance with a policy adopted by the Municipality;
- (e) settlement restructuring;
- (f) agricultural or heritage resource conservation;
- (g) biodiversity conservation and management;
- (h) the provision of housing with the assistance of a state subsidy, social facilities or social infrastructure;
- (i) energy efficiency;
- (j) requirements aimed at addressing climate change;
- (k) the establishment of an owners' association in respect of the approval of a subdivision;
- (l) the provision of land needed by other organs of state;
- (m) the endorsement in terms of Section 31 of the Deeds Registries Act in respect of public places where the ownership thereof vests in the municipality or the registration of public places in the name of the municipality, and the transfer of ownership to the municipality of land needed for other public purposes;
- (n) the implementation of a subdivision in phases;
- (o) requirements of other Organs of State.
- (p) the submission of a construction management plan to manage the impact of a new building on the surrounding properties or on the environment;
- (q) agreements to be entered into in respect of certain conditions;
- (r) the phasing of a development, including lapsing clauses relating to such phasing;
- (s) the delimitation of development parameters or land uses that are set for a particular zoning;
- (t) the setting of validity periods, if the Municipality determined a shorter validity period as contemplated in the municipal by-law;
- (u) the setting of dates by which particular conditions must be met;
- (v) the circumstances under which certain land uses will lapse;
- (w) requirements relating to engineering services as contemplated in the municipal by-law;;
- (x) requirements for an occasional use that must specifically include –
 - i. parking and the number of ablution facilities required;
 - ii. maximum duration or occurrence of the occasional use; and
 - iii. parameters relating to a consent use in terms of the land use scheme;

7.7. High and Low Intensity Land Uses

- 7.7.1. These high and low intensity land uses apply only to communal land, land under traditional / tribal leadership / council and/or unsurveyed State Land.
- 7.7.2. The following land uses are deemed as high and low intensity land uses. Any applicant who aims to develop any high intensity land uses on communal land should apply to the Local Municipality for approval:

High Intensity	Low Intensity
Abattoir; Aerodrome / Airport; Agricultural Industry; Airfield; Bottle Store; Builders' Yard; Cemetery; Crematorium; Commercial Use; Distribution Centre; Dumping/Landfill site; Electrical Power Station; Filling Station; Hotel; Industry; Intensive Feed Farming. Light Industry; Liquor Enterprise; Multi-Purpose Community Centre; Mining; Motor Grave Yard; Nature Reserve; Noxious Trade; Panel beating; Public Garage; Railway Purposes; Renewable energy. Resort; Sewerage Works; Showgrounds; Tavern Warehouse; Wholesale Trade. and Shopping centres	Additional Dwelling Unit/s Adult Entertainment. Authority Use. Boarding House. Butchery; Crèches; Community Facility. Conference Facility. Day Care Facility. Duet Dwelling. Funeral Parlour. Guest House. Helicopter Landing Pad. Home Enterprise/Occupation. Nursery. Offices. Prospecting and Mining activities < 5 years (Permit). Restaurant. Scrapyard (no spray painting allowed). Service Trade. Spaza Shops. Special Usage. Taxi Rank; Telecommunication Mast; Tribal Offices. Tourist facilities. Place of Assembly. Place of Instruction. Place of Worship. Transmission Tower. Urban Agriculture; and Warehouse.

and any other uses as determined by the Local Municipality.

- 7.7.3. The expansion of settlement boundaries are also considered to be of a high impact and should be approved by the Local Municipality.

7.8. Conditions Applicable To Land Use Applications in Rural Areas.

- 7.8.1. An applicant who is desirous to develop or change the land use purpose of communal land, whether or not such development or change will result in a high intensity development or a low intensity development, must apply to the Municipality for approval thereof.

- 7.8.2. If the application is for a high intensity development, the application must be accompanied by –
- 7.8.2.1. a power of attorney signed by the applicable Traditional / Tribal Council; and
 - 7.8.2.2. proof of a decision taken by the majority of the community members who will be affected by such development who are present at a meeting, of which they have been given sufficient notice and in which they have had a reasonable opportunity to participate, that was convened for the purpose of considering whether their informal right to land may be disposed of as a result of such high intensity development,
- and the provisions of the municipal by-law apply to that application.
- 7.8.3. An applicant who submits an application for a low intensity development is exempt from the payment of application fees and such application must be completed on a form approved by the Council, signed by the applicant and submitted to the Municipality and it must be accompanied by –
- 7.8.3.1. a power of attorney signed by the applicable Traditional / Tribal Council;
 - 7.8.3.2. proof of consent from such owners of abutting properties that are determined by the Municipality;
 - 7.8.3.3. a written motivation for the application based on the criteria for consideration of the application; and
 - 7.8.3.4. a site plan or sketch sufficient for the land development officer to make a decision.
- 7.8.4. An application for a low intensity development is exempt from these provisions as contemplated in the municipal by-law and the Local Municipality must develop shortened procedures for such applications.
- 7.8.5. The Local Municipality must, in its land use scheme, identify and define each of the activities that it considers to be a high intensity development and a low intensity development that will be subject to an application contemplated in the by-law.
- 7.8.6. An applicant who is desirous to change the land use purpose of communal land prior to the adoption of a land use scheme in terms of the Act and the municipal by-law, whether or not such change will result in a high intensity development or a low intensity development, must apply to the Local Municipality for approval thereof and the provisions of the by-law applies to such an application.
- 7.8.7. The Municipality may, in its land use scheme, make provision for the incremental upgrading of an informal area other than what is provided for in the municipal by-law) will not apply in such instance.

PART 8: MISCELLANEOUS

8.1. Property Description

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

8.2. Use of Annexures and Schedules

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

8.3. Binding Force of Conditions

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

8.4. Reservation for Authority Vested with the Local Municipality

- 8.4.1. Nothing in this Scheme shall be regarded as prohibiting the Local Municipality from erecting, maintaining and/or using any building or property in any use zone for the purpose empowered by it by virtue of any law, and which it deems to be beneficial to the community or surrounding area.

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

- 8.5.1. The Local Municipality shall permit any interested person to inspect at any reasonable time the Scheme available in the offices of the Local Municipality.

CONDITIONS APPLICABLE TO BUSINESSES IN RESPECT OF WHICH A LICENSE IS REQUIRED.

1. Sale or supply of meals or perishable foodstuffs

1.1. The carrying on of business by the sale or supply to consumers of -

- a) any foodstuff in the form of meals for consumption on or off the business premises; or
- b) any perishable foodstuff.

1.2. For the purposes of Subitem (1) "perishable foodstuff" means any foodstuff or category of foodstuffs declared by a Premier by notice in the Official Gazette to be a perishable foodstuff in the Province concerned for the purposes of this item.

2. Provision of certain types of health facilities or entertainment

2.1. The carrying on of business by –

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

3. Hawking in meals or perishable foodstuffs

3.1. The carrying on of business, whether as principal, employee or agent, by selling any foodstuff in the form of meals or any perishable foodstuff –

- a) which is conveyed from place to place, whether by vehicle or otherwise;
- b) on a public road or at any other place accessible to the public; or
- c) in, or from a movable structure or stationary vehicle,

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

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

CONDITIONS APPLICABLE TO BUSINESSES EXCLUDED FROM BUSINESSES.

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

CONDITIONS APPLICABLE TO TAVERNS.

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

CONDITIONS APPLICABLE FOR CONSENT USE.

1. Consent of the Local Municipality.

- 1.1. An applicant may apply to the Municipality for a consent use provided for in the manner provided for in the municipal by-law.
- 1.2. Where the development parameters for the consent use that is being applied for are not defined in an applicable land use scheme, the Municipality must determine the development parameters that apply to the consent use as conditions of approval contemplated in the municipal by-law.
- 1.3. A consent use may be granted permanently or for a specified period of time in terms of conditions of approval contemplated in the municipal by-law.
- 1.4. A consent use granted for a specified period of time contemplated in subsection (1.3) must not have the effect of preventing the property from being utilised in the future for the primary uses permitted in terms of the zoning of the land.
- 1.5. A consent use contemplated in subsection (1.1) lapses after a period of five years or the shorter period as the Municipality may determine from the date that the approval comes into operation if, within that five year period or shorter period -
 - (a) the consent use is not utilised in accordance with the approval thereof; or
 - (b) the following requirements are not met:
 - (i) the approval by the Municipality of a building plan envisaged for the utilisation of the approved use right; and
 - (ii) commencement with the construction of the building contemplated in subparagraph (i).
- 1.6. The Municipality may grant extensions to the period contemplated in subsection (5) and the granting of an extension may not be unreasonably withheld by the Municipality. , which period together with any extensions that the Municipality grants, may not exceed 10 years.

CONDITIONS APPLICABLE FOR BED AND BREAKFAST.

1. The maximum floor area will be restricted to the current existing dwelling unit(s) on the erf.
2. Any alteration to an existing building shall only be permitted in accordance with an approved site development plan.
3. The owner / manager can live either off-site or in a separate area on-site.
4. Any refreshment room on the premises may only be used by the occupants or overnight guests.
5. A place of entertainment on the premises is not permitted.
6. A site development plan, indicating the layout and number of rooms and units, entertainment areas, communal areas, parking, landscaping, signage and streetscape, must accompany applications to Municipality.
7. Provision of all on-site and/ or designated parking areas should conform to local municipal by-laws.
8. 1 parking space shall be provided per bedroom.
9. On-site loading bays should be provided.
10. Loading and off-loading shall only be permitted on the erf;
11. A maximum of 4 rooms for a maximum of 8 occupants shall be permitted. An application for the relaxation of this may be lodged with the Local Municipality.
12. A liquor license should be obtained for the selling of alcohol on the premises.

CONDITIONS APPLICABLE TO GUEST HOUSES.

1. This use may be conducted from a converted dwelling house or a purpose built facility that may consist of a single structure for Guest House purposes or free standing or linked units for lodge purposes and includes facilities that are normally associated therewith (e.g. conference facilities and lecture rooms).
2. The owner must have a business permit to operate a Guest House.
3. No second business or home occupation on the same property as the operating Guest House establishment is permitted.
4. Shared facilities must be a minimum of a guest dining room and guest lounge area and must be for the exclusive use of guests.
5. Bathroom facilities must be en-suite. If not, exclusive use of bathroom facilities per room is mandatory.
6. Council may restrict or determine the quantity of establishments in a guest rooms per foundation and set down conditions important to moderate the effect of the foundation with the aim to protect the area's character.
7. A place of entertainment on the premises is not permitted.
8. A liquor license should be obtained for the selling of alcohol on the premises.
9. On-site loading bays should be provided.
10. Provision of all on-site and/ or designated parking areas should conform to local municipal by-laws.
11. Appropriate, fit for purpose safety and security measures throughout the establishment at all times.
12. The land use may not create a public nuisance or, in the Municipality's opinion, detract from the residential character or amenity of the neighbourhood.
13. Meals and beverages may be supplied to transient guests only.
14. A site development plan, indicating the layout and number of rooms and units, entertainment areas, communal areas, parking, landscaping, signage and streetscape, must accompany applications to Municipality.
15. The owner / manager can live either off-site or in a separate area on-site.

CONDITIONS APPLICABLE TO DAY CARE FACILITIES.

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

Land use		Zone On Scheme Map																
		Residential 1	Residential 2	Conservation	Commonage	Business 1	Business 2	Authority Use	Institutional	Industrial 1	Industrial 2	Agriculture	Private Open Space	Public Open Space	Special	Transport	Aerodrome	Mining & Quarrying
Land Use Permitted	○	Colour Codes (RGB)																
Land Use Discretionary	▲	255, 235, 0	255, 255, 0	189, 247, 135	225, 225, 225	255, 48, 0	148, 0, 0	205, 170, 102	0, 160, 239	233, 115, 225	132; 0; 168	233, 255, 227	112; 168; 0	112, 168, 0	255, 51, 176	0, 0, 0	130; 130; 130	151; 108; 85
Land Use Not Permitted	■	255, 235, 0	255, 255, 0	189, 247, 135	225, 225, 225	255, 48, 0	148, 0, 0	205, 170, 102	0, 160, 239	233, 115, 225	132; 0; 168	233, 255, 227	112; 168; 0	112, 168, 0	255, 51, 176	0, 0, 0	130; 130; 130	151; 108; 85
Business Land Uses	Ben and Breakfast	▲	▲	○	▲	▲	▲	■	■	■	■	■	○	○	▲	■	■	■
	Guest House	▲	▲	○	▲	▲	▲	■	■	■	■	■	○	○	▲	■	■	■
	Shops	▲	■	▲	▲	○	○	▲	■	▲	▲	▲	■	○	■	■	○	■
	Spaza Shop	▲	○	■	▲	○	○	▲	■	▲	▲	▲	■	○	■	■	■	■
	Nursery	■	■	○	■	○	○	■	■	○	○	○	○	○	■	■	■	■
	Offices	■	■	○	▲	○	○	▲	■	▲	○	▲	■	○	■	○	○	○
	Showrooms	■	■	■	▲	○	○	▲	■	▲	○	▲	■	○	■	■	■	■
	Canteen	■	■	■	■	○	○	○	○	○	○	○	■	■	■	■	○	■
	Carwash	■	■	■	■	○	○	○	○	○	○	○	■	■	■	■	■	■
	Gymnasium or Fitness Centre	■	■	■	■	○	○	○	○	○	○	○	■	■	■	■	■	■

Land use		Zone On Scheme Map																
		Residential 1	Residential 2	Conservation	Commonage	Business 1	Business 2	Authority Use	Institutional	Industrial 1	Industrial 2	Agriculture	Private Open Space	Public Open Space	Special	Transport	Aerodrome	Mining & Quarrying
Land Use Permitted	○	Colour Codes (RGB)																
Land Use Discretionary	▲	255, 235, 0	255, 255, 0	189, 247, 135	225, 225, 225	255, 48, 0	148, 0, 0	205, 170, 102	0, 160, 239	233, 115, 225	132; 0; 168	233, 255, 227	112; 168; 0	112, 168, 0	255, 51, 176	0, 0, 0	130; 130; 130	151; 108; 85
Land Use Not Permitted	■	255, 235, 0	255, 255, 0	189, 247, 135	225, 225, 225	255, 48, 0	148, 0, 0	205, 170, 102	0, 160, 239	233, 115, 225	132; 0; 168	233, 255, 227	112; 168; 0	112, 168, 0	255, 51, 176	0, 0, 0	130; 130; 130	151; 108; 85
Commercial Land Uses	Informal Business	■	○	■	■	○	○	■	■	■	■	■	■	■	■	■	■	■
	Light Industry	■	■	○	■	■	■	■	■	○	○	○	■	■	▲	○	■	■
	Restaurants	▲	■	○	▲	○	○	▲	■	▲	▲	▲	■	○	■	■	○	■
	Dry Cleaner	■	■	■	■	○	○	○	▲	○	○	■	■	■	■	■	■	■
	Veterinary Clinic	■	■	■	■	○	○	○	▲	○	○	■	■	■	■	■	■	■
Commercial Land Uses	Abattoir	■	■	■	■	○	○	○	▲	○	○	■	■	■	■	■	■	■
	Coal Yard	■	■	■	■	○	○	○	○	○	○	■	■	■	■	■	■	■
	Distribution Centre	■	■	■	▲	▲	○	■	■	▲	▲	▲	■	○	■	■	■	■
	Wholesale Trade	■	■	■	▲	▲	○	■	■	▲	○	▲	■	○	■	■	■	■
	Service Station	■	■	▲	■	○	○	■	■	○	○	▲	▲	▲	○	▲	▲	▲
	Builders' Yard	■	■	■	■	○	○	■	○	○	○	■	■	■	▲	■	■	■

Land use		Zone On Scheme Map																
		Residential 1	Residential 2	Conservation	Commonage	Business 1	Business 2	Authority Use	Institutional	Industrial 1	Industrial 2	Agriculture	Private Open Space	Public Open Space	Special	Transport	Aerodrome	Mining & Quarrying
Land Use Permitted	○	Colour Codes (RGB)																
Land Use Discretionary	▲	255, 235, 0	255, 255, 0	189, 247, 135	225, 225, 225	255, 48, 0	148, 0, 0	205, 170, 102	0, 160, 239	233, 115, 225	132; 0, 168	233, 255, 227	112; 168; 0	112, 168, 0	255, 51, 176	0, 0, 0	130; 130; 130	151; 108; 85
Land Use Not Permitted	■	255, 235, 0	255, 255, 0	189, 247, 135	225, 225, 225	255, 48, 0	148, 0, 0	205, 170, 102	0, 160, 239	233, 115, 225	132; 0, 168	233, 255, 227	112; 168; 0	112, 168, 0	255, 51, 176	0, 0, 0	130; 130; 130	151; 108; 85
	Public Garage	■	■	■	■	○	○	■	○	○	○	■	■	■	▲	■	■	■
	Filling Station	■	■	■	■	○	○	■	○	○	○	■	■	■	▲	■	■	■
	Place of Entertainment	■	■	▲	■	○	○	■	○	○	○	■	■	■	▲	■	■	■
	Liquor Enterprise	■	■	■	■	○	○	■	○	○	○	■	■	■	▲	■	■	■
	Tavern	■	■	■	■	○	○	■	○	○	○	■	■	■	▲	■	■	■
	Funeral Parlour	■	■	■	■	○	○	○	■	○	○	■	■	■	■	■	■	■
Community Land Uses	Computer Centre	■	■	▲	▲	○	○	○	■	○	○	■	■	■	▲	■	■	■
	Cultural Activity	■	■	▲	○	▲	▲	○	■	○	○	■	■	■	▲	■	■	■
	Laboratory	■	■	▲	▲	■	■	○	■	○	○	■	■	■	▲	■	■	■
	Social Meeting	○	○	■	○	■	■	○	▲	■	■	■	■	■	▲	■	■	■

Land use		Zone On Scheme Map																
		Residential 1	Residential 2	Conservation	Commonage	Business 1	Business 2	Authority Use	Institutional	Industrial 1	Industrial 2	Agriculture	Private Open Space	Public Open Space	Special	Transport	Aerodrome	Mining & Quarrying
Land Use Permitted	○	Colour Codes (RGB)																
Land Use Discretionary	▲	255, 235, 0	255, 255, 0	189, 247, 135	225, 225, 225	255, 48, 0	148, 0, 0	205, 170, 102	0, 160, 239	233, 115, 225	132; 0; 168	233, 255, 227	112; 168; 0	112, 168, 0	255, 51, 176	0, 0, 0	130; 130; 130	151; 108; 85
Land Use Not Permitted	■	255, 235, 0	255, 255, 0	189, 247, 135	225, 225, 225	255, 48, 0	148, 0, 0	205, 170, 102	0, 160, 239	233, 115, 225	132; 0; 168	233, 255, 227	112; 168; 0	112, 168, 0	255, 51, 176	0, 0, 0	130; 130; 130	151; 108; 85
	Non-Residential Club	○	○	■	○	■	■	○	▲	■	■	■	■	○	▲	■	■	■
	Sport Club	○	○	■	○	■	■	○	▲	■	■	■	■	■	▲	■	■	■
	Place of Assembly	○	○	■	○	■	■	○	▲	■	■	■	■	■	■	■	■	■
	Place of Worship	○	○	■	○	■	■	○	▲	■	■	■	■	■	■	■	■	■
	Traditional / Tribal Council Offices	▲	○	■	○	○	■	○	▲	■	■	■	■	■	▲	■	■	■
Educational Land Uses	Crèche	▲	▲	■	▲	■	■	○	▲	■	■	■	■	■	▲	■	■	■
	Day Care Facility	○	○	■	○	■	■	○	○	■	■	▲	■	■	■	■	■	■
	School	■	■	▲	▲	■	■	○	○	■	■	■	■	■	▲	■	■	■
	Public Library	■	■	▲	▲	■	■	○	○	■	■	■	■	■	▲	■	■	■

Land use		Zone On Scheme Map																
		Residential 1	Residential 2	Conservation	Commonage	Business 1	Business 2	Authority Use	Institutional	Industrial 1	Industrial 2	Agriculture	Private Open Space	Public Open Space	Special	Transport	Aerodrome	Mining & Quarrying
Land Use Permitted	○	Colour Codes (RGB)																
Land Use Discretionary	▲	255, 235, 0	255, 255, 0	189, 247, 135	225, 225, 225	255, 48, 0	148, 0, 0	205, 170, 102	0, 160, 239	233, 115, 225	132; 0; 168	233, 255, 227	112; 168; 0	112, 168, 0	255, 51, 176	0, 0, 0	130; 130; 130	151; 108; 85
Land Use Not Permitted	■	255, 235, 0	255, 255, 0	189, 247, 135	225, 225, 225	255, 48, 0	148, 0, 0	205, 170, 102	0, 160, 239	233, 115, 225	132; 0; 168	233, 255, 227	112; 168; 0	112, 168, 0	255, 51, 176	0, 0, 0	130; 130; 130	151; 108; 85
	Museum	■	■	○	▲	■	■	○	○	■	■	■	■	■	▲	■	■	■
	College	■	■	▲	▲	■	■	○	○	■	■	■	■	■	▲	■	■	■
Government Land Uses	Public Garage	■	■	■	▲	○	○	▲	○	○	○	○	▲	▲	▲	○	■	■
	Government Offices	■	■	▲	▲	■	■	○	○	■	■	■	■	▲	▲	■	○	■
Industrial Land Uses	Builders Yard	■	■	■	▲	○	○	▲	○	○	○	■	■	■	▲	▲	■	■
	Scrapyard	■	■	■	▲	○	○	▲	○	○	○	■	■	■	▲	▲	■	■
	Noxious Activity	■	■	■	▲	○	○	▲	○	○	○	○	▲	▲	▲	▲	■	■
Institutional Land Uses	Old-Age Home	■	■	■	▲	■	■	○	○	■	■	■	■	■	■	■	■	■
	Clinic	■	■	■	▲	■	■	○	○	■	■	■	■	■	■	■	■	■
	Nursing Home	■	■	■	▲	■	■	○	○	■	■	■	■	■	■	■	■	■

Land use		Zone On Scheme Map																
		Residential 1	Residential 2	Conservation	Commonage	Business 1	Business 2	Authority Use	Institutional	Industrial 1	Industrial 2	Agriculture	Private Open Space	Public Open Space	Special	Transport	Aerodrome	Mining & Quarrying
Land Use Permitted	○	Colour Codes (RGB)																
Land Use Discretionary	▲	255, 235, 0	255, 255, 0	189, 247, 135	225, 225, 225	255, 48, 0	148, 0, 0	205, 170, 102	0, 160, 239	233, 115, 225	132; 0; 168	233, 255, 227	112; 168; 0	112, 168, 0	255, 51, 176	0, 0, 0	130; 130; 130	151; 108; 85
Land Use Not Permitted	■	255, 235, 0	255, 255, 0	189, 247, 135	225, 225, 225	255, 48, 0	148, 0, 0	205, 170, 102	0, 160, 239	233, 115, 225	132; 0; 168	233, 255, 227	112; 168; 0	112, 168, 0	255, 51, 176	0, 0, 0	130; 130; 130	151; 108; 85
	Hospital	■	■	■	▲	■	■	○	○	■	■	■	■	■	■	■	■	■
	Place of Instruction	▲	▲	■	▲	■	■	○	▲	■	■	■	■	▲	▲	■	■	■
	Sanatorium	■	■	■	▲	■	■	○	○	■	■	■	■	■	■	■	■	■
Mining Land Uses	Reconnaissance	■	■	■	■	■	■	▲	■	○	○	■	■	■	■	■	■	○
	Active Mining	■	■	■	■	■	■	▲	■	○	○	■	■	■	■	■	■	○
	Disposal of Mining Materials	■	■	■	■	■	■	▲	■	○	○	■	■	■	■	■	■	○
	Mining Rehabilitation Areas	■	■	■	■	■	■	▲	■	○	○	■	■	■	■	■	■	○
Public Land Uses	Public Garden	■	■	○	○	■	■	○	▲	■	■	○	▲	○	▲	■	■	■
	Sports Fields	■	■	○	○	■	■	○	▲	■	■	○	▲	○	▲	■	■	■

Land use		Zone On Scheme Map																
		Residential 1	Residential 2	Conservation	Commonage	Business 1	Business 2	Authority Use	Institutional	Industrial 1	Industrial 2	Agriculture	Private Open Space	Public Open Space	Special	Transport	Aerodrome	Mining & Quarrying
Land Use Permitted	○	Colour Codes (RGB)																
Land Use Discretionary	▲	255, 235, 0	255, 255, 0	189, 247, 135	225, 225, 225	255, 48, 0	148, 0, 0	205, 170, 102	0, 160, 239	233, 115, 225	132; 0; 168	233, 255, 227	112; 168; 0	112, 168, 0	255, 51, 176	0, 0, 0	130; 130; 130	151; 108; 85
Land Use Not Permitted	■	255, 235, 0	255, 255, 0	189, 247, 135	225, 225, 225	255, 48, 0	148, 0, 0	205, 170, 102	0, 160, 239	233, 115, 225	132; 0; 168	233, 255, 227	112; 168; 0	112, 168, 0	255, 51, 176	0, 0, 0	130; 130; 130	151; 108; 85
	Public Square	■	■	○	○	■	■	○	▲	■	■	○	▲	○	▲	■	■	■
	Entertainment	■	■	▲	■	▲	▲	○	■	▲	▲	▲	▲	▲	▲	■	■	■
	Open Space	■	■	○	○	■	■	○	▲	■	■	○	○	○	○	■	■	▲
	Public Park	■	■	○	○	■	■	○	▲	■	■	○	▲	○	▲	■	■	▲
Recreation Land Uses	Leisure Activity	■	■	▲	■	▲	▲	○	■	▲	▲	▲	▲	▲	▲	■	■	■
	Amusement Facility	■	■	▲	■	▲	▲	○	■	▲	▲	▲	▲	○	▲	■	■	■
	Recreation	■	■	▲	■	▲	▲	○	■	▲	▲	▲	▲	▲	▲	■	■	■
	Caravan Park	■	■	○	■	■	■	○	▲	▲	▲	▲	▲	▲	▲	○	■	■
	Conference Facility	■	■	○	■	■	■	○	▲	▲	▲	▲	▲	▲	▲	○	■	▲
	Cultural Heritage Site	■	■	○	■	■	■	○	▲	▲	▲	▲	▲	▲	▲	○	■	▲

Land use		Zone On Scheme Map																
		Residential 1	Residential 2	Conservation	Commonage	Business 1	Business 2	Authority Use	Institutional	Industrial 1	Industrial 2	Agriculture	Private Open Space	Public Open Space	Special	Transport	Aerodrome	Mining & Quarrying
Land Use Permitted	○	Colour Codes (RGB)																
Land Use Discretionary	▲	255, 235, 0	255, 255, 0	189, 247, 135	225, 225, 225	255, 48, 0	148, 0, 0	205, 170, 102	0, 160, 239	233, 115, 225	132; 0; 168	233, 255, 227	112; 168; 0	112, 168, 0	255, 51, 176	0, 0, 0	130; 130; 130	151; 108; 85
Land Use Not Permitted	■	255, 235, 0	255, 255, 0	189, 247, 135	225, 225, 225	255, 48, 0	148, 0, 0	205, 170, 102	0, 160, 239	233, 115, 225	132; 0; 168	233, 255, 227	112; 168; 0	112, 168, 0	255, 51, 176	0, 0, 0	130; 130; 130	151; 108; 85
	Conservation Purposes	■	■	○	■	■	■	○	▲	▲	▲	▲	▲	▲	▲	○	■	▲
	Dormitory Establishment	■	■	○	■	■	■	○	▲	▲	▲	▲	▲	▲	▲	○	■	■
	Private Clubs	■	■	■	■	■	■	○	■	■	■	■	○	■	▲	○	■	■
	Private Caravan Parks	■	■	■	■	■	■	○	■	■	■	■	○	■	▲	○	■	■
	Private Open Space	■	■	▲	▲	▲	▲	○	▲	▲	▲	▲	○	▲	▲	○	○	▲
	Private Street	■	■	▲	▲	▲	▲	○	▲	▲	▲	▲	○	▲	▲	○	○	▲
	Private Parking	■	■	▲	▲	▲	▲	○	▲	▲	▲	▲	○	▲	▲	○	○	▲
	Entertainment	■	■	▲	■	▲	▲	○	■	▲	▲	▲	▲	▲	▲	■	■	■
	Hotel	■	▲	▲	▲	■	▲	○	■	■	■	■	■	■	■	■	■	■

Land use		Zone On Scheme Map																
		Residential 1	Residential 2	Conservation	Commonage	Business 1	Business 2	Authority Use	Institutional	Industrial 1	Industrial 2	Agriculture	Private Open Space	Public Open Space	Special	Transport	Aerodrome	Mining & Quarrying
Land Use Permitted	○	Colour Codes (RGB)																
Land Use Discretionary	▲	255, 235, 0	255, 255, 0	189, 247, 135	225, 225, 225	255, 48, 0	148, 0, 0	205, 170, 102	0, 160, 239	233, 115, 225	132; 0; 168	233, 255, 227	112; 168; 0	112, 168, 0	255, 51, 176	0, 0, 0	130; 130; 130	151; 108; 85
Land Use Not Permitted	■	255, 235, 0	255, 255, 0	189, 247, 135	225, 225, 225	255, 48, 0	148, 0, 0	205, 170, 102	0, 160, 239	233, 115, 225	132; 0; 168	233, 255, 227	112; 168; 0	112, 168, 0	255, 51, 176	0, 0, 0	130; 130; 130	151; 108; 85
Residential Land Uses	Additional Dwelling	○	○	○	○	▲	■	○	○	▲	▲	○	■	■	■	■	■	■
	Flat / Flats	■	▲	▲	○	■	■	○	■	■	■	■	■	■	■	■	■	■
	Boarding House	○	○	▲	○	■	▲	○	■	■	■	■	■	■	■	■	■	■
	Hostel	■	▲	▲	▲	▲	▲	○	■	■	■	■	■	■	■	■	■	■
	Residential Hotel	■	▲	▲	▲	▲	■	○	■	■	■	■	■	■	■	■	■	■
	Home Occupation	○	○	○	○	▲	■	○	○	▲	▲	○	■	■	■	■	■	■
	Dwelling Unit	○	○	○	○	▲	■	○	○	▲	▲	○	■	■	■	■	■	■
	Duet Dwelling	○	○	○	○	▲	■	○	○	▲	▲	○	■	■	■	■	■	■
	Subletting	○	○	○	○	▲	■	○	○	▲	▲	○	■	■	■	■	■	■
	Group Housing	○	○	○	○	▲	■	○	■	■	■	■	■	○	○	■	■	■

Land use		Zone On Scheme Map																
		Residential 1	Residential 2	Conservation	Commonage	Business 1	Business 2	Authority Use	Institutional	Industrial 1	Industrial 2	Agriculture	Private Open Space	Public Open Space	Special	Transport	Aerodrome	Mining & Quarrying
Land Use Permitted	○	Colour Codes (RGB)																
Land Use Discretionary	▲	255, 235, 0	255, 255, 0	189, 247, 135	225, 225, 225	255, 48, 0	148, 0, 0	205, 170, 102	0, 160, 239	233, 115, 225	132; 0; 168	233, 255, 227	112; 168; 0	112, 168, 0	255, 51, 176	0, 0, 0	130; 130; 130	151; 108; 85
Land Use Not Permitted	■	255, 235, 0	255, 255, 0	189, 247, 135	225, 225, 225	255, 48, 0	148, 0, 0	205, 170, 102	0, 160, 239	233, 115, 225	132; 0; 168	233, 255, 227	112; 168; 0	112, 168, 0	255, 51, 176	0, 0, 0	130; 130; 130	151; 108; 85
Transport Related Land Uses	Airport	■	■	■	■	■	■	○	■	■	■	■	■	■	○	○	○	■
	Bus Station	■	■	■	▲	▲	■	○	■	○	○	▲	■	■	▲	○	■	■
	Bus Terminus	■	■	■	▲	▲	■	○	■	○	○	▲	■	■	▲	○	■	■
	Bus Bay	■	■	■	▲	▲	▲	○	■	○	○	▲	■	■	▲	○	○	■
	Parking Garage	■	■	■	■	■	■	○	■	■	■	■	■	■	▲	○	○	■
	Parking Bay	■	■	■	■	■	■	○	■	■	■	■	■	■	▲	○	○	■
	Helicopter Landing Pad	■	■	■	■	■	■	○	■	■	■	■	■	■	▲	○	○	■
	Railway Station	■	■	■	■	■	■	○	■	■	■	■	■	■	▲	○	■	■
	Railway Purposes	■	■	■	■	■	■	○	■	■	■	■	■	■	▲	○	■	○
	Roads and Streets	■	■	■	■	■	■	○	■	■	■	■	■	■	■	▲	○	○

Land use		Zone On Scheme Map																
		Residential 1	Residential 2	Conservation	Commonage	Business 1	Business 2	Authority Use	Institutional	Industrial 1	Industrial 2	Agriculture	Private Open Space	Public Open Space	Special	Transport	Aerodrome	Mining & Quarrying
Land Use Permitted	○	Colour Codes (RGB)																
Land Use Discretionary	▲	255, 235, 0	255, 255, 0	189, 247, 135	225, 225, 225	255, 48, 0	148, 0, 0	205, 170, 102	0, 160, 239	233, 115, 225	132; 0; 168	233, 255, 227	112; 168; 0	112, 168, 0	255, 51, 176	0, 0, 0	130; 130; 130	151; 108; 85
Land Use Not Permitted	■	255, 235, 0	255, 255, 0	189, 247, 135	225, 225, 225	255, 48, 0	148, 0, 0	205, 170, 102	0, 160, 239	233, 115, 225	132; 0; 168	233, 255, 227	112; 168; 0	112, 168, 0	255, 51, 176	0, 0, 0	130; 130; 130	151; 108; 85
	Taxi Rank	■	■	■	▲	■	■	○	■	■	■	■	■	■	○	○	○	■