



eMadlangeni

Local Municipality



SINGLE LAND USE SCHEME

Draft Scheme

September 2019

Contact

Details



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TABLE OF CONTENTS

SECTION 1: INTRODUCTION TO THE SCHEME	7
1.1. TITLE, PURPOSE AND STRUCTURE OF THE SCHEME	7
1.2. AREA OF THE SCHEME AND SCHEME MAPS	7
1.3. RESPONSIBLE AUTHORITY.....	8
1.4. PURPOSE OF THE SCHEME	8
1.5. EFFECTIVE DATE AND LEGAL EFFECT OF THE SCHEME	9
1.6. INSPECTION OF THE SCHEME.....	10
1.7. AMENDMENTS TO THE SCHEME.....	10
SECTION 2: LAND USE ZONES	10
2.1 THE RURAL SCHEME.....	10
2.1.1 AGRICULTURE 1.....	10
2.1.2 AGRICULTURE 2.....	11
2.1.3 RURAL SETTLEMENT.....	12
2.2 THE URBAN SCHEME: CIVIC AND SOCIAL.....	13
2.2.1 EDUCATION	13
2.2.2 INSTITUTION.....	15
2.2.3 PLACE OF WORSHIP	17
2.2.4 MUNICIPAL AND GOVERNMENT.....	19
2.2.5 PRISON	22
2.2.6 CEMETARY.....	23
2.3 ENVIRONMENTAL SERVICES	25
2.3.1 ZONE CATEGORY: AGRO-BIODIVERSITY	26
2.3.2 ACTIVE OPEN SPACE.....	27
2.3.2 PASSIVE OPEN SPACE	28
2.3.3 PRIVATE OPEN SPACE.....	29
2.3.4 PROTECTED AREA 1.....	30
2.3.5 PROTECTED AREAS 2.....	31
2.3.6 URBAN AGRICULTURE.....	32
2.3.7 SURFACE LEASE	33
1.4 RESIDENTIAL ZONES.....	34
1.4.1 SPECIAL RESIDENTIAL 1.....	34
1.4.2 SPECIAL RESIDENTIAL 2.....	35
1.4.3 SPECIAL RESIDENTIAL 3.....	36
1.4.4 SPECIAL RESIDENTIAL 4.....	37
1.5.1 MEDIUM DENSITY RESIDENTIAL	38

1.5.2	HIGH DENSITY RESIDENTIAL.....	39
1.5.3	RETIREMENT VILLAGE	40
1.5.4	OLD AGE HOME.....	42
1.5.5	MOBILE HOME PARK.....	43
1.6	MIXED USE/ COMMERCIAL	44
1.6.1	LOW IMPACT COMMERCIAL (MIXED USE) ZONE.....	44
1.6.2	MEDIUM IMPACT COMMERCIAL (MIXED USE) ZONE	45
1.6.3	GENERAL COMMERCIAL (CORE MIXED USE) ZONE.....	46
1.6.4	MIXED USE – OFFICES	47
1.6.5	PETROL FILLING STATION.....	49
1.7	INDUSTRIAL LAND USES.....	50
1.7.1	QUARRYING AND MINING	50
1.7.2	EXTRACTIVE INDUSTRY	51
1.7.3	NOXIOUS INDUSTRY.....	52
1.7.4	GENERAL INDUSTRY	54
1.7.5	LIGHT INDUSTRY.....	56
1.7.6	LOGISTICS.....	58
1.8	TRANSPORTATION AND ACCESS	60
1.8.1	RAILWAYS.....	60
1.8.2	BUS AND TAXI RANK	60
1.8.3	EXISTING ROADS	61
1.8.4	PROPOSED NEW ROADS AND ROAD WIDENING	Error! Bookmark not defined.
	SECTION 3: DEVELOPMENT PARAMETERS AND REGULATIONS	62
	SECTION 4: PARKING AND LOADING REQUIREMENTS	75
	SECTION 5: LAND USE DEFINITIONS.....	85
	GENERAL DEFINITIONS.....	85
	LAND USE AND BUILDING DEFINITIONS	96

SECTION 1: INTRODUCTION TO THE SCHEME

1.1. TITLE, PURPOSE AND STRUCTURE OF THE SCHEME

1.1.1 This Scheme shall be known as the **Emadlangeni Town planning Scheme**.

1.1.2 In accordance with **Section 25** of the *Spatial Planning and Land Use Management Act (SPLUMA)(Act 16 of 2013)*, the 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—

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

The Scheme shall consist of:

- a) Scheme Regulations setting out the procedures and conditions relating to the use and development of land in any zone (this document);
- b) Scheme Map/s indicating the zoning of the municipal area into land use zones; and
- c) a register of all amendments to such land use scheme.

The Emadlangeni Scheme Regulations and Maps form part of the Land Use Management System which applies to all Erven within the boundary of the Municipality, with the exception of erven that are subject to the provisions of the **Subdivision of Agricultural Land Act (Act 70 of 1970)**.

In addition to the Scheme, a **companion document was developed**. The companion document's **main aim is to assist practitioners in the administration of the scheme and is not incorporated within the statutory component of the Scheme**.

1.2. AREA OF THE SCHEME AND SCHEME MAPS

The Scheme applies to all Erven within the jurisdiction of the Emadlangeni Municipality (KZN 253), with the exception of areas that are subject to the provisions of the **Subdivision of Agricultural Land Act (Act No 70 of 1970)**.

The Scheme Maps are available electronically on the Municipality's GIS System.

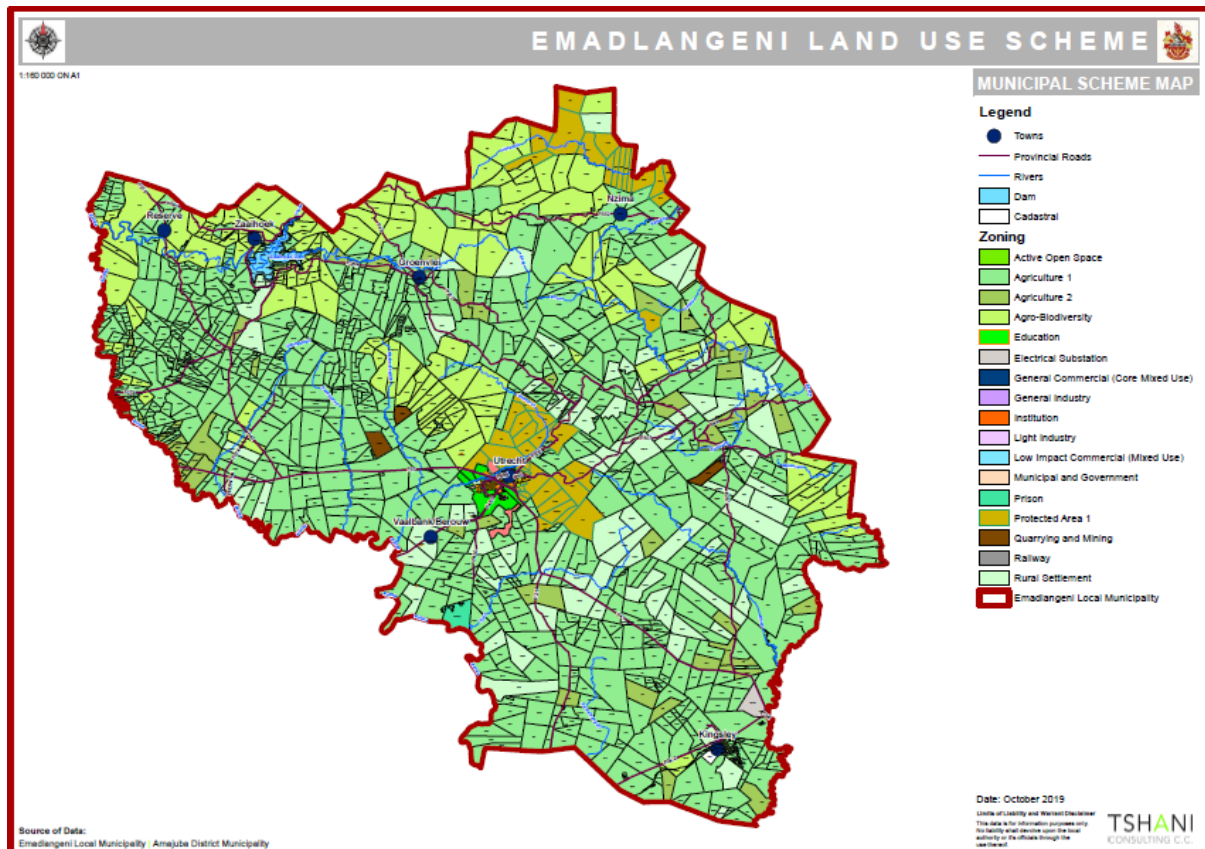
A hardcopy of a map or maps could be made available upon request and at a fee. Printed maps should include a title block with the following information:

- a) A descriptive heading identifying the area of the Scheme;
- b) The Municipality's name and contact details;

- c) North point and scale;
- d) Date of map printed;
- e) A legend interpreting the colour notation.

Printed scheme maps are only valid for the day on which it was printed, and it remains the responsibility of the user of the maps to ensure accuracy of maps where it may have any significant personal, legal or financial implications.

An example of the Scheme Map, indicating a scheme area, is shown below:



1.3. RESPONSIBLE AUTHORITY

1.3.1 The Emadlangeni Local Municipality shall be the only authority responsible for enforcing and carrying into effect the provisions of the Scheme.

1.4. PURPOSE OF THE SCHEME

1.4.1 The purpose of the Scheme is to:

- Enable the comprehensive management of all erven (both private and public sector) within the Municipality;
- Promote and implement the applicable planning and development legislation and principles as adopted by the relevant National, Provincial and Municipal spheres of government from time to time;
- Promote and implement the Vision and Strategies of the Integrated Development Plan in the realization of quality environments; and

1.4.2 Manage land-use rights, to provide facilitation over use rights, to manage urban growth and development and to manage conservation of the natural environment, in order to:

- a) Achieve co-ordinated and harmonious development in a way that will efficiently promote public safety, health, order, convenience and to protect the general welfare of the inhabitants of the Municipality;
- b) Promote integrated and sustainable development through-out the area of jurisdiction;
- c) Promote sustainable environmental management, conserve and protect environmentally sensitive areas.
- d) Promote all forms of development and growth through sound planning principles that would support a mix of land-uses managed in an appropriate manner.

1.5. EFFECTIVE DATE AND LEGAL EFFECT OF THE SCHEME

In accordance with **Section 26** of the Spatial Planning and Land Use Management Act (Act 16 of 2013):

An adopted and approved land use scheme—

- a) Has the force of law, and all landowners and users of land, including a municipality, a state-owned.
- b) Enterprise and organs of state within the municipal area are bound by the provisions of such a land use scheme;
- c) Replaces all existing schemes within the municipal area to which the land use scheme applies; and provides for land use and development rights.

Land may be used only for the purposes permitted—

- a) by a land use scheme;
- b) by a town planning scheme, until such scheme is replaced by a land use scheme; or
- c) **in terms of Clause 1.5.1.3 of the Spatial Planning and Land Use Management Act (Act 16 of 2013).**

Where no town planning or land use scheme applies to a piece of land, before a land use scheme is approved in terms of the Spatial Planning and Land Use Management Act, such land may be used only

for the purposes listed in **Schedule 2** to the Act and for which such land was lawfully used or could lawfully have been used immediately before the commencement of the Act.

A **permitted land use** may, despite any other law to the contrary, be changed after following a prescribed process as set out in law.

1.5.2 **The Effective Date of this Scheme is** xxxxxx **2019**.

1.6. INSPECTION OF THE SCHEME

1.6.1 The Scheme (**Regulations and Maps**) are public documents and open for inspection by the general public at the Municipal Offices during **normal business hours** or at an arranged reasonable time.

1.6.2 A register of all applications and decisions on the Scheme Regulations and Maps shall be kept and shall be available for inspection by any person or persons at the Municipal Offices during normal business hours or at an arranged reasonable time.

1.7. AMENDMENTS TO THE SCHEME

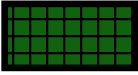
If the local Municipality desires to amend any of the provisions of the Scheme, it shall follow the prescribed procedure set out in **Chapter 5 Section 28** of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) read with the provisions of the eMadlangeni Municipality Spatial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

SECTION 2: LAND USE ZONES

2.1 THE RURAL SCHEME

2.1.1 AGRICULTURE 1

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES	SIDE SPACES	REAR SPACES	

AGRICULTURE 1	<p>Fill: Light Green R16, G 98, and B 14</p> <p>Border: Black R 000, G 000, and B 000</p> 	<p>A zone intended to provide for land and buildings where the primary activity is extensive agricultural production of crops, plantations, mostly free-roaming livestock, poultry, etc. or products for the commercial market.</p>	10 HA	N/A	Not restricted	5m – Subject to council discretion	Refer to parking schedule In section 4
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COLUMN 1	COLUMN 2	COLUMN 3	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	F A R	COVERAGE	HEIGHT
Agricultural Building Agricultural Land Heritage Purposes Amenity Area Caretaker’s Dwelling Conservation Area Cropping Customary Harvesting Extensive Grazing Farm Stall Forestry Garden Nursery Horticulture Irrigated Cropping Nature Reserve Homestead Bird Hide Dam	Arts and Crafts Workshop Agricultural Industry Camping and Caravan Park Mobile Home Park Utilities Facility Private Recreational Use Recreational Building Coffee Shop / Tea Garden Educational Building Eco- Farm Stall Lodge Municipal Purposes Place of Worship Bed and Breakfast Establishment Wind Turbine Communications Tower Conference Centre Informal Trading Area Intensive Livestock Industry Green House	Buildings and land use not included in columns 1 to 2.	0,125	12.5%	3

ADDITIONAL CONTROLS:

- 1) All special consent uses shall require a detailed natural resources/agricultural study for any non-agricultural related development.
- 2) Special consent uses shall only be considered if they will not negatively impact on the existing farming activities inclusive of surrounding land parcels, nor should they compromise the “right to farm”
- 3) The placement of any infrastructure should be on the lowest potential agricultural land available and must adhere to principle of clustering development and infrastructure.

2.1.2 AGRICULTURE 2

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES	SIDE SPACES	REAR SPACES	
AGRICULTURE 2	<p>Fill: Light Green R 51, G 80, and B 000</p> <p>Border: Black</p>	<p>A zone where the land is used for low intensity and small scale agricultural practices in association with other related uses in Traditional Council areas</p>	N/A	N/A	N/A	10m	5m	5m	Refer to parking schedule in section 4

	R 155, G 187, and B 90 	and may include market gardening, wood lots the production of small areas of sugar cane, poultry and livestock.							
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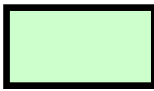
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
Agricultural Building Home Business Agricultural Land Heritage Purposes Homestead Municipal Purposes Ablution Facility Bird Hide Chalets Cropping Dam Extensive Agriculture Extensive Grazing Farming Forestry Intensive Agriculture Intensive Livestock Irrigated Cropping Livestock Farming Reservoir Trails	Agricultural Industry Abattoir (non-commercial) Agri-tourism Facility Ancillary Use Arts and Craft Centre Camping Ground Communications Tower Conference Centre Farm Tourism Farmers Market Garden Nursery Greenhouse Kennel/Cattery Restaurant Shop Storage Warehouse Picnic Area Winery Wind Turbine	Buildings and land use not included in columns 1 to 3.	0,125	12 5%	2

ADDITIONAL CONTROLS

- a) All special consent uses shall require a detailed natural resources/agricultural study for any non-agricultural related development.
- b) Special consent uses shall only be considered if they will not negatively impact on the existing farming activities inclusive of surrounding land parcels, nor should they compromise the “right to farm”.
- c) The placement of any infrastructure should be on the lowest potential agricultural land available and must adhere to principle of clustering development and infrastructure.
- d) no person is allowed to mine without a mining permit granted by the Department of Mineral Resources.
- e) All consent uses on Agriculture 1 may be considered on Agriculture 2 at council Discretion.

2.1.3 RURAL SETTLEMENT

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES	SIDE SPACES	REAR SPACES	
RURAL SETTLEMENT	Fill: Light Green R 204, G 255, and B 204 Border: Black	A node within a rural area identified in the Municipal Spatial Development Framework as a node, that may include land uses which would				At the Sole Discretion of council			

	R 000, G 000, and B 000 	support the community in their day-to-day needs such as commercial, educational, health facilities, petrol filling station, etc.	
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COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 5		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
Agricultural Building Educational Building Home Activity Homestead Informal Trade Area Municipal Purposes Place of Worship <input type="checkbox"/> Dwelling, Multi-Family <input type="checkbox"/> Informal Sport's Ground <input type="checkbox"/> Traditional Agriculture and Scattered Residential farming	Tavern Public Garage Restricted Building Service Station Special Use	Buildings and land use not included in columns 1 to 2.	In line with Development Plan. In the absence of a Development Plan, to the satisfaction of council.		

ADDITIONAL CONTROLS <ol style="list-style-type: none"> No settlement should be permitted within wetlands, below a 100m flood line and on geologically unsuitable land. Subject to the provision of a sewerage disposal system to the satisfaction of the Municipality. Building lines along Provincial Roads must be complied with. The agricultural management layer, indicating the KZN Land Potential Categories, should be referred to for further detailed information and guidance. All Consent uses for agriculture 1 and agriculture 2 may be considered at the discretion of council
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2.2 THE URBAN SCHEME: CIVIC AND SOCIAL

2.2.1 EDUCATION

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –	MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min		BUILDING LINES	SIDE SPACES	REAR SPACES	

Education	<p>Fill: Bright Green R 000, G 255, and B 000 Border: Caramel R 255, G 128, and B 000 Dotted Hatch: Caramel R255, G128, and B000</p> 	<p>To provide and use land or buildings for a full range of educational facilities, either public or private Institutional facilities that to the discretion of the municipality does not affect the amenity of the area, recreational facilities ancillary to the educational establishment and accommodation of students, educator and other staff of the educational establishment</p>	<p>Crèche – At the sole discretion of Council taking sizes of similar uses in the vicinity into consideration</p> <p>Primary School: At the sole discretion of Council taking sizes of similar uses in the vicinity into consideration</p> <p>Secondary School: At the sole discretion of Council taking sizes of similar uses in the vicinity into consideration</p>	18m	7,5m	4,5m	4,5m	Refer to parking schedule in section 4
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COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 5		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
Caretaker Accommodation Educational Building Municipal Purposes Place of Assembly Recreational Building	Agricultural Building Agricultural Land Coffee Shop / Tea Garden Home Activity Community Garden Place of Worship Restricted Building (Limited to An Educational Facility) Utilities Facility Conference Facility Home Business Institution Public Office Special Use	Buildings and land use not included in columns 1 to 2.	1,00	50%	At the Sole Discretion of council

ADDITIONAL CONTROLS

1. Education facilities should be designed with the idea of promoting social interaction and the wellbeing of those using the buildings and facilities.
2. No development will be permitted in or on flood plains, watercourses and wetlands unless the necessary approval has been obtained from the relevant department and Council.

2.2.2 INSTITUTION

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –	MINIMUM STREET	BUILDING LINES, SIDE AND REAR SPACES	ADDITIONAL REQUIREMENTS /
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			Min	Max	FRONTAGE (M)	BUILDING LINES	SIDE SPACES	REAR SPACES	
INSTITUTION	Fill: Dark orange R255 G188, and B 000 Border: Black R 000, G 000, and B 000 	This zone is intended for land and buildings for public and private institutions that provide for the accommodation and care of the aged, the sick and other facilities to support the welfare needs of surrounding communities in urban and rural areas	1800m ²	N/a	18m	7,5m	4,5m	4,5m	Refer to parking schedule in section 4


COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
Caretaker Accommodation Coffee Shop / Tea Garden Institution Municipal Purposes Place of Assembly Private Recreational Use Recreational Building Tuck Shop	Agricultural Building Community Garden Educational Building Place of Worship Public Office Utilities Facility Launderette Restricted Building Shop – General	Buildings and land use not included in columns 1 to 2.	0,50	60%	At the sole discretion of council.

ADDITIONAL CONTROLS

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

2.2.3 PLACE OF WORSHIP

USE ZONE	REFERENCE TO MAP	STATEMENT OF	INTENSITY –	MINIMUM STREET	BUILDING LINES, SIDE AND REAR SPACES	ADDITIONAL REQUIREMENTS /
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		INTENT	Min	Max	FRONTAGE (M)	BUILDING LINES	SIDE SPACES	REAR SPACES	
PLACE OF WORSHIP	Fill: Light grey R 230G 230 and B 255 Red” W” Border: Black R 000, G 000, and B 000 	This zone provides for land and buildings to be used as a church, chapel, oratory, synagogue, mosque, temple, Sunday School, open area of worship (Shembe Circles) and other places of public devotion.			18m	7,5m	4,5m	4,5m	Refer to parking schedule in section 4

1. in addition to any other relevant provision of the Scheme; the following provisions, conditions and restrictions shall be applicable to all Places of Public Worship and the sites thereof within the area of the Scheme: -
 - i) No Place of Public Worship shall be established or used on a site except with the approval of the Council.
 - ii) The site of a Place of Public Worship shall not simultaneously be the site of one or more Dwelling Units, provided that the Municipality may grant its approval to the erection;
 - iii) The use of one or more Dwelling Units, upon such site, to be used in conjunction with the use of such a site as the site of a Place of Public Worship;
 - iv) Approval of an application for the establishment of a Place of Public Worship shall include measures to address noise abatement; and,
 - v) A Place of Public Worship shall not be allowed to use a public address system where the site is located in a residential area.
2. The use of a public address system by religious groups for calls to prayer, ceremonies, burials or other functions will be subject to a separate application to the municipality, extensive public consultation and subject to the volume being kept with the bylaws related to the control of noise, specific time-periods and decibel levels appropriate for public health and safety.
3. In granting the use of a public address system, the municipality may outline additional restrictions or conditions as it deems to be necessary to be in the interest of the public and to protect the amenity of surrounding properties.
4. Where a Place of Public Worship has existing rights to use a public address system, which predate the commencement of this Scheme, such rights, will remain until the site is subject to a rezoning application for another land use. At this point, the continued use of such rights may be subject to review by the municipality.
5. Accommodation for parking is to be as per Parking Norms and Standards.
6. Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
7. In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
8. An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
9. A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line this land use management scheme.

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
Municipal Purposes Place of Assembly Place of Worship Private Recreational Use Caretaker Accommodation Community Garden Educational Building Home Activity Residential - Dwelling House Utilities Facility	Coffee Shop / Tea Garden (Larger Than 20m ²) Conference Facility Home Business Institution Residential Building (Only If Incidental To Place of Worship) Recreational Building Special Use	Buildings and land use not included in columns 1 to 2.	0,50	50 %	At the sole discretion of council as well as taking into consideration existing Worship sites.

2.2.4 MUNICIPAL AND GOVERNMENT

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –	MINIMUM STREET	BUILDING LINES, SIDE AND REAR SPACES	ADDITIONAL REQUIREMENTS /
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			Min	Max	FRONTAGE (M)	BUILDING LINES	SIDE SPACES	REAR SPACES	
Municipal and Government	Fill: Peach Puff R 255, G 218 and B 185 Border: Black R 000, G 000 and G 000 	This zone is intended for buildings erected and used for National, Provincial and Municipal administration and services. It may also provide for the full range of healthcare facilities, including public and private hospitals, medical centres, clinics, sanatoria, community care, welfare and social requirements including pension pay points.		At the discretion of council.	17m	7,5m	4,5m	4,5m	Refer to parking schedule in section 4

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT

			F A R	COVERAGE	HEIGHT
Vehicle Testing Station	Convention Centre				
Arts and Crafts Workshop	Impoundment Area				
Coffee Shop / Tea Garden	Informal Trade Area				
Conference Facility	Restricted Building				
Educational Building	Shop - General				
Institution	Bus and Taxi rank				
Launderette	Warehouse				
Municipal Purposes	Waste Transfer And/or Drop- Off				
Office	Station				
Place of Assembly	Waste Transfer / Recycling				
Place of Worship	Centre				
Private Recreational Use					
Public Recreational Use		Buildings and land use not included	2,00	50%	At the sole
Recreational Building		in columns 1 to 2.			discretion of
Residential Building					council
Tuck Shop					
Utilities Facility					
Agricultural Land					
Community hall					
Heritage Purposes					
Refuse Site					
Water Works					
Sewage Works					
Electrical Substation					

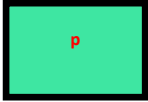
ADDITIONAL CONTROLS

- 1) Accommodation for parking is to be as per Parking Norms and Standards.
- 2) Any application for the establishment of the waste site will need to provide documentation and a plan indicating that the facility is compliant with the requirements of the National Environmental Management: Waste Management Act (Act 59 of 2008) and whether there is to be a recycling programme operating on site.
- 3) An application for a refuse site or landfill will need to have an approved Environmental Impact Assessment approved by the Department of Agriculture, Forestry and Fisheries (DAFF).
- 4) An application for a refuse site or landfill will need to address itself to issues of noise, dust, the control of and safe storage and disposal of waste on site.
- 5) The application shall provide details regarding safety measures, fencing, notices, access control, and lighting to ensure that the potential dangers associated with the activity are minimised.
- 6) Any application for the establishment of the water works will need to provide documentation and a plan indicating that the facility is compliant with the requirements of the National Water Act, 1998 (Act No. 36 of 1998).
- 7) Any application for the establishment of a water works will need to provide the requisition authorisation for the discharge of water and treatment of wastewater in terms of the National Water Act, (No. 36 of 1998).
- 8) Any application for the establishment of the sewage works will need to provide documentation and a plan indicating that the facility is compliant with the requirements of the National Environmental Management: Waste Management Act (No. 59 of 2008).
- 9) The application will need to address what precautions are to put in place to prevent the contamination of underground or surface water systems.
- 10) An application for an Electrical Substation that falls outside the designated boundary of the scheme adoption boundary is subject to the Sub-division of Agricultural Land Act (No 70 of 1970) and requires approval from the national Department of Agriculture, Forestry and Fisheries.
- 11) All applications for change of land use are subject to the relevant requirements of the National Environmental Management Act (Act No. 107 of 1998) which requires an Environmental Impact Assessment and Environmental Authorisation (EA) from the Department of Economic Development, Tourism and Environmental Affairs (EDTEA).
- 12) An application for an Electrical Substation located on land administered by the Ingonyama Trust Board must include the necessary approval required by the Ingonyama Trust Amendment Act (No.9 of 1997).
- 13) In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- 14) An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.

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

2.2.5 PRISON

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES	SIDE SPACES	REAR SPACES	

Prison	Fill: Light Green R 062, G 230 and B 162 Border Black Notation Red (R 255, G 000 and B000)	<input type="checkbox"/> A zone, which permits the use of land for the confinement of persons, convicted and sentenced to imprisonment. Facilities can include recreational, staff accommodation, administration and educational components.	2000m ²	N/a	15m	7,5 m	4,5m	4,5m	N/A
									

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
Community garden <input type="checkbox"/> Educational Building <input type="checkbox"/> Place of Public Assembly <input type="checkbox"/> Restricted Building <input type="checkbox"/> Private open space <input type="checkbox"/> Private recreational area <input type="checkbox"/> Office, Public <input type="checkbox"/> Residential Building Agricultural land	Institution <input type="checkbox"/> Arts and Crafts Workshop (For occupational therapy purposes of residents) <input type="checkbox"/> Laundrette (Restricted to use by occupants)	Buildings and land use not included in columns 1 to 2.	1,00	40%	3 storeys

ADDITIONAL CONTROLS

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

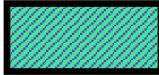
2.2.6 CEMETARY

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES	SIDE SPACES	REAR SPACES	

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
Cemetery/Burial Ground <input type="checkbox"/> Chapel <input type="checkbox"/> Community Hall <input type="checkbox"/> Crematorium <input type="checkbox"/> Social Hall <input type="checkbox"/> Conservation Area <input type="checkbox"/> Maintenance Building	Shop (Restricted to the sale of items directly related to funerals and burial purposes) Funeral Parlour	Buildings and land use not included in columns 1 to 2.	0,1	10%	2

ADDITIONAL CONTROLS


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

Cemetery	Fill: Light Green R 062, G 230 and B 162 Border Black R 000, G 000, and B 000 Notation Black Hatch Line: R112, G048, B160 	<input type="checkbox"/> A zone which permits the use of land and buildings for the purposes of burial and interment or cremation for all religious denominations and includes on site places for prayer, shrines, crematoria, funeral chapels and gardens of remembrance.	At the Sole discretion of council.	Refer to parking schedule in section 4
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2.3 ENVIRONMENTAL SERVICES

The category ‘**Environmental Services**’ makes provision for the protection and/or conservation of ecologically sensitive, culturally and historically important sites and the natural habitats of animals, birds, or reptile species, in accordance with national laws and policies, provincial and local guidelines, strategies and programmes. It reserves land as part of a sustainable living environment by virtue of its importance in terms of bio-diversity. Environmental services include all land which has special environmental status and economic value due to its function in providing and environmental service which contributes to the overall open space system through water courses, wetlands, grasslands, open spaces and other natural habitats.

2.3.1 ZONE CATEGORY: AGRO-BIODIVERSITY

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES	SIDE SPACES	REAR SPACES	
AGRO - BIODIVERSITY	Fill: Light Green R 195, G 250, and B 104 Border: Black R 000, G 000, and B 000 	<p>This land use zone aims to highlight the importance of both sustainable agriculture and biodiversity conservation, because it is deemed to have high to moderate agricultural potential and high biodiversity value.</p> <p>The designation encourages indigenous biodiversity throughout the agricultural landscape wherever possible and links these areas through “corridors” with formal protected areas.</p>	2000m ²	N/a	15m	7,5 m	4,5m.	4,5m	N/A


COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 5		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
Agriculture Emvelo/Indigenous Forest Community Conservation Conservation Dwelling House (Limited To A Single Primary Dwelling House Extensive Grazing Garden Nursery Grazing Lands	Customary Harvesting Ablution Facility Agri-Tourism Facility Camping Ground Chalets Communications Tower Dwelling House (Limited To A Single Secondary House And Staff Accommodation) Picnic Area Stables Trails	Buildings and land use not included in columns 1 to 2.	At the sole discretion of the Council.		

ADDITIONAL CONTROLS

1. Any special consent applications, including breaking virgin land for the purposes of infrastructure development, must align with the Environmental Management Overlay and will require a detailed natural resource/agricultural and biodiversity assessments.
2. All special consent uses shall require consent from both KZN Department of Agriculture and Rural Development and Ezemvelo KZN Wildlife prior to being submitted to the municipality.
3. Buildings and infrastructure must not negatively impact on existing or potential local or surrounding agricultural activities, or biodiversity and must be placed on the lowest potential agricultural land on the property or on existing transformed areas.
4. All proposed developments must adhere to the principle of clustering.

2.3.2 ACTIVE OPEN SPACE

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –	MINIMUM STREET	BUILDING LINES, SIDE AND REAR SPACES	ADDITIONAL REQUIREMENTS /
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			Min	Max	FRONTAGE (M)	BUILDING LINES	SIDE SPACES	REAR SPACES	
Active open space	Fill: Chartreuse 2 R 118, G 238, and B 000 Border: Black R 000, G000, and B 000 	This is a zone for sporting and recreational needs and permits a limited range of associated development and may include ancillary facilities and buildings associated with the primary use of the land as public open space	N/A	N/A	N/A	4,5m	2m	2m	Refer to parking schedule in section 4

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 5		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
Public Recreational Use Recreational Building Utilities Facility Parks	Community Garden Heritage Purposes Municipal Purposes Coffee Shop / Tea Garden Parking Area / Parkade Public / Private Street Special Use	Buildings and land use not included in columns 1 to 2.	At the sole discretion of the Council.		

ADDITIONAL CONTROLS

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

2.3.2 PASSIVE OPEN SPACE


USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –	MINIMUM STREET	BUILDING LINES, SIDE AND REAR SPACES	ADDITIONAL REQUIREMENTS /
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			Min	Max	FRONTAGE (M)	BUILDING LINES	SIDE SPACES	REAR SPACES	
Passive open space	Forest Green R 034, G 139, and B 034 Border: Black R 000, G000, and B 000	The provision of independent or linked open space areas and green lung areas as part of a sustainable open space system for the passive recreational enjoyment of the broader community.	N/A	N/A	N/A	10m	5m	5m	N/A

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
Amenity Area Bird Sanctuary Conservation Area Special Landscapes Trails <input type="checkbox"/> Educational Building (Limited to environmental education, conservation awareness, research facilities) <input type="checkbox"/> Park <input type="checkbox"/> Private Recreation Area <input type="checkbox"/> Public Open Space Garden Nursery	<input type="checkbox"/> Horticulture <input type="checkbox"/> Arts and Crafts Workshop (Limited to activities associated with tourism, recreation, environment and conservation) <input type="checkbox"/> Flea Market <input type="checkbox"/> Restaurant <input type="checkbox"/> Shop (Limited to the sale of take away commodities refreshments, curios and commodities associated with tourism, recreation, environment and conservation) <input type="checkbox"/> Tea Garden	Buildings and land use not included in columns 1 to 2.	0,2	10%	2
ADDITIONAL CONROLS					
None					

2.3.3 PRIVATE OPEN SPACE

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES	SIDE SPACES	REAR SPACES	

Private open Space	Fill: Light Green R 204, G 255, and B 204 Border: Black R 000, G 000, and B 000 	A zone to accommodate any open space owned and maintained by a private or public agency for recreational purposes that is used and enjoyed by members of a club and the general public and may include ancillary facilities or buildings.	N/A	N/A	N/A	N/A	N/A	N/A	N/A
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COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
Conservation Area <input type="checkbox"/> Private Recreation Area <input type="checkbox"/> Private Open Space <input type="checkbox"/> Recreational Building	Arts and Crafts Workshop <input type="checkbox"/> Place of (Public) Amusement <input type="checkbox"/> Restaurant (Limited to a tea garden) Communications tower	Buildings and land use not included in columns 1 to 2.	At the sole discretion of the Council.		

ADDITIONAL CONTROLS

1. An application for the installation of the Base Telecommunication Tower Station shall indicate the position of base tower at least 500 meters from other facilities and shall comply with the necessary requirements of the National Environmental Management Act (No 107 of 1998) regulations as amended.
2. Accommodation for parking is to be as per Parking Norms and Standards.
3. In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
4. Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
5. A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with this land use management.

2.3.4 PROTECTED AREA 1

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /	
			Min	Max		BUILDING LINES	SIDE SPACES	REAR SPACES		
Protected Area 1	Fill: Gold	This land use zone provides for land that has been designated as	At the sole discretion of the council and Ezemvelo Wildlife							

	R 207, G 180, and B 0 Border: Green R 34, G 156, and B 100 	a Protected Area under the National Environmental Management Protected Area Act No 57 of 2003, as per World Heritage Site; Nature Reserve; Special nature reserves; National parks; Specially protected forest areas; Forest nature reserves; and Forest wilderness areas. Where land use and management of the land is undertaken as per the provisions of the Protected Areas Act and its regulations, and other related legislation.	
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COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 5		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
Amenity Area Conservation Area Conservation Purpose Game Reserve Heritage Conservancy Heritage Purposes Nature Reserve Proclaimed Protected Area Special Landscapes Special Nature Reserve World Heritage Site	Camping Ground Conference Centre Lodges Caravan Park	Buildings and land use not included in columns 1 to 2.	At the sole discretion of the Council.		


ADDITIONAL CONTROLS

1. Dwelling House shall be limited to staff accommodation related to management and research
2. Subject to compliance with Protected Areas Act.
3. Consent use applications must align with the approved Protected Area Management Plan and must have obtained authorisation from the relevant PA management authority and Ezemvelo KZN Wildlife, and must, where required, have been granted environmental authorisation and/or a permit from the National Forest Act and the National Water Act.

2.3.5 PROTECTED AREAS 2

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES	SIDE SPACES	REAR SPACES	
Protected Area 2	Fill: Gold R 255, G 180, and B 000 Border: Green	Demarcates land that has been designated as a Protected Environment under the National Environmental Management Protected Area Act No 57 of 2003. Where land use and			At the sole discretion of the council and Ezemvelo Wildlife				




	R 38, G 156, and B 100 	management of the land is undertaken as per the provisions of the Protected Areas Act and its regulations, as well as via the management plans and stewardship contract.	
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COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 5		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
Amenity Area Bird Sanctuary Conservation Area Historic Site Nature Reserve Protected Areas Trails	Ancillary Use Camping Ground Caravan Park Conference Centre Tea Garden Place of Cultural Significance	Buildings and land use not included in columns 1 to 2.	At the sole discretion of the Council.		

ADDITIONAL CONTROLS

- No development will be permitted in or on flood plains, watercourses and wetlands unless the necessary approval has been obtained from the relevant department and Council.
- Consent use applications must obtain authorisation from Ezemvelo KZN Wildlife, and must, where required, have been granted environmental authorisation and/or a permit from the National Forest Act and the National Water Act.
- Dwelling House shall be limited to staff accommodation related to management and research
- Subject to compliance with Protected Areas Act.
- Consent use applications must align with the approved Protected Area Management Plan and must have obtained authorisation from the relevant PA management authority and Ezemvelo KZN Wildlife, and must, where required, have been granted environmental authorisation and/or a permit from the National Forest Act and the National Water Act.

2.3.6 URBAN AGRICULTURE


USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES	SIDE SPACES	REAR SPACES	
URBAN AGRICULTURE	Fill: Green 2 R 000, G 238, and B 000 Border: Black R 000, G 000, and B 000 	A zone, which allows land located in urban areas for, utilised for small-scale agricultural production, market gardening, horticulture, and aquaculture, the keeping of limited livestock and community gardens.	2000m2	N/A	N/A	7,5m	2m	2m	N/A

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
Agro-Forestry <input type="checkbox"/> Agricultural Building <input type="checkbox"/> Aviary <input type="checkbox"/> Community Garden <input type="checkbox"/> Cropping <input type="checkbox"/> Extensive grazing <input type="checkbox"/> Farm stall <input type="checkbox"/> Fish farming <input type="checkbox"/> Nursery <input type="checkbox"/> Horticulture <input type="checkbox"/> Market Gardening <input type="checkbox"/> Recreational Building <input type="checkbox"/> Crèche <input type="checkbox"/> Kennels/Cattery <input type="checkbox"/> Dwelling house <input type="checkbox"/> Homestead	<input type="checkbox"/> Arts and Craft Workshop <input type="checkbox"/> Restaurant <input type="checkbox"/> Shop (Limited to day-to-day goods) <input type="checkbox"/> Tea Garden <input type="checkbox"/> Bed and Breakfast Facility <input type="checkbox"/> Caravan Park <input type="checkbox"/> Guest House	Buildings and land use not included in columns 1 to 2.	0,5	50%	2

ADDITIONAL CONTROLS

- 1.0** All applications for change of land use are subject to the relevant requirements of the National Environmental Management Act (Act No. 107 of 1998) which requires an Environmental Impact Assessment and Environmental Authorisation (EA) from the Department of Economic Development, Tourism and Environmental Affairs (EDTEA).


2.3.7 SURFACE LEASE

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES	SIDE SPACES	REAR SPACES	
SURFACE LEASE	Fill: Peach R 000, G 238, and B 000 Border: Black R 000, G 000, and B 000 	A zone, which allows land located in urban areas for, utilised for small-scale agricultural production, market gardening, horticulture, and aquaculture, the keeping of limited livestock and community gardens.	N/A	N/A	N/A	7,5m	2m	2m	N/A

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
At the sole discretion of council.		Buildings and land use not included in columns 1 to 2.	At the sole discretion of council.		
ADDITIONAL CONTROLS					
None					

1.4 RESIDENTIAL ZONES

1.4.1 SPECIAL RESIDENTIAL 1

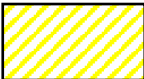
USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES	SIDE SPACES	REAR SPACES	
Special Residential 1	Fill:Yellow R 255, G 255, and B 000 	A zone, which allows land located in urban areas for, utilised for small-scale agricultural production, market gardening, horticulture, and aquaculture, the keeping of limited livestock and community gardens.	1100m2	N/A	12m	5m	3m	2m	Refer to Parking schedule in section 4

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
Residential - Dwelling House Additional Dwelling Unit	Home Activity Home business□	Buildings and land use not included in columns 1 to 2.	0,4	40%	2

ADDITIONAL CONTROLS

- All landscaping shall be to the discretion of the Municipality.
- Accommodation for motor vehicles is to be provided on the Erf as per Parking Norms and Standards.
- Subject to the provision of a sewerage disposal system to the satisfaction of the Water Services Authority.
- In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with this land use management scheme.
- All Ervens above 7000m² May practice urban agriculture Via council Discretion.

1.4.2 SPECIAL RESIDENTIAL 2

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES	SIDE SPACES	REAR SPACES	
Special Residential 2	Fill:Yellow R 255, G 255, and B 000 Diagonal Hatch 	A zone, which allows land located in urban areas for, utilised for small-scale agricultural production, market gardening, horticulture, and aquaculture, the keeping of limited livestock and community gardens.	900m2	N/A	12m	5m	3m	2m	Refer to Parking schedule in section 4


COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT

Residential - Dwelling House Additional Dwelling Unit	Additional Dwelling Unit Home Activity Home business <input type="checkbox"/>	Buildings and land use not included in columns 1 to 2.	0,6	60%	2
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ADDITIONAL CONTROLS

1. All landscaping shall be to the discretion of the Municipality.
2. Accommodation for motor vehicles is to be provided on the Erf as per Parking Norms and Standards.
3. Subject to the provision of a sewerage disposal system to the satisfaction of the Water Services Authority.
4. In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
5. An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
6. Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
7. A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with this land use management scheme.
8. All Ervens above 7000m² May practice urban agriculture Via council Discretion.

1.4.3 SPECIAL RESIDENTIAL 3

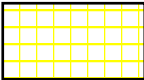
USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES	SIDE SPACES	REAR SPACES	
Special Residential 3	Fill:Yellow R 255, G 255, and B 000 Verticle Hatch 	A zone, which allows land located in urban areas for, utilised for small-scale agricultural production, market gardening, horticulture, and aquaculture, the keeping of limited livestock and community gardens.	250m2	N/A	8m	2m	1m	1m	Refer to Parking schedule in section 4

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
Residential - Dwelling House Additional Dwelling Unit	Additional Dwelling Unit Home Activity Home business□	Buildings and land use not included in columns 1 to 2.	0,8	80%	2

ADDITIONAL CONTROLS

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

1.4.4 SPECIAL RESIDENTIAL 4

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES	SIDE SPACES	REAR SPACES	
Special Residential 4	Fill:Yellow R 255, G 255, and B 000 Cross Hatch 	A zone, which allows land located in urban areas for, utilised for small-scale agricultural production, market gardening, horticulture, and aquaculture, the keeping of limited livestock and community gardens.	2000m2	N/A	18m	7m	5m	2m	Refer to Parking schedule in section 4


COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT

Residential - Dwelling House Additional Dwelling Unit Extensive Agriculture Farming Livestock Farming Farmers Market	Home Activity Home business <input type="checkbox"/>	Buildings and land use not included in columns 1 to 2.	0,6	70%	2
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ADDITIONAL CONTROLS

1. All landscaping shall be to the discretion of the Municipality.
2. Accommodation for motor vehicles is to be provided on the Erf as per Parking Norms and Standards.
3. Subject to the provision of a sewerage disposal system to the satisfaction of the Water Services Authority.
4. In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
5. An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
6. Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
7. A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with this land use management scheme.

1.5.1 MEDIUM DENSITY RESIDENTIAL

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES	SIDE SPACES	REAR SPACES	
MEDIUM DENSITY RESIDENTIAL	Fill: Pale Orange R255, G 201, and B 137 Border: Black R 000, G 000, and B 000 	A zone that retains a high incidence of residential land uses with an increasing number of appropriate ancillary land uses to satisfy local demands and convenience, excludes industrial, and trade uses. The residential density may increase. This is essentially a transition zone where change of use is permitted with	2600m ²	N/A	.18m	7,5m	4,5m	2 m	Refer to parking schedule in section 4


		preservation of the existing form.						
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COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
Residential - Dwelling House Residential - Medium Density Home Business Maintenance Building Private open space (Restricted to use by the residents of the residential building or Medium Density Housing site) Recreational Building (Restricted to the residents of the residential building or Medium Density Housing site)	<input type="checkbox"/> Place of Worship <input type="checkbox"/> Place of Instruction <input type="checkbox"/> Arts and Craft Workshop <input type="checkbox"/> Office <input type="checkbox"/> Tavern <input type="checkbox"/> Restaurant <input type="checkbox"/> Personal service outlet <input type="checkbox"/> Tea Garden <input type="checkbox"/> Tuck-shop <input type="checkbox"/> Bed and Breakfast Facility <input type="checkbox"/> Boarding House <input type="checkbox"/> Crèche <input type="checkbox"/> Day Care Centre <input type="checkbox"/> Guest House <input type="checkbox"/> Residential Building	Buildings and land use not included in columns 1 to 2.	0.5	60%	2

ADDITIONAL CONTROLS

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

1.5.2 HIGH DENSITY RESIDENTIAL


USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES	SIDE SPACES	REAR SPACES	
HIGH DENSITY RESIDENTIAL	Fill: Light Brown R 197, G 104, and B 011 Border: Black R 000, G 000, and B 000 	A zone that retains a high incidence of residential land uses with an increasing number of appropriate ancillary land uses to satisfy local demands and convenience, excludes industrial, and trade uses. The residential density may increase. This is essentially a transition zone where change of use is permitted with preservation of the existing form.	3600m ²	N/A	.21m	7,5m	4,5m	2 m	Refer to parking schedule in section 4

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
Residential - Medium Density Lauderette (For Use Of Residents Only) Lodge Residential Building Residential - Dwelling House	<input type="checkbox"/> Agricultural Building <input type="checkbox"/> Community Garden <input type="checkbox"/> Small Scale Agriculture <input type="checkbox"/> Urban Agriculture <input type="checkbox"/> additional Dwelling House (limited to 200m ²) <input type="checkbox"/> Medium Density Housing Recreational Institution Office	Buildings and land use not included in columns 1 to 2.	0.5	50%	3

ADDITIONAL CONTROLS

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

1.5.3 RETIREMENT VILLAGE

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES	SIDE SPACES	REAR SPACES	
RETIREMENT VILLAGE	Fill: Light Green R 225, G 225, and B 153 Border: Gold R 225, G 192, B 000 	A zone that provides for an age restricted planned development that includes detached, attached row housing, and medium density housing development which is intended for the accommodation or settlement substantially of persons upon their retirement and in which a Frail Care Centre may be provided. The development emphasizes social and recreational activities, places for communal activity and may provide personal services, and health facilities. A	N/A	N/A	.21m	7,5m	4,5m	2 m	N/A


		Retirement Village may include an office building, medical consulting rooms, laundrette, shop and restaurant, which in each case shall be restricted as required by the Municipality and be for the sole use of occupants and guests.							
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COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
Institution <input type="checkbox"/> Place of Public Assembly Private Open Space <input type="checkbox"/> Recreational Building Arts and Crafts Workshop <input type="checkbox"/> Laundrette <input type="checkbox"/> Shop (Restricted to patrons of the use) Dwelling House Frail Care Facility Medium Density Housing Residential Building Retirement Village	<input type="checkbox"/> Personal Service Outlet <input type="checkbox"/> Restaurant Old age home	Buildings and land use not included in columns 1 to 2.	0.5	50%	2

- ADDITIONAL CONTROLS**
1. A shop and a restaurant area are permitted within this but shall be restricted to 200 m² and to be for the exclusive use of the residents and their guests.
 2. A frail care centre shall be provided to the satisfaction of the Municipality and should be accommodated on the same site or on an adjacent site.
 3. Where Medium Density-Housing uses are included; the requirements in respect of the Design and Layout requirements for Medium Density Housing Development.
 4. All landscaping shall be to the discretion of the Municipality.
 5. Accommodation for motor vehicles is to be provided on the Erf as per Parking Norms and Standards.
 6. Subject to the provision of a sewerage disposal system to the satisfaction of the Water Services Authority.
 7. In consideration of an application for a Frail- care Facility, the applicant will need to demonstrate how they have addressed the following general principles in the design
 8. of the building, security, access to medical support and institutional/management arrangements: -
 - i.) At the frail care stage, a person would require a lot of nursing and he/she may need help with dressing and washing themselves and toileting and may or may not be bedridden.
 - ii.) A frail person may also be physically capable but mentally frail, requiring constant supervision.

- iii.) A mentally frail person could be exhibiting signs of senile dementia (Alzheimer's, vascular dementia or other forms of dementia) and, as such, may be confused, disoriented, agitated, restless, or anxious.
 - iv.) A person who is instead suffering from early stages of dementia and who needs a little orientation from time to time and who is still social and able to socialise would be best looked after in a frail-care environment.
 - v.) It is important to point out that each care facility has their own definition and classification for what they call frail-care and it is therefore important to discuss the nursing requirements of a family member with the care facility before admitting them.
 - vi.) Most care facilities, in any event, will want to assess the patient before admission in order to determine whether they are able to provide the necessary care.
 - vii.) They may also require a doctor's report on the patient
9. Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
 10. In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
 11. An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
 12. A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with this land use management scheme

1.5.4 OLD AGE HOME


USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES	SIDE SPACES	REAR SPACES	
OLD AGE HOME	Fill: Pale Orange R 255, G 204, and B102 Border: Gold R 225, G 192, B 000 	To provide, preserve and use land or buildings for appropriate accommodation for retirees and associated facilities, which are related ordinarily, or incidentally to such facilities. These may occur as medium and/or high-density developments.	3000m2	N/A	.18m	7,5m	4,5m	2 m	Refer to parking schedule in section 4

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
Institution Private Space Recreational Building Arts and Workshop Laundrette Offices: Medical Shop (Restricted patrons use) Dwelling House Frail Facility Medium Density Housing Residential Building Retirement Village	Personal Service Outlet <input type="checkbox"/> Restaurant	Buildings and land use not included in columns 1 to 2.	0.5	50%	2

ADDITIONAL CONTROLS

1. A shop and a restaurant area are permitted within this but shall be restricted to 200 m² and to be for the exclusive use of the residents and their guests.
2. A frail care centre shall be provided to the satisfaction of the Municipality and should be accommodated on the same site or on an adjacent site.
3. Where Medium Density-Housing uses are included; the requirements in respect of the Design and Layout requirements for Medium Density Housing Development.
4. The density shall be limited to 20 units per hectare where unit size is > 75 m² or 30 units per hectare where unit size is < 75 m².
5. All landscaping shall be to the discretion of the Municipality.
6. Accommodation for motor vehicles is to be provided on the Erf as per Parking Norms and Standards.
7. Subject to the provision of a sewerage disposal system to the satisfaction of the Water Services Authority.
8. All internal roads shall be designed to the satisfaction of the Municipality and will be of sufficient width to allow access by emergency medical vehicles and firefighting trucks.
9. Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
10. In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
11. An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
12. A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with this land use management scheme

1.5.5 MOBILE HOME PARK

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES	SIDE SPACES	REAR SPACES	
MOBILE HOME PARK	Fill: Golden Brown R 237 G 181, and B 018 Border: Black R 000, G 000, and B 000 	A zone that makes provision for the establishment of mobile home parks for holiday or permanent dwellings in conjunction with recreation, ablution and sanitary facilities.	N/A	N/A	.18m	9m	4,5m	4,5 m	Refer to parking schedule in section 4

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT


Conservation Area <input type="checkbox"/> Private Recreation Area <input type="checkbox"/> Recreation Building <input type="checkbox"/> Launderette <input type="checkbox"/> Maintenance Building <input type="checkbox"/> Office, General <input type="checkbox"/> Shop (Restricted to 150m2) <input type="checkbox"/> Dwelling House (Limited to a Managers	<input type="checkbox"/> Agricultural Land <input type="checkbox"/> Urban Agriculture <input type="checkbox"/> Restaurant (Restricted to 150m2) <input type="checkbox"/> Crèche	Buildings and land use not included in columns 1 to 2.	0,30	30%	2
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ADDITIONAL CONTROLS

- All landscaping shall be to the discretion of the Municipality.
- The Municipality may, in respect of any application to develop a lot permit a maximum of two points of access provided that consent is obtained from the municipal traffic department.
- Accommodation for motor vehicles is to be provided on the Erf as per Parking Norms and Standards.
- Subject to the provision of a sewerage disposal system to the satisfaction of the Water Services Authority.
- In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
- An outbuilding may be permitted on this Zone, provided it is used in conjunction with a dwelling unit(s), and includes a storeroom, laundry, and workroom. An outbuilding shall be restricted to a maximum floor area of 30 square metres.
- Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
- A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with this land use management scheme.

1.6 MIXED USE/ COMMERCIAL

1.6.1 LOW IMPACT COMMERCIAL (MIXED USE) ZONE

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES	SIDE SPACES	REAR SPACES	
Low Impact Commercial	Fill: Light Blue R 127, G 230, and B 255 	To provide, preserve, use land or buildings for the accommodation of commercial or business activities within a residential area where the commercial activity provides a service to the residential community and is not detrimental to the residential amenity of the area.	250 m ²	1000m ²	10m, provided that for hatchet and panhandle shaped erven the minimum frontage is 4,5m. The latter may be increased at the discretion of the Municipality.	4,5m	4,5m	2 m	Refer to parking schedule in section 4


COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 5
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT

			F A R	COVERAGE	HEIGHT
Automotive Showroom Commercial Workshop Launderette Municipal Purposes Office – General Public Office Residential Building (Except on Ground Floor) Service Workshop Shop - General	Carwash Facility Educational Building Home Activity Place of Amusement Place of Worship Recreational Building Utilities Facility Funeral Parlour Home Business Gambling Premises Industry – Service Institution Night Club / Bar Shop – Wholesale Special Use	Buildings and land use not included in columns 1 to 2.	0,8	60%	2

ADDITIONAL CONTROLS

1. In any residential development the maximum density shall be 20 units per hectare.
2. A residential building is not permitted on the ground floor.
3. Shops shall be restricted to the ground floor only

1.6.2 MEDIUM IMPACT COMMERCIAL (MIXED USE) ZONE

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES	SIDE SPACES	REAR SPACES	
Medium Impact Commercial	Fill: Blue R 051, G 102, B 255: 	To provide for a range of retail, offices, residential and community facilities to be located in secondary development nodes, along key interceptor locations / arterials and along certain transport corridors but may also serve as a transitional area between sensitive uses (such as low impact residential and conservation) and intrusive (high impact) commercial uses.	750m ²	N/A	10m, provided that for hatchet and panhandle shaped erven the minimum frontage is 4,5m. The latter may be increased at the discretion of the Municipality.	4,5m	4,5m	2 m	Refer to parking schedule in section 4


COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 5		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT

Automotive Showroom Commercial Workshop Launderette Municipal Purposes Office – General Place of Amusement Place of Assembly Public Office Residential Building (Except on Ground Floor) Service Workshop Shop - General	Carwash Facility Educational Building Gambling Premises Home Activity Parking Erf / Parkade Place of Worship Recreational Building Utilities Facility Industry – Light Industry – Service Institution Night Club / Bar Shop – Wholesale Special Use	Buildings and land use not included in columns 1 to 2.	1	70%	2
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ADDITIONAL CONTROLS


1. In any residential development the maximum density shall be 20 units per hectare.
2. A residential building is not permitted on the ground floor.
3. Shops shall be restricted to the ground floor only

1.6.3 GENERAL COMMERCIAL (CORE MIXED USE) ZONE

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES	SIDE SPACES	REAR SPACES	
General Commercial (Core mixed Use) Zone	Fill: Antwerp Blue R 000, G 064, and B 128 	This zone makes provision for the development and management of land in and around the central business districts of eMadlangeni local Municipality. The zone permits a wide range of land uses combining commercial, trade, office, administration, cultural, residential and low impact industrial activities and developments.	1000m ²	N/A	12m.	4,5m	4,5m	2 m	Refer to parking schedule in section 4

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 5		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
Automotive Showroom Commercial Workshop Carwash Facility Convention Centre Hotel Launderette Municipal Purposes Office - General Parking Erf / Parkade Place of Amusement Place of Assembly Public Office Recreational Building Residential Building (Except on Ground Floor) Service Workshop Shop – Factory Shop - General	Educational Building Gambling Premises General Showroom Informal Trade Area Night Club / Bar Place of Worship Shop – Wholesale Utilities Facility Funeral Parlour Home Business Institution Industry– Light Industry - Service Special Use	Buildings and land use not included in columns 1 to 2.	2	80%	3
ADDITIONAL CONTROLS <ol style="list-style-type: none"> 1. A residential building is not permitted on the ground floor. 2. Shops shall be restricted to the ground floor only. 3. All developments within this land use zone shall be subject to a Geotech assessment and traffic impact assessment. 					

1.6.4 MIXED USE – OFFICES

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES	SIDE SPACES	REAR SPACES	
OFFICES	Fill: Process Blue R 020, G 129, and B 188 Border Lemon Yellow R 255, G 255, and B 000 	. This is a zone makes provision for the development of distinct office areas adjacent to other forms of commercial development.	900m2	1500m2	12m.	4,5m	4,5m	2 m	Refer to parking schedule in section 4

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 5		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
Educational Building Municipal Purposes Office – General Public Office Recreational Building	Commercial Workshop Home Activity Place of Worship Residential Building Shop (Limited To 10% Of Site Area) Veterinary Purposes Home Business Institution Place of Assembly Special Use Commercial Workshop Place of Education Motor Trade Shop Parking Garage Place Of Physical Instruction Place Of Assembly Place Of Instruction Restaurant Shop (Restricted To 200m2)	Buildings and land use not included in columns 1 to 2.	0,6	30%	2

ADDITIONAL CONTROLS

1. In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
2. Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
3. A residential building is not permitted on the ground floor.
4. Shops shall be restricted to the ground floor only.

1.6.5 PETROL FILLING STATION

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES Front	SIDE SPACES	REAR SPACES	
PETROL FILLING STATION	Fill: Blue R 115, G 178, and B 255 Border Purple R 169, G 000, and B 230 <div style="border: 2px solid blue; padding: 5px; display: inline-block; background-color: #e6e6fa;">P.F.S</div>	. This zone provides for the development used or designed for the sale of petroleum, oil and other fuels and lubricants and accessory used in connection with motor vehicles and includes an office and storeroom, together with facilities for the servicing and maintenance of motor vehicles and may also include space devoted to restaurants, shops and related services. It shall not include panel beating, spray painting or the carrying out of vehicle body repairs of a major nature to the engine or transition system of motor vehicles.	1800m ²	N/A	36m	9m	4,5m	4,5m	Refer to parking schedule in section 4

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 5		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
Car Wash <input type="checkbox"/> Garage <input type="checkbox"/> Petrol Service Station <input type="checkbox"/> Restaurant, Fast Food Restaurant (Limited to 200m2)	<input type="checkbox"/> Motor Showroom <input type="checkbox"/> Office Building <input type="checkbox"/> Parking Garage <input type="checkbox"/> Personal Service outlet <input type="checkbox"/> Shop (Limited to 200m2) <input type="checkbox"/> Arts and Crafts Workshop (And fresh produce centre) <input type="checkbox"/> Office Building <input type="checkbox"/> Parking Garage <input type="checkbox"/> Dwelling House (Restricted to Caretaker or Manager) <input type="checkbox"/> Residential Building <input type="checkbox"/> Vehicle Repairs Special use	Buildings and land use not included in columns 1 to 2.	0,6	60%	2

ADDITIONAL CONTROLS


- This zone is site specific and is subject to the approval of a detailed Environmental Impact Assessment (EIA) application as required in terms of the regulation related to the National Environmental Management Act (No. 107 of 1998) as amended.
- Its approval is subject to Environmental Authorisation issued by the Department of Economic Development, Tourism and Environmental Affairs.
- The Municipality may request additional controls in relation to ingress and egress and other traffic related matters in conjunction with the Department of Transport regulations and provincial policy guidelines.
- Any site considered for the establishment of a petrol filling station needs to have sufficient area and width/depth that allows the safe parking of delivery tankers and vehicles on site.
- In considering applications for the establishment of petrol filling stations, the need for a new site needs to be assessed and to have regard to the location of other existing stations in the area.
- The existing and/or contemplated future development of the area must be taken into account when considering the need for the new petrol filling station.
- Any argument, based on the solo- site system, that all brands of petrol should be available within any particular area should not be taken into account.
- Pump islands in petrol filling stations should be not less than 5 metres from the property boundary.

9. (a) The design and layout of garages and service stations shall be to the satisfaction of the Municipality and the following requirements and conditions shall be observed wherever is it proposed to erect, or extend and existing, garage or service station:
 - i. No garage or service station shall have direct vehicular access to an existing or proposed limited access major traffic arterial;
 - ii. No vehicular entrance to, or exist from, a garage or service station shall be within 150m of a freeway interchange, 60m from an intersection with a road which, in the opinion of the Municipality, is a major road, or 20m from an intersection with any other road;
 - iii. The frontage of a lot intended for use as a garage or service station shall not be less than 36m;
 - iv. A dwarf wall or other permanent structures, to the satisfaction of the Municipality, shall be erected on the street frontage of the site to confine the movement of vehicles into, or out of, the garage or service station to authorized access points;
 - v. No lot may be used for a garage or service station where it is, in the opinion of the Municipality, of insufficient depth to enable all activities associated with the operation of the use to be clear of the street;
 - vi. Filler points for underground tanks shall be so positioned as to make it possible for tanker delivery vehicles to stand wholly within the lot while discharging fuel and for the vehicle to enter and leave the property in a forward direction;
 - vii. Pump islands shall not be less than 5m from any boundary of the lot and all traffic routes within the forecourt shall have a minimum width of 5m; and
 - viii. A garage or service station shall be designed in a manner that traffic entering and leaving the property on which it is situated will not adversely affect the movement of pedestrians on any heavily trafficked public street or place.
10. (b) In granting its authority or consent for the establishment of a garage or service station, the Municipality shall take due cognisance of the standards set relating to the Planning Standards for Control of Traffic Generating Sites.
11. A Restaurant / Fast-food outlet and a Shop is permitted when ancillary to a Garage and Service Station and not to exceed a combined Floor Area of 500m² in extent.
12. Accommodation for parking is to be as per Parking Norms and Standards.
13. In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
14. Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
15. A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with this land use management scheme.

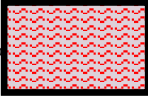
1.7 INDUSTRIAL LAND USES

1.7.1 QUARRYING AND MINING

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES Front	SIDE SPACES	REAR SPACES	

<p>QUARRYING AND MINING</p>	<p>Fill: Leather R 126, G 072, and B 000 Border: Black R 000, G000 and B 000</p> 	<p>This zone allows appropriately located land to be used for the extraction of minerals and raw materials including sand and stone. Any extraction requires a permit from Department of Mineral and Energy Affairs (DMA) and the Department of Agriculture, Forestry and Fisheries (DAFF).</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>Refer to parking schedule in section 4</p>
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1.7.2 EXTRACTIVE INDUSTRY

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES Front	SIDE SPACES	REAR SPACES	
<input type="checkbox"/> Extractive Industry <input type="checkbox"/> Quarrying <input type="checkbox"/> Sand mining	<p>Fill: Grey Purple R 222, G 209, and B 217 Large Scale Border: Black R 000, G000, and B 000 Warehouse R 000, G000, and B 000 Way Hatch: Red R 255, G 000 and B 000</p>	<p>Manufacturing and land use not included in columns 1 to 2. This zone is for the extraction and processing of mineral resources, while ensuring their adjacent land uses. Additionally, this zone is provided for approved Environmental Impact Assessment approved by the Department of Agriculture, Forestry and Fisheries (DAFF).</p>	N/A	N/A	7,5m	4,5m	4,5m	2m	Refer to parking schedule in section 4
ADDITIONAL CONTROLS		<p>1. All applications for quarrying and mining must be accompanied by a site plan showing the location of the quarrying and mining activities, the location of the access roads, the location of the plant nurseries, which do not impair the long-term ability to extract and process mineral resources.</p> <p>2. An application for quarrying and mining must be accompanied by a site plan showing the location of the quarrying and mining activities, the location of the access roads, the location of the plant nurseries, which do not impair the long-term ability to extract and process mineral resources.</p> <p>3. An application for quarrying and mining must be accompanied by a site plan showing the location of the quarrying and mining activities, the location of the access roads, the location of the plant nurseries, which do not impair the long-term ability to extract and process mineral resources.</p> <p>4. The application shall provide details regarding safety measures, fencing, notices, access control, and lighting to ensure that the potential dangers associated with the activity are minimised.</p> <p>5. Where pollution measures are reliant to electricity, the mining operation will install an emergency generator to ensure that no spillage can occur.</p> <p>6. The application shall include a strategy to address the monitoring and control of the operation to minimise amenity disturbance by way of dust, noise, pollution, heavy vehicles, hours of operation and any remedial programmes once the activity ceases.</p> <p>7. Accommodation for parking is to be as per Parking Norms and Standards.</p> <p>8. In addition, all developments for quarrying and mining will need to submit a detailed post-production restoration plan to show how the site is to be rehabilitated. Such a plan shall address the following aspects: - i) The restoration of the mine or quarrying site; ii) The restoration of the natural environment through the planting of original indigenous plants and trees; iii) Pollution control mechanisms; iv) The long term management of all tailing and sludge dams once the extractive process has been completed;</p> <p>9. Accommodation for a caretaker/manager may be permitted. It shall be restricted to a maximum floor area of 90 square metres.</p> <p>10. In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.</p> <p>11. Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration</p> <p>12. A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with this land use management scheme.</p>	N/A	N/A	7,5m	4,5m	4,5m	2m	Refer to parking schedule in section 4

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT


<input type="checkbox"/> Extractive Industry <input type="checkbox"/> Quarrying <input type="checkbox"/> Sand mining	Large Scale Manufacturing <input type="checkbox"/> Warehouse	Buildings and land use not included in columns 1 to 2.	0,20	20%	2
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ADDITIONAL CONTROLS

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

1.7.3 NOXIOUS INDUSTRY

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES Front	SIDE SPACES	REAR SPACES	

Noxious Industry	<p>Fill: Magenta 2 R 238, G 000, and B 238 Border: Black R 000, G 000, and B 000</p> 	<p>This zone permits manufacturing uses which may not be compatible with other manufacturing uses and which would have major externalities on adjacent sensitive land uses.</p> <p>This zone would permit manufacturing activities that may produce significant vibration, noise, odour, or high volume automobile and truck traffic. Warehousing of materials that may be considered noxious or hazardous may be permitted in buildings in this zone, with possible conditions and/or exceptions, i.e. via a Consent procedure.</p> <p>Outdoor storage, as either a principal use or an ancillary use, can also be permitted in the zone, with some possible conditions or restrictions, i.e. as a Consent Use.</p> <p>Office uses, as a principal use, would not be permitted in the zone. Retail stores, eating establishments and other personal service uses would also not be permitted. Of the service related uses, only service shops and showrooms would be permitted.</p>	1,800m ²	N/A	21 m/ 9 m for Hatchet ways and Cul-de- sacs	7,5m	4,5m	2m	Refer to parking schedule in section 4
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COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT


<input type="checkbox"/> Extractive Industry <input type="checkbox"/> Quarrying <input type="checkbox"/> Sand mining <input type="checkbox"/> Canteen <input type="checkbox"/> Offices, General (to onsite activities)	<input type="checkbox"/> Warehouse <input type="checkbox"/> Petrol Filling Station <input type="checkbox"/> Shop (Restricted to staff) <input type="checkbox"/> Restaurant (Restricted to staff)	Buildings and land use not included in columns 1 to 2.	1,00	75%	3
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ADDITIONAL CONTROLS

1. All applications for noxious industry will be required to have the necessary approved permits issued from the Department of Mineral Resources (DoMR) in terms of the Mineral and Petroleum Resources Development Act (No. 28 of 2002).
2. An application for extractive industry will need to provide the Area with an air quality plan, which complies with the requirements of the National Environmental Management Act: Air Quality Act (Act No. 39 of 2004)
3. An application for an noxious industry will need to address itself to issues of noise, dust, the control of and disposal of waste and a strategy to address the monitoring and control of the operation to minimise amenity disturbance by way of dust, noise, pollution, heavy vehicles, hours of operation .and any remedial programmes once the activity ceases.
4. All applications for noxious industry will need to submit a detailed remedial plan to show how the site is to be rehabilitated (including the decontamination of buildings, on site waste, all tailings and sludge dams) should the industry cease its operations. Such a plan will be required to address the short and long-term management of the rehabilitation plan and the naming of a responsible agency that will be tasked with completing the rehabilitation work.
5. All applications for noxious industry will need to provide a water quality/protection plan.
6. Such a water quality plan will take cognizance of the requirements of the National Water Act (No. 36 of 1998) and will indicate how the disposal of waste and grey water will be undertaken on site and what additional protective measures shall be instituted if the development is located near a water source e.g., river, stream wetland, estuary.
7. Eating establishments and most other personal service uses are not permitted in the zone.
8. Accommodation for parking is to be as per Parking Norms and Standards.
9. A storey in respect of industrial zones shall not exceed 7.5 meters, the Municipality may authorize the erection of a building of greater height through the special consent process if it is satisfied that such greater height shall not result in detriment to the amenities of the area.
10. Accommodation for a caretaker/manager shall be restricted to a maximum floor area of 90 square metres.
11. In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department.
12. Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration
13. A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with this land use management schemes.

1.7.4 GENERAL INDUSTRY

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES Front	SIDE SPACES	REAR SPACES	

General Industry	<p>Fill: Lavender R 204, G 153, and B 255 Border: Black R 000, G 000, and B 000</p> 	<p>This zone permits manufacturing uses which may not be compatible with other manufacturing uses and which would have major externalities on adjacent sensitive land uses.</p> <p>This zone would permit manufacturing activities that may produce significant vibration, noise, odour, or high volume automobile and truck traffic. Warehousing of materials that may be considered noxious or hazardous may be permitted in buildings in this zone, with possible conditions and/or exceptions, i.e. via a Consent procedure.</p> <p>Outdoor storage, as either a principal use or an ancillary use, can also be permitted in the zone, with some possible conditions or restrictions, i.e. as a Consent Use.</p> <p>Office uses, as a principal use, would not be permitted in the zone. Retail stores, eating establishments and other personal service uses would also not be permitted. Of the service related uses, only service shops and showrooms would be permitted.</p>	1,800m ²	N/A	21 m/ 9 m for Hatched ways and Cul- de-sacs	7,5m	2,5m	2,5m	Refer to parking schedule in section 4
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COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
<p>AGRICULTURE</p> <ul style="list-style-type: none"> <input type="checkbox"/> Agricultural Industry <input type="checkbox"/> Canteen <input type="checkbox"/> Commercial Workshop <input type="checkbox"/> Builders Supply Yard (including brick making) <ul style="list-style-type: none"> <input type="checkbox"/> Office, Public <input type="checkbox"/> Open storage <input type="checkbox"/> Public works yard <input type="checkbox"/> Recovery Facility <input type="checkbox"/> Recycling plant <input type="checkbox"/> Research Laboratory <ul style="list-style-type: none"> <input type="checkbox"/> Salvage yard <input type="checkbox"/> Service Industrial Building <ul style="list-style-type: none"> <input type="checkbox"/> Treatment Plant <input type="checkbox"/> Vehicle repair shop <ul style="list-style-type: none"> <input type="checkbox"/> Warehouse <input type="checkbox"/> Wholesaling <input type="checkbox"/> Workshops and Service Outlets <ul style="list-style-type: none"> <input type="checkbox"/> Bus and Taxi Rank <input type="checkbox"/> Trucking Facility <input type="checkbox"/> Waste incinerator 	<p>Private Recreational Area</p> <ul style="list-style-type: none"> <input type="checkbox"/> Recreational Building <input type="checkbox"/> Car Wash Facility <input type="checkbox"/> Parking Garage <input type="checkbox"/> Office, General (Linked to onsite activities) <ul style="list-style-type: none"> <input type="checkbox"/> Service Station <input type="checkbox"/> Shop (Limited to the day to day needs of the workers in this zone) 	Buildings and land use not included in columns 1 to 2.	1,00	75%	3

ADDITIONAL CONTROLS

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

1.7.5 LIGHT INDUSTRY

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES Front	SIDE SPACES	REAR SPACES	


Light Industry	Fill: Pale Lilac R 239, G 198, and B 255 Border: Black R 000, G 000, and B 000 	. The Light Industrial zone permits manufacturing uses, which are compatible with land uses permitted in adjacent sensitive land use zones, such as residential, mixed use and open space zones. As a light industrial zone, it would permit manufacturing activities that usually do not involve significant vibration, noise, odour, or high volume of automobile and truck traffic.	1200m ²	N/A	7,5m	4,5m	4,5m	2m	Refer to parking schedule in section 4
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COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
<input type="checkbox"/> Arts and Craft Workshop <input type="checkbox"/> Commercial Workshop <input type="checkbox"/> Funeral Parlour <input type="checkbox"/> Laundrette <input type="checkbox"/> Office, Public <input type="checkbox"/> Office, General <input type="checkbox"/> Restaurant (Limited to the day to day needs of the workers of the zone) <input type="checkbox"/> Service Station <input type="checkbox"/> Dry Cleaning <input type="checkbox"/> Industrial Sales and Service <input type="checkbox"/> Light Industrial Building <input type="checkbox"/> Non Polluting Light Manufacturing <input type="checkbox"/> Research Laboratory <input type="checkbox"/> Service Industrial Building <input type="checkbox"/> Warehouse <input type="checkbox"/> Wholesaling <input type="checkbox"/> Wholesale Shop <input type="checkbox"/> Workshop	<input type="checkbox"/> Agricultural Building <input type="checkbox"/> Agricultural Industry <input type="checkbox"/> Conservation Area <input type="checkbox"/> Private Recreation Area <input type="checkbox"/> Recreation Building <input type="checkbox"/> Private Recreation Area <input type="checkbox"/> Recreation Building <input type="checkbox"/> Betting Depot <input type="checkbox"/> Car Wash Facility <input type="checkbox"/> Personal Service Outlet <input type="checkbox"/> Restaurant <input type="checkbox"/> Showroom <input type="checkbox"/> Special use	Buildings and land use not included in columns 1 to 2.	0,50	50%	3

ADDITIONAL CONTROLS

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

1.7.6 LOGISTICS

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES Front	SIDE SPACES	REAR SPACES	
Logistics	Fill: Dove Grey R 102, G 102, and B 153 Border: Black R 000, G 000, and B 000 	A zone that permits the warehousing of materials considered non-noxious or non-hazardous are permitted in buildings in this zone. Transportation, transshipment and related uses are permitted. Outdoor storage, as both an independent and an ancillary use, may be permitted in the zone, subject to certain restrictions involving the amount of area permitted on a lot, setbacks, screening, and possibly the type of materials permitted to be stored outdoors. Office uses, retail stores, and certain eating establishments will be permitted in the zone with certain conditions.	1800m ²	N/A	21 m/ 9 m for Hatched ways and Cul-de-sacs	7,5m	2,5m	2,5m	Refer to parking schedule in section 4

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
<input type="checkbox"/> Warehouse <input type="checkbox"/> Wholesaling <input type="checkbox"/> Offices, General <input type="checkbox"/> Office, Public <input type="checkbox"/> Workshop <input type="checkbox"/> Bus and Taxi Rank	Administrative <input type="checkbox"/> Place of Instruction <input type="checkbox"/> Car Wash Facility <input type="checkbox"/> Personal Services Outlet <input type="checkbox"/> Place of Amusement <input type="checkbox"/> Restaurant <input type="checkbox"/> Showroom <input type="checkbox"/> Builders Supply Yard <input type="checkbox"/> Non-polluting Light Manufacturing <input type="checkbox"/> Vehicle Repair Shop	Buildings and land use not included in columns 1 to 2.	1,00	50%	3

ADDITIONAL CONTROLS

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


1.8 TRANSPORTATION AND ACCESS

1.8.1 RAILWAYS

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES Front	SIDE SPACES	REAR SPACES	
Railways	Fill: Grey 40% R 150, G 150, and B 150 Border: Black R 000, B 000, and G 000	A zone that makes provision for the necessary commuter, passenger and goods railway infrastructure within the rural and urban context; and includes open areas for the storage and repairs of trains, warehouses for freight operations, sidings and stations.	N/A	N/A	N/A	7,5m	3m	3m	Refer to parking schedule in section 4

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
<input type="checkbox"/> Agricultural Buildings <input type="checkbox"/> Agricultural Land <input type="checkbox"/> Kiosk <input type="checkbox"/> Personal service outlets <input type="checkbox"/> Office, Public <input type="checkbox"/> Ticket Office <input type="checkbox"/> Intermodal facilities <input type="checkbox"/> Railway Station <input type="checkbox"/> Railway Yard <input type="checkbox"/> Railway Junction <input type="checkbox"/> Transportation facilities	Informal Trade Area <input type="checkbox"/> Office, General <input type="checkbox"/> Restaurant <input type="checkbox"/> Shop Place of Instruction	Buildings and land use not included in columns 1 to 2.	N/A	N/A	N/A
ADDITIONAL CONTROLS					
1. Accommodation for parking is to be as per Parking Norms and Standards. 2. In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department. 3. Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration 4. A Site Development Plan may be required on request by the municipality. All Site Development Plans will be in line with this land use management scheme.					


1.8.2 BUS AND TAXI RANK

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES Front	SIDE SPACES	REAR SPACES	
Bus and Taxi Rank	Fill: Steel Blue R 070, G 130, and B 180 Border: Neutral Grey R 192, B 192, and G 192 	A zone that makes provision for the necessary commuter, passenger and goods railway infrastructure within the rural and urban context; and includes open areas for the storage and repairs of trains, warehouses for freight operations, sidings and stations.	1000m ²	N/a	21m	7,5m	3m	3m	Refer to parking schedule in section 4

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
<input type="checkbox"/> Ablutions <input type="checkbox"/> Car Wash <input type="checkbox"/> Office, General <input type="checkbox"/> Personal service outlet <input type="checkbox"/> Restaurant <input type="checkbox"/> Shop <input type="checkbox"/> Taxi/ Bus Facilities	Informal Trade Area	Buildings and land use not included in columns 1 to 2.	N/A	N/A	N/A

ADDITIONAL CONTROLS
<ol style="list-style-type: none"> That necessary approvals be obtained Department of Transport. Accommodation for parking is to be as per Parking Norms and Standards. In respect of any proposal to develop a lot only one point of access is freely permitted. An additional point of access may be considered under exceptional circumstances and the proposal for such must be accompanied by written consent from the municipal Traffic Department. Prior to the approval of any development proposal, the norms and standard of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration.

1.8.3 EXISTING ROADS

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY –		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS /
			Min	Max		BUILDING LINES Front	SIDE SPACES	REAR SPACES	
Existing Roads	Fill White R 255, G 255, and B 255 Border Black R 000, G 000, and B 000 	This zone makes provision for the protection of roads and road reserves for the free movement of vehicular and pedestrian transport.	N/A	N/A	N/A	N/A	N/A	N/A	Refer to parking schedule in section 4

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4		
FREE ENTRY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
			F A R	COVERAGE	HEIGHT
To be used for transportation purposes only subject to temporary uses specified by Council.	N/A	Buildings and land use not included in columns 1 to 2.	N/A	N/A	N/A

ADDITIONAL CONTROLS

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

SECTION 3: DEVELOPMENT PARAMETERS AND REGULATIONS

A. FRONT SETBACKS



- i. The setback lines in respect of all lots and dwelling unit curtilage shall be as reflected in Development Parameters Tables, except where otherwise stated.
- ii. All lots shall be subject to the setback lines as per development controls provided that the Municipality may relax the building line restriction subject to the continuity of the shopping frontage not being disrupted. Notwithstanding the provisions of a) above, and where the applicant submits written support of adjoining property owners, the Municipality may, in its discretion:

Relax the Front Setback to nil in the Mixed Use Zones with consideration of: -

- (i) The continuity of the shopping frontage not being disrupted; and
- (ii) There being no disruption to the free flow of pedestrian movement;

Relax the Front Setback to such extent as may be requested where: -

- i. on account of the levels of the lot or adjoining land, or the propinquity of buildings already in front of the Front Setback, or any other special circumstances, compliance with the Front Setback would seriously hamper the development of the lot; or
- ii. if it is demonstrated by the applicant that the architectural effect, as a consequence of the relaxation sought, will enhance the appearance of the street and contribute to public amenity;

Relax the Front Setback on corner lots in Residential only zones to 3 metres, provided that:-

- i the relaxation is confined to one boundary only; and
- ii any buildings which are erected forwards of the prescribed Front setback of 7,5 metres, as a consequence of the relaxation, may not be closer than 3 metres to the side boundary of the adjoining lot; or

All walls in excess of 2m require the submission of a relaxation application.

- iii. Where a Front Setback is prescribed no building other than boundary walls, fences, pergolas or architectural and garden features, shall be erected between the building and the front boundary; provided that, where a new road or road widening is required, the Front Setback shall be set back in order to take into consideration any new road or road widening.
- iv. In addition, cognisance shall be taken of Front Setbacks imposed in terms of the KwaZulu-Natal Roads Act (No. 4 of 2001 as amended) and the Municipality may not relax any building line below the restriction without first obtaining the consent of the KwaZulu KwaZulu-Natal Department of Transport.

B. SIDE AND REAR SETBACKS

- i. The side and rear spaces in respect of all lots, except where otherwise stated, shall be as reflected in the Development Control Tables in Section Two.
- ii. Properties zoned Medium Density housing, multi-unit and caravan park sites, the side and rear spaces prescribed in Sub-clause **b)** above shall not apply to the individual lots or curtilages other than in respect of the side and rear boundaries of the sites.

(a) authorize the erection of single storey outbuildings in Residential zones, where the applicant demonstrates that the owners of the property or properties contiguous to the common boundary or boundaries, have consented in writing to the relaxation.

(b) Relax the side setback to zero where:

1. the common boundary or boundaries in the development of semi-detached or row houses in the Residential Only Detached zones; provided that the party wall servitudes are registered against the respective properties in the KwaZulu- Natal Deeds Registry; or
2. Commercial or industrial buildings, except where space is necessary to provide parking and loading areas; or
3. Where buildings adjoins lots zoned for residential purposes; v) any zone if, on account of the siting of existing buildings, or the shape, size and levels of the lot or dwelling unit curtilage, the enforcement of the side and rear setbacks requirements would, in the opinion of the Municipality, render the development of the property unreasonably difficult;
4. Provided that, before granting any relaxation sought, and where it is of the opinion that the relaxation may be detrimental to the amenity of adjoining properties, or that of the neighbourhood in which the lot is situated, the Municipality may call upon the applicant to apply to it for its Consent to do so.

C. FLOOR AREA RATIO, COVERAGE AND HEIGHT

- i. In any zone, the density of building development and the erection of buildings shall not exceed the maximum **Floor Area Ratio (FAR)**, Coverage and Height figures for the zone as specified in the Development Parameters Tables.
- ii. In calculating the permissible floor area, as defined in area definitions of the General Definitions, “*Erf Area, Floor Area, Floor Area Ratio*”; the following floor areas are to be excluded:
 - Any area used exclusively for the parking of motor vehicles, except as provided for in the Design and Layout Requirements

- Garages, carports, swimming pools, squash courts and tennis courts that are for private use only;
 - Covered public arcades and malls in commercial zones which are not used for retail purposes or for the display, sale or storage of goods;
 - The un-walled access ways and driveways covered by canopies of garages and service stations; and
 - Patios, verandas and decks enclosed on two sides only.
- iii. In calculating the permissible coverage as defined in the definitions only roofed or covered areas shall be included; (See the Definitions Coverage, Erf / Erven).

D. LOT AREA

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

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

E. RESTRICTIONS OF THE NUMBER OF DWELLINGS ON A LOT IN RESIDENTIAL ZONES

In the residential zones, not more than one dwelling house shall be erected on any lot or lot, provided that

- (a) if a lot is greater in extent than double the minimum prescribed in the development parameters (controls) for the zone in which it occurs, additional dwelling houses may be erected thereon, the number of which shall be determined by dividing the area of the lot by the prescribed minimum for the zone, any fraction thereof which shall be discounted; provided further that:
 - (i) the applicant shall first submit a drawing to the Municipality for its approval showing that the property on which the additional dwelling (or dwellings) is to be constructed is capable of being subdivided to create an lot for each dwelling which will conform to the provisions of the Scheme;
 - (ii) the applicant furnishes the Municipality with an undertaking to construct and maintain all internal services, roads and storm water drainage as the Municipality shall specify, which shall be to the Municipality's satisfaction until it is able to take over responsibility thereof upon the formal subdivision of the property; and
 - (iii) the applicant furnishes the Municipality with a further undertaking that any land required under the scheme for road construction, road widening or public purposes shall be transferred to the Municipality, and that all servitudes as may be required are registered in favour of the Municipality, or the authority, at dates to be determined by the Municipality and/or authority; and
- (b) A number of dwelling houses or units on individual lots may be grouped on a particular lot in the Residential zones, provided that:

- (i) The minimum area of a lot shall not be less than twice the minima specified for relevant zones in Development Control Tables; and
 - (ii) the consent of the Municipality is applied for and obtained in respect of the siting of the buildings, the width and standard of all internal roads, access ways, services and landscaping of the property,
- (c) The number of which shall be determined as set out in (a) above.

F. ADDITIONAL DWELLING UNIT IN RESIDENTIAL ONLY DETACHED ZONES

1. The Local Municipality may permit the erection of an additional self-contained residential unit on any residential site of 650sqm or more.
- (a) For the purposes of this clause only, such self-contained residential unit shall comprise not more than one bedroom, a combined lounge and dining room, a kitchen, a bathroom and a toilet. The total floor area shall not exceed 90m
 - (b) be architecturally compatible with the main dwelling house, attached directly to it or by means of a screen wall which will place the unit at a distance no greater than 5m from the main dwelling house, unless the applicant can demonstrate that exceptional circumstances exist which prevent such attachment;
 - (c) be served by the same access to the public street or road which serves the main dwelling house, unless the applicant can demonstrate that exceptional circumstances exist to prevent such shared access; and
 - (d) Be provided with adequate sewerage and wastewater disposal to the satisfaction of the Municipality, provided further that the Municipality may waive the need for a consent application where the applicant demonstrates that the owners of adjoining properties have consented in writing, that they would have no objection to the erection of the proposed additional dwelling.

G. THE SHAPE OF LOTS IN RESIDENTIAL ONLY DETACHED ZONES

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

H. PARKING, LOADING AND UNLOADING ACCOMMODATION

(This must be read together with Section 4 of this Scheme)

1. A person intending to erect, alter or extend a building, or develop or use any lot, medium density housing site or curtilage, must provide parking accommodation within the boundaries of the lot, site or curtilage and shall submit proposals to the extent specified in the Parking Standards and Requirements and in accordance with the requirements set out hereunder and to the satisfaction of Municipality
2. In addition to the requirements of Sub-clause 1 above, and other than in respect of single dwellings within the Residential zones, adequate areas for the loading and unloading of vehicles shall be provided, the location, access, demarcation and surfacing of shall be to the satisfaction of the Municipality; provided further that on any lot, Medium Density Housing site or curtilage where commercial vehicles are accommodated shall, in addition, provide sufficient parking accommodation and turning space for such vehicles to the satisfaction of the Municipality.

I. EXISTING LAND USE RIGHTS

1. Any existing building or existing use which is not in conformity with this Scheme, but for which legal authority was obtained from the Municipality prior to the adoption date of the eMadlangeni wall to wall Scheme, and which continued to be used for the purpose for which it was designed and/or was completed legally and is so used after the said adoption date, may continue to be so used, subject to compliance with any conditions which may have been imposed by the Municipality.
2. Any alteration or addition or change which materially alters the use of land or the character of an existing building shall automatically remove shall a use of land or building from the category of “existing land use” or “existing building” in terms of this Scheme.

J. NON-CONFORMING LAND USES

Any alteration or addition or change of use, which in the opinion of the Municipality alters the character of an existing building or use of land, shall automatically remove such building or land from the category of building or existing use.

1. Where the non-conforming existing use of any building or land is discontinued for a continuous period of 18 months or longer, such an existing use shall be deemed to have lapsed and shall not be recommenced.

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

1. The siting of any buildings intended to be erected, or the development or use of any land, shall be subject to the approval of the Municipality.
2. Before commencing with any activity, persons intending to erect buildings or use land shall apply to the Municipality for approval of the siting, use or development and for the identification of this indigenous flora, fauna, habitats and natural systems which must be conserved and protected.
3. In terms of the provisions of this Scheme, the Municipality in considering any application submitted under Chapter 4 of the Spatial Planning and Land Use Management By-Laws (As amended) shall ensure that adequate provisions are made in regard:
 - (a) the siting of buildings and access ways for the conservation of indigenous flora and fauna
 - (b) the protection of habitats and natural systems;
 - (c) the replacement of trees and vegetation; by means of conditions qualifying the approval of such applications.

K. SITE DEVELOPMENT PLANS

1. In addition to the zonings that specifically require a site development plan, the eMadlangeni Local Municipality may require a site development plan in respect of the following development types:
 - (i) shopping centres and shopping complexes;
 - (ii) business and office park developments;

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

- (xiv) the massing, position, use and extent of buildings;
 - (xv) sketch plans and elevations of proposed structures, including information about external finishes;
 - (xvi) cross-sections of the site and buildings on site;
 - (xvii) the alignment and general specification of vehicle access, roads, parking areas, loading areas, pedestrian flow and footpaths;
 - (xviii) the position and extent of private, public and communal space;
 - (xix) typical details of fencing or walls around the perimeter of the land unit and within the property;
 - (xx) electricity supply and external lighting proposals;
 - (xxi) provisions for the supply of water, management of stormwater, and disposal of sewage and refuse;
 - (xxii) external signage details;
 - (xxiii) general landscaping proposals, including vegetation to be preserved, removed or to be planted, external paving, and measures for stabilising outdoor areas where applicable;
 - (xxiv) the phasing of a development;
 - (xxv) the proposed development in relation to existing and finished ground levels, including excavation, cut and fill;
 - (xxvi) statistical information about the extent of the proposed development, floor space allocations and parking supply;
 - (xxvii) relationship of the proposed development to the quality, safety and amenity of the surrounding public environment;
 - (xxviii) relationship of the proposed development to adjacent sites, especially with respect to access, overshadowing and scale;
 - (xxix) illustrations in a three-dimensional form depicting visual impacts of the proposed development on the site and in relation to surrounding buildings; and
 - (xxx) any other details as may reasonably be required by the municipality.
2. The municipality may require that the area covered by a site development plan shall extend beyond the site under consideration if, in its opinion, the proposed development will have a wide impact. The municipality may determine the extent of such area.
 3. When required in terms of this land use management scheme, a site development plan shall be submitted to the municipality for its approval before any development on a land unit may commence.

4. A site development plan shall be refused / deferred / disapproved if it is not consistent with the development rules of a zoning, overlay zoning, condition of approval or any other external commenting / approving authority.
5. 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.
6. The following provisions shall apply with regard to site development plans:
 - i. Development of the property shall be in accordance with an approved site development plan;
 - ii. If the municipality considers it necessary, a transport or traffic impact statement or assessment may be required in conjunction with a site development plan, the extent of which shall be determined by the municipality depending on the magnitude of the development;
 - iii. If the municipality considers it necessary, a stormwater impact assessment and/or stormwater management plan may be required in conjunction with a site development plan, the extent of which shall be determined by the municipality depending on the magnitude of the development;
 - iv. In circumstances where a site development plan is required in terms of this development management scheme, no application for building plan approval in terms of the National Building Act shall be granted by the municipality, unless a site development plan has first been approved;
 - v. An approved site development plan shall be considered as setting additional development rules applicable to the base zoning, and any application for amendment shall comply with the municipalities requirements for such amendments.
 - vi. In the submission of a Site Development Plan, a developer or owner may be required by the Municipality to provide information related to the use of green technology in the development of site or building of the development.
 - vii. The Municipality may request the inclusion of information related to on site water storage and recycling measures in the Site Development Plan
 - viii. The municipality may impose any condition of approval for any Site Development Plan related to any services infrastructure upgrades required for any development related to internal business units comments or any other condition imposed by an external party
 - ix. The municipality reserves the right to refer any specialist studies submitted with any site development plan by the applicant or agent for review.

L. TELECOMMUNICATION BASE TOWERS

- An application for the sub-division of land for a Telecommunication Base Tower which falls outside the designated boundary of the scheme adoption boundary is subject to the **Sub-division of Agricultural Land Act (No 70 of 1970)** and requires approval from the national Department of Agriculture, Forestry and Fisheries.
- All applications for change of land use are subject to the relevant requirements of the **National Environmental Management Act (Act No. 107 of 1998)** which requires an Environmental Impact Assessment and Environmental Authorisation (EA) from the Department of Economic Development, Tourism and Environmental Affairs (EDTEA).
- Any application for the establishment of a Telecommunication Base Tower will need to provide documentation and a detailed plan indicating that the facility is compliant with the requirements of **section 24 the National Constitution Act (No. 108 of 1996)**, the Cellular Telecommunications Infrastructure regulated by the Electronic Communications Act (No 36 of 2005), the National Building Regulations and any other relevant legislation, bylaws and municipal policy.
- All applications for the establishment of Telecommunication Base Tower or mast shall submit to the Local Municipality a detailed report which includes the following items: -
 - (a) The proximity to other development;
 - (b) The possibility of using other appropriate structures rather than applying for a new site;
 - (c) The current state and usage of the site;
 - (d) The aesthetic compatibility with surrounding land uses;
 - (e) The proximity of the Telecommunication Base Tower to other communication installations;
 - (f) The proximity of the site to sensitive environment areas, wilderness areas, nature reserves, ecotourism destinations, Special Case Areas, and Nature Conservation or Biodiversity Reserves.
- Any application for the erection of a cellular mast on the roof of a multi-storey building will show measures taken to reduce the visual impact of the mast.
- The applicant shall provide a description of what measures are to be taken to improve the aesthetic impact of the Telecommunication Base Tower or mast.
- The application will address what security measures are to be put in place to prevent the unauthorised access to the Telecommunication Base Tower, including fencing, access points and warning notices on site and along access roads.

M. ADVERTISEMENTS

- No advertisements shall be displayed, or signs or hoardings erected, without the written authority of the Municipality, provided that where it is of the opinion that a proposed advertisement or boards is likely to have a negative impact upon the amenities of the neighbourhood concerned, it may call upon the applicant to lodge a Consent application. Applications shall be accompanied by such drawings of the proposed advertisement, sign or boards and other information, which the Municipality may from time to time require.
- This Clause shall not apply to casual advertisements for fund raising, entertainment, property sales, and auctions to be held on premises or meetings, provided that they are not, in the opinion of the Municipality, to be unduly ostentatious, in which event it may require that they be forthwith removed.
- Prior to the approval of any site development plan, the norms and standards of any affected Municipal, provincial and National entity must be complied with and written consent in terms of its policy/legislation must be submitted along with the development application for consideration. Any conditions imposed by any of the mentioned entities will be enforceable.

N. FLOOD LINES

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

O. SUB-DIVISION AND CONSOLIDATION OF LAND

- Nothing in this Scheme shall prohibit or restrict the subdivision of any lot in any use zone, provided that the effect of any subdivision shall not be contrary to the provisions of this Scheme.
- Prior to the lodgement of any diagram in respect of the consolidation of any lot with the Office of the Surveyor-General, KwaZulu-KwaZulu-Natal in terms of the relevant provisions of the Land Survey Act, 1927 (Act No. 9 of 1927, as amended), such diagram shall first be submitted to Council for its approval.

SECTION 4: PARKING AND LOADING REQUIREMENTS

USE	STANDARD	ADDITIONAL REQUIREMENTS
AGRICULTURE		
Abattoir	1 car space for every 140 m ² or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Agricultural Industry	Up to 25 persons employed: 1 car space for every 5 persons Thereafter, for the next 25 persons employed: 1 car space for every 10 persons.	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Farm Stall	1 car space per Stall.	On-site loading and unloading access to be provided to the satisfaction of the Municipality.

CIVIC AND SOCIAL / ADMINISTRATIVE		
Cemetery/Crematorium	2 Parking bays per 100m ² of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Clinic	3 Parking bays per 100m ² of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Community Hall / Multi-purpose centre	4 parking bays per 100m ² G of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Convention Centre	4 parking bays per 100m ² of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Educational Building		
College/Technikon	1 Parking bay per 4 students 1 Parking bay per classroom/office.	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Primary / Secondary School Nursery School/crèche	Onsite drop off and pick up zone to the satisfaction of the Local Authority.	
Frail Care Facility	1.5 car space for every 2 units 2 car spaces per 100m ² (administrative) Parking bay dimension to be 2m x 4m	On-site loading and unloading accommodation to be provided to the satisfaction of the municipality
Government Municipal Building	For every public office there shall be provided 6bays/100m ² and an additional 15 bays for visitors.	On-site loading and unloading access to be provided to the satisfaction of the municipality.

Hospital	2 parking bay per bed and adequate on-site parking for staff together.	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Institution	1 car space per 50 m ² of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the Municipality.
Place of Instruction	4 Parking bays per 100m ² of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
ENVIRONMENTAL AND RECREATION		
Camping ground	2 parking bays per unit and a trailer bay facility.	On-site loading and unloading accommodation to be provided to the satisfaction of the municipality.
Caravan park	2 parking bays per unit and a trailer bay facility.	On-site loading and unloading accommodation to be provided to the satisfaction of the municipality.
Game Reserve	Adequate parking to be provided to the satisfaction of the Municipality.	On-site loading and unloading accommodation to be provided to the satisfaction of the municipality.
Nature Reserve	Adequate parking to be provided to the satisfaction of the Municipality.	On-site loading and unloading accommodation to be provided to the satisfaction of the municipality.
Private Recreational Area	1 parking bay per 4 seats.	On-site loading and unloading accommodation to be provided to the satisfaction of the municipality.
Recreational building	2 parking bays per unit and a trailer bay facility.	On-site loading and unloading accommodation to be provided

		to the satisfaction of the municipality.
COMMERCIAL		
Betting depot	35 parking bays per establishment.	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
4 Parking bays per 100m ² G.L.A	4 Parking bays per 100m ² of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Carwash	Minimum of 6 parking bays.	n/a
Commercial Workshop	4 car spaces per 100m ² of the Gross Floor Area.	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Conference Centre	4 car space per 100m ² of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Convenience Shop	1 car space per 25 m ² of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Flea Market	1 parking bay per stall	n/a
Funeral parlour:	2 parking bays per 100m ² of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Gambling premises	1 car space per 25m ² of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Garden nursery	1 car space per 50m ² of the Gross Floor Area	On-site loading and unloading area with suitable access to be

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

		provided to the satisfaction of the Municipality
Restaurant, Fast-food	6 car spaces per 100m ² of the Gross Floor Area area	On-site loading and unloading with suitable access to be provided to the satisfaction of the Municipality.
Service Station	1 car space per 50m ² of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Shop	4 car spaces per 100m ² of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Spaza shop/tavern	1 car space per 25 m ² of the Gross floor area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Showrooms	4 Parking bays per 100m ² of the Gross Floor Area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the Municipality.
Tea garden	1 car space per 25 m ² of Gross floor area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
Tuck-shop	1 car space per 25 m ² of the Gross floor area	On-site loading and unloading area with suitable access to be provided to the satisfaction of the municipality.
INDUSTRIAL		
Extractive Industry	1 per 140m ² or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the municipality.

Industry, High Impact Manufacturing	1 car space for every 140 m ² or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Industry, Large Scale Manufacturing	1 car space for every 140 m ² or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Industry, Large Scale Manufacturing	1 car space for every 140 m ² or major portion of the floor area.	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Industrial building	<p>Up to 25 persons employed : 1 car space for every 3 persons</p> <p>Thereafter, for the next 25 persons employed :</p> <p>1 car space for every 5 persons.</p> <p>Thereafter, for any further number of persons employed :</p> <p>1 car space for every 10 persons</p> <p>In addition, one car space for every commercial vehicle used in the industry.</p>	<p>On-site loading and off-loading accommodation to be provided to the satisfaction of the municipality</p> <p>“Persons employed” shall include management, office staff and factory employees.</p> <p>There shall at all times be a minimum of 2 car spaces and in no case shall the number of car spaces provided exceed the ratio of one car space per 150m² gross industrial floor area.</p> <p>The number of car spaces to be provided may be reduced at the discretion of council in the case of unskilled labour and who rely on public transport</p>
Light Industrial Building	1 car space for every 100 m ² or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the municipality.

Non Polluting Light Manufacturing	1 car space for every 140 m ² or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Noxious industry	1 car space for every 140 m ² or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the municipality
Salvage Yard	1 car space for every 140 m ² or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Service industrial Building	2 car space for every 100 m ² or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the municipality.
Service Workshop	2 car space for every 100 m ² or major portion of the floor area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Warehouse	1 car space for every 140 m ² or major portion of the floor area.	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Vehicle Repair Shop	1 car space for every 140 m ² or major portion of the floor area.	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Wholesaling Shop	4 per 100m ² of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Workshops and service outlets	1 per 100m ² of the Gross Floor Area	On-site loading and unloading access to be provided to the satisfaction of the Municipality

RESIDENTIAL		
Backpackers / Hostelling Establishment	1 car space for every 2 bedrooms 1 bus bay for every 25 rooms 2 mini-bus bays per 10 rooms 2 bays for the owner/manager/occupier 15 bays minimum for the general public	On-site loading and unloading accommodation to be provided to the satisfaction of the municipality
Bed and Breakfast Facility	1 car space per lettable room	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Boarding House	1 car space for every bedroom 2 bays for the owner/manager/occupier Plus a minimum of 5 additional conveniently located car spaces	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Crèche	1 Parking bays per 6 children 2 Parking bays for office Onsite drop off and pick up zone to the satisfaction of the Local Authority.	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Day Care Centre	1 Parking bays per 6 children 2 Parking bays for office Onsite drop off and pick up zone to the satisfaction of the Local Authority.	On-site loading and unloading access to be provided to the satisfaction of the Municipality.
Dwelling House	1 garage or covered space per dwelling unit 1 garage or covered space per additional self-contained unit.	Site loading and unloading accommodation to be provided to the satisfaction of the municipality Visitor's parking to be conveniently

		Located to entrance to building
Extended Residential Building	1 garage or covered space per dwelling unit 1 garage or covered space per additional self-contained unit	Site loading and unloading accommodation to be provided to the satisfaction of the municipality Visitor's parking to be conveniently Located to entrance to building
Group Housing	1 parking bays or space per dwelling unit 1 parking bay or car space per 2 dwelling units for visitors	On-site loading and unloading accommodation to be provided to the satisfaction of the Municipality Visitor's parking to be conveniently located to dwelling units and not within private open areas
Guest House	1 car space for every bedroom 2 bays for the owner/manager/occupier 1 bay for every 2 conference seats	Site loading and unloading accommodation to be provided to the satisfaction of the municipality
Lodge	1 car space for every bedroom 1 Bay for every 25% of restaurant space 2 bays for the owner/manager/occupier 15 bays minimum for the general public 1 bay for every 25 m ² of Conference	On-site loading and unloading accommodation to be provided to the satisfaction of the Municipality
Medium Density Housing	1 parking bays or space per dwelling unit 1 parking bay or car space per 2 dwelling units for visitors	On-site loading and unloading accommodation to be provided to the satisfaction of the Municipality

		Visitor's parking to be conveniently located to dwelling units and not within private open areas
Residential Building	1 parking bays or space per dwelling unit 1 parking bay or car space per 2 dwelling units for visitors	On-site loading and unloading accommodation to be provided to the satisfaction of the Municipality Visitor's parking to be conveniently located to dwelling units and not within private open areas
Retirement Village	1.5 car space for every 2 units 2 car spaces per 100m2 (administrative)	On-site loading and unloading accommodation to be provided to the satisfaction of the Municipality
Self-Catering Apartments and Villas	2 Parking bays per unit and a Trailer bay facility	On-site loading and unloading accommodation to be provided to the Satisfaction of the Municipality.

SECTION 5: LAND USE DEFINITIONS

GENERAL DEFINITIONS

Amenity: means a natural or created feature or aspect that enhances a particular property, place or area from the perspective of its aesthetic quality or visual appeal, which may make it more attractive and satisfying or unique.

Approval: means the written approval of the local authority or competent authority.

Association: means registered leasehold owners of dwelling unit curtilages in a medium density housing scheme or any development where landowners are required to form an owner's association.

Ancillary Use: Means a use incidental to and customarily associated with a specific principal use, located on the same erf/lot or subdivision.

Appeal Tribunal Is the Appeal Tribunal established in terms of The KwaZulu-Natal Planning and Development Act (Act No, 6 of 2008). Approval Means the approval of the Council as contemplated in Clause 1.9.3 of the Scheme.

Balcony Means: the protruding floor area of a portion of a main building that is constructed above from the ground floor area, of which its sides are not permanently closed and is open to the elements, and which a portion thereof shall have direct access to the main building.

Bio-diversity: means the rich variety of plants and animals that live in their own environment.

Body Corporate: means a controlling body for a sectional title scheme that is established on any erf in terms of the Sectional Titles Act, 1986 (Act 95 of 1986), as amended.

Basement Means any storey of a building or portion thereof where either:

a) the floor level of such storey is two metres (2m) or more below the mean finished ground level of the site on which such building or portion thereof is erected; or

b) the ceiling level of such storey is below a level of one metre (1m) above finished ground level. **Block of Flats:** - Means a building containing more than three dwelling units, and which is not defined as "Residential - Medium Density".

Building: Is any structure or building or part thereof, or any addition or alteration to an existing structure or building, either temporary or permanent in nature and either above or below ground which is of an immovable nature and for whatever purpose used, including any tank, reservoir, swimming pool, tower, mast, wind turbine, bridge, chimney, summerhouse, hothouse, etc. and any wall, retaining wall or close-boarded fence more than two metres in height at any point, but excluding any open fence, post, steps, pier, ramp, fountain, statue, fish-pond, pergola or other garden ornamentation.

Building Line Is a line parallel to any boundary of an erf which is contiguous with a street, public right of way or road reservation; or in the case of "hatchet shaped" Erven, a line parallel to the boundary nearest to the street which is not a boundary of the access strip.

Bylaw: Is a bylaw, or regulation made to enable the Council to give proper effect to the powers and duties conferred or imposed upon it in terms of the Municipal Systems Act, as amended, or any other law.

Clinic: means a facility providing medical, psychiatric or surgical service for sick or injured persons, including emergency treatment, diagnostic services and services to outpatients, employees or visitors, and may include a day-ward.

Commercial Purposes: means purposes normally or otherwise reasonably associated with the use of land for distribution centres, wholesale trade, storage warehouses, carriage and transport services, laboratories or computer centres, including offices and other facilities that are subordinate and complementary to such use.

Commercial Workshop: means a light industrial workshop, wherein the primary purpose is the selling of goods and services by retail, and where the processes are operated specifically in conjunction with a shop or office to which the general public has access as customers, and it includes such uses as a watch repairer, shoe repairer, electronic equipment repairer and an electrician, but excludes a garage or petrol filling station.

Community Conservation Area: means areas located on traditional authority land where there is voluntary agreement with the Department of Ezemvelo KZN Wildlife that the land would be managed for the maintenance and/ or improvement of biodiversity. The use and management of these sites can be combined with compatible agricultural activities such as grazing of cattle.

Communal Farming: means a portion of land that is used for agricultural purposes with the intention of selling the harvested goods in order to support life in rural areas. This use may also include a chicken coop.

Communications Tower means a structure on which an antenna or dish is installed for the transmission, broadcasting or receiving of radio, television, radar or microwaves, and similar types of devices.

Community Hall: means a facility that is used for cultural activities, social meeting, funeral proceedings, and gatherings in traditional communities.

Community Garden: means a portion of land that is used for subsistent agricultural purposes for the benefit of the local community members.

Communal Graves: means an area that is used for communal burial purposes in rural areas.

Conference Centre: means a building including the land associated therewith, used for conferences, gatherings, indoor recreation, commercial exhibition hall, related catering facilities, and such other uses considered by the municipality to be ancillary thereto, or reasonably for the use of the building as a conference centre.

Conservancy: means a group of individual farms or contiguous land parcels which, through their owners' initiative, are combined together for the protection and preservation of the natural bio-diversity of eco-systems in that area.

Conservation: means protecting, using and saving resources wisely, particularly the bio-diversity found in any area.

Conservation Area: means an area of land and/or water within which the conservation of the scenic beauty, indigenous flora and fauna, other naturally occurring material, water courses, topographical features and places of historic or scientific interest is of primary importance.

Conservation Purposes: means purposes 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.

Convenience Shop: means a building or portion of a building, restricted to the sale of convenience goods such as bread and confectionery, dairy products, fresh produce, beverages, canned foods, cigarettes, magazines and newspapers, at the discretion of the municipality.

Cottage: means a facility offering accommodation to the general public. This facility is usually in the form of row housing.

Caravan: Means any vehicle permanently fitted out for use by persons for living and sleeping purposes whether or not such vehicle is a trailer.

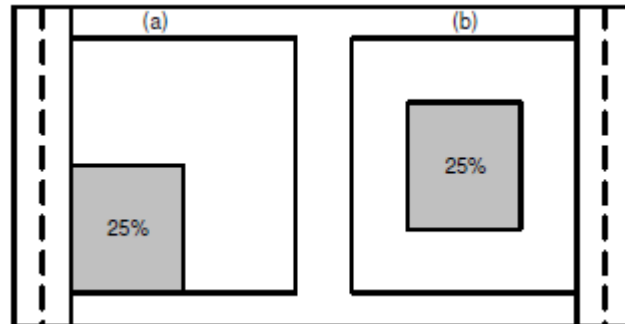
Carport: Means a permanent and/or temporary roofed structure, which is not completely enclosed, and which is used for the parking of vehicles.

Common Land: Means that portion of a medium density housing development or Mobile Home Park site, which is set aside for the use, and enjoyment of all the occupants of the dwelling units on that site and from which the general public may be excluded.

Common Open Space: Means that usable portion of the common land, which is not occupied by vehicular road carriageway, parking areas and communal facilities of a non-recreational nature, but includes walkways, structures intended for recreational use and a children's playing area or areas.

Consent Means: "Consent" of the Council as contemplated in the Clause of the Scheme.

Coverage: Is the maximum proportion of an erf that may be covered by buildings and is expressed as a percentage of the Erf area as defined. Thus 25% coverage means that only one quarter of the Erf may be covered by buildings. Only roofed or covered areas are included in coverage.



Distinction is made between the following.

“Actual Coverage”, which means the proportion of a site expressed as a percentage of the area of such site at or above finished ground level, covered by all buildings, on such site and shall include:

1. walls of buildings;
2. any covered or roofed area;
3. stairs, steps, landings, galleries, passages, ramps and similar features, whether internal or external;
4. canopies, balconies, verandahs, porches, stoeps and similar features; and
5. internal courtyards, light wells and any uncovered shaft where the area of such feature does not exceed 10m².

Provided that minor decorative features not projected more than **1,0 metre** from a wall of a building such as eaves, cornices, pergolas, and flower boxes, water pipes, drainpipes, private swimming pools and paved surfaces shall be excluded from actual coverage.

And

Permissible Coverage: means the proportion of a site expressed as a percentage of the area of such site which shall not be exceeded by the **“actual coverage”** of all buildings on such site.

Dangerous Goods: Means goods that are capable of posing a significant risk to the health and safety of people or the environment and which are listed in South African National Standard No.10228 designated “The identification and classification of dangerous goods for transport”, SANS 10228:2003,

edition 3, published by Standards South Africa, ISBN 0- 626-14417-5, as may be amended from time to time.

Development: - In relation to any land, means the erection of buildings and structures, the carrying out of construction, engineering, mining or other operations on, under of over land, and a material change to the existing use of any building or land for non-agricultural purposes.

Duplex Unit: - Means a dwelling unit in a building where each such unit consists of a ground floor and one upper floor connected by an internal staircase and has direct access to a private open area.

Dwelling Unit: - Means a self-contained inter-leading group of rooms for a single family including not more than one kitchen, together with such outbuildings as are of a nature customarily incidental thereto.

Dwelling House - means a building constructed, used or adapted to be used, as a dwelling unit to accommodate one household and which includes not more than one kitchen, habitable rooms for the accommodation of bona fide domestic staff, outbuildings and accessories as are ordinarily used therewith. Only in the case of Agricultural land can a dwelling unit allow for more than one family and kitchen.

Dwelling Unit Curtilage: Means a single defined area of land forming part of a Medium Density Housing development comprising the land upon which a dwelling is erected or is intended to be erected together with such private open areas and other areas as are reserved for the exclusive use of the occupants of the dwelling unit.

Erection of a Building: Means the construction of a new building or a structural alteration or additions to any building.

Erf: Means any piece of land registered in the deeds registry as an erf, lot, plot, stand or farm and includes a portion of an erf, lot, plot or stand.

Erf Area: -Is the area of an erf, less the area of any public right of way, road servitude, new road or road widening to which the Erf may be subject but shall include any registered servitude for overhead or underground services. Erf area, in any zone, is exclusive of access ways in “hatchet-shaped” erven.

Existing Building: Means a building lawfully erected before the effective date or a building erected in accordance with plans, which were approved by the Municipality prior to that date.

Existing Use Means: in relation to any building or land, the continuous use of such building or land for the same purpose for which such building was designed and lawfully used on the effective date.

Flood Line means an indicative line indicating the maximum level likely to be reached on average by floodwaters once in every 100 years, as referred to in Section 144 of the National Water Act No. 36 of 1998.

Family: Means a man or a woman or both, with or without their parents, the children of one or the other or both of them, and a partner, living together as one household.

Floor Area: - The floor area of a building shall be taken as the sum of the roofed areas of the building at each floor level, measured over and including wall thickness and enclosed balconies,

verandas and stoeps, but shall exclude:

- Staircases and public access galleries, public toilets, lift shafts and lift motor rooms, water storage tanks, fire escapes, refuse storage areas, areas used for electricity transformer rooms, substations and meter rooms, and areas for the accommodation of mechanical ventilation, air-conditioning and effluent treatment plants;
- Any area used exclusively for the loading and unloading of motor vehicles;
- Covered parking spaces or garages other than such areas within a service station, parking erf / parade and automotive showroom;
- Any area within a basement used exclusively for storage purposes;
- Any area to which the general public has access and which, in the opinion of Council, comprises bona fide pedestrian shopping arcades, malls or part thereof, provided that such area is not itself used for any business or commercial purpose whatsoever; and
- Features of a purely decorative nature such as ledges, spires, turrets and belfries.

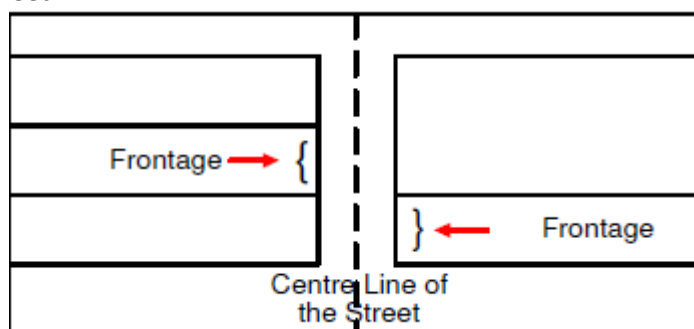
Floor Area Ratio

Means the ratio that is obtained by dividing the floor area of a building or buildings erected, or to be erected, on a site by the registered surveyed area of such site, that is:

$$\text{F.A.R.} = \frac{\text{Total floor area of buildings}}{\text{Total area of site}}$$

Frontage

Is the length of the boundary of an erf, which is coincident with the boundary of an existing or proposed street.



Garage: - Means an enclosed building for the storage of one or more vehicles, but does not include a service station, public garage or motor repairs for gain.

Greenhouse: - As provided for under “Agricultural Land” means a structure with the sides primarily made of a transparent material such as glass, Perspex or plastic, used for the purpose of rearing delicate plants or hastening growth of plants under controlled environmental conditions.

Gross Leasable Area:- Means the sum of the usable floor areas of floor space in a building that has been designed, or is suitable for occupation, by a renter, including kitchens and conveniences, and shall include wall thickness, but shall exclude communal areas such as corridors, lift shafts, staircases, public toilets and basements used exclusively parking purposes.

Ground Floor: - Means the storey of a building or portion of a building on or nearest the mean finished ground level immediately surrounding the building, provided it is not a basement.

Habitable Room: - Means any room designed for human occupation, but excludes bathrooms, toilets, water closets, staircases, passageways, domestic garages, lifts, photographic dark rooms, kitchens, sculleries, domestic laundries or cold rooms.

Height:- Means the height of a building in storeys and is expressed as a number, provided that where the ground floor of a building is on more than one level, such building shall be regarded as formed of portions in relation to each respective level and the height of such a building shall be calculated separately in respect of each portion as if such portion were a separate building.

Homeowners: - Association Means a company registered in terms of Section 21 of the Companies Act, No. 71 of 2008, as amended, membership of which shall be exclusive to and compulsory for the freehold or registered leasehold owners of dwelling unit curtilages in a medium density housing development.

Land -means any erf, agricultural holding or farm portion.

Limited Development Area-means an area declared as a limited development area in terms of section 23(1) of the environmental conservation act, 1989 (Act 73 of 1989).

Listed Building- means any building, structure or place of architectural, historic or artistic interest, which is listed in the planning scheme, and is indicated on the relevant maps by means of an asterisk.

Liquor Licence-means license obtained in terms of the KwaZulu-Natal Liquor Licensing Act, 2010 (Act 6 of 2010) as amended.

Loading Space-means a demarcated area where vehicles shall be parked while loading or unloading goods.

Management Overlay- means additional controls applicable in accordance with adopted Municipal intentions or guidelines or legislation.

Maisonette: -Means a two-storey building consisting of 2 dwelling units placed one above the other with separate entrances.

Mall: - Means an area of land open to the air and reserved exclusively for pedestrian traffic but may include fountains, benches and other similar features as well as kiosks for, inter alia, the sale of refreshments.

Medium Density Housing

Mixed Use Development

Means a development with:

- a mix of revenue producing areas (such as retail, office, residential, hotel/motel and recreation) which are all well-planned and mutually supporting;
- significant functional and physical integration of project components (and thus, a highly intensive use of land), including uninterrupted pedestrian and/or open space connections, and
- development in conformance with a coherent plan, which frequently stipulates the type and scale of uses, permitted densities and related items.

Motor Vehicle: - As defined in the National Road Traffic Act, 1996, means any self-propelled vehicle and includes-

(a) a trailer; and

(b) a vehicle having pedals and an engine or an electric motor as an integral part thereof or attached thereto and which is designed or adapted to be propelled by means of such pedals, engine or motor, or both such pedals and engine or motor, but does not include-

(i) any vehicle propelled by electrical power derived from storage batteries and which is controlled by a pedestrian; or

(ii) any vehicle with a mass not exceeding 230 kilograms and specially designed and constructed, and not merely adapted, for the use of any person suffering from some physical defect or disability and used solely by such person
Municipal Appeal Tribunal Means the Municipal Appeal Tribunal established in terms of Section 62 of the Municipal Systems Act, 2000.

Non-conforming Use;-In relation to any building, land or other premises means the continued use of an existing use pertaining to such building, land or other premises for a purpose or in any manner whatsoever which is not in conformity with or constitutes a breach of any of the provisions of the Scheme but is otherwise lawful.

Occupant Means any person occupying a building or land irrespective of whether such occupation is legal or not.

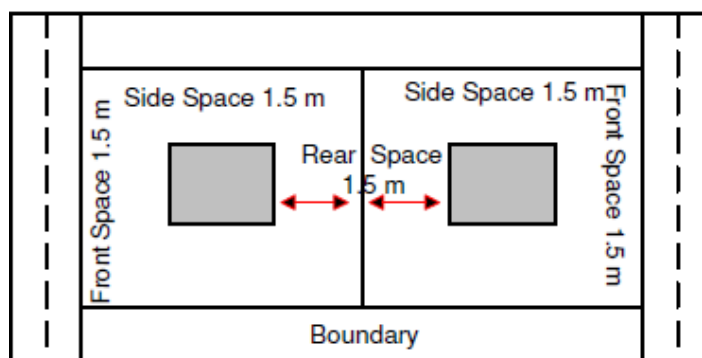
Outbuilding Means a building ordinarily used in conjunction with a dwelling unit(s), and used for the garaging of private motor vehicles, storeroom, servant's rooms, servant's toilet, workroom and other such similar uses.

Outdoor Advertising Means any form of advertising, as defined in Council's Bylaws, visible from any street or public place and which takes place out of doors.

Permission: - Means permission of the Council as contemplated in Clause 1.9.2 of the Scheme.

Private Open Area Means:- a usable area, exclusive of utility areas, driveways and parking areas, which is open to the sky and which is adjacent to and has direct access from a dwelling unit on a medium density housing residential development, such private open area being reserved for the exclusive use of the occupants of the associated dwelling unit, but may include covered open areas (patios) and verandas.

Rear Space / Boundary: - Shall mean that boundary of an erf which is furthest from any street boundary, and which does not meet any street boundary.



Scheme Town Planning Scheme and similar expressions shall mean the eMadlangeni land use Scheme and shall include any lawful:

- a) amendment thereto or variation or modification thereof;
- b) prohibition, restriction and condition imposed in terms thereof;
- c) permission, approval, consent or other authority granted in terms thereof;
- d) schedule, annexure or another document included therein; and
- e) any map, plan, diagram, drawing or similar document included therein.

Semi-detached Housing: - Means a building other than a dwelling house comprising two (2) dwelling units contained in one building or attached to each other by means of a shared communal wall, both on the ground floor and each provided with a separate entrance.

Side Space / Boundary: - Is any boundary of an erf which meets a street boundary and any other boundary, and which is neither a street boundary nor a rear boundary.

Simplex Unit: Means a dwelling unit in a single storey building where each such unit has direct access to a private open area.

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

a) The basement of a building, not used for residential purposes, but used solely for the purpose of parking vehicles, service installations, such as transformer and meter rooms, or storage shall not count as a storey provided such an area or areas constitutes a Basement;

b) If the ground floor of a building is elevated above the mean finished ground level immediately surrounding the building by a structure other than a basement such structure shall count as a storey(s);

c) A pitched roof containing a habitable room and any other type or style of roof which contains or supports any rooms, structures or features over and above those mentioned in paragraph I below and which the Council considers to be habitable shall count as a storey;

d) A storey shall not be higher than **4,5 metres**. If a storey is higher than this, each 4,5 metres or part thereof shall count as a storey. Provided however that in a multi-storey residential building each storey shall not be higher than 3 metres and if a storey is higher than this each 3 metres or part thereof shall count as a storey;

e) With the exception of lift rooms, stairwells and pitched roofs, any structures, telecommunications masts or architectural features situated on the roof of a building and greater than **1,2 metres** in height shall constitute a storey and may be permitted with the Municipality.

Street: - Means any street, road, lane, avenue, way, footpath, bridge, subway or other right-of way and includes appurtenances thereto.

Street Boundary: - Means a boundary of an erf, which is coincident with the boundary of an existing or proposed street.

Structure: - Means anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

Terrace House: - Means a residential building comprising 3 or more dwelling units, each having a separate entrance on the ground floor with direct access to a private open area or areas.

Utility Area: -Means an open or covered area used for the provisions of services incidental to specific uses, including washing lines, storage areas, refuse collection areas, loading

areas, security guard offices, service areas, etc.

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

LAND USE AND BUILDING DEFINITIONS

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

Abattoir: As provided for under “**Industry – High Impact**” means a place where game, livestock, poultry and similar animals are slaughtered on a large scale and prepared for distribution. It excludes the occasional slaughter of animals for traditional and cultural purposes.

Ablution Facilities: Means a building or room with toilets, showers and washing facilities for public use and which may be used for religious rites at worship sites and as part of recreation facilities.

Additional Dwelling Unit: Additional Dwelling Unit means a self-contained unit for residential habitation of limited size, which does not form part of medium density housing or chalets. It may be attached or detached to a dwelling house, but must be clearly associated with a dwelling house erected on an erf, and may include such outbuildings, garages and stoep areas as are customary used and incidental thereto, with the understanding that only one additional dwelling unit will be permitted on any one Erf.

Agricultural Building: - Means a building used in connection with, or which would ordinarily be incidental to or reasonably necessary for agricultural activity on agricultural land, and may include a dwelling house, private recreational use and Farm Worker Accommodation as defined in this Scheme.

Agricultural Industry: - Means land or buildings used for:

- a) the large scale intensive rearing of poultry, gamebirds, livestock or similar animals and allied products, such as broiler farms, battery farms and other concentrated animal feeding operations;
- b) aquaculture and maricultural activities;
- c) the large-scale servicing or repairing of plant or equipment used in agriculture;
- d) the handling, treatment, processing, or packing of agricultural products, which could include a sawmill, a packing plant and similar activities; and
- e) Wind turbines.

But excludes uses that could be classified under “**Industry – High Impact**”, and specifically the processing of animal matter.

Agricultural Infrastructure: Means the large-scale industrialized production, processing, and marketing of livestock, food and non-food farm commodities and their products if such processing does not constitute a use as defined in schedule A of the Offensive Trade Regulations of KwaZulu-Natal the process may be conducted within a building.

Agricultural Land:- Means arable, meadow or pasture land, plantations, market gardens, poultry farm, nursery garden, and may include greenhouses or hydroponics, horticulture, permaculture, orchards and land used for the purpose of breeding or keeping of domestic animals and/or livestock and the grooming of such animals, poultry or bees and includes sale yards and any buildings connected therewith,

provided that buildings connected with the housing of cats and/or dogs shall be deemed to be a Special Use. It excludes uses that could be classified/defined under “Agricultural Industry” and “Industry – High Impact”.

Agri-Tourism Facility: means any agriculturally based operation or activity that brings visitors to a farm including buying produce directly from a farm stand, navigating a corn maze, slopping hogs, picking fruit, feeding animals etc.

Amenity Area: Means land reserved for the protection of places of scenic beauty, natural vegetation, rivers and other topographical features, fauna and flora, places of historical interest and the Like, but which may be used by the public for passive recreation.

Arts & Crafts Workshop: Means a building wherein the primary purpose is the production and selling of goods, primarily aimed at the tourism market. This includes such uses as inter alia graphic arts and studios, textile design, weaving, pottery, furniture making, leatherwork, fashion design, stained glass or glass making, printing and similar activities. The process carried on and the machinery installed shall be such that they will not cause nuisance to other properties or be detrimental to the amenities of the other zones.

Automotive Showroom /Vehicle Dealership

Means a building or site used primarily for the exhibition or display of substantially roadworthy motor or leisure vehicles and/or seaworthy marine craft for purposes of sale, hiring out or lease.

Associated office accommodation and an ancillary spare parts shop and service workshop area may also be accommodated, subject to conditions as set out in the scheme.

Bed and Breakfast / Guest House -As provided for under “Home Business” and subject to Council’s special consent means a resident owner managed commercial accommodation establishment for less than fourteen (14) lodgers in not more than seven (7) lettable rooms, and which is primarily aimed at the tourist and/or business market, operated from a private single Dwelling House, where the facilities and services offered are for the exclusive use and benefit of transient overnight guests. It may include land used for sport and/or recreation facilities associated with, but secondary to the residential use of land and used exclusively by the residents and guests of the facility.

Betting Depot: Means a building used for the purpose of a bookmaker's premises or a totalisator agency as defined in the Regulations of the Racing and Betting Ordinance, 1957 (Ordinance No. 28 of 1957, and the KwaZulu-Natal Gambling Act, 1996 (Act No. 10 of 1996).

Bird Hide: "Bird Hide" means a shelter that is used to observe wildlife, especially birds.

Bird Sanctuary: means a place dedicated to the care, rehabilitation, protection and conservation of wild and exotic bird species, which includes breeding and research programs, and may be open to the public for educational and recreational purposes.

Biosphere: means a designated area created to integrate the natural environment and surrounding communities by the conservation and protection of the diversity and integrity of biotic communities, plants and animals within their natural eco-systems, and to demonstrate the value for conservation.

Builders Supply Yard: means a site that is used for the storage or sale of material and equipment which:

- (a) Is required, for, or normally used for construction work; or
- (b) Was obtained from demolitions of structures or excavations of ground; or
- (c) Is necessary for or is normally used for land improvements, such as storage of material used for building roads, for installing essential services, or for any other construction work, whether for public or private purposes.

Boarding House: As provided for under "Residential Building" shall mean an accommodation establishment that offers long term accommodation and which:

- a) Is not licensed to sell liquor;
- b) Offers accommodation to more than twelve lodgers at any one time.

Camping and Caravan Park Means land where temporary accommodation is provided for people with caravans and/or tents, and which has ablution, laundry and washing-up facilities and may include a convenience shop; provided that for the purpose of this definition a

Camping Grounds: means any land on which tents, but not caravans, intended for temporary use by persons for dwelling or sleeping purposes, and on which adequate ablution and sanitary facilities, water points and approved refuse receptacles are provided for.

Canteen: means a building or part thereof that is used for the preparation and disposal of foodstuffs and allied products, to the staff of an industrial or commercial undertaking, public office or educational building to which it is related.

caravan: shall mean any vehicle or similar transferable or movable structure with no foundation other than wheels or jacks and which is designed, constructed or used for dwelling or sleeping purposes and, without limitation of the definition, may also include a mobile home or trailer. It may include buildings or structures used for private recreational use, such as a swimming pool, gymnasium, tennis courts, etc.

Caretaker Accommodation: - A dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation, or plant. The size of such dwelling may be restricted by Council.

Carwash Facility Means a building, structure or land used for the washing and cleaning of vehicles and may include a valet service. It normally forms part of a petrol filling station but may also be established as a stand-alone facility if provided for by the Scheme.

Casino: - As defined under the National Gambling Act, Act 7 of 2004, and the KwaZulu-Natal Gambling Act, Act 10 of 1996, means premises where gambling games are played, or are available to be played, under the authority of a casino licence, but does not include premises in which—

- a) only bingo and no other gambling game is played or available to be played;
- b) only limited pay-out machines are available to be played;
- c) limited pay-out machines are available to be played and bingo, but no other gambling game is played or available to be played; or
- d) only social gambling is conducted in terms of a temporary license or provincial law.

Cemetery Purposes Means land or buildings which is permanently set aside for the purpose of burying human or animal remains, and may include an office for administrative uses associated therewith, a funeral chapel/s, gardens, roads, parking, sheds for maintenance purposes and the like. A shop may be permitted by Formal Authority, but is to be restricted to the sale of items directly related to funerals and burials purposes such as flowers, grave stones and coffins.

Chalet Development: Means a grouping of a number of chalets on a property; a chalet meaning a dwelling unit used as a holiday dwelling with a floor area not exceeding 55 m² and not less than 35 m², consisting of not more than 3 living rooms with or without sanitary convenience, bathroom, shower and kitchen, together with approved outbuildings or ancillary buildings to be used in conjunction with a chalet or series of chalets, but shall not include a dwelling house, residential building or medium density housing. A series of chalets shall denote any grouping of a number of chalets. It may include buildings or structures used for private recreational use, such as a swimming pool, gymnasium, tennis courts, etc.

Clinic As provided for under “Public Office”, “Institution”, “Shop” or where otherwise specifically provided for in terms of the Scheme, means a facility providing medical services to pregnant, sick or injured outpatients or employees.

Coffee Shop / Tea Garden Means a building used to prepare and sell light meals, confectionary and non-alcoholic beverages for consumption on the premises. It may also be included under the definition of “Shop”.

Commercial Workshop Means light and service industrial activities which cater for the local customer or provides a service direct to the retail customer and which is directly associated with a shop or an office building in respect of which the public, as customer, has access, such as a watch repairer, shoe repairer, valet service or dry cleaning shop, radio or television repairer, etc. but excludes a Public Garage.

Community Conservation Area: means areas located on traditional authority land where there is voluntary agreement with the Department of Ezemvelo KZN Wildlife that the land would be managed for the maintenance and/ or improvement of biodiversity. The use and management of these sites can be combined with compatible agricultural activities such as grazing of cattle.

Community Garden It land used for the production of fruit and vegetables in an urban environment using resources available in that urban area for the benefit largely of residents from that area. It expressly excludes the large-scale sale of produce/crops from the site so as to cause a nuisance to the surrounding landowners. It may include a small-scale plant nursery.

Community Hall: Means a large room where local residents and visiting members of the public may gather for recreational activities, concerts, group activities, social support, public information, political meetings and other purposes. A hall may be a stand-alone building or part of multi-purpose community centre.

Communication Tower: Means any structure designed and used for the accommodation of equipment used in the transmitting or receiving of electronic communications signals and includes a telecommunications mast.

Conference Facility: Means a building, or part of a building, used for conferences, seminars and meetings ancillary to the primary use of the site, and may include offices for the administration of such facility.

Convalescent Home / Step Down Facility

As provided for under “Institution” means a building used to care for patients to ensure their gradual return to health and strength after an illness or operation.

Convention Centre Means a facility used primarily for conferences, meetings, seminars, gatherings, indoor recreation, exhibitions, related restaurant or catering facilities, other similar uses for the dissemination of information and educational purposes, and such other uses considered by the Council to be ancillary or reasonably necessary for the use of the building as a Convention Centre.

Conservation Area: means an area of land and/or water within which the conservation of the scenic beauty, indigenous flora and fauna, other naturally occurring material, water courses, topographical features and places of historic or scientific interest is of primary importance.

Conservation Purposes: means purposes 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.

Conservancy: means a group of individual farms or contiguous land parcels which, through their owners' initiative, are combined together for the protection and preservation of the natural bio-diversity of eco-systems in that area.

Crèche: As provided for under "Home Business" means a building or portion of a building for the care of between seven (7) and thirty (30) infants and/or young children during the daytime absence of their parents or guardians and may include a nursery school.

Crematorium: Means any building or structure in respect of which authority has been granted for human remains to be cremated therein or thereon. "Cremated" means to reduce any human remains to ashes.

Chapel: Means a building or structure, that by design and construction is primarily intended for conducting religious services and associated accessory uses.

Customary Harvesting: means the harvesting and collection of natural grasses and medicinal plants in environmentally sensitive or protected areas or parks for traditional practices, and which may require permits from the relevant authority.

Dam: means a barrier to obstruct the flow of water built across a stream, river, or natural overland flow path and can consist of a barrier made of earth, masonry, concrete etc.

Day Care Facility: Means a dwelling house or dwelling unit or part thereof used for the daytime care and education of not more than six (6) infants and/or young children during the daytime absence of their parents or guardians. It may also include the care of not more than four (4) adults, either elderly or sick, provided that such facility:

- is not used for the treatment of infections or contagious diseases;
- may not in any way cause a danger to public health and safety; and
- is able to comply with the relevant Environmental Health Bylaws, especially with regards to the management of medical waste.

Direct Access Service Station: Means a building and land directly accessible from major routes such as national or provincial roads, used primarily for the retail sale of petrol or petroleum derivatives capable of use in internal combustion engines and which also could include associated facilities to ensure the comfort and rest of motorist during road trips, such as:

- a) A car wash facility;
- b) Art and Craft shops;
- c) A restaurant/s;
- d) A Convenience Shop;
- e) Children's play area / rest area;
- f) Ablution facilities,
- g) Offices;
- h) Launderette; and
- i) Overnight facilities.

Eco-Tourism Facility: means a tourist establishment for nature-based tourism that is managed in an ecologically sustainable manner. It may include public education and entertainment areas and buildings, as well as sanitation facilities, food preparation and outlet facilities placed in an ecologically sensitive manner.

Educational Building: Means land and buildings used for instruction purposes such as a university, school, college, technical institute, crèche, nursery school, monastery, convent or similar uses and may include a research laboratory, art gallery, museum, academy, lecture, music or assembly hall or a library within the same site and incidental to such uses. It may further include ancillary uses normally associated with the primary use as an educational building, such as accommodation for students and staff, a canteen/restaurant, tuck shop (limited to 20m²) and sport / recreation facilities, but expressly excludes a Restricted Building.

Electricity Grid: Means an interconnected system of high and low voltage transmission and distribution lines, pylons, substations and transformers

Estuary: Means that part of a river or stream, partially or fully enclosed body of water, with a connection to the open sea or that is open to the sea permanently; or within which the seawater can be diluted with fresh water derived from land drainage.

Existing Building: Means a building lawfully erected before the date of adoption of the Scheme, building erected in accordance with plans which were approved by the Municipality prior to that date, or any authority lawfully granted prior to that date.

Existing Use :Means the continuous use of a building or land for the same purpose for which such a building or land was designed and lawfully authorised on the date of the Adoption of the Scheme and provided that discontinuance of the existing use of a building or land at any time after the date of adoption for a continuous period exceeding 18 months shall be deemed to interrupt the continuous use.

Electrical Sub-station : Means a dedicated area that is more than 50m² in extent that houses transformers and that is used to transform electricity from high voltage to low voltage or from low voltage to high voltage.

Environment : Means the surroundings within which humans exist and including the land, water and atmosphere of the earth; microorganism, plant and animal life; any part or combination of the above and the interrelations amongst and between them; and, the physical, chemical, aesthetic and cultural properties and conditions of the afore-going that influences human health and well-being.

Environmental Impact Means a positive or negative environmental change caused by a human act.

Environmental Management Plan Means a plan referred to in section 24 of the National Environmental Management Act (No. 107 of 1998).

Erection of a Building Means the construction of a new building or a structural addition to any building, which is done in accordance with the written approval of the Municipality.

Erf or Erven Means any piece of land registered as an erf, lot, a sectional title unit, plot or stand in the Deeds Registry, including any stand or lot forming part of a piece of land laid out as a township, whether or not it has been formally recognized, approved or proclaimed as such and includes any portion of such parent farm portion, erf, stand or lot, but does not include lots, erven or plots set aside as public places.

Estate Means the entire physical extent of the land improvements within a specific development or township layout, which is managed as a single entity within this Scheme.

Extended Residential Building: means a building other than a dwelling house but having the general appearance of a single dwelling house, which is used, constructed, designed or adapted for use for human habitation and comprises not more than 3 dwelling units, together with such out-buildings as are ordinarily used therewith.

Extensive Agriculture: means agriculture involving the use of the natural vegetation without any attempt to increase its yield above that of the original condition.

Extensive Grazing: means the use of land for animal grazing purposes.

Extractive Industry: means the process of extracting, winning or quarrying of raw materials from the ground, including gravel, sand and stone, and includes buildings connected with such operations, as well as crushing plants.

Exhibition Centre: means any building used or constructed to be used for the display and sale of materials of artistic, cultural, historical nature and may include a museum or art gallery. This centre may include offices for the administration of such a centre as well as other uses considered by the

Municipality to be ancillary to, or reasonably necessary for the use of the building as an exhibition centre.

Farm Stall: Means a building or structure, which does not exceed 150m² in floor area, used for the retailing of fresh farm produce produced on site, including homemade items. It may also include the sale of convenience goods.

Farm Worker Accommodation: As provided for under “Agricultural Building” means accommodation provided for farm workers working for the land user.

Flea Market: An occasional or periodic market held in an open area or structure where groups of individual sellers offer goods for sale to the public.

Funeral Parlour: Means a building or land used for the purpose of funeral management and/or for the reception, storage and preparation of human corpses prior to burial or cremation and may include:

- a) A shop intended primarily for public reception and for the sale and display of those commodities required for cemetery purposes, funerals and services ordinarily ancillary to funeral management;
- b) A funeral chapel; and
- c) A workshop for the manufacture of coffins and funeral furniture; but expressly excludes a monumental mason and/or crematorium.

Factory: Means premises, or a building, where an article, or part of an article, is manufactured, mounted, processed, repaired, rebuilt or packed, falling within the scope of interpretation of a factory as defined in terms of the General Regulations of the Occupational Safety Act (No. 6 of 1983) as amended.

Family: Means a group of individuals, not necessarily related by blood, marriage, adoption, or guardianship, living together in a dwelling unit as a single entity under a common housekeeping management plan based on an intentionally structured relationship providing organization and stability and shall include child headed households.

Flood Line: Means the lines depicted on a map or drawing which indicate the water levels likely to be reached by a flood having a specified recurrence interval e.g. 1 in 50 year or 1 in 100 year flood line and within which development should be avoided.

Garden Nursery: means land used for the purpose of growing, displaying and selling of plants and items incidental thereto, and includes the erection of buildings and structures ordinarily used therewith.

Gambling Premises: Means a building or structure other than a “Casino” and “Racecourse” as defined in this Scheme, that are named or described in a license issued in terms of the National Gambling Act, No. 7 of 2004, or applicable provincial law, and where gambling activities are conducted. It may include:

- a) Limited pay-out machines;
- b) Bookmaker Agencies;
- c) Totalisator Agencies;
- d) Tattersalls;
- e) Bingo Hall;
- f) Gaming Hall; etc.

The standards for gambling premises must be maintained, as described in Section 17 of the National Gambling Act, No. 7 of 2004.

Game Reserve: means game reserves providing a wide, but not necessarily a complete spectrum of large and dangerous game endemic to the region, such as lion, elephant, rhino, leopard and buffalo.

General Showroom: Means a building used for the display, sale and bulk storage of goods, usually of a bulky nature, which includes bathroom accessories, furniture, household electrical appliances, kitchen components, sanitary ware and tiles, and similar types of uses that are primarily delivered off site following purchase.

Grazing Land : means an area of land that is used for grazing purposes and consists of the following:

- (a) Amakhaphelo (winter grazing area)
- (b) Amadlelo (summer grazing area)
- (c) Izinkambu (annual grazing area)

Guest House: As defined under “Bed and Breakfast”.

Heritage Conservancy: means a declared area of land surrounding a heritage resource or resources to reasonably ensure the protection or reasonable enjoyment of the resource, or the protection of the view of or from the resource.

Heritage Purposes: Means buildings, land and structures used for the remembrance and protection of cultural heritage resources, such as specific grave sites, a plaque / monument, etc.

Historic Site: means an area that has historical importance.

Hobby Workshop : As provided for in a Retirement Village Development means a building/structure or group of buildings provided for the residents of a retirement village for the purpose of practicing a bona fide hobby / a small scale venture which does not constitute a nuisance in the general sense of the word or in any other way have a detrimental effect on the character of a residential area, the development or the environment.

It is further subject to any other applicable provisions in this Scheme or any of Council’s other bylaws.

Home Activity: Means the conduct of an occupational activity in conjunction with a Dwelling Unit or an approved structure erected on the Site of an existing Dwelling Unit, subject to certain conditions. In particular, such activity shall be conducted by the owner of the site, shall not require the employment of additional staff which is necessary to conduct the home activity, shall not cause the regular parking of more than three vehicles on site and shall not have a negative impact on the residential character of the area.

Home Business: Means the conduct of an occupational activity in, or in conjunction with, a Dwelling Unit or an approved structure erected on the Site of an existing Dwelling Unit which may be used for a home business, subject to certain conditions. In particular, such business may cause the employment of additional staff, which is necessary to conduct the business, but shall not have a negative impact on the residential character of the area.

Homestead: Means land, buildings and structures used for the accommodation of an extended traditional family, who has been allocated the land by means of customary law to a traditional community recognized in terms of section 2(5)(b) of the KwaZulu-Natal Traditional Leadership and Governance Act, 2005 (Act No. 5 of 2005), and may include areas for the cultivation of trees and crops, a kraal for livestock and an enclosure for poultry.

Hospital: As defined under “Institution”. Hotel Means a facility offering transient lodging accommodation to the general public and providing additional services accessible by guests and the general public, such as restaurants, meeting rooms / conference facilities, entertainment, recreational facilities, health and beauty facilities, and limited shopping.

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

Informal Sport’s Ground means an area that is used informally for sporting activities with no fixed facilities constructed.

Impoundment Area: Means land and or buildings used to confine seized items such as stray animals, motor vehicles and the like.

Industry – Bulk Storage means the open-air and/or warehoused stockpiling, storage, handling, processing and distribution of products and/or commodities in bulk for import or export within the area of jurisdiction of the Port Authority or with an area zoned Harbour- Bound Industrial, but which shall exclude “Industry – High Impact” as defined in the Scheme.

Industry – Extractive Means any activity, premises, building and/or land upon which the process of extracting, mining, winning or quarrying of raw materials from the ground is undertaken, including gravel, sand and stone and includes buildings and crushing plant used in connection with such process, but excludes the processing of such minerals by means of smelting, etc., which would be classified under “Industry-High Impact” and crushing of products which are not mined on site.

Industry – General Means any activity, undertaking, premises, building and/or land falling within the scope of the interpretation of a “factory” as defined in this scheme. It shall exclude any activity, undertaking, premises and/or land which may be classed as an

Informal Sport’s Ground : means an area that is used informally for sporting activities with no fixed facilities constructed.

Industry – Service: Means an enterprise which is:

- a) Primarily involved in the rendering of a service for the local community such as the repair of household appliances or the supply of household services; and
- b) Not likely to be a source of disturbance to surrounding properties;
- c) Not liable, in the event of fire, to cause excessive combustion, give rise to poisonous fumes or cause explosions; and
- d) Includes a builder’s yard / hardware store and allied trades, laundry, bakery, dairy depot, distribution centres, storage purposes (excluding Bulk Storage as defined in the Scheme), laboratories, grooming parlour, transport and cartage activities and a workshop or other area used for the repair, restoration, lubrication and/or service of motor or leisure vehicles and/or parts thereof and/or electrical and/or mechanical equipment and may include facilities such as service bays, grease pits and wash bays, but shall not include facilities for panel beating or spray painting.

Informal Trade Area: Means an area within which any small scale economic activity is permitted, provided that each operator occupies a defined space. Provided further that, notwithstanding anything stated to the contrary in these clauses, no specific provision shall apply to such area, unless considered necessary and so specified by Council.

Institution: Means the use of land and buildings for the purpose of:

- a) a hospital, nursing home/ frail care facility for the elderly, sanatorium, clinic, convalescent home, step down facility or one or more such uses;
- b) an orphanage; or
- c) other public, private or welfare institutions and may include such buildings, within the same site, as are ordinarily and reasonable ancillary or necessary to the conduct of such institution, such as buildings for administrative purposes and for the residential accommodation of essential staff members; but expressly excludes buildings or activities falling within the scope of the definition of “Restricted Building”. It may include land uses such as a tuck shop, coffee shop and/or sport and recreation facilities associated with, but secondary to, the primary use of land and used exclusively by the residents of or visitors to the facility.

Launderette : Means a building used for the purpose of washing and drying domestic clothing and household linen, where the machines used are electronically operated and quiet, and of the type of which processes each customer’s articles individually, and which may be operated by the customer for a fee or be dropped off and picked up. The washing media used shall be of a type that shall not cause harmful effluent to be discharged into the sewerage system. A launderette is differentiated from a laundry in that the customer cannot operate the machines used in a laundry.

Laundry: As defined under “Shop-General”.

Lodge: Means a building or group of buildings under single management containing both rooms and/or dwelling units available for temporary rental to transient individuals and may include services such as conference and recreational facilities, shop and Laundromat for the exclusive use of residents only and shall exclude a Place of Amusement.

“Factory” means:

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

- a) The manufacturing of any article or part thereof;
- b) The altering, repairing, renovating, ornamenting, painting, spraying, sand blasting, coating, polishing, finishing, cleaning, washing or breaking up of any article;
- c) The adaption for sale or uses of any article;
- d) The sorting, assembling or packing (including washing or filling bottles or other containers) of any articles;
- e) Printing or letterpress, lithography, photogravure or other similar process, including any activity associated with the printing industry;
- f) The bulk freezing, chilling or storage in cold storage of any article;
- g) The generation of electricity where the electricity output is 10 megawatts or more or the facility covers an area in excess of 1 hectare;
- h) Any process of testing or analysis;
- i) The storage / parking, hiring/lease or sale of large plant and equipment but not excluding the storage of general household or residential goods.

2. Any premises on which bookkeeping, typewriting or any other clerical work, or amenities for people engaged in the operation or incidental to the industrial activity referred to in paragraph 1. Is performed.

3. Notwithstanding the provisions of 1-2 above, “factory” shall not include any premises which would fall under the definition of “Industry-High Impact”.

Industry – High Impact: means any industry, activity or undertaking, or any buildings or land used for any purpose, which:

- a) is, in terms of the Occupational Health and Safety Act No.85 of 1993, as amended, a “hazard” or “a danger or potential danger to public health”; and/or classified as a “major hazard installation”; and/or
- b) is used in connection with the carrying on of a “listed activity” as defined in the National Environmental Management: Air Quality Act No.39 of 2004 as amended, and requires an atmospheric emissions license issued in terms of the Act; and/or falls within the scope of the definition of “Explosive Manufacturing Site” under the Explosives Act 2003, No. 15 of 2003, as amended, whether such activity or undertaking or use of any building or land falls within the scope of the definition of Industry or not; and/or
- c) could be classified as a “high impact trade/industry” which is deemed to be offensive or harmful or injurious to public health, safety or physical well-being. Should doubt exist whether an industry should be classified under “Industry-High Impact” or any other industry as defined in this Scheme, a precautionary approach shall be followed, i.e. such industry shall be considered as Industry-High Impact until it can be proven that the industry could be classified otherwise. In these cases, the Deputy Municipal Manager responsible for Environmental Health matters, the Deputy Municipal Manager responsible for Planning matters and the Municipal Manager shall certify, based on acceptable and credible information, that the process which is to be employed will be such that any nuisance or harm or danger to public health, safety or physical well-being will be eliminated. Hence, the activity, undertaking or use of a building or land, as the case may be, may be included within an alternative industrial definition.

“High impact trade/industry” means the use of any building, land or other premises to conduct an activity/ies that is/are deemed to be noxious, offensive or harmful or injurious to public health, safety or physical well-being, such as:

- (i) Combustion installations;
- (ii) Chemical, paint or dye works;
- (iii) Manure, superphosphate or fertilizer works or stores;
- (iv) Processing of animal matter, including fell monger, tanning and leather dressing works, works or premises used for the storage, drying, preserving or otherwise dealing with bones, horns, hoofs or hides, knackers’ yards, abattoirs, fat-melting or tallow-melting works and any similar works or establishment dealing with meat, fish, bones, blood, offal, horns, hoofs or other animal organic matter, fish canning works, bacon factories, sausage factories and similar works, gut-scraping works, tripe-cleaning or tripe-boiling works, etc.
- (v) Glue or sizing factories;

- (vi) Soap and candle works;
- (vii) Wood chipping, wattle-bark grinding or extracting works, including by products recovery;
- (viii) Paper and pulp manufacturing, mills or factories;
- (ix) Sugar Mills and Sugar Refineries;
- (x) Metallurgical works such as smelters, etc.;
- (xi) Mineral processing, bulk storage and handling, including (but not limited to) coal, cement production, clamp kilns for brick production, lime production, glass and ceramic production, tar or bitumen production/mixture, etc.;
- (xii) Breweries, distilleries and yeast manufacturing plants;
- (xiii) Destructors or other works for the treatment of household refuse, hazardous or trade refuse, street refuse, sewage or “night-soil”; and
- (xiv) Petroleum industries, including the production and bulk storage of gaseous and liquid fuels, as well as petrochemicals from crude oil, coal, gas or biomass and other trade in connection with the processing of by products or petroleum refining, but excluding a service station, truck stop or garage.

Industry – Light Means an industry in which the processes carried on or the machinery installed are of such nature that it could be carried out or operated without any detriment to amenity,

engineering services or to health by reason of, inter alia:

- a) noise, vibration or glare;
- b) odour, gas, fumes or smoke;
- c) soot, ash, dust, grit or other particulate matter;
- d) radiation, fire or explosion hazards;
- e) electronic or electromagnetic interference;
- f) heat or humidity;
- g) the discharge of any other vapour, gas, effluvium, liquids and solid matter;
and/or
- h) causing undue load on any existing or proposed engineering services such as energy/water intensive uses.

Examples of “Light Industries” include panel beaters, enclosed spray painting booths with filtration systems, etc.

Industry – Salvage Means the use of a building or buildings or the use of land for one or more of the following purposes:

- a) the storage, depositing or collection of scrap or waste material or articles whose value lies mainly or entirely in that of the material of which they are composed; and/or
- b) the dismantling of second-hand vehicles or machines for the purpose of recovering spare parts or material there from; and/or
- c) the storage or sale of second-hand pipes, poles, steel or other metal sections, wire, timber, bricks, other building material, tyres, vehicle parts, containers or other articles capable of being left in the open without serious detriment thereto and which is not deemed to be offensive or dangerous or injurious to the public health.

Vehicle Impoundment Industry: Service Means an enterprise which is:

- a) Primarily involved in the rendering of a service for the local community such as the repair of household appliances or the supply of household services; and
- b) Not likely to be a source of disturbance to surrounding properties;
- c) Not liable, in the event of fire, to cause excessive combustion, give rise to poisonous fumes or cause explosions; and
- d) Includes a builder's yard / hardware store and allied trades, laundry, bakery, dairy depot, distribution centres, storage purposes (excluding Bulk Storage as defined in the Scheme), laboratories, grooming parlour, transport and cartage activities and a workshop or other area used for the repair, restoration, lubrication and/or service of motor or leisure vehicles and/or parts thereof and/or electrical and/or mechanical equipment and may include facilities such as service bays, grease pits and wash bays, but shall not include facilities for panel beating or spray painting.

Informal Trade Area: Means an area within which any small scale economic activity is permitted, provided that each operator occupies a defined space. Provided further that, notwithstanding anything stated to the contrary in these clauses, no specific provision shall apply to such area, unless considered necessary and so specified by Council.

Institution Means: the use of land and buildings for the purpose of:

- a) a hospital, nursing home/ frail care facility for the elderly, sanatorium, clinic,
- b) convalescent home, step down facility or one or more such uses;
- c) an orphanage; or
- d) other public, private or welfare institutions and may include such buildings, within the same site, as are ordinarily and reasonable ancillary or necessary to the conduct of such institution, such as buildings for administrative purposes and for the residential accommodation of essential staff members; but expressly excludes buildings or activities falling within the scope of the definition of “**Restricted Building**”. It may include land uses such as a tuck shop, coffee shop and/or sport and recreation facilities associated with,

but secondary to, the primary use of land and used exclusively by the residents of or visitors to the facility.

Intermodal Facilities: Means a lot or structure used for the purposes of parking, loading and unloading freight and passengers from train or bus transportation and may include parking facilities or other commercial amenities to service transit passengers.

Kiosk: means a building or structure used for any retail trade or business wherein the primary purpose is the selling of goods and appliances by retail, and includes a building or structure used for the sale of light refreshments.

Landfill Site: Landfill Site Means a site which is also known as a tip, dump, rubbish dump or dumping ground and is used for the disposal of waste materials by burial usually

Launderette Means a building used for the purpose of washing and drying domestic clothing and household linen, where the machines used are electronically operated and quiet, and of the type of which processes each customer's articles individually, and which may be operated by the customer for a fee or be dropped off and picked up. The washing media used shall be of a type that shall not cause harmful effluent to be discharged into the sewerage system. A launderette is differentiated from a laundry in that the customer cannot operate the machines used in a laundry. Laundry As defined under "Shop-General".

Lodge: Means a building or group of buildings under single management containing both rooms and/or dwelling units available for temporary rental to transient individuals and may include services such as conference and recreational facilities, shop and Laundromat for the exclusive use of residents only and shall exclude a Place of Amusement.

Market Gardening: Means the relatively small-scale production of fruits, vegetables and flowers as cash crops, which are produced and is sold to local markets, consumers and restaurants.

Mobile Home: Means a factory assembled structure, constructed in accordance with the requirements of the SABS specification for Mobile Homes, with the necessary service connections and designed as a permanent dwelling.

Mobile Home Park: Means a site laid out and provided to the satisfaction of the Council with adequate roads, essential services, open spaces and communal facilities, intended for the accommodation of factory assembled self-contained dwelling units, each unit of which can be transported from the factory to the destination and which, when placed in position, whether on land or in water, is ready for occupation once the essential services have been connected.

Motor Car Showroom: See the definition of Motor Dealership.

Motor Dealership: Means the use of any building, land area, or other premises for the display and sale of new and/or used vehicles.

Motor Vehicle Fitment Centre: Means a building or land used for the sale and fitting of exhausts, tow bars, radios, shock absorbers, tyres and other parts of automotive vehicles, but excludes the mechanical repair of the automotive vehicles.

Municipal Purposes: Means and includes the use of land and the erection and use of buildings by or on behalf of the Council for the purpose of carrying out one or more municipal functions which may include the supply of essential protective, health, community, administrative, engineering, support or other similar services and the provision of housing, recreational or other similar facilities, but excluding uses provided for under specific zones such as cemeteries, refuse sites, sewerage treatment plants and water works.

Nature Reserve: Means areas in which human activities are very limited and where the natural environment is protected from development or change brought about by the interaction with people.

Night Club / Bar / Tavern: Means premises, more frequently than not open after 12am at night, that:

- a) provides entertainment (singing / dancing);
- b) is licensed to sell on-site consumption of liquor; and
- c) may provide eating facilities.

Office - General: Means a building or a part of a building used for administration, clerical, technical, professional or similar business activities. Office – Professional An office used for conducting the profession or occupation of:

- a) an accountant, architect, consulting engineer, land surveyor, legal practitioner, quantity surveyor, town planner, bookkeeper, financial advisor, draughtsman or any other profession or occupation;
- b) Medical chambers, including the consulting rooms, surgery and dispensary of medical and dental practitioners and purposes ancillary thereto; paramedical chambers and consulting rooms and purposes ancillary thereto;
- c) a day-clinic or day-hospital in which patients may be treated on a day to day basis, but excluding a hospital, nursing home, sanatorium or similar institution to which patients are admitted for a continuous period in excess of fifteen hours and purposes ancillary thereto; and/or
- d) Prosthetic workshops for the manufacture and/or fitting of prosthetic devices such as spectacles and similar optometric devices, false teeth and similar orthodontic devices, hearing aids, artificial limbs and similar devices and purposes ancillary to such prosthetic workshops.
- e) Professional offices are, in the opinion of Council, not likely to interfere with the amenities of the surrounding area.

Office Public: Means a building used for purposes of Local, District, Provincial and/or National Government offices and includes a Town Hall, Court House, Police Station, Post Office, Public Library, Clinic and buildings ordinarily incidental thereto, but excluding an impoundment area.

Open Storage: Means the storage of various materials outside of a structure other than fencing, either as a primary use or as an accessory.

Parking Erf / Parkade Means land or buildings used exclusively for the parking of motor vehicles, other than parking normally required in terms of the Scheme, at a fee or not, and may include an area for the administration of the parking use, carwash facility and ablution facilities and kiosks to accommodate uses such as flower, refreshments and newspaper sellers but shall not include “**Industry-Salvage**”, “**Public Garage**” or “**Automotive Showroom**”.

Personal Services Outlets: Means small scale establishments primarily engaged in providing ancillary services involving the care of a person or his/her personal goods and can include the following: -

- i.) ATM's,
- ii.) Bank Agencies,
- iii.) Barber Shops;
- iv.) Beauty Parlour,
- v.) Bookshops and News Agents;
- vi.) Booking Agents,
- vii.) Curio shops;
- viii.) Dry-cleaning;
- ix.) Florists,
- x.) and Hairdressers,
- xi.) Health Facilities and Spas; ,
- xii.) Laundry; and
- xiii.) Travel Agents.

Petrol Filling Station: See the definition for Service Station.

Picnic Area: means an area set aside for picnicking.

Photovoltaic Power Station: Means a large-scale Photovoltaic System (PV System) designed for the supply of merchant solar power into the electricity grid and is known as a Solar Park.

Place of Amusement Means a building or land, or portion thereof, used for purposes of entertainment and includes a theatre, opera house, cinema, music hall, concert hall, dance hall, amusement arcade/park, skating rink, oceanarium, billiard saloon, and/or but shall not include a horse racing track, motor racing circuit, sports arena / field; provided that a restaurant/refreshment kiosk may be permitted,

at the sole discretion of Council, as an ancillary facility integral to the business defined as a place of amusement, and further subject thereto that such restaurant/refreshment kiosk shall cease to exist in the event that the place of amusement ceases to operate. A “Place of Amusement” expressly excludes a nightclub.

Place of Cultural Significance: means a place that has aesthetic, architectural, historical, scientific, social, spiritual value or significance.

Place of Public Assembly: means a building or land used for social meetings, gatherings, or indoor recreation, but does not include a place of entertainment.

Place of Assembly Means a building or buildings and associated use of land used for organised social meetings, gatherings, conferences, exhibitions and recreation and includes a non-residential club (including a refreshment kiosk/bar/restaurant for the exclusive use by members of the club, subject thereto that such bar/restaurant/refreshment kiosk shall cease to exist in the event that the place of assembly ceases to operate), but does not include a Place of Amusement and/or Place of Worship.

Place of Worship Means a building or buildings and associated use of land used for religious purposes such as a church, chapel, oratory, synagogue, mosque, temple and/or other place of public devotion and may include, where such other building is within the same site and incidental to any of the first mentioned buildings, a place of religious education, administrative offices and/or other building/s used for purposes of religious and social interaction or recreation, including a coffee shop and tuck shop (limited to 20m²), but shall not include a Funeral Parlour.

Place of Instruction means a place for educational purposes, which includes a pre-school, school or post school levels, including a crèche, nursery school, primary school, secondary school, college, adult learning facility, university, research institute all uses which are ancillary or directly related to the main use.

Private Open Area: Means a usable area, exclusive of utility areas, driveways and parking areas, which is open to the sky and which is adjacent to and has direct access from a dwelling unit on a medium density housing site or holiday accommodation site, with such private open areas being reserved for the exclusive use of the occupants of the associated dwelling unit, but may include covered open areas (patios) and verandas.

Private Street Means any street which is not a public street, and which is normally not owned or maintained by the Municipality.

Private Recreational Use Means sport and/or recreation facilities where access area may be reserved, such as a privately owned Golf Course, sports fields and clubs and associated sporting structures. It may

include parking areas, club house, restaurant or shop facilities ancillary to such sport and/or recreational use.

Protected Area: means an area of land that is formally protected by law and managed mainly for biodiversity conservation, as recognised in terms of the National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003).

Public Garage Means a building, used for the fuelling or storage of motor vehicles by way of trade or for purposes of gain and may include Automotive Showrooms, workshops, and facilities for the sale of fuels, lubricants, automotive parts, spares, accessories, and associated office accommodation. A convenience shop and car wash facilities could be allowed subject to the conditions as set out in the Scheme.

Public Office Means a building used for purposes of Local, District, Provincial and/or National Government offices and includes a Town Hall, Court House, Police Station, Post Office, Public Library, Clinic and buildings ordinarily incidental thereto, but excluding an impoundment area.

Public Street Means any street which:

- a) has been established by a local authority or other competent authority as a public street;
- b) has been taken over by or vested in a local authority as a public street in terms of any law;
- c) the public has acquired the right to use; or
- d) which is shown on a general plan or diagram of any private township situate in the area of a local authority filed in the Deeds Registry or the Surveyor- General's Office and to which the owners of erven or lots in such township have a common right of use.

Public/private street: Means any street, road, lane, avenue, way, footpath, bridge, subway or other right-of way and includes appurtenances thereto.

Public Works Yard: Means national, provincial or municipal, administrative buildings; warehouses, garages, vehicle yards, and storage yards that are owned and operated by a government department.

Proclaimed Protected Area: means a proclaimed protected area as contemplated in terms of the National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003).

Public Recreational Use Means the use of Municipal-owned open space for enjoyment by the public, and may include playgrounds, botanical and zoological gardens, sport and recreational facilities and similar uses, and may include parking areas necessary for such use/s and a restaurant or shop ancillary to such sport and recreational uses.

Racecourse Means the use of land and buildings for the racing of:

- a) motor powered vehicles including motorcars or carts, trucks, motorcycles, etc.; and
- b) animals.

Railway Infrastructure Means land used for the transport of goods and passengers via rail and may include railway routes, facilities to park, maintain and manoeuvre railway vehicles and shunting / marshalling yards, but excluding a Railway Terminal.

Railway Station: Means a place where freight and passenger trains stop on a railway line, typically with platforms and buildings such as ticket offices, ablutions and waiting rooms. The smallest stations are most often referred to as 'stops' or, in some parts of the world, as 'halts' (flag stops).

Railway Yard: Means an open area an area consisting of a network of railway tracks, sidings, and sheds for storing, maintaining, repairing and joining engines and carriages.

Railway Junction: Means a point where two or more railway lines meet or cross and then diverge into different tracks.

Recovery Facility: Means a facility with or without buildings, upon which used materials are separated and processed for onward transshipment for eventual reuse in new products.

Recycling Plant: Means an area of land, with or without buildings, which the Municipality, at its discretion, may require to be screened, upon which used materials are separated and processed for shipment and for eventual re-use in new products.

Research Laboratory: Means an establishment or other facility where investigations or research into the natural, physical, or social sciences, is carried out and which may include product development.

Recreational Building Means a clubhouse, gymnasium, squash court, pavilion, change room, stadium and any similar facility used in conjunction with a sport or recreational activity. A clubhouse may include dining facilities and lounges. It may include an open space or reserve which the public has a right to use and enjoy and includes any ancillary facilities but excludes a commercial gymnasium, which is defined under “**Shop**”.

Residential Building: Means a building other than a Dwelling House, Medium Density Housing, Chalets or a Hotel, used for human habitation together with such outbuildings, accessories and accommodation for bona fide domestic servants and other covered areas as are, in the opinion of the Council customary used therewith, and includes apartments, a block of flats, boarding house residential club or residential hostel. It may include land used for sport and/or recreation facilities associated with, but secondary to the residential use of land and used exclusively by the residents of dwelling units on the site, but expressly excludes any building mentioned in the definitions of Educational Building, Institution and/or Restricted Building.

Residential – Dwelling House: Means a free standing dwelling unit on a single erf, which does not form part of either Medium Density Housing or Chalets, used as a Dwelling Unit for a single family together with such outbuildings and as are customary used incidental therewith. It may include land used for sport and/or recreation facilities associated with, but secondary to the residential use of land and used exclusively by the residents of the dwelling unit on the site.

Residential – Medium Density Means, a group of two or more attached or detached Dwelling Units, together with such outbuildings as are ordinarily associated thereto, each Dwelling Unit having access to a private open space and access to common land, the whole development having been designed as a harmonious entity. It may include land used for sport and/or recreation facilities associated with, but secondary to the residential use of land and used exclusively by the residents of the dwelling units on the site.

Resort Development Means a development that is designed as a harmonious entity and provides holiday accommodation in conjunction with recreation and other resort facilities. Particularly well-suited for family vacations, a resort offers a variety of experiences which may include self-catering or catered, detached or attached habitable accommodation, hotels, restaurants, conferencing, limited shopping, public entertainment areas, recreation such as golfing, sport, water sports, relaxation activities such as wildlife, wellness centres, hydro's and spa's and other similar facilities, and may include ancillary office, staff accommodation, parking and utility facilities.

Restaurant As provided for under “Shop” means a building used to prepare and sell food and drink for consumption on the premises, and where seating is provided for patrons, and may include limited entertainment. Restaurants are not frequently open after midnight.

- a) **Restricted Building** Means a building, buildings or land used exclusively for purposes of:
- a) a hospital, sanatorium, dispensary or clinic for the exclusive treatment of infections or contagious diseases;
 - b) an institution or home for mentally disabled people;
 - c) a mental hospital;
 - d) a prison or other place of lawful detention;
 - e) an industrial school, reformatory, place of safe keeping or other approved school; and/or
 - f) a public or private assistance institution, building and/or land for people in despair need or assistance.

Sanatorium As provided for under “Institution” or “Restricted Building” means a building used for the treatment of chronic diseases or for medically supervised recuperation.

Salvage Yard: Means a facility involved in the processing of converting used materials for storage and recycling of used materials.

Sand-mining: Means any operation or activity for the purpose of winning of sand on, in, or under the earth, water, or any residue deposit, whether by underground or open working or otherwise, and may include activities directly associated with the winning process.

Service Station Means a building and land used for the retail sale of petrol or petroleum derivatives, lubricating oils and greases capable of use in internal combustion engines, and which may include an ATM, associated office accommodation, carwash facility and limited shopping facilities in accordance this Scheme, but excludes an Automotive Showroom, a workshop and the major sale of automotive parts and spares.

Service Workshop: means a light industrial building providing a direct service to the retail customer in which not more than ten persons are employed, whether or not mechanical power is used and may include such activities as a baker, dry cleaner, cobbler, dressmaker, seamstress or tailor.

The definition of “shopping facilities” would include a restaurant/café/tearoom/take away facility, supermarket/convenience shop, and/or video hiring outlet.

Shelter Means a unit of residential accommodation, which may or may not comply with the National Building Regulations.

Shop - General Means a building used for the purpose of carrying on or conducting any retail trade or retail business where the primary purpose is the display and sale of goods by retail, and shall include inter alia,

- a) a hairdresser or barber;
- b) a ticket, booking or travel agency;
- c) a showroom other than an Automotive Showroom;
- d) a cafe, fast food outlet, restaurant, or other premises used for the sale or consumption of food and drink;
- e) a dry cleaning or laundry depot or other similar premises for the reception of goods to be washed, cleaned, altered or repaired;
- f) an auction mart and book exchange;
- g) a bottle store, hotel off-sales or other premises in respect of which a bottle liquor license or an off-consumption license is required;
- h) banking and other similar financial halls;
- i) a health club /commercial gymnasium or health studio, beauty parlour, slimming salons and/or a massage parlour; and
- j) ancillary buildings ordinarily incidental to the conduct of a retail business. Provided that shop expressly excludes:

- i.any activity or use of buildings or land falling within the scope of the definitions of Industry-General, Industry-Extractive, Industry-Salvage and Industry – High Impact;
- ii. a Public Garage or vehicle workshop;
- iii. businesses of a primarily wholesale nature;
- iv. gambling premises;
- v. a night club, bar and/or tavern; and
- vi. Spaza Shop / Tuck Shop.

Shop - Factory Retail store, operated by a manufacturer, which provides an outlet for selling the manufacturer’s irregular, overrun or end-of-season merchandise, and sometimes, in season first-quality merchandise – but it shall exclude a “Shop”. Although it is not always the case, outlet stores are often located on the premises of the factory, or close to the manufacturer.

Shop - Wholesale A store that sells bulk merchandise, especially consumer goods, at a discount from the manufacturer’s suggested retail price – no business of a general “Shop” nature may be conducted on the premises.

Solar Farm: As provided for under “**Agricultural Industry**” means land used to accommodate a large collection of interconnected photovoltaic / solar panels that work together to capture sunlight and turn it into electricity on a large scale.

Small Scale Agriculture Means land used as a country residence or small farm on which the keeping of farm animals is restricted to one head of large stock and one hundred head of small stock for every **completed 3,600 square metres** contained in the area of the lot concerned. For the purposes of this definition “large stock” means horses, mules, donkeys, cattle, sheep or goats, but not pigs, and “small stock” means poultry or rabbits.

Spaza Shop / Tuck shop as provided for under “Home Business” means a small retail enterprise operating from a residential stand or home and engaged in the trading of convenience goods for the day to- day needs of the public.

A **tuck shop**, limited to 20m² total floor area, may also be operated from certain non-residential land uses, as allowed for in terms of the Scheme.

Solar Farm :Means a designated area of land upon which a large series of interconnected solar photovoltaic (PV) panels are installed for the conversion of solar power from sunlight or solar energy for agricultural, commercial, domestic or industrial use and includes the infrastructure required to feed the converted power into the public or private electricity grids.

Solar Park: Means the installation of multiple solar photovoltaic (PV) modules, which are usually, mounted 1.5- 2.5 metres above either greenfield or brownfield land and occupy a land area of between 2 and 15 hectares on a separate site or in association with other agricultural activities. See Solar Farm

Special Landscapes: Means landscapes that have been selected for their natural beauty or value and that represent protected bio-diversity, unique cultural, historical significance or geological features and need to be protected.

Special Nature Reserve: means an area declared as a special nature reserve under Section 18 of the Environment Conservation Act, 1989 (Act 73 of 1989).

Special Use Means a building type or use of land either not included in these definitions or used for any use other than a use for which buildings or land, included in these definitions, may be used.

Stables: means a building adapted for keeping horses.

Storage Facility Means a building or series of adjoined buildings that have been designed and used to store farm equipment, dried crops and or personal property and they can be commercially leased out.

Subsistence Agriculture Means a form of agriculture where the crops raised, and animals products are used primarily by the farmer and the immediate family or dependents with little surplus for sale.

Traditional Agriculture Means the use of land under the administration of a Traditional Authority and Council, which is primarily used for subsistence agriculture.

Urban Agriculture Means the practice of cultivating, processing and distributing food at a small scale, in and around a village, town and city. It includes animal husbandry, aquaculture, agro-forestry, and horticulture. It also implies intensive production methods using, reusing natural resources, and urban waste to yield a diversity of crops.

Tavern / Shebeen -as defined under “Night Club / Bar”.

Telecommunication Infrastructure: Means land used to accommodate any structure housing equipment used in the transmitting or receiving of electronic communications signals and includes telecommunication base stations and masts, but excludes -

- (a) masts of 15 metres and lower exclusively used:
 - (i) by radio amateurs; or
 - (ii) for lighting purposes
- (b) flag poles and lightning conductor poles.

Terminal - Bus and Taxi Means the use of land and/or buildings at public transport facilities such as bus / taxi ranks for the purposes of dropping off and collecting passengers by public and private bus services and mini bus and metered taxis, and may include parking areas, shelter and seating for

passengers, a ticket office, offices ancillary to the management of a bus or taxi rank, an informal trade area and ablution facilities.

Terminal - Railways Means a terminal building used to assemble and distribute goods and passengers via rail. It may include railway routes, facilities to park, maintain and manoeuvre railway vehicles, warehousing of goods, a railway station, parking areas/parkades for the parking of vehicles, vehicle hire facilities, facilities for the comfort and recreation of passengers while waiting such as restaurants and shops, waiting and resting areas, internet café, etc.

Terminal – Truck Means a building or premises in which, or upon which, a business, service, or industry is conducted mainly involving trucks or similar heavy commercial vehicles, and may include:

- a) the dispensing of motor fuel or other petroleum products, including associated office and storage areas;
- b) the temporary parking of trucks or similar heavy commercial vehicles;
- c) the cleaning, maintenance, servicing, or minor repairs of trucks or commercial heavy vehicles, but excluding panel beating and spray painting.

Trails: Means a beaten path or track extending through areas that are considered to be of conservation value or ecologically sensitive, and that are used for educational purposes.

Tuck shop as defined under “Spaza Shop”.

Utilities Facility -Means land or buildings used for the provision and maintenance of essential infrastructural services such as service roads, rail, sewer, water, electricity, gas, telecommunications infrastructure, public lighting and stormwater control and other services deemed necessary by the Council, and may include a water reservoir, waterworks, electrical substation, telephone exchange, postal collection points, weigh bridge, servitudes for the provision of services and conveyers, etc. Sewage treatment works, macerator stations and refuse sites shall be defined as a “Industry-High Impact” in terms of the Scheme.

Umuzi: means a traditional homestead with predominantly rondavel design and is inclusive of a number of land uses, such as isivande (household garden), amathuna (graves), isibaya (kraals) and izinqolobane (grain crop storage).

Vehicle Repair shop Means premises that are used for the general repair and servicing of light motor vehicles and heavy trucks, including auto-electrical repairs, the fitting and sale of motor spares and accessories, and may include an office, storeroom.

Vehicle Testing Station Means the registered use of land and/or buildings by a registering authority for determining the fitness of vehicles to utilise the public road system, in line with the provisions of the National Road Traffic Act, 1996.

Warehouse Means a building that is used primarily for the temporary storage of products and/or goods, except those of an offensive or dangerous nature, and does not include a building or part thereof intended or used, in the opinion of the Council, for retail or wholesale purposes.

Waste Disposal Facility: Means any site or premise used for the accumulation of waste with the purpose of disposing of that waste at that site or on that premises.

Recycling Centre: An area of land, with or without buildings, that may be licensed under relevant legislation for the temporary accumulation and storage of more than 35m³ of garden and recyclable domestic waste and which may include the separation and processing of domestic waste materials for eventual reuse or final disposal at a landfill site.

Waste Transfer and/or Drop-off Station: Means land that may be licensed under relevant legislation to accumulate and temporarily store no more than 35m³ of garden and recyclable domestic waste before it is transported to a recycling, treatment or waste disposal facility.