



# LAND USE SCHEME REGULATIONS



**EFFECTIVE DATE : 7 JANUARY 2014**

**(as amended on 25 June 2015)**

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## **DISCLAIMER**

A copy of the formally adopted version of the City of uMhlathuze's Land Use Scheme, including amendments made from time to time, is kept at the offices of the City of uMhlathuze's City Development Department, and those copies are the only official copies of the Scheme.

The City publishes an unofficial copy of the Land Use Scheme as a service to the public, and a copy of the unofficial version is available:

- (a) on the City's website at [www.umhlathuze.gov.za](http://www.umhlathuze.gov.za); or
- (b) upon request at the public offices of the City (a printing fee would be payable).

## **WARNING AS TO ACCURACY**

The copies of the Land Use Scheme published on the City's website and available for purchase at the City's offices are not necessarily precisely the same and as up-to-date as the official versions which are those identified as the official versions, and kept at the City's offices. It is only those official version copies that should be relied upon for any purpose where accuracy may have any significant personal, legal or financial implications.

For any enquiries relating to the content and interpretation of the Scheme, please contact the City Development Land Use Management Section.

## **SECTION 1 : INTRODUCTION TO THE SCHEME**

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# **1 SECTION 1 : INTRODUCTION TO THE SCHEME**

## **1.1 LEGAL CONTEXT FOR THE PREPARATION OF SCHEMES**

### **1.1.1 THE MUNICIPAL SYSTEMS ACT**

1.1.1.1 In accordance with the Municipal Systems Act (Act No. 32 of 2000), each Municipality must prepare an Integrated Development Plan (IDP) for their area of jurisdiction.

1.1.1.2 A key component of an IDP is a Spatial Development Framework (SDF), which should give effect to the Municipality's vision for the area and should include basic guidelines for a Land Use Management System (LUMS) that apply to the entire Municipal area.

### **1.1.2 THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT**

1.1.2.1 The preparation, key components and legal effect of SDF's are provided for in terms of Chapter 4 of the Spatial Development and Land Use Management Act (Act 16 of 2013).

1.1.2.2 All land use schemes must be aligned with a Municipality's IDP and SDF.

1.1.2.3 In accordance with Section 24 of the Spatial Development and Land Use Management Act (Act 16 of 2013), each Municipality must, after public consultation, adopt and approve a single land use scheme for its entire area within five years from the commencement of this Act.

1.1.2.4 In accordance with Section 27 of the Spatial Development and Land Use Management Act, a municipality may review its land use scheme in order to achieve consistency with the municipal spatial development framework, and must do so at least every five years.

### **1.1.3 THE LAND USE SCHEME AS PART OF A LAND USE SYSTEM**

1.1.3.1 A Land Use Management System refers to all the actions required by a municipality to manage and, of which a Scheme is one component. Typically, key elements of a Land Use Management System include:

- a) The Spatial Development Framework, various spatial plans, etc.;



## SECTION 1 : INTRODUCTION TO THE SCHEME

- b) A Land Use Scheme;
- c) The Municipal Valuation and Rating System;
- d) Property registration, ownership and tenure;
- e) Infrastructure and services provision;
- f) Building laws, including signage and elevation control;
- g) Health bylaws;
- h) Environmental issues and requirements;
- i) Road and transportation requirements, etc.

1.1.3.2 Therefore, the uMhlathuze Scheme forms part of the uMhlathuze Land Use Management System.

### 1.1.4 THE KZN PLANNING AND DEVELOPMENT ACT

1.1.4.1 The First uMhlathuze Land Use Scheme was prepared during 2013/2014 in accordance with the provisions of Section 4(1) of the KZN Planning and Development Act, 2008, which states that:

*“A municipality must, within five years from the commencement of this Act, adopt a scheme or schemes for its whole area of jurisdiction.”*

1.1.4.2 The Kwazulu-Natal Land Use Management System Guidelines for the preparation of Schemes for Municipalities (2011) (“the LUMS Guidelines”) was used as reference during the drafting of this Scheme.

1.1.4.3 The Scheme Regulations were reviewed in 2015, in line with the provisions of the KZN Planning and Development Act, 2008.

## 1.2 TITLE, PURPOSE AND STRUCTURE OF THE SCHEME

1.2.1 This Scheme shall be known as the Umhlathuze Scheme.

1.2.2 In accordance with Section 25 of the Spatial Development and Land Use Management Act (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.

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1.2.3 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.

1.2.4 The Umhlathuze 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).

1.2.5 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.

## 1.2.1 SCHEME REGULATIONS

1.2.1.1 In general, the Scheme Regulations aim to control:

- a) The use of land and buildings by means of prescribing free entry, formal authority, consent or prohibited land uses on specifically zoned sites and land use definitions applicable;
- b) Floor area, coverage and height factors for buildings and structures;
- c) Building lines, side and rear spaces which must be maintained around buildings;
- d) Parking and loading controls;
- e) Additional provisions relating to a specific use zone or land use;
- f) How contraventions of the scheme provisions will be dealt with;
- g) Provisions relating to the design of sites and buildings;
- h) Other general definitions, controls, provisions and procedures.

1.2.1.2 Within each use zone there are restrictions with regard to the use of land and the erection and use of buildings. These are split into four categories:

- |    |                              |  |
|----|------------------------------|--|
| a) | <b>Free Entry Uses</b>       | those buildings and uses permitted without first applying for Council's formal authority or consent;   |
| b) | <b>Formal Authority Uses</b> | those buildings and uses which may be approved or declined by Council after following the procedure as set out in <a href="#">Clause 1.9.4</a> of this Scheme;                                   |
| c) | <b>Consent Uses</b>          | those buildings and uses which may be approved or declined by Council after following a Special Consent procedure as set out in legislation and <a href="#">Clause 1.9.5</a> of this Scheme; and |
| d) | <b>Prohibited Uses</b>       | those buildings and uses, which are expressly prohibited.  |

## SECTION 1 : INTRODUCTION TO THE SCHEME

- 1.2.1.3 Any building or use not specifically defined in this scheme shall be deemed to be a “Special Use” as defined in this Scheme and shall be subject to a Special Consent application or rezoning application, whichever the Municipality deems appropriate.
- 1.2.1.4 Subject to the right of appeal as contemplated in terms of the KwaZulu-Natal Planning and Development Act No.6 of 2008, as amended, any future or proposed use or development shall conform to the uses and controls listed in the Scheme Regulations.
- 1.2.1.5 A contravention/s of the Scheme Regulations is an offence and shall be subject to penalties contemplated in terms of the KwaZulu-Natal Planning and Development Act No.6 of 2008, as amended.

### 1.2.2 AREA OF THE SCHEME AND SCHEME MAPS

- 1.2.2.1 The Scheme applies to all Erven within the jurisdiction of the Umhlathuze Municipality (KZ282), with the exception of areas that are subject to the provisions of the Subdivision of Agricultural Land Act (Act No 70 of 1970).
- 1.2.2.2 The Scheme Maps are available electronically on the Municipality’s GIS System.
- 1.2.2.3 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.
- 1.2.2.4 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.
- 1.2.2.5 Broadly speaking, the Scheme could be divided into an “urban” and “rural” component. The rural component zonings are listed under [Section 2.1](#) and the urban component zonings are listed under [Section 2.2](#).
- 1.2.2.6 An example of the Scheme Map, indicating the scheme area, is shown below:

## SECTION 1 : INTRODUCTION TO THE SCHEME



### 1.2.3 MANAGEMENT OVERLAYS

1.2.3.1 Where additional and more detailed land use management, beyond that stipulated in the Scheme Regulations and Map/s is required, this is processed via the use of Management Overlays and Management Plans. The Management Overlay identifies the boundary of the area or precinct for which additional regulations or guidelines pertain. The Management Overlay redirects the user to the “informant” or “plan” that contains the additional information, and this is a parallel or co-ordinating plan. The Management Overlay also redirects the user to the source (date) of the plan concerned.

**Table 1: Categories of Management Plans and Overlays**

MANAGEMENT OVERLAYS:	PLAN REFERENCE NUMBER
Environmental Services Management Plan	MO/TP/P/1 (DMS882792)
Richards Bay CBD Urban Design Framework	MO/TP/P/2 (DMS882793 & 902336, 859747, 859750)
Vision for The Ridge	MO/TP/P/3 (DMS883140)
Coastal Setback Lines	MO/TP/P/4 (DMS883155)
Air Quality Buffer Areas	MO/TP/P/5 (DMS882790)

## SECTION 1 : INTRODUCTION TO THE SCHEME

Empangeni CBD Plan TPS2	MO/TP/P/6 (DMS882791)
Interpretation of the pre-LUMS Scheme areas, Traditional Authority Areas and areas subject to the Subdivision of Agricultural Land Act, Act 70 of 1970	MO/TP/P/7 (DMS884009)
Empangeni CBD Revitalisation Plan	MO/TP/P/8 (DMS882602)

### 1.3 RESPONSIBLE AUTHORITY

- 1.3.1 The uMhlathuze 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:

- 1.4.1.1 enable the comprehensive management of all erven (both private and public sector) within the Municipality;
- 1.4.1.2 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;
- 1.4.1.3 promote and implement the Vision and Strategies of the Integrated Development Plan in the realization of quality environments; and
- 1.4.1.4 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.

## **SECTION 1 : INTRODUCTION TO THE SCHEME**

### **1.5 EFFECTIVE DATE AND LEGAL EFFECT OF THE SCHEME**

- 1.5.1 In accordance with Section 26 of the Spatial Development and Land Use Management Act (Act 16 of 2013):
- 1.5.1.1 An adopted and approved land use scheme—
- (a) has the force of law, and all land owners and users of land, including a municipality, a state-owned enterprise and organs of state within the municipal area are bound by the provisions of such a land use scheme;
  - (b) replaces all existing schemes within the municipal area to which the land use scheme applies; and
  - (c) provides for land use and development rights.
- 1.5.1.2 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 Development and Land Use Management Act (Act 16 of 2013).
- 1.5.1.3 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 Development 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.
- 1.5.1.4 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 7 January 2014, as amended on 25 June 2015.
- 1.5.3 At any time after the effective date no person shall:
- 1.5.3.1 erect a new building, alter or add to an existing building or carry out any other proposed work, or
  - 1.5.3.2 develop or use any land, or use any building or structure for any purpose different from the purpose/s for which it was being developed or used on such date, or
  - 1.5.3.3 use any building or structure erected after such date for a purpose or in a manner different from the purpose for which it was erected, until such person has first applied in writing to the Council for permission / approval / formal authority / consent to do so and the Council has granted its written authority thereto either with or without conditions, and provided that:

## SECTION 1 : INTRODUCTION TO THE SCHEME

- a) Any authority granted by the Council shall remain valid for 18 months from the date of granting of such authority; and
- b) Where any building or work referred to in any such authority has not been substantially commenced within the said period of 18 months or where an appeal has been lodged, within a period of 18 months from the date of notification of the outcome of such appeal, or where there has been an interruption in the development of the building or use of land for a continuous period of 18 months, the said authority shall automatically be considered to have lapsed and building operations shall not be commenced or recommenced unless fresh authority has first been applied for and obtained.

### 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 STATUS OF THE SCHEME

- 1.7.1 This Scheme replaces all Town Planning Schemes within the area to which it applies.
- 1.7.2 The legal status of any existing building or existing use which is not in conformity with this Scheme, but for which authority was obtained from the Council or other relevant planning and development legislation prior to the date of adoption, replacement or amendment of this Scheme in terms of the KwaZulu-Natal Planning and Development Act, 2008 (No. 06 of 2008) may be completed and continued to be used for the purpose for which it was designed, subject to compliance with any conditions which may have been imposed by the Council, and provided that:
  - a) Any such non-conforming existing building or use of land may be increased on the Erf by an amount not greater than 12½% of its total floor area or area as the case may be, at the date of adoption, provided that the completed building or use is in conformity with the other provisions of the Scheme, relating to the zone in which such building or use is situated.
  - b) Any alteration or addition or change of use, which in the opinion of the Council alters the character of an existing building or use of land, shall automatically remove such building or land from the category of "existing building" or "existing use".
  - c) Where the non-conforming existing use of any building or land is discontinued for a continuous period of 18 months or longer, such existing use shall be deemed to have lapsed and shall not be recommenced.
  - d) Council may call upon the applicant to undertake an Environmental Management Plan for the development.
- 1.7.3 Any extension to buildings or structures on land contemplated in [Clause 1.7.2](#) must comply with this Scheme.

## SECTION 1 : INTRODUCTION TO THE SCHEME

- 1.7.4 Any application submitted prior to the adoption of this Scheme shall be assessed and finalised under the provisions of such former Scheme regulations, except if the applicant has in writing informed the Municipality that he / she withdraws such application.
- 1.7.5 A Scheme is binding on the Municipality, all other persons and organs of state, except in the event of a conflict with the provisions of an Integrated Development Plan that was adopted prior to the Scheme or amendment to the Scheme.
- 1.7.6 The provisions of the Integrated Development Plan will prevail over the provisions of a Scheme in the event of a conflict with the provisions of an Integrated Development Plan that was adopted prior to the Scheme or amendment to the Scheme
- 1.7.7 The provisions of a Scheme that were adopted prior to the adoption of an Integrated Development Plan prevail in the event of a conflict with the provisions of the Integrated Development Plan.
- 1.7.8 A Municipality or any other organ of state may not approve a proposal to subdivide or consolidate land that is in conflict with the provisions of a Scheme.
- 1.7.9 A proposal to subdivide or consolidate land that is in conflict with the provisions of a Scheme is invalid.
- 1.7.10 Nothing in this Scheme shall be construed as enabling any person to erect or use any building or to develop or use any land which is in conflict with any condition of title imposed by the Premier in terms of the KwaZulu-Natal Planning and Development Act No.6 of 2008, as amended, or by the State under any other law.
- 1.7.11 The owner of any Erf, which is subject to a condition of title referred to in [Clause 1.7.10 above](#), which is in conflict with any provision of this Scheme, may make application to the Municipality for the alteration, suspension or removal of such condition as provided for in terms of the KwaZulu-Natal Planning and Development Act No.6 of 2008.
- 1.7.12 The Scheme provisions shall apply over and above the Bylaws where they are more onerous than the Bylaws. Where the Scheme makes no provision, the Bylaws shall apply.

## 1.8 AMENDMENTS TO THE SCHEME

- 1.8.1 If the Council desires to rescind, alter or amend any of the provisions of the Scheme in course of preparation it shall follow the procedures as set out in law.
- 1.8.2 The owner of any land, or any person having a real right to any land, which is zoned in terms of the Scheme, may make application to the Municipality to rezone such land or amend the scheme controls applicable to such land in accordance with relevant legislation.
- 1.8.3 Provided that, in terms of the provisions of the KwaZulu-Natal Planning and Development Act (Act No.6 of 2008), the Municipality does not have to follow a formal process to amend the scheme in cases where :
- a) a spelling / typing error or numbering within the Scheme is amended or corrected,
  - b) Scheme Clauses are re-organised without amending the meaning of the clauses;



## SECTION 1 : INTRODUCTION TO THE SCHEME

- c) reference to legislation becomes outdated and must be replaced or updated;
- d) any annexures to the Scheme need to be updated or amended,
- e) legally approved development applications or land use zones have not been included in the Scheme, or have been included incorrectly;
- f) a planned road zoned “Proposed Road” is constructed. The zoning “Proposed Road” may then be converted to the zoning “Existing Public Road” and/or “Private Road”, with the proviso that the alignment of the road which was originally zoned “Proposed Road” has not changed; and
- g) changes to or deletion of Management Plans and Overlays listed in [Table 1](#).

## 1.9 APPLICATIONS FOR THE USE AND DEVELOPMENT OF LAND

### 1.9.1 GENERAL PROVISIONS

1.9.1.1 Applications shall be made in writing to the Municipal Manager, shall contain all information required by the Municipality and may be subject to an application fee.

1.9.1.2 The Municipality may refuse to accept an application which:

- a) is subject to an application fee, but which has not been paid in full; and
- b) is not motivated in full.

In these cases, the Municipality will inform the applicant to resubmit a complete application, and provide the applicant with a description of the necessary information which must be submitted.

1.9.1.3 Applications for development on land falling under the ownership of Ingonyama Trust require power of attorney from the Ingonyama Trust Board to submit an application on their behalf and a letter of support from the applicable Traditional Leader/Council.

1.9.1.4 Any authority granted by the Council shall remain valid for 18 months from the date of granting of such authority, unless stated otherwise. Where any building or work referred to in any such authority has not been substantially commenced within the said period of 18 months or where an appeal has been lodged, within a period of 18 months from the date of notification of the outcome of such appeal, or where there has been an interruption in the development of the building or use of land for a continuous period of 18 months, the said authority shall automatically be considered to have lapsed and building operations shall not be commenced or recommenced unless fresh authority has first been applied for and obtained.

1.9.1.5 Any decision, order or authorization given by the Appeal Tribunal terms of the KwaZulu-Natal Planning and Development Act or any other relevant legislation, and as confirmed or altered on review, shall be deemed to be a valid authority granted by the Council and, as such, shall be construed as being in accordance with the duly adopted provisions of the Scheme.

## **SECTION 1 : INTRODUCTION TO THE SCHEME**

### **1.9.2 APPLICATION FOR THE PERMISSION OF THE COUNCIL**

- 1.9.2.1 A person desiring any Permission of the Council shall apply therefore in writing to the Municipal Manager in the form which may from time to time be prescribed, provided that except where the Council may otherwise require, ordinary Application and Approval under the bylaws shall be deemed sufficient Permission of the Council.
- 1.9.2.2 The Council may call upon any building owner who proposes to alter a building or put it to a new use to provide a fresh building survey of the property.

### **1.9.3 APPLICATION FOR THE APPROVAL OF THE COUNCIL**

- 1.9.3.1 A person desiring any Approval of the Council shall apply therefore in writing to the Municipal Manager in the form which may be prescribed from time to time.

### **1.9.4 APPLICATION FOR THE FORMAL AUTHORITY OF THE COUNCIL**

- 1.9.4.1 “Formal Authority” of the Council shall mean the granting of an application in terms of this Scheme after compliance with a procedure prescribed by Council and in accordance with the provisions of this Scheme.
- 1.9.4.2 The formal authority procedure shall, inter alia, include informing surrounding landowners, as identified by Council, of the proposed use of land and their right to submit comment and/or an objection.
- 1.9.4.3 Should an applicant applying for Council’s formal authority fail to obtain all relevant surrounding landowners’ approval:
- a) then the Council shall consider the validity of the comments/objections received and shall make a decision based on the merits thereof;
  - b) should the application for formal authority be approved, the objector/s may appeal the decision in terms of relevant legislation;
  - c) should the application for formal authority be denied by Council, the applicant has a right to appeal the decision.
- 1.9.4.4 Formal Authority granted shall be subject to the conditions as Council may consider necessary and shall be restricted to the land use applied for. It shall not be construed to imply formal authority for all land uses listed under the relevant Land Use Control Table.
- 1.9.4.5 Council may, at its sole discretion, require an applicant to rezone a property instead of applying for formal authority if, in Council’s opinion, the application and its impacts would be better assessed and controlled by means of a relevant zoning.

## **SECTION 1 : INTRODUCTION TO THE SCHEME**

### **1.9.5 APPLICATION FOR THE CONSENT OF THE COUNCIL**

- 1.9.5.1 "Consent" of the Council shall mean the granting of an application after compliance with a procedure as set out in legislation.
- 1.9.5.2 A consent use is restricted to the land use applied for and shall not be construed to be consent for all land uses listed under the relevant Land Use Control Table, unless stated otherwise.
- 1.9.5.3 A consent use granted by Council must differentiate between an approval granted for:
- a) a stand-alone land use; or
  - b) a land use which is to be operated in addition to a primary use.
- 1.9.5.4 Council may direct an applicant to rather apply for rezoning instead of consent in cases where, in the opinion of Council, the use will be better regulated by means of a land use zone instead of granting its consent.
- 1.9.5.5 The following land uses may be approved via consent under any zoning, whether it is listed under the relevant Land Use Control Table or not:
- a) Special Use (i.e. a use that is not defined in this Scheme);
  - b) Telecommunication Infrastructure; and
  - c) Utilities Facility, excluding any use which may be defined as "Industry-High Impact" in terms of the Scheme.

### **1.9.6 CANCELLATION OR MODIFICATION OF COUNCIL'S CONSENT OR FORMAL AUTHORITY**

- 1.9.6.1 Any owner of land may inform the Council in writing to cancel its consent or formal authority;
- 1.9.6.2 The Council may modify its consent and/or formal authority subsequent to the granting thereof if, in the opinion of the Council, any condition/s subsequent to which the consent or formal authority were granted should be amended, deleted or additional conditions should be added.
- 1.9.6.3 The Council may render void or withdraw its consent or formal authority in writing and subsequent to the granting thereof if, in the opinion of the Council:
- a) any conditions subsequent to which the consent or formal authority were granted, are not complied with;
  - b) where any building or work referred to in any such consent or formal authority has not been substantially commenced within a period of 18 months or where an appeal has been lodged, within a period of 18 months from the date of notification of the outcome of such appeal;
  - c) such use has been discontinued or interrupted for a continuous period of 18 months or longer;
  - d) the premises is not continuously used for residential purposes in addition to the consent or formal authority use granted, where it is a condition of approval to do so; and

## SECTION 1 : INTRODUCTION TO THE SCHEME

- e) the land use constitutes a nuisance or it is found that there is interference with the amenities of the neighbourhood arising from the use of land.
- 1.9.6.4 upon the lapsing or rendering void or withdrawal of a consent or formal authority in terms of [Clause 1.9.6.3](#):
- a) the practice of any consent or formal authority use approved shall cease upon the relevant premises within a period to be determined by the Council, provided that such period shall not exceed six months from the date on which such consent or formal authority lapsed, was rendered void or was withdrawn;
  - b) the Council may direct the owner of land to demolish structures and/or restore and/or alter buildings erected to conform to a relevant primary or free entry use granted on the site. Costs associated with such building work will be for the account of the owner of land.

### 1.10 CONTRAVENTIONS OF THE SCHEME

- 1.10.1 An authorised official in the service of the Council may access building plans and, subject to the provisions of the Spatial Planning and Land Use Management Act, (Act 16 of 2013) and the KZN Planning and Development Act, (Act No.6 of 2008), may enter any property within the area of its jurisdiction for inspection purposes. No person shall in any way obstruct such official in the execution of his or her duties.
- 1.10.2 If any person or persons contravenes any provision of this scheme, a notice issued in terms of the scheme, or a condition set by virtue of it, the Council shall be entitled to take any steps against such person or persons as provided for in legislation, including legal action.
- 1.10.3 Subject to the provisions of the KZN Planning and Development Act, (Act No.6 of 2008), a notice of contravention may be served by:
- a) Handing the notice to the affected person, an appointed representative, or legal body or any employee of such person or legal body; and/or
  - b) By sending the notice by prepaid registered post to the last registered address known to the Municipality of such person or legal body.
- 1.10.4 For the purpose of calculating any time period referred to in the notice it shall be assumed that the notice has been received by the addressee within the timeframes contemplated in Section 158 of the KZN Planning and Development Act (Act No.6 of 2008).

## SECTION 2 : LAND USE ZONES



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## 2 SECTION 2 : LAND USE ZONES

### 2.1 THE RURAL SCHEME

#### 2.1.1 AGRICULTURE AND RURAL

#### ZONE CATEGORY: AGRICULTURE 1



USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET  FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
AGRICULTURE 1		 <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 also to the Veld and Forest Management Act			For additional provisions refer to Clause 4.1.1.1

## SECTION 2 : LAND USE ZONES

AGRICULTURE 1						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
ADDITIONAL DWELLING UNIT AGRICULTURAL BUILDING AGRICULTURAL LAND HERITAGE PURPOSES HOME ACTIVITY PRIVATE STREET RESIDENTIAL - DWELLING HOUSE UTILITIES FACILITY	COFFEE SHOP / TEA GARDEN EDUCATIONAL BUILDING FARM STALL HOME BUSINESS IMPOUNDMENT AREA (animals only) LODGE MUNICIPAL PURPOSES PLACE OF WORSHIP	ARTS AND CRAFTS WORKSHOP AGRICULTURAL INDUSTRY CAMPING AND CARAVAN PARK CHALET DEVELOPMENT INDUSTRY . EXTRACTIVE INDUSTRY . HIGH IMPACT(limited to Abattoir only) INSTITUTION RESIDENTIAL - MEDIUM DENSITY (limited to 5 units including main dwelling and additional dwelling unit) MOBILE HOME PARK PRIVATE RECREATIONAL USE PUBLIC STREET RACECOURSE RAILWAY INFRASTRUCTURE RECREATIONAL BUILDING RESTRICTED BUILDING SPECIAL USE VETERINARY PURPOSES NEW SERVITUDE, 15M OR WIDER	Buildings and land uses not included in columns 1 to 3.	0,125	12.5%	3

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : AGRICULTURE 2

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET  FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
AGRICULTURE 2		 <p>A zone where the land is used for low intensity agricultural practices in association with other uses and may include market gardening, wood lots and land allocated under customary law</p>	N/A	N/A	N/A	10m	5m	5m	For additional provisions refer to Clause 4.1.1.1 and 4.1.1.3

## SECTION 2 : LAND USE ZONES



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AGRICULTURE 2						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
AGRICULTURAL BUILDING AGRICULTURAL LAND HERITAGE PURPOSES HOME ACTIVITY HOMESTEAD MUNICIPAL PURPOSES UTILITIES FACILITY	HOME BUSINESS	AGRICULTURAL INDUSTRY PUBLIC / PRIVATE STREET SPECIAL USE NEW SERVITUDE, 15M OR WIDER WASTE TRANSFER AND/OR DROP-OFF STATION	Buildings and land uses not included in columns 1 to 3.	0,125	12.5%	2



## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : SMALLHOLDINGS

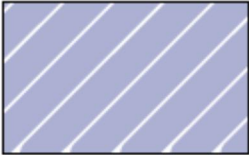

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
SMALLHOLDINGS		 <p>A buffer zone between an urban and agricultural area that contains smallholdings and that sets aside land for low-density housing and related urban-scale agriculture where the number and magnitude of ancillary land use types are of the kind related to daily employment and service needs.</p>	1 ha	10 ha limited to areas that act as a buffer between urban and agricultural areas	N/A	10m	5m	10m	For additional provisions refer to Clause 4.1.1.2

## SECTION 2 : LAND USE ZONES

SMALLHOLDINGS						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
ADDITIONAL DWELLING UNIT AGRICULTURAL BUILDING AGRICULTURAL LAND HOME ACTIVITY RESIDENTIAL - DWELLING HOUSE UTILITIES FACILITY	ARTS AND CRAFTS WORKSHOP COFFEE SHOP / TEA GARDEN EDUCATIONAL BUILDING FARM STALL HOME BUSINESS LODGE PLACE OF WORSHIP	AGRICULTURAL INDUSTRY CAMPING AND CARAVAN PARK CHALET DEVELOPMENT CONFERENCE FACILITY HOTEL INSTITUTION IMPOUNDMENT AREA (animals only) MUNICIPAL PURPOSES MOBILE HOME PARK PRIVATE RECREATIONAL USE PUBLIC / PRIVATE STREET RACECOURSE RECREATIONAL BUILDING RESTRICTED BUILDING SPECIAL USE SHOP - GENERAL VETERINARY PURPOSES NEW SERVITUDE, 15M OR WIDER	Buildings and land uses not included in columns 1 to 3.	0,05	5%	2

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : RAPID URBANISATION MANAGEMENT ZONE


USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
RAPID URBANISATION MANAGEMENT ZONE		 <p>A zone in the Traditional Authority Area that demarcates areas that have been informally settled adjacent to or near to formal urban areas, and may require interventions to address environmental impacts, upgrade of services and provide formal housing.</p>	150m <sup>2</sup>	N/A	N/A	3m	2m	2m	For additional provisions refer to Clause 4.1.1.3

## SECTION 2 : LAND USE ZONES

RAPID URBANISATION MANAGEMENT ZONE						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
AGRICULTURAL BUILDING AGRICULTURAL LAND COMMUNITY GARDEN HERITAGE PURPOSES HOME ACTIVITY HOMESTEAD MUNICIPAL PURPOSES PUBLIC RECREATIONAL USE SHELTER	EDUCATIONAL BUILDING HOME BUSINESS PLACE OF WORSHIP PUBLIC OFFICE UTILITIES FACILITY	INSTITUTION PUBLIC / PRIVATE STREET RECREATIONAL BUILDING SHOP - GENERAL NEW SERVITUDE, 15M OR WIDER WASTE TRANSFER AND/OR DROP-OFF STATION	Buildings and land uses not included in columns 1 to 3.	0,50	50%	2

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : RURAL NODE

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
RURAL NODE		 <p>A node within a rural area identified in the Municipal Spatial Development Framework as a node, that may include land uses which would support the community in their day-to-day needs such as commercial, educational, health facilities, petrol filling station, etc.</p>	150m <sup>2</sup>	N/A	N/A	3m	2m	2m	For additional provisions refer to Clause 4.1.1.3

## SECTION 2 : LAND USE ZONES

RURAL NODE					
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT	
				F A R	HEIGHT
AGRICULTURAL BUILDING AGRICULTURAL LAND ARTS AND CRAFTS WORKSHOP COMMERCIAL WORKSHOP COMMUNITY GARDEN EDUCATIONAL BUILDING HERITAGE PURPOSES HOME ACTIVITY HOMESTEAD INDUSTRY - SERVICE INFORMAL TRADE AREA INSTITUTION MUNICIPAL PURPOSES PLACE OF WORSHIP PUBLIC OFFICE PUBLIC RECREATIONAL USE PUBLIC STREET OFFICE - GENERAL RECREATIONAL BUILDING SHOP - GENERAL	HOME BUSINESS INDUSTRY . LIGHT INDUSTRY - SALVAGE PRIVATE STREET SHELTER	NEW SERVITUDE, 15M OR WIDER NIGHT CLUB / BAR / TAVERN PLACE OF AMUSEMENT PLACE OF ASSEMBLY PUBLIC GARAGE RESTRICTED BUILDING SERVICE STATION SPECIAL USE WASTE TRANSFER AND/OR DROP-OFF STATION WASTE TRANSFER / RECYCLING CENTRE	Buildings and land uses not included in columns 1 to 3.	In line with Development Plan. In the absence of a Development Plan, to the satisfaction of Council.	

## SECTION 2 : LAND USE ZONES

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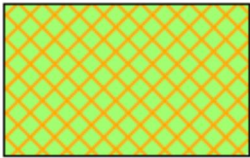

RURAL NODE						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
TERMINAL . BUS AND TAXI  UTILITIES FACILITY  VETERINARY PURPOSES						

## SECTION 2 : LAND USE ZONES

### 2.2 THE URBAN SCHEME

#### 2.2.1 CIVIC AND SOCIAL

#### ZONE CATEGORY : EDUCATION

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE	MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN		BUILDING LINES	SIDE SPACES	REAR SPACES	
EDUCATION		 <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, educators 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:</p> <ul style="list-style-type: none"> <li>- 2,4ha without dedicated sport facilities</li> <li>- 5ha with dedicated sport facilities</li> </ul> <p>Secondary School :</p> <ul style="list-style-type: none"> <li>- 5ha without dedicated sport facilities</li> <li>- 8-10ha with dedicated sport facilities</li> </ul>	18m	7,5m	4,5m or 1,5m per storey, whichever is the greater	4,5m or 1,5m per storey, whichever is the greater	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For provision relating to the use of land refer to Clause 4.1.2.2</li> </ul>

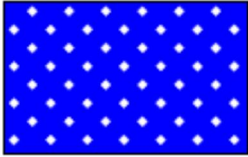



## SECTION 2 : LAND USE ZONES

EDUCATION						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY 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 PRIVATE RECREATIONAL USE RECREATIONAL BUILDING	AGRICULTURAL BUILDING AGRICULTURAL LAND COFFE SHOP / TEA GARDEN HOME ACTIVITY COMMUNITY GARDEN PLACE OF WORSHIP RESTRICTED BUILDING (limited to an educational facility) UTILITIES FACILITY	CONFERENCE FACILITY HOME BUSINESS RESIDENTIAL - DWELLING HOUSE INSTITUTION PUBLIC OFFICE SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	1,00	50%	UR

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : INSTITUTION

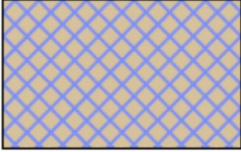

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
INSTITUTION		 <p>This zone is intended for land and buildings for public and private 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</p>	1800m <sup>2</sup>	N/A	18m	7,5m	4,5m or 1,5m per storey, whichever is the greater	4,5m or 1,5m per storey, whichever is the greater	- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;

## SECTION 2 : LAND USE ZONES

INSTITUTION						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY 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 OFFICE . PROFESSIONAL PARKING ERF / GARAGE PLACE OF ASSEMBLY PRIVATE RECREATIONAL USE RECREATIONAL BUILDING TUCK SHOP	AGRICULTURAL BUILDING AGRICULTURAL LAND COMMUNITY GARDEN EDUCATIONAL BUILDING PLACE OF WORSHIP PUBLIC OFFICE UTILITIES FACILITY	LAUNDERETTE RESTRICTED BUILDING SHOP . GENERAL (Incidental to an Institutional Use) SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	0,50	60%	UR

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : WORSHIP



USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
WORSHIP		 <p>This zone is intended for land and buildings to be used as a church, chapel, oratory, synagogue, mosque, temple, Sunday school, and other places of public devotion; but does not include a funeral chapel</p>	At the sole discretion of Council taking sizes of similar uses in the vicinity into consideration	N/A	18m	7,5m	4,5m or 1,5m per storey, whichever is the greater	4,5m or 1,5m per storey, whichever is the greater	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For provision relating to the use of land refer to Clause 4.1.2.1</li> </ul>

## SECTION 2 : LAND USE ZONES

WORSHIP						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
MUNICIPAL PURPOSES  OFFICE - PROFESSIONAL  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 <sup>2</sup> )  CONFERENCE FACILITY  HOME BUSINESS  INSTITUTION  RESIDENTIAL BUILDING (Only if incidental to Place of Worship)  RECREATIONAL BUILDING  SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	0,50	60%	UR

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : MUNICIPAL, HEALTH AND GOVERNMENT 1



USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
MUNICIPAL HEALTH AND GOVERNMENT 1		 <p>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 centers, clinics, sanatoria, community care, welfare and social requirements including pension pay points.</p>	N/A	N/A	18m	7,5m	4,5m or 1,5m per storey, whichever is the greater	4,5m or 1,5m per storey, whichever is the greater	- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;

## SECTION 2 : LAND USE ZONES

MUNICIPAL HEALTH AND GOVERNMENT 1						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
ARTS AND CRAFTS WORKSHOP COFFEE SHOP / TEA GARDEN CONFERENCE FACILITY EDUCATIONAL BUILDING HOTEL INSTITUTION LAUNDERETTE MUNICIPAL PURPOSES OFFICE . GENERAL OFFICE - PROFESSIONAL PARKING ERF / PARKADE PLACE OF AMUSEMENT PLACE OF ASSEMBLY PLACE OF WORSHIP PRIVATE RECREATIONAL USE PUBLIC OFFICE PUBLIC RECREATIONAL USE RECREATIONAL BUILDING RESIDENTIAL BUILDING TUCK SHOP UTILITIES FACILITY	AGRICULTURAL LAND COMMUNITY GARDEN HARBOUR INFRASTRUCTURE HERITAGE PURPOSES	CONVENTION CENTRE HARBOUR MANAGEMENT IMPOUNDMENT AREA INFORMAL TRADE AREA RACING TRACK RESTRICTED BUILDING SHOP - GENERAL SPECIAL USE TERMINAL . BUS AND TAXI VEHICLE TESTING STATION WAREHOUSE WASTE TRANSFER AND/OR DROP-OFF STATION WASTE TRANSFER / RECYCLING CENTRE	Buildings and land uses not included in columns 1 to 3.	2,00	50%	UR

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : MUNICIPAL, HEALTH AND GOVERNMENT 2

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET  FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
MUNICIPAL HEALTH AND GOVERNMENT 2		 <p>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.</p> <p>The distinction between the two zones is that Municipal Health and Government 1 would more likely be found in a Central Business District or similar high impact area, and be allowed a larger range of land uses. Municipal Health and Government 2 would more likely be found in a residential area or low impact area and would therefore be allowed a less comprehensive range of land uses.</p>	N/A	N/A	18m	7,5m	4,5m or 1,5m per storey, whichever is the greater	4,5m or 1,5m per storey, whichever is the greater	- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;



## SECTION 2 : LAND USE ZONES



MUNICIPAL HEALTH AND GOVERNMENT 2						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
ARTS AND CRAFTS WORKSHOP COFFEE SHOP / TEA GARDEN CONFERENCE FACILITY EDUCATIONAL BUILDING INSTITUTION MUNICIPAL PURPOSES OFFICE . GENERAL OFFICE . PROFESSIONAL PARKING ERF / PARKADE PLACE OF ASSEMBLY PLACE OF WORSHIP PRIVATE RECREATIONAL USE PUBLIC OFFICE PUBLIC RECREATIONAL USE RECREATIONAL BUILDING TUCK SHOP UTILITIES FACILITY	AGRICULTURAL LAND COMMUNITY GARDEN HARBOUR INFRASTRUCTURE HERITAGE PURPOSES	IMPOUNDMENT AREA HARBOUR MANAGEMENT INFORMAL TRADE AREA PLACE OF AMUSEMENT RESTRICTED BUILDING SHOP - GENERAL SPECIAL USE TERMINAL . BUS AND TAXI VEHICLE TESTING STATION WAREHOUSE WASTE TRANSFER AND/OR DROP-OFF STATION WASTE TRANSFER / RECYCLING CENTRE	Buildings and land uses not included in columns 1 to 3.	0,50	60%	UR

## SECTION 2 : LAND USE ZONES

### 2.2.2 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.

#### ZONE CATEGORY : PUBLIC OPEN SPACE

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
PUBLIC OPEN SPACE		 <p>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</p>	N/A	N/A	N/A	7,5m	4,5m or 1,5m per storey, whichever is the greater	4,5m or 1,5m per storey, whichever is the greater	- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;



## SECTION 2 : LAND USE ZONES

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PUBLIC OPEN SPACE				
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT
				<div>F A R</div> <div>COVERAGE</div> <div>HEIGHT</div>
PUBLIC RECREATIONAL USE RECREATIONAL BUILDING UTILITIES FACILITY	COMMUNITY GARDEN HERITAGE PURPOSES MUNICIPAL PURPOSES	COFFEE SHOP / TEA GARDEN PARKING AREA / PARKADE PUBLIC / PRIVATE STREET SPECIAL USE NEW SERVITUDE, 15M OR WIDER	Buildings and land uses not included in columns 1 to 3.	At the sole discretion of Council

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : PRIVATE OPEN SPACE



USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
PRIVATE OPEN SPACE		 <p>This is a zone to control public or privately owned land used for sports and recreation which may restrict access to the general public, and permits a limited range of associated development, which may include ancillary facilities and buildings associated with the primary use of the land for private open space.</p>	N/A	N/A	N/A	7,5m	4,5m or 1,5m per storey, whichever is the greater	4,5m or 1,5m per storey, whichever is the greater	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For provision relating to the use of land refer to Clause 4.1.3.1</li> </ul>

## SECTION 2 : LAND USE ZONES

PRIVATE OPEN SPACE						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
PRIVATE RECREATIONAL USE RECREATIONAL BUILDING	AGRICULTURAL BUILDING AGRICULTURAL LAND CARETAKER ACCOMMODATION COMMUNITY GARDEN MUNICIPAL PURPOSES EDUCATIONAL BUILDING PLACE OF ASSEMBLY UTILITIES FACILITY	PUBLIC / PRIVATE STREET PLACE OF AMUSEMENT SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	0,15	15%	2

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : CONSERVATION

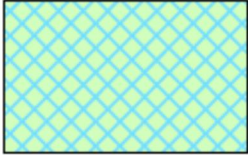

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
CONSERVATION		 <p>This is a zone that protects and conserves environmentally important land and/or water bodies or areas which are important ecological features and which are to be rehabilitated back to its original natural state. These areas normally form part of the sustainable open space system, which includes independent or linked open space areas and permits only limited and specific developments.</p>	N/A	N/A	N/A	7,5m	4,5m or 1,5m per storey, whichever is the greater	4,5m or 1,5m per storey, whichever is the greater	- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;

## SECTION 2 : LAND USE ZONES

CONSERVATION					
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT	
				F A R	HEIGHT
CONSERVATION PURPOSES  UTILITIES FACILITY	CARETAKER ACCOMMODATION  HERITAGE PURPOSES	AGRICULTURAL BUILDING  AGRICULTURAL INDUSTRY (limited to aquaculture and mariculture)  AGRICULTURAL LAND  ARTS AND CRAFTS WORKSHOP  CAMPING AND CARAVAN PARK  CONFERENCE CENTRE  PUBLIC / PRIVATE STREET  SPECIAL USE  NEW SERVITUDE, 15M OR WIDER	Buildings and land uses not included in columns 1 to 3.	At the sole discretion of Council and informed by a Development Plan	

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : COASTAL ACCESS LAND

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
COASTAL ACCESS LAND		 <p>This is a zone as defined in the National Environmental Management Integrated Coastal Management Act, 2008, which aims to secure public access to coastal public property.</p>	N/A	N/A	N/A	7,5m	4,5m or 1,5m per storey, whichever is the greater	4,5m or 1,5m per storey, whichever is the greater	<ul style="list-style-type: none"> <li>- Refer to the National Environmental Management Coastal Management Act, 2008;</li> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> </ul>





## SECTION 2 : LAND USE ZONES

COASTAL ACCESS LAND				
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT
				<div>F A R</div> <div>COVERAGE</div> <div>HEIGHT</div>
COFFEE SHOP / TEA GARDEN CONSERVATION PURPOSES HARBOUR INFRASTRUCTURE HARBOUR MANAGEMENT INFORMAL TRADE AREA MARINA INFRASTRUCTURE MUNICIPAL PURPOSES PARKING ERF / PARKADE PLACE OF ASSEMBLY PUBLIC / PRIVATE STREET PUBLIC RECREATIONAL USE RECREATIONAL BUILDING SHOP - GENERAL UTILITIES FACILITY	ARTS AND CRAFTS WORKSHOP CARETAKER ACCOMMODATION HERITAGE PURPOSES PLACE OF AMUSEMENT PRIVATE RECREATIONAL USE	SPECIAL USE NEW SERVITUDE, 15M OR WIDER	Buildings and land uses not included in columns 1 to 3.	At the sole discretion of Council and informed by a Development Plan

## SECTION 2 : LAND USE ZONES

### 2.2.3 MIXED-USE / COMMERCIAL

#### ZONE CATEGORY : COMMERCIAL 1



USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
COMMERCIAL 1		 <p>This is a zone intended to provide for the use of retail, personal services, entertainment, offices, residential, public facilities and related commercial uses at high intensities that normally comprise a town centre</p>	1000m <sup>2</sup>	N/A	N/A	0m	0m on ground floor : 4,5m or 1,5m per storey whichever is greater for residential building and hotel above ground floor.		<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For provision relating to the use of land refer to Clause 4.1.4</li> </ul>

## SECTION 2 : LAND USE ZONES

COMMERCIAL 1						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
AUTOMOTIVE SHOWROOM COMMERCIAL WORKSHOP CONVENTION CENTRE HOTEL LAUNDERETTE MUNICIPAL PURPOSES OFFICE - GENERAL OFFICE - PROFESSIONAL PARKING ERF / PARKADE PLACE OF AMUSEMENT PLACE OF ASSEMBLY PUBLIC OFFICE PRIVATE RECREATIONAL USE RECREATIONAL BUILDING RESIDENTIAL BUILDING (except on ground floor) SERVICE WORKSHOP SHOP . FACTORY SHOP - GENERAL	CARWASH FACILITY EDUCATIONAL BUILDING GAMBLING PREMISES GENERAL SHOWROOM HOME ACTIVITY 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 uses not included in columns 1 to 3.	3,00	100%	UR

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : COMMERCIAL 2



USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
COMMERCIAL 2		 <p>This is a zone intended to provide for the use of retail, personal services, entertainment, offices, residential, public facilities and related commercial uses at medium intensities that normally comprise a town centre</p>	1000m <sup>2</sup>	N/A	N/A	0m	0m on ground floor : 4,5m or 1,5m per storey whichever is greater for residential building and hotel above ground floor.	<ul style="list-style-type: none"><li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li><li>- For provision relating to the use of land refer to Clause 4.1.4</li></ul>	

## SECTION 2 : LAND USE ZONES

COMMERCIAL 2						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
AUTOMOTIVE SHOWROOM COMMERCIAL WORKSHOP CONVENTION CENTRE EDUCATIONAL BUILDING HOTEL LAUNDERETTE MUNICIPAL PURPOSES OFFICE - GENERAL OFFICE - PROFESSIONAL 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	CARWASH FACILITY GAMBLING PREMISES GENERAL SHOWROOM HOME ACTIVITY INFORMAL TRADE AREA NIGHT CLUB / BAR PLACE OF WORSHIP SHOP . WHOLESALE UTILITIES FACILITY	FUNERAL PARLOUR HOME BUSINESS INSTITUTION SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	2,00	100%	UR

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : COMMERCIAL 3



USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
COMMERCIAL 3		 <p>This is a zone intended to provide for the use of retail, personal services, entertainment, offices, residential, public facilities and related commercial uses at medium to low intensities that comprise a town centre or outside thereof</p>	1000m <sup>2</sup>	N/A	N/A	0m	0m on ground floor : 4,5m or 1,5m per storey whichever is greater for residential building and hotel above ground floor.		<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For provision relating to the use of land refer to Clause 4.1.4</li> </ul>

## SECTION 2 : LAND USE ZONES

COMMERCIAL 3						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
AUTOMOTIVE SHOWROOM COMMERCIAL WORKSHOP CONVENTION CENTRE HOTEL LAUNDERETTE MUNICIPAL PURPOSES OFFICE - GENERAL OFFICE - PROFESSIONAL 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	CARWASH FACILITY EDUCATIONAL BUILDING GAMBLING PREMISES GENERAL SHOWROOM HOME ACTIVITY 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 uses not included in columns 1 to 3.	1,00	100%	UR

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : MIXED USE MEDIUM IMPACT

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
MIXED USE MEDIUM IMPACT		 <p>The mixed-use zone is intended to provide for a range of retail, offices, residential and community facilities to be located along key interceptory locations / arterials and along certain transport corridors.</p> <p>Tenant mix could include a large supermarket (bigger than 2 500m²), convenience retailers, including uses such as a pharmacy, butchery, video store, hairdresser, dry cleaner, liquor store and a hardware store, national clothing stores (to a limited extent), boutiques, shoes and some comparative shopping, restaurants and takeaways, services like medical facilities, banking and limited office functions, and some might have cinemas.</p> <p>It is usually located on arterial roads and the average radius of the primary trade area is approximately 1,5-3km.</p>	400m <sup>2</sup>	N/A	N/A	0m	0m on ground floor : 4,5m or 1,5m per storey whichever is greater for residential building above ground floor.	<ul style="list-style-type: none"><li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li><li>- For provision relating to the use of land refer to Clause 4.1.4</li></ul>	

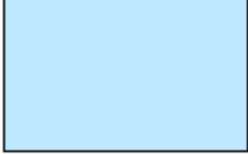



## SECTION 2 : LAND USE ZONES

MIXED USE MEDIUM IMPACT						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY 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 OFFICE . PROFESSIONAL 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	HOME BUSINESS INDUSTRY . LIGHT INDUSTRY . SERVICE INSTITUTION NIGHT CLUB / BAR SHOP . WHOLESALE SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	1,00	100%	UR

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : MIXED USE LOW IMPACT



USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
MIXED USE LOW IMPACT		 <p>This mixed-use zone aims at satisfying the local needs of the residents within one or two adjoining suburbs, mainly focused on express convenience, including a café/small food store, takeaway foods, DVD stores, banks and ATM facilities. It is usually located on collector streets in suburbs and the average radius of the primary trade area is approximately 1-1,5km.</p>	400m <sup>2</sup>	N/A	N/A	0m	0m on ground floor : 4,5m or 1,5m per storey whichever is greater for a residential building above ground floor.		<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For provision relating to the use of land refer to Clause 4.1.4</li> </ul>

## SECTION 2 : LAND USE ZONES

MIXED USE LOW IMPACT						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY 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 OFFICE . PROFESSIONAL PUBLIC OFFICE RESIDENTIAL BUILDING (except on ground floor) SERVICE WORKSHOP SHOP - GENERAL	CARWASH FACILITY EDUCATIONAL BUILDING HOME ACTIVITY PARKING ERF / PARKADE PLACE OF AMUSEMENT PLACE OF ASSEMBLY PLACE OF WORSHIP RECREATIONAL BUILDING UTILITIES FACILITY	FUNERAL PARLOUR HOME BUSINESS GAMBLING PREMISES INDUSTRY . LIGHT INDUSTRY . SERVICE INSTITUTION NIGHT CLUB / BAR SHOP . WHOLESALE SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	0,5	50%	2

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : LIFESTYLE CENTRE



USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
LIFESTYLE CENTRE		 <p>%Big-box-type+ retail facilities are large, industrial-style buildings or stores with footprints that generally range from 2,000 m² to 20,000 m². While most big-boxes operate as a single-storey structure, they typically have a three-storey mass that stands more than 9m tall.</p> <p>It offers a wide variety of merchandise including food and drink, automotive parts and services, housewares, home furnishings, apparel, beauty aids, etc.</p> <p>The zone is differentiated from %Business Park+ in that this zone focuses more on commercial than industrial type uses.</p>	0,5 ha	N/A	18m	7,5m	3m	3m	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For provision relating to the use of land refer to Clause 4.1.4</li> </ul>

## SECTION 2 : LAND USE ZONES

LIFESTYLE CENTRE						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
AUTOMOTIVE SHOWROOM COMMERCIAL WORKSHOP CONFERENCE FACILITY GAMBLING PREMISES GENERAL SHOWROOM HOTEL INFORMAL TRADE AREA LAUNDERETTE MUNICIPAL PURPOSES OFFICE . GENERAL OFFICE . PROFESSIONAL PARKING ERF / PARKADE PLACE OF AMUSEMENT PUBLIC OFFICE SERVICE WORKSHOP SHOP - FACTORY SHOP . GENERAL SHOP . WHOLESALE VETERINARY PURPOSES	CARWASH FACILITY EDUCATIONAL BUILDING INDUSTRY - SERVICE PLACE OF ASSEMBLY PLACE OF WORSHIP RECREATIONAL BUILDING UTILITIES FACILITY	FUNERAL PARLOUR INDUSTRY . LIGHT INSTITUTION NIGHT CLUB / BAR SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	0,50	50%	UR

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : BUSINESS PARK

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
BUSINESS PARK		 <p>%Big-box-type+ retail facilities are large, industrial-style buildings or stores with footprints that generally range from 2,000 m<sup>2</sup> to 20,000 m<sup>2</sup>. While most big-boxes operate as a single-storey structure, they typically have a three-storey mass that stands more than 9m tall.</p> <p>It offers a wide variety of merchandise including food and drink, automotive parts and services, housewares, home furnishings, apparel, beauty aids, etc.</p> <p>The zone is differentiated from %Lifestyle Centre+ in that this zone focuses more on service industrial and wholesale commercial than general commercial type uses.</p>	1200m <sup>2</sup>	N/A	18m	7,5m	3m	3m	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For provision relating to the use of land refer to Clause 4.1.4</li> </ul>



## SECTION 2 : LAND USE ZONES

BUSINESS PARK						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
AUTOMOTIVE SHOWROOM COMMERCIAL WORKSHOP GENERAL SHOWROOM FUNERAL PARLOUR HOTEL INDUSTRY . LIGHT INDUSTRY - SERVICE INSTITUTION (restricted to hospital only) LAUNDERETTE OFFICE - GENERAL PARKING ERF / PARKADE PLACE OF AMUSEMENT PUBLIC OFFICE SHOP - FACTORY SHOP . WHOLESALE WAREHOUSE	CARETAKER ACCOMMODATION EDUCATIONAL BUILDING PLACE OF ASSEMBLY PLACE OF WORSHIP RECREATIONAL BUILDING SERVICE WORKSHOP UTILITIES FACILITY	NIGHT CLUB / BAR SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	1,00	70%	UR

## SECTION 2 : LAND USE ZONES

### 2.2.4 OFFICES

#### ZONE CATEGORY : PROFESSIONAL OFFICE

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX	FRONTAGE (M)	BUILDING LINES	SIDE SPACES	REAR SPACES	
PROFESSIONAL OFFICE		 <p>This is a zone for the development of distinct office areas adjacent to other forms of commercial development. Within the Professional Office Zone, the primary purpose is the provision of defined office districts specifically to accommodate a range of professional chambers and rooms.</p>	N/A	N/A	18m	7,5m	2m or 1,5m per storey whichever is greater		<ul style="list-style-type: none"><li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li><li>- For provision relating to the use of land refer to Clause 4.1.5.2</li></ul>





## SECTION 2 : LAND USE ZONES

PROFESSIONAL OFFICE						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
OFFICE . PROFESSIONAL  EDUCATIONAL BUILDING	HOME ACTIVITY  RESIDENTIAL - DWELLING HOUSE  SEMI-PROFESSIONAL OFFICE, subject to Council's consideration  VETERINARY PURPOSES	HOME BUSINESS  SHOP . GENERAL  SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	0,60	80%	2

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : OFFICE 1



USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET  FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
OFFICE 1		 <p>This is a zone for the development of distinct office areas adjacent to other forms of commercial development.</p>	N/A	N/A	18m	7,5m	3m or 1,5m per storey whichever is greater		<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For provision relating to the use of land refer to Clause 4.1.5.1</li> </ul>

## SECTION 2 : LAND USE ZONES

OFFICE 1						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
EDUCATIONAL BUILDING MUNICIPAL PURPOSES OFFICE . GENERAL OFFICE - PROFESSIONAL PARKING ERF / PARKADE 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	Buildings and land uses not included in columns 1 to 3.	3,00	75%	UR

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : OFFICE 2

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
OFFICE 2		 <p>This is a zone for the development of distinct office areas adjacent to other forms of commercial development.</p>	900m <sup>2</sup>	N/A	18m	7,5m	3m	3m	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For provision relating to the use of land refer to Clause 4.1.5.1</li> </ul>

## SECTION 2 : LAND USE ZONES



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OFFICE 2						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
OFFICE . PROFESSIONAL OFFICE - GENERAL	VETERINARY PURPOSES	SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	0,65	50%	2

## SECTION 2 : LAND USE ZONES

### 2.2.5 SERVICE STATION AND DIRECT ACCESS FILLING STATION

#### ZONE CATEGORY : SERVICE STATION

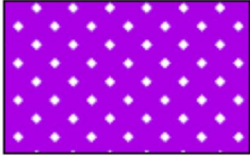

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
SERVICE STATION		 <p>This zone permits activities such as service station, public garage, and a restricted amount of space devoted to restaurants, shops and related services.</p>	2400m <sup>2</sup>	N/A	36m	7,5m	2m	2m	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For provision relating to the use of land refer to Clause 4.1.6</li> </ul>

## SECTION 2 : LAND USE ZONES

SERVICE STATION						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
MUNICIPAL PURPOSES SERVICE STATION	AUTOMOTIVE SHOWROOM COMMERCIAL WORKSHOP INDUSTRY . SERVICE PUBLIC GARAGE	SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	0,50	60%	UR

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : DIRECT ACCESS FILLING STATION

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
DIRECT ACCESS FILLING STATION		 <p>This means a service station that has direct access from a major road such as National or Provincial roads (normally an Ultra City / Engen 1-Stop type development)</p>	2400m <sup>2</sup>	N/A	36m	7,5m	2m	2m	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For provision relating to the use of land refer to Clause 4.1.6</li> </ul>





## SECTION 2 : LAND USE ZONES

DIRECT ACCESS FILLING STATION							
COLUMN 1			COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	
FREE ENTRY USES			FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT	
						F A R	HEIGHT
DIRECT STATION	ACCESS	SERVICE	CARETAKER ACCOMMODATION UTILITIES FACILITY	COMMERCIAL WORKSHOP INDUSTRY - SERVICE MUNICIPAL PURPOSES RECREATIONAL BUILDING SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	1,00	UR

## SECTION 2 : LAND USE ZONES

### 2.2.6 INDUSTRIAL, HARBOUR AND MINING

#### ZONE CATEGORY : HARBOUR



USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET  FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
HARBOUR		 <p>The provision of land for harbour purposes managed in terms of legislation related to the National Ports Authority. Harbours may include land for administrative purposes, customs, industrial uses, and areas for bulk storage, terminals, custom posts, limited commercial activity, social, health and recreational activities for employees.</p>	N/A	N/A	N/A	At the sole discretion of Council			<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For provision relating to the use of land refer to Clause 4.1.7</li> </ul>

## SECTION 2 : LAND USE ZONES

HARBOUR						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
AGRICULTURAL BUILDING AGRICULTURAL LAND CONSERVATION PURPOSES COMMERCIAL WORKSHOP HARBOUR INFRASTRUCTURE HARBOUR MANAGEMENT INDUSTRY . BULK STORAGE INDUSTRY - GENERAL INDUSTRY . LIGHT INDUSTRY - SERVICE MUNICIPAL PURPOSES PUBLIC OFFICE PUBLIC / PRIVATE STREET RAILWAY INFRASTRUCTURE RESIDENTIAL BUILDING / DWELLING HOUSE (restricted to caretaker and/or emergency staff) SHOP (restricted to total floor area of 50m <sup>2</sup> and to provide for day-to-day needs of port employees) UTILITIES FACILITY WAREHOUSE	COMMUNITY GARDEN EDUCATIONAL BUILDING (limited to a training facility ancillary to harbour-related uses) INSTITUTION LAUNDERETTE PARKING ERF / PARKADE PLACE OF AMUSEMENT PLACE OF ASSEMBLY PLACE OF WORSHIP PRIVATE RECREATIONAL USE RECREATIONAL BUILDING TERMINAL . PASSENGER LINER TERMINAL . TRUCK	AGRICULTURAL INDUSTRY INDUSTRY - EXTRACTIVE INDUSTRY . HIGH IMPACT INDUSTRY - SALVAGE PUBLIC GARAGE SHOP . GENERAL (other than provided for in column 1) SPECIAL USE WASTE TRANSFER / RECYCLING CENTRE	Buildings and land uses not included in columns 1 to 3.	2,0	60% for sites '4Ha + 2,5% per Ha up to maximum of 75%	UR

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : QUARRYING AND MINING

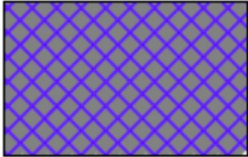

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET  FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
QUARRYING AND MINING		 <p>This zone is to be used to manage land identified or used for the extraction of raw minerals, sand or stone in a manner that is compatible with sustainable development and in terms of the relevant national, provincial and local requirements and guidelines related to quarrying, mining and environmental management. Business operations directly related to quarrying or mining which need to be operated on the site or which process materials derived from the extraction of minerals, may be operated on the same site as the quarry or mining operation provided they do not negatively impact on the amenity of the surrounding area in terms of noise, dust emission or traffic safety.</p>	N/A	N/A	N/A	At the sole discretion of Council			<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For provision relating to the use of land refer to Clause 4.1.9</li> </ul>

## SECTION 2 : LAND USE ZONES

QUARRYING AND MINING				
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT
				<div>F A R</div> <div>COVERAGE</div> <div>HEIGHT</div>
AGRICULTURAL BUILDING AGRICULTURAL LAND (pre mining) CONSERVATION PURPOSES EDUCATIONAL BUILDING (limited to a training facility) INDUSTRY - BULK STORAGE INDUSTRY . EXTRACTIVE PUBLIC / PRIVATE STREET UTILITIES FACILITY WASTE TRANSFER / RECYCLING CENTRE WAREHOUSE	NONE	AGRICULTURAL LAND (post mining) AGRICULTURAL INDUSTRY INDUSTRY . GENERAL INDUSTRY . HIGH IMPACT SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	At the sole discretion of Council and informed by a Development Plan

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : HIGH IMPACT INDUSTRY



USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET  FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
HIGH IMPACT INDUSTRY		 <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. This zone would permit manufacturing activities that may produce significant air pollution, 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.</p> <p>Outdoor storage, as either a principal use or an ancillary use, could 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>	N/A	N/A	18m	8m on sites '4Ha  15m on sites '4Ha	3m	3m	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For provision relating to the use of land refer to Clause 4.1.8</li> </ul>

## SECTION 2 : LAND USE ZONES

HIGH IMPACT INDUSTRY						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
AGRICULTURAL INDUSTRY CARETAKER ACCOMMODATION COMMERCIAL WORKSHOP EDUCATIONAL BUILDING (limited to a training facility) HARBOUR INFRASTRUCTURE INDUSTRY- EXTRACTIVE INDUSTRY . GENERAL INDUSTRY . LIGHT INDUSTRY . HIGH IMPACT INDUSTRY . SALVAGE INDUSTRY - SERVICE MUNICIPAL PURPOSES RAILWAY INFRASTRUCTURE RESTRICTED BUILDING UTILITIES FACILITY WAREHOUSE WASTE TRANSFER / RECYCLING CENTRE	AGRICULTURAL BUILDING AGRICULTURAL LAND AUTOMOTIVE SHOWROOM FUNERAL PARLOUR INSTITUTION ( restricted to a clinic)	CREMATORIUM INDUSTRY . BULK STORAGE SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	2,00	60% for sites '4Ha + 2,5% per Ha up to maximum of 75%	UR

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : HARBOUR-BOUND INDUSTRIAL

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET  FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
HARBOUR- BOUND INDUSTRIAL		 <p>The Harbour-bound industrial zone is a zone that permits activities, land use and buildings connected to the import or export of products and/or beneficiation and value-adding of products, commodities and services. It may include allied services and administrative support activities which are normally associated with such industries, and may include industries within or outside of the Richards Bay Industrial Development Zone.</p>	N/A	N/A	18m	8m on sites '4Ha  15m on sites '4Ha	3m	3m	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For provision relating to the use of land refer to Clause 4.1.8</li> </ul>





## SECTION 2 : LAND USE ZONES

HARBOUR-BOUND INDUSTRIAL						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
AGRICULTURAL INDUSTRY  CARETAKER / EMERGENCY STAFF ACCOMMODATION  HARBOUR INFRASTRUCTURE  INDUSTRY . BULK STORAGE  INDUSTRY - GENERAL  INDUSTRY . LIGHT  INDUSTRY - SERVICE  MUNICIPAL PURPOSES  PUBLIC OFFICE  RAILWAY INFRASTRUCTURE  WAREHOUSE	SHOP (Limited to 150m <sup>2</sup> only)	INDUSTRY . HIGH IMPACT  INDUSTRY - SALVAGE  SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	2,00	60% for sites '4Ha  + 2,5% per Ha up to maximum of 75%	UR

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : INDUSTRIAL DEVELOPMENT ZONE



USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET  FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
IDZ INDUSTRY		 <p>The IDZ industrial zone is a zone created for properties that fall within the Industrial Development Zone and that permits activities, land use and buildings connected to the import or export of products and/or beneficiation and value-adding of products, commodities and services. It may include allied services and administrative support activities which are normally associated with such industries, and may include industries within or outside of the Richards Bay Industrial Development Zone.</p>	N/A	N/A	18m	8m on sites '4Ha 15m on sites '4Ha	3m	3m	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For provision relating to the use of land refer to Clause 4.1.8</li> </ul>

## SECTION 2 : LAND USE ZONES

IDZ INDUSTRY						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
AGRICULTURAL INDUSTRY CARETAKER / EMERGENCY STAFF ACCOMMODATION HARBOUR INFRASTRUCTURE INDUSTRY - GENERAL INDUSTRY . LIGHT INDUSTRY - SERVICE MUNICIPAL PURPOSES OFFICE - GENERAL PUBLIC OFFICE PRIVATE STREET RAILWAY INFRASTRUCTURE WAREHOUSE	SHOP (Limited to 150m <sup>2</sup> only)	INDUSTRY . BULK STORAGE INDUSTRY - SALVAGE SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	0,70	60% for sites '4Ha + 2,5% per Ha up to maximum of 75%	UR

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : GENERAL INDUSTRY 1



USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
GENERAL INDUSTRY 1		 <p>The General Industrial zone is a zone that permits manufacturing uses, which are generally compatible with other manufacturing uses. As a cumulative industrial zone, it would permit a combination of light manufacturing uses found in other zones and more intensive manufacturing uses that would normally be considered incompatible with sensitive land uses, such as those uses found in the residential and open space zones.</p> <p>Warehousing of materials considered non-noxious or non-hazardous are permitted in buildings in this zone. 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. 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. Financial institutions, kennels, pet services, service shops, and showrooms would be permitted uses in the zone.</p>	2000m <sup>2</sup>	N/A	18m	8m on sites '4Ha 15m on sites '4Ha	3m	3m	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For provision relating to the use of land refer to Clause 4.1.8</li> </ul>

## SECTION 2 : LAND USE ZONES

GENERAL INDUSTRY 1						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
AUTOMOTIVE SHOWROOM CAR WASH FACILITY COMMERCIAL WORKSHOP FUNERAL PARLOUR IMPOUNDMENT AREA INDUSTRY . GENERAL INDUSTRY . LIGHT INDUSTRY . SALVAGE INDUSTRY . SERVICE MOTOR VEHICLE FITMENT CENTRE MUNICIPAL PURPOSES RAILWAY INFRASTRUCTURE UTILITIES FACILITY VETERINARY PURPOSES WAREHOUSE	AGRICULTURAL BUILDING AGRICULTURAL LAND EDUCATIONAL BUILDING (limited to a training facility ancillary to industrial purposes) GAMBLING PREMISES GENERAL SHOWROOM INSTITUTION, (restricted to a clinic) RECREATIONAL BUILDING VEHICLE TESTING STATION	AGRICULTURAL INDUSTRY CREMATORIUM INDUSTRY . EXTRACTIVE NIGHT CLUB / BAR OFFICE - GENERAL RESTRICTED BUILDING SHOP . GENERAL SHOP . FACTORY SHOP - WHOLESALE SPECIAL USE WASTE TRANSFER / RECYCLING CENTRE	Buildings and land uses not included in columns 1 to 3.	2,00	60% for sites '4Ha + 2,5% per Ha up to maximum of 75%	UR

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : GENERAL INDUSTRY 2

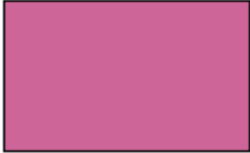

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
GENERAL INDUSTRY 2		 <p>The General Industrial zone is a zone that permits manufacturing uses, which are generally compatible with other manufacturing uses. As a cumulative industrial zone, it would permit a combination of light manufacturing uses found in other zones and more intensive manufacturing uses that would normally be considered incompatible with sensitive land uses, such as those uses found in the residential and open space zones.</p> <p>Warehousing of materials considered non-noxious or non-hazardous are permitted in buildings in this zone. 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. 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. Financial institutions, kennels, pet services, service shops, and showrooms would be permitted uses in the zone.</p>	1800m <sup>2</sup>	N/A	18m	7,5m	3m	3m	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For provision relating to the use of land refer to Clause 4.1.8</li> </ul>

## SECTION 2 : LAND USE ZONES

GENERAL INDUSTRY 2						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
AUTOMOTIVE SHOWROOM CAR WASH FACILITY COMMERCIAL WORKSHOP FUNERAL PARLOUR IMPOUNDMENT AREA INDUSTRY . GENERAL INDUSTRY . LIGHT INDUSTRY . SALVAGE INDUSTRY . SERVICE MOTOR VEHICLE FITMENT CENTRE MUNICIPAL PURPOSES PUBLIC OFFICE RAILWAY INFRASTRUCTURE UTILITIES FACILITY VETERINARY PURPOSES WAREHOUSE	AGRICULTURAL BUILDING AGRICULTURAL LAND EDUCATIONAL BUILDING (limited to a training facility ancillary to industrial purposes) GAMBLING PREMISES GENERAL SHOWROOM INSTITUTION, (restricted to a clinic) VEHICLE TESTING STATION	AGRICULTURAL INDUSTRY CREMATORIUM NIGHT CLUB / BAR OFFICE - GENERAL RESTRICTED BUILDING RECREATIONAL BUILDING SHOP . GENERAL SHOP . FACTORY SHOP - WHOLESALE SPECIAL USE WASTE TRANSFER / RECYCLING CENTRE	Buildings and land uses not included in columns 1 to 3.	1,00	80%	UR

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : LIGHT INDUSTRY 1

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
LIGHT INDUSTRY 1		 <p>The Light Industry zone is a zone that permits manufacturing uses which are compatible with land uses permitted in adjacent sensitive land use zones, such as residential, mixed use and open space zones. As a light industrial zone, it would permit manufacturing activities that usually do not involve vibration, noise, odour, cause undue load on any existing or proposed engineering services or high volume of automobile and truck traffic.</p> <p>Warehousing of materials considered non-noxious or non-hazardous are permitted in buildings in this zone, with possible conditions.</p> <p>Outdoor storage, as an ancillary use, would be extremely limited if not outright prohibited.</p> <p>Office and commercial uses would be permitted with conditions in this zone, i.e. with a Consent Use Procedure.</p>	1200m <sup>2</sup>	N/A	18m	7,5m	2m	2m	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For provision relating to the use of land refer to Clause 4.1.8</li> </ul>





## SECTION 2 : LAND USE ZONES

LIGHT INDUSTRY 1						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
AUTOMOTIVE SHOWROOM CAR WASH FACILITY COMMERCIAL WORKSHOP FUNERAL PARLOUR INDUSTRY . LIGHT INDUSTRY - SERVICE MOTOR VEHICLE FITMENT CENTRE MUNICIPAL PURPOSES PARKING ERF / PARKADE VETERINARY PURPOSES WAREHOUSE	AGRICULTURAL BUILDING AGRICULTURAL LAND CARETAKER ACCOMMODATION EDUCATIONAL BUILDING GAMBLING PREMISES GENERAL SHOWROOM PUBLIC OFFICE RECREATIONAL BUILDING UTILITIES FACILITY VEHICLE TESTING STATION	AGRICULTURAL INDUSTRY IMPOUNDMENT AREA INDUSTRY . SALVAGE NIGHT CLUB / BAR OFFICE - GENERAL PLACE OF AMUSEMENT PLACE OF ASSEMBLY PLACE OF WORSHIP RESTRICTED BUILDING SHOP . GENERAL SHOP . FACTORY SHOP - WHOLESALE SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	2,00	60%	UR

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : LIGHT INDUSTRY 2

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
LIGHT INDUSTRY 2		 <p>The Light Industry zone is a zone that permits manufacturing uses which are compatible with land uses permitted in adjacent sensitive land use zones, such as residential, mixed use and open space zones. As a light industrial zone, it would permit manufacturing activities that usually do not involve vibration, noise, odour, cause undue load on any existing or proposed engineering services or high volume of automobile and truck traffic.</p> <p>Warehousing of materials considered non-noxious or non-hazardous are permitted in buildings in this zone, with possible conditions.</p> <p>Outdoor storage, as an ancillary use, would be extremely limited if not outright prohibited.</p> <p>Office and commercial uses would be permitted with conditions in this zone, i.e. with a Consent Use Procedure.</p>	1200m <sup>2</sup>	N/A	18m	7,5m	2m	2m	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For provision relating to the use of land refer to Clause 4.1.8</li> </ul>



## SECTION 2 : LAND USE ZONES

LIGHT INDUSTRY 2						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
AUTOMOTIVE SHOWROOM CAR WASH FACILITY COMMERCIAL WORKSHOP FUNERAL PARLOUR INDUSTRY . LIGHT INDUSTRY - SERVICE MOTOR VEHICLE FITMENT CENTRE MUNICIPAL PURPOSES PARKING ERF / PARKADE VETERINARY PURPOSES WAREHOUSE	AGRICULTURAL BUILDING AGRICULTURAL LAND CARETAKER ACCOMMODATION EDUCATIONAL BUILDING GAMBLING PREMISES GENERAL SHOWROOM PUBLIC OFFICE RECREATIONAL BUILDING UTILITIES FACILITY VEHICLE TESTING STATION	AGRICULTURAL INDUSTRY IMPOUNDMENT AREA INDUSTRY . SALVAGE NIGHT CLUB / BAR OFFICE - GENERAL PLACE OF AMUSEMENT PLACE OF ASSEMBLY PLACE OF WORSHIP RESTRICTED BUILDING SHOP . GENERAL SHOP . FACTORY SHOP - WHOLESALE SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	0,50	50%	3

## SECTION 2 : LAND USE ZONES

### 2.2.7 RESIDENTIAL

#### ZONE CATEGORY : SPECIAL RESIDENTIAL

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET  FRONTAGE (M)	BULK FACTORS			BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		FAR	COVER AGE	HEIGHT	BUILDING LINES	SIDE SPACES	REAR SPACES	
SPECIAL RESIDENTIAL		  This zone promotes the development of primarily detached dwellings units, but does permit multi-family dwellings; and where a limited number of compatible ancillary uses, which have a non-disruptive impact on a neighbourhood amenity, may be allowed.	<300m <sup>2</sup>		8m	0,80	70%	2	3m	2m or 1,5m per storey whichever the greater		<ul style="list-style-type: none"><li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li><li>- For provision relating to the use of land refer to Clause 3.2.8;</li><li>- For additional provisions refer to Clause 4.1.10</li></ul>
			300- 500m <sup>2</sup>		12m	0,60	60%	2	3m	2m or 1,5m per storey whichever the greater		
			501-800m <sup>2</sup>		15m	0,50	50%	2	4m	2m or 1,5m per storey whichever the greater		
			>800m <sup>2</sup>		18m	0,40	40%	2	5m	2m or 1,5m per storey whichever the greater		

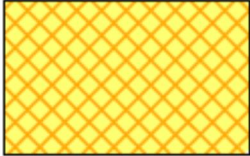

## SECTION 2 : LAND USE ZONES

SPECIAL RESIDENTIAL				
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT
				<div>F A R</div> <div>COVERAGE</div> <div>HEIGHT</div>
RESIDENTIAL - DWELLING HOUSE  ADDITIONAL DWELLING UNIT (limited in terms of Clause 4.1.10.1.2.1)	ADDITIONAL DWELLING UNIT  HOME ACTIVITY	HOME BUSINESS (subject to restrictions as detailed in Clause 3.2.8.4.1)  RESIDENTIAL - MEDIUM DENSITY (limited to sites >1800m <sup>2</sup> in size)  SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	As detailed under the categories listed above

NOTE: The following properties shall not be considered for development of Medium Density Residential+buildings even if the properties are larger than 1800m<sup>2</sup> due to Title Deed Restrictions . Erven 16679 . 16688 Richards Bay

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : MEDIUM DENSITY RESIDENTIAL 1

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
MEDIUM DENSITY RESIDENTIAL 1		 <p>This zone is intended to promote the development of attached and detached dwelling units as part of a larger planned residential development. It creates opportunity for medium density residential development around central urban areas, along development corridors and to achieve densification of urban land.</p>	3600m <sup>2</sup>	N/A	21m	7,5m along the external street frontage	Side and rear space requirements do not apply to dwelling unit curtilages, except along the side and rear boundaries of the Medium Density Housing site, where the minimum side and rear space shall be 4,5.		<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For provision relating to the use of land refer to Clause 3.2.8;</li> <li>- For additional provisions refer to Clause 4.1.10</li> </ul>



## SECTION 2 : LAND USE ZONES

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MEDIUM DENSITY RESIDENTIAL 1						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY 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 ACTIVITY	HOME BUSINESS LODGE RESIDENTIAL BUILDING SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	0,6	50%	3

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : MEDIUM DENSITY RESIDENTIAL 2

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
MEDIUM DENSITY RESIDENTIAL 2		 <p>This zone is intended to promote the development of attached and detached dwelling units as part of a larger planned residential development. It creates opportunity for medium density residential development around central urban areas, along development corridors and to achieve densification of urban land.</p>	1800m <sup>2</sup>	N/A	21m	7,5m along the external street frontage	Side and rear space requirements do not apply to dwelling unit curtilages, except along the side and rear boundaries of the Medium Density Housing site, where the minimum side and rear space shall be 4,5 m.	<ul style="list-style-type: none"><li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li><li>- For provision relating to the use of land refer to Clause 3.2.8;</li><li>- For additional provisions refer to Clause 4.1.10</li></ul>	



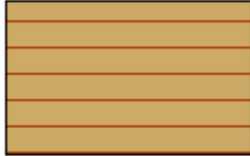

## SECTION 2 : LAND USE ZONES

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MEDIUM DENSITY RESIDENTIAL 2						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY 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 ACTIVITY	HOME BUSINESS LODGE RESIDENTIAL BUILDING SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	0,4	40%	2

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : HIGH DENSITY RESIDENTIAL 1



USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
HIGH DENSITY RESIDENTIAL 1		 <p>This zone is intended to promote the development of multi-unit residential units for a wide range of residential accommodation at a high density; together with a mix of activities to cater for broader community needs around central urban areas, along corridors and to achieve densification of urban land.</p>	1800m <sup>2</sup>	N/A	21m	7,5m	4,5m or 1,5m per storey, whichever is greater		<ul style="list-style-type: none"><li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li><li>- For provision relating to the use of land refer to Clause 3.2.8;</li><li>- For additional provisions refer to Clause 4.1.10</li></ul>

## SECTION 2 : LAND USE ZONES

HIGH DENSITY RESIDENTIAL 1												
COLUMN 1				COLUMN 2				COLUMN 3				COLUMN 4
FREE ENTRY USES 1 (I)	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT			FORMAL AUTHORITY USES 2 (I)	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT			CONSENT USES 3 (I)	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT			PROHIBITED USES
	1 (II) F A R	1 (III) COVERAGE	1 (IV) HEIGHT		2 (II) F A R	2 (III) COVERAGE	2 (IV) HEIGHT		3 (II) F A R	3 (III) COVERAGE	3 (IV) HEIGHT	
RESIDENTIAL - MEDIUM DENSITY  LAUNDERETTE (for use of residents only)  LODGE  RESIDENTIAL BUILDING  RESIDENTIAL DWELLING HOUSE	1,00	50%	UR	HOME ACTIVITY	1,00	50%	UR	HOME BUSINESS	1,00	50%	UR	Buildings and land uses not included in columns 1 to 3.
								EDUCATIONAL BUILDING INSTITUTION PLACE OF WORSHIP SPECIAL USE	0,50	25%	8	
								HOTEL PLACE OF AMUSEMENT AND/OR PLACE OF ASSEMBLY which forms part of a hotel	0,35	25%	2	
								CHALET DEVELOPMENT	0,35	25%	2	
								PARKING ERF / PARKADE	1,00	60%	8	
								MUNICIPAL PURPOSES	0,30	30%	2	

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : HIGH DENSITY RESIDENTIAL 2



USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
HIGH DENSITY RESIDENTIAL 2		 <p>This zone is intended to promote the development of multi-unit residential units for a wide range of residential accommodation at a high density; together with a mix of activities to cater for broader community needs around central urban areas, along corridors and to achieve densification of urban land.</p> <p>The main distinction between High Density Residential 1, 2 and 3 is that the bulk factors differ.</p>	1800m <sup>2</sup>	N/A	21m	7,5m	4,5m or 1,5m per storey, whichever is greater	<ul style="list-style-type: none"><li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li><li>- For provision relating to the use of land refer to Clause 3.2.8;</li><li>- For additional provisions refer to Clause 4.1.10</li></ul>	

## SECTION 2 : LAND USE ZONES

HIGH DENSITY RESIDENTIAL 2												
COLUMN 1				COLUMN 2				COLUMN 3				COLUMN 4
FREE ENTRY USES  1 (I)	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT			FORMAL AUTHORITY USES  2 (I)	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT			CONSENT USES  3 (I)	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT			PROHIBITED USES
	1 (II)	1 (III)	1 (IV)		2 (II)	2 (III)	2 (IV)		3 (II)	3 (III)	3 (IV)	
	F A R	COVERAGE	HEIGHT		F A R	COVERAGE	HEIGHT		F A R	COVERAGE	HEIGHT	
RESIDENTIAL - MEDIUM DENSITY  LAUNDERETTE (for use of residents only)  LODGE  RESIDENTIAL BUILDING  RESIDENTIAL - DWELLING HOUSE	0,80	50%	8	HOME ACTIVITY	0,80	50%	8	HOME BUSINESS	0,80	50%	8	Buildings and land uses not included in columns 1 to 3.
								EDUCATIONAL BUILDING  INSTITUTION  PLACE OF WORSHIP  SPECIAL USE	0,50	25%	8	
								HOTEL  PLACE OF AMUSEMENT  AND/OR  PLACE OFASSEMBLY which form part of a hotel	0,35	25%	2	
								CHALET DEVELOPMENT	0,35	25%	2	
								PARKING ERF / PARKADE	1,00	60%	8	
								MUNICIPAL PURPOSES	0,30	30%	2	

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : HIGH DENSITY RESIDENTIAL 3



USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
HIGH DENSITY RESIDENTIAL 3		 <p>This zone is intended to promote the development of multi-unit residential units for a wide range of residential accommodation at a high density; together with a mix of activities to cater for broader community needs around central urban areas, along corridors and to achieve densification of urban land.</p> <p>The main distinction between High Density Residential 1, 2 and 3 is that the bulk factors differ.</p>	1800m <sup>2</sup>	N/A	21m	7,5m	4,5m or 1,5m per storey, whichever is greater		<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For provision relating to the use of land refer to Clause 3.2.8;</li> <li>- For additional provisions refer to Clause 4.1.10</li> </ul>

## SECTION 2 : LAND USE ZONES

HIGH DENSITY RESIDENTIAL 3												
COLUMN 1				COLUMN 2				COLUMN 3				COLUMN 4
FREE ENTRY USES 1 (I)	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT			FORMAL AUTHORITY USES 2 (I)	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT			CONSENT USES 3 (I)	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT			PROHIBITED USES
	1 (II) F A R	1 (III) COVERAGE	1 (IV) HEIGHT		2 (II) F A R	2 (III) COVERAGE	2 (IV) HEIGHT		3 (II) F A R	3 (III) COVERAGE	3 (IV) HEIGHT	
RESIDENTIAL - MEDIUM DENSITY  LAUNDERETTE (for use of residents only)  LODGE  RESIDENTIAL BUILDING  RESIDENTIAL - DWELLING HOUSE	0,55	40%	6	HOME ACTIVITY	0,55	40%	6	HOME BUSINESS	0,55	40%	6	Buildings and land uses not included in columns 1 to 3.
								EDUCATIONAL BUILDING INSTITUTION PLACE OF WORSHIP SPECIAL USE	0,50	25%	8	
								HOTEL PLACE OF AMUSEMENT AND/OR PLACE OF ASSEMBLY which form part of a hotel	0,35	25%	2	
								CHALET DEVELOPMENT	0,35	25%	2	
								PARKING ERF / PARKADE	1,00	60%	8	
								MUNICIPAL PURPOSES	0,30	30%	2	

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : WATERFRONT RESIDENTIAL

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY - ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
WATERFRONT RESIDENTIAL		 <p>A residential estate-type development that has direct access to a waterfront.</p>	5000m <sup>2</sup>	N/A	18m	7,5m	4,5m or 1,5m per storey, whichever is the greater	4,5m or 1,5m per storey, whichever is the greater	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For provision relating to the use of land refer to Clause 3.2.8;</li> <li>- For additional provisions refer to Clause 4.1.10</li> </ul>

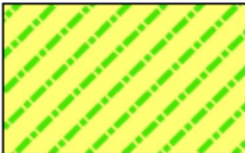



## SECTION 2 : LAND USE ZONES

WATERFRONT RESIDENTIAL						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
RESIDENTIAL DWELLING HOUSE  RESIDENTIAL MEDIUM DENSITY  RESIDENTIAL BUILDING  MARINA INFRASTRUCTURE	HOME ACTIVITY	HOME BUSINESS  SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	0,6	45%	2

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : RESIDENTIAL ESTATE



USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX	FRONTAGE (M)	BUILDING LINES	SIDE SPACES	REAR SPACES	
RESIDENTIAL ESTATE		 <p>A large mixed use zone that makes provision for the development of an aesthetically pleasing residential estate, providing a mix of residential and recreational options, and sometimes limited educational and commercial options for the convenience of the residents, located within a secure gated environment.</p>	5 ha	N/A	21m	7,5m along the external street frontage	Side and rear space requirements do not apply to dwelling unit curtilages, except along the side and rear boundaries of the Residential Estate site, where the minimum side and rear space shall be 4,5 m or 1,5m per storey (whichever is the greatest)	<ul style="list-style-type: none"><li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li><li>- For provision relating to the use of land refer to Clause 3.2.8;</li><li>- For additional provisions refer to Clause 4.1.10</li></ul>	

## SECTION 2 : LAND USE ZONES

RESIDENTIAL ESTATE												
COLUMN 1				COLUMN 2				COLUMN 3				COLUMN 4
FREE ENTRY USES  1 (I)	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT			FORMAL AUTHORITY USES  2 (I)	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT			CONSENT USES  3 (I)	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT			PROHIBITED USES
	1 (II)  F A R	1 (III)  COVERAGE	1 (IV)  HEIG HT		2 (II)  F A R	2 (III)  COVERAGE	2 (IV)  HEIGHT		3 (II)  F A R	3 (III)  COVERAGE	3 (IV)  HEIGHT	
RESIDENTIAL COMPONENT												
AGRICULTURAL LAND	0,125	12,5%	2	DAYCARE FACILITY HOME ACTIVITY MARINA INFRASTRUCTURE	0,6	50%	3	INSTITUTION (limited to a frail care facility for the elderly)	0,50	50%	8	Buildings and land uses not included in columns 1 to 3.
COMMUNITY GARDEN												
RESIDENTIAL BUILDING	0,8	40%	8									
RESIDENTIAL MEDIUM DENSITY	0,6	50%	3					AGRICULTURAL BUILDING	0,6	50%	3	
PRIVATE RECREATIONAL USE								HOME BUSINESS				
PUBLIC / PRIVATE STREET								LODGE				
RECREATION / EDUCATIONAL / COMMERCIAL COMPONENT												
CARWASH FACILITY	0.60	50%	4	NONE				OFFICE . GENERAL PLACE OF WORSHIP SPECIAL USE VETERINARY PURPOSES	0.60	50%	4	Buildings and land uses not included in columns 1 to 3.
COMMERCIAL WORKSHOP												
EDUCATIONAL BUILDING												
LAUNDERETTE												
PRIVATE RECREATIONAL USE												
PUBLIC / PRIVATE STREET												
RECREATIONAL BUILDING												
SERVICE STATION												
SHOP - GENERAL												

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : RETIREMENT VILLAGE

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
RETIREMENT VILLAGE		 <p>A development intended for the accommodation or settlement of persons upon their retirement. Such development should:</p> <ul style="list-style-type: none"><li>• provide a variety of accommodation, recreational and care options for its residents;</li><li>• empower the senior citizen community. As such, this zoning provides for:</li><li>• continued employment options for senior citizens; and</li><li>• the continued integration of the senior citizen community with the rest of the community (i.e. %public contact+areas).</li></ul> <p>Facilities may provide for the following components as part of a mixed use development:</p> <ul style="list-style-type: none"><li>• a medium density housing component, including private and common open space and utility areas,</li><li>• a frail care centre and assisted living component, including common open space and utility areas,</li><li>• a recreational and community centre component, including common open space and utility areas. This component may include incidental land uses such as an office building, medical facility, agricultural uses, educational buildings, library, laundry / launderette, shop, hobby workshops, community market, etc., which in each case shall be restricted as required by the Municipality, and be for the sole use of occupants and guests, unless otherwise stated.</li></ul>	5 ha	N/A	21m	7,5m along 5 the external street frontage	Side and rear space requirements do not apply to dwelling unit curtilages, except along the side and rear boundaries of the Retirement Village site, where the minimum side and rear space shall be 4,5 m or 1,5m per storey (whichever is the greatest)	<ul style="list-style-type: none"><li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li><li>- For provision relating to the use of land refer to Clause 3.2.8;</li><li>- For additional provisions refer to Clause 4.1.10</li></ul>	
RETIREMENT VILLAGE									

## SECTION 2 : LAND USE ZONES

COLUMN 1				COLUMN 2			COLUMN 3				COLUMN 4	
FREE ENTRY USES  1 (I)	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT			FORMAL AUTHORITY USES  2 (I)	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT			CONSENT USES  3 (I)	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT			PROHIBITED USES
	1 (II)	1 (III)	1 (IV)		2 (II)	2 (III)	2 (IV)		3 (II)	3 (III)	3 (IV)	
	F A R	COVERAGE	HEIGHT		F A R	COVERAGE	HEIGHT		F A R	COVERAGE	HEIGHT	
COMPONENT A : ASSISTED LIVING AND FRAIL CARE												
INSTITUTION PUBLIC / PRIVATE STREET	0.50	50%	UR	N/A			RESTRICTED BUILDING SPECIAL BUILDING	0.50	50%	UR	Buildings and land uses not included in columns 1 to 3.	
RESIDENTIAL BUILDING	0,8	40%	8									
COMPONENT B : MEDIUM DENSITY HOUSING												
RESIDENTIAL - MEDIUM DENSITY PUBLIC / PRIVATE STREET	0.45	40%	2	HOME ACTIVITY			HOME BUSINESS SPECIAL BUILDING	0.45	40%	2	Buildings and land uses not included in columns 1 to 3.	
COMPONENT C : RECREATION AND COMMUNITY CENTRE												
AGRICULTURAL LAND (restricted to community garden and/or plant nursery)	n/a						GAMBLING PREMISES HOTEL SPECIAL BUILDING	0.60	50%	4	Buildings and land uses not included in columns 1 to 3.	
ARTS AND CRAFTS WORKSHOP CARWASH FACILITY CONFERENCE FACILITY EDUCATIONAL BUILDING FLEA MARKET HOBBY WORKSHOP LAUNDERETTE LODGE MUNICIPAL PURPOSES OFFICE . GENERAL OFFICE PROFESSIONAL	0.60	50%	4	N/A								



SECTION 2 : LAND USE ZONES

PARKING ERF / PARKADE PUBLIC / PRIVATE STREET PLACE OF AMUSEMENT PLACE OF ASSEMBLY PLACE OF WORSHIP PRIVATE RECREATIONAL USE PUBLIC RECREATIONAL USE RECREATIONAL BUILDING SHOP . GENERAL VETERINARY PURPOSES										
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## SECTION 2 : LAND USE ZONES

### 2.2.8 HOTELS AND RESORTS

#### ZONE CATEGORY : HOTELS

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
HOTEL		 <p>A zone that makes provision for holiday accommodation, including a licensed hotel, and includes a range of related facilities such as recreational facilities, shop and laundromat for the exclusive use of the guests, public lounge, restaurant and bar areas.</p>	3600m <sup>2</sup>	N/A	18m	7,5m	4,5m or 1,5m per storey, whichever is greater	<ul style="list-style-type: none"><li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li><li>- For additional provisions refer to Clause 4.1.11</li></ul>	



## SECTION 2 : LAND USE ZONES

HOTEL						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
CONFERENCE FACILITY  HOTEL  LODGE  NIGHT CLUB / BAR (which forms part of a hotel)  PLACE OF AMUSEMENT (which forms part of a hotel)  PLACE OF ASSEMBLY (which forms part of a hotel)  PRIVATE RECREATIONAL USE  RECREATIONAL BUILDING  RESIDENTIAL BUILDING  UTILITIES FACILITY	ARTS AND CRAFTS WORKSHOP  EDUCATIONAL BUILDING  GAMBLING PREMISES (which forms part of a hotel)  HOME ACTIVITY  MARINA INFRASTRUCTURE  MUNICIPAL PURPOSES  PARKING ERF / PARKADE  PLACE OF WORSHIP  RESIDENTIAL . DWELLING HOUSE  RESIDENTIAL - MEDIUM DENSITY	HOME BUSINESS  INSTITUTION  SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	1,00	60%	8



## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : RESORT HIGH IMPACT



USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
RESORT HIGH IMPACT		 <p>A zone that makes provision for the development of tourist associated residential units in conjunction with recreation and other resort facilities as part of the tourism industry.</p>	10 ha and supported by a development plan	N/A	21m	7,5m	4,5m or 1,5m per storey, whichever is greater		<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For additional provisions refer to Clause 4.1.12.1</li> </ul>

## SECTION 2 : LAND USE ZONES

RESORT HIGH IMPACT						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
CASINO  MUNICIPAL PURPOSES  OFFICE - GENERAL  PUBLIC / PRIVATE STREET  RESORT DEVELOPMENT	CAMPING AND CARAVAN PARK  CHALET DEVELOPMENT  EDUCATIONAL BUILDING  MARINA INFRASTRUCTURE  RESIDENTIAL BUILDING  RESIDENTIAL - MEDIUM DENSITY  UTILITIES FACILITY	SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	0,40	40%	6

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : RESORT LOW IMPACT

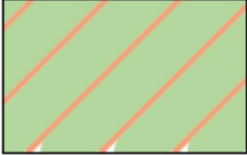

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
RESORT LOW IMPACT		 <p>A zone that makes provision for the development of tourist associated residential units in conjunction with recreation and other resort facilities as part of the tourism industry.</p>	2 ha and supported by a development plan	N/A	21m	7,5m	4,5m	4,5m	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For additional provisions refer to Clause 4.1.12.1</li> </ul>

## SECTION 2 : LAND USE ZONES

RESORT LOW IMPACT						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
CARETAKER ACCOMMODATION COFFEE SHOP / TEA GARDEN LAUNDERETTE PRIVATE RECREATIONAL USE PUBLIC / PRIVATE STREET TUCK SHOP	AGRICULTURAL LAND UTILITIES FACILITY MARINA INFRASTRUCTURE	PLACE OF AMUSEMENT PLACE OF ASSEMBLY RECREATIONAL BUILDING SHOP - GENERAL SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	0,35	35%	2
CAMPING AND CARAVAN PARK CHALET DEVELOPMENT RESIDENTIAL - MEDIUM DENSITY PARKS FOR MOBILE HOMES				0,35  May not exceed 20 dwelling units and/or caravans per gross ha.	35%  May not exceed 20 dwelling units and/or caravans per gross ha.	2

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : HARBOUR RESORT

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET  FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
HARBOUR RESORT		 <p>The provision of land for mixed . use harbour resort purposes.</p>	N/A	N/A	N/A	7,5m	4,5m or 1,5m per storey, whichever is greater		<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For additional provisions refer to Clause 4.1.12.2</li> </ul>


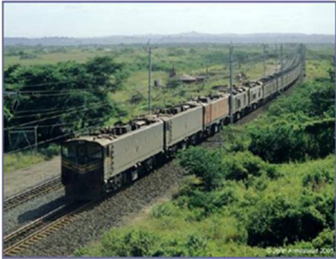
## SECTION 2 : LAND USE ZONES

HARBOUR RESORT					
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT	
				F A R	HEIGHT
ARTS AND CRAFTS WORKSHOP CAMPING AND CARAVAN PARK CHALET DEVELOPMENT HARBOUR INFRASTRUCTURE HARBOUR MANAGEMENT HOTEL LAUNDERETTE MARINA INFRASTRUCTURE MUNICIPAL PURPOSES OFFICE - GENERAL PARKING ERF / PARKADE PLACE OF AMUSEMENT PLACE OF ASSEMBLY PRIVATE RECREATIONAL USE PUBLIC RECREATIONAL USE PUBLIC OFFICE PUBLIC / PRIVATE STREET RECREATIONAL BUILDING RESIDENTIAL BUILDING RESIDENTIAL . MEDIUM DENSITY SHOP . GENERAL UTILITIES FACILITY	AUTOMOTIVE SHOWROOM (for sea craft only) CARWASH FACILITY COMMERCIAL WORKSHOP EDUCATIONAL BUILDING GAMBLING PREMISES HOME ACTIVITY INDUSTRY . LIGHT INDUSTRY - SERVICE PLACE OF WORSHIP RAILWAY INFRASTRUCTURE WAREHOUSE	AGRICULTURAL INDUSTRY (limited to mariculture) HOME BUSINESS NIGHT CLUB / BAR PUBLIC GARAGE SPECIAL USE TERMINAL . PASSENGER LINER	Buildings and land uses not included in columns 1 to 3.	At the sole discretion of Council and supported by a Development Plan	

## SECTION 2 : LAND USE ZONES

### 2.2.9 TRANSPORTATION ROUTES OR CORRIDORS

#### ZONE CATEGORY : RAILWAYS

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET  FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
RAILWAYS		 <p>A zone that makes provision for railway routes, open areas for the storage and repairs of trains, including warehouses for freight operations.</p>	N/A	N/A	N/A	7,5m	3m	3m	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For additional provisions refer to Clause 4.1.13.1</li> </ul>



## SECTION 2 : LAND USE ZONES

RAILWAYS				
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT
				<div>F A R</div> <div>COVERAGE</div> <div>HEIGHT</div>
AGRICULTURAL LAND CARETAKER ACCOMMODATION HARBOUR INFRASTRUCTURE PUBLIC / PRIVATE STREET RAILWAY INFRASTRUCTURE UTILITIES FACILITY	WAREHOUSE	IMPOUNDMENT AREA SPECIAL USE TERMINAL - RAILWAYS	Buildings and land uses not included in columns 1 to 3.	At the sole discretion of Council and supported by a Development Plan, if required by Council



## SECTION 2 : LAND USE ZONES



### ZONE CATEGORY : EXISTING PUBLIC ROAD

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
EXISTING PUBLIC ROAD		 <p>This zone makes provision for the protection of roads and road reserves for the free movement of vehicular and pedestrian transport, and is usually open to the public and maintained by the relevant National, Provincial or Local Authorities.</p>	N/A	N/A	N/A	N/A	N/A	N/A	- Design and construction subject to the engineering specifications prescribed by Council

EXISTING PUBLIC ROAD				
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT
				<div>F A R</div> <div>COVERAGE</div> <div>HEIGHT</div>
PUBLIC STREET PARKING ERF / PARKADE UTILITIES FACILITY	INFORMAL TRADE AREA TERMINAL . BUS AND TAXI	SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	At the sole discretion of Council

## SECTION 2 : LAND USE ZONES

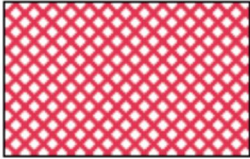

### ZONE CATEGORY : PROPOSED ROAD

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET  FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
PROPOSED ROAD		 <p>This zone makes provision for the reservation of land designated as proposed new roads and areas for road widening.</p>	N/A	N/A	N/A	N/A	N/A	N/A	- Design and construction subject to the engineering specifications prescribed by Council

PROPOSED ROAD				
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT
				<div>F A R</div> <div>COVERAGE</div> <div>HEIGHT</div>
PUBLIC AND PRIVATE STREET (Final alignment to be determined when development takes place.)  UTILITIES FACILITY	AGRICULTURAL LAND	SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	At the sole discretion of Council

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : PRIVATE ROAD

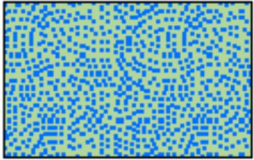
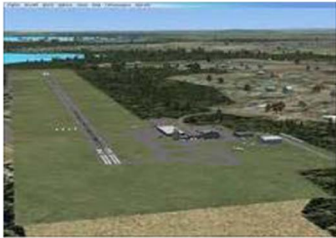
USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
PRIVATE ROAD		 <p>This zone makes provision for the reservation of land designated as private roads, as opposed to roads that are open to the public.</p>	N/A	N/A	N/A	N/A	N/A	N/A	- Design and construction subject to the engineering specifications prescribed by Council

PRIVATE ROAD				
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT
				<div>F A R</div> <div>COVERAGE</div> <div>HEIGHT</div>
PRIVATE STREET PARKING ERF / PARKADE	NONE	SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	At the sole discretion of Council

## SECTION 2 : LAND USE ZONES

### 2.2.10 TRANSPORTATION TERMINALS

#### ZONE CATEGORY : AIRPORT / AIRFIELD



USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET  FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
AIRPORT AIRFIELD	/ 	 <p>A zone that makes provision for facilities to enable aircraft to take off and land, usually equipped with hangars, facilities for re-fuelling and repair and various accommodations and convenience facilities for passengers.</p>	N/A	N/A	N/A	7,5m	4,5m	4,5m	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For additional provisions refer to Clause 4.1.14.1 and 4.1.14.2</li> </ul>

## SECTION 2 : LAND USE ZONES

AIRPORT / AIRFIELD						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
AGRICULTURAL LAND CARETAKER ACCOMMODATION TERMINAL . AIRPORT / AIRFIELD UTILITIES FACILITY	NONE	SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	At the sole discretion of Council and supported by a Development Plan		

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : INTERMODAL FACILITY



USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET  FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
INTERMODAL FACILITY		 <p>A zone that makes provision for public transport facilities including the parking, drop off and collection of passengers by public and private bus services and mini bus taxis.</p>	N/A	N/A	N/A	7,5m	4,5m	4,5m	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For additional provisions refer to Clause 4.1.14.1 and 4.1.14.3</li> </ul>

## SECTION 2 : LAND USE ZONES

INTERMODAL FACILITY						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
TERMINAL . BUS AND TAXI	NONE	NONE	Buildings and land uses not included in columns 1 to 3.	0,30	30%	2
AUTOMOTIVE SHOWROOM COMMERCIAL WORKSHOP CARETAKER ACCOMMODATION EDUCATIONAL BUILDING GAMBLING PREMISES INDUSTRY . SERVICE LAUNDERETTE MOTOR VEHICLE FITMENT CENTRE PARKING AREA / PARKADE PLACE OF ASSEMBLY PLACE OF AMUSEMENT PUBLIC OFFICE SHOP . GENERAL UTILITIES FACILITY VETERINARY PURPOSES	NONE	FUNERAL PARLOUR RECREATIONAL BUILDING SPECIAL USE		2,00	70%	4

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : TRUCK TERMINUS

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET  FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
TRUCK TERMINUS		 <p>A zone that makes provision for the servicing, maintenance or repair of commercial vehicles including the dispensing of motor fuel or other petroleum products directly into motor vehicles and the sale of accessories or equipment for trucks and similar commercial vehicles. A truck stop may also include overnight accommodation and restaurant facilities primarily for the use of truck crews.</p>	N/A	N/A	N/A	7,5m	4,5m	4,5m	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For additional provisions refer to Clause 4.1.14.1 and 4.1.14.4</li> </ul>





## SECTION 2 : LAND USE ZONES

TRUCK TERMINUS						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
TERMINAL - TRUCK	NONE	NONE	Buildings and land uses not included in columns 1 to 3.	0,30	30%	3
INDUSTRY - SERVICE LAUNDERETTE MUNICIPAL PURPOSES PARKING AREA / PARKADE PLACE OF AMUSEMENT PLACE OF ASSEMBLY PLACE OF WORSHIP (restricted to a chapel) PRIVATE RECREATIONAL USE PUBLIC OFFICE (restricted to a clinic) RECREATIONAL BUILDING SHOP - GENERAL	CHALET DEVELOPMENT RESIDENTIAL BUILDING	GAMBLING PREMISES SPECIAL USE		2,00	70%	3

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : RAILWAY TERMINUS



USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET  FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
RAILWAY TERMINUS		 <p>A zone that makes provision for the drop off and collection of passengers by train, including any facilities deemed necessary for the operation of a railway facility including the maintenance of railway vehicles.</p>	N/A	N/A	N/A	7,5m	4,5m	4,5m	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For additional provisions refer to Clause 4.1.14.1</li> </ul>

## SECTION 2 : LAND USE ZONES

RAILWAY TERMINUS					
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT	
				F A R	HEIGHT
CARETAKER ACCOMMODATION MUNICIPAL PURPOSES PLACE OF ASSEMBLY RAILWAY INFRASTRUCTURE TERMINAL . RAILWAYS UTILITIES FACILITY	CARWASH FACILITY ARTS AND CRAFTS WORKSHOP WAREHOUSE	COMMERCIAL WORKSHOP INFORMAL TRADE AREA SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	At the sole discretion of Council and informed by a Development Plan	

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : PASSENGER LINER TERMINUS

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET  FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
PASSENGER LINER TERMINUS		 <p>A zone that makes provision for the drop off and collection of passengers by ship, including any facilities deemed necessary for the operation of a passenger liner facility including a parkade/s, ticket sales, waiting and customs control area, relevant warehousing, shops, restaurants and tourism facilities.</p>	N/A	N/A	N/A	7,5m	4,5m	4,5m	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For additional provisions refer to Clause 4.1.14.1</li> </ul>



## SECTION 2 : LAND USE ZONES

PASSENGER LINER TERMINUS						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
CARETAKER ACCOMMODATION HARBOUR INFRASTRUCTURE HARBOUR MANAGEMENT MUNICIPAL PURPOSES PLACE OF ASSEMBLY TERMINAL . PASSENGER LINER	ARTS AND CRAFTS WORKSHOP CARWASH FACILITY COMMERCIAL WORKSHOP GAMBLING PREMISES INFORMAL TRADE AREA PUBLIC OFFICE WAREHOUSE	IMPOUNDMENT AREA SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	At the sole discretion of Council and informed by a Development Plan		

## SECTION 2 : LAND USE ZONES

### 2.2.11 PARKING

#### ZONE CATEGORY : PARKING AREA / PARKADE

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET  FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
PARKING AREA / PARKADE		 <p>A zone that reserves land for stand-alone parking purposes. Certain commercial activities which do not impact upon the primary use of the land for parking may be permitted</p>	N/A	N/A	18m	7,5m	4,5m or 1,5m per storey, whichever is greater		- For additional provisions refer to Clause 4.1.15



## SECTION 2 : LAND USE ZONES

PARKING AREA / PARKADE						
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5		
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT		
				F A R	COVERAGE	HEIGHT
PARKING ERF / PARKADE  CAR WASH FACILITY (ANCILLARY TO A PARKING ERF / PARKADE)  PUBLIC / PRIVATE STREET	NONE	SHOP - GENERAL (ANCILLARY TO A PARKING ERF / PARKADE AND ON GROUND FLOOR ONLY)  UTILITIES FACILITY	Buildings and land uses not included in columns 1 to 3.	3,00	100%	UR

## SECTION 2 : LAND USE ZONES

### 2.2.12 UTILITIES AND SERVICES

#### ZONE CATEGORY : SERVICES

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET  FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
SERVICES		 <p>This zone makes provision for sites and corridors reserved for the Municipality and other service delivery agents to supply services throughout the City.</p>	N/A	N/A	N/A	7,5m	4,5m	4,5m	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For additional provisions refer to Clause 4.1.16</li> </ul>





## SECTION 2 : LAND USE ZONES

SERVICES				
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT
				<div>F A R</div> <div>COVERAGE</div> <div>HEIGHT</div>
AGRICULTURAL BUILDING AGRICULTURAL LAND HARBOUR INFRASTRUCTURE MARINA INFRASTRUCTURE MUNICIPAL PURPOSES PUBLIC / PRIVATE STREET RAILWAY INFRASTRUCTURE UTILITIES FACILITY	COMMUNITY GARDEN	AGRICULTURAL INDUSTRY SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	At the sole discretion of Council

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : REFUSE SITE



USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET  FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
REFUSE SITE		 <p>This zone makes provision for disposal works and infrastructure necessary for the Municipality to permanently dispose of, or recycle, solid waste</p>	N/A	N/A	N/A	7,5m	4,5m	4,5m	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For additional provisions refer to Clause 4.1.16</li> </ul>

## SECTION 2 : LAND USE ZONES

REFUSE SITE				
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT
				<div>F A R</div> <div>COVERAGE</div> <div>HEIGHT</div>
INDUSTRY - SALVAGE  INDUSTRY . HIGH IMPACT (limited to a Refuse Site)  MUNICIPAL PURPOSES  WASTE TRANSFER AND/OR DROP-OFF STATION  WASTE TRANSFER / RECYCLING CENTRE  UTILITIES FACILITY	NONE	SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	At the sole discretion of Council

## SECTION 2 : LAND USE ZONES



### ZONE CATEGORY : WASTEWATER TREATMENT

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
WASTEWATER TREATMENT PLANT		 <p>This zone makes provision for sewerage treatment works and associated infrastructure necessary for the Municipality to manage and treat sewage.</p>	N/A	N/A	N/A	7,5m	4,5m	4,5m	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For additional provisions refer to Clause 4.1.16.1</li> </ul>

WASTEWATER TREATMENT PLANT				
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT
				<div>F A R</div> <div>COVERAGE</div> <div>HEIGHT</div>
INDUSTRY . HIGH IMPACT (limited to sewage treatment or sewage macerators)  MUNICIPAL PURPOSES  UTILITIES FACILITY	NONE	SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	At the sole discretion of Council

## SECTION 2 : LAND USE ZONES



### ZONE CATEGORY : WATER WORKS & RESERVOIR

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET  FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
WATER WORKS & RESERVOIR		 <p>This zone makes provision for reservoirs, water works and infrastructure necessary for the Municipality to treat and deliver water throughout the City.</p>	N/A	N/A	N/A	7,5m	4,5m	4,5m	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For additional provisions refer to Clause 4.1.16.1</li> </ul>

WATER WORKS & RESERVOIR				
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT
				<div>F A R</div> <div>COVERAGE</div> <div>HEIGHT</div>
MUNICIPAL PURPOSES UTILITIES FACILITY	NONE	SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	At the sole discretion of Council

## SECTION 2 : LAND USE ZONES

### ZONE CATEGORY : CEMETERY

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET  FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
CEMETERY		 <p>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 and gardens of remembrance</p>	N/A	N/A	N/A	7,5m	4,5m	4,5m	<ul style="list-style-type: none"> <li>- For provisions relating to parking and loading refer to Clause 3.1.2.4 and 3.1.2.5;</li> <li>- For additional provisions refer to Clause 4.1.16.1 and 4.1.16.3</li> </ul>

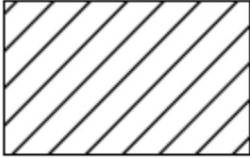

## SECTION 2 : LAND USE ZONES

CEMETERY					
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT	
				F A R	HEIGHT
AGRICULTURAL BUILDING AGRICULTURAL LAND CARETAKER ACCOMMODATION CEMETERY PURPOSES MUNICIPAL PURPOSES UTILITIES FACILITY	COMMUNITY GARDEN COFFEE SHOP / TEA GARDEN SHOP . LIMITED (as described in the definition)	PUBLIC RECREATIONAL USE SPECIAL USE	Buildings and land uses not included in columns 1 to 3.	At the sole discretion of Council	

## SECTION 2 : LAND USE ZONES

### 2.2.13 UNDETERMINED

#### ZONE CATEGORY : UNDETERMINED

USE ZONE	REFERENCE TO MAP	STATEMENT OF INTENT	INTENSITY . ERF SIZE		MINIMUM STREET  FRONTAGE (M)	BUILDING LINES, SIDE AND REAR SPACES			ADDITIONAL REQUIREMENTS / COMMENTS
			MIN	MAX		BUILDING LINES	SIDE SPACES	REAR SPACES	
UNDETERMINED		 <p>This zone makes provision for primarily municipal owned land to be managed until such time as more detailed, permanent zonings are determined.</p>	N/A	N/A	N/A	At the sole discretion of Council			N/A



## SECTION 2 : LAND USE ZONES

UNDETERMINED				
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
FREE ENTRY USES	FORMAL AUTHORITY USES	CONSENT USE	PROHIBITED USES	MAXIMUM PERMISSIBLE FLOOR AREA RATIO, COVERAGE AND HEIGHT
				<div>F A R</div> <div>COVERAGE</div> <div>HEIGHT</div>
AGRICULTURAL BUILDING AGRICULTURAL LAND COMMUNITY GARDEN MUNICIPAL PURPOSES PUBLIC STREET RECREATIONAL BUILDING UTILITIES FACILITY	NONE	NEW SERVITUDE, 15M OR WIDER  Any temporary building or land use not in conflict with any condition registered against the title of the land subject to the approval in lieu of the consent of the Council	Buildings and land uses not included in columns 1 to 3.	At the sole discretion of Council

## **SECTION 3 : GENERAL CONTROLS – DESIGN AND DEVELOPMENT OF SITES**

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### **3 PART 3 : GENERAL CONTROLS**

#### **3.1 PROVISIONS APPLICABLE TO DESIGN AND DEVELOPMENT OF SITES**

##### **3.1.1 GENERAL MATTERS FOR CONSIDERATION DURING SITE DESIGN AND DEVELOPMENT**

###### **3.1.1.1 DEVELOPMENT PLANS**

3.1.1.1.1 The Council may from time to time, for the purpose of the co-ordinated allocation of land, use rights and restrictions as contemplated in this Scheme and as a requisite for development:

- a) compile development plans in respect of specific areas; and/or
- b) instruct a prospective developer to submit to the Council, within a specified period of time, development plans in respect of a specific area.

3.1.1.1.2 Any detail Development Plan Proposal, as may be requested by the Council shall acknowledge recommendations stemming from previous research conducted at and /or guidelines adopted by the uMhlathuze Municipality.

3.1.1.1.3 The Council may require that development plans provide for specialist studies and approvals, the design and layout proposals and a program of development. Such development plans may serve as an annexure to the Scheme or as a Management Overlay, but except where the Council has formally resolved thereupon, shall not in any manner whatsoever be deemed to be a part of the Scheme.

###### **3.1.1.2 RESTRICTION ON AREAS LIKELY TO BE SUBJECT TO FLOODING, GEOTECHNICALLY CONSTRAINED AREAS AND STEEP SLOPES**

3.1.1.2.1 Where, in the opinion of Council, a site may be restrained from a flood, geotechnical or slope perspective, the Council may request the developer to undertake a site specific floodline, geotechnical and / or slope assessment prior to or in conjunction with a development application.

3.1.1.2.2 The Council may prohibit or restrict the erection or use of any building or the development or use of any land, where the site is situated below the 1 in 100 year floodline. Development of such site may further be subject to approval and/or restrictions in terms of the National Water Act (Act No. 36 of 1998) and its Regulations, as amended.

3.1.1.2.3 The Council may prohibit or restrict the erection or use of any building or the development or use of any land, which, in the opinion of Council, is likely to be restrained from a geotechnical perspective.

## **SECTION 3 : GENERAL CONTROLS – DESIGN AND DEVELOPMENT OF SITES**

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3.1.1.2.4 Development on slopes steeper than 18 degrees is not recommended. Where developers/consultants provide for development on steep slopes, a detailed geotechnical assessment would be required to specify recommendations regarding slope stability, stormwater management and erosion control measures, founding conditions and other factors to be considered.

### **3.1.1.3 RESTRICTION ON ENVIRONMENTALLY SENSITIVE AREAS**

3.1.1.3.1 Council's Environmental Services Management Plan was developed as a planning tool in order to protect sensitive areas and to retain ecological functioning of an area. The Council may therefore prohibit or restrict the destruction of environmentally sensitive areas identified in terms of the aforementioned plan, whether such transformation is authorized by another sphere of government or not.

### **3.1.1.4 RESTRICTION ON AREAS THAT MAY BE SUBJECT TO POLLUTION**

3.1.1.4.1 Council's Air Quality Buffer Areas were developed as a planning tool to limit the impacts of air pollution on the health and well-being of its residents and visitors. The Council may therefore prohibit or restrict the development within areas which would result in additional air pollution load within the areas identified in terms of the aforementioned buffers, whether such transformation or development is authorized by another governmental department or not.

3.1.1.4.2 No industrial development or industrial expansion that may emit certain criteria air pollutants, or fractions thereof, shall be allowed within the "Potential Health Impact Buffer Zone" as adopted by Council. Criteria pollutants include Sulphur Dioxide (SO<sub>2</sub>) and inhalable particulates (PM<sub>10</sub>) and may include other pollutants suspected of impacting on the health and well-being of people. The location of an industry/development area which falls partly within the Potential Health Impact Zone and partly within another Zone, shall be deemed to fall within the Potential Health Impact Zone.

3.1.1.4.3 No industrial development or industrial expansion that may emit certain criteria air pollutants shall be allowed within the "Alert Zone", as adopted by Council, without first making use of an air quality model acceptable to Council, at the developer's own cost, to predict how emissions would influence the Buffer Zones or the cumulative effect of air pollution. The outcome/s of the modelling would determine whether the proposed location for industrial development is acceptable or not. Criteria pollutants include Sulphur Dioxide (SO<sub>2</sub>) and inhalable particulates (PM<sub>10</sub>), and may include other pollutants suspected of impacting on the health and well-being of the public. The location of an industry/development area which falls partly within the Alert Zone and partly within another Zone, other than the Potential Health Impact Zone, shall be deemed to fall within the Alert Zone.

3.1.1.4.4 Where industrial development that may emit certain criteria air pollutants is proposed to take place within an area that is not affected by an Air Quality Buffer Area, but such proposed development area is within 500 meters of an existing Air Quality Buffer Area, Council may direct the developer to follow the process as set out in [Clause 3.1.1.4.3](#) above.

## SECTION 3 : GENERAL CONTROLS – DESIGN AND DEVELOPMENT OF SITES

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- 3.1.1.4.5 The provisions of [Clause 3.1.1.4.2 to 3.1.1.4.4](#) may be relaxed at the sole discretion of Council, subject to:
- a) the recommendations of an air quality / pollution study conducted by an independent specialist consultant acceptable to Council, and at the developer's costs, to prove that criteria pollutants will not have a negative impact on ambient air quality standards or on the health and well-being of people; and/or;
  - b) recommendations by the relevant authority responsible for compliance with the National Environmental Management Air Quality Act, 2004 (as amended); and/or;
  - c) the industry complying with the requirements of the National Environmental Management Air Quality Act, 2004 (as amended); and
  - d) the issuing of a certificate by the Municipal Manager, upon recommendation by the Deputy Municipal Manager responsible for Environmental Health matters and the Deputy Municipal Manager responsible for Planning matters, stating that [Clauses 3.1.1.4.2, 3.1.1.4.3 and/or 3.1.1.4.4](#) may be relaxed based on the [outcomes of \(a\) – \(c\) above](#).
- 3.1.1.4.6 All activities shall comply with Council's relevant Waste and Water Services Bylaws.
- 3.1.1.4.7 Any activity conducted on land zoned or used for industrial purposes, and which is deemed to be offensive or dangerous or injurious to the public health, shall *inter alia* be dealt with in terms of Council's Bylaws. Council reserves the right to consider these types of activities as a "high impact trade/industry", as defined in the scheme.
- ### 3.1.1.5 UN-SERVICED AREAS
- 3.1.1.5.1 Costs associated with the provision of additional services and the payment of bulk engineering services contributions will be for the account of the developer/owner/applicant, or as per the written agreement reached between the developer/owner/applicant and Council.
- 3.1.1.5.2 The Council may prohibit or restrict, whether wholly or partially and either indefinitely or for a period to be determined by the Council, the erection of any building or the development or use of any land in any undeveloped part or parts of the area of the Scheme pending the extension thereto of streets, sewer, water, electricity or other essential public services.
- 3.1.1.5.3 The owner of un-serviced land who desires to commence with any building operations on such portion of land and which would contravene [Clause 3.1.1.5.2](#) above may apply to the Council for its approval of the carrying out of the operations specified in the application. In these cases, all costs associated with the provision, extension or upgrade of bulk, link and internal services shall be for the account of the applicant.

## **SECTION 3 : GENERAL CONTROLS – DESIGN AND DEVELOPMENT OF SITES**

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### **3.1.1.6 ROADS, ACCESS, SURFACES AND DRAINAGE**

- 3.1.1.6.1 Road design shall consider any applicable Road Framework Plan/s and relevant standards set by Council.
- 3.1.1.6.2 Vehicular ingress to and egress from any Erf or Site, from and to respectively, the Public Street System, shall be located, constructed and maintained to the satisfaction of the Council. Approval of the number of vehicular access points shall be at the sole discretion of the Council.
- 3.1.1.6.3 All surfaces accessible by vehicles shall be hardened and impermeable and maintained in a dust free condition to the satisfaction of the Council.
- 3.1.1.6.4 The drainage of the site and arrangements and methods for the disposal of waste- and stormwater shall comply with Council's relevant Waste and Water Services Bylaws.
- 3.1.1.6.5 Stormwater and wastewater control measures shall be implemented to avoid polluted water and run-off from entering the natural system. The installation of the necessary pollution control mechanisms, such as grease traps, etc. may be required and shall be undertaken to the satisfaction of Council.

### **3.1.1.7 TRAFFIC GENERATING SITES**

- 3.1.1.7.1 Council may, at its sole discretion, request the submission of a Traffic Impact Assessment to determine the impact that a development may have on the existing and future road networks.
- 3.1.1.7.2 Such assessment shall include any issues that Council may deem relevant, such as an assessment of pedestrian movement, the impact of the development on Public Transport Systems, road improvements, etc.
- 3.1.1.7.3 The outcomes of such assessment shall be implemented at the Developer's cost.

### **3.1.1.8 WASTE MANAGEMENT**

- 3.1.1.8.1 On-site waste management shall be subject to Council's Solid Waste Bylaws.
- 3.1.1.8.2 The storage of waste other than domestic waste must consider the risks associated with the storage of dangerous / hazardous goods, and implement safety provisions specified in terms of relevant legislation and SABS standards specifications and codes of practice.

### **3.1.1.9 PROVISION OF PUBLIC FACILITIES**

- 3.1.1.9.1 The Council may direct a developer to provide any public facilities it may deem necessary for the development as informed by:
  - a) Guidelines for Human Settlement Planning and Design, published by the CSIR (the "Red Book" guidelines);
  - b) Guidelines for Planning Community Facilities in Kwazulu-Natal, as published by the Provincial Planning and Development Commission in 2008;
  - c) this Scheme;

## **SECTION 3 : GENERAL CONTROLS – DESIGN AND DEVELOPMENT OF SITES**

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- d) Engineering Standards; and/or
- e) any plans or policies developed by the Municipality.

3.1.1.9.2 Between 10% and 17% of land in a residential development should account for usable public open space areas, depending on factors such as population density and proximity to natural open space and to the satisfaction of Council. Council may exclude open space areas from this calculation that cannot easily be accessed or utilized by the public, such as floodline areas, densely vegetated areas, steep slopes, services servitudes, etc.

### **3.1.2 SITE SPECIFIC DESIGN**

#### **3.1.2.1 SITE DEVELOPMENT PLANS**

3.1.2.1.1 The Council may from time-to-time for the purpose of the coordinated allocation of land use rights and restrictions as contemplated in this Scheme and as a requisite for development, instruct prospective owners/developers to submit within a specified period of time to Council site development plans in respect of a specific area.

3.1.2.1.2 Any site development plan shall, as may be requested by Council and to its satisfaction, acknowledge recommendations stemming from previous or current research conducted at uMhlathuze.

3.1.2.1.3 The Site Development plans shall amongst others provide for but not be limited to:

- a) a to-scale drawing of the site/s, building lines applicable, town planning bulk factors and controls (Floor Area Ratio, Coverage and Height factors), existing services, existing and proposed servitudes, etc.
- b) the design and layout of proposals including details as to the functioning thereof;
- c) a programme of development;
- d) an Environmental Management Plan;
- e) landscaping proposals;
- f) details of and programme for the provision of essential services including storm water, sewerage disposal, pollution control, electricity and solid waste disposal;
- g) traffic engineering details on the vehicular and pedestrian elements thereof, their implementation and management;
- h) details as to the project management ownership, mechanisms, control and monitoring through construction phases till project completion.

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### **3.1.2.2 GENERAL PROVISIONS APPLICABLE TO SITE DESIGN**

- 3.1.2.2.1 In the absence of any specific planning guidelines, the “Guidelines for Human Settlement Planning and Design, published by the CSIR (the “Red Book” guidelines)” shall apply.
- 3.1.2.2.2 The Council may request any specialist study it may deem necessary to inform its decision regarding a planning application.
- 3.1.2.2.3 The siting of any buildings, access and structures intended to be erected or the development or use of any land shall take due cognisance of efficiency of resource use, quality of place, movement and connectivity, sustainability, crime prevention through environmental design and other design elements to the satisfaction of the Council.
- 3.1.2.2.4 The siting of any buildings access and structures intended to be erected or the development or use of any land shall be subject to the approval of the Council and persons intending to erect buildings or use land shall, before commencing, apply to the Council for approval of the siting, use or development.
- 3.1.2.2.5 In respect of any application to develop an Erf, the Council may, if it deems fit:
- a) determine the position and number of vehicular or pedestrian points of access;
  - b) prevent or encourage pedestrian or vehicular access across any boundary or boundaries and require that a suitable fence, wall or other measures be erected or implemented to prevent or encourage such access;
  - c) require buildings to face onto the street frontage;
  - d) require buildings to face onto open space areas to increase surveillance;
  - e) require provision of utility areas such as refuse collection points, washing line areas, storage and loading areas, etc.;
  - f) require the provision of screens to screen off unsightly areas;
  - g) prescribe buildings to face north-east or prescribe minimum distance between buildings to allow for adequate solar access;
  - h) require landscaping, security measures and adequate lighting of the site; etc.

### **3.1.2.3 BUILDING LINES, SIDE AND REAR SPACES**

#### **3.1.2.3.1 GENERAL PROVISIONS APPLICABLE TO BUILDING LINES**

- 3.1.2.3.1.1 All erven, except where otherwise stated, shall be subject to a 7,5 meter building line.
- 3.1.2.3.1.2 Development along national and provincial roads shall comply with the standards set down in the KwaZulu-Natal Roads Act, 2001, (Act No. 4 of 2001), as amended, and the South African National Roads Agency and may not be relaxed by the Council, without the consent of the relevant roads authority. The building line restrictions are generally as follows:

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|----|------------------------------------|--|
| a) | National Roads                     | 20m measured from the edge of the road reserve boundary, subject also to any title deed restriction. |
| b) | Provincial Main and District roads | 15m measured from the edge of the road reserve boundary.   |
| c) | Un-surveyed Main Roads             | 30m measured from the centre line of the road.   |
| d) | Un-surveyed District Roads         | 25m measured from the centre line of the road.   |
- 3.1.2.3.1.3 Where a building line is laid down, no building other than boundary walls, fences, pergolas or architectural and garden features, shall be erected between the building line and the street line. Where a new road or road widening is required, the building line is to be set back so as to take into consideration any such new road or widening.
- 3.1.2.3.2 BUILDING LINE RELAXATIONS**
- 3.1.2.3.2.1 The Council may, in its discretion and if the same is endorsed by the neighbouring property owners or alternatively by Special Consent , relax the building line if:
- a) the architectural effect will enhance the appearance of the street and contribute to public amenity;
  - b) on account of the siting of existing buildings already located in front of the building line, or the shape, size or levels of the Erf, the enforcement of these controls will, in the opinion of the Council, render the development of the Erf unreasonably difficult; and
  - c) any other special circumstances as determined by the Council.
- 3.1.2.3.2.2 The following relaxations will not be permitted:
- a) single storey structures beyond 4,0 metres of the building lines applicable to residential zoned erven 600 m<sup>2</sup> and larger, and 2,0 metres on residential zoned erven smaller than 600 m<sup>2</sup> for any habitable room (such as a patio, lounge, bedroom, etc.); and
  - b) double storey structures beyond 3 metres of the side space applicable to residential zoned erven irrespective of the erf size for any habitable room (such as a patio, balcony, staircase, lounge, bedroom, etc.)
- 3.1.2.3.4.3 The Council may, in its discretion, permit in any zone any building to be erected closer to any boundary than the distance specified in these clauses if on account of the siting of existing buildings or the shape, size or levels of the Erf, the enforcement of these controls will, in the opinion of the Council, render the development of the Erf unreasonably difficult. In considering any application under this clause the Council shall have due regard to any possible detrimental effect on adjoining properties.
- 3.1.2.3.2.3 Notwithstanding the provisions of the above clauses and in the case of swimming pools, the building line may be relaxed at the discretion of the Council to no less than 1 metre; provided that where a pool is to be constructed so that any portion of it is within 5 metres of a road boundary such pool shall be screened to the satisfaction of the Council.



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3.1.2.3.2.4 Where an omnibus servitude is registered against the Title Deed of a property which prevents the relaxation of the building line, an application for the relaxation of the building line shall be accompanied by an application in terms of the KwaZulu-Natal Planning and Development Act (Act No. 6 of 2008).

### 3.1.2.3.3 SIDE AND REAR SPACES

All erven, except where otherwise stated, shall be subject to a 2 meter side and rear space restriction.

### 3.1.2.3.4 RELAXATION OF SIDE AND REAR SPACES

3.1.2.3.4.1 The Council may authorise the erection of single storey main building or outbuildings on the side and rear boundaries provided the owners of properties contiguous to the affected boundaries have indicated in writing that they would have no objection to such authorization.

3.1.2.3.4.2 Where an omnibus servitude is registered against the Title Deed of a property which prevents the relaxation of side and/or rear spaces, an application for the relaxation of side and/or rear spaces shall be accompanied by an application in terms of the KwaZulu-Natal Planning and Development Act (Act No. 6 of 2008).

3.1.2.3.4.3 The Council may, in its discretion, permit in any zone any building to be erected closer to any boundary than the distance specified in these clauses if on account of the siting of existing buildings or the shape, size or levels of the Erf, the enforcement of these controls will, in the opinion of the Council, render the development of the Erf unreasonably difficult. In considering any application under this clause the Council shall have due regard to any possible detrimental effect on adjoining properties.

3.1.2.3.4.4 Where access to parking courts is required, the side space of affected erven shall be calculated from the boundaries of such access road.

## 3.1.2.4 PARKING REQUIREMENTS

### 3.1.2.4.1 THE GENERAL PROVISIONS AND CALCULATION OF PARKING BAYS REQUIRED

3.1.2.4.1.1 Any person intending to erect, alter or extend a building or develop or use any Erf shall provide on-site parking within the boundaries of the site in accordance with the standards and requirements set out in [Tables 2A, 2B and 2C](#).

3.1.2.4.1.2 When computing the total number of parking and loading spaces required in respect of any specific use or building, such number shall be determined to the greater whole number.

3.1.2.4.1.3 Where the use proposed is not contained in this document, parking shall be provided at the discretion of the Deputy Municipal Manager : City Development.

3.1.2.4.1.4 Except where otherwise determined, a parking space, inclusive of manoeuvring area, which is provided on a site except a site which is reserved in terms of the scheme as a public car park, shall be 30m<sup>2</sup> in extent.

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### 3.1.2.4.2 RELAXATION OF PARKING REQUIREMENTS AND THE PARKING RESERVE FUND

3.1.2.4.2.1 Subject to its approval or consent thereto being sought in writing, the Council may relax the parking requirements imposed:

- a) in respect of unskilled employees;
- b) where in its opinion, certain land uses (e.g. hotels), have a clientele which is brought onto site by means of bulk transport as opposed to individual vehicles; and/or
- c) under circumstances where the imposition of the parking requirements is impracticable or detrimental to safety or amenity of the general public.

3.1.2.4.2.2 The Deputy Municipal Manager : City Development may relax the parking bay requirement to a maximum of 10% upon consideration of circumstances (excluding public transport considerations) peculiar to the development.

3.1.2.4.2.3 Public transport facilities shall be provided at the discretion of the Deputy Municipal Manager : City Development in addition to satisfying the parking requirement. In this regard the Municipality may relax the parking bay requirement to a maximum of 25% upon consideration of the public transport facilities proposed.

3.1.2.4.2.4 Notwithstanding any provision of [Clause 3.1.2.4.1 - 3.1.2.4.3](#) the Council may, at its sole discretion, in lieu of the provision of on-site parking by the developer:

- a) instruct a developer to provide at his own cost and to the satisfaction of Council the number of car parking spaces that the developer would have been required to provide on-site in terms of the Scheme, at ground level, on land reserved in terms of the Scheme, for public vehicular parking purposes;
- b) Agree to a developer providing public vehicular parking on another site, which has been identified by the Developer and is acceptable to the Council and further subject to the registration of a Notarial Deed in restraint of separate alienation of the land concerned;

Provided that the vehicular parking, as contemplated in sub-clauses (a) and (b) above, shall be constructed and completed to the satisfaction of the Council before a building completion certificate, as provided for in the National Building Regulations and Building Standards Act (Act 103 of 1977), as amended, is issued in respect of the building or buildings to which the provision of the relevant vehicular parking relates;

- c) Instruct a developer to contribute to a Parking Reserve Fund by way of a cash payment in lieu of the provision of on-site parking. The cash payment shall be calculated on the basis of the actual cost to the Council or its nominee of providing on land designated in the Scheme for public vehicular parking purposes, the number of car parking spaces, at ground level, that would have been required to be provided by the developer on the site of the developer in terms of the Scheme.

3.1.2.4.2.5 Computations regarding a Developer who:

- a) in terms of [Clauses 3.1.2.4.2.4 \(a\)](#) is instructed to provide parking facilities on land reserved in terms of the Scheme for public parking purposes; and/or

## SECTION 3 : GENERAL CONTROLS – DESIGN AND DEVELOPMENT OF SITES

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- b) in terms of [Clause 3.1.2.4.2.4 \(c\)](#) is instructed to, in the form of a cash payment, make a contribution to a parking reserve fund;

shall be based on the average area, per hardened, paved or sealed parking space as calculated by the Municipality in respect of the gross public parking area, inclusive of vehicular access to the gross parking area of which the parking spaces which have to be provided form, at the sole discretion of the Council, part.

The developer shall in such instances, in addition, be responsible for the development of all traffic, pedestrian and park islands and other extrusions within the outer perimeter of the development.

- 3.1.2.4.2.6 The cash contribution, as provided for in [Clause 3.1.2.4.2.4 \(c\)](#) above shall become payable as follows:

- a) within 30 (thirty) calendar days of submission of building plans an amount equal to the preliminary estimated cost calculated by the Council;
- b) within 30 (thirty) calendar days after notification of final cost calculation the Council shall be liable for disbursement of any overpayment, if any, made by the developer. The developer shall likewise be liable for the payment of any underpayment, if any, to the Council within 30 (thirty) calendar days after written notification by the Council of final costs. No building completion certificate, as provided for in the National Building Regulations and Building Standards Act (Act 103 of 1997) shall be issued in respect of the building or buildings to which this sub-clause relates, before the cash contribution has been finalised.

- 3.1.2.4.2.6 All monies thus received by the Council in terms of this sub-clause shall be paid into a Parking Reserve Fund and shall be used only for the acquisition of land for public vehicular parking purposes and/or provision of public vehicular parking on land reserved for public vehicular parking purposes in terms of the Scheme within the specific area concerned. Provided that:

- a) The alternative to on-site parking as contemplated in terms of [Clause 3.1.2.4.2.4 \(a\), \(b\) and \(c\)](#) shall only apply to commercial and office buildings.
- b) On-site vehicular parking shall be provided in accordance with the standards and requirements set out in [Tables 2A, 2B and 2C](#), for any Residential Building and/or Hotel erected and used on an Erf within the said Zones.

- 3.1.2.4.2.7 The Council may at any time vary the foregoing requirements if the character or type of activity being conducted on a site is changed or altered to an extent which, in the opinion of the Council, materially alters the number and type of vehicles generated by the site, provided that in no case shall such variation of requirements result in the number of vehicular parking spaces provided or to be provided exceed the parking requirements set out in [Tables 2A, 2B and 2C](#) for the amended use or uses.

- 3.1.2.4.2.8 The terms "Parkade" and "Parking Area" in respect of any specific Use Zones shall not be deemed to restrict or prohibit the provision of parking required to be provided in terms of this Clause nor shall such inclusion be deemed to absolve any person from due compliance with the provisions of this [Clause 3.1.2.4](#).

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- 3.1.2.4.3 THE DESIGN, CONSTRUCTION AND MAINTENANCE OF PARKING AREAS OR PARKADES
- 3.1.2.4.3.1 For the purposes of this clause, “Parking Area” shall refer to both parking areas and/or parkades, unless stated otherwise.
- 3.1.2.4.3.2 All parking areas, parking spaces, access, drainage, lighting, landscaping, manoeuvring areas, etc. shall be to the satisfaction of and subject to the approval of the Council. In the event of any such aforesaid area not being in conformity with the provisions of this Scheme, then, notwithstanding anything in any bylaw contained, no building plan shall be approved prior to the granting of such aforesaid approval of Council.
- 3.1.2.4.3.3 All vehicle parking spaces, access and manoeuvring areas shall be permanently hardened or sealed and maintained in a dust free condition to the satisfaction of Council. Council may require the installation of pollution control mechanisms such as grease traps, to protect water resources from polluted runoff.
- 3.1.2.4.3.4 [Clause 3.1.2.4.3.3](#) may be relaxed at the sole discretion of Council in cases where a worship site is used only one day per week and not frequently used for any other purpose during the course of the week.
- Therefore, the portion of a parking area provided for a worship site that is used only one day per week need not be permanently hardened, but must be maintained in a dust free condition. Any part of a parking area provided for a worship site that is used more than one day per week, such as an educational building, offices, etc. must be permanently hardened.
- An application for relaxation of [Clause 3.1.2.4.3.3](#) must be submitted in writing. Once approved, Council reserves the right to cancel its approval should the condition of the parking area deteriorate to such an extent that the parking area is no longer deemed dust free.
- 3.1.2.4.3.5 Except where required in terms of this Scheme or any other law, a parking space need not be roofed over.
- 3.1.2.4.3.6 Every parking space required in terms of this Scheme shall be clearly marked and defined to the satisfaction of Council.
- 3.1.2.4.3.7 Parking areas shall be provided with adequate lighting, ventilation and landscaping to the satisfaction of Council.
- 3.1.2.4.3.8 Provided that and except with the express approval of Council:
- a) the vehicular access/exit to a site shall be restricted to not more than one combined vehicular access/exit each per site per street abutting the site;
  - b) the vehicular access/exit to a site shall be restricted to a maximum width of 7,5 metres where it crosses the street boundary;
  - c) no vehicular crossing over the pavement shall be located nearer than 5 metres to any street corner (i.e. the point of intersection of two street boundaries).
- 3.1.2.4.3.9 A building completion certificate, as provided for in National Building Regulations and Building Standards Act, as amended, shall not be issued unless the vehicular parking area or areas,

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indicated in accordance with the provisions of this Scheme, on a relevant building plan, have been constructed and completed to the satisfaction of Council.

3.1.2.4.3.10 Except where in this scheme it is otherwise expressly provided, off-street parking areas shall conform to the following minimum standards and dimensions listed from [a\) to j\)](#) and [Tables 2A, 2B and 2C below](#):

- a) Parallel parking spaces shall be 2,5m wide and 5m long with a manoeuvring space of 2,5m in length between each pair of bays. A minimum adjacent aisle width of 3m shall be provided for gaining access.
- b) Vehicles shall be parked in such a way that each vehicle can be moved freely in and out of its parking space in a single manoeuvre.
- c) The parking layout shall be so designed that structural members such as columns, beams, walls, etc. shall not obstruct the free manoeuvring of vehicles into and out of parking spaces.
- d) In cases of isolated parking spaces adjacent to structural members such as columns and walls, where the full width of bay cannot be obtained, a reduction on the standard width not exceeding 240mm may be permitted.
- e) In awkward situations or in cases where other particular factors arise, the requirement of 5,0m depth of parking space may be relaxed down to a minimum of 4,6m provided that the number of 4,6m spaces does not exceed 10% of the total parking spaces provided.
- f) The gradient of continuous ramps should not exceed 1 in 7 provided however that for short sections, and in special circumstances this gradient may be steepened but in no case should it be steeper than 1 in 5.
- g) Vertical curves between the ramps and the street access and between the ramps and parking floors should be provided with a minimum radius of 30 m.
- h) Correct super-elevation should be applied transversely across curved ramps, such super-elevation varying according to the horizontal radius of the curve, subject, in all cases, to the super elevation not exceeding 1 in 10.
- i) The inside turning radius on continuous ramps shall not be less than 4,3m.
- j) The Council may relax the provisions of the Guiding Rules for parking in those cases where it is difficult or impractical to meet the required standards on account of one or more of the following factors:
  - (i) the shape of the site;
  - (ii) the shape of the building;
  - (iii) the position and location of structural members;
  - (iv) the locality and character of the building, with particular regard to the likely economic status of the tenants.

3.1.2.4.3.11 All parking areas shall be maintained to the satisfaction of the Council.

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**Table 2A: Parking Requirements**

COLUMN 1	COLUMN 2		COLUMN 3		COLUMN 4	
BUILDING AND LAND USE TYPES FOR WHICH PARKING IS REQUIRED.	PRIMARY REQUIREMENTS - NUMBER OF PARKING SPACES REQUIRED.		ADDITIONAL OR ALTERNATIVE PARKING REQUIREMENTS		TOTAL PARKING REQUIREMENTS	
	Number	Unit	Number	Unit	Number	Unit
AGRICULTURAL AND OPEN SPACE USES						
Agricultural Land and Buildings Community Garden Conservation Purposes	At the sole discretion of the Council					
Farm Stall	2.00	Per stall	1.00	30 m <sup>2</sup> floor area or part thereof	Greater of Column 2 or Column 3	
RESIDENTIAL DWELLINGS						
Residential - Dwelling House or Unit Additional Dwelling Unit Caretaker Accommodation	1.00	Per Dwelling Unit	n/a	n/a	1,00 Per Dwelling Unit	
Homestead Farm Worker Accommodation Shelter	At the sole discretion of the Council					
Home Activity or Business (determined as per the use implemented as set out below):						
• Bed and Breakfast / Guest House	1,00	Per Dwelling Unit	1.00	Per Lettable Room	Total Of Column 2 And Column 3	
• Home Office	1,00	Per Dwelling Unit	1.00	30m <sup>2</sup> floor area or part thereof		
• Office - Professional	1,00	Per Dwelling Unit	1.00	30m <sup>2</sup> floor area or part thereof		
• Tuck Shop/Spaza Shop	1,00	Per Dwelling Unit	1.00	20m <sup>2</sup> floor area or part thereof		
• Day Care Facility	1,00	Per Dwelling Unit	1	Per every 6 children or 4 adults receiving care		
• All other uses not listed above	1,00	Per Dwelling Unit	1.00	30m <sup>2</sup> floor area or part thereof		
Residential Building, Medium Density Housing and Chalets	1.00	Per Dwelling Unit	1.00	Per every two dwelling units for visitors	Total Of Column 2 And Column 3	
Boarding House	1,00	Per Bedroom	5	Visitor's Parking Bays		
Hobby Workshop as part of a Retirement Village	At the sole discretion of the Council					
TRANSIENT ACCOMMODATION FACILITIES						
Hotel	1,25	Per Lettable Room	1,00	20m <sup>2</sup> floor area or part thereof of a lounge or function room, or part thereof	Total Of Column 2 And Column 3	
Lodge	1,25	Per Lettable Room	1,00	20m <sup>2</sup> floor area or part thereof of a lounge or function room, or part thereof	Total Of Column 2 And Column 3	
Chalet Development and other holiday accommodation units (refer to Residential						

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COLUMN 1	COLUMN 2		COLUMN 3		COLUMN 4	
BUILDING AND LAND USE TYPES FOR WHICH PARKING IS REQUIRED.	PRIMARY REQUIREMENTS - NUMBER OF PARKING SPACES REQUIRED.		ADDITIONAL OR ALTERNATIVE PARKING REQUIREMENTS		TOTAL PARKING REQUIREMENTS	
	Number	Unit	Number	Unit	Number	Unit
Dwellings above)						
Resort Development	As per use implemented and informed by a Site Development Plan, at the sole discretion of Council					
Camping and Caravan Park Mobile Home Park	As per use implemented and informed by a Site Development Plan, at the sole discretion of Council					
COMMERCIAL USES						
Launderette Restaurant / Bar / Night Club / Tavern Shop . General (In Commercial 1, and all other zones not specified below) Coffee Shop / Tea Garden	1,00	15 m <sup>2</sup> for floor area or part thereof (excluding warehousing and storage)	1,00	140m <sup>2</sup> floor area or part thereof for warehousing or storage	Total Of Column 2 And Column 3	
General Showroom Shop . General (in Commercial 2 and Lifestyle Centre Zones) Shop . Factory Shop . Wholesale	1,00	25 m <sup>2</sup> floor area or part thereof (excluding warehousing and storage)	1,00	140m <sup>2</sup> floor area or part thereof for warehousing or storage	Total Of Column 2 And Column 3	
Shop . General (in General and Light industrial Areas) Shop . General (In Commercial 3, Mixed Use Medium and Low Impact zones, Smallholdings, Rural Node, Retirement Village, Resort Low Impact and Parking Err/Garage Zones) Arts and Crafts Workshop	1,00	30 m <sup>2</sup> floor area or part thereof (excluding warehousing and storage)	1,00	140m <sup>2</sup> floor area or part thereof for warehousing or storage	Total Of Column 2 And Column 3	
Shop as part of an Intermodal Facility / Development and Truck Terminus	1.00	50 m <sup>2</sup> floor area or part thereof	n/a	n/a	1.00	50 m <sup>2</sup> floor area or part thereof
Convention Centre or stand-alone Conference Facility	1.00	20 m <sup>2</sup> floor area or part thereof	n/a	n/a	1.00	20 m <sup>2</sup> floor area or part thereof
Gambling Premises	1.00	20 m <sup>2</sup> floor area or part thereof	n/a	n/a	1.00	20 m <sup>2</sup> floor area or part thereof
Flea Market Informal Trade Area	At the sole discretion of the Council					
RECREATION, PUBLIC AMUSEMENT OR ASSEMBLY						
Place of Amusement Place of Assembly	1,00	Per 20 m <sup>2</sup> floor area or part thereof	n/a	n/a	1,00	Per 20 m <sup>2</sup> floor area or part thereof
Casino (Gaming Area)	1,00	Per 15 m <sup>2</sup> floor area or part thereof	n/a	n/a	1,00	Per 15 m <sup>2</sup> floor area or part thereof
Private and Public Recreational Use	As per use implemented and informed by a Site Development Plan, at the sole discretion of Council					
Racecourse	1,00	6 seats (fixed) and/or per 25m <sup>2</sup> or part thereof if seats are not fixed	1,00	25 m <sup>2</sup> floor area or part thereof	Greater of Column 2 or Column 3	
Recreational Buildings:						
Stadium / Sport Arena	1,00	6 seats (fixed) and/or per 25m <sup>2</sup> or part thereof if seats are not fixed	1,00	25 m <sup>2</sup> floor area or part thereof	Greater of Column 2 or Column 3	
Sport Club / Clubhouse	1,00	20m <sup>2</sup> floor area or part thereof	n/a	n/a	1,00	20m <sup>2</sup> floor area or part thereof
Gymnasium	1,00	15m <sup>2</sup> floor area or part thereof	n/a	n/a	1,00	15m <sup>2</sup> floor area or part thereof

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COLUMN 1	COLUMN 2		COLUMN 3		COLUMN 4	
BUILDING AND LAND USE TYPES FOR WHICH PARKING IS REQUIRED.	PRIMARY REQUIREMENTS - NUMBER OF PARKING SPACES REQUIRED.		ADDITIONAL OR ALTERNATIVE PARKING REQUIREMENTS		TOTAL PARKING REQUIREMENTS	
	Number	Unit	Number	Unit	Number	Unit
All other Recreational Buildings	At the sole discretion of the Council					
OFFICE USES						
Public Office Office . General	1,00	30 m² floor area or part thereof	n/a	n/a	1,00	30 m² floor area or part thereof
Office . Professional Veterinary Purposes	1,00	30m² floor area or part thereof	5	Parking Bays per Medical Practitioner or Vet	Greater of Column 2 or Column 3	
FILLING STATIONS AND VEHICLE REPAIRS						
Automotive Showroom / Vehicle Dealership and workshops Motor Vehicle Fitment Centre Direct Access Service Station Public Garage Service Station Carwash Facility	1,00	50 m² floor area or part thereof	1,00	15m² or 20m² floor area or part thereof for a Shop Component	Total Of Column 2 And Column 3	
HARBOUR, INDUSTRIAL, WORKSHOPS AND WAREHOUSING						
Commercial Workshop Impoundment Area Industry . Service	1,00	100m² floor area or part thereof	1,00  1,00	30m² floor area or part thereof for an Office Component  30m² floor area or part thereof for a Shop Component	Total Of Column 2 And Column 3	
Agricultural Industry, including Abattoir Industry - Bulk Storage Industry - General Industry - Light Industry - Salvage Industry - Extractive Industry . High Impact Vehicle Testing Station Warehouse	1,00	140m² floor area or part thereof	1,00  1,00	30m² floor area or part thereof for an Office Component  30m² floor area or part thereof for a Shop Component	Total Of Column 2 And Column 3	
Funeral Parlour	1,00	30m² floor area or part thereof	n/a	n/a	1,00	30m² floor area or part thereof
Harbour Management and Infrastructure	As per use implemented and informed by a Site Development Plan, at the sole discretion of Council					



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COLUMN 1	COLUMN 2		COLUMN 3		COLUMN 4	
BUILDING AND LAND USE TYPES FOR WHICH PARKING IS REQUIRED.	PRIMARY REQUIREMENTS - NUMBER OF PARKING SPACES REQUIRED.		ADDITIONAL OR ALTERNATIVE PARKING REQUIREMENTS		TOTAL PARKING REQUIREMENTS	
	Number	Unit	Number	Unit	Number	Unit
<b>SOCIAL USES</b>						
Educational Building (Excluding Schools, Tertiary Institutions and Crèches / Day Care Facilities)	1,00	30m <sup>2</sup> floor area or part thereof	n/a	n/a	1,00	30m <sup>2</sup> floor area or part thereof
Tertiary Institutions . As per use implemented based on Site Development / Building Plans as follows:					Total of uses implemented	
- Lecture Halls	1,00	6 seats (fixed) and/or per 25m <sup>2</sup> if seats are not fixed	1,00	25 m <sup>2</sup> floor area	Greater of Column 2 or Column 3	
- Cafeterias, restaurants, gymnasiums	1,00	15m <sup>2</sup> floor area or part thereof	n/a	n/a	1,00	15m <sup>2</sup> floor area or part thereof
- Office	1,00	30m <sup>2</sup> floor area or part thereof	n/a	n/a	1,00	30m <sup>2</sup> floor area or part thereof
- Store rooms	1,00	140m <sup>2</sup> floor area or part thereof	n/a	n/a	1,00	140m <sup>2</sup> floor area or part thereof
- Residential Building	1,00	Per Bedroom	5,00	Per residence for visitors	Total Of Column 2 And Column 3	
- Workshop	1,00	100m <sup>2</sup> floor area or part thereof	n/a	n/a	1,00	100m <sup>2</sup> floor area or part thereof
Educational Building . Schools (including %school+provided for under Restricted Building) and Crèches / Day Care Facilities	1,00	Per Class Room	1,00	30m <sup>2</sup> floor area or part thereof for an Office Component	Total Of Column 2 And Column 3	
Institution - Hospital, Convalescent Home / Step Down Facility, Sanatorium or Mental Hospital	1,00	Per Bed	1,00 1,00	30m <sup>2</sup> floor area or part thereof for an Office or Professional Office Component 15m <sup>2</sup> floor area or part thereof for a Shop Component	Total Of Column 2 And Column 3	
Institution other than Hospital or Convalescent Home / Step Down Facility Restricted Building (other than a Sanatorium, Schools and Mental Hospital)	1,00	30m <sup>2</sup> floor area or part thereof	n/a	n/a	1,00	30m <sup>2</sup> floor area or part thereof
Place of Worship	1,00	6 seats (fixed) and/or per 25m <sup>2</sup> if seats are not fixed	1,00 1,00	25 m <sup>2</sup> floor area 15m <sup>2</sup> floor area or part thereof for a Coffee Shop Component	Greater of Column 2 or Column 3 Total Of Column 2 And Column 3	

## SECTION 3 : GENERAL CONTROLS – DESIGN AND DEVELOPMENT OF SITES

COLUMN 1	COLUMN 2		COLUMN 3		COLUMN 4	
BUILDING AND LAND USE TYPES FOR WHICH PARKING IS REQUIRED.	PRIMARY REQUIREMENTS - NUMBER OF PARKING SPACES REQUIRED.		ADDITIONAL OR ALTERNATIVE PARKING REQUIREMENTS		TOTAL PARKING REQUIREMENTS	
	Number	Unit	Number	Unit	Number	Unit
PUBLIC AND OTHER TRANSPORTATION ORIENTATED USES						
Terminal - Airport/Airfield Terminal . Bus and Taxi Terminal - Passenger Liner Terminal - Railways Terminal . Truck	As per use implemented and informed by a Site Development Plan, at the sole discretion of Council					
SERVICES						
Cemetery Purposes Municipal Purposes Railway Infrastructure Telecommunication Infrastructure Utilities Facility Waste Transfer / Recycling Centre Waste Drop-off / Transfer Station	At the sole discretion of the Council					
Marina Infrastructure	As per use implemented and informed by a Site Development Plan, at the sole discretion of Council					
OTHER						
All uses not specified in this table Special Use	At the sole discretion of the Council					

## SECTION 4 : ADDITIONAL PROVISIONS APPLICABLE TO LAND USE ZONES AND/OR LAND USES

**Table 2B : Bay and Aisle Dimensions (meters)**

PARKING ANGLE	BAY WIDTH	AISLE WIDTH	PERPENDICULAR DEPTH OF BAYS		PARALLEL WIDTH OF BAYS
		Two-Way Traffic			
			No Overhang	Kerb Overhang	
90°	2,7	7,5	5,0	4,5	2,74
		One-Way Traffic			
			No Overhang	Kerb Overhang	
90°	2,7	6,0	5,0	4,5	2,7
60°	2,7	5,5	4,8	4,5	3,2
45°	2,7	3,5	4,8	4,5	3,9
30°	2,7	3,0	4,8	4,5	5,5

**Table 2C : Ramp Dimensions**

ONE-WAY			TWO WAY			
Inside Radius	Ramp Width	Outside Radius	Ramp Width	Outside radius	Inside Line Width	Divider line Width
3,0	4,1	7,1	6,6	9,6	3,5	6,5
4,0	4,0	8,0	6,5	10,5	3,4	7,4
5,0	3,9	8,9	6,3	11,3	3,3	8,3
6,0	3,8	9,8	6,1	12,1	3,2	9,2
7,0	3,7	10,7	6,0	13,0	3,1	10,1
8,0	3,7	11,7	5,9	13,9	3,0	11,0

### 3.1.2.5 LOADING REQUIREMENTS

#### 3.1.2.5.1 GENERAL PROVISIONS AND CALCULATION OF LOADING ZONES REQUIRED

3.1.2.5.1.1 For the purposes of this Clause, a loading area means an area upon the site of a building, set aside for the accommodation of vehicles onto which goods or materials are to be loaded or from which goods or materials are to be off-loaded and for such loading and off-loading.

3.1.2.5.1.2 Any person intending to erect, alter or extend a building or develop or use any Erf or building or conduct an activity where, in the opinion of the Council, it is necessary and desirable for such loading areas to be provided, shall provide adequate on-site loading areas to the satisfaction of

## SECTION 4 : ADDITIONAL PROVISIONS APPLICABLE TO LAND USE ZONES AND/OR LAND USES

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and subject to the approval of the Council in accordance with the requirements set out in [Table 2D](#).

3.1.2.5.1.3 The loading or off-loading of goods or materials onto or from vehicles, shall not, under any circumstances, be permitted in or upon any street, nor shall any person permit goods or materials of any other nature whatsoever to be loaded onto or off-loaded from any vehicles in or upon any street, except within such portions of a street which may have been specifically set aside and demarcated for such purposes by the Council, or, with the authority of the Council.

3.1.2.5.1.4 Loading areas required to be provided under [Clause 3.1.2.5](#) shall be in addition to any parking provided in terms of [Clause 3.1.2.4](#).

3.1.2.5.1.5 When computing the total number of loading zones required in respect of any specific use or building such number shall be determined to the greater whole number.

3.1.2.5.1.6 Except where otherwise determined, a loading zone, inclusive of manoeuvring area shall be 75m<sup>2</sup> in extent.

### **3.1.2.5.2 RELAXATION OF LOADING ZONE REQUIREMENTS**

3.1.2.5.2.1 The Council may, at its sole discretion and subject to its approval or consent thereto being sought, relax the loading zone requirements imposed under this Clause:

- a) under circumstances where the imposition of the loading zone requirements is impracticable or detrimental to safety or amenity of the general public;
- b) in respect of floor areas which at the sole discretion of the Council, do not justify the provision of loading zones in accordance with the laid down ratios.

3.1.2.5.2.2 Notwithstanding any provision of [Clause 3.1.2.5.2.1](#) the Council may, at its sole discretion, in lieu of the provision of on-site loading zones by the developer:

- a) instruct a developer to provide at his own cost and to the satisfaction of the Council the number of loading zones that the developer would have been required to provide on-site in terms of the Scheme, at ground level, on land reserved, in terms of the Scheme, for loading zone purposes; or
- b) agree to a developer providing loading zones on another site, which is acceptable to the Council and further subject to the registration of a Notarial Deed in restraint of separate alienation of the land concerned.

Provided that the loading zones, as contemplated in [Clause 3.1.2.5.2.2 a\) and b\) above](#), shall be constructed and completed to the satisfaction of the Council before a building completion certificate as provided for in the National Building Regulations and Building Standards Act (Act 103 of 1977) is issued in respect of the building or buildings to which the provision of the relevant loading zones relate.

- c) instruct a developer to contribute to a loading zone reserve fund by way of a cash payment in lieu of the provision of on-site loading zones. The cash payment shall be calculated on the basis of the actual cost to the Council or its nominee of providing on land designated in the Scheme for public parking purposes, the number of loading zones,

## SECTION 4 : ADDITIONAL PROVISIONS APPLICABLE TO LAND USE ZONES AND/OR LAND USES

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at ground level, that would have been required to be provided by the developer on the site of the developer in terms of the Scheme.

3.1.2.5.2.3 The cash contribution, as provided for in [Clause 3.1.2.5.2.2 \(c\)](#) above shall become payable as follows:

- a) within 30 (thirty) calendar days of submission of building plans an amount equal to the preliminary estimated cost calculated by the Council;
- b) within 30 (thirty) calendar days after notification of final cost the Council shall be liable for the disbursement of any overpayment, if any, made by the developer. The developer shall likewise be liable for the payment of any underpayment, if any, to the Council within 30 (thirty) calendar days after written notification by the Council of final costs. No building completion certificate, as provided for in the National Building Regulations and Building Standards Act (Act 103 of 1977) shall be issued in respect of the building or buildings to which this sub-clause relates before the cash contribution has been finalised.

3.1.2.5.2.4 All monies thus received by the Council in terms of this clause shall be paid into a loading zone reserve fund and shall be used only for the acquisition of land for public vehicular parking purposes and/or the provision of loading zones on land reserved for public vehicular parking in terms of the Scheme within the specific area concerned, provided that:

- a) The alternative to on-site loading zones as contemplated in terms of [Clause 3.1.2.5.2.2 \(a\) \(b\) and \(c\) shall](#), shall only apply to Commercial Buildings.
- b) On site loading zones shall be provided in accordance with the standards and requirements set out in Table 2D for any Residential Building and/or Hotel erected and used on an Erf within the said use zones.

3.1.2.5.2.5 The Council may at any time vary the foregoing requirements if the character or type of activity being conducted on a site is changed or altered to an extent which, in the opinion of the Council, materially alters the number and type of vehicles generated by the site, provided that in no case shall such variation of requirements result in the number of loading zones provided or to be provided exceed the loading zone requirements set out in [Table 2D](#).

### **3.1.2.5.3 THE DESIGN, CONSTRUCTION AND MAINTENANCE OF LOADING AREAS**

3.1.2.5.3.1 All loading zones, accesses and manoeuvring areas shall be to the satisfaction of and subject to the approval of the Council. In the event of any such aforesaid areas not being in conformity with the provisions of this Scheme, then, notwithstanding anything in any bylaw contained, no building plan shall be approved prior to the granting of such aforesaid approval of the Council.

3.1.2.5.3.2 Loading bays provided for the delivery of foodstuffs and/or perishable goods must be provided separately from an area used for the storage and collection of waste, in order to avoid cross-contamination.

3.1.2.5.3.3 All loading zones, accesses thereto and manoeuvring areas shall be permanently hardened, paved or sealed and maintained in a dust free condition to the satisfaction of the Council. Council may require the installation of pollution control mechanisms such as grease traps, to protect water resources from polluted runoff.

## SECTION 4 : ADDITIONAL PROVISIONS APPLICABLE TO LAND USE ZONES AND/OR LAND USES

- 3.1.2.5.3.4 Except where required in terms of this Scheme or any other law, a loading zone need not be roofed over.
- 3.1.2.5.3.5 Every loading zone required in terms of this Scheme shall be clearly marked and defined to the satisfaction of the Council.
- 3.1.2.5.3.6 Adequate lighting shall be provided for loading bays to the satisfaction of Council.
- 3.1.2.5.3.7 A building completion certificate, as provided for in the National Building Regulations and Building Standards Act (Act 103 of 1977), as amended, shall not be issued unless the loading zone or zones, indicated on a relevant building plan, in accordance with the provisions of this Scheme, has/have been constructed and completed to the satisfaction of the Council.
- 3.1.2.5.3.8 Loading areas shall be maintained to the satisfaction of the Council.

**Table 2D: Loading Requirements**

COLUMN 1	COLUMN 2		COLUMN 3	
BUILDING AND LAND USE TYPES FOR WHICH LOADING BAYS ARE REQUIRED.	PRIMARY REQUIREMENTS - NUMBER OF LOADING BAYS		AMBULANCE OR DEDICATED LOADING BAYS	
	Number	Unit	Number	Unit
<b>TRANSIENT ACCOMMODATION FACILITIES</b>				
Hotel	1,00	Per Hotel	n/a	n/a
<b>COMMERCIAL USES</b>				
Launderette Restaurant / Bar / Night Club / Tavern Shop . General Shop . Factory Shop on land zoned Industrial+ Arts and Crafts Workshop General Showroom Shop . Wholesale Shop as part of an Intermodal Facility / Development Convention Centre or stand-alone Conference Facility Casino Racecourse Stadium / Sport Arena Automotive Workshop Automotive Showroom / Vehicle Dealership Motor Vehicle Fitment Centre Direct Access Service Station Public Garage Service Station Commercial Workshop Impoundment Area Service Workshop Industry . Service Industry - Light Warehouse	1,00	500m <sup>2</sup> for first part and thereafter 1 per 1000m <sup>2</sup>	n/a	n/a
<b>INDUSTRIAL USES</b>				
Agricultural Industry, including Abattoir Industry - Bulk Storage Industry - General Industry - Salvage Industry - Extractive Industry - Restricted Trans-shipment	1,00	1000m <sup>2</sup> floor area of part thereof	n/a	n/a

## SECTION 4 : ADDITIONAL PROVISIONS APPLICABLE TO LAND USE ZONES AND/OR LAND USES

COLUMN 1	COLUMN 2		COLUMN 3	
BUILDING AND LAND USE TYPES FOR WHICH LOADING BAYS ARE REQUIRED.	PRIMARY REQUIREMENTS - NUMBER OF LOADING BAYS		AMBULANCE OR DEDICATED LOADING BAYS	
	Number	Unit	Number	Unit
SOCIAL USES				
Educational Building . Schools and Crèches / Day Care Facilities	At the sole discretion of Council		Bus / Taxi loading facilities / parking at the discretion of Council and in liaison with the facility.	
Tertiary Institutions	1.00  Plus  1.00	Per institution  Per 500m <sup>2</sup> for first 1000m <sup>2</sup> or part thereof and thereafter 1 per 1000m <sup>2</sup> for any commercial uses implemented	Bus / Taxi loading facilities / parking at the discretion of Council and in liaison with the facility.	
Institution other than Hospital or Convalescent Home / Step Down Facility	At the sole discretion of Council		Ambulance Loading Bays at the discretion of Council and in liaison with the facility. Bus / Taxi loading facilities / parking at the discretion of Council and in liaison with the facility.	
Institution - Hospital, Convalescent Home / Step Down Facility or Sanatorium (excluding medical offices)	1.00	Per institution	Ambulance Loading Bays at the discretion of Council and in liaison with the facility. Bus / Taxi loading facilities / parking at the discretion of Council and in liaison with the facility.	
OTHER				
All uses not listed above	At the sole discretion of the Council			

### 3.1.2.6 ADDITIONAL MATTERS FOR CONSIDERATION DURING SITE DESIGN AND DEVELOPMENT – SUBSTANTIAL DEVELOPMENTS

- 3.1.2.6.1 For the purposes of this Clause, a substantial development shall be defined as any large residential, industrial or other development which, in the opinion of Council, requires the consideration of a design concept report prior to the finalization of a subdivisional layout plan.
- 3.1.2.6.2 Applications for the development of substantial developments shall be preceded by the submission of a design concept report, which is to be approved by the Municipality.
- 3.1.2.6.3 The purpose of a design concept report is for the parties to agree on the concepts and standards which are to be used during the planning and layout phase of the project.
- 3.1.2.6.4 The design concept report should cover design aspects relating to all land uses, but in particular relevant aspects relating to:
- Key natural features of the development (such as views, wetlands and floodlines, biodiversity, etc.) and how the development aims to enhance and protect these features and, where relevant, give access to these features;
  - What the development aims to achieve, the size of the development, size and timing relating to phasing, affordability criteria, etc.;
  - Access to the development (creating a “sense of arrival”) and safety and security measures to be addressed through design;

## SECTION 4 : ADDITIONAL PROVISIONS APPLICABLE TO LAND USE ZONES AND/OR LAND USES

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- d) Movement within the development and between developments, including pedestrian and traffic movement throughout the development, open spaces and linkages between open spaces, the road network, road standards, traffic calming measures and public transport routes/stops/facilities;
- e) Where necessary, the provision of community facilities (in order to create a “sense of place and community”) and opportunities for work, recreation, shopping, etc. Should these facilities not be included as part of a design, an assessment of access to these facilities should still be included, describing the closest facilities that would be available to the community; and
- f) The impact of the development on existing bulk and link engineering services.

### 3.1.2.7 SUB-DIVISIONAL DESIGN STANDARDS

- 3.1.2.7.1 Land within the area of the Scheme shall not, except where it is deemed by the Council to be in the public interest to do so, be subdivided in any way or manner whatsoever so as to deprive any subdivided portion of land direct vehicular access to the public street system.
- 3.1.2.7.2 Land within the area of the Scheme shall not, except with the approval of the Council and then subject to any relevant provision of the Scheme, be subdivided in any way or manner whatsoever so as to create an erf:
  - a) which is, in the opinion of Council, significantly smaller than the surrounding properties;
  - b) smaller than the minimum prescribed erf size for each category of erven in terms of the Scheme. The minimum prescribed extent of an erf shall exclude an access way in the case of “hatchet-shaped” erven;
  - c) which is zoned for agricultural use and where the proposed subdivision may impact on the ability of the land to sustain agricultural production, except with the prior consent of the National Department of Agriculture.
- 3.1.2.7.3 The ratio of street frontage to depth of a site shall be to the satisfaction of the Council and shall not exceed a ratio of 1:3 except under special circumstances related to topographical or layout consideration or the shape of the Erf.
- 3.1.2.7.4 A site of irregular shape shall be capable of containing within its boundaries a rectangle, the ratio between the width and length of which shall not be less than 1:3 and which shall have an area of at least 50% of such Site, or the minimum prescribed area of a Site, whichever is the greater.
- 3.1.2.7.5 Points of ingress to and egress from an industrial site to and from the public street system, respectively, shall be located, designed, constructed and maintained to the satisfaction of the Council.
- 3.1.2.7.6 In cases where access from any subdivided portion of land to the public street system is via an access strip or access road (so-called "Panhandle" or "Hatchet-shaped" erven):
  - a) the area of the Site, for the purposes of the Scheme, does not include the area of such access strip or road;



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- b) such access strip or road not exceed 35 metres in length, provided that the Council may, under exceptional circumstances and at its sole discretion, approve a maximum length in excess of 35 metres;
- c) such access strip or road giving access to the site shall have a minimum width of:
  - (i) not less than 4 metres; or
  - (ii) 10 metres in the case of an erf that would give access to larger vehicles such as trucks.
- d) the average width of such site, measured to the satisfaction of the Council, shall be deemed to be the street frontage of such Site; and
- e) the access strip or road at all times be kept in a dust free condition and be maintained to the satisfaction of the Council; provided that, if so required by the Council, such access strip or road shall be hardened, surfaced or paved to the satisfaction of the Council.

3.1.2.7.7 An application for the subdivision of agricultural land which is subject to the Subdivision of Agricultural Land Act (Act 70 of 1970) shall be accompanied by a consent issued by the relevant Department in terms of this Act. In general, subdivision of agricultural land shall not impact on the viability of the land to be utilized for agricultural purposes.

### **3.1.2.8 PERMANENT CLOSURE OF STREETS AND PUBLIC PLACES**

3.1.2.8.1 An applicant may apply to Council for the permanent closure of a public place or public street.

3.1.2.8.2 In respect of an application for the permanent closure of a public place, the Council may direct an applicant to:

- a) Undertake an assessment of the likely impact that such permanent closure may have on access to public places, i.e. an assessment of the “Guidelines for Human Settlement Planning and Design, published by the CSIR (the “Red Book” guidelines);
- b) Direct an applicant to replace a public place and/or pay compensation to Council in order to develop existing open spaces and/or replace the public place.

### **3.1.2.9 EXTERNAL APPEARANCE AND APPROVAL OF BUILDINGS**

3.1.2.9.1 The character, design and external appearance of buildings, and boundary walls, including the material used in their construction, shall be subject to the approval of the Council, and no building may be erected without the approval of the Council.

3.1.2.9.2 When considering any application, the Council shall have regard to the character of the locality in which the building is proposed to be erected and shall take into account whether or not the building will be injurious to the amenities of the locality by reason of its external appearance or the materials which are to be used.

3.1.2.9.3 In considering any application, it shall be the duty of the Council to ensure, wherever it is considered appropriate, that adequate provision is made for solar access, the use of solar or other

## **SECTION 4 : ADDITIONAL PROVISIONS APPLICABLE TO LAND USE ZONES AND/OR LAND USES**

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alternative energy sources and energy and water efficiency measures, the preservation of indigenous flora, the planting or replacement of trees and the protection of water-courses, etc.

- 3.1.2.9.4 Any person intending to alter, extend or erect a building shall submit such drawings as are required by the Council together with whatever other indications the Council may require.
- 3.1.2.9.5 The Council shall approve the application either unconditionally or subject to such conditions as it may deem fit, or it may refuse to grant the application on the grounds that the external appearance of such building is unacceptable.
- 3.1.2.9.6 Any applicant aggrieved by any decision in terms of [Clause 3.1.2.9.5](#) shall have the right of appeal to the Municipal Appeal Tribunal.
- 3.1.2.9.7 The approval by the Council of the design and external appearance of the proposed buildings, additions or alterations shall not be deemed to be an approval in terms of any other provisions of the scheme or of the Building Bylaws/Regulations, which approval shall first be applied for and obtained before any building work is commenced with.

## **3.2 PROVISIONS APPLICABLE TO THE USE OF SITES**

### **3.2.1 DEPOSITING OF WASTE MATERIAL**

No land in any use zone may be used for the purpose of the deposit or disposal of waste material or refuse, tipping, dumping, scrap yard, used car lot, or any other similar purpose until the owner or his/her duly authorised representative has applied for and received the written approval of the Council or other relevant authority.

### **3.2.2 WELLS AND BOREHOLES**

No wells or boreholes shall be sunk on any land within the area of the Scheme, nor any subterranean water extracted therefrom without the prior approval of the Council.

### **3.2.3 ADVERTISING**

Any person wishing to display an advertisement must first submit a written application to the Council for consideration and approval in terms of the Municipality's Advertising Sign Bylaws.

### **3.2.4 MAINTENANCE OF PREMISES**

- 3.2.4.1 The owner and/or occupier, as the case may be, of any land within the Municipal area shall be responsible for the maintenance of the whole development on and of such land and the keeping thereof in a state of good and serviceable repair.

## **SECTION 4 : ADDITIONAL PROVISIONS APPLICABLE TO LAND USE ZONES AND/OR LAND USES**

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- 3.2.4.2 In the event of the Council being of the opinion that any premises or part thereof is not kept in a satisfactory state of maintenance, the Council may serve notice on the owner and/or occupier thereof, requiring that, within such reasonable period as shall be specified, such action be taken as may be necessary or specified in order to bring or restore such premises to a satisfactory state of maintenance and/or repair.
- 3.2.4.3 Any person upon whom notice is served in terms of this clause may, within fourteen days of the date of service of such notice, make written representation to the Council.
- 3.2.4.4 Within twenty-eight days of the date of such representation being received by the Council and in the event of the Council refusing either to modify or withdraw the notice, any person as aforesaid who is aggrieved by such refusal, may appeal to the Municipal Appeal Tribunal.
- 3.2.4.5 In the event of:
- (a) failure of an owner and/or occupier to comply with the specified terms of a notice within such period as shall have been specified therein and in the absence of any representation and/or appeal as aforesaid; or
  - (b) the opinion of the Council as to the state of maintenance or repair being upheld on appeal;
- the Council shall be entitled to undertake such maintenance as may have been specified in such aforementioned notice and recover the cost thereof from the owner and/or occupier.
- 3.2.4.6 Failure of an owner and/or occupier to comply with the specified terms of a notice within the period specified therein shall, in the absence of any appeal or representation as aforesaid, be deemed to be a contravention of the Scheme.

### **3.2.5 DAMAGE TO THE FURNITURE OR OTHER ELEMENTS OF STREET RESERVE**

- 3.2.5.1 Except with the prior approval of Council, no person shall bring onto any portion of any street reserve or cause or allow to be stationary thereon any articulated motor vehicle, breakdown vehicle, bus, goods vehicle, tractor, truck-tractor, any other type of vehicle weighing more than 3 500kg or any tanker, skip unit or other part of an industrial vehicle for a period exceeding two hours, except for bona fide purposes of delivering or supplying goods or services to such premises. For the purpose of this sub-clause, the expressions “articulated motor vehicle”, “breakdown vehicle”, “bus”, “goods vehicle”, “tractor”, “truck-tractor” and “any other type of vehicle weighing more than 3 500kg shall have the meanings assigned thereto by the Road Traffic Act (Act 29 of 1989), together with any schedule thereto, regulation made thereunder and amendment thereof.”
- 3.2.5.2 In the event of such illegal action causing damage to the furniture or other elements of the street reserve, Council may instruct the offender to repair the damages or Council may repair the damages and recover the costs from the offender.

## **SECTION 4 : ADDITIONAL PROVISIONS APPLICABLE TO LAND USE ZONES AND/OR LAND USES**

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### **3.2.6 OCCATIONAL USE OF LAND AND/OR BUILDINGS**

- 3.2.6.1 Land or buildings, other than Chalets, Medium Density Housing or a Residential Building, may, on occasion, be used as a Place of Assembly or Place of Worship, provided that:
- 3.2.6.1.1 such use is restricted to not more than twenty calendar days in any calendar year and to not more than two calendar days in any calendar month;
- 3.2.6.1.2 in the event of such use constituting a nuisance, it shall cease forthwith upon service of a notice to that effect and in such event shall not be resumed except with the permission of the Council; and
- 3.2.6.1.3 this clause shall not in any manner be deemed to restrict the use of a Hotel for such purposes.
- 3.2.6.1.4 the occasional slaughter of animals may be permitted subject to Council's permission and compliance with the relevant Health Bylaws.

### **3.2.7 TEMPORARY USE OF LAND IN ANY USE ZONE**

- 3.2.7.1 Nothing in this Scheme shall prohibit or restrict the use of land or building as a place of amusement, provided that such use is restricted to not more than twenty one days in each calendar year. Such temporary use of land shall at all times comply with Council's relevant Bylaws, and especially Bylaws relating to Nuisance.
- 3.2.7.2 An owner of a property may make application to the Council for the temporary use of the property for purposes not generally permitted in this scheme provided:
- a) the written consent of adjoining property owners within a 100m radius around the property and other affected parties, as determined by the Council, have been obtained;
  - b) in considering any application in terms of this clause, the Council shall take into consideration the nature of the proposed use in relation to the character of the area and the number of persons to be employed; and impose whatever conditions it considers necessary to protect the amenities of the neighbourhood,
  - c) any approval shall lapse after 12 months from the date of consent unless the Council extends this period in writing; and,
  - d) the Council may impose further conditions or call upon the occupant to cease the use if any of the conditions of approval are not met, malpractice occurs, or if it is subsequently found that there is, in fact, an interference with the amenities of the neighbourhood.
- 3.2.7.3 Council may approve the temporary use of land for a period longer than 12 months in an "Undetermined" zone.

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### **3.2.8 ADDITIONAL CONTROLS APPLICABLE TO DWELLING UNITS AND THE SITES THEREOF**

The following provisions, conditions and restrictions shall, in addition to any other relevant provision of the Scheme, be applicable to all Dwelling Units and the sites thereof, within the area of the Scheme.

#### **3.2.8.1 MOTOR VEHICLES ON PREMISES OF A DWELLING**

Except with the prior approval of the Council, no person shall bring onto any premises of a Dwelling Unit, any premises reserved for the erection of a Dwelling Unit or any portion of any street reserve in a predominantly residential area, as the case may be, or cause or allow to be present thereon any articulated motor vehicle, breakdown vehicle, bus, goods vehicle, tractor, truck-tractor or any other type of vehicle weighing more than 3500 kg for a period exceeding two hours, except for bona fide purposes of delivering or supplying goods or services to such premises or any adjacent premises. For the purpose of this sub-clause, the expressions “articulated motor vehicle”, “breakdown vehicle”, “bus”, “goods vehicle”, “tractor”, “truck-tractor” and “any other type of vehicle weighing more than 3 500kg shall have the meanings assigned thereto by the Road Traffic Act (Act 29 of 1989), together with any schedule thereto, regulation made thereunder and amendment thereof.”

#### **3.2.8.2 USE OF BUILDING OR ROOMS OTHER THAN HABITABLE ROOMS AS A DWELLING**

No person shall use or cause or permit to be used as a Dwelling, any room, group of rooms or building, which in the opinion of the Council is not a Habitable Room or does not include Habitable Rooms to the satisfaction of the Council.

#### **3.2.8.3 ACCOMMODATION OF A CARETAKER OR EMERGENCY PERSONNEL**

Where provided for under a relevant zoning, the accommodation of a caretaker or emergency personnel may be allowed. The size of such dwelling unit may be restricted at the sole discretion of Council.

#### **3.2.8.4 USE OF DWELLING UNITS FOR CONDUCTING A HOME ACTIVITY OR BUSINESS**

##### **3.2.8.4.1 GENERAL PROVISIONS APPLICABLE TO A HOME ACTIVITY OR HOME BUSINESS**

**3.2.8.4.1.1** No person shall conduct, practice or carry out or allow to be conducted, practiced or carried out, for any purpose or in any manner, any occupation or business, whatsoever from or upon any residential property except where the consent or formal authority of the Council has first been applied for and obtained and further subject thereto that:

- a) It shall be limited to the Owner of the property, who shall permanently reside thereon, provided that the Council may in exceptional circumstances, and if it is satisfied that the prime use of the Dwelling Unit as a residence will in no way be prejudiced, permit the activity to be conducted by a person who shall permanently reside on the property, other than the Owner;

## SECTION 4 : ADDITIONAL PROVISIONS APPLICABLE TO LAND USE ZONES AND/OR LAND USES

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- b) The applicant is able to provide sufficient on-site parking as required in terms of the Scheme, and preferably shall be located to the rear of the Dwelling Unit, where possible;
  - c) It shall not occupy a floor area greater than 10% of the total area of the Site subject to this not being in excess of 25% of the floor area of the Dwelling Unit but, shall not, in any event, exceed 50m<sup>2</sup>;
  - d) in the case of a professional or semi-professional office, it shall not exceed 40% of the floor area of the buildings on the property, whilst the residential component should comprise at least 60%;
  - e) it shall not involve any activity or work between the hours of 9:00pm and 6:00am, except with the specific approval of Council;
  - f) it shall not involve the erection of sign larger than 600mm by 450mm, indicating the nature of the activity. Such sign shall be of a material and shall utilise a style and size of lettering which will complement the residential character of the Dwelling Unit, and which shall be placed on the main wall of the Building and shall be in compliance with the Advertising Signs Bylaws.
  - g) It shall not produce a noise level exceeding 7db above the ambient noise level, measured at any point on the property boundary, and should in any event in the opinion of Council not interfere with the amenity of the neighbourhood.
  - h) It shall not involve metal or woodwork where the operation of machines may cause a disturbance or nuisance to surrounding landowners;
  - i) It shall not involve work on motor vehicles other than that relating to vehicle servicing and minor related repairs;
  - j) It shall not involve the parking, on or adjacent to the Site, of any vehicle with a tare mass exceeding 2000kg; and
  - k) It shall not utilise machinery other than electrically-driven or hand-driven machinery, provided that no single machine shall be rated at more than 1,5 kW.
- 3.2.8.4.1.2 An application for Council's consent or formal authority shall be accompanied by a Site Development Plan, as provided for in [Clause 3.1.2.1](#).
- 3.2.8.4.2 SPECIFIC PROVISIONS APPLICABLE TO A HOME ACTIVITY
- 3.2.8.4.2.1 in the case of a Home Activity:
- a) It shall not involve the regular congregation of more than five persons on the Site. This includes the owner of the Site, but excludes the owner's family that permanently resides on the Site;
  - b) Apart from the possible employment of one domestic worker, a Home Activity shall not involve the employment of any additional persons which are necessary in order to conduct the activity; and
  - c) It shall not involve the regular parking of more than three motor vehicles on or adjacent to the Site at any one time.
- 3.2.8.4.3 SPECIFIC PROVISIONS APPLICABLE TO A HOME BUSINESS

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- 3.2.8.4.3.1 in the case of a Home Business and unless specified otherwise:
- a) Shall not involve the regular congregation of more than five persons on the Site nor the employment of more than three persons, including the owner, on the Site; and
  - b) Shall not involve the regular parking of more than five motor vehicles on or adjacent to the Site at any one time, subject thereto that the applicant is able to provide all parking on-site.
- 3.2.8.4.3.2 in the case of the establishment of a crèche / nursery school, the establishment shall:
- a) not be subject to Clauses 3.2.8.4.1.1(c) and (e) and 3.2.8.4.3.1 (a) and (b);
  - b) be operated by one person only, although assistants may be employed at the discretion of the Council;
  - b) not involve any additions or alterations to the Dwelling Unit and / or Outbuildings, other than those required by the State and Municipal Health Authorities;
  - c) be limited to the accommodation and care of more than seven (7) but not more than thirty (30) children, other than those of the applicant. Therefore, a proposed childcare facility on an erf zoned "Special Residential" where more than 30 children are to be accommodated shall be subject to a rezoning application;
  - d) be limited to operate between the hours of 06h00 and 18h00; and
  - e) provide all parking and drop-off areas on-site.
- 3.2.8.4.3.3 in the case of a care facility for adults, the establishment shall:
- a) not be subject to Clauses 3.2.8.4.1.1(c) and (e) and 3.2.8.4.3.1 (a);
  - b) be operated by one person only who is qualified to do so, although assistants may be employed at the discretion of the Council;
  - c) not involve any additions or alterations to the Dwelling Unit and / or Outbuildings, other than those required by the State and Municipal Health Authorities;
  - d) be limited to the accommodation and care of not more than four (4) adults;
  - e) not provide care for or treatment of patients with infectious diseases or in any way cause a danger to public health and safety; and
  - f) be able to comply with the relevant Environmental Health Bylaws and other relevant laws, provisions and restrictions.
- 3.2.8.4.3.4 in the case of a Bed and Breakfast / Guest House facility:
- a) not be subject to Clauses 3.2.8.4.1.1(c) and (e) and 3.2.8.4.3.1 (a) and (b);
  - b) shall be primarily aimed at providing short term transient accommodation to the tourist and/or business market, operated from a private single Dwelling House;

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- c) shall be limited to less than fourteen (14) lodgers in not more than seven (7) lettable rooms. "Lettable room" means a habitable room;
- d) shall not include a "Place of Assembly" or "Place of Amusement", including weddings and other functions;
- e) may include a conference facility for overnight booked-in guests only;
- f) shall comply with Council's Bed and Breakfast Bylaws and other relevant laws, provisions and restrictions; and
- g) provide all parking and loading areas on-site.

3.2.8.4.3.5 Although other relevant laws, provisions and restrictions may apply, Council's consent or formal authority in terms of this Scheme is not necessary for the following:

- a) the reception, keeping and temporary or partial care of six (6) or less children by the resident owner of a Dwelling House or Dwelling Unit, either for the purpose of profit or not, during the absence of their parents or guardians; and
- b) the care of two (2) adults by the resident owner of a Dwelling House or Dwelling Unit, either for the purpose of profit or not.



## **SECTION 4 : ADDITIONAL PROVISIONS APPLICABLE TO LAND USE ZONES AND/OR LAND USES**

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### **4 PART 4 : ADDITIONAL PROVISIONS, CONTROLS AND RESTRICTIONS APPLICABLE TO LAND USE ZONES AND/OR LAND USES**

#### **4.1.1 CONTROLS AND PROVISIONS APPLICABLE TO AGRICULTURAL OR RURAL LAND ZONINGS AND/OR LAND USES.**

##### **4.1.1.1 LAND ZONED AGRICULTURE**

4.1.1.1.1 The use of land zoned for agricultural purposes and used for any land use other than “Agricultural Land” and “Agricultural Building” shall be ancillary to the agricultural use and shall not impact on or detract from the viability of the land to produce agricultural produce.

4.1.1.1.2 Any new servitude area which is 15m in width (or wider) shall be deemed to constitute a change in land use and shall therefore be subject to the Municipal’s consent.

##### **4.1.1.2 SMALLHOLDINGS**

In general, smallholdings shall act as a buffer between developed areas and agricultural areas.

##### **4.1.1.3 LAND IN TRADITIONAL AUTHORITY AREAS**

4.1.1.3.1 Applications for development on land falling under the Ingonyama Trust also require power of attorney from the Ingonyama Trust Board and a letter of support from the applicable Traditional Leader/Council.

4.1.1.3.2 Proposed development shall take due cognizance of the availability of services in the Traditional Authority Area, and the provisions of [Clause 3.1.1.5](#) (unserved areas) shall apply.

## **SECTION 4 : ADDITIONAL PROVISIONS APPLICABLE TO LAND USE ZONES AND/OR LAND USES**

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### **4.1.2 CONTROLS AND PROVISIONS APPLICABLE TO CIVIC, SOCIAL, MUNICIPAL AND GOVERNMENT LAND ZONINGS AND/OR LAND USES**

#### **4.1.2.1 ADDITIONAL PROVISIONS APPLICABLE TO WORSHIP SITES**

4.1.2.1.1 The site of a “Place of Worship” shall not simultaneously be the site of one or more Dwelling Units, provided that the Council may grant its formal authority to the erection and use of one Dwelling Unit upon such site, to be used in conjunction with the use of such site as a Place of Worship.

4.1.2.1.2 The site of a Place of Worship may include uses incidental thereto such as a building or buildings used as a Sunday School, administrative office, place of religious education and/or other building/s used for purposes of religious and social interaction or recreation where such other building is within the same site and incidental to any of the first mentioned buildings.

4.1.2.1.3 Call to prayer shall exclude the use of megaphones or similar equipment, unless expressly authorized by the Council.

4.1.2.1.4 A wash room may be permitted for the preparation of bodies prior to burial, subject to compliance with Council’s Funeral Undertakers Bylaws.

#### **4.1.2.2 ADDITIONAL PROVISIONS APPLICABLE TO EDUCATIONAL BUILDINGS**

4.1.2.2.1 Sites for the care of children shall comply with Council’s Childcare Services Bylaws.

4.1.2.2.2 Drop-off and pick up areas shall be located on-site and, where possible, shall not be located adjacent to a major arterial road to avoid traffic congestion and pedestrian and vehicular conflict.

#### **4.1.2.3 ADDITIONAL PROVISIONS APPLICABLE TO INSTITUTIONS AND RESTRICTED BUILDINGS**

4.1.2.3.1 Prior to any building plans being submitted to the Municipality for any Health facility, including Hospitals, Clinics, Acute / Sub-Acute Facilities and the like where the public are to be treated for an illness, the building plans are to be submitted to the KZN Department of Health for approval by the Department’s Infection, Prevention and Control (IPC) component. Such approval is to be submitted to the Municipality during the building plan submission phase.

## **SECTION 4 : ADDITIONAL PROVISIONS APPLICABLE TO LAND USE ZONES AND/OR LAND USES**

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### **4.1.3 CONTROLS AND PROVISIONS APPLICABLE TO ENVIRONMENTAL SERVICES**

#### **4.1.3.1 ADDITIONAL PROVISIONS APPLICABLE TO PRIVATE OPEN SPACES:**

##### **4.1.3.1.1 Additional Uses**

The Council may, at its sole discretion and on application, grant its approval to the establishment of:

- a) a shop, launderette and/or place of amusement which is ancillary and incidental to a Private Club and which exclusively serves the members of such club and which may be established on the site with the consent of the Council; and
- b) a Dwelling Unit or Dwelling Units which is exclusively to be used for the accommodation of club employees or caretaker;

as an integral part of Private Open Space development.

##### **4.1.3.1.2 Prohibited Use**

Land within the Private Open Space Use Zone shall not be used for any purpose which, in the opinion of the Council, would spoil, impair or waste such land for the purpose for which it is zoned.

##### **4.1.3.1.3 Erection and Use of Buildings**

No building shall be erected or used on land within the Private Open Space Use Zone, other than a building which has received the approval of the Council and which is reasonably appropriate to the predominant use of the site of such building.

##### **4.1.3.1.4 Fencing**

Nothing shall be construed as prohibiting the reasonable fencing of the land, subject to Council's approval.

#### **4.1.3.2 ADDITIONAL CONDITIONS AND PROVISIONS APPLICABLE TO COMMUNITY GARDENS**

4.1.3.2.1 The use of land for urban agriculture / community gardens is supported within the context that it will not degrade the quality of life of surrounding landowners, will not impact harmfully on public health and/or the natural environment and will contribute to the social and economic well-being of people.

4.1.3.2.2 Applications for the use of land for the purpose of producing crops will be subject to Council's formal authority process and shall be accompanied by:

## **SECTION 4 : ADDITIONAL PROVISIONS APPLICABLE TO LAND USE ZONES AND/OR LAND USES**

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- a) A site plan showing the extent of the use of land and where water for irrigation will be obtained from;
- b) A motivation indicating how the use of land will be managed (including details regarding irrigation and fertilisation) and how the use of land will contribute to the social and economic well-being of people; and
- c) An environmental and agricultural assessment and/or letter of support from relevant environmental and agricultural authorities.

4.1.3.2.3 The use of land in environmentally sensitive areas such as floodlines, wetlands, etc. is not in line with environmental legislation and shall therefore not be supported.

### **4.1.4 CONTROLS AND PROVISIONS APPLICABLE TO COMMERCIAL LAND ZONINGS AND/OR LAND USES**

#### **4.1.4.1 GENERAL PROVISIONS APPLICABLE TO ALL COMMERCIAL BUILDINGS**

The following provisions, conditions and restrictions shall, in addition to any other relevant provision of the Scheme, be applicable to all Commercial Buildings and the sites thereof within the area of the Scheme. For the purpose of this Clause, a Commercial Building shall mean a building containing any one or more of the buildings defined in this scheme as arcade, mall, shop, office building, launderette, commercial workshop, service workshop and/or automotive showroom:

4.1.4.1.1 Separate utility areas for the loading / offloading of foodstuffs and the storage of waste products shall be provided to avoid cross-contamination.

4.1.4.1.2 Where internal parking areas are provided, no direct pedestrian access between parking areas and individual shops shall be permitted, but such access may be given from arcades linking the parking area with the shopping street. Provided that where only one shop occupies the total area of the Erf and has frontage to both the parking area and shopping street, the Council may at its discretion grant authority for one pedestrian access from the parking court. Provided further, that in the case of a subdivision existing at the date of adoption and having frontage only to the parking area, the Council may grant authority for direct pedestrian access to the business premises.

#### **4.1.4.2 ADDITIONAL PROVISIONS APPLICABLE TO ARCADES AND/OR MALLS:**

4.1.4.2.1 Any Arcade and/or Mall, forming part of a Commercial Building or the site thereof shall have an unobstructed width of not less than 7,0 metres and shall be sited, designed, developed and maintained to the Satisfaction of the Council;

4.1.4.2.2 The Council may, under exceptional circumstances herein specified, authorise the development of an Arcade and/or Mall with an unobstructed width of not less than 4,0 metres. In considering an

## **SECTION 4 : ADDITIONAL PROVISIONS APPLICABLE TO LAND USE ZONES AND/OR LAND USES**

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application for such authorisation, the Council shall have due regard to any possible detrimental effect on adjoining Buildings, Erven or Sites and the amenity of the neighbourhood; and

- 4.1.4.2.3 The aforementioned exceptional circumstances shall comprise, exclusively, circumstances which in the opinion of the Council will render the development of an Arcade and/or Mall unreasonably difficult on account of the siting of already completed buildings or the shape, size and levels of the Erf or site or the nature and design of proposed buildings.

### **4.1.4.3 ADDITIONAL PROVISIONS APPLICABLE TO AUTOMOTIVE SHOWROOMS**

- 4.1.4.3.1 Service workshops as an ancillary use to Automotive Showrooms in commercial areas shall be limited to servicing and maintenance of vehicles of a minor nature. Servicing, maintenance, washing and cleaning of vehicles shall in no way cause a nuisance or detract from the character of a commercial area;

- 4.1.4.3.2 Screen walls of such height, extent, materials, design and position as may be determined by Council shall be erected as and when required in order to totally screen all service workshop, storage areas and yards from outside view;

- 4.1.4.3.3 In terms of surfaces and drainage, facilities shall be subject to [Clause 3.1.1.6](#) of the Scheme.

### **4.1.4.4 ADDITIONAL PROVISIONS APPLICABLE TO FUNERAL UNDERTAKERS**

Sites for funeral undertakers shall comply with Council's Funeral Undertakers Bylaws.

### **4.1.4.5 ADDITIONAL CONDITIONS AND PROVISIONS APPLICABLE TO CAR WASH FACILITIES**

- 4.1.4.5.1 In terms of surfaces and drainage, Car Wash Facilities shall be subject to [Clause 3.1.1.6](#) of the Scheme.

- 4.1.4.5.2 Council reserves the right to require the installation and maintenance of grease traps and measures to control water spray and run-off.

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### **4.1.5 CONTROLS AND PROVISIONS APPLICABLE TO OFFICE LAND ZONINGS AND/OR LAND USES**

#### **4.1.5.1 GENERAL PROVISIONS APPLICABLE TO ALL OFFICE BUILDINGS**

4.1.5.1.1 The Council may grant its formal authority in accordance with the provisions of [Clause 1.9.4](#) of this Scheme to the conduct a retail outlet ancillary to an office which:

- a) is situated on the same site as the office activities concerned;
- b) retails only products of the office activity to which they relate or products which are directly associated with the office activity; and
- c) have a total floor area not exceeding 10% or 150 m<sup>2</sup>, whichever is the lesser, of the total floor area of all buildings on the site.

#### **4.1.5.2 ADDITIONAL CONDITIONS AND PROVISIONS APPLICABLE TO PROFESSIONAL OFFICES**

4.1.5.2.1 Consent granted to use a site zoned for professional office purposes as a dwelling house in addition to the professional office shall be subject to the following conditions and restrictions:

- a) a dwelling may be allowed only on Professional zoned Erven outside industrial areas.

4.1.5.2.2 There shall be no direct, internal access between any part of a building used for veterinary purposes and any other part of a building used for any other purposes.

### **4.1.6 CONTROLS AND PROVISIONS APPLICABLE TO SERVICE STATIONS AND DIRECT ACCESS SERVICE STATIONS**

4.1.6.1 The following provisions, conditions and restrictions shall, in addition to any other relevant provision of the Scheme, be applicable to all Service Stations and Direct Access Service Stations and the sites thereof within the area of the Scheme.

4.1.6.2 Points of ingress to and egress from the site and from and to the public street system, respectively, shall be located, designed, constructed and maintained to the satisfaction of the Council in line with [Clause 3.1.1.6](#).

4.1.6.3 Except where Council may agree to a relaxation upon application for its authority to do so, an area of at least 40% of the area of the site of a Service Station, Public Garage and Direct Access Service Station shall be reserved for the parking of motor vehicles, provided that the following may be included in the area so reserved:

- a) any area, whether covered or not, required for parking in terms of [Clause 3.1.2.4](#);

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- b) areas giving access to and/or allowing for manoeuvring of vehicles into parking bays;
- c) areas used to accommodate vehicles awaiting service or repair; and
- d) forecourt areas used for the refuelling of motor vehicles.

4.1.6.4 Screen Walls of such height, extent, materials, design and position as may be determined by Council shall be erected as and when required by Council in order to screen all working areas, storage areas and yards from outside view.

4.1.6.5 No dismantled vehicles shall be parked, nor vehicles or equipment undergoing repair be stored, nor repairs be done on vehicles or equipment, nor goods or other materials be stacked outside the garage building or screen walls so as to be visible from beyond the boundaries of the site.

4.1.6.6 Except where Council may authorise the provision of a single Dwelling Unit for the exclusive use of a caretaker, no Dwelling Unit of any description whatsoever shall be used or permitted to be used simultaneously with the use of a site as the site of a Service Station / Public Garage.

4.1.6.7 A restaurant and/or other type of shop ancillary to and on the same site as a Service Station / Public Garage and Direct Access Service Station shall be limited to:

- a) 150m<sup>2</sup> floor area which is accessible to the public (i.e. excluding storage areas, offices, etc.) for the “service station” zoning;
- b) 25% of the available coverage for the “DASC” zoning;

provided that such use shall lapse in the event of the Service Station or Public Garage ceasing to operate; and furthermore provided that the definition of “shop” would only entail a restaurant/café/tea room/take away facility, supermarket/convenience shop, and/or video hiring outlet.

4.1.6.8 Public conveniences shall be provided and maintained to the satisfaction of the Council.

4.1.6.9 In terms of surfaces and drainage, the site shall comply with the provisions of [Clause 3.1.1.6](#) of the Scheme.

### 4.1.7 CONTROLS AND PROVISIONS APPLICABLE TO “HARBOUR” ZONES

4.1.7.1 Activities, land use and buildings must be port-related, either being connected to the import or export of product or as an essential back-up service.

4.1.7.2 The landowner or National Ports Authority or a specific lessee/developer shall be responsible for the provision of all essential services within the said Zone, subject to the conclusion of a Services Agreement between Council and the aforementioned parties.

4.1.7.3 Notwithstanding the above, the provision of such services by Council shall be at Council’s sole discretion, within its budgeting limitations and/or by contractual agreement between the Harbour Authority and/or its lessee and Council.

4.1.7.4 The provisions of [Clauses 3.1.2.4 and 3.1.2.5](#) relating to parking and loading areas shall, *mutatis mutandis*, apply to all land and building uses within this zone.

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4.1.7.5 Where no registered subdivision exists, the provisions of the scheme shall apply to any lease area or area of use so identified by Council.

4.1.7.6 The height of any building or structure shall not impede the efficient control by the Harbour Authority over water activities, as determined by such authority.

### 4.1.8 CONTROLS AND PROVISIONS APPLICABLE TO INDUSTRIAL LAND ZONINGS AND/OR LAND USES

#### 4.1.8.1 GENERAL PROVISIONS APPLICABLE TO ALL INDUSTRIAL AREAS AND USES

4.1.8.1.1 [Clauses 3.1.1.1 and 3.1.2.1](#) of the Scheme will be applicable, which implies that a Development / Site Development Plan must be compiled by the prospective owner/developer for the purpose of co-ordinated allocation of land use rights and restrictions as contemplated in the Scheme and as a prerequisite for development.

4.1.8.1.2 The permissible Coverage on any Erf or site in a General Industrial or High Impact Industrial Use Zone shall not exceed 60%. Provided that, notwithstanding anything to the contrary contained in this Scheme, the aforesaid permissible Coverage of any such Erf or site which is 4 ha or greater in extent shall increase, at a ratio of a 2,5% increase for every whole hectare in excess of 4 ha, to a maximum of 75%.

4.1.8.1.3 In respect of a site in the High Impact Industrial or Harbour-Bound Industrial Use Zones, nothing contained in this Scheme shall prevent Council from granting its approval to the conduct of either 1) a staff canteen (including an automated teller machine under special circumstances and to the sole discretion of Council) by Council's authority or 2) an ancillary convenience facility (including an automated teller machine under special circumstances and to the sole discretion of Council) by Council's consent, per property; provided:

- a) that in both cases the trade shall be restricted to the sale of take-away food, refreshments and other convenience goods;
- b) that in the case of an ancillary convenience facility the gross total floor area shall be restricted to 50m<sup>2</sup>;
- c) that in the case of a staff canteen trade shall be restricted to persons actually employed on the property and no outdoor advertising shall be allowed; and
- d) that such ancillary convenience facility shall cease to exist in the event that the industrial concern upon the premises ceases to operate;

4.1.8.1.4 Except where specific provision is made therefore in this Scheme and saving that the Council may approve of the erection and use of a single Dwelling Unit for the exclusive use of a caretaker, no other Dwelling Unit of any description whatsoever shall be erected or used or permitted to be erected or used on any Erf with an industrial zoning.



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- 4.1.8.1.5 All service industrial zoned erven located in Richards Bay Extension 23 and 24, are notwithstanding any other provision of this scheme, subject to a 12 (twelve) metre wide building restriction strip, as indicated on plans CBD/TP/P/86 and CBD/TP/P/122.
- 4.1.8.1.6 The building restriction strip shall consist of the following parts:
- a) a 5 (five) metre wide parking strip;
  - b) a 6 (six) metre wide internal vehicle driveway; and
  - c) a 1 (one) metre wide pedestrian strip.
- 4.1.8.1.7 The parking strip shall:
- a) be provided parallel and continuous along the full length of the boundaries of such properties, adjacent to the relevant street, and shall be used for the provision of 90 degree, uncovered parking spaces in accordance with [Clause 3.1.2.4](#) of this scheme, and include connections with the existing vehicular entrances and exits;
  - b) have a width of 5 (five) metres, measured in a horizontal plane and rectangular to the existing street boundaries;
  - c) be designed, built, demarcated, sealed, drained and maintained, to the satisfaction of the Municipal Engineer, by the owner of a specific erf, before the relevant erf or any building or any structure on the erf may be permanently used or occupied;
  - d) be finished off and maintained to the satisfaction of the Municipal Engineer by the owner with an approved kerbing; and
  - e) be used exclusively for the provision of uncovered parking spaces and no building, whether temporary or permanent, shall be erected in the parking strip.
- 4.1.8.1.8 The internal vehicle driveway shall:
- a) be provided parallel and continuous along the full length of the street boundaries of the relevant properties but immediately adjacent to the 5 (five) metre parking strip and shall be used as uncovered manoeuvring space for vehicles from the parking strip and shall furthermore serve as an internal circulation area for vehicles, from as well as to adjacent erven;
  - b) have a width of 6 (six) metres, measured in a horizontal plane and rectangular to the existing street boundaries;
  - c) be designed, built demarcated, sealed, drained and maintained, to the satisfaction of the Municipal Engineer, by the owner of a specific erf, before the relevant erf or any building or any structure on the erf may be permanently used or occupied;
  - d) have no physical obstruction, which will impede or prevent vehicular access to or exit from adjacent erven;
  - e) to the satisfaction of the Council, link up with the internal vehicle driveways of adjacent erven; and

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- f) be used exclusively as uncovered manoeuvring area for vehicles, and no building whether temporary or permanent, shall be erected in the internal vehicle driveway.

### 4.1.8.1.9 The Pedestrian strip shall:

- a) be parallel to and continuous along the full length of the street boundaries of the relevant properties but adjacent to the 6 (six) metre internal vehicle driveway and shall primarily be used for safe pedestrian movement;
- b) have a width of 1 (one) metre, measured in a horizontal plane and rectangular to the existing street boundary and shall have a minimum vertical clearance of 3,0 (three comma zero) metres measured from the finished level of the pedestrian strip;
- c) be designed, built, demarcated, sealed, drained and maintained to the satisfaction of the Municipal Engineer, by the owner of a specific erf, before the relevant erf or any building or any structure on the erf may be permanently used or occupied; and
- d) be separated from the internal vehicle driveway to the satisfaction of the Municipal Engineer.

### 4.1.8.1.10 Where a greater number of parking spaces must be provided in terms of [Clause 3.1.2.4](#) than can be fitted into the parking strip, the additional parking spaces shall, to the satisfaction of the Municipal Engineer, be provided on the property, barring the internal vehicle driveway, subject thereto that:

- a) the additional number of parking spaces shall be designed, sealed, demarcated, drained and maintained to the satisfaction of the Municipal Engineer;
- b) an alternative safe pedestrian strip shall, to the satisfaction of the Municipal Engineer, be provided to link up with the pedestrian strips of adjacent erven; and
- c) the additional number of parking spaces shall, where the additional parking spaces are provided adjacent to the internal vehicle driveway, be designed, built, demarcated, sealed and maintained, identical to the parking spaces in the parking strip, to the satisfaction of the Municipal Engineer.

### 4.1.8.1.11 The Council may, at his sole discretion, prescribe the direction of traffic flow on the internal vehicle driveways, in order to fit in with the traffic flow of streets serving Richards Bay, Extensions 23 and 24.

### 4.1.8.1.12 Without prejudicing any powers of the Council in terms of any other legislation, nothing will be interpreted in this scheme to prohibit the conducting of a hiring service/business from where goods or any other moveable property may be leased, which, in the sole opinion of the Council, are related to any land use type that has a primary right on a "General Industry" or "Light Industry" zoned property.

### 4.1.8.1.13 All spray painting booths, regardless of their application, shall be required to have a working chamber, fresh air system and exhaust system installed to the satisfaction of the Medical Officer of Health / Environmental Health Section.

### 4.1.8.1.14 All sand blasting booths shall be subject to Council's approval and shall ensure that the operation of the sand blasting booth does not in any way impact on surrounding landowners. For this

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reason a sand blasting booth shall be enclosed and shall have a relevant fresh air and exhaust system installed to the satisfaction of the Medical Officer of Health / Environmental Health Section.

### **4.1.8.2 ADDITIONAL PROVISIONS APPLICABLE TO HARBOUR-BOUND AND IDZ INDUSTRIAL ZONES**

4.1.8.2.1 Activities, land use and buildings on erven zoned “Harbour-Bound Industrial” must be connected to the import or export of products and/or beneficiation and value-adding of products, commodities and services. It may include allied services and administrative support activities which are normally associated with such industries.

4.1.8.2.2 Activities, land use and buildings on erven zoned “IDZ Industry” must be aligned with this Scheme and relevant legislation that governs Industrial Development Zones and/or Special Economic Zones.

4.1.8.2.3 Council may, at its sole discretion, require the erecting of screening measures of such height, extent, materials, design and position as may be determined by Council, in order to screen unsightly areas, stockpiles or dumps from public streets.

### **4.1.9 CONTROLS AND PROVISIONS APPLICABLE TO MINES AND QUARRIES**

4.1.9.1 The use of land for mines and quarries may be subject to additional provisions and controls in terms of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), as amended.

4.1.9.2 Nothing in this Scheme shall prevent an area zoned for Mining to be used for agricultural purposes prior to mining taking place. Land use after mining of an area has been completed shall be determined in consultation with the Municipality.

### **4.1.10 CONTROLS AND PROVISIONS APPLICABLE TO LAND WITHIN ZONES APPLICABLE TO RESIDENTIAL LAND ZONINGS AND/OR LAND USES**

#### **4.1.10.1 ADDITIONAL PROVISIONS APPLICABLE TO LAND ZONED “SPECIAL RESIDENTIAL”**

The following provisions, conditions and restrictions shall, in addition to any other relevant provision of the Scheme, be applicable to all Special Residential zones, Dwelling Houses and the sites thereof:

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### 4.1.10.1.1 ERF CATEGORIES

4.1.10.1.1.1 The following erf categories shall apply to sites zoned “Special Residential” :

CATEGORY	AVERAGE SIZE OF NEIGHBOURING PROPERTIES	MIN ERF SIZE (FOR SUBDIVISION)	MINIMUM STREET FRONTAGE	MAXIMUM HEIGHT (STOREY)	MAXIMUM COVERAGE (%)	FAR	BUILDING LINE (M)	SIDE SPACE (M)	REAR SPACE (M)
1	<300m <sup>2</sup>	240 m <sup>2</sup>	8m	2	70%	0,80	3m	2m or 1,5m per storey, whichever the greater	
2	300-500m <sup>2</sup>	450 m <sup>2</sup>	10m	2	60%	0,60	3m		
3	501-800m <sup>2</sup>	750 m <sup>2</sup>	15m	2	50%	0,50	4m		
4	>800m <sup>2</sup>	800 m <sup>2</sup>	18m	2	40%	0,40	5m		

4.1.10.1.1.2 Where an Erf is of an irregular shape, hatchet-type, occurs in a cul de sac or change in road direction, the frontage on the street may, with the authority of Council, be less than the prescribed minimum frontage, provided that the site ratio of the Erf remains 1:3 and provided also that the street frontage is not less than 4 metres.

### 4.1.10.1.2 NUMBER OF DWELLING UNITS PER ERF

4.1.10.1.2.1 Subject to the relevant application procedure as prescribed by Council, nothing in this scheme shall prohibit or restrict Council to approve or grant its formal authority for, as the case may be, the development of one additional dwelling unit on any Erf zoned Special Residential on which a dwelling unit either already has been erected or is intended to be erected, subject to the following restrictions:

CATEGORY	ERF SIZE	FREE ENTRY USE	FORMAL AUTHORITY REQUIRED
1	<300m <sup>2</sup>	36 m <sup>2</sup>	> 36 m <sup>2</sup>
2	300-500m <sup>2</sup>	45 m <sup>2</sup>	> 45 m <sup>2</sup>
3	501-800m <sup>2</sup>	65 m <sup>2</sup>	> 65 m <sup>2</sup>
4	>800m <sup>2</sup>	80 m <sup>2</sup>	> 80 m <sup>2</sup>

4.1.10.1.2.2 Where the lot is used exclusively for Medium Density Housing, the minimum lot size shall be 1800m<sup>2</sup> and unit density shall be limited to 30 dwelling units per hectare.

### 4.1.10.1.3 LETTING OF PREMISES

No part of any Dwelling House shall be let off as a separate tenement, nor shall the outbuildings of, or an additional freestanding building on the premises of a Dwelling House except an Additional Dwelling Unit be let off as a separate tenement. Provided that this Clause shall not restrict Council from granting its formal consent for the use of a Dwelling House as a Bed and Breakfast / Guest House as defined in this Scheme.

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### 4.1.10.2 ADDITIONAL PROVISIONS APPLICABLE TO SITES ZONED “MEDIUM DENSITY RESIDENTIAL”

The following provisions, conditions and restrictions shall, in addition to any other relevant provision of the Scheme, be applicable to all sites zoned Medium Density Residential:

- 4.1.10.2.1 Where an Erf is of an irregular shape, hatchet-type, occurs in a cul de sac or change in road direction, the frontage on the street may, with the authority of Council, be less than the prescribed minimum frontage, provided that the site ratio of the Erf remains 1:3 as provided for in [Clause 3.1.2.7](#) of the Scheme, and provided also that the street frontage is not less than 4 metres.
- 4.1.10.2.2 Where the lot is used exclusively for Medium Density Housing, the density shall be limited to 30 dwelling units per hectare.
- 4.1.10.2.3 Should a Dwelling House be erected on a site zoned for Medium Density Housing, the provisions of [Clause 4.1.10.1](#) shall apply.

### 4.1.10.3 ADDITIONAL PROVISIONS APPLICABLE TO LAND ZONED “HIGH DENSITY RESIDENTIAL”

The following provisions, conditions and restrictions shall, in addition to any other relevant provision of the Scheme, be applicable to all High Density Residential zones, Dwelling Houses and the sites thereof:

- 4.1.10.3.1 Where an Erf is of an irregular shape, hatchet-type, occurs in a cul de sac or change in road direction, the frontage on the street may, with the authority of Council, be less than the prescribed minimum frontage, provided that the site ratio of the Erf remains 1:3 as provided for in [Clause 3.1.2.7](#), and provided also that the street frontage is not less than 4 metres.
- 4.1.10.3.2 Where the lot is used exclusively for Medium Density Housing, the density shall be limited to 30 dwelling units per hectare.
- 4.1.10.3.3 Should a Dwelling House be erected on a site zoned for High Density Residential purposes, the provisions of [Clause 4.1.10.1](#) shall apply.

### 4.1.10.4 APPLICATION PROCEDURE, DESIGN AND LAYOUT OF MEDIUM AND HIGH DENSITY HOUSING DEVELOPMENTS

- 4.1.10.4.1 The applicant shall submit to the Municipality for its approval and in the required format:

- a) A Site Development Plan, and in addition to the requirements of [Clause 3.1.2.1](#), also show the following:
  - i) The position, dimensions and materials to be used in the construction of all roads, drive-ways, parking areas, squares and pedestrian access ways, if any;
  - ii) The boundaries of all dwelling unit curtilages, private open areas and common open spaces;

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

### 4.1.10.5 ADDITIONAL PROVISIONS APPLICABLE TO MEDIUM DENSITY HOUSING

4.1.10.5.1 The Curtilage for a Medium Density Housing Development shall not be less than 250m<sup>2</sup> in extent.

4.1.10.5.2 The following minimum areas per dwelling unit shall apply to Medium Density Housing:

- a) Private Open Area – 30 m<sup>2</sup>
- b) Usable Common Open Space – 50m<sup>2</sup>
- c) Washing drying area – 15 m<sup>2</sup>
- d) The minimum floor area of a garage or carport shall be 21 m<sup>2</sup>, with a minimum width of 3,5m
- e) Waste bin area shall make provision for one bin per unit provided.

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- 4.1.10.5.3 Within a Medium Density Housing Site, a building line does not apply to the dwelling unit curtilages, except along external street frontages of the Medium Density Housing site, where the building line shall be 7, 5 m.
- 4.1.10.5.4 Wherever it is intended to develop a site for Medium Density Housing in a Special Residential zone, the maximum number of dwelling units which may be established on a Medium Density Housing site shall be obtained by dividing the registered surveyed area of the property concerned by the appropriate minimum lot area per dwelling house as specified in [Clause 4.1.10.5.1](#), and taking into consideration [Clauses 4.1.10.5.2, 4.1.10.5.3 and 3.1.2.4](#), and rounded off to the nearest whole number. Provided further that on lots of greater than 3 600m<sup>2</sup>, the Municipality may authorize a maximum permissible density of 15 units per hectare rounded off to the nearest whole number.
- 4.1.10.5.5 Where in the opinion of the Municipality a road within a Medium Density Housing site should serve the public, the Municipality may require the road to be registered as a public road, provided that for the purpose of bulk and coverage calculation, the area of the public road shall be included in the gross site area.
- 4.1.10.5.6 The minimum width of a road carriageway within a Medium Density Housing site shall be 3 metres where the carriageway is one-way and 5,5 metres where a dual-carriageway is provided.
- 4.1.10.5.7 Situated at the end of every cul-de-sac there shall be provided turning space to the satisfaction of the Municipality.
- 4.1.10.5.8 A Home Owners' Association shall be established. Such Association shall administer and maintain the common land, control the external appearance of buildings within the Medium Density Housing sites and deal with any other matter pertaining to the Medium Density Housing sites which is of common interest to its members. The affairs of the Association shall be regulated by a memorandum and Articles of Association. The Memorandum and Articles of Association shall have been submitted to the Municipality who shall have certified that it has no objection to these documents.
- 4.1.10.5.9 No dwelling unit curtilage within the Medium Density Housing site or within any portion of the site specified by the Municipality shall be transferred or separately registered before the whole Medium Density Housing site or the specified portion of the Medium Density Housing site within which the curtilage is situated has been developed to the satisfaction of the Municipality.
- 4.1.10.5.10 In the event of the different dwelling unit curtilages being transferred in freehold or registered leasehold title, the Municipality shall require that:-
- a) the common land shall be owned exclusively by the freehold or registered leasehold owners of the dwelling units in co-ownership; and
  - b) no co-owners shall be entitled to require the partition of the common land according to the proportion of his share.

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### 4.1.10.6 ADDITIONAL PROVISIONS APPLICABLE TO RESIDENTIAL BUILDINGS

4.1.10.6.1 No Residential Building may be erected on a site of less than 1800 m<sup>2</sup> in extent.

4.1.10.6.2 Those portions of the site of a Residential Building not used for building, parking, road or other utility purposes, which portions shall comprise not less than 25% of the area of such site, shall, within a period to be determined by the Council, be landscaped at the cost of the owner to the satisfaction of the Council, for the use and enjoyment of the residents of the dwelling units, and shall thereafter be maintained by the owner, at his cost;

Provided that:

- a) the aforesaid 25% of the area of the site may, with the authority of the Council, include the area of any flat roof of a Residential Building, conveniently accessible from such Residential building and laid out or landscaped to the satisfaction of the residents of the Council for the use and enjoyment of the residents of the Dwelling Units; and
- b) the aforesaid period to be determined by the Council shall not be less than six months or more than eighteen months from the date on which any Dwelling Unit on the site is first used for residential purposes.

4.1.10.6.3 The minimum width of a road carriageway within a High Density Housing site shall be 3 metres where the carriageway is one-way and 5,5 metres where a dual-carriageway is provided.

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

4.1.10.6.5 Adequate utility facilities shall be provided to the satisfaction of the Council, including areas for waste disposal, clotheslines, etc.

### 4.1.10.7 ADDITIONAL CONTROLS AND PROVISIONS APPLICABLE TO RESIDENTIAL ESTATES

#### 4.1.10.7.1 DESIGN AND LAYOUT

4.1.10.7.1.1 The development within the Residential Estate Site shall be harmoniously designed. Careful attention shall be given to the aesthetic and functional aspects of the design. The Council may, where considered necessary or reasonably desirable by the Council, require the landscaping, paving or any other treatment of portions of a Residential Estate Site.

4.1.10.7.1.2 The owner shall not develop any area, whether in part or in whole, without prior approval by the local authority of a Development Plan/Site Development Plan, as set out in [Clauses 3.1.1.1 and 3.1.2.1 respectively, of this Scheme](#). Such plan shall demarcate the relevant components of the development, which may include:

- a) Residential Component; and
- b) Recreation / Education / Commercial Component



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4.1.10.7.1.3 The Development and/or Site Development Plan shall detail access points, all relevant bulk factors (viz., relevant height, floor areas, coverage), parking / loading areas, private areas, landscaping and other related requirements per the components listed above.

4.1.10.7.1.4 The minimum width of a road carriageway within a Residential Estate site shall be 3 metres where the carriageway is one-way and 5,5 metres where a dual-carriageway is provided.

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

### **4.1.10.7.2 PROVISIONS APPLICABLE TO THE RESIDENTIAL COMPONENT OF A RESIDENTIAL ESTATE**

4.1.10.7.2.1 The provisions of [Clauses 4.1.10.5 and/or 4.1.10.6](#) shall apply.

4.1.10.7.2.2 Density for a Medium Density Housing component shall be limited to 30 dwelling units per hectare.

### **4.1.10.7.3 PROVISIONS APPLICABLE TO THE RECREATION / EDUCATION / COMMERCIAL COMPONENT OF A RESIDENTIAL ESTATE SITE**

4.1.10.7.3.1 The Recreation / Education / Commercial Component shall be restricted to 25% of the total site of a Residential Estate.

4.1.10.7.3.2 High impact areas such as recreation, education and commercial area should, at all times, respect the privacy and well-being of the residents.

### **4.1.10.7.4 PROVISIONS APPLICABLE TO SERVICES AND UTILITY COMPONENTS OF A RESIDENTIAL ESTATE**

4.1.10.7.4.1 Adequate facilities for the removal of and general waste, in line with Council's Bylaws and to the satisfaction of Council, shall be provided.

4.1.10.7.4.2 Adequate facilities for clotheslines shall be provided within the residential component of the estate.

### **4.1.10.7.5 SECURITY AND LIGHTING**

4.1.10.7.5.1 Adequate provision shall be made for perimeter and internal security measures, which may include a guard house, perimeter fencing, etc.

4.1.10.7.5.2 The development shall be adequately lit, to the satisfaction of Council.

### **4.1.10.7.6 PARKING AND LOADING REQUIREMENTS**

4.1.10.7.6.1 Parking and loading requirements shall be in terms of [Clauses 3.1.2.4 and 3.1.2.5 of the Scheme](#), and shall be based on the components of the development as indicated in the Site Development Plan.

4.1.10.7.6.2 Public transport stops shall be provided within or at the entrance/s to the development.

### **4.1.10.7.7 BUILDING LINES, SIDE AND REAR SPACES**

4.1.10.7.7.1 The provisions of [Clauses 3.1.2.3](#) shall apply.

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### 4.1.10.8 ADDITIONAL CONTROLS AND PROVISIONS APPLICABLE TO RETIREMENT VILLAGES

#### 4.1.10.8.1 DESIGN AND LAYOUT

4.1.10.8.1.1 The development within the Retirement Village Site shall be harmoniously designed. Careful attention shall be given to the aesthetic and functional aspects of the design. The Council may, where considered necessary or reasonably desirable by the Council, require the landscaping, paving or any other treatment of portions of a Retirement Village Site.

4.1.10.8.1.2 Pedestrian pathways shall be designed and constructed, taking due cognisance of the limited mobility of some residents of a Retirement Village. It shall aim to contain materials that is considered non-slippery, shall not present a tripping hazard and shall not have a gradient steeper than 1 in 12.

4.1.10.8.1.3 The owner shall not develop any area, whether in part or in whole, without prior approval by the local authority of a Development Plan/Site Development Plan, as set out in [Clauses 3.1.1.1 and 3.1.2.1](#) respectively, of this Scheme. Such plan shall demarcate the relevant components of the development, which may include:

- a) Assisted Living and Frail Care;
- b) Medium Density Housing;
- c) Recreation and Community Centre. Such component should further demarcate areas accessible by the general public or accessible only by the residents and guests;
- d) Service and utility areas; and
- e) Common areas and open space, which shall form part of all other components listed above.

4.1.10.8.1.4 Components may be interspersed to provide, for instance, two separate recreation areas, etc.

4.1.10.8.1.5 The Development and/or Site Development Plan shall detail access points, all relevant bulk factors (viz., relevant height, floor areas, coverage), parking / loading areas, public vs. private areas, landscaping and other related requirements per the components listed above.

#### 4.1.10.8.2 PROVISIONS APPLICABLE TO THE MEDIUM DENSITY HOUSING COMPONENT OF A RETIREMENT VILLAGE SITE

4.1.10.8.2.1 The provisions of [Clause 4.1.10.5](#) shall apply.

#### 4.1.10.8.3 PROVISIONS APPLICABLE TO THE FRAIL CARE / ASSISTED LIVING COMPONENT OF A RETIREMENT VILLAGE SITE

4.1.10.8.3.1 The size of the Frail Care / Assisted Living component shall not be less than 3600m<sup>2</sup> or 25% of the total Retirement Village site, whichever is greater.

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- 4.1.10.8.3.2 A minimum of 25% of the Frail Care / Assisted Living component shall be provided as private open space and/or common areas.
- 4.1.10.8.4 PROVISIONS APPLICABLE TO THE RECREATION / COMMUNITY CENTRE COMPONENT OF A RETIREMENT VILLAGE SITE**
- 4.1.10.8.4.1 The Recreation and Community Centre component of a Retirement Village shall be limited to a maximum of 50% of the total Retirement Village site.
- 4.1.10.8.4.2 The Recreation and Community Centre component of a Retirement Village should aim to empower the senior citizen community, and as such could allow for continued employment options for senior citizens, recreational and socialization needs and the continued integration of the senior citizen community with the rest of the community (i.e. “public contact” areas).
- 4.1.10.8.4.3 Should public contact areas be provided for as part of a Retirement Village, site development plans should clearly distinguish between, and separate (where necessary) areas accessible by the general public (i.e. “public contact” areas) or accessible only by the residents and guests. This may include a dual security gate system.
- 4.1.10.8.4.4 The “Public contact area” is restricted to a maximum of 20% of the Recreation and Community Centre component of a Retirement Village.
- 4.1.10.8.4.5 “Public contact areas” should, at all times, respect the privacy and well-being of the residents. The following land uses may be provided for access to the general public:
- a) Educational Building, restricted to a library, art gallery, crèche/nursery school and educational training facilities/lecture hall;
  - b) Place of Worship;
  - c) Place of Assembly, limited to a conference facility and restaurant / tea garden;
  - d) Informal Trade Area, restricted to a community/flea market facility.
  - e) General or Professional Offices.
- 4.1.10.8.4.6 The following restrictions relating to permissible and consent uses shall apply to The Recreation and Community Centre component of a Retirement Village accessible only by the residents and guests:
- a) Shop shall be restricted to a hair / beauty salon, laundry, convenience/tuck shop and other commercial uses ancillary to a Retirement Village facility.
  - b) Agricultural Land shall be restricted to the use for a community garden and a plant nursery.
- 4.1.10.8.5 PROVISIONS APPLICABLE TO SERVICES AND UTILITY COMPONENTS OF A RETIREMENT VILLAGE SITE**
- Adequate facilities for the removal of hazardous/medical and general waste, in line with Council’s Bylaws and to the satisfaction of Council, shall be provided.

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### **4.1.10.8.6 SECURITY AND LIGHTING**

4.1.10.8.6.1 Adequate provision shall be made for perimeter and internal security measures, which may include a guard house, perimeter fencing, etc.

4.1.10.8.6.2 The development shall be adequately lit, to the satisfaction of Council.

### **4.1.10.8.7 SEQUENTIAL DEVELOPMENT**

4.1.10.8.7.1 The Council may approve of a Retirement Village Site being developed sequentially in portions/phases, provided that at least the following services shall be provided concurrently with the first stage of development:

- a) a Care Centre, which may contain frail aged accommodation with a minimum total number of beds equal to 10% of the number of dwelling units;
- b) the Community Centre, which shall contain a kitchen, dining room and lounge area and may include other support facilities which shall be for the exclusive use of the residents and their guests;
- c) open space areas; and
- d) administration offices.

### **4.1.10.8.8 PARKING AND LOADING REQUIREMENTS**

4.1.10.8.8.1 Parking and loading requirements shall be in terms of [Clauses 3.1.2.4 and 3.1.2.5](#) of the Scheme, and shall be based on the components of the development as indicated in the Site Development Plan.

4.1.10.8.8.2 One bus loading zone is to be provided within the recreation and community centre component and one ambulance zone is to be provided within the frail care / assisted living component.

4.1.10.8.8.3 The development shall make provision for the parking of caravans / boats / motor homes owned by the retirees.

### **4.1.10.8.9 BUILDING LINES, SIDE AND REAR SPACES**

The provisions of [Clauses 3.1.2.3](#) shall apply.

## **4.1.11 CONTROLS AND PROVISIONS APPLICABLE TO HOTELS**

4.1.11.1 The following provisions, conditions and restrictions shall, in addition to any other relevant provision of the Scheme, be applicable to all Hotels and the sites thereof within the area of the scheme.

4.1.11.1.1 Except with the approval of the Council, no Hotel shall be erected on a site of less than 3600m<sup>2</sup> in extent.

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4.1.11.1.2 Notwithstanding any other provision of the scheme and in respect of a Hotel, Council may grant its approval to one or more of the following activities being used ancillary to such Hotel: Hairdressing salon, health and beauty facility, book shop, news agent, automatic vending machines, travel agent, florist, booking agent, and curio shop or bank agency.

Provided that:

- a) for the purposes of this clause, the definition of such aforesaid activities shall be at the discretion of the Council provided that any applicant aggrieved by such definition may appeal;
- b) no commercial advertising of such aforesaid activities shall be permitted on the site so as to be visible from outside the building;
- c) access to such activities shall be from within the Hotel; and
- d) for the purpose of Floor Area Ratio, Coverage and Height determination such aforesaid activities shall be deemed to be part of the Hotel.

4.1.11.1.3 Where a Hotel is permitted in any Zone and the actual Coverage of all buildings on the site exceeds 60% then, for the purpose of determining permissible Coverage in respect of such Hotel only, any flat roofs on the site, laid out or landscaped for rest and recreational purposes and conveniently and freely accessible from such Hotel, with the approval of the Council, be deemed to be excluded from actual coverage.

### **4.1.12 CONTROLS AND PROVISIONS APPLICABLE TO RESORT ZONES**

#### **4.1.12.1 ADDITIONAL PROVISIONS APPLICABLE TO HIGH AND LOW IMPACT RESORTS**

4.1.12.1.1 Within a Resort Zone, the provision of any Caravan Park shall be designed and operated independently of any accommodation of a permanent nature such as Chalets, Dwellings and Medium Density Housing units.

4.1.12.1.2 No Caravan Park, Chalets, Dwellings, or Medium Density Housing units may be erected within a Resort Zone without compliance, first, with the provisions of [Clause 3.1.2.1](#) of this Scheme, at the sole discretion, and to the satisfaction, of the Council.

4.1.12.1.3 No chalet, dwelling unit or building may be sited within the coastal setback line as determined by Council, or in terms of legislation.

4.1.12.1.4 No undergrowth, shrubs and trees of an indigenous nature may be cleared, unless so identified and approved by means of an environmental impact assessment.

4.1.12.1.5 The Council may, at its sole discretion, on application to it, grant its approval to the establishment of:

## SECTION 4 : ADDITIONAL PROVISIONS APPLICABLE TO LAND USE ZONES AND/OR LAND USES

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- a) a shop, launderette and/or place of amusement, place of assembly, or recreational building which is ancillary and incidental to the Resort Zone and exclusively serves such zone; and
- b) a dwelling unit, or dwelling units, which is, or are, exclusively to be used for accommodation of employees of a Caravan Park.

4.1.12.1.6 Within the Resort Zone, the use of a single caravan or a dwelling unit, or occupant or occupants of a caravan or a dwelling unit, or any representative of such occupant or occupants, for a period in excess of three months in any twelve month period, shall be subject to the authority of the Council.

4.1.12.1.7 No caravan park shall be established within the area of this scheme, except where the approval of the Council thereto has been obtained. The design, layout and other standards of the Caravan Park shall be to the satisfaction of the Council and subject to such conditions which the Council may impose; provided that the Council, when considering an application in respect of a Caravan Park may, at its sole and unhindered discretion allow itself to be guided by the South African Bureau of Standard's "Code of Practice for the siting, layout, design, construction, use, maintenance and operation of caravan parks" (SANS 10092-2004). The Council reserves the right to impose any part of parts or the whole of the said Code or applicable Bylaws as a condition of approval, in which case such Code or Bylaws, or parts thereof, shall be deemed to have the same force and effect as any provision of this Scheme and to be a part of this scheme.

4.1.12.1.8 Within the Resort Low Impact zone, residential units or caravans may not exceed 20 dwelling units and/or caravans per gross ha.

### 4.1.12.2 ADDITIONAL PROVISIONS APPLICABLE TO "HARBOUR RESORT" ZONES

4.1.12.2.1 Portnet or Developers shall be responsible for the provision of all essential services within the said Zones, subject to the provisions of [Clause 3.1.1.5](#).

4.1.12.2.2 Notwithstanding the above, the provision of such services by Council shall be at Council's sole discretion, within its budgeting limitations and/or by contractual agreement between the Harbour Authority and/or its lessee and Council.

4.1.12.2.3 The provisions of [Clauses 3.1.1.1 and 3.1.2.1](#) shall, *mutatis mutandis*, apply to all land and building uses within these zones.

4.1.12.2.4 Where no registered subdivision exists, the provisions of the scheme shall apply to any lease area or area of use so identified by Council.

4.1.12.2.5 The height of any building or structure shall not impede the efficient control by the Harbour Authority over harbour water activities, as determined by such authority.

## **SECTION 4 : ADDITIONAL PROVISIONS APPLICABLE TO LAND USE ZONES AND/OR LAND USES**

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### **4.1.13 CONTROLS AND PROVISIONS APPLICABLE TO TRANSPORTATION ROUTES OR CORRIDORS**

#### **4.1.13.1 PROVISIONS APPLICABLE TO RAILWAY CORRIDORS**

- 4.1.13.1.1 Transnet or Developers shall be responsible for the provision of all essential services within the said Zone.
- 4.1.13.1.2 Notwithstanding the above, the provision of such services by Council shall be at Council's sole discretion, within its budgeting limitations and/or by contractual agreement between the railway authorities and/or its lessee and Council.
- 4.1.13.1.3 The provisions of [Clauses 3.1.1.1 and 3.1.2.1](#) shall, mutatis mutandis, apply to all land and building uses within these zones, if required by Council.
- 4.1.13.1.4 Where no registered subdivision exists, the provisions of the scheme shall apply to any lease area or area of use so identified by Council.
- 4.1.13.1.5 The height of any building or structure shall not impede the efficient control by the railway authority over railway activities, as determined by such authority.

### **4.1.14 CONTROLS AND PROVISIONS APPLICABLE TO TRANSPORT TERMINALS**

#### **4.1.14.1 GENERAL PROVISION APPLICABLE TO ALL TRANSPORT TERMINALS**

##### **4.1.14.1.1 SITE DEVELOPMENT PLANS**

- 4.1.14.1.1.1 Sites shall not be developed, whether in part or in whole, without prior approval by the local authority of a Framework Plan / Development Plan / Site Development Plan, as set out in [Clause 3.1.1.1 and 3.1.2.1](#) of this Scheme.
- 4.1.14.1.1.2 Such plan shall demarcate all relevant components of the development, such as:
  - a) Refuelling area/s;
  - b) Mechanical workshop/s;
  - c) Vehicle washing area/s;
  - d) Vehicle parking, loading and maneuvering area/s;
  - e) Pedestrian movement areas;
  - f) Waiting, recreational and shopping area/s;
  - g) Relevant docks, hangers, warehousing, etc.;
  - h) Overnight Facility/ies (if provided);
  - i) Ingress / Egress points to the site;
  - j) Lighting, security and custom control measures;

## SECTION 4 : ADDITIONAL PROVISIONS APPLICABLE TO LAND USE ZONES AND/OR LAND USES

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- k) Buffer or screening measures implemented (if deemed necessary);
- l) Landscaping;
- m) Waste Management Area/s; and
- n) Other components as required by the Municipality.

4.1.14.1.1.3 The Development and/or Site Development Plan shall detail all relevant bulk factors (viz., relevant height, floor areas, coverage) and other related requirements per components listed above.

4.1.14.1.1.4 Detailed design and actual development shall be subject to an appropriate level of geotechnical, traffic and environmental assessment, and/or any other specialist study that the Municipality may require.

### **4.1.14.1.2 SURFACES AND DRAINAGE**

The provisions of [Clause 3.1.1.6 of the Scheme](#) shall apply.

### **4.1.14.1.3 ACCESS, TRAFFIC MOVEMENT AND DROP-OFF / PICK-UP AREAS**

4.1.14.1.3.1 Points of ingress to and egress from a transportation terminal or facility shall be sited, constructed, paved and maintained to the satisfaction of the Council.

4.1.14.1.3.2 Traffic movement within the facility and drop-off/pick-up areas shall make provision for separation of pedestrian and traffic movement, signage, road markings, shelters and other facilities to ensure the safety and convenience of passengers.

### **4.1.14.1.4 WASTE MANAGEMENT**

The provisions of [Clause 3.1.1.8](#) of the Scheme shall apply.

### **4.1.14.1.5 SECURITY, SCREENING, LIGHTING AND VENTILATION**

4.1.14.1.5.1 Adequate security shall be provided and maintained to the satisfaction of the Council.

4.1.14.1.5.2 Adequate lighting shall be provided and maintained on the premises for the safe movement and control of vehicular and pedestrian traffic to the satisfaction of the Council. Such additional lighting as the Council may deem necessary to facilitate safety, movement and control of traffic to and from the site shall be provided at the cost of the owner.

4.1.14.1.5.3 Adequate ventilation of the premises shall be provided and maintained.

### **4.1.14.1.6 LANDSCAPING, SCREENING OF SITE AND ACTIVITIES**

4.1.14.1.6.1 Provision shall be made for the landscaping and maintenance of the grounds to the satisfaction of the local authority.

4.1.14.1.6.2 Screening measures of such height, extent, materials, design and position as may be determined by Council, shall be erected as and when required by Council in order to screen fencing, working, washing and maintenance areas, storage areas and utility areas from outside view.

### **4.1.14.1.7 PUBLIC CONVENIENCES**

Public conveniences shall be provided and maintained to the satisfaction of Council.



## SECTION 4 : ADDITIONAL PROVISIONS APPLICABLE TO LAND USE ZONES AND/OR LAND USES

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### 4.1.14.2 ADDITIONAL PROVISIONS APPLICABLE TO “AIRPORTS”

A noise buffer shall be maintained free of any development as determined in the Airport Master Plan.

### 4.1.14.3 ADDITIONAL PROVISIONS APPLICABLE TO “INTERMODAL FACILITIES”

4.1.14.3.1 An Intermodal Facility may make provision for both formal and informal commercial activities incidental to the efficient operation of the facility.

4.1.14.3.2 Informal commercial activities shall be in compliance with Council’s Street Trading Bylaws.

### 4.1.14.4 ADDITIONAL PROVISIONS APPLICABLE TO “TRUCK STOPS”

#### 4.1.14.4.1 PROVISIONS AND RESTRICTIONS RELATING TO PERMISSIBLE AND CONSENT USES:

4.1.14.4.1.1 *Truck Re-fuelling, Parking and Maintenance Areas:*

4.1.14.4.1.1.1 The following uses must be provided at a Truck Stop Facility:

- a) the dispensing of motor fuel or other petroleum products;
- b) the temporary parking of trucks or similar commercial heavy vehicles;
- c) ablution facilities, including showers and facilities for the washing and drying of clothes;
- d) offices and storage areas normally associated with a Truck Stop Facility.
- e) An area for the handling and storage of waste, including general household waste and waste-products that may result from the cargo transported by trucks. The storage of waste would be subject to relevant legislation and must consider the risks associated with the storage of dangerous / hazardous goods, and implement safety provisions specified in terms of relevant legislation and SABS standards specifications and codes of practice.

4.1.14.4.1.1.2 The following uses may be provided at a Truck Stop Facility:

- a) the cleaning, maintenance, servicing, or minor repairs of trucks or commercial heavy vehicles.

4.1.14.4.1.1.3 Dispensing and parking areas must consider the risks associated with the storage of dangerous / hazardous goods, and implement safety provisions specified in terms of relevant legislation and SABS standards specifications and codes of practice.

4.1.14.4.1.2 *Ancillary Overnight, Shopping and Recreational Facilities:*

4.1.14.4.1.2.1 The following ancillary uses must be provided at a Truck Stop Facility, at the sole discretion of Council:

- a) Restaurant, take away or similar facility providing food and drink;
- b) Supermarket for convenience shopping;
- c) Public office, limited to a clinic;

## SECTION 4 : ADDITIONAL PROVISIONS APPLICABLE TO LAND USE ZONES AND/OR LAND USES

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- 4.1.14.4.1.2.2 The following ancillary uses may be provided at a Truck Stop Facility, at the sole discretion of Council:
- a) Shop for the sale of accessories, spare parts or equipment associated with trucks and similar commercial vehicles;
  - b) Launderette;
  - c) Internet café and telephone facilities;
  - d) Automatic banking teller machine;
  - e) Recreational building and private recreational use, such as a braai area, gymnasium, games room, pool, sports field; etc.
  - f) Place of public worship, restricted to a chapel;
  - g) Informal trade area;
  - h) Overnight facilities.
- 4.1.14.4.1.2.3 Ancillary overnight, shopping and recreation facilities listed above shall be limited to a maximum of 50% of the allowed coverage associated with this zoning.
- 4.1.14.4.1.2.4 Provision is to be made for the landscaping and maintenance of the grounds to the satisfaction of the local authority and not less than 25% of the site shall be set aside and maintained as a garden and recreational area, which must be kept free of parking space and driveways.

### 4.1.15 CONTROLS AND PROVISIONS APPLICABLE TO PARKING AREAS / PARKADES

The following provisions shall, in addition to any other relevant provision of the Scheme, be applicable to all Parking Areas and Parkades, which may be used for parking purposes only. No building other than a parkade, ticket office, automatic teller machine and carwash facility shall be permitted.

#### 4.1.15.1.1 ACCESS, SURFACES AND DRAINAGE

The provisions of [Clause 3.1.1.6 of the Scheme](#) shall apply.

#### 4.1.15.1.2 WASTE MANAGEMENT

The provisions of [Clause 3.1.1.8 of the Scheme](#) shall apply.

#### 4.1.15.1.3 SECURITY, LIGHTING AND VENTILATION

4.1.15.1.3.1 Sites shall be enclosed with a screen wall or fence of not less than 2,00 metres in height.

4.1.15.1.3.2 Security measures shall be implemented to ensure the safety of staff and patrons.

4.1.15.1.3.3 Adequate lighting shall be provided and maintained on the premises for the safe movement and control of vehicular and pedestrian traffic to the satisfaction of the Council. Such additional lighting as the Council may deem necessary to facilitate safety, movement and control of traffic to and from the site shall be provided at the cost of the owner.

4.1.15.1.3.4 Adequate ventilation of the premises shall be provided and maintained.

## SECTION 4 : ADDITIONAL PROVISIONS APPLICABLE TO LAND USE ZONES AND/OR LAND USES

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### 4.1.15.1.4 LANDSCAPING, SCREENING OF SITE AND ACTIVITIES

4.1.15.1.4.1 Provision shall be made for the landscaping and maintenance of the grounds to the satisfaction of the local authority.

4.1.15.1.4.2 Screening measures of such height, extent, materials, design and position as may be determined by Council, shall be erected as and when required by Council in order to screen fencing, working, washing and maintenance areas, storage areas and utility areas from outside view.

### 4.1.15.1.5 PUBLIC CONVENIENCES

Public conveniences shall be provided and maintained by the owner/developer to the satisfaction of Council.

## 4.1.16 CONTROLS AND PROVISIONS APPLICABLE TO UTILITIES AND SERVICES

### 4.1.16.1 GENERAL PROVISIONS APPLICABLE TO ALL LAND, INFRASTRUCTURE AND BUILDINGS APPLICABLE TO UTILITIES AND SERVICES

The use of land may be subject to additional provisions and controls in terms of *inter alia* the National Environmental Management Waste Act, Act 59 of 2008, the National Water Act (Act No. 36 of 1998), etc.

### 4.1.16.2 ADDITIONAL PROVISIONS APPLICABLE TO REFUSE SITES, RECYCLING FACILITIES AND WASTE DROP OFF / TRANSFER STATIONS

4.1.16.2.1 A buffer of no less than 500m shall be maintained around all sites zoned as a refuse site.

4.1.16.2.2 The Council may grant its consent to provide facilities for the temporary storage of general waste at a drop-off / transfer station on an erf, or part thereof, and within an applicable zone listed under Section 2, Column 3 provided for in this Scheme, subject thereto that:

4.1.16.2.2.1 The site only provides facilities for the storage only of less than 35m<sup>3</sup> of garden and domestic waste before it is transported to a recycling, treatment or waste disposal facility waste at any time. A proposal for the temporary storage of more than 35m<sup>3</sup> shall be defined under Waste Transfer / Recycling Centre;

4.1.16.2.2.2 The Council has followed public participation procedures as prescribed in law in order to establish such drop-off or waste transfer station;

4.1.16.2.2.3 The location of drop-off or waste transfer sites is selected with sensitivity and careful planning to ensure accessibility and acceptance by the community, and

## SECTION 4 : ADDITIONAL PROVISIONS APPLICABLE TO LAND USE ZONES AND/OR LAND USES

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not to interfere with pedestrian movement, or create an eyesore, or a public nuisance of rodents, dust, wind-blown litter and odour;

4.1.16.2.2.4 The site is adequately designed and surfaces are hardened and impermeable and maintained in a dust free condition. Stormwater and wastewater control measures shall be implemented to avoid polluted water and run-off from entering the natural system;

4.1.16.2.2.5 The drop-off or waste transfer station is adequately managed to avoid wind-blown litter;

4.1.16.2.2.6 The drop-off or waste transfer station is screened from public view, if required; and

4.1.16.2.2.7 The drop-off or waste transfer station is licensed in terms of relevant legislation, if necessary.

4.1.16.2.3 The provisions of [Clauses 4.1.16.2.2.3 – 4.1.16.2.2.7](#) shall apply to waste transfer / recycling facilities.

### 4.1.16.3 ADDITIONAL PROVISIONS APPLICABLE TO CEMETERIES

4.1.16.3.1 All cemeteries shall comply with Council's Cemetery Bylaws.

4.1.16.3.2 A buffer of 20m shall be maintained around all sites zoned for cemetery purposes.

4.1.16.3.3 Public conveniences shall be provided and maintained on the site to the satisfaction of Council and all cemeteries shall be fenced.

### 4.1.16.4 ADDITIONAL CONDITIONS AND PROVISIONS APPLICABLE TO TELECOMMUNICATION INFRASTRUCTURE

4.1.16.4.1 The Council may consider an application for its Special Consent to erect telecommunication infrastructure on an erf, or part thereof, and within any zone provided for in this Scheme.

4.1.16.4.2 When considering an application for consent to erect telecommunication infrastructure, the Council shall consider the following objectives:

- a) To encourage co-location as a means of preventing unnecessary proliferation and duplication of such infrastructure;
- b) To minimize the visual impact of such infrastructure on the surrounding locality; and
- c) To avoid impact on lines of sight and any impact that the infrastructure may have on the responsibilities of the Department of Civil Aviation and the National Ports Authority.

4.1.16.4.3 Council reserves the right to insist on the decoration of telecommunication masts/antennae if regarded necessary, as well as the possible relocation of and/or alterations to the mast by and at the expense of the applicant if the need arises.

## SECTION 5 : LAND USE DEFINITIONS

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# 5 SECTION 5: DEFINITIONS

## 5.1 GENERAL DEFINITIONS

In these clauses unless the context otherwise indicates any word shall, when used in this Scheme have the same meaning as is assigned to it in the KwaZulu-Natal Planning and Development Act, otherwise it shall have the meaning assigned to it in these definitions below:

<b>Act</b>	Is the KwaZulu-Natal Planning and Development Act No. 6 of 2008, as amended, unless otherwise indicated.
<b>Air Quality Buffer – Potential Health Impact Zone</b>	<p>Means a buffer area, as adopted by Council in accordance with Resolution 4272 of 5 December 2006, which has been implemented to limit the health impacts of air pollution produced by industrial development in Richards Bay.</p> <p>Industries considering development or expansion within the Potential Health Impact Zone shall not be allowed to add any percentage of SO<sub>2</sub> or PM<sub>10</sub>, or fractions thereof. Other criteria pollutants suspected of impacting on the health and well-being of people may also be limited at the sole discretion of Council.</p>
<b>Air Quality Buffer – Alert Zone</b>	<p>Means a buffer area, as adopted by Council in accordance with Resolution 4272 of 5 December 2006, which has been implemented to limit the health impacts of air pollution produced by industrial development in Richards Bay.</p> <p>Industries considering development or expansion within the Alert Zone, which emit any percentage of SO<sub>2</sub> or PM<sub>10</sub>, or fractions thereof, shall make use of an air quality model acceptable to Council, at own cost, to predict how emissions would influence the Buffer Zones. The outcomes of the modeling would determine whether the proposed location for industrial development is acceptable or not.</p> <p>Other criteria pollutants suspected of impacting on the health and well-being of people may also be limited at the sole discretion of Council.</p>
<b>Ancillary Use</b>	Means a use incidental to and customarily associated with a specific principal use, located on the same erf/lot or subdivision.
<b>Appeal Tribunal</b>	Is the Appeal Tribunal established in terms of The KwaZulu-Natal Planning and Development Act (Act No, 6 of 2008).
<b>Approval</b>	Means the approval of the Council as contemplated in <a href="#">Clause 1.9.3 of the Scheme</a> .
<b>Arcade</b>	Means an area forming part of a building which may or may not be covered, reserved exclusively for pedestrian traffic, but may include fountains, benches and other similar features and shall nowhere have a total width of less than 4 metres and an unobstructed width of less than 2 metres.
<b>Balcony</b>	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

## SECTION 5 : LAND USE DEFINITIONS

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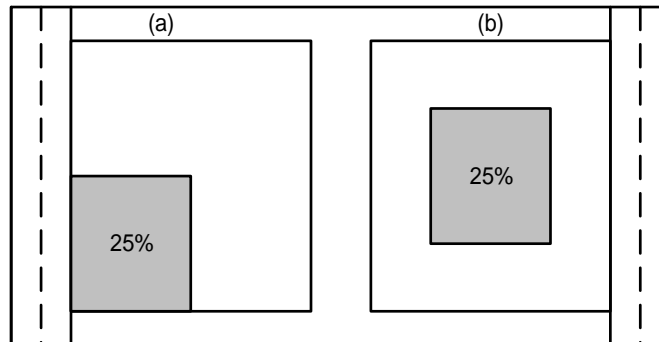
open to the elements, and which a portion thereof shall have direct access to the main building.

<b>Basement</b>	Means any storey of a building or portion thereof where either: <ul style="list-style-type: none"><li>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</li><li>b) the ceiling level of such storey is below a level of one metre (1m) above finished ground level.</li></ul>
<b>Block of Flats</b>	Means a building containing more than three dwelling units, and which is not defined as “Residential - Medium Density”.
<b>Building</b>	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.
<b>Building Line</b>	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.
<b>Bylaw</b>	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.
<b>Caravan</b>	Means any vehicle permanently fitted out for use by persons for living and sleeping purposes whether or not such vehicle is a trailer.
<b>Carport</b>	Means a permanent and/or temporary roofed structure, which is not completely enclosed and which is used for the parking of vehicles.
<b>Common Land</b>	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.
<b>Common Open Space</b>	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.
<b>Consent</b>	Means “Consent” of the Council as contemplated in <a href="#">Clause 1.9.5 of the Scheme</a> .

## SECTION 5 : LAND USE DEFINITIONS

### 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 10m<sup>2</sup>.

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, drain pipes, 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.

### Development Plan

As provided for in [Clause 3.1.1.1](#).

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<b>Duplex Unit</b>	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.
<b>Dwelling Unit</b>	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.
<b>Dwelling Unit Curtilage</b>	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.
<b>Erection of a Building</b>	Means the construction of a new building or a structural alteration or additions to any building.
<b>Erf</b>	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.
<b>Erf Area</b>	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.
<b>Existing Building</b>	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.
<b>Existing Use</b>	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.
<b>Family</b>	Means a man or a woman or both, with or without their parents, the children of one or the other or both of them, or a partner, living together as one household.
<b>Floor Area</b>	<p>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:</p> <ul style="list-style-type: none"><li>a) 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;</li><li>b) Any area used exclusively for the loading and unloading of motor vehicles;</li><li>c) Covered parking spaces or garages other than such areas within a service station, parking erf / parkade and automotive showroom;</li><li>d) Any area within a basement used exclusively for storage purposes;</li><li>e) 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</li><li>f) Features of a purely decorative nature such as ledges, spires, turrets and belfries.</li></ul>

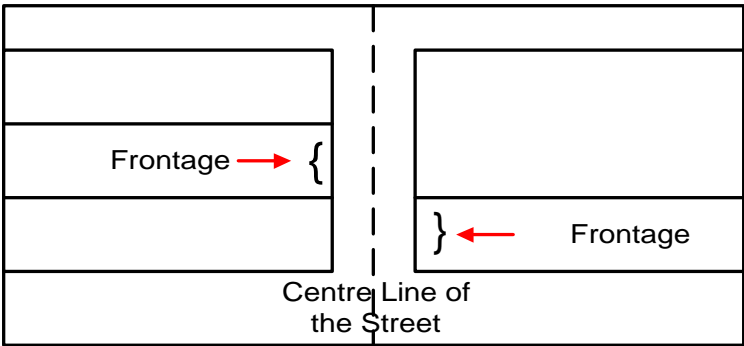


# SECTION 5 : LAND USE DEFINITIONS

**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.

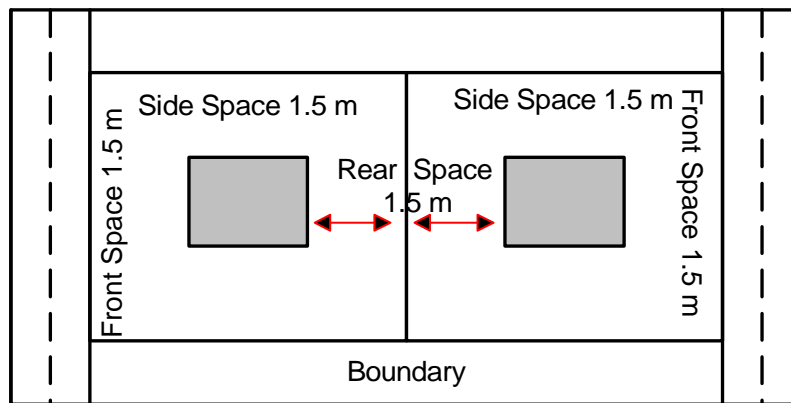
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<b>Home Owners Association</b>	Means a company registered in terms of Section 21 of the Companies Act, No. 71 of 2008, as amended, membership of which shall be exclusive to and compulsory for the freehold or registered leasehold owners of dwelling unit curtilages in a medium density housing development.
<b>IDZ / Industrial Development Zone</b>	Means a purpose built industrial estate that leverages domestic and foreign fixed direct investment in value-added and export-oriented manufacturing industries and services
<b>Maisonette</b>	Means a two-storey building consisting of 2 dwelling units placed one above the other with separate entrances.
<b>Mall</b>	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.
<b>Mixed Use Development</b>	<p>Means a development with:</p> <ul style="list-style-type: none"><li>- a mix of revenue producing areas (such as retail, office, residential, hotel/motel and recreation) which are all well-planned and mutually supporting;</li><li>- 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</li><li>- development in conformance with a coherent plan, which frequently stipulates the type and scale of uses, permitted densities and related items.</li></ul>
<b>Motor Vehicle</b>	<p>As defined in the National Road Traffic Act, 1996, means any self-propelled vehicle and includes-</p> <ul style="list-style-type: none"><li>(a) a trailer; and</li><li>(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-<ul style="list-style-type: none"><li>(i) any vehicle propelled by electrical power derived from storage batteries and which is controlled by a pedestrian; or</li><li>(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</li></ul></li></ul>
<b>Municipal Tribunal</b>	<b>Appeal</b> Means the Municipal Appeal Tribunal established in terms of Section 62 of the Municipal Systems Act, 2000.
<b>Non-conforming Use</b>	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.

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<b>Occupant</b>	Means any person occupying a building or land irrespective of whether such occupation is legal or not.
<b>Outbuilding</b>	Means a building ordinarily used in conjunction with a dwelling unit(s), and used for the garaging of private motor vehicles, storeroom, servant's rooms, servant's toilet, workroom and other such similar uses.
<b>Outdoor Advertising</b>	Means 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.
<b>Permission</b>	Means permission of the Council as contemplated in <a href="#">Clause 1.9.2 of the Scheme</a> .
<b>Private Open Area</b>	Means a usable area, exclusive of utility areas, driveways and parking areas, which is open to the sky and which is adjacent to and has direct access from a dwelling unit on a medium density housing 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.
<b>Rear Space / Boundary</b>	Shall mean that boundary of an erf which is furthest from any street boundary, and which does not meet any street boundary.



<b>Scheme</b>	<p>Town Planning Scheme and similar expressions shall mean the Umhlathuze Scheme and shall include any lawful:</p> <ul style="list-style-type: none"> <li>a) amendment thereto or variation or modification thereof;</li> <li>b) prohibition, restriction and condition imposed in terms thereof;</li> <li>c) permission, approval, consent or other authority granted in terms thereof;</li> <li>d) schedule, annexure or other document included therein; and</li> <li>e) any map, plan, diagram, drawing or similar document included therein.</li> </ul>
<b>Semi-detached Housing</b>	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.
<b>Side Space / Boundary</b>	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.

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<b>Simplex Unit</b>	Means a dwelling unit in a single storey building where each such unit has direct access to a private open area.
<b>Site Development Plan</b>	As provided for in <a href="#">Clause 3.1.2.1</a> .
<b>Storey</b>	<p>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:</p> <ul style="list-style-type: none"><li>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;</li><li>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);</li><li>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;</li><li>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;</li><li>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.</li></ul>
<b>Street</b>	Means any street, road, lane, avenue, way, footpath, bridge, subway or other right-of-way and includes appurtenances thereto.
<b>Street Boundary</b>	Means a boundary of an erf, which is coincident with the boundary of an existing or proposed street.
<b>Structure</b>	Means anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.
<b>Terrace House</b>	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.
<b>Utility Area</b>	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.
<b>Zone</b>	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.

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### 5.2 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:

<b>Abattoir</b>	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.
<b>Additional Dwelling Unit:</b>	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.
<b>Agricultural Building</b>	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.
<b>Agricultural Industry</b>	<p>Means land or buildings used for:</p> <ul style="list-style-type: none"><li>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;</li><li>b) aquaculture and mariculture activities;</li><li>c) the large-scale servicing or repairing of plant or equipment used in agriculture;</li><li>d) the handling, treatment, processing, or packing of agricultural products, which could include a sawmill, a packing plant and similar activities; and</li><li>e) Wind turbines.</li></ul> <p>But excludes uses that could be classified under “Industry – High Impact”, and specifically the processing of animal matter.</p>
<b>Agricultural Land</b>	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 saleyards 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”.
<b>Aquaculture</b>	As provided for under “Agricultural Industry” means the breeding of fauna and/or flora in a freshwater environment for commercial sale.
<b>Arts &amp; Crafts Workshop:</b>	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,

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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.

**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 “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 form 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;

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- 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 m<sup>2</sup> and not less than 35 m<sup>2</sup>, 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 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.

### **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.

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<b>Convention Centre</b>	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.
<b>Conservation Purposes</b>	Means environmentally sensitive land, coastal areas and/or water bodies, or land earmarked for environmental rehabilitation which includes independent or linked open space areas and permits only limited and specific developments that are normally associated with, but secondary to, the conservation of land, such as parking areas, walking trails, bird watching structures, educational buildings, restaurant / tuck shop and other facilities for the convenience of visitors. Development would most likely be subject to an environmental approval process in line with relevant legislation.
<b>Crèche</b>	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.
<b>Crematorium</b>	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.
<b>Day Care Facility</b>	<p>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.</p> <p>It may also include the care of not more than four (4) adults, either elderly or sick, provided that such facility:</p> <ul style="list-style-type: none"><li>- is not used for the treatment of infections or contagious diseases;</li><li>- may not in any way cause a danger to public health and safety; and</li><li>- is able to comply with the relevant Environmental Health Bylaws, especially with regards to the management of medical waste.</li></ul>
<b>Direct Access Service Station</b>	<p>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:</p> <ul style="list-style-type: none"><li>a) A car wash facility;</li><li>b) Art and Craft shops;</li><li>c) A restaurant/s;</li><li>d) A Convenience Shop;</li><li>e) Children’s play area / rest area;</li><li>f) Ablution facilities,</li><li>g) Offices;</li><li>h) Launderette; and</li><li>i) Overnight facilities.</li></ul>



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<b>Educational Building</b>	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 20m <sup>2</sup> ) and sport / recreation facilities, but expressly excludes a Restricted Building.
<b>Farm Stall</b>	Means a building or structure, which does not exceed 150m <sup>2</sup> 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.
<b>Farm Worker Accommodation</b>	As provided for under “Agricultural Building” means accommodation provided for farm workers working for the land user.
<b>Flea Market</b>	An occasional or periodic market held in an open area or structure where groups of individual sellers offer goods for sale to the public.
<b>Funeral Parlour</b>	<p>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:</p> <ul style="list-style-type: none"><li>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;</li><li>b) A funeral chapel; and</li><li>c) A workshop for the manufacture of coffins and funeral furniture; but expressly excludes a monumental mason and/or crematorium.</li></ul>
<b>Gambling Premises</b>	<p>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:</p> <ul style="list-style-type: none"><li>a) Limited pay-out machines;</li><li>b) Bookmaker Agencies;</li><li>c) Totalisator Agencies;</li><li>d) Tattersalls;</li><li>e) Bingo Hall;</li><li>f) Gaming Hall; etc.</li></ul> <p>The standards for gambling premises must be maintained, as described in Section 17 of the National Gambling Act, No. 7 of 2004.</p>
<b>General Showroom</b>	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, but does not include a type of building and land use specifically defined elsewhere under Section 5.

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<b>Guest House</b>	As defined under “Bed and Breakfast”.
<b>Harbour Infrastructure</b>	Means a building/structure normally associated with the operation of a port / harbour / small craft harbour such as docks, maintenance yards, re-fueling facilities and railway facilities, conveyors, a lighthouse, breakwaters, etc.
<b>Harbour Management</b>	Means buildings, land and structures necessary for the management and operation of a port / harbour such as offices, control towers, custom control areas, maintenance yards/docks/workshops, truck or rail staging areas and similar uses, and may include facilities for the comfort and recreation of port employees and contractors such as a canteen, convenience shop, standby accommodation, recreational facilities and other similar uses.
<b>Heritage Purposes</b>	Means buildings, land and structures used for the remembrance and protection of cultural heritage resources, such as specific grave sites, a plaque / monument, etc.
<b>Hobby Workshop</b>	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.
<b>Home Activity</b>	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.
<b>Home Business</b>	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.
<b>Homestead</b>	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.
<b>Hospital</b>	As defined under “Institution”.
<b>Hotel</b>	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.

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<b>Hydroponics</b>	As provided for under “Agricultural Land” means the cultivation of plants by placing the roots in liquid nutrient solutions rather than in soil.
<b>Impoundment Area</b>	Means land and or buildings used to confine seized items such as stray animals, motor vehicles and the like.
<b>Industry – Bulk Storage</b>	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.
<b>Industry – Extractive</b>	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.
<b>Industry – General</b>	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 “Agricultural Industry”, “Industry – Bulk Storage” “Industry – Extractive”, “Industry-High Impact” and/or “Industry-Salvage”.

“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 use 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.

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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
- c) 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
- d) 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;

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- (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.
- d) 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

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- 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.

**Mariculture** As provided for under "Agricultural Industry" means the breeding of fish, shellfish and plants in sea water for commercial sale.

**Marina Infrastructure** Means a building and/or structure – whether fixed or floating – used for and relating to the activities and daily operation of a marina/small craft harbour including, amongst

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others, boat launching facilities, craft and yacht mooring and refueling facilities, floating quays, boat sheds and maintenance yard, buoys and jetties.

<b>Mobile Home Park</b>	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.
<b>Motor Vehicle Fitment Centre</b>	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
<b>Municipal Purposes</b>	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.
<b>Night Club / Bar / Tavern</b>	Means premises, more frequently than not open after 12am at night, that: <ul style="list-style-type: none"><li>a) provides entertainment (singing / dancing);</li><li>b) is licensed to sell on-site consumption of liquor; and</li><li>c) may provide eating facilities.</li></ul>
<b>Office - General</b>	Means a building or a part of a building used for administration, clerical, technical, professional or similar business activities.
<b>Office – Professional</b>	<p>An office used for conducting the profession or occupation of:</p> <ul style="list-style-type: none"><li>a) an accountant, architect, consulting engineer, land surveyor, legal practitioner, quantity surveyor, town planner, bookkeeper, financial advisor, draughtsman or any other profession or occupation;</li><li>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;</li><li>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</li><li>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.</li></ul> <p>Professional offices are, in the opinion of Council, not likely to interfere with the amenities of the surrounding area.</p>
<b>Parking Erf / Parkade</b>	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

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kiosks to accommodate uses such as flower, refreshments and newspaper sellers but shall not include “Industry-Salvage”, “Public Garage” or “Automotive Showroom”.

<b>Place of Amusement</b>	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.
<b>Place of Assembly</b>	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.
<b>Place of Worship</b>	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 20m <sup>2</sup> ), but shall not include a Funeral Parlour.
<b>Private Street</b>	Means any street which is not a public street and which is normally not owned or maintained by the Municipality.
<b>Private Recreational Use</b>	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.
<b>Public Garage</b>	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.
<b>Public Office</b>	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.
<b>Public Street</b>	Means any street which: <ul style="list-style-type: none"><li>a) has been established by a local authority or other competent authority as a public street;</li><li>b) has been taken over by or vested in a local authority as a public street in terms of any law;</li><li>c) the public has acquired the right to use; or</li></ul>



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- 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.

<b>Public Recreational Use</b>	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.
<b>Racecourse</b>	Means the use of land and buildings for the racing of: <ul style="list-style-type: none"> <li>a) motor powered vehicles including motorcars or carts, trucks, motorcycles, etc.; and</li> <li>b) animals.</li> </ul>
<b>Railway Infrastructure</b>	Means land used for the transport of goods and passengers via rail and may include railway routes, facilities to park, maintain and maneuver railway vehicles and shunting / marshaling yards, but excluding a Railway Terminal.
<b>Recreational Building</b>	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".
<b>Residential Building</b>	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.
<b>Residential House - Dwelling House</b>	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.
<b>Residential Density - Medium Density</b>	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.

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<b>Resort Development</b>	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.
<b>Restaurant</b>	<p>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.</p> <p>Restaurants are <b>not</b> frequently open after midnight.</p>
<b>Restricted Building</b>	<p>Means a building, buildings or land used exclusively for purposes of:</p> <ul style="list-style-type: none"><li>a) a hospital, sanatorium, dispensary or clinic for the exclusive treatment of infections or contagious diseases;</li><li>b) an institution or home for mentally disabled people;</li><li>c) a mental hospital;</li><li>d) a prison or other place of lawful detention;</li><li>e) an industrial school, reformatory, place of safe keeping or other approved school; and/or</li><li>f) a public or private assistance institution, building and/or land for people in despair, need or assistance.</li></ul>
<b>Sanatorium</b>	As provided for under "Institution" or "Restricted Building" means a building used for the treatment of chronic diseases or for medically supervised recuperation.
<b>Semi-Professional Office</b>	Means an office which is not defined under "Office – Professional", but which, in the opinion of Council, could be considered a semi-professional office and which could be controlled subject to the same conditions as set out for Professional Offices.
<b>Service Station</b>	<p>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 with <a href="#">Clause 4.1.6.7</a> of this Scheme, but excludes an Automotive Showroom, a workshop and the major sale of automotive parts and spares.</p> <p>The definition of "shopping facilities" would include a restaurant/café/tea room/take away facility, supermarket/convenience shop, and/or video hiring outlet.</p>
<b>Shelter</b>	Means a unit of residential accommodation, which may or may not comply with the National Building Regulations.
<b>Shop - General</b>	<p>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,</p> <ul style="list-style-type: none"><li>a) a hairdresser or barber;</li><li>b) a ticket, booking or travel agency;</li><li>c) a showroom other than an Automotive Showroom;</li></ul>

## SECTION 5 : LAND USE DEFINITIONS

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- 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.

### **Spaza Shop / Tuck shop**

As provided for under "Home Business" means a small retail enterprises 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 20m<sup>2</sup> total floor area, may also be operated from certain non-residential land uses, as allowed for in terms of the Scheme.

### **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.

### **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

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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 - Airport/Airfield** Means land and buildings used to assemble and distribute passengers and goods via air, including uses specifically related to the functioning of the airport or airfield at Council's sole discretion. It may include facilities to park, maintain, fuel and maneuver planes, airport operations, associated offices, warehousing and distribution facilities for goods and luggage, parking areas/parkades for the parking of vehicles, vehicle hire facilities, training facilities, facilities for the comfort and recreation of passengers while waiting such as restaurants and shops.

**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 - Passenger Liner** Means land and buildings used to assemble and distribute passengers and goods via sea, including uses specifically related to the functioning of a passenger liner facility at Council's sole discretion. It includes facilities for the operation of a passenger liner facility, customs control area/s, associated offices, distribution facilities for goods and luggage, parking areas/parkades for the parking of vehicles, vehicle hire facilities and facilities for the comfort and recreation of passengers while waiting such as restaurants and shops.

**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 maneuver 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.

**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

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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.

<b>Vehicle Testing Station</b>	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.
<b>Veterinary Purposes</b>	Means the use of land and/or buildings for medical treatment of domestic animals, and the short term boarding of animals incidental to the hospital use. It may include a grooming parlour and retail outlet restricted to the sale of veterinary and animal maintenance products. Subject to the approval of the Council, the facility may include the treatment of any other animal.
<b>Warehouse</b>	<p>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.</p> <p>Warehousing of products or goods of an offensive or dangerous nature shall be defined under “Industry-High Impact”. Open-air bulk storage shall be defined under “Bulk Storage” in terms of the Scheme.</p>
<b>Waste Transfer and/or Recycling Centre</b>	An area of land, with or without buildings, that may be licensed under relevant legislation for the temporary accumulation and storage of more than 35m <sup>3</sup> 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.
<b>Waste Transfer and/or Drop-off Station</b>	Means land that may be licensed under relevant legislation to accumulate and temporarily store no more than 35m <sup>3</sup> of garden and recyclable domestic waste before it is transported to a recycling, treatment or waste disposal facility.
<b>Wind Turbines</b>	<p>As provided for under “Agricultural Industry” means land and structures or buildings used to generate electricity by wind force. It does not include:</p> <ul style="list-style-type: none"><li>a) turbines principally used to supply electricity for domestic or rural use of the land; or</li><li>b) an anemometer.</li></ul>

## SECTION 6 : SPECIAL ZONES

### 6 SECTION 6 : SPECIAL ZONES

#### 6.1 GENERAL PROVISIONS APPLICABLE TO SPECIAL ZONES

- 6.1.1 In exceptional circumstances and where an existing zonings provided for in the Scheme does not accommodate existing or proposed buildings and land uses required, and where a scheme amendment may be impractical, Council may consider the creation of a “Special Zone”.
- 6.1.2 Such application for the creation of a special zone shall be properly motivated as to the reasons why a Scheme amendment is impractical, the reasons for the creation of the Special Zone, etc. and must be submitted in the prescribed format.
- 6.1.3 In general, the creation of Special Zones should be discouraged.

#### 6.2 SUMMARY OF SPECIAL ZONES

SPECIAL ZONE NUMBER	ERF NUMBER	DESCRIPTION OF REASON FOR SPECIAL ZONE / REMARKS	CONVERTED FROM SPECIAL ZONES IN TERMS OF HISTORICAL SCHEMES
1	Erf 16889 Richards Bay	Limited FAR and Coverage	DFA Application for KFC Meerensee
2	Erven 2294 and 2295 Esikhawini-J	Parking Requirement relaxed to 1 per 30m <sup>2</sup> for commercial zone	DFA Application for the eSikhaleni Mall
3	Remainder of Erf 2869 and Erven 2265, 2293 and designated Portion 1 of Erf 2265 Esikhawini-J	Unique land use combination/description and parking requirements relaxed to 1 per 50m <sup>2</sup> for commercial development	DFA Application for the extension to the eSikhaleni Mall and Filling Station
4	Portions 18-21 (of 16) and 25-50 (of 17) of Erf 11451 Richards Bay	Unique building lines, side and rear spaces	DFA Application for the John Ross Interchange Park : Business Park 1
5	Portion 22 (of 16) of Erf 11451 Richards Bay	Unique land use combination. Unique building lines, side and rear spaces	DFA Application for the John Ross Interchange Park : Business Park 2
6	Portion 24 (of 17) of Erf 11451 Richards Bay	Unique land use combination and unique building lines, side and rear spaces	DFA Application for the John Ross Interchange Park : Mixed Use
7	Erf 4217 Richards Bay (Engen Garage Veldenvlei)	Commercial zoning with additional rights to develop a filling station	Annexure 1 (Richards Bay Town Planning Scheme)
8	Erf 11366 Richards Bay	Unit and holiday letting development	Annexure 4 (Richards Bay Town Planning Scheme)

## SECTION 6 : SPECIAL ZONES

SPECIAL ZONE NUMBER	ERF NUMBER	DESCRIPTION OF REASON FOR SPECIAL ZONE / REMARKS	CONVERTED FROM SPECIAL ZONES IN TERMS OF HISTORICAL SCHEMES
9	Erf 613 Richards Bay (LAC Total Garage and Commercial area)	Garage and Commercial	Annexure 7 (Richards Bay Town Planning Scheme)
10	Erf 611 Richards Bay (LAC Centre)	Commercial zoning with Increased FAR	Annexure 8 (Richards Bay Town Planning Scheme)
11	Erf 621 Richards Bay	Commercial zoning with unique parking requirements	Annexure 9 (Richards Bay Town Planning Scheme)
12	Erf 991 Richards Bay	Special Residential zoning with increased FAR and Coverage	Annexure 10 (Richards Bay Town Planning Scheme)
13	Erf 514 Richards Bay	Special Residential zoning with increased Coverage	Annexure 11 (Richards Bay Town Planning Scheme)
14	Portion 5 of Erf 223 Umhlutuzi No. 16230 (Mzingazi Waterfront)	Unique land use combination and bulk factors	Annexure 12 (Richards Bay Town Planning Scheme)
15	Erf 11137 Richards Bay	Special Residential zoning with increased FAR	Annexure 13 (Richards Bay Town Planning Scheme)
16	Erf 55 Richards Bay	Unit development with limitations on FAR and Coverage	Annexure 14 (Richards Bay Town Planning Scheme)
17	Erf 602 Richards Bay	Unit development with limitations on FAR and Coverage in order to regularise the development of the property and limit it to what exists	Annexure 16 (Richards Bay Town Planning Scheme)
18	Erf 6964 Richards Bay	Special Residential zoning with increased FAR and Coverage	Annexure 17 (Richards Bay Town Planning Scheme)
19	Erf 632 Richards Bay	Special Residential zoning with increased FAR and Coverage	Annexure 18 (Richards Bay Town Planning Scheme)
20	Erf 1899 Richards Bay	Special zone for shop and public garage with limitations set wrt. FAR and Coverage	Annexure 19 (Richards Bay Town Planning Scheme)
21	Erf 14034 Richards Bay	Special Residential zoning with increased height restriction	Annexure 20 (Richards Bay Town Planning Scheme)
22	Erf 7421 Richards Bay	Unit Development	Annexure 21 (Richards Bay Town Planning Scheme)
23	Erf 1297 Richards Bay (PDA Application approved)	Special Residential zoning with increased FAR and Coverage and provision for establishment of a Bed-and-Breakfast	Annexure 23 (Richards Bay Town Planning Scheme)

## SECTION 6 : SPECIAL ZONES

SPECIAL ZONE NUMBER	ERF NUMBER	DESCRIPTION OF REASON FOR SPECIAL ZONE / REMARKS	CONVERTED FROM SPECIAL ZONES IN TERMS OF HISTORICAL SCHEMES
24	Erven 92 and 93 Kuleka	Unique land use combination.	Special Zone 10 : Commercial (Empangeni Town Planning Scheme)
25	Erven 2623, 412-414 & Portions of Erf 3204 Empangeni	Unique land use combination.	Special Zone 14 : Office Park (Empangeni Town Planning Scheme)
26	Erf 3818 Empangeni	Unique land use combination.	Special Zone 18 : Limited Commercial and Office (Empangeni Town Planning Scheme)
27	Erf 14179 (consolidation of Erf 242 and portion 1 of Erf 248)	Unique land use combination.	Special Zone 23 : Office and Warehouse (Empangeni Town Planning Scheme)
28	Portion 1 of Erf 113 Kuleka, a portion of Copper Drive and Steelway Road and Erven 297, 298 & 299 Kuleka	Resort-type development in an industrial area. It is unlikely that a similar development will occur.	DFA Application for the Empangeni Casino (Special Zone 29 : Casino)
29	Woodland Village (residential zoned erven)	Residential estate-type development with unique additional conditions, minimum erf sizes and building lines	DFA Application for Woodland Village
30	Portions 1 to 35 of Erf 1 Waterstone (Waterstone Equestrian Estate)	Residential estate-type development with unique land use combination.	DFA Application for Waterstone Equestrian Estate
31	Special Residential 4 Zoned erven within the Waterstone Estate	Residential estate-type development with unique land use combination.	DFA Application for Waterstone Equestrian Estate
32	General Commercial 2 zoned erven within the Waterstone Estate	Residential estate-type development with unique land use combination.	DFA Application for Waterstone Equestrian Estate
33	Administration zoned erven within the Waterstone Estate	Residential estate-type development with unique land use combination.	DFA Application for Waterstone Equestrian Estate
34	Erf 1297 Richards Bay	Special Residential zoning with increased FAR and Coverage	Annexure 33 (Richards Bay Town Planning Scheme)
35	Remainder of Erf 17464 Richards Bay	Unique land use combination	Annexure 35 (Richards Bay Town Planning Scheme)
36	Portion 1 and 2 of Erf 11334 Richards Bay	Increased coverage	n/a



## SECTION 6 : SPECIAL ZONES

### 6.3 DETAILS APPLICABLE TO SPECIAL ZONES

#### SPECIAL ZONE 1

**1. SPECIAL ZONE CREATED FOR ERF 16889 RICHARDS BAY (KFC MEERENSEE)**

**2. SUMMARY – REASON FOR SPECIAL ZONE CREATED**

Historical DFA Application for the Meerensee KFC included in the Richards Bay Town Planning Scheme which could not be converted to a zone in terms of this Scheme.

**3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED**

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
AUTOMOTIVE SHOWROOM / MOTOR DEALERSHIP COMMERCIAL WORKSHOP LAUNDERETTE MUNICIPAL PURPOSES OFFICE - GENERAL PLACE OF AMUSEMENT PRIVATE RECREATIONAL USE (EXCEPT ON GROUND FLOOR) PUBLIC OFFICE WAREHOUSE INDUSTRY - SERVICE SHOP - GENERAL	NONE	EDUCATIONAL BUILDING FUNERAL PARLOUR INSTITUTION INDUSTRY - LIGHT PLACE OF ASSEMBLY PLACE OF WORSHIP RECREATIONAL BUILDING SPECIAL USE GAMBLING PREMISES (ON GROUND FLOOR ONLY)	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

**4. CONDITIONS AND RESTRICTIONS APPLICABLE:**

**4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:**

FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
0,25	25%	UR

**4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:**

Building Line	7,5m
Side Spaces	3m
Rear Space	3m

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## SECTION 6 : SPECIAL ZONES

### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

USE	PARKING BAY RATIO	LOADING BAYS
Shop – Drive Through	1,00 per 30m <sup>2</sup>	n/a
Any other use allowed in terms of this zone	Not specified in the DFA Judgement, therefore the provisions of this Scheme shall apply	

### 4.4 OTHER CONDITIONS AND RESTRICTIONS

4.4.1 None

### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 2

#### 1. SPECIAL ZONE CREATED FOR ERF 2294 AND 2295 ESIKHAWINI-J (ESIKHALENI MALL)

#### 2. SUMMARY – REASON FOR SPECIAL ZONE CREATED

Historical DFA Application for the Esikhaleni Mall included in the Richards Bay Town Planning Scheme, based on the “Limited Commercial 1” zoning included in the historical Scheme, which could not be converted to a zone in terms of this Scheme.

#### 3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED

COLUMN 1 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	COLUMN 2 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	COLUMN 3 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	COLUMN 4 PURPOSES FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
AUTOMOTIVE SHOWROOM/VEHICLE DEALERSHIP COMMERCIAL WORKSHOP LAUNDERETTE MUNICIPAL PURPOSES OFFICE - GENERAL PRIVATE RECREATIONAL USE (EXCEPT ON GROUND FLOOR) PUBLIC OFFICE RESIDENTIAL BUILDING (EXCEPT ON GROUND FLOOR) INDUSTRY - SERVICE SHOP - GENERAL	NONE	EDUCATIONAL BUILDING INSTITUTION INDUSTRY - LIGHT PARKING ERF /PARKADE PLACE OF AMUSEMENT PLACE OF ASSEMBLY PLACE OF WORSHIP RECREATIONAL BUILDING SPECIAL USE GAMBLING PREMISES (ON GROUND FLOOR ONLY) BOOKMAKER	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

#### 4. CONDITIONS AND RESTRICTIONS APPLICABLE:

##### 4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:

FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
1,25	100 %	U R

##### 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

Building Line	7,5m
Side Spaces	3m
Rear Space	3m

##### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

USE	PARKING BAY RATIO	LOADING BAYS
Shop - General	1 per 30m <sup>2</sup>	Not specified in the DFA Judgement, therefore the provisions of this Scheme shall apply
Any other use allowed in terms of this zone	Not specified in the DFA Judgement, therefore the provisions of this Scheme shall apply	

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## **SECTION 6 : SPECIAL ZONES**

### **4.4 OTHER CONDITIONS AND RESTRICTIONS**

- 4.4.1 Ablution facilities shall be freely available to members of the public.

### **5. INTERPRETATION**

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 3

1. **SPECIAL ZONE CREATED FOR THE REMAINDER OF ERF 2869 AND ERVEN 226, 2293 AND DESIGNATED PORTION 1 OF ERF 2265 ESIKHAWINI-J (ESIKHALENI MALL EXTENTION AND SERVICE STATION)**

2. **SUMMARY – REASON FOR SPECIAL ZONE CREATED**

Historical DFA Application for an extension to the Esikhaleni Mall and a filling station included in the Richards Bay Town Planning Scheme which could not be converted to a zone in terms of this Scheme.

3. **PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED**

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
<p>CONTROLS PERTAINING TO ERVEN 2869, 2293 AND 2265 ESIKHAWINI-J</p> <p>EDUCATIONAL BUILDING INSTITUTION MUNICIPAL PURPOSES OFFICE – GENERAL PLACE OF ASSEMBLY PLACE OF WORSHIP RECREATIONAL BUILDING RESIDENTIAL - DWELLING HOUSE SHOP – GENERAL</p>	NONE	NONE	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3
<p>CONTROLS PERTAINING TO PORTION 1 OF ERF 2265 ESIKHAWINI-J</p> <p>INDUSTRY - LIGHT PUBLIC GARAGE INDUSTRY - SALVAGE PARKING ERF/PARCADE</p>			

4. **CONDITIONS AND RESTRICTIONS APPLICABLE:**

- 4.1 **MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:**

	FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
For Free Entry Uses Listed	1,00	100%	2
For Consent Uses Listed	1,00	60%	2

## SECTION 6 : SPECIAL ZONES

### 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

<b>Building Line</b>	7,5m
<b>Side Spaces</b>	3m
<b>Rear Space</b>	3m

### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

USE	PARKING BAY RATIO	LOADING BAYS
Shop - General	1 per 50m <sup>2</sup>	Not specified in the DFA Judgement, therefore the provisions of this Scheme shall apply
Any other use allowed in terms of this zone	Not specified in the DFA Judgement, therefore the provisions of this Scheme shall apply	Not specified in the DFA Judgement, therefore the provisions of this Scheme shall apply

### 4.4 OTHER CONDITIONS AND RESTRICTIONS

#### 4.4.1 None

## 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 4

1. **SPECIAL ZONE CREATED FOR PORTIONS 18-21 (OF 16) AND 25-50 (OF 17) OF ERF 11451 RICHARDS BAY (JOHN ROSS INTERCHANGE PARK - BUSINESS PARK 1 ZONING)**

2. **SUMMARY – REASON FOR SPECIAL ZONE CREATED**

Historical DFA Application for the John Ross Interchange Park included in the Richards Bay Town Planning Scheme which could not be converted to a zone in terms of this Scheme.

3. **PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED**

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
AUTOMOTIVE SHOWROOM/VEHICLE DEALERSHIP COMMERCIAL WORKSHOP RESIDENTIAL - DWELLING HOUSE (CARETAKER ONLY) HOTEL LAUNDERETTE INDUSTRY – LIGHT INDUSTRY – SERVICE INSTITUTION (HOSPITAL ONLY) OFFICE - GENERAL PARKING AREA / PARKADE PLACE OF AMUSEMENT PUBLIC OFFICE WAREHOUSE GENERAL SHOWROOM SHOP - FACTORY SHOP - WHOLESALE	NONE	EDUCATIONAL BUILDING PLACE OF ASSEMBLY PLACE OF WORSHIP RECREATIONAL BUILDING	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

4. **CONDITIONS AND RESTRICTIONS APPLICABLE:**

- 4.1 **MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:**

FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
0,70	70%	3

- 4.2 **BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:**

<b>Building Lines:</b>	
- N2 Freeway	20m
- Provincial Road	15m
- Railway Reserve	5m
- Internal Roads	7,5m
- Internal Access Court (Servitude Areas)	0m
<b>Side and Rear Spaces</b>	3m

## SECTION 6 : SPECIAL ZONES

### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

USE	PARKING BAY RATIO	LOADING BAYS
Shop	1 per 16,6m <sup>2</sup> GLA	Not specified in the DFA Judgement, therefore the provisions of this Scheme shall apply
Office - General	1 per 25m <sup>2</sup> floor area	n/a
General Showroom	1 per 40m <sup>2</sup> floor area	Not specified in the DFA Judgement, therefore the provisions of this Scheme shall apply
Any other use allowed in terms of this zone	As per the provisions of this Scheme	

### 4.4 OTHER CONDITIONS AND RESTRICTIONS

4.4.1 None

### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.



## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 5

#### 1. SPECIAL ZONE CREATED FOR PORTION 22 (OF 16) OF ERF 11451 RICHARDS BAY (JOHN ROSS INTERCHANGE PARK - BUSINESS PARK 2 ZONING)

#### 2. SUMMARY – REASON FOR SPECIAL ZONE CREATED

Historical DFA Application for the John Ross Interchange Park included in the Richards Bay Town Planning Scheme which could not be converted to a zone in terms of this Scheme.

#### 3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
AUTOMOTIVE SHOWROOM / VEHICLE DEALERSHIP COMMERCIAL WORKSHOP HOTEL LAUNDERETTE INDUSTRY – LIGHT INDUSTRY – SERVICE INSTITUTION (HOSPITAL ONLY) OFFICE – GENERAL PARKING ERF / PARKADE PLACE OF AMUSEMENT PUBLIC GARAGE PUBLIC OFFICE RESIDENTIAL - DWELLING HOUSE (CARETAKER ONLY) SHOP - GENERAL (RESTRICTED TO 250m <sup>2</sup> G.L.A.) GENERAL SHOWROOM SHOP - FACTORY SHOP - WHOLESALE WAREHOUSE	NONE	EDUCATIONAL BUILDING PLACE OF ASSEMBLY PLACE OF WORSHIP RECREATIONAL BUILDING	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

#### 4. CONDITIONS AND RESTRICTIONS APPLICABLE:

##### 4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:

FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
0,70	70%	3

##### 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

<b>Building Lines:</b>	
- N2 Freeway	20m
- Provincial Road	15m
- Internal Roads	7,5m
<b>Side and Rear Spaces</b>	3m

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## SECTION 6 : SPECIAL ZONES

### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

USE	PARKING BAY RATIO	LOADING BAYS
Shop	1 per 16,6m <sup>2</sup> GLA	Not specified in the DFA Judgement, therefore the provisions of this Scheme shall apply
Office – General	1 per 25m <sup>2</sup> floor area	n/a
General Showroom	1 per 40m <sup>2</sup> floor area	Not specified in the DFA Judgement, therefore the provisions of this Scheme shall apply
Any other use allowed in terms of this zone	As per the provisions of this Scheme	

### 4.4 OTHER CONDITIONS AND RESTRICTIONS

4.4.1 None

### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 6

1. **SPECIAL ZONE CREATED FOR PORTION 24 (OF 17) OF ERF 11451 RICHARDS BAY (JOHN ROSS INTERCHANGE PARK – MIXED USE)**

2. **SUMMARY – REASON FOR SPECIAL ZONE CREATED**

Historical DFA Application for the John Ross Interchange Park included in the Richards Bay Town Planning Scheme which could not be converted to a zone in terms of this Scheme.

3. **PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED**

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
AUTOMOTIVE SHOWROOM / VEHICLE DEALERSHIP COMMERCIAL WORKSHOP HOTEL INDUSTRY - SERVICE INSTITUTION (HOSPITAL ONLY) LAUNDERETTE OFFICE - GENERAL PARKING ERF / PARKADE PLACE OF AMUSEMENT PUBLIC GARAGE PUBLIC OFFICE RESIDENTIAL - DWELLING HOUSE (CARETAKER ONLY) SHOP - GENERAL (RESTRICTED TO 3000m <sup>2</sup> G.L.A.) GENERAL SHOWROOM SHOP – FACTORY SHOP - WHOLESALE WAREHOUSE	NONE	EDUCATIONAL BUILDING	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

4. **CONDITIONS AND RESTRICTIONS APPLICABLE:**

- 4.1 **MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:**

FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
0,70	70%	3

- 4.2 **BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:**

<b>Building Lines:</b>	
- Provincial Road	15m
- Internal Roads	7,5m
<b>Side and Rear Spaces</b>	0m

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## SECTION 6 : SPECIAL ZONES

### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

USE	PARKING BAY RATIO	LOADING BAYS
Shop	1 per 16,6m <sup>2</sup> GLA	Not specified in the DFA Judgement, therefore the provisions of this Scheme shall apply
Office – General	1 per 25m <sup>2</sup> floor area	n/a
General Showroom	1 per 40m <sup>2</sup> floor area	Not specified in the DFA Judgement, therefore the provisions of this Scheme shall apply
Any other use allowed in terms of this zoning	As per the provisions of this Scheme	

### 4.4 OTHER CONDITIONS AND RESTRICTIONS

4.4.1 None

### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 7

#### 1. SPECIAL ZONE CREATED FOR ERF 4217 RICHARDS BAY

#### 2. SUMMARY – REASON FOR SPECIAL ZONE CREATED

Historical Special Zone included in the Richards Bay Town Planning Scheme (Annexure 1) which could not be converted to a zone in terms of this Scheme (Limited Commercial 2).

#### 3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
AUTOMOTIVE SHOWROOM / VEHICLE DEALERSHIP COMMERCIAL WORKSHOP INDUSTRY - SERVICE LAUNDERETTE MUNICIPAL PURPOSES OFFICE - GENERAL PRIVATE RECREATIONAL USE (EXCEPT ON GROUND FLOOR) PUBLIC OFFICE RESIDENTIAL BUILDING (EXCEPT ON GROUND FLOOR) SHOP - GENERAL	PUBLIC GARAGE	EDUCATIONAL BUILDING GAMBLING PREMISES (ON GROUND FLOOR ONLY) INSTITUTION INDUSTRY - LIGHT PARKING ERF/PARKADE PLACE OF AMUSEMENT PLACE OF ASSEMBLY PLACE OF WORSHIP RECREATIONAL BUILDING SPECIAL USE	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1, 2 AND 3

#### 4. CONDITIONS AND RESTRICTIONS APPLICABLE:

##### 4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:

FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
0,375	25%	UR

##### 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

Building Line	7,5m
Side Spaces	3m
Rear Space	3m

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## SECTION 6 : SPECIAL ZONES

### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

USE	PARKING BAY RATIO	LOADING BAYS
Shop – General	1,00 per 15m <sup>2</sup> floor area	1 per 500m <sup>2</sup> floor area for the first 1000m <sup>2</sup> floor area or part thereof then 1 per 1000m <sup>2</sup> additional floor area or part thereof
Public Garage	1,00 per 50m <sup>2</sup> floor area	
Any other use allowed in terms of this zoning	As per the provisions of this Scheme	

### 4.4 OTHER CONDITIONS AND RESTRICTIONS

### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 8

#### 1. SPECIAL ZONE CREATED FOR ERF 11366 RICHARDS BAY

#### 2. SUMMARY – REASON FOR SPECIAL ZONE CREATED

Historical Special Zone (Annexure 4) included in the Richards Bay Town Planning Scheme which could not be converted to a zone in terms of this Scheme.

#### 3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
CHALET DEVELOPMENT RESIDENTIAL - MEDIUM DENSITY RESIDENTIAL BUILDING SHOP – GENERAL (ON GROUND FLOOR ONLY)	NONE	NONE	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

#### 4. CONDITIONS AND RESTRICTIONS APPLICABLE:

##### 4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:

USE	FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
Shop - General	0.16	30%	2
All other uses	0,75		

##### 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

Building Line	7,5m
Side and Rear Spaces	4,5m or 1,5m per storey, whichever the greater

## SECTION 6 : SPECIAL ZONES

### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

USE	PARKING BAY RATIO	LOADING BAYS
Chalets, Medium Density Residential and Residential Building	One or less bedrooms – 1,25 per dwelling unit	n/a
	Two bedrooms – 1,50 per dwelling unit	
	Three bedrooms – 1,75 per dwelling unit	
	Four or more bedrooms – 2,00 per dwelling unit	
Shop - General	1 per 15m <sup>2</sup>	1 per 500m <sup>2</sup> floor area for the first 1000m <sup>2</sup> floor area or part thereof then 1 per 1000m <sup>2</sup> additional floor area or part thereof
Any other use allowed in terms of this zoning	As per the provisions of this Scheme	

### 4.4 OTHER CONDITIONS AND RESTRICTIONS

4.4.1 None

### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.



## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 9

#### 1. SPECIAL ZONE CREATED FOR ERF 613 RICHARDS BAY

#### 2. SUMMARY – REASON FOR SPECIAL ZONE CREATED

Historical Special Zone (Annexure 7) included in the Richards Bay Town Planning Scheme which could not be converted to a zone in terms of this Scheme.

#### 3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
PUBLIC GARAGE SHOP - GENERAL	NONE	SPECIAL USE	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

#### 4. CONDITIONS AND RESTRICTIONS APPLICABLE:

##### 4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:

FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
0,25	50%	1

##### 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

Building Line	7,5m
Side Spaces	2m
Rear Space	2m

##### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

USE	PARKING BAY RATIO	LOADING BAYS
Shop – General	1 per 15m <sup>2</sup>	1 per 500m <sup>2</sup> floor area for the first 1000m <sup>2</sup> floor area or part thereof then 1 per 1000m <sup>2</sup> additional floor area or part thereof
Public Garage	1 per 50m <sup>2</sup>	
Any other use allowed in terms of this zoning	As per the provisions of this Scheme	

##### 4.4 OTHER CONDITIONS AND RESTRICTIONS

#### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 10

#### 1. SPECIAL ZONE CREATED FOR ERF 611 RICHARDS BAY

#### 2. SUMMARY – REASON FOR SPECIAL ZONE CREATED

Historical Special Zone (Annexure 8) included in the Richards Bay Town Planning Scheme which could not be converted to a zone in terms of this Scheme (Limited Commercial 1).

#### 3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
AUTOMOTIVE SHOWROOM / VEHICLE DEALERSHIP COMMERCIAL WORKSHOP INDUSTRY - SERVICE LAUNDERETTE MUNICIPAL PURPOSES OFFICE - GENERAL PRIVATE RECREATIONAL USE (EXCEPT ON GROUND FLOOR) PUBLIC OFFICE RESIDENTIAL BUILDING (EXCEPT ON GROUND FLOOR) SHOP - GENERAL	NONE	EDUCATIONAL BUILDING GAMBLING PREMISES (ON GROUND FLOOR ONLY) INSTITUTION INDUSTRY - LIGHT PARKING ERF / PARKADE PLACE OF AMUSEMENT PLACE OF ASSEMBLY PLACE OF WORSHIP RECREATIONAL BUILDING SPECIAL USE	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

#### 4. CONDITIONS AND RESTRICTIONS APPLICABLE:

##### 4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:

FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
2,00	100%	UR

##### 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

Building Line	0m
Side Spaces	0m
Rear Space	0m

##### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

USE	PARKING BAY RATIO	LOADING BAYS
Shop - General	1 per 15m <sup>2</sup>	1 per 500m <sup>2</sup> floor area for the first 1000m <sup>2</sup> floor area or part thereof then 1 per 1000m <sup>2</sup> additional floor area or part thereof
Any other use allowed in terms of this zoning	As per the provisions of this Scheme	

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## **SECTION 6 : SPECIAL ZONES**

### **4.4 OTHER CONDITIONS AND RESTRICTIONS**

#### **4.4.1 None**

### **5. INTERPRETATION**

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 11

#### 1. SPECIAL ZONE CREATED FOR ERF 621 RICHARDS BAY

#### 2. SUMMARY – REASON FOR SPECIAL ZONE CREATED

Historical Special Zone (Annexure 9) included in the Richards Bay Town Planning Scheme which could not be converted to a zone in terms of this Scheme (Limited Commercial 1).

#### 3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED

COLUMN 1 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	COLUMN 2 PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	COLUMN 3 PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	COLUMN 4 PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
AUTOMOTIVE SHOWROOM/VEHICLE DEALERSHIP COMMERCIAL WORKSHOP INDUSTRY - SERVICE LAUNDERETTE MUNICIPAL PURPOSES OFFICE - GENERAL PRIVATE RECREATIONAL USE (EXCEPT ON GROUND FLOOR) PUBLIC OFFICE RESIDENTIAL BUILDING (EXCEPT ON GROUND FLOOR) SHOP – GENERAL	NONE	EDUCATIONAL BUILDING GAMBLING PREMISES (ON GROUND FLOOR ONLY) INSTITUTION INDUSTRY-LIGHT PARKING ERF / PARKADE PLACE OF AMUSEMENT PLACE OF ASSEMBLY PLACE OF WORSHIP RECREATIONAL BUILDING SPECIAL USE	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

#### 4. CONDITIONS AND RESTRICTIONS APPLICABLE:

##### 4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:

FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
2,00	100%	UR

##### 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

Building Line	0m
Side Spaces	0m
Rear Space	0m

##### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

PARKING BAY RATIO	LOADING BAYS
Lot 611 Richards Bay is exempt from the provision of on-site parking in respect of the development existing on the site. However, the proposed extension of the development on Lot 611 Richards Bay is not covered by this arrangement and the applicant will have to provide public parking for the additional floor	1 per 500m <sup>2</sup> floor area for the first 1000m <sup>2</sup> floor area or part thereof then 1 per 1000m <sup>2</sup> additional floor area or part thereof

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## SECTION 6 : SPECIAL ZONES

area envisaged to be developed as well as an additional sixteen public parking bays, provided at Council's cost on Lot 621 Richards Bay, which will be lost due to the proposed extension. These bays will have to be replaced by the applicant.	
Any other use allowed in terms of this zoning	As per the provisions of this Scheme

### 4.4 OTHER CONDITIONS AND RESTRICTIONS

4.4.1 None

### 5. INTERPRETATION

Where in this zone reference is made to the "Scheme" or to "Clauses", such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 12

#### 1. SPECIAL ZONE CREATED FOR ERF 991 RICHARDS BAY

#### 2. SUMMARY – REASON FOR SPECIAL ZONE CREATED

Historical Special Zone (Annexure 10) included in the Richards Bay Town Planning Scheme which could not be converted to a zone in terms of this Scheme.

#### 3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
RESIDENTIAL - DWELLING HOUSE PRIVATE RECREATIONAL USE ADDITIONAL DWELLING UNIT	NONE	NONE	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

#### 4. CONDITIONS AND RESTRICTIONS APPLICABLE:

##### 4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:

FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
0,48	42.5%	2

##### 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

Building Line	5m
Side and Spaces	2m or 1,5m per storey whichever is the greater

##### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

USE	PARKING BAY RATIO	LOADING BAYS
Residential - Dwelling House	n/a	n/a
Any other use allowed in terms of this zoning	As per the provisions of this Scheme	

##### 4.4 OTHER CONDITIONS AND RESTRICTIONS

4.4.1 No access to the Erf shall be allowed from Essenwood Way.

4.4.2 The total floor area of the dwelling house, outbuildings and additional dwelling unit shall not exceed the floor area, coverage and heights as depicted on plans drawing no S02/2001/001, S02/2002/001S and S02/2001/002, dated May 2001.

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## SECTION 6 : SPECIAL ZONES

### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 13

#### 1. SPECIAL ZONE CREATED FOR ERF 514 RICHARDS BAY

#### 2. SUMMARY – REASON FOR SPECIAL ZONE CREATED

Historical Special Zone (Annexure 11) included in the Richards Bay Town Planning Scheme which could not be converted to a zone in terms of this Scheme.

#### 3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED

COLUMN 1 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	COLUMN 2 PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	COLUMN 3 PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	COLUMN 4 PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
RESIDENTIAL - DWELLING HOUSE PRIVATE RECREATIONAL USE	NONE	ADDITIONAL DWELLING UNIT EDUCATIONAL BUILDING PUBLIC OFFICE (RESTRICTED TO LOCAL AUTHORITY CLINIC ONLY) SPECIAL USE PLACE OF WORSHIP MUNICIPAL PURPOSES	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

#### 4. CONDITIONS AND RESTRICTIONS APPLICABLE:

##### 4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:

USE	FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
Residential - Dwelling House	0,35	45%	2
Educational Building, Clinic, Special Use	0,25	25%	2
Place of Worship	0,25	25%	UR
Municipal Purposes	0,3	30%	2

##### 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

Building Line	4m
Side and Rear Spaces	2m or 1,5m per storey whichever is the greater

##### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

USE	PARKING BAY RATIO	LOADING BAYS
Residential - Dwelling House	n/a	n/a
Any other use allowed in terms of this zoning	As per the provisions of this Scheme	



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## **SECTION 6 : SPECIAL ZONES**

### **4.4 OTHER CONDITIONS AND RESTRICTIONS**

#### **4.4.1 None**

### **5. INTERPRETATION**

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 14

#### 1. SPECIAL ZONE CREATED FOR PORTION 5 OF ERF 223 UMHLATHUZI NO 16230

#### 2. SUMMARY – REASON FOR SPECIAL ZONE CREATED

Historical Special Zone (Annexure 12) included in the Richards Bay Town Planning Scheme which could not be converted to a zone in terms of this Scheme.

#### 3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	PURPOSES FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
RESIDENTIAL - DWELLING HOUSE RESIDENTIAL - MEDIUM DENSITY RESIDENTIAL BUILDING PRIVATE RECREATIONAL USE	NONE	NONE	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

#### 4. CONDITIONS AND RESTRICTIONS APPLICABLE:

##### 4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:

USE	FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
Dwelling House, Medium Density Housing	0,6	45%	2
Residential Building	Maximum of 0,75	45%	3

##### 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

Building Line	7,5m
Side Spaces	4,5m or 1,5m per storey, whichever the greater
Rear Space	

##### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

USE	PARKING BAY RATIO	LOADING BAYS
Residential - Dwelling House	n/a	n/a
Any other use allowed in terms of this zoning	As per the provisions of this Scheme	

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## SECTION 6 : SPECIAL ZONES

### 4.4 OTHER CONDITIONS AND RESTRICTIONS

None

### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 15

#### 1. SPECIAL ZONE CREATED FOR ERF 11137 RICHARDS BAY

#### 2. SUMMARY – REASON FOR SPECIAL ZONE CREATED

Historical Special Zone (Annexure 13) included in the Richards Bay Town Planning Scheme which could not be converted to a zone in terms of this Scheme.

#### 3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
ADDITIONAL DWELLING UNIT  RESIDENTIAL - DWELLING HOUSE  PRIVATE RECREATIONAL USE	NONE	NONE	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

#### 4. CONDITIONS AND RESTRICTIONS APPLICABLE:

##### 4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:

FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
0,43	21.9%	2

##### 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

Building Line	5m
Side and Spaces	2m or 1,5m per storey whichever is the greater

##### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

USE	PARKING BAY RATIO	LOADING BAYS
Dwelling House	n/a	n/a
Any other use allowed in terms of this zoning	As per the provisions of this Scheme	

##### 4.4 OTHER CONDITIONS AND RESTRICTIONS

- 4.4.1 The total floor area of the dwelling house, outbuildings and additional dwelling unit shall not exceed the floor area, coverage and heights as depicted on plans drawing no R2003-38/WD-300-01, R2003-38\WD-100-01 and 2003-38/WD-000-01, dated February 2004.

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## SECTION 6 : SPECIAL ZONES

### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 16

#### 1. SPECIAL ZONE CREATED FOR ERF 55 RICHARDS BAY

#### 2. SUMMARY – REASON FOR SPECIAL ZONE CREATED

Historical Special Zone (Annexure 14) included in the Richards Bay Town Planning Scheme which could not be converted to a zone in terms of this Scheme.

#### 3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED

COLUMN 1 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	COLUMN 2 PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	COLUMN 3 PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	COLUMN 4 PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
ADDITIONAL DWELLING UNIT RESIDENTIAL - DWELLING HOUSE PRIVATE RECREATIONAL USE RESIDENTIAL BUILDING	NONE	EDUCATIONAL BUILDING MUNICIPAL PURPOSES PLACE OF WORSHIP PUBLIC OFFICE (RESTRICTED TO LOCAL AUTHORITY CLINIC ONLY) SPECIAL USE	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

#### 4. CONDITIONS AND RESTRICTIONS APPLICABLE:

##### 4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:

USE	FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
Residential - Dwelling House	0,35	35%	2
Residential Building	0,23	23%	2
Educational Building, Clinic, Special Building	0,25	25%	2
Place of Worship	0,25	25%	UR
Municipal Purposes	0,3	30%	2

##### 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

Building Line	7,5m
Side and Rear Spaces	4,5m or 1,5m per storey, whichever the greater

## SECTION 6 : SPECIAL ZONES

### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

USE	PARKING BAY RATIO	LOADING BAYS
Chalets, Medium Density Housing and Residential Building	One or less bedrooms – 1,25 per dwelling unit	n/a
	Two bedrooms – 1,50 per dwelling unit	
	Three bedrooms – 1,75 per dwelling unit	
	Four or more bedrooms – 2,00 per dwelling unit	
Any other use allowed in terms of this zoning	As per the provisions of this Scheme	

### 4.4 OTHER CONDITIONS AND RESTRICTIONS

- 4.4.1 The total floor area of the residential building and outbuildings shall not exceed the floor area, coverage and heights as depicted on plans drawing no 178RB/05, dated 04 January 2005.

### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 17

#### 1. SPECIAL ZONE CREATED FOR ERF 602 RICHARDS BAY

#### 2. SUMMARY – REASON FOR SPECIAL ZONE CREATED

Historical Special Zone (Annexure 16) included in the Richards Bay Town Planning Scheme in order to regularise the development of the property and limit it to what exists, which could not be converted to a zone in terms of this Scheme (Based on Special Residential 2).

#### 3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED

COLUMN 1 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	COLUMN 2 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	COLUMN 3 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	COLUMN 4 PURPOSES FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
RESIDENTIAL - DWELLING HOUSE RESIDENTIAL - MEDIUM DENSITY RESIDENTIAL BUILDING LODGE	NONE	EDUCATIONAL BUILDING INSTITUTION HOTEL (EXCLUDING HOTEL WITH LIQUOR LICENCE) MUNICIPAL PURPOSES PLACE OF ASSEMBLY PLACE OF WORSHIP SPECIAL USE	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

#### 4. CONDITIONS AND RESTRICTIONS APPLICABLE:

##### 4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:

USE	FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
Residential - Dwelling House	0,30	30%	2
Residential - Medium Density	0,35	35%	2
Residential Building	0,50	30 %	3
Lodge	0,35	35%	2
Educational Building Institution Special Use	0,35	25 %	3
Hotel (Excluding Hotel With Liquor License)	0,50	25 %	3
Place Of Assembly Place Of Worship	0,35	25 %	U.R
Municipal Purposes	0,30	30 %	2



## SECTION 6 : SPECIAL ZONES

### 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

<b>Building Line</b>	7,5m
<b>Side Spaces</b>	4,5m or 1,5m per storey, whichever the greater
<b>Rear Space</b>	

### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

USE	PARKING BAY RATIO	LOADING BAYS
Chalets, Medium Density Housing and Residential Building	One or less bedrooms – 1,25 per dwelling unit	n/a
	Two bedrooms – 1,50 per dwelling unit	
	Three bedrooms – 1,75 per dwelling unit	
	Four or more bedrooms – 2,00 per dwelling unit	
Any other use allowed in terms of this zoning	As per the provisions of this Scheme	

### 4.4 OTHER CONDITIONS AND RESTRICTIONS

4.4.1 None

### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 18

#### 1. SPECIAL ZONE CREATED FOR ERF 6964 RICHARDS BAY

#### 2. SUMMARY – REASON FOR SPECIAL ZONE CREATED

Historical Special Zone (Annexure 17) included in the Richards Bay Town Planning Scheme which could not be converted to a zone in terms of this Scheme.

#### 3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
RESIDENTIAL - DWELLING HOUSE  PRIVATE RECREATIONAL USE	NONE	NONE	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

#### 4. CONDITIONS AND RESTRICTIONS APPLICABLE:

##### 4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:

FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
0,406	38,29%	2

##### 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

Building Line	5m
Side and Spaces	2m or 1,5m per storey whichever is the greater

##### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

USE	PARKING BAY RATIO	LOADING BAYS
Residential - Dwelling House	n/a	n/a

##### 4.4 OTHER CONDITIONS AND RESTRICTIONS

###### 4.4.1 None

#### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 19

#### 1. SPECIAL ZONE CREATED FOR ERF 632 RICHARDS BAY

#### 2. SUMMARY – REASON FOR SPECIAL ZONE CREATED

Historical Special Zone (Annexure 18) included in the Richards Bay Town Planning Scheme which could not be converted to a zone in terms of this Scheme.

#### 3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
ADDITIONAL DWELLING UNIT RESIDENTIAL - DWELLING HOUSE PRIVATE RECREATIONAL USE	NONE	HOME INDUSTRY (BED AND BREAKFAST - RESTRICTED TO FIVE (5) LETTABLE ROOMS)	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

#### 4. CONDITIONS AND RESTRICTIONS APPLICABLE:

##### 4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:

FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
0.45	45%	2

##### 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

Building Line	4,5m
Side and Spaces	2m or 1,5m per storey whichever is the greater

##### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

USE	PARKING BAY RATIO	LOADING BAYS
Bed and Breakfast	1 per lettable room	To the satisfaction of Council
Any other use allowed in terms of this zoning	As per the provisions of this Scheme	

##### 4.4 OTHER CONDITIONS AND RESTRICTIONS

###### 4.4.1 None

#### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 20

#### 1. SPECIAL ZONE CREATED FOR ERF 1899 RICHARDS BAY

#### 2. SUMMARY – REASON FOR SPECIAL ZONE CREATED

Historical Special Zone (Annexure 19) included in the Richards Bay Town Planning Scheme which could not be converted to a zone in terms of this Scheme.

#### 3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
MUNICIPAL PURPOSES PUBLIC GARAGE SHOP - GENERAL	NONE	INDUSTRY - SERVICE SPECIAL USE	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

#### 4. CONDITIONS AND RESTRICTIONS APPLICABLE:

##### 4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:

FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
0,2	30%	UR

##### 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

Building Line	7,5m
Side Spaces	4m
Rear Space	0m

##### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

USE	PARKING BAY RATIO	LOADING BAYS
Public Garage	In accordance with the land use configuration on the site as shown on the Master Plan (No. PED2005/3) dated August 2007 attached to the rezoning application a total of 33 parking bays are to be provided on Erf 1899 Alton, Richards Bay. This is the minimum number of parking bays to be permitted on the site.	1 per 500m <sup>2</sup> floor area for the first 1000m <sup>2</sup> floor area or part thereof and thereafter 1 per 1000m <sup>2</sup> additional floor area of part thereof
Any other use allowed in terms of this zoning	As per the provisions of this Scheme	

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## **SECTION 6 : SPECIAL ZONES**

### **4.4 OTHER CONDITIONS AND RESTRICTIONS**

- 4.4.1 All development that takes place on the site be in compliance with the Master Plan (No. PED2005/3) dated August 2007 attached to the rezoning application.

### **5. INTERPRETATION**

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 21

#### 1. SPECIAL ZONE CREATED FOR ERF 14034 RICHARDS BAY

#### 2. SUMMARY – REASON FOR SPECIAL ZONE CREATED

Historical Special Zone (Annexure 20) included in the Richards Bay Town Planning Scheme to make provisions for increased height restriction, which could not be converted to a zone in terms of this Scheme.

#### 3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
RESIDENTIAL - DWELLING HOUSE PRIVATE RECREATIONAL USE	NONE	ADDITIONAL DWELLING UNIT EDUCATIONAL BUILDING MUNICIPAL PURPOSES PLACE OF WORSHIP PUBLIC OFFICE (RESTRICTED TO LOCAL AUTHORITY CLINIC ONLY) SPECIAL USE	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

#### 4. CONDITIONS AND RESTRICTIONS APPLICABLE:

##### 4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:

USE	FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
Residential - Dwelling House	0,35	35%	3
Educational Building, Clinic	0,25	25%	2
Place of Worship Special Use	0,25	25%	UR
Municipal Purposes	0,3	30%	2

##### 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

<b>Building Line</b>	5m
<b>Side and Rear Spaces</b>	2m or 1,5m per storey whichever is the greater

##### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

USE	PARKING BAY RATIO	LOADING BAYS
Residential - Dwelling House	n/a	n/a
Any other use allowed in terms of this zoning	As per the provisions of this Scheme	

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## SECTION 6 : SPECIAL ZONES

### 4.4 OTHER CONDITIONS AND RESTRICTIONS

4.4.1 None

### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 22

#### 1. SPECIAL ZONE CREATED FOR ERF 7421 RICHARDS BAY

#### 2. SUMMARY – REASON FOR SPECIAL ZONE CREATED

Historical Special Zone (Annexure 21) included in the Richards Bay Town Planning Scheme which could not be converted to a zone in terms of this Scheme.

#### 3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
RESIDENTIAL - DWELLING HOUSE RESIDENTIAL - MEDIUM DENSITY RESIDENTIAL BUILDING LODGE	NONE	EDUCATIONAL BUILDING HOTEL EXCLUDING HOTEL WITH LIQUOR LICENCE INSTITUTION MUNICIPAL PURPOSES PLACE OF ASSEMBLY PLACE OF WORSHIP SPECIAL BUILDING	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

#### 4. CONDITIONS AND RESTRICTIONS APPLICABLE:

##### 4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:

USE	FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
Residential - Dwelling House	0,30	30%	2
Residential - Medium Density	0,4	40%	2
Residential Building	0,50	30 %	3
Lodge	0,35	35%	2
Educational Building Institution Special Use	0,35	25 %	3
Hotel Excluding Hotel With Liquor License	0,50	25 %	3
Place Of Assembly Place Of Worship	0,35	25 %	U.R
Municipal Purposes	0,30	30 %	2



## SECTION 6 : SPECIAL ZONES

### 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

<b>Building Line</b>	7,5m
<b>Side Spaces</b>	4,5m or 1,5m per storey, whichever the greater
<b>Rear Space</b>	

### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

USE	PARKING BAY RATIO	LOADING BAYS
Chalets, Medium Density Housing and Residential Building	One or less bedrooms – 1,25 per dwelling unit	n/a
	Two bedrooms – 1,50 per dwelling unit	
	Three bedrooms – 1,75 per dwelling unit	
	Four or more bedrooms – 2,00 per dwelling unit	
Any other use allowed in terms of this zoning	As per the provisions of this Scheme	

### 4.4 OTHER CONDITIONS AND RESTRICTIONS

- 4.4.1 The proposed increase in density controls will not increase the number of units or living rooms but will primarily focus on the roofing of the verandahs and porticos in line with building standards applicable.

### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 23

#### 1. SPECIAL ZONE CREATED FOR ERF 1297 RICHARDS BAY

#### 2. SUMMARY – REASON FOR SPECIAL ZONE CREATED

Historical Special Zone (Annexure 33) included in the Richards Bay Town Planning Scheme which could not be converted to a zone in terms of this Scheme.

#### 3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
RESIDENTIAL - DWELLING HOUSE  LODGE (LIMITED TO THE EXISTING NUMBER OF ROOMS)  PRIVATE RECREATIONAL USE	NONE	EDUCATIONAL BUILDING  PLACE OF WORSHIP  SPECIAL USE	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

#### 4. CONDITIONS AND RESTRICTIONS APPLICABLE:

##### 4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:

FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
0,43	35%	3

##### 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

Building Line	5m
Side and Rear Spaces	2m or 1,5m per storey whichever is the greatest

##### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

USE	PARKING BAY RATIO	LOADING BAYS
Bed and Breakfast/Lodge	A double covered parking bay shall be provided for the owner of the house and an additional six parking bays shall be provided (one demarcated parking bay for each lettable room). Approval of parking areas is required.	
Any other use allowed in terms of this zoning	As per the provisions of this Scheme	

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## **SECTION 6 : SPECIAL ZONES**

### **4.4 OTHER CONDITIONS AND RESTRICTIONS**

#### **4.4.1 None**

### **5. INTERPRETATION**

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 24

#### 1. SPECIAL ZONE CREATED FOR ERVEN 92 AND 93 KULEKA

#### 2. SUMMARY – REASON FOR SPECIAL ZONE CREATED

Historical Special Zone (Special Zone 10 : Commercial) included in the Empangeni Town Planning Scheme which could not be converted to a zone in terms of this Scheme.

#### 3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED

COLUMN 1 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	COLUMN 2 PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	COLUMN 3 PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	COLUMN 4 PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
COMMERCIAL WORKSHOP LAUNDERETTE OFFICE - GENERAL PLACE OF AMUSEMENT PUBLIC OFFICE RESIDENTIAL BUILDING (EXCEPT ON GROUND FLOOR) SHOP - GENERAL WAREHOUSE	NONE	AGRICULTURAL LAND EDUCATIONAL BUILDING FUNERAL PARLOUR PARKING ERF / PARKADE PLACE OF ASSEMBLY RECREATIONAL BUILDING	ANY PURPOSE NOT INCLUDED IN COLUMNS 1 AND 3

#### 4. CONDITIONS AND RESTRICTIONS APPLICABLE:

##### 4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:

FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
1.5	80%	2 storeys

##### 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

Building Line	7.5 (not affected as parking is provided on Erf 92 which surrounds Erf 93)
Side Spaces	2
Rear Space	2

##### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

PARKING BAY RATIO	LOADING BAYS
Parking provided on Erf 92 Kuleka	Loading provided on Erf 92 Kuleka

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## SECTION 6 : SPECIAL ZONES

### 4.4 OTHER CONDITIONS AND RESTRICTIONS

- 4.4.1 Where parking is provided on Erf 92 in terms of the conditions of Title, the parking requirements on Erf 92 will be waived except where parking is required for residential use.
- 4.4.2 Access to Erf 93 Kuleka will at all times be granted over Erf 92 Kuleka.
- 4.4.2 The position width of such access and of accesses to the parking area are subject to the approval of Council.

### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 25

#### 1. SPECIAL ZONE CREATED FOR ERVEN 2623, 412-414 & PORTIONS OF ERF 3204 EMPANGENI

#### 2. SUMMARY – REASON FOR SPECIAL ZONE CREATED

Historical Special Zone (Special Zone 14 : Office Park) included in the Empangeni Town Planning Scheme which could not be converted to a zone in terms of this Scheme. Revised plan number 3204 – June 19804 refers

#### 3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
OFFICE - GENERAL RESIDENTIAL BUILDING	NONE	SHOP - GENERAL	ANY PURPOSE NOT INCLUDED IN COLUMNS 1 AND 3

#### 4. CONDITIONS AND RESTRICTIONS APPLICABLE:

##### 4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:

PORTION / ERF NUMBER	FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
Portions 2, 11 and 8 of Erf 3204 Empangeni	0.75	40%	2
Portion 3 and 4 of Erf 3204 Empangeni	1.00	35%	3
Portion 5 of Erf 3204 Empangeni	1.00	50%	3
Sub 10 of Erf 3204 Empangeni	0.883	42	3
Erf 2623 Empangeni	1.00	50%	3
Erf 412-414 Empangeni	0.5	50%	2

##### 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

Erf 2623 Empangeni	Building Line	7,5m
	Side Spaces	3m
	Rear Space	3m
Erf 412-414 Empangeni	Building Line	7,5m
	Side Spaces	3m
	Rear Space	5m

## SECTION 6 : SPECIAL ZONES

### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

PARKING BAY RATIO	LOADING BAYS
<ul style="list-style-type: none"> <li>- Revised pan number 3204 – June 1982 refers:</li> <li>- On – site Parking: One parking bay shall be provided for every 65 m<sup>2</sup>, or path thereof, of gross floor area. Not more than 50% of the parking (other than basement parking) shall be under roof or any form of artificial or structure cover.</li> <li>- Parking and Garden Areas: The shaded area of each lot, as shown on the plan, is reserved for parking and as a garden area;</li> <li>- Garden Areas: That portion of parking and garden area used as parking shall be developed as a garden and shall be lawned or planted to shrubs and flowers.</li> <li>- For Erf 2623 Empangeni, parking shall be provided as follows - 1 Bay per 40 m<sup>2</sup> gross floor area</li> </ul>	
For Erf 412-414 Empangeni - Parking and loading accommodation for motor vehicles must be provided as per clause 6.5.	

### 4.4 OTHER CONDITIONS AND RESTRICTIONS

- 4.4.1 No walls or fences shall be erected between the lots, save for walls forming an integral part of the building structure
- 4.4.2 All exterior walls of the buildings shall be constructed of calcium silicate face brick
- 4.4.3 All roofs shall be pitched and shall be clad with asbestos cement slate or cement tiles
- 4.4.4 Access to the sites from Turnbull Street shall be restricted to via Norman Tedder Lane with the exception of access to sub 11, which shall be from Turnbull Street. Vehicular access from Union Street shall be at the discretion of the Council
- 4.4.5 One dwelling unit is permitted on each site to accommodate a manager, foreman or caretaker

### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 26

#### 1. SPECIAL ZONE CREATED FOR ERF 3818 EMPANGENI

#### 2. SUMMARY – REASON FOR SPECIAL ZONE CREATED

Historical Special Zone (Special Zone 18 : Limited Commercial and Office) included in the Empangeni Town Planning Scheme which could not be converted to a zone in terms of this Scheme.

#### 3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED

COLUMN 1 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	COLUMN 2 PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	COLUMN 3 PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	COLUMN 4 PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
COMMERCIAL WORKSHOP LAUNDERETTE OFFICE - GENERAL SHOP - GENERAL	NONE	AGRICULTURAL LAND AUTOMOTIVE SHOWROOM / VEHICLE DEALERSHIP EDUCATIONAL BUILDING FUNERAL PARLOUR PLACE OF AMUSEMENT PLACE OF ASSEMBLY RECREATIONAL BUILDING WAREHOUSE	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

#### 4. CONDITIONS AND RESTRICTIONS APPLICABLE:

##### 4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:

FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
0.35	35%	2

##### 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

Building Line	In accordance with a site development plan
Side Spaces	In accordance with a site development plan
Rear Space	In accordance with a site development plan

##### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

PARKING BAY RATIO	LOADING BAYS
1 parking bay per 23 m <sup>2</sup> gross floor area, or major portion thereof	To the satisfaction of Council

##### 4.4 OTHER CONDITIONS AND RESTRICTIONS

- 4.4.1 The maximum gross floor area developed for “Limited Commercial” purposes shall be 750 m<sup>2</sup> and for “Office” use 671 m<sup>2</sup>



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## SECTION 6 : SPECIAL ZONES

### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 27

1. **SPECIAL ZONE CREATED FOR ERF 242 AND PORTION 1 OF ERF 248 EMPANGENI (CONSOLIDATED ERF 14179 EMPANGENI)**

2. **SUMMARY – REASON FOR SPECIAL ZONE CREATED**

Historical Special Zone (Special Zone 23 : Office And Warehouse) included in the Empangeni Town Planning Scheme which could not be converted to a zone in terms of this Scheme.

3. **PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED**

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
OFFICE - GENERAL WAREHOUSE	NONE	COMMERCIAL WORKSHOP INSTITUTION LAUNDERETTE PLACE OF AMUSEMENT PUBLIC OFFICE SHOP - GENERAL	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

4. **CONDITIONS AND RESTRICTIONS APPLICABLE:**

- 4.1 **MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:**

FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
0,5	60%	2

- 4.2 **BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:**

Building Line	7,5m
Side Spaces	2m
Rear Space	2m

- 4.3 **PARKING BAY RATIO AND LOADING ZONES APPLICABLE:**

USE	PARKING BAY RATIO	LOADING BAYS
Office – General Shop - General	1 parking bay per 23 m <sup>2</sup> gross floor area, or major portion thereof	To the satisfaction of Council
Warehouse	1 parking bay per 140 m <sup>2</sup> or major portion thereof	
Any other use allowed in terms of this zoning	As per the provisions of this Scheme	

- 4.4 **OTHER CONDITIONS AND RESTRICTIONS**

- 4.4.1 Landscaping of the site to the satisfaction of the Council

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## SECTION 6 : SPECIAL ZONES

### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 28

1. **SPECIAL ZONE CREATED FOR A PORTION 1 OF ERF 113 KULEKA, A PORTION OF COPPER DRIVE AND STEELWAY RD, AND ERVEN 297, 298 & 299 KULEKA**

2. **SUMMARY – REASON FOR SPECIAL ZONE CREATED**

Historical DFA Application for the Empangeni Casino (Special Zone 29 : Casino) included in the Empangeni Town Planning Scheme which could not be converted to a zone in terms of this Scheme.

3. **PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED**

COLUMN 1 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	COLUMN 2 PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	COLUMN 3 PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	COLUMN 4 PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
EDUCATIONAL BUILDING PLACE OF AMUSEMENT PLACE OF ASSEMBLY RECREATIONAL BUILDING RESIDENTIAL BUILDING SHOP - GENERAL CASINO	NONE	AUTOMOTIVE SHOWROOM / VEHICLE DEALERSHIP CARETAKER ACCOMMODATION OFFICE – GENERAL PARKING ERF / PARKADE SERVICE STATION	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

4. **CONDITIONS AND RESTRICTIONS APPLICABLE:**

- 4.1 **MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:**

FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
1,00	80%	4

- 4.2 **BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:**

<b>Building Line</b>	7,5m
<b>Side and Rear Spaces</b>	2m

- 4.3 **PARKING BAY RATIO AND LOADING ZONES APPLICABLE:**

PARKING BAY RATIO	LOADING BAYS
<ul style="list-style-type: none"> <li>- Casino – 1 space for every 23m<sup>2</sup> of the gross floor area</li> <li>- Hotel – 1 space for every bedroom together with a suitable area wherein may be parked a minimum of 5 cars with the addition where the hotel holds a liquor license a further suitable area is to be provided for 15 additional cars together with a loading area with suitable access to the satisfaction of Council.</li> <li>- Conference Centre (hall without fixed seats) – 1 space for every 23 m<sup>2</sup> of major portion thereof of floor area.</li> </ul>	Provision will be made on site for loading and off-loading

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## SECTION 6 : SPECIAL ZONES

<p>What must be provided it therefore 188 parking bays (124 + 64). What can be provided is 124 bays on Por 1 of Erf 113 Kuleka, plus 193 bays (plus 7 parking spaces) on the property being leased from Council – giving a total of 317 bays (i.e. an excess of almost 130 bays). In addition Erf 298 and 299 are currently also being leased from Council. Emanzini wants to purchase this land from Council (together with Erf 297) to develop the cultural village on, but Erven 298 and 299 (Approximately 3 800 m<sup>2</sup> in extent) are not required for the cultural village and can be used for overflow parking (+ 120 additional parking bays).</p>	
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### 4.4 OTHER CONDITIONS AND RESTRICTIONS

- 4.4.1 The Hotel shall have a conference facility which is available for use by the community and a craft market which will have an amphi-theatre for cultural and other events.
- 4.4.2 Pedestrian walkway to be provided adjacent to the proposed Hotel site boundary to link Grantham Highway with the businesses on Copper Drive.

### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 29

1. SPECIAL ZONE CREATED FOR PROPOSED PORTIONS 4-12, 14, 15, 18-36 OF ERF 16783 RICHARDS BAY AND PORTIONS 9-15 OF ERF 11446 RICHARDS BAY (WOODLAND VILLAGE)

2. SUMMARY – REASON FOR SPECIAL ZONE CREATED

Historical DFA Application for Woodland Village included in the Empangeni Town Planning Scheme which could not be converted to a zone in terms of this Scheme.

3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED

COLUMN 1 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	COLUMN 2 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	COLUMN 3 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	COLUMN 4 PURPOSES FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
DWELLING HOUSE	NONE	NONE	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

4. CONDITIONS AND RESTRICTIONS APPLICABLE:

- 4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:

FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
0,35	30%	2

- 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

Building Line	7,5m
Building Line for Portions 33, 34, 35 and 36	2m
Side and Rear Spaces	2m

- 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

PARKING BAY RATIO	LOADING BAYS
In accordance with Table 2A of this Scheme	In accordance with Table 2D of this Scheme

- 4.4 OTHER CONDITIONS AND RESTRICTIONS

- 4.4.1 The development shall comply substantially with layout plan 13959D dated September 2008.
- 4.4.2 No site used for residential purposes shall be less than 1200m<sup>2</sup> in extent.
- 4.4.3 Home Owners' Associations shall be established to manage the developments, the internal roads, the internal open space and services.

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## SECTION 6 : SPECIAL ZONES

- 4.4.4 A waste collection point managed to the standards of the Municipality shall be located at a convenient point at the entrance to each development.

### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 30

1. **SPECIAL ZONE CREATED FOR A PORTION OF PORTION 6 OF THE FARM WILTON PARK NO. 11484 (PHASE 12 OF THE WATERSTONE ESTATE)**

2. **SUMMARY – REASON FOR SPECIAL ZONE CREATED**

Historical DFA Application for the Equestrian Estate within Waterstone Residential Estate, included in the Empangeni Town Planning Scheme which could not be converted to a zone in terms of this Scheme.

3. **PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED**

COLUMN 1 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	COLUMN 2 PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	COLUMN 3 PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	COLUMN 4 PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
AGRICULTURAL LAND COMMERCIAL WORKSHOP PRIVATE RECREATIONAL USE RESIDENTIAL – DWELLING HOUSE RESIDENTIAL – MEDIUM DENSITY RESIDENTIAL BUILDING RECREATIONAL BUILDING	NONE	EDUCATIONAL BUILDING PLACE OF AMUSEMENT PLACE OF ASSEMBLY SHOP – GENERAL SERVICE STATION	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

4. **CONDITIONS AND RESTRICTIONS APPLICABLE:**

- 4.1 **MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:**

FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
0,35	30%	2

- 4.2 **BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:**

Building Line	7,5m
Side and Rear Spaces	3m

- 4.3 **PARKING BAY RATIO AND LOADING ZONES APPLICABLE:**

PARKING BAY RATIO	LOADING BAYS
<ul style="list-style-type: none"> <li>2 bays per residential unit</li> <li>20 bays for visitors parking</li> </ul>	n/a

- 4.4 **OTHER CONDITIONS AND RESTRICTIONS**

- 4.4.1 A minimum parent erf area of 5 ha shall be maintained.
- 4.4.2 Maximum residential density of 10 units per hectare over the entire site shall be maintained.
- 4.4.3 An overall Site Development Plan shall be approved by the Municipality prior to development.



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## SECTION 6 : SPECIAL ZONES

- 4.4.4 Provision of sewage disposal system to the satisfaction of the local authority.
- 4.4.5 Exercise area and stabling to be provided to accommodate horses at a ratio of 1 horse per 2 residential units.
- 4.4.6 Removal of horse-related waste to the satisfaction of the local authority.

### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 31

1. **SPECIAL ZONE CREATED FOR PROPERTIES PREVIOUSLY ZONED “SPECIAL RESIDENTIAL 4” (WATERSTONE ESTATE)**

2. **SUMMARY – REASON FOR SPECIAL ZONE CREATED**

Historical DFA Application for the Waterstone Residential Estate, included in the Empangeni Town Planning Scheme which could not be converted to a zone in terms of this Scheme.

3. **PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED**

COLUMN 1 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	COLUMN 2 PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	COLUMN 3 PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	COLUMN 4 PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
RESIDENTIAL . DWELLING HOUSE	ADDITIONAL DWELLING UNIT  HOME ACTIVITY	HOME BUSINESS (subject to restrictions as detailed in <a href="#">Clause 3.2.8.3</a> )  RESIDENTIAL - MEDIUM DENSITY  SPECIAL USE	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

4. **CONDITIONS AND RESTRICTIONS APPLICABLE:**

- 4.1 **MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:**

FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
0,75	60%	2

- 4.2 **BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:**

<b>Building Line</b>	3m
<b>Side and Rear Spaces</b>	2m, provided that side space may be relaxed to 0m to accommodate terrace houses

- 4.3 **PARKING BAY RATIO AND LOADING ZONES APPLICABLE:**

PARKING BAY RATIO	LOADING BAYS
In accordance with Table 2A of this Scheme	In accordance with Table 2D of this Scheme

- 4.4 **OTHER CONDITIONS AND RESTRICTIONS**

- 4.4.1 The minimum lot size shall be 240m<sup>2</sup>
- 4.4.2 The minimum size of dwelling units shall be 40m<sup>2</sup>
- 4.4.3 The depth of a lot in proportion to the frontage shall not exceed the ratio of 5 in 1 to accommodate terrace houses.
- 4.4.4 Where the lot is exclusively used for Medium Density Housing purposes, the minimum lot are shall be 1800m<sup>2</sup> and the maximum number of units determined by dividing the minimum lot size into the site area.

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## SECTION 6 : SPECIAL ZONES

- 4.4.5 Medium Density Housing site shall be subject to the provision of a sewage disposal system to the satisfaction of the Council.

### 5 INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 32

1. SPECIAL ZONE CREATED FOR PROPERTIES PREVIOUSLY ZONED "GENERAL COMMERCIAL 2" (WATERSTONE ESTATE)

2. SUMMARY – REASON FOR SPECIAL ZONE CREATED

Historical DFA Application for the Waterstone Residential Estate, included in the Empangeni Town Planning Scheme which could not be converted to a zone in terms of this Scheme.

3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED

COLUMN 1 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	COLUMN 2 PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	COLUMN 3 PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	COLUMN 4 PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
COMMERCIAL WORKSHOP INSTITUTION LAUNDERETTE OFFICE - GENERAL PARKING ERF / PARKADE PLACE OF AMUSEMENT PUBLIC OFFICE HOTEL SHOP - GENERAL WAREHOUSE	NONE	AUTOMOTIVE SHOWROOM	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

4. CONDITIONS AND RESTRICTIONS APPLICABLE:

- 4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:

FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
0,3	80%	3

- 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

Building Line	0m
Side and Rear Spaces	0m on ground floor : 4,5m or 1,5m per storey whichever is greater for residential building and hotel above ground floor

- 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

PARKING BAY RATIO	LOADING BAYS
1 bay per 23m <sup>2</sup> of the gross floor area	The provisions of this Scheme shall apply

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## SECTION 6 : SPECIAL ZONES

### 4.4 OTHER CONDITIONS AND RESTRICTIONS

- 4.4.1 F.A.R to be calculated on the gross lot area and coverage on the nett lot area. Where residential use is incorporated in composite building, the F.A.R for residential use shall not exceed 0,50 and the total coverage for all buildings shall not exceed 50% of the lot area.
- 4.4.2 Where a motor dealership has been consented to, the maximum permitted coverage will be 60%.

### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 33

1. **SPECIAL ZONE CREATED FOR PROPERTIES PREVIOUSLY ZONED “ADMINISTRATION” (WATERSTONE ESTATE)**

2. **SUMMARY – REASON FOR SPECIAL ZONE CREATED**

Historical DFA Application for the Waterstone Residential Estate, included in the Empangeni Town Planning Scheme which could not be converted to a zone in terms of this Scheme.

3. **PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED**

COLUMN 1 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	COLUMN 2 PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	COLUMN 3 PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	COLUMN 4 PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
RESIDENTIAL - DWELLING HOUSE EDUCATIONAL BUILDING INSTITUTION PLACE OF AMUSEMENT PLACE OF ASSEMBLY PRIVATE RECREATIONAL AREA PUBLIC OFFICE RECREATIONAL BUILDING	NONE	NONE	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 AND 3

4. **CONDITIONS AND RESTRICTIONS APPLICABLE:**

- 4.1 **MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:**

FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
0,5	50%	2

- 4.2 **BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:**

Building Line	7,5m
Side and Rear Spaces	4,5m or 1,5m per storey, whichever is the greater

- 4.3 **PARKING BAY RATIO AND LOADING ZONES APPLICABLE:**

PARKING BAY RATIO	LOADING BAYS
In accordance with Table 2A of this Scheme	In accordance with Table 2D of this Scheme

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## SECTION 6 : SPECIAL ZONES

### 4.4 OTHER CONDITIONS AND RESTRICTIONS

4.4.1 The Municipality may, at its discretion, amend the FAR, Coverage of height depending on the usage proposed.

4.4.2 The following controls shall apply to Hospitals and Care Centres for the elderly or infirm persons:

- a) FAR 0,5
- b) Coverage 50%
- c) Height – 4 storeys
- d) Parking shall be provided as follows:
  - 1 bay per bed for patients and visitors;
  - 1 bay per 5 employees;
  - 5 bays per private practitioner in consulting rooms;
  - 1 service/loading bay per 60 beds;
  - 1 ambulance bay per 60 beds
- e ) At least 25% of the site shall not be developed and shall be landscaped to the satisfaction of the Municipality.
- f ) The Municipality may, at its discretion, alter all or any of the above controls dependent on demand or special circumstances.

### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 34

#### 1. SPECIAL ZONE CREATED FOR ERF 1297 RICHARDS BAY

#### 2. SUMMARY – REASON FOR SPECIAL ZONE CREATED

Historical Special Zone (Annexure 33) included in the Richards Bay Town Planning Scheme which could not be converted to a zone in terms of this Scheme.

#### 3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED

COLUMN 1 PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	COLUMN 2 PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	COLUMN 3 PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	COLUMN 4 PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
RESIDENTIAL - DWELLING HOUSE LODGE (limited to existing number of rooms)	NONE	EDUCATIONAL BUILDING PLACE OF WORSHIP SPECIAL USE	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 TO 3

#### 4. CONDITIONS AND RESTRICTIONS APPLICABLE:

##### 4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:

FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
0,43	35%	3

##### 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

Building Line	5m
Side and Spaces	2m or 1,5m per storey whichever is the greater

##### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

USE	PARKING BAY RATIO	LOADING BAYS
Residential - Dwelling House	A double covered parking bay shall be provided for the owner of the house and an additional six parking bays shall be provided (one demarcated parking bay for each lettable room)	n/a
Any other use allowed in terms of this zoning	As per the provisions of this Scheme	

##### 4.4 OTHER CONDITIONS AND RESTRICTIONS

- 4.4.1 The maximum permissible coverage, floor area ratio and height shall be restricted to the details of Building Plan No.09070b dated 10 October 2012.



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## SECTION 6 : SPECIAL ZONES

### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the uMhlathuze Land Use Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 35

#### 1. SPECIAL ZONE CREATED FOR DESIGNATED REMAINDER OF ERF 17464 RICHARDS BAY (THE RIDGE)

#### 2. SUMMARY – REASON FOR SPECIAL ZONE CREATED

Unique development with unique land use combinations and conditions.

#### 3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
OFFICE - GENERAL PRIVATE RECREATIONAL USE (except on ground floor) RESIDENTIAL BUILDING (except on ground floor) SHOP - GENERAL	NONE	EDUCATIONAL BUILDING HOTEL PLACE OF AMUSEMENT PLACE OF ASSEMBLY PLACE OF WORSHIP RECREATIONAL BUILDING SPECIAL USE	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 TO 3

#### 4. CONDITIONS AND RESTRICTIONS APPLICABLE:

##### 4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:

FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
1,00	60%	8

##### 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

The following building lines, side and rear spaces will be informed further by a Geotechnical Assessment. Where more stringent, the recommendations of the Geotechnical Assessment shall apply.

Building Line	7,5m
Side Spaces	4,5m or 1,5m per storey, whichever the greater
Rear Space (Ridge Line)	10m

##### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

As per the requirements of this Scheme.

##### 4.4 OTHER CONDITIONS AND RESTRICTIONS

4.4.1 Development shall be in line with the recommendations of The Ridge Vision Document (May 2011);

4.4.2 Prior to construction:

- (a) A Site Development and Landscape Plan shall be submitted for approval;
- (b) Development shall be informed by a site-specific engineering reports relating to
  - Stormwater Management;
  - Geotechnical constraints and founding conditions; and

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## SECTION 6 : SPECIAL ZONES

- Traffic Impact, which shall include an assessment of off-loading of goods to Erven situated in Davidson Lane and the necessity for the creation of a right-of-way access strip behind Erven 11366 and 2 to 6 Richards Bay.

### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the Richards Bay Town Planning Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.

## SECTION 6 : SPECIAL ZONES

### SPECIAL ZONE 36

#### 1. SPECIAL ZONE CREATED FOR PORTIONS 1 AND 2 OF ERF 11334 RICHARDS BAY (THE BAY HOSPITAL)

#### 2. SUMMARY – REASON FOR SPECIAL ZONE CREATED

The property was previously zoned “Municipal Health and Government 1”. An application for the increase in coverage from 50% to 60% and for institutional uses was approved in accordance with Resolution 9627 of 30/09/2014. The zoning became effective upon registration of the required notarial tie.

#### 3. PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
PURPOSES FOR WHICH BUILDINGS MAY BE ERECTED AND USED (Free Entry Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL AUTHORITY OF COUNCIL (Formal Authority Uses)	PURPOSED FOR WHICH BUILDINGS MAY BE ERECTED AND USED ONLY WITH THE FORMAL CONSENT OF COUNCIL (Consent Uses)	PURPOSED FOR WHICH BUILDINGS MAY NOT BE ERECTED AND USED
INSTITUTION MUNICIPAL PURPOSES PARKING ERF / PARKADE TUCK SHOP UTILITIES FACILITY	NONE	RESTRICTED BUILDING  SHOP - GENERAL  SPECIAL USE	BUILDINGS AND LAND USES NOT INCLUDED IN COLUMNS 1 TO 3

#### 4. CONDITIONS AND RESTRICTIONS APPLICABLE:

##### 4.1 MAXIMUM PERMISSIBLE FLOOR AREA RATIO (FAR), COVERAGE AND HEIGHT APPLICABLE:

FLOOR AREA RATIO (FAR)	COVERAGE	HEIGHT
2,00	60%	UR

##### 4.2 BUILDING LINES, SIDE AND REAR SPACES APPLICABLE:

Building Line	7,5m
Side Spaces	4,5m or 1,5m per storey, whichever the greater
Rear Space (Ridge Line)	4,5m or 1,5m per storey, whichever the greater

##### 4.3 PARKING BAY RATIO AND LOADING ZONES APPLICABLE:

As per the requirements of this Scheme.

##### 4.4 OTHER CONDITIONS AND RESTRICTIONS

###### 4.4.1 The two properties are notorially tied in accordance with K829/2015S from 1 April 2015.

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## SECTION 6 : SPECIAL ZONES

### 5. INTERPRETATION

Where in this zone reference is made to the “Scheme” or to “Clauses”, such reference shall be deemed to refer to the Richards Bay Town Planning Scheme and the provisions thereof. The provisions of the Scheme, where not at variance with the foregoing, shall apply mutatis mutandis.