



**MANGAUNG**  
**METROPOLITAN MUNICIPALITY**

**LAND USE SCHEME**

**DRAFT REPORT**

**MARCH 2021**

## CONTENTS

<b>CHAPTER 1: INTRODUCTION .....</b>	<b>6</b>
1. TITLE .....	6
2. STATUS .....	6
3. AREA OF THE SCHEME .....	6
4. INTERPRETATION .....	6
5. PRINCIPLES .....	6
6. DEFINITIONS AND CONDITIONS APPLICABLE TO SPECIFIC LAND USES .....	7
<b>CHAPTER 2: LAND USE SCHEME ARRANGEMENT .....</b>	<b>72</b>
7. THE SCHEME IS ARRANGED INTO FOUR MAIN SECTIONS: .....	72
8. ORIGINAL SCHEME AND AMENDMENT SCHEME .....	72
9. REGISTER OF AMENDMENTS .....	73
<b>CHAPTER 3: LAND USE RIGHTS AND DEVELOPMENT CONTROLS .....</b>	<b>74</b>
10. INTERPRETATION OF USE ZONES .....	74
11. LAND USE ZONES .....	111
12. COVERAGE .....	111
13. FLOOR AREA RATIO .....	111
14. HEIGHT .....	112
15. DENSITY AND MINIMUM PROPERTY SIZE .....	113
16. PARKING AND LOADING .....	114
17. BUILDING LINES AND BUILDING RESTRICTION AREAS .....	123
<b>CHAPTER 4: PROMOTION OF LAND DEVELOPMENT .....</b>	<b>127</b>
18. SPECIAL DEVELOPMENT ZONES .....	127
19. INCLUSIONARY HOUSING .....	128
<b>CHAPTER 5: PROMOTION OF CONSERVATION AND SUSTAINABLE USE OF RESOURCES .</b>	<b>129</b>
20. HERITAGE .....	129
21. ENVIRONMENT AND AESTHETICS .....	129
22. ENERGY AND WATER EFFICIENCY .....	129
<b>CHAPTER 6: CONDITIONS APPLICABLE TO ALL LAND, PROPERTIES AND CATEGORIES OF PROPERTIES .....</b>	<b>130</b>
23. USE OF LAND OR BUILDINGS FOR MORE THAN ONE PURPOSE .....	130
24. CONFLICT BETWEEN SCHEME, TITLE CONDITIONS AND TOWNSHIP CONDITIONS ....	130
25. TRAFFIC IMPLICATIONS OF LAND USE AND LAND USE CHANGES .....	130
26. RESERVATION OF LAND .....	131
27. MAINTENANCE OF PRIVATE PROPERTIES .....	131
28. PROTECTION FOR PROFESSIONS AND OCCUPATIONS .....	131
29. ERVEN AFFECTED BY SPLAYS .....	131

30.	ERVEN AFFECTED BY PUBLIC WORKS .....	132
31.	GENERAL CONDITIONS APPLICABLE TO ALL ERVEN .....	132
32.	CONDITIONS APPLICABLE TO DOLOMITIC AREAS .....	133
33.	CONDITIONS APPLICABLE TO THE BLOEMFONTEIN CBD .....	133
34.	CONDITIONS APPLICABLE TO DWELLING UNITS IN ANY USE ZONE .....	134
35.	CONDITIONS APPLICABLE TO GROUP HOUSING AND FULL TITLE DEVELOPMENTS IN ESTATES .....	136
36.	CONDITIONS APPLICABLE TO LEISURE RESIDENTIAL ESTATES .....	136
37.	CONDITIONS APPLICABLE TO WILDLIFE ESTATES .....	137
38.	CONDITIONS APPLICABLE TO HOLIDAY RESORTS .....	138
39.	CONDITIONS APPLICABLE TO TOWNSHIP ESTABLISHMENTS IN TERMS OF THE BY-LAW .....	139
<b>CHAPTER 7: LAND DEVELOPMENT APPLICATIONS .....</b>		<b>140</b>
40.	APPLICATIONS PERMITTED IN TERMS OF THE LAND USE SCHEME IN OPERATION .....	140
41.	APPLICATION PROCEDURE .....	141
42.	PUBLIC NOTICE .....	143
43.	INFORMATION REQUIRED .....	144
44.	CONSENT FOR A SECONDARY RIGHT .....	145
45.	WRITTEN CONSENT FOR SPECIFIC PURPOSES .....	146
46.	CONSENT FOR A TEMPORARY USE .....	147
47.	SITE DEVELOPMENT PLANS .....	148
48.	CONSOLIDATION AND NOTARIAL TIE OF ERVEN .....	149
49.	SUBDIVISION .....	151
50.	BUILDING LINE RELAXATION .....	152
51.	PROVISION FOR EXEMPTION IN A CONSENT USE APPLICATION .....	153
52.	EXCISION OF LAND FROM AGRICULTURAL HOLDINGS REGISTER .....	154
53.	SUBMISSION OF BUILDING PLANS .....	155
<b>CHAPTER 8: TRANSITIONAL ARRANGEMENTS AND COMMENCEMENT .....</b>		<b>156</b>
54.	TRANSITIONAL ARRANGEMENTS .....	156
55.	COMMENCEMENT .....	156
<b>SCHEDULE 1: HIGH AND LOW IMPACT USES IN TRADITIONAL AUTHORITY AREAS .....</b>		<b>157</b>
1.	HIGH IMPACT LAND USES .....	158
2.	LOW IMPACT LAND USES .....	159
<b>SCHEDULE 2: SERVICE INDUSTRIES .....</b>		<b>160</b>
<b>SCHEDULE 3: LIGHT INDUSTRIES .....</b>		<b>162</b>
<b>SCHEDULE 4: NOXIOUS INDUSTRIES .....</b>		<b>164</b>
<b>SCHEDULE 5: CHECKLIST: PARKING, LOADING AND SDP .....</b>		<b>166</b>

## **SCHEDULE 6: RESERVATION OF LAND FOR EXISTING STREETS, NEW STREETS, STREET WIDENING AND OTHER ROAD IMPROVEMENTS ..... 170**

### **LIST OF TABLES**

Table 1: Definitions and conditions applicable to specific land uses .....	8
Table 2: Use zones and development controls .....	76
Table 3: Minimum property sizes after subdivision .....	113
Table 4: Minimum parking requirements .....	114
Table 5: Land uses for which loading facilities must be provided .....	122
Table 6: Road and street building line requirements .....	123
Table 7: Building lines that may not be relaxed .....	124
Table 8: Building lines that may only be relaxed to a minimum .....	125
Table 9: Relaxation of urban street building lines .....	125
Table 10: Standard building lines for side and rear spaces .....	126
Table 11: Application procedure and time frames for Category 2 applications in terms of the land use scheme .....	141

### **GLOSSARY OF TERMS AND ABBREVIATIONS**

Airbnb	Air bed and breakfast
Building Act	National Building Regulations and Building Standards Act 103 of 1977
CBD	Central Business District
FAR	Floor Area Ratio
GIS	Geographic Information System
GLA	Gross leasable area
LUS, the scheme	Mangaung Metropolitan Municipality Land Use Scheme 2020 compiled in terms of SPLUMA
MPRDA	Mineral and Petroleum Resources Development Act 28 of 2002
NEMA	National Environmental Management Act 107 of 1998
NHRA	National Heritage Resources Act 25 of 1999
NLTA	National Land Transport Act 5 of 2009
NUSP	National Upgrading Support Programme (housing)
PAA	Publicly accessible areas
PPTN	Priority Public Transport Network Area
SAHRA	South African Heritage Resources Agency
SANS10400-S	The application of the National Building Regulations Part S: Facilities for persons with disabilities
SDF	Spatial Development Framework
SDP	Site Development Plan
SPLUMA	Spatial Planning and Land Use Management Act 16 of 2013
SMME	Small, medium and micro enterprises
STA	Site Traffic Assessment
The By-law	Mangaung Metropolitan Municipal Planning and Land Use Management By-law XXXX of 2020
TIA	Traffic Impact Assessment

TMH	South African Traffic Impact and Site Traffic Assessment Standards and Requirements Manual
UISP	Upgrading of Informal Settlements Programme

## CHAPTER 1: INTRODUCTION

### 1. TITLE

This document shall be known as the Mangaung Metropolitan Municipality Land Use Scheme, 2020 (**the scheme**).

### 2. STATUS

This land use scheme is prepared in terms of:

- (1) Section 24(1) of the Spatial Planning and Land Use Management Act 16 of 2013 (**SPLUMA**); and
- (2) Chapter 3 of the Mangaung Metropolitan Municipal Planning and Land Use Management By-law XXXX of 2020 (published by means of Provincial Gazette Number xxxx on xxxx) (**the By-law**).
- (3) The scheme substitutes the following town planning schemes previously in operation in the area of jurisdiction of the Mangaung Metropolitan Municipality (**the municipality**):
  - a) Bloemfontein Town Planning Scheme, No. 1 of 1954;
  - b) Bainsvlei Town Planning Scheme, No. 1 of 1984;
  - c) Bloemspuit Town Planning Scheme, No. 1 of 1986;
  - d) Annexure F: Land Use Conditions applicable to townships contemplated in terms of Section 57B of the Black Communities Development Act, 1984;
  - e) Permits issued in terms of the Physical Planning Act, 1991 (Act 67 of 1991);
  - f) Draft Mangaung Land Use Management Scheme, 2012; and
  - g) Density policies, specifically the Bloemspuit and Bainsvlei Density policies.

### 3. AREA OF THE SCHEME

The scheme applies to all land or property within the area of the municipality, as determined by the Municipal Demarcation Board.

### 4. INTERPRETATION

In this scheme, unless a contrary intention clearly appears:

- (1) Words importing -
  - (a) any one gender includes the other gender;
  - (b) the singular includes the plural and vice versa; and
  - (c) natural persons include created entities (corporate or non-corporate) and vice versa.

### 5. PRINCIPLES

- (1) Any land development application in terms of this scheme must give effect to the development principles as set out in section 7(1) of chapter 2 of SPLUMA.
- (2) Any land development application in terms of this scheme shall be guided and informed by the municipality's integrated development plan and municipal spatial development framework as adopted and approved in terms of section 20 of SPLUMA and the By-law.
- (3) The scheme should be read in conjunction with the By-law.
- (4) Table 1 (definitions and conditions applicable to specific land uses) and Table 2 (land use zone table with zoning, primary and secondary rights etc.) should be read together.

- (5) Any land development application in terms of this scheme must address need, reasonableness, desirability and public interest.
- (6) Any land development application in terms of this scheme shall have as its main purpose the co-ordinated and harmonious development of the area to which the application relates in such a way as will most effectively tend to promote the health, safety, good order, amenity, convenience and general welfare of such specific area as well as efficiency and economy in the process of such development.
- (7) Any land development application in terms of this scheme shall address the compatibility of the proposed land use with surrounding land uses and the general amenity of the area.
- (8) No approval granted by the municipality under the provisions of this scheme shall be construed as exempting the applicant from complying with any other law or by-law, such as (but not limited to) the National Environmental Management Act 107 of 1998 (NEMA) and National Heritage Resources Act 25 of 1999 (NHRA).
- (9) In this document the term “municipality” refers to the Mangaung Metropolitan Municipality and decisions made by the municipality, its departments or officials shall be done in accordance with the provisions of the By-law.

## **6. DEFINITIONS AND CONDITIONS APPLICABLE TO SPECIFIC LAND USES**

- (1) Unless otherwise defined by SPLUMA, SPLUMA Regulations or the By-law, the words used in the scheme shall have the meaning set out in column 2 of Table 1. Where a word is not defined, the dictionary definition shall apply.
- (2) Column 3 of Table 1 sets out conditions applicable to specific land uses, where applicable.
- (3) The definitions and conditions in Table 1 should be read in conjunction with Table 2: Use zones and development controls.

**Table 1: Definitions and conditions applicable to specific land uses**

<b>WORD</b>	<b>DEFINITION</b>	<b>DEVELOPMENT CONTROLS AND CONDITIONS</b>
Abattoir	Means land and/or a building where animals are slaughtered, processed and prepared for distribution to butchery shops and food markets, and where meat and offal may be sold to the public in the wholesale trading area.	<ul style="list-style-type: none"> <li>a) The use shall be authorized in terms of relevant health regulations.</li> <li>b) All development on site shall be in accordance with an approved site development plan and environmental authorization.</li> </ul>
Agricultural industry	<p>Means land 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 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 sorting and packaging of agricultural products, which could include a sawmill and similar activities;</li> <li>e) wind turbines;</li> <li>f) winery; distillery and brewery;</li> <li>g) agri-processing, including the processing of animal matter.</li> </ul>	<ul style="list-style-type: none"> <li>a) This use may only be permitted with the consent of the municipality in accordance with an approved site development plan.</li> <li>b) The application should address the provision of engineering services.</li> <li>c) The municipality reserves the right to call for any necessary additional information required during evaluation of an application, including inter-alia, a geotechnical investigation report, flood line investigations/certification, traffic studies and service reports. This should be determined prior to the submission of an application.</li> </ul>
Agricultural use	<p>Means the use of land for:</p> <ul style="list-style-type: none"> <li>a) agricultural activities, including ploughing, depasturing, crop cultivation, pig farming, game farming, horticulture, poultry farming, dairy farming, breeding and keeping of livestock, apiaries, forestry, mushroom and vegetable production, flower production, orchards and any other activities commonly connected with farming.</li> <li>b) residential purposes, including a dwelling house and/or homestead.</li> </ul>	<ul style="list-style-type: none"> <li>c) The following uses are permitted as primary rights: <ul style="list-style-type: none"> <li>(i) The use of land for an agricultural industry not exceeding 2 000 m<sup>2</sup>. An industry in excess of 2 000 m<sup>2</sup> will only be permitted with the consent of the municipality.</li> <li>(ii) The use of land for the processing and packaging of own produced goods subsidiary to the farming activities, a farm stall (with maximum floor area of 250 m<sup>2</sup>), a nursery, animal care centre, horse riding facilities and related uses.</li> </ul> </li> </ul>



WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
		<p>(iii) A maximum of two dwelling houses. The written consent of the municipality is required for additional dwelling houses. Only these houses may be sectionalised.</p> <p>(iv) A maximum of four bona fide farm workers' dwelling units. The written consent of the municipality is required for additional farm workers' dwelling units. These dwelling units may not be sectionalised.</p> <p>(v) Where a site development plan is required in terms of the scheme for a consent use on land zoned Agriculture, only the section where the use applied for (including ingress and egress, needs to be shown).</p> <p>d) Applications for consent for consolidation or subdivision of farm land must be submitted to the National Department of Agriculture for comment, prior to consideration by the municipality.</p>
Airport	Means land used for landing, transit, assembly, maintenance and storage of aircraft for commercial, military and recreational purposes and includes a landing strip, airline terminal, aircraft storage, maintenance hangars, telecommunication masts, warehouses for handling of airfreight. The establishment and operation of the aerodrome shall be in accordance with the provisions of the Civil Aviation Act 13 of 2009.	<p>a) Ancillary uses that are permitted include shops, banks, restaurants, offices, places of refreshment, places of amusement, banks, ATMs, leasing of vehicles, vehicle valet service area, guest-house, clinic, residential buildings, dwelling-units, hotel and conference facilities.</p> <p>b) All development on site shall be in accordance with an approved site development plan.</p> <p>c) The provisions relating to the use of land for more than one purpose apply.</p>
Amusement park	Means land used as a playground or theme park providing for a variety of recreational activities and structures typical to an amusement or theme park, including picnic and braai areas, ablution facilities, kiosk	All development on site shall be in accordance with an approved site development plan.

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
	and an entrance building for ticket sales and administrative offices, but excluding any dance/entertainment halls or open concert areas. This includes a theme park, an amusement park with a particular theme.	
Ancillary or subsidiary use	Means uses which support (ancillary) or are subservient (subsidiary) to the main use on the property and which shall not exist on their own when the main use on the property is discontinued.	Ancillary or subsidiary uses shall not exceed 30% of the lawful dominant use of the property.
Animal establishment	Means land used for a veterinary clinic, kennels and boarding for domestic pets, pet training centre, animal welfare institution and the keeping and care of animals.	a) This includes a retail component ancillary to the main use, but excludes intensive livestock keeping. b) All development on the site shall be in accordance with an approved site development plan.
Animal or bird shelter	Means any form of open or roofed building, structure or enclosure in which birds or animals are kept or intended to be kept.	
Annexures to the scheme	Means documents comprising provisions, inter alia, special rights and conditions applicable to those properties shown on the A series of the Map by encircled figures.	a) This is done for a rezoning or any other town planning action where a deviation is required from the rights as per the scheme in operation. b) The rights and conditions in the annexure shall prevail over any other provisions of the land use scheme. c) If not stipulated in the annexure, the specific right shall be as per the land use scheme in operation.
Applicant	Defined in terms of the By-law.	
Application	Defined in terms of the By-law.	
Application register	Means a record of all applications submitted and considered in terms of the provisions of the By-law, this land use scheme or any amendments thereof.	
Areas of Environmental Significance and Bio-diversity	Means places of scenic beauty, natural vegetation, rivers, streams, wetlands and other significant topographical	

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
	features, including the habitat of rare or endangered fauna and flora.	
Arterial road	Means a major mobility road classified as such as part of the “Municipal Road Classification System”, which runs between and through urban or rural districts, carrying high volumes of traffic. The term arterial is reserved for Class 1 to Class 3 roads, as defined in the TRH26, South African Road Classification and Access Management Manual.	
Auction pen	Means an enclosure for the public sale of livestock.	All development on site shall be in accordance with an approved site development plan.
Auction premises	Means land used for the sale of movable or immovable goods (excluding a livestock yard or an auction pen) to the public by means of a public sale or a sale in execution and which includes the storage of goods that had been offered for sale during auctions but which have not been sold.	All development on site shall be in accordance with an approved site development plan.
Authorised official	Defined in terms of SPLUMA Regulations: Land Use Management and General Matters, 2015.	
Basement	Means that part of a building which is located below the natural ground level of a property or site, and below the ground storey.	
Bloemfontein Central Business District (CBD)	Means the area where the highest order of land uses and specifically business uses occur.	<ul style="list-style-type: none"> <li>a) The CBD and other nodes are demarcated and defined in the spatial development framework.</li> <li>b) Refer to chapter 6 for further conditions applying to the Bloemfontein CBD.</li> </ul>
Boarding house	Means a dwelling house where the habitable rooms are rented out for an extended period by the owner/occupant to a maximum of 6 persons who share the communal facilities such as the kitchen, lounge, dining room and bathrooms.	<ul style="list-style-type: none"> <li>a) The owner or manager of the dwelling house shall reside on the property and shall also conduct the boarding house.</li> <li>b) Not permitted in a second dwelling house, nor as backyard dwelling units.</li> </ul>

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
		<ul style="list-style-type: none"> <li>c) All amenities and the provision of meals and beverages shall be for the sole benefit of bona fide tenants and the resident household/person.</li> <li>d) All parking shall be accommodated on site.</li> <li>e) The use is only permitted with the consent of the municipality in accordance with an approved site development plan.</li> </ul>
Boundary	Means the cadastral line separating a land unit from another land unit or public street, as depicted on the approved surveyor general diagram.	
Boutique hotel	Means a small hotel with a unique character and interior finishes with a dining room and a maximum of 30 rooms for transient guests.	<ul style="list-style-type: none"> <li>a) The use may only be permitted on erven larger than 3 000 m<sup>2</sup>.</li> <li>b) All development on site shall be in accordance with an approved site development plan.</li> <li>c) Screening shall be provided with adjacent Residential 1 erven.</li> <li>d) All parking shall be accommodated on site and ingress and egress shall be to the satisfaction of the municipality.</li> <li>e) The use may include: <ul style="list-style-type: none"> <li>(i) Meeting rooms, chapel, recreational and service facilities that are subservient and ancillary to the dominant use of the property as a hotel (e.g. spa).</li> <li>(ii) The dining room shall only serve guests residing in the hotel.</li> <li>(iii) The premises may be licensed for the purposes of on-site consumption by guests only.</li> <li>(iv) Selling of articles in a small curio shop is permitted in the main building of the boutique hotel, provided that this may not be visible from the outside. These uses are only permitted with</li> </ul> </li> </ul>

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
		the consent of the municipality in terms of an approved site development plan.
Builder's yard	Means land used for the storage and sale of materials which: a) are commonly used for building work; and/or b) resulted from demolition or excavation works; and/or c) are commonly used for other civil engineering works such as installation of services. Ancillary offices are also permitted.	All development on site shall be in accordance with an approved site development plan.
Building	Defined in terms of the By-law.	
Building line	Means a line running parallel to the street-, road-, side- or rear- boundary of a property, and represents the minimum distance that a building or structure may be erected from the street reserve-, road reserve-, side- or rear- boundary of a property.	Subject to provisions stated in chapter 3 of this scheme
Building restriction area	Means the area or space between a building line and a street reserve-, road reserve-, side- or rear- boundary of a property, wherein no building or permanent structure, or any part thereof, may be erected, except with the consent of the municipality in terms of this land use scheme.	Subject to provisions stated in chapter 3 of this scheme
Business purposes	Means land used for business activities and related uses such as: a) shops, b) offices, office parks, postal services, auction premises, c) showrooms, motor showroom, vehicle sales lot, d) restaurants, fast food restaurants, bakeries, fast food outlets, places of refreshment, e) dry-cleaners, hair dressers, beauty salons, tailors, f) dispensing chemists, medical consulting rooms,	a) Other uses may be permitted in terms of the land use table with the municipality in terms of an approved site development plan. b) The provisions relating to the use of land for more than one purpose in chapter 6 apply.

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
	g) hotels, boutique hotels, residential hotels, guesthouses, communal residential buildings, boarding houses and flats, h) dwelling units, i) places of public worship, j) places of instruction, institution, social halls, k) transport uses (bus and taxi rank), or l) similar business activities and any other use permitted with the consent of the municipality, other than industrial uses.	
Cadastral line	Means a line representing the official boundary of a land unit or portion as registered in the Deeds Office in accordance with a plan approved by the Surveyor-General.	
Car wash	Means land and buildings used for the washing, polishing and cleaning of vehicles by means of mechanical apparatus or by hand.	There shall be a hard surface (cement or paving) in the wash and dry areas and provision shall be made for proper drainage and treatment of dirty water and oil to prevent pollution.
Caravan park	Means land with stands for mobile dwelling units for periods not exceeding 90 days and where visitors must be provided with at least electricity, dishwashing, bath and ablution facilities.	a) A camp area and place of refreshment are permitted. b) The caravan park must adhere to the requirements of the South African Bureau of Standards (Publication SABS 092/1971 – Code of Practice for Caravan parks) as amended. c) A caretaker's dwelling unit is permitted. d) All development on site shall be in accordance with an approved site development plan.
Caretaker's dwelling unit	Means a dwelling unit for a person employed to take care of a building or property and who deals with the cleaning, maintenance and security.	The dwelling unit and its outbuildings shall not exceed 100 m <sup>2</sup> .
Carport/shade port	Means a structure intended to provide sheltered parking for a motor vehicle, caravan or boat and having a water tight roof or shade net cover, which may be fixed to a wall	

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
	of a permanent building on one side only, but not having any supporting walls of its own.	
Casino	Defined in terms of the Free State Gambling and Liquor Act 6 of 2010.	All development on site shall be in accordance with an approved site development plan.
Cemetery	Means land used for burials for deceased humans. This includes ancillary buildings and uses such as a building for religious purposes and serving of refreshments, prayer area, funeral parlour, a wall of remembrance and caretaker's dwelling unit.	<ul style="list-style-type: none"> <li>a) A crematorium is permitted with the consent of the municipality.</li> <li>b) The cemetery layout shall be in accordance with an approved site development plan.</li> <li>c) This land use will have a high impact on the community as defined by the By-law and is dealt with as a category 1 application in terms of the By-law.</li> </ul>
Chalet	Means land use for furnished dwelling units, with a maximum floor area of 80 m <sup>2</sup> each, which provides accommodation to visitors on a temporary basis in a holiday resort.	<ul style="list-style-type: none"> <li>a) Every chalet must have direct ground access, and in the case of a double storey unit, must have an internal staircase.</li> <li>b) The internal design must consist of an open plan layout.</li> <li>c) The chalets may not, under any circumstances, be alienated separately by means of sectional title or any other means.</li> </ul>
Chapel	Means land used for a small wedding, funeral or religious ceremony.	<ul style="list-style-type: none"> <li>a) This use must be applied for separately in any land use application to allow for adequate parking provision.</li> <li>b) The provisions relating to the use of land for more than one purpose shall apply.</li> <li>c) All development on site shall be in accordance with an approved site development plan.</li> </ul>
Clinic	Means land used for a place for diagnostic outpatient care and dispensing of medicine with no operating theatres.	<ul style="list-style-type: none"> <li>a) A clinic may include medical suites, outpatients' centre, a dispensary and a wellness centre for holistic healing practices, with ancillary uses.</li> <li>b) All development on site shall be in accordance with an approved site development plan.</li> </ul>

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
Club house	Means land and buildings used solely by the members of a sport or private club or by residents of an estate, resort, retirement resort, etc., and their guests, for sport, recreation and other similar purposes.	<p>a) The following uses are permitted: a reception area, change rooms, kitchen, restaurant (with or without bar facilities), offices for the use by management, toilets and meeting facilities.</p> <p>b) All development on site shall be in accordance with an approved site development plan.</p>
Collector road	Means a mobility road classified as such as part of the “Municipal Road Classification System”, which collects (or distributes) traffic in a local district. Collectors should not carry traffic passing through the district with destinations elsewhere but can serve as activity spines and streets. Although all roads have a “collection function”, the term “collector” is reserved for Class 4 roads, as defined in the TRH26, South African Road Classification and Access Management Manual.	
Commencement date	Means the date that the municipality gave notice of the approval of the scheme in the Provincial Gazette and the date it came into operation.	
Commercial use	Means land used for distribution centres, wholesale trade, auctioneers, storage (including scrap yards and recycling), warehouses, assembling and packaging, cartage and transport services, laboratories and computer centres, offices directly related and subservient to the main use conducted on the land, and includes such industries as are ancillary and subservient to the main commercial use conducted on the property.	All development on the site shall be in accordance with an approved site development plan.
Common property	<p>Defined in terms of the:</p> <p>a) Sectional Titles Act 95 of 1986;</p> <p>b) Sectional Titles Management Act 18 of 2011; and</p> <p>c) Community Schemes Ombud Service Act 9 of 2011.</p>	



WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
Commonage	Any land or portion of land which is in possession or under the control of the municipality and set aside by the municipality for the purposes of establishing grazing camps for animals or plots (any portion of a commonage set aside by the municipality for other purposes than grazing) for crop or plant production, gardening or other agriculture-related economic activity	The land must be fenced off to the satisfaction of the municipality to prevent animals from straying into road reserves.
Communal land	<ul style="list-style-type: none"> <li>a) Means land contemplated in section 2 of the Communal Land Rights Act 11 of 2004 which is, or is to be, occupied or used by members of a community subject to the rules or custom of that community; and</li> <li>b) Means land under the jurisdiction of a traditional authority in terms of the Free State Provincial and Local Houses of Traditional Leaders Act 7 of 2017.</li> </ul>	
Communal residential building	Means the use of land for purposes of long term residence with habitable rooms and common or separate ablution facilities and common kitchen-, dining- and lounge facilities.	<ul style="list-style-type: none"> <li>a) The definition includes, but is not restricted to: hostels and tenements, dormitories, social and institutional housing, communal old age homes that may or may not include ancillary frail care facilities. Ancillary outbuildings are also permitted.</li> <li>b) All development on the site shall be in accordance with an approved site development plan.</li> </ul>
Commune	Means a dwelling house or part thereof where a maximum of 10 bedrooms are used for accommodation by a limited number of students enrolled at place of instruction.	<ul style="list-style-type: none"> <li>a) Only permitted on properties zoned Residential 1, Agricultural and Smallholding.</li> <li>b) The owner or accommodation manager shall reside on the property.</li> <li>c) All bedrooms shall form part of the main dwelling house, from where primary access to the bedrooms is provided.</li> <li>d) No living room or similar common living areas may be converted into bedrooms.</li> </ul>

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
		<ul style="list-style-type: none"> <li>e) The residential character of the building shall be retained and the immediate residential environment shall not be detrimentally affected.</li> <li>f) The use shall not cause interference with the amenities of the neighbourhood or cause a public nuisance.</li> <li>g) This use is permitted only with the consent of the municipality in accordance with an approved site development plan.</li> <li>h) The provisions of the Student Accommodation By-law shall apply.</li> </ul>
Community and social hall	Means land and buildings used primarily for social assemblies, gatherings, meetings or recreational purposes and may include a reception area, changing rooms, kitchen, administrative offices, toilets and sport facilities.	All development on site shall be in accordance with an approved site development plan.
Conference facility	Means land and buildings used for congresses, seminars, training, meetings, weddings, cultural events and social activities and may include overnight accommodation and the supply of meals only to delegates.	<ul style="list-style-type: none"> <li>a) This use must be applied for separately in any land use application to allow for adequate parking provision.</li> <li>b) The provisions relating to the use of land for more than one purpose shall apply.</li> <li>c) All development on site shall be in accordance with an approved site development plan.</li> </ul>
Consent use	In addition to the meaning in the By-law, means the written permission granted by the municipality, after due consideration of all relevant facts set out in an application in terms of the land use scheme in operation, in terms of which a specific land use is permitted, in addition to the primary rights, subject to conditions.	<ul style="list-style-type: none"> <li>d) The consent is granted to the owner of the property.</li> <li>e) Refer to chapter 7 further conditions.</li> <li>f) The municipality may require the submission of new/updated services reports (including a traffic impact assessment), an environmental assessment, etc. before granting consent.</li> <li>g) The municipality may also add or amend conditions of approval related to combined uses on the site.</li> </ul>

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
Conservation purposes	Means the use or maintenance of land and/or buildings in terms of its natural, cultural, historical or built environmental significance, with the object of preserving the identified special characteristics.	a) These areas, which are to be identified through the National Heritage Resources Act 25 of 1999 or National Environmental Management Act 107 of 1998, can include but are not limited to water courses, wetlands and sensitive eco-systems, heritage sites, historical buildings or sites of cultural significance. These areas, erven or buildings need special management and maintenance in order to preserve the identified natural, historical or cultural characteristics.
Convenience shop	Means land used for a small shop selling only basic necessities, normally aimed at the travelling public.	a) This use may be permitted as part of a filling station with the consent of the municipality. b) The size of the retail area (all inclusive) is restricted to 200 m <sup>2</sup> . c) A shop size exceeding 100 m <sup>2</sup> disqualifies a filling station for access spacing relaxation, as contemplated in TMH16: South African Traffic Impact and Site Traffic Assessment Manual. d) All development on site shall be in accordance with an approved site development plan.
Contiguous properties	Means property sharing a common border, without regard to interruptions in contiguity caused by roads, servitudes, thoroughfares, panhandles, service lanes or any other public land less than 10 metres wide.	
Co-operative (business co-operative)	Defined in terms of the Co-operatives Act 14 of 2005.	All development on site shall be in accordance with an approved site development plan.
Coverage	Means the two dimensional space occupied by a building, as seen vertically from the air and is expressed as a percentage of the property area. It is calculated as follows: $\text{Coverage} = \left[ \frac{\text{Two dimensional space occupied by a building}}{\text{Total area of the property upon which the building(s) are erected}} \right] \times 100$ <p>Subject to provisions and specific exclusions stipulated in this land use scheme.</p>	

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
Crèche	Defined in terms of the Mangaung Municipality Child Care Facilities By-law.	a) This also includes a play school, play group or any other day care centre with more than 6 pre-school children. b) This use is permitted with the consent of the municipality in accordance with an approved site development plan.
Curio shop	Means land used for a small retail facility subsidiary or ancillary to a tourism use that sells souvenirs and novelty items.	The use shall be in accordance with an approved Site Development Plan
Day	Defined in terms of the By-law	
Day care centre	Means land used for taking care of a maximum of 6 pre-school children during the day from a dwelling house or, away from their parents or guardians by a caretaker.	This use is permitted as a primary right where sufficient on-site parking is available for drop-off and collection. No street parking is permitted.
Density	Means a value representing the total number of dwelling units per hectare permitted on a property or site. $\text{Density} = \frac{\text{Total number of dwelling units in a specific area}}{\text{Extent of specified area in hectares}}$	Subject to provisions stipulated in chapter 3 of this scheme.
Day hospital/medical centre	Means land used for an outpatient facility where patients attend for assessment, treatment or rehabilitation during the day and then return home or spend the night at a different facility.	a) This use may include operating theatres, medical suites, outpatients' centre, dispensary and a wellness centre for holistic healing practices, with ancillary uses. b) All development on site shall be in accordance with an approved site development plan.
Development parameters	Means development provisions used to regulate the erection and use of buildings and/or land in relation to coverage, FAR, maximum GLA, height, parking and loading requirements, minimum property size, density, building lines, entrances and exits, as well as any other special conditions laid down in terms of this land use scheme.	

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
Distribution centre	Means land used for the distribution of goods produced elsewhere that is intended for the wholesale or retail market.	All development on site shall be in accordance with an approved site development plan.
Domestic outbuilding	Means a building located on the same property as a dwelling house or residential building, which is intended for use as storage.	<ul style="list-style-type: none"> <li>a) This excludes a second dwelling house and domestic workers' accommodation unit.</li> <li>b) This may include a laundry room, storage room, bathroom, motor garage, carport, summer-house, cloakroom, sauna, work-, hobbies- or recreational room.</li> </ul>
Domestic workers' accommodation unit	A dwelling unit attached or detached from a dwelling house or dwelling unit meant for occupation by a cleaner, domestic worker or gardener.	<p>This use is permitted as a primary right on a residential property. The following limitations shall apply:</p> <ul style="list-style-type: none"> <li>a) One per dwelling house or dwelling unit.</li> <li>b) Occupation is limited to one household per unit.</li> <li>c) No kitchen is permitted.</li> <li>d) The size is limited to 18 m<sup>2</sup>.</li> <li>e) The unit may not be sectionalised.</li> </ul>
Drive through	Means a vehicle queuing facility where a motorist can be served without leaving the vehicle.	The required length of a drive-through facility is normally determined as part of a Site Traffic Assessment. In the case of fast food restaurants, a minimum queuing length of 20 vehicles or 100m is required.
Duet house	Means a single building, other than a second dwelling house, consisting of two dwelling units with a general exterior appearance of a single dwelling house, situated on its own site, together with or without a motor garage and such other domestic outbuildings as are ordinarily used with a dwelling house (definition adopted from earlier scheme).	<ul style="list-style-type: none"> <li>a) Only one domestic workers' accommodation unit per duet house shall be permitted.</li> <li>b) No additional dwelling units shall be permitted.</li> <li>c) All development on site shall be in accordance with an approved site development plan.</li> </ul>
Dwelling house	Means a single, detached building designed and used for habitation by one household containing one kitchen, together with such outbuildings as are reasonably necessary for use therewith.	This includes one bona fide domestic worker's accommodation unit as a primary right.

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
Dwelling house office	The use of a dwelling house partially or in total for offices for administrative, clerical and/or professional functions.	<ul style="list-style-type: none"> <li>a) Only permitted on erven with a Residential 1 zoning.</li> <li>b) All development shall be in accordance with an approved Site Development Plan.</li> <li>c) The development on the erf shall retain a residential character.</li> <li>d) The dwelling house may be used for residential purposes by the owner or occupant thereof.</li> </ul>
Dwelling unit	Means a unit designed and used for habitation by one household containing one kitchen and includes such outbuildings as are ordinarily incidental thereto.	<ul style="list-style-type: none"> <li>a) The dwelling units may be attached or detached.</li> <li>b) This includes a flat, semi-detached house, group housing, social and institutional housing, townhouse, maisonette, duet house and chalet as defined by this scheme.</li> <li>c) All development on the site shall be in accordance with an approved site development plan.</li> </ul>
Environmental control area	An area defined by the municipality in terms of the Spatial Development Framework or a policy	All development on the site shall be in accordance with an approved site development plan.
Erection and alteration of a building (and use)	Means the construction of a new building, a structural alteration, conversion, addition to or extension, rebuilding, re-erection or subdivision of a building or groundworks in connection therewith, and includes the conversion of an existing building to a specific use, and 'erect' shall have a corresponding meaning.	This shall not commence until the municipality has approved building plans as required in terms of the National Building Regulations and Building Standards Act 103 of 1977.
Erf	Defined in terms of By-law	
Exclusive use area	Defined in terms of the: <ul style="list-style-type: none"> <li>a) Sectional Titles Act 95 of 1986; and</li> <li>b) Sectional Titles Management Act 34367 of 2011.</li> </ul>	
Existing building	A building constructed in accordance with building plans approved by the municipality and which is otherwise lawful, the construction of which – <ul style="list-style-type: none"> <li>a) Was completed on or before the commencement date of the scheme;</li> </ul>	Only structures and facilities indicated or clearly implied as “proposed” or “new” in terms of a specific building plan are deemed to be approved as part of the relevant building plan.

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
	<p>b) Was begun, in the opinion of the municipality, within a reasonable time before the commencement date, but only completed thereafter;</p> <p>c) Was completed in accordance with the terms of any permission granted by the municipality during the preparation and until the commencement date of the scheme.</p>	
Existing Erf	Means any erf shown on an approved general plan of a township and registered in the Deeds Office. This includes the subdivided portions of the erf registered with the Deeds Office prior to the commencement date of the scheme.	
Existing use	Means the use of land for a specific purpose, permitted in terms of any previous planning legislation and lawful in terms of the National Building Regulations, but which may or may not be contrary to the scheme. It shall remain an existing primary right unless the said use is altered in any way or ceases to be carried out for a period of 24 months or any other period as prescribed in terms of the By-law.	Refer to non-conforming uses in terms of the By-law.
Farm	Means a portion of land indicated as a farm on a diagram or compilation plan, filed with the Surveyor- General and registered as such in the Deeds Registry, and includes the subdivision of a farm.	
Farm Stall	Means a building or structure used for the selling of fresh farm produce produced on site, including homemade items. It may also include the sale of convenience goods.	<p>a) The use will only be permitted with the consent of the municipality.</p> <p>b) The floor area shall not exceed 250 m<sup>2</sup>.</p> <p>c) The farm stall and access thereto shall be in accordance with an approved site development plan.</p>
Farmworkers' dwelling unit	Means a dwelling unit for an employee located on a farm or smallholding that is not the primary dwelling house, and that is only occupied by a person engaged in legal farming occupations on that land and this person's household. The unit shall be a single building designed	<p>a) This excludes a domestic worker's accommodation unit as defined by this scheme.</p> <p>b) A maximum of four bona fide farm workers' dwelling units is permitted per farm or smallholding.</p>

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
	and used for habitation by one household containing one kitchen.	<ul style="list-style-type: none"> <li>c) The written consent of the municipality is required for more than four farm workers' dwelling units.</li> <li>d) The dwelling units may not be sectionalised.</li> </ul>
Fast-food restaurant	Means the preparation and sale of meals, refreshments and confectionery primarily for consumption off the premises itself and may include a drive through facility.	<ul style="list-style-type: none"> <li>a) The service area must contain an on-site waiting area of adequate size, which area can include a sit-down section for the consumption of food.</li> <li>b) This excludes the sale of any form of alcoholic beverages, a shop and a place of amusement.</li> <li>c) All development on site shall be in accordance with an approved site development plan.</li> </ul>
Filling station	Meaning land used for a road side facility where the primary business is the fuelling of motor vehicles.	<ul style="list-style-type: none"> <li>a) A convenience shop, fast food outlet or car wash may be permitted with the consent of the municipality.</li> <li>b) A fast food outlet of any size and/or a convenience shop in excess of 100 m<sup>2</sup> will disqualify the filling station for access spacing relaxation, as contemplated in TMH16 (South African Traffic Impact and Site Traffic Assessment Manual).</li> <li>c) The shop and a fast food outlet combined shall not exceed 200 m<sup>2</sup>.</li> <li>d) No material or equipment of any nature shall be stored or stacked outside the building except in an area which is screened to the satisfaction of the municipality for that purpose: Provided that fuel pumps or oil and fuel installations shall be sited outside the building to the satisfaction of the municipality: Provided further that the municipality may relax this condition where the erf is situated within, adjacent to or surrounded by industrial uses.</li> <li>e) The entire site shall be paved and maintained by the owner to the satisfaction of the municipality.</li> <li>f) Provision should be made for treatment of dirty water and oil to prevent pollution of stormwater runoff.</li> </ul>



WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
		g) All development on the site shall be in accordance with an approved site development plan. h) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.
Flat	Means a group of self-contained dwelling units forming part of a building with a communal entrance and access via stair cases and/or lifts, and may also include garages, car ports, storage space and dwelling units for domestic workers, gardeners and a caretaker.	All development on site shall be in accordance with an approved site development plan.
Floodlines	Means, in accordance with section 144 of the National Water Act 36 of 1998, lines indicating the maximum level likely to be reached by floodwaters on average once in every 100 years.	a) The 1 in 50 and 1 in 100 year floodlines must be indicated on a layout plan for township establishment and certified by a registered professional engineer. b) No development is permitted below the 1 in 50 year floodline and no land may be excavated or removed within the floodline area. c) The municipality may prohibit or restrict the use of land situated between the 1 in 50 and 1 in 100 year floodline. d) Any permission to utilize land between these two floodlines must be authorized by the municipality subject to a written motivation compiled by a registered professional engineer.
Floor area ratio or FAR (Bulk Factor)	Means a pre-determined fixed value indicated in respect of a land use, that represents the floor area ratio applicable to a property or site. The floor area ratio is the maximum permissible floor area on a site divided by the total area of the site, thus –  $\text{F.A.R.} = \frac{\text{Gross floor area of building or buildings}}{\text{Total area of property on which building is erected, expressed as a fraction, e.g. 1.2}}$	
Frontage parking	Means on-site parking bays along a street frontage, oriented perpendicular or at an angle to the passing street, directly accessible from the street by driving perpendicular, or at an angle over the sidewalk. These	Although such parking was considered for approval by the municipality under certain special circumstances in the past, the parking had been declared unsafe in the interim and no new frontage parking may be considered in terms of this scheme.

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
	parking bays normally require a reverse manoeuvre back into the street.	
Full title property in a Group Housing Scheme	Means a property in which full ownership rights are transferred to the property owner, relating to the land and all buildings/structures thereon.	a) Unless forming part of a home owner's association with specific rules, the owner is not bound by any rules as to building style, building materials or keeping of pets, animals, apart from what is stated in the municipal by-laws and other legislation. b) Refer to chapter 6 section 34.
Funeral services	Means land used for an undertaker, including a building used for religious purposes and serving of refreshments, and ancillary retail trade. An undertaker includes keeping and preparing the deceased for burial and cremation, but excludes a crematorium.	a) All development on the site shall be in accordance with an approved site development plan. b) This excludes a monumental mason (making of tombstones). c) The retail trade may involve flowers, candles, tombstones, plaques and casket sales and similar goods.
Gatehouse	Means a building designed and used for access control, and includes related matters, security facilities and toilets.	
General Plan	Defined in terms of the By-law	
GIS – Geographic Information System	Means an electronic system designed to capture, store, manipulate, analyse, manage, and present spatial or geographic data.	
Government purposes	Means land used for purposes normally or otherwise reasonably associated with government to give effect to its government role (national, provincial government and local government).	a) This may include a court room, town hall, police station and post office. b) All development on site shall be in accordance with an approved site development plan, subject to the provisions of the Building Act.
Gross leasable area (G.L.A.)	Means in relation to a building or a storey thereof, that part of the floor area that is designed for the occupation and control by an owner or a tenant, or which is suitable for such purpose, measured from the centre line of joint partitions and the internal surface of external walls.	Subject to provisions stipulated in chapter 3 of this scheme.

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
Ground floor or ground storey	Means the storey of a building with direct access or entrance from the street level or the lowest natural ground level.	This floor or storey shall be designated as such on a site development plan and building plans.
Group houses	Means land used for a development consisting of full title dwelling units which may be attached or detached, harmoniously designed with a similar architectural character situated in a security complex.	<ul style="list-style-type: none"> <li>a) Each dwelling unit is situated on its own separate portion (full title properties).</li> <li>b) In the event of the development forming part of a security complex with controlled access, the following shall apply: <ul style="list-style-type: none"> <li>(i) The streets, lanes and open spaces concerned must be transferred to a Section 21 Company acting on behalf of the owners.</li> <li>(ii) These streets and open spaces are the responsibility of the Section 21 Company for maintenance purposes.</li> </ul> </li> <li>c) All development on site shall be in accordance with an approved site development plan.</li> </ul>
Guesthouse	Means a dwelling house that is permanently inhabited by an owner or manager with a maximum of 10 bedrooms or suites, which may be let out on a temporary basis to transient guests, and where substantial meals are served to the residing guests only.	<ul style="list-style-type: none"> <li>(a) This use is permitted only with the consent of the municipality in accordance with an approved site development plan on erven zoned Residential 1.</li> <li>(b) The use is permitted as a primary right on erven zoned Residential 2 in accordance with an approved site development plan.</li> <li>(c) The availability of on-site parking will determine the number of rooms.</li> <li>(d) The owner/manager is the only permanent occupant permitted on the property.</li> <li>(e) A meeting room not exceeding 40 m<sup>2</sup> is permitted and all parking must be provided on site.</li> <li>(f) The premises may be licensed for the purposes of on-site consumption by guests only.</li> <li>(g) A guesthouse is not permissible on a panhandle erf.</li> </ul>

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
Gymnasium	Means land used for physical exercise such as aerobic exercises, boxing, wrestling, karate or similar indoor physical activities, with or without apparatus and includes ancillary retail trade and a place of refreshment.	<ul style="list-style-type: none"> <li>a) A place for refreshments for patrons only, not exceeding 100 m<sup>2</sup>, as well as a child care/play facility restricted for use by gymnasium members whilst exercising in the gymnasium may be included.</li> <li>b) All development on site shall be in accordance with an approved site development plan.</li> <li>c) The provisions regarding the use of land for more than one purpose apply.</li> </ul>
Habitable room	Means a room designed or used for human habitation in accordance with the National Building Regulations and Building Standards Act 103 of 1977 but excludes a kitchen, scullery, bathroom, toilet, storeroom or other spaces defined for a particular purpose on the building plan.	
Height	Means the vertical dimension of a building expressed in the number of storeys above natural ground level, including ground floor, or measured in metres from the natural ground level up to the highest point of the building.	Subject to provisions stipulated in chapter 3 of this land use scheme.
Heritage resource	Means any land, place or object of cultural significance as defined by the National Heritage Resources Act 25 of 1999 (NHRA).	
Heritage resource authority	Means the South African Heritage Resources Agency, established in terms of section 11, or, insofar as the National Heritage Resources Act 25 of 1999 is applicable in or in respect of a province, a provincial heritage resources authority.	
Heritage site	Means a place declared to be a national heritage site by the South African Heritage Resources Agency (SAHRA) or a place declared to be a provincial heritage site by a provincial heritage resources authority, or a place declared to be a local/municipal heritage site by the municipality.	

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
High impact use	Means, in accordance with the By-law and in relation to a traditional authority area, a land use that could negatively impact on the health and welfare of the community	Category 1 application in terms of the By-law
Holiday resort	Means land that, due to its natural or human made attractions, is used for purposes normally or otherwise reasonably associated with recreation, entertainment, leisure, holiday, sport and amusement activities.	<p>a) The following uses may be permitted in accordance with an approved site development plan:</p> <ul style="list-style-type: none"> <li>(i) holiday accommodation for temporary visitors such as chalets, lodges, hotels, boutique hotels, camping grounds and caravan parks;</li> <li>(ii) swimming pools, water slides, braai facilities, picnic sites, children's activity centre;</li> <li>(iii) wedding chapel, conference facilities;</li> <li>(iv) restaurant, shops, curio shop, place of refreshment;</li> <li>(v) place of amusement;</li> <li>(vi) place of instruction;</li> <li>(vii) management and security facilities (accommodation, offices) and a caretaker's dwelling unit; and</li> <li>(viii) other uses reasonably required for and associated with a holiday resort.</li> </ul> <p>b) Refer to the further guidelines in chapter 6 of this scheme.</p> <p>c) The provisions regarding the use of land for more than one purpose apply.</p> <p>d) The application should address the adequate provision of engineering services and a services agreement is required.</p>
Homestead	Means land, buildings and structures used for the accommodation of an extended traditional family, who has been allocated the land by means of customary law.	

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
Home enterprise	Means the use of a dwelling house by the owner for conducting a small service business with the aim of deriving income.	<ul style="list-style-type: none"> <li>a) Only permissible with the consent of the municipality on erven zoned Single Residential 1, Agricultural and Smallholding.</li> <li>b) This includes the provision of services to the local community such as professional occupations, hairdressers, beauty salons, tailors and place of instruction, but excludes a shop, vehicle workshop, panel beating, spray painting, noxious industry, place of refreshment, restaurant, funeral parlour, guesthouse or place of amusement, sale of alcohol or scrapyard.</li> <li>c) This excludes activities that are likely to generate a public nuisance, by means of a congregating of visitors, clients or customers, the creation of noise, vibration, smoke, odour, dust, fumes, generate waste material or cause defacement in the neighbourhood.</li> <li>d) The consent for a home enterprise shall relate to the occupation or profession of the owner and shall not be transferable.</li> <li>e) A maximum of 3 people may be employed by the enterprise, of which one is the owner.</li> <li>f) The home enterprise shall not exceed 50 m<sup>2</sup> or 25% of the total floor area of the residence (whichever is the smallest).</li> <li>g) Retail trade in goods directly related to or produced by the home enterprise is permitted as a subsidiary use.</li> <li>h) The continued use of the property for residential purposes and continued occupation by the owner is essential.</li> <li>i) The residential appearance of the dwelling house shall be retained and the immediate residential environment shall not be detrimentally affected.</li> </ul>

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
		<p>j) All parking shall be provided on site and no street parking will be permissible.</p> <p>k) No additional access to the property shall be permitted.</p> <p>l) The use shall not:</p> <ul style="list-style-type: none"> <li>(i) cause a public nuisance;</li> <li>(ii) involve the public display of goods whether in a window or otherwise;</li> <li>(iii) involve the display of any notice or sign, except such notice or advertisement complying with the requirements of the Mangaung Outdoor Advertising By-law.</li> <li>(iv) the use of a vehicle that exceeds 3,500 kg gross weight.</li> </ul> <p>m) All development on the site shall be in accordance with an approved site development plan.</p>
Hospital (private)	Means land used for the diagnosis and treatment of human illness and providing health care services (such as preventative or convalescent care, emergency/casualty treatment, diagnosis, medical or surgical treatment, care for people with development disabilities, psychiatric care or counselling and services provided by health care professionals).	<p>a) This may include:</p> <ul style="list-style-type: none"> <li>(i) a dispensing pharmacy;</li> <li>(ii) integrated facilities such as operating theatres and live-in accommodation for patients or for their visitors;</li> <li>(iii) ancillary facilities for the accommodation of doctors, nurses or other health care workers, as well as medical offices and a helicopter landing platform;</li> <li>(iv) public transport facilities;</li> <li>(v) ancillary shops/restaurants or place of refreshment,</li> <li>(vi) facilities used for educational and research purposes; and</li> <li>(vii) a clinic, primary health care facility and medical suites.</li> </ul>

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
		<ul style="list-style-type: none"> <li>b) May be developed under Institutional use zone.</li> <li>c) All development on site shall be in accordance with an approved site development plan.</li> <li>d) The provisions of the scheme relating to the use of land for more than one purpose apply.</li> </ul>
Hospital (public)	Means a public health care facility developed and managed by the state. Land used for the diagnosis and treatment of human illness and providing health care services (such as preventative or convalescent care, emergency/ casualty treatment, diagnosis, medical or surgical treatment, care for people with development disabilities, psychiatric care or counselling and services provided by health care professionals).	<ul style="list-style-type: none"> <li>a) This may include: <ul style="list-style-type: none"> <li>(i) a dispensing pharmacy;</li> <li>(ii) integrated facilities such as operating theatres and live-in accommodation for patients or for their visitors;</li> <li>(iii) ancillary facilities for the accommodation of doctors, nurses or other health care workers, as well as medical offices and a helicopter landing platform;</li> <li>(iv) public transport facilities;</li> <li>(v) ancillary shops/restaurants or place of refreshment,</li> <li>(vi) facilities used for educational and research purposes; and</li> <li>(vii) a clinic, primary health care facility and medical suites.</li> </ul> </li> <li>b) May be developed under Institutional use zone.</li> <li>c) All development on site shall be in accordance with an approved site development plan.</li> <li>d) The provisions of the scheme relating to the use of land for more than one purpose apply.</li> </ul>
Hospitality establishment	Means a farmland or smallholding used for hospitality, entertainment, recreation and gathering purposes by the owner or permanent resident.	<ul style="list-style-type: none"> <li>a) The use may only be permitted with the consent of the municipality in accordance with an approved site development plan.</li> <li>b) This may include uses such as a guesthouse, lodge, boutique hotel, children's party venue, conference facility, wedding venue, restaurant, place of</li> </ul>



WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
		<p>refreshment, place of amusement, chapel, social hall, ancillary offices, a place of instruction, shop or farm stall (not exceeding 250 m<sup>2</sup>) and other uses which the municipality may consider as ancillary uses.</p> <p>c) The following accommodation is permitted for the owner and workers:</p> <p>(i) A maximum of two dwelling houses. The houses may be sectionalised.</p> <p>(ii) A maximum of four bona fide workers' dwelling units. The written consent of the municipality is required for more than four workers' dwelling units. These dwelling units may not be sectionalised.</p> <p>d) The application should address the adequate provision of engineering services and a services agreement is required.</p> <p>e) The municipality reserves the right to call for any necessary additional information required during evaluation of an application, including inter-alia, a geotechnical investigation report, flood line investigations/certification, traffic studies, and services reports. This should be determined prior to the submission of an application.</p> <p>f) All parking, loading and off-loading must be accommodated on site and access shall be to the satisfaction of the municipality.</p>
Hotel	Means a temporary residence for an unlimited number of transient guests, where lodging and meals are provided.	<p>a) This may include:</p> <p>(i) A restaurant or restaurants;</p> <p>(ii) Associated meeting rooms, conference and entertainment facilities, a chapel, recreational and service facilities that are subservient and</p>

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
		<p>ancillary to the dominant use of the property as a hotel;</p> <p>(iii) The premises may be licensed for the purposes of on-site alcohol consumption.</p> <p>(iv) All development on the site shall be in accordance with an approved site development plan.</p> <p>(v) Business uses or shops are permitted in the main building of the hotel, provided that these may not be visible from the outside. These uses are only permitted with the consent of the municipality in terms of an approved site development plan.</p> <p>b) The provisions relating to the use of land for more than one purpose apply.</p>
Household	A household is limited to a nuclear family (two parents and their children) plus a maximum of four additional persons (extended family members or unrelated persons). Occupation is limited to one household per dwelling house or dwelling unit.	
Improvement line	Means a line which indicates any proposed alteration in the width or alignment of any existing street reserve or road reserve.	Land use planning must take improvement lines into consideration and should not encroach onto land reserved for road improvements.
Inclusionary housing	Means a housing programme that requires private developers to dedicate a certain percentage of new housing developments to low income and middle income households, or to households that may not otherwise be able to afford to live in those developments. The programme is enforced through conditions attached to land use rights approvals.	Refer to chapter 4 section 19
Industrial purposes	Means land and/or a building used as a factory or workshop, and with a predominant manufacturing, processing and/or assembling function, including the	All development on the site shall be in accordance with an approved site development plan.

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
	repair and maintenance of items, as well as for the storage of materials, but excluding industries and trades listed as noxious industrial use.	
Informal trade/street trade	Defined in terms of the Street Trading By-law.	Street trading may be considered inside a road reserve if the verge of the road is wide enough to accommodate the trade area outside the clear zone, the buffer zone and the area required for non-motorised transport activities, as quantified in TMH16: South African Traffic Impact and Site Traffic Assessment Manual.
Initiation school	Means a registered cultural institution or a place where cultural initiation into manhood/womanhood (that may also involve circumcision), including teachings of cultural practices and behaviours are carried out in terms of the Free State Initiation Schools Health Act 1 of 2004 as amended.	The use may only be permitted with the consent of the municipality in accordance with an approved site development plan.
Institution	Means land used for public or private charitable, welfare or counselling purposes, a nursing home, hospital, clinic, sanatorium and animal institution, as well as ancillary uses such as administrative, health care, hospitalisation and support services.	a) All development on the site shall be in accordance with an approved site development plan. b) Outbuildings and a caretaker's unit are also permitted.
Interested and affected person/party	Defined in terms of the By-law.	
Internal road	Means a road located within the boundaries of any property or site, providing access to individual properties or on-site destinations not having access to a "public street" or "public road";	
Kitchen	Means a room or part of a room equipped for preparing and/or cooking meals and wash-up area.	
Land	Defined in terms of the By-law.	
Land development application	Defined in terms of the By-law.	
Landscaping	Means the placement of plants, contoured features, water features, paving, street furniture and other soft and hard elements, for the purposes of enhancing aesthetic	

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
	appeal, environmental management, storm water management, amenity and value of property, subject to geotechnical conditions.	
Leisure residential estate	Means dwelling houses or dwelling units developed in rural settings of environmental significance, or with vistas on or with access to settings of environmental significance, with access to leisure, recreational and sports facilities and features such as golf-courses, hiking trails, water and rivers.	<ul style="list-style-type: none"> <li>a) A township application is required for this development.</li> <li>b) The application must address the adequate provision of engineering services and a services agreement with the municipality is required.</li> <li>c) Refer to chapter 6 of this scheme for additional guidelines.</li> </ul>
Lifestyle estate	<p>Means a security estate designed around a central theme with a variety of housing typologies and densities, which may include:</p> <ul style="list-style-type: none"> <li>a) Sectional title high density dwelling units;</li> <li>b) Medium density full title or sectional title dwelling units; and</li> <li>c) Full title dwelling houses.</li> </ul> <p>The estate offers residential units in a cradle to grave approach and may include a retirement village.</p>	<ul style="list-style-type: none"> <li>a) A township application is required for this development.</li> <li>b) Subsidiary uses such as pre-schools and schools are permitted.</li> <li>c) A frail care centre is permitted as part of the retirement village.</li> <li>d) Domestic worker's dwelling units are permitted attached to dwelling houses or in a designated area of the estate and are limited to one per dwelling unit/dwelling house.</li> <li>e) The sectional title units should comply with the provisions of the: <ul style="list-style-type: none"> <li>(i) Sectional Titles Act 95 of 1986;</li> <li>(ii) Sectional Titles Management Act 18 of 2011; and</li> <li>(iii) Community Schemes Ombud Service Act 9 of 2011.</li> </ul> </li> <li>f) The streets, lanes and communal open spaces must be transferred to a company established in terms of section 21 of the Companies Act 71 of 2008 acting on behalf of the owners. These streets and open spaces are the responsibility of the Section 21 Company for maintenance purposes.</li> </ul>

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
		g) A guard house may be constructed on the communal property.
Light industry	Means land used as light industries and includes, inter alia, uses or activities specified in Schedule 3 to the Scheme, as may be amended by the municipality from time to time, and in which; a) no solid fuel is used in connection with any industrial process; b) the only power driven machines used are those driven by electricity, with no single motor being rated at more than 7.0 (seven) kilowatts.	a) A shop for direct sales to the public not exceeding 250 m <sup>2</sup> is permissible with the written consent of the municipality. b) Panel beating and spray painting may only be allowed with the consent of the municipality, subject to the following condition: (i) A certificate is issued by the relevant Health authority. c) All development on the site shall be in accordance with an approved site development plan.
Limited overnight accommodation	Means a dwelling house that is permanently inhabited by an owner or manager with a maximum of 3 bedrooms or suites, which may be let out on a temporary basis to transient guests, and where substantial meals are served to the residing guests only.	a) This includes concepts such as bed and breakfast establishments or "airbnb" and self-catering establishments, but excludes activities defined in the scheme as a place of refreshment, boarding house, communal residential building, guesthouse, commune and place of amusement. b) This is a primary right on erven zoned Single Residential 1, Agriculture and Smallholding, subject to the provision of adequate on-site parking for residents and guests. c) The use shall not interfere with the amenity of the surrounding properties by virtue of noise, appearance, smell or any other activities whatsoever or cause a public nuisance.
Line of no access	Means a line along any street, erf or site boundary or portion thereof prohibiting any vehicular access.	
Livestock yard	Means land used for the keeping and retail or wholesale trade in livestock including, but not limited to horses, mules, goats, pigs, poultry, ostriches and other animals	

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
	or birds for human consumption or of a domestic nature, but excludes activities included in the definition of abattoir and noxious industry.	
Loading area	Means an area which is clearly demarcated for loading and offloading and includes loading bays, waiting bays and vehicle movement and manoeuvring space.	<ul style="list-style-type: none"> <li>d) This area must be clearly indicated on a site development plan and/or building plans.</li> <li>e) Loading areas must comply with the requirements of national report U12/7/4/23 (Guidelines for off-street loading facilities) and the mandatory standards in TMH16: South African Traffic Impact and Site Traffic Assessment Manual.</li> </ul>
Lodge	Means the use of land for accommodation for transient guests with a maximum of 20 overnight rooms (including self-catering rooms or chalets).	<ul style="list-style-type: none"> <li>a) This may include meeting facilities, a chapel, dining room, sit-down restaurant, entertainment- and recreational area, bar and reception area (accessible to guests only), but excludes a hotel, boutique hotel, guesthouse and holiday resort.</li> <li>b) Long term or permanent occupation of rooms or chalets is prohibited and chalets may not be sectionalized.</li> <li>c) All development on site shall be in accordance with a site development plan.</li> <li>d) The application should address the adequate provision of engineering services and a services agreement is required on land that does not form part of a township.</li> </ul>
Maisonette	Means a separate or linked building consisting of individual dwelling units on ground floor and first floor level (one on top of the other), of which the top dwelling unit is served by an external staircase (definition adopted from earlier schemes).	<ul style="list-style-type: none"> <li>a) In the case of a linked building a maximum of two first floor level dwelling units may be served by a common external staircase.</li> <li>b) All development on site shall be in accordance with an approved site development plan.</li> </ul>

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
Manual brick making	Means the mixing of soil, water and other materials to create a thick mud that is poured into a mould and left in the sun to dry.	<ul style="list-style-type: none"> <li>a) This use is permitted on a residential erf solely for the purpose of making bricks for construction of buildings on that erf.</li> <li>b) As a business brick making is permitted as a Light Industry in Schedule C.</li> </ul>
Map	Means the map indicating the zoning of the municipal area in terms of land use zones prescribed by the scheme.	
Medical suite (includes medical consulting room)	Means land used for offices and ancillary rooms for a registered medical practitioner for human medical or medical related consultation, where such office is not necessarily attached to a hospital or clinic, but excluding overnight facilities.	<ul style="list-style-type: none"> <li>a) The uses should be compatible with business and office uses.</li> <li>b) The following uses may be permitted with the consent of the municipality: <ul style="list-style-type: none"> <li>(i) A place of instruction;</li> <li>(ii) A dispensing chemist; and</li> <li>(iii) A clinic.</li> </ul> </li> <li>c) No institutional or residential buildings shall be permitted.</li> <li>d) All development on the site shall be in accordance with an approved site development plan.</li> </ul>
Medical use	Means land used for the provision of medical services to humans or animals by medical-, quasi-medical-, or para-medical practices, as well as medical orthotic and prosthetic manufacturing and sale of orthopaedic appliances and any medical equipment or aid for human or animal usage on prescription by a medical practitioner or veterinarian, excluding a commercial chemist but including a dispensary of medicine by a medical doctor and/or chemist as part of the practice on the premises.	All development on site shall be in accordance with an approved site development plan.
Mezzanine floor	Means any additional floor area or storey between one floor level and the next floor level, ceiling or roof above it.	Provided that if the space below or above it exceeds 2.1 metres in height, then the additional floor area shall be regarded as a storey.

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
Mining purposes	<p>Means land used for:</p> <p>a) Any excavation in the earth or any tailings, whether being worked or not, made for the purpose of searching for or winning a mineral; or</p> <p>b) The exploitation of a mineral deposit, including the mining area and all buildings, structures, machinery, mine dumps, access roads or objects situated on such area and which are used or intended to be used in connection with such searching, winning or exploitation or for the processing of such mineral.</p> <p>These uses must be authorized in terms of section 5 of the Mineral and Petroleum Resources Development Act 28 of 2002 (MPRDA).</p> <p>This includes agriculture as a primary right, as well as ancillary uses such as residential areas, community facilities, local business and uses required for the operation of the mine.</p>	<p>a) Mining includes prospecting rights, mining rights, mining permits, retention permits, exploration rights, production rights, reconnaissance permits or technical co-operation permits in terms of the MPRDA.</p> <p>b) The mining land use zoning is a temporary right applied by means of a split zoning.</p> <p>c) The mining land use zoning shall lapse upon the issuing of a closure certificate in terms of section 44 of the MPRDA and the zoning shall revert to Agriculture.</p> <p>d) Nothing in this provision should be considered as preventing the formalisation of land use rights prior to the issuing of a closure certificate under the MPRDA.</p> <p>e) Land uses considered to be viable beyond the life of mine should be formalised.</p> <p>f) The applicant must satisfy the municipality as part of the land use development application that the land concerned has been properly rehabilitated to allow for the intended use, after a closure certificate has been issued.</p>
Mobile dwelling unit	Means a prefabricated dwelling unit designed for temporary accommodation, which is moveable, either by being towed by a motor vehicle, or propelled by its own motor and includes a caravan and park home.	Limited to one kitchen and one household per mobile dwelling unit.
Mobile dwelling unit stand	Means an erf or part of an erf reserved for the siting of a mobile dwelling unit, with at least the dimensions to fit the mobile dwelling unit thereon and hardened with a suitable material to carry the expected maximum load at all times.	
Modal transfer point	Means an area designated by the municipality from time to time, where one mode of public transport is exchanged for another.	a) Provided in areas where the majority of residents make use of public transport or where the use of private motor vehicles is very limited.



WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
		<ul style="list-style-type: none"> <li>b) Provision shall be made for adequate shelter, security and ablution facilities for commuters.</li> <li>c) Shops and street traders are permitted.</li> <li>d) All development on site shall be in accordance with an approved site development plan.</li> </ul>
Motor garage	Means a building ordinarily used in conjunction with a dwelling unit for the safe parking and storing of a residents' motor vehicle.	
Multi-purpose community centre	Means land used for a one stop community service centre for purposes normally or otherwise reasonably associated with public services and activities serving the local community, concentrated at a public transport connectivity point.	<ul style="list-style-type: none"> <li>a) This may include, but is not limited to, the following uses: <ul style="list-style-type: none"> <li>(i) Station, bus and taxi rank;</li> <li>(ii) Area for street trading;</li> <li>(iii) Place of instruction;</li> <li>(iv) Social hall,</li> <li>(v) Place of public worship,</li> <li>(vi) Institution,</li> <li>(vii) Municipal clinic or provincial hospital;</li> <li>(viii) Government purposes such as a home affairs office, police office, municipal satellite office, library, magistrates court, post office;</li> <li>(ix) Any other reasonably related used permitted with the consent of the municipality, but excluding a place of amusement.</li> </ul> </li> <li>b) Provided that all development on site shall be in accordance with an approved site development plan.</li> <li>c) The provisions relating to the use of land for more than one purpose apply.</li> </ul>
Municipal road classification	Means the classification by the municipality of major roads and streets for purposes of forward planning in terms of its Integrated Transport Plan (ITP).	

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
Municipal purposes	Means land used for purposes specifically associated with local government powers and functions.	All development on the site shall be in accordance with an approved site development plan, subject to the provisions of the Building Act.
National monument	Means a building, structure, site or landmark of historical, architectural, traditional, artistic, or archaeological interest, which is protected by the War Graves and National Monuments Amendment Act 11 of 1986 and also protected in terms of other legislation such as NHRA against demolition, destruction, alteration or being resisted, and includes groups of buildings or structures located within a declared conservation area.	
Natural ground level	Means the level of the land surface in its unmodified state as established from a contour plan.	This level shall be designated as such on a site development plan and building plans.
Nature conservation area	Means land and/or buildings designated in terms of applicable legislation to protect and conserve natural environment and ecosystem processes for their ecological, bio-diversity, habitat, landscape, scientific, historic or cultural importance.	
Nature reserve	Means a national park or environmental conservation area that has been declared as a nature reserve in terms of legislation, whether in public or private ownership, for the purpose of conserving and managing wild life, flora and fauna in their natural habitat; it includes conservation use.	
Noise contour	Means a noise index line that joins together points which experience the same noise disturbance level.	
Non-agricultural use on agricultural land	Means the use of land for resource based purposes not usually associated with agriculture and/or farming practices, for which approval is required from the relevant authority concerned with agriculture.	a) This includes uses such as mining, quarrying, sand washing and other resourced based activities. b) All development on the site shall be in accordance with an approved site development plan.

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
		<p>c) The application should address the adequate provision of engineering services and a services agreement is required.</p> <p>d) The municipality reserves the right to call for any necessary additional information required during evaluation of an application, including inter-alia, a geotechnical investigation report, flood line investigations/certification, traffic studies, environmental studies and services reports. This should be determined prior to the submission of an application.</p>
Noxious industry	Means the use of land as an industry, business or trade that, by virtue of noise, smells, effluents or other form of pollution, is dangerous or harmful to the health and welfare of the general public, and includes, inter alia, uses or activities specified in Schedule 4 to the scheme, as may be amended by municipality from time to time.	All development on site shall be in accordance with an approved site development plan.
Nursery	Means land used for the purpose of growing and selling plants, trees and seeds and sale of garden accessories, including a place of refreshment or a restaurant.	<p>a) All development on site shall be in accordance with an approved site development plan.</p> <p>b) All parking, loading and off-loading must be accommodated on site and access shall be to the satisfaction of the municipality.</p>
Occupant	Means in respect of any land, property, site, building, structure or construction - any person who is legally entitled to occupy such land, property, site, building, structure or construction, or any person who legally exercises control over it or having the authority to manage it, including the agent of any such person.	
Office	Means a land use associated with the execution of administrative, clerical and/or professional functions as primary activity, but excluding a clinic and hospital.	<p>a) Medical consulting rooms will only be permitted as a consent use.</p> <p>b) The primary activity may include, (but not exceeding 10 m<sup>2</sup>), an associated retail sales area for the sale of</p>

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
		<p>goods associated with the nature of the primary activity, a dispensary of medicine by a medical doctor and/or chemist.</p> <p>c) Provided that no manufacturing, repairing or distribution of any material of goods be permitted on or from the premises.</p> <p>d) All development on the site shall be in accordance with an approved site development plan.</p>
Office park	A land use consisting of offices with ancillary uses and open space designed, planned, constructed and managed on an integrated and co-ordinated basis.	<p>a) The office park may include a place of refreshment, restaurant and place of instruction.</p> <p>b) The provisions relating to the use of land for more than one purpose apply.</p> <p>c) All development on the site shall be in accordance with an approved site development plan.</p>
Open space system	Means open spaces that are linked in terms of the spatial development framework.	
Overlay zone	In addition to the definition in the By-law means a demarcated area that is earmarked for the purpose of conserving natural resources or promoting certain types of development and that is subject to conditions, requirements or restrictions set out in the land use scheme and spatial development framework.	
Owner	Defined in terms of the By-law.	
Packing plant	Means land used for the packing of goods produced elsewhere and intended for the wholesale or retail market.	All development on site shall be in accordance with an approved site development plan.
Panel beater	Means land used for the replacement, reparation, panel beating and spray painting of vehicles.	<p>a) The storage and sale of spare parts and ancillary offices are permitted.</p> <p>b) All development on the site shall be in accordance with an approved site development plan.</p>
Panhandle erf	Means an erf that is configured with a narrow panhandle portion that provides access to the developable area of	a) The minimum width of a panhandle providing access to a panhandle subdivision shall be:

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
	the erf. The developable area of the panhandle erf is located behind other erven.	<ul style="list-style-type: none"> <li>(i) 3,5 metre for all single residential erven;</li> <li>(ii) 10 metre for all "Smallholdings";</li> <li>(iii) 8,5 metres for all other use zones.</li> </ul> b) Subject to provisions stipulated in chapter 3 of this scheme.
Parking area	Means land where provision is made for more than one parking space and for such manoeuvring and movement space as may be required to secure orderly traffic flow within such area as well as efficient connection with the flow of traffic in the adjoining street system.	<ul style="list-style-type: none"> <li>a) The parking bays, together with room for entrance and manoeuvring must, in the opinion of the municipality, be functional and accessible and must be maintained to the satisfaction of the municipality.</li> <li>b) The said parking together with the necessary manoeuvring area are to comply with the provisions of chapter 3 section 16.</li> <li>c) Access control (access control policy and access control measures) and parking levies (if any) must be to the satisfaction of the municipality.</li> <li>d) No parking is allowed in a public open space other than in the designated parking area under the control of the municipality.</li> </ul>
Parking garage	Means a building or structure that is used exclusively for the parking of motor vehicles not intended for sale or trade.	<ul style="list-style-type: none"> <li>e) All development on the site shall be in accordance with an approved site development plan.</li> <li>f) Access control (access control policy and access control measures) and parking levies (if any) must be to the satisfaction of the municipality.</li> </ul>
Parking space or bay	Means a demarcated area used exclusively as a single parking space, depending on the dimensional requirements for a standard motor vehicle (as stipulated for the South African design vehicle in Report PG 3/85, Parking Standards, Second Edition, or as amended by the national Department of Transport), modified motor vehicle for the disabled (As stipulated in SANS 10400-S:2011, or as amended), or larger vehicles such as taxi's, trucks or buses, not intended for trade or sale.	<ul style="list-style-type: none"> <li>a) Refer to chapter 3 for further guidelines.</li> <li>b) A parking bay shall be individually accessible and exclude any ramps or intrusion of structural columns or other encroachments.</li> <li>c) A standard parking bay may not exceed the following gradients:               <ul style="list-style-type: none"> <li>(i) Longitudinal direction: 3%</li> <li>(ii) Crossfall: 5%</li> </ul> </li> </ul>

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
		<p>d) A parking bay for a person with disabilities may not exceed a gradient of 2% in any direction.</p> <p>e) Parking bays for persons with disabilities must be accompanied by the necessary ramps and walkways, compliant with SANS 10400-S.</p> <p>f) (d) Parking bay and parking area dimensions, as well as all related infrastructure and traffic control measures must comply with both the municipal parking standards, as amended from time to time, as well as the mandatory national minimum standards stipulated in TMH16: South African Traffic Impact and Site Traffic Assessment Manual.</p>
Place of amusement	Means land used for limited pay-out machines, video games arcade, theatre, cinema, music hall, concert hall, sports stadium, skating rink, dance hall, billiards saloon, casino, bingo halls, race courses, buildings for the purposes of exhibitions of trade or industry, other recreational purposes, amusement park, discos, night clubs, sports bars, pubs and places of live music entertainment, establishments where adult entertainment is provided, escort agencies and such uses as are ancillary, directly related to and subservient to the main use. It includes any other purpose which may, in the opinion of the municipality, be included hereunder.	<p>a) A gymnasium may be permitted with the consent of the municipality.</p> <p>b) All development on the site shall be in accordance with an approved site development plan.</p>
Place of assembly	Means land and/or a building used for public gatherings with a civic function, which attracts large numbers of the public and which is not predominantly a commercial enterprise; including a civic hall, community and social hall, indoor sports centre and club house, but does not include a place of amusement or conference facility.	All development on site shall be in accordance with an approved site development plan.

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
Place of instruction	Means the use of land for formal educational purposes, and includes any primary, secondary or tertiary training institution, academy, adult instruction, art gallery, college, convent, crèche, driving school, initiation school, lecture rooms, lecture rooms, monastery, museum, public library, research institute, technical institutes and vocational training centre.	<ul style="list-style-type: none"> <li>a) The following uses may be included with the consent of the municipality: <ul style="list-style-type: none"> <li>(i) A place of refreshment;</li> <li>(ii) Gymnasium;</li> <li>(iii) Residential buildings, staff accommodation units; and</li> <li>(iv) All uses which in the opinion of the municipality are ancillary or subservient to the main use.</li> </ul> </li> <li>b) All development on the site shall be in accordance with an approved site development plan.</li> <li>c) The provisions relating to the use of land for more than one purpose apply.</li> <li>d) Standards from the Department of Education have to be adhered to in the provision of educational facilities.</li> </ul>
Place of refreshment	Means land used for the preparation, sale and consumption of refreshments on the property such as a coffee shop, tea room and tea garden. It includes the retail sale of meals and refreshments, fresh produce, mineral waters, tobacco, reading material and sweets.	<ul style="list-style-type: none"> <li>a) The place of refreshment is permitted as an ancillary use to a primary use such as a nursery, hospital, institution, gymnasium, sport club, resort or similar use and will only be permitted with the consent of the municipality.</li> <li>b) Open or unroofed areas or balconies used for dining purposes must be included in FAR, GLA and parking calculations.</li> <li>c) All development on the site shall be in accordance with an approved site development plan.</li> </ul>
Place of worship	Means land used for religious purposes such as a church, chapel, oratory, house of worship, synagogue, mosque or other place of public devotion and may include a commemorative wall.	<ul style="list-style-type: none"> <li>a) The use includes: <ul style="list-style-type: none"> <li>(i) A building designed and used for a place of instruction,</li> <li>(ii) An institution related to the religious purposes,</li> <li>(iii) A wall of remembrance, and</li> <li>(iv) Other buildings used for social gatherings and recreation on the property (hall).</li> <li>(v) One dwelling house or caretaker's dwelling unit.</li> </ul> </li> </ul>

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
		<ul style="list-style-type: none"> <li>b) All development on the site shall be in accordance with an approved site development plan.</li> <li>c) All applications shall be accompanied by a Traffic Impact Study/Statement to address peak hour operations and sufficient parking.</li> <li>d) This use shall not be permitted within residential complexes.</li> <li>e) The use shall not cause any public nuisance by way of noise, parking overspill or any other means whatsoever.</li> </ul>
Playgroup	Defined in terms of the Mangaung Municipality Child Care Facilities By-law.	This use is permitted with the consent of the municipality in accordance with an approved site development plan.
Primary right	Means in relation to buildings or land means any use(s) specified in the scheme as a primary use, being a use that is permitted without the need to obtain consent or permission from the municipality.	
Private club	Means land used for the private gathering of a group of persons with a common objective.	<ul style="list-style-type: none"> <li>a) A place of refreshment may be included with the consent of the municipality.</li> <li>b) All development on the site shall be in accordance with an approved site development plan.</li> </ul>
Private open space	Defined in terms of the By-law.	All development on the site shall be in accordance with an approved site development plan.
Private road or street	Means a private right of way and includes the whole or part of any street, road, bridge, subway, tunnel, avenue, lane, alley, arcade, servitude of right-of-way or passage, shown on a general plan of a township, agricultural holdings or other division of land.	<ul style="list-style-type: none"> <li>a) A private road or street should not be reflected on a township layout or General Plan with a "Street" zoning. It should either be defined by a private (specific) right of way servitude, on a separate erf, or as internal road on a property.</li> <li>b) Roads situated in security complexes are regarded as private roads and are the responsibility of a Section 21 Company for maintenance purposes.</li> </ul>
Priority Public Transport Network (PPTN)	Means the main roads identified for public transport in the municipality's spatial development framework (SDF).	



WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
Professions and occupations (Home occupation in 2012 scheme), primary right	Means a paid occupation that involves training and a formal qualification regulated by a professional body or institution.	<ul style="list-style-type: none"> <li>a) Subject to conditions set out under “Protection for professions and occupations” in this land use scheme in chapter 6 section 27.</li> <li>b) The practice shall not involve any of the following: <ul style="list-style-type: none"> <li>(i) The use of the house as a service industry, light industry or noxious activity;</li> <li>(ii) The public display of goods whether in a window or otherwise;</li> <li>(iii) Display of any notice or sign, except such notice or sign as is commonly displayed at a dwelling house to indicate the profession or occupation of the occupant; provided that it shall not exceed 450 mm x 900 mm in size, unless mounted on a permanent structure constructed of clay bricks and/or plastered to the satisfaction of the municipality;</li> <li>(iv) Logos or sign boards illuminated by neon lights;</li> <li>(v) Interference with the amenities of the neighbourhood or causing of a public nuisance;</li> <li>(vi) The employment of more than 2 employees;</li> <li>(vii) The use of more than 20% of the floor area of the buildings (including outbuildings) for the purpose of an occupation or profession, subject to the condition that such portion or portions shall be determined by including therein all areas used in conjunction therewith, such as offices, work areas, storerooms, public toilets, corridors and reception area;</li> <li>(viii) The storage, display or repairing of any goods of whatever nature, outside a building.</li> </ul> </li> <li>c) All parking associated with the profession or occupation and its employees shall be provided on site to the satisfaction of the municipality.</li> </ul>

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
Property	Defined in terms of the By-law.	
Property owner	Means the rightful owner of a property as registered in the Deeds Registry.	
Property scheme and property owners' association	Defined in terms of the: a) Sectional Titles Act 95 of 1986; b) Sectional Titles Management Act 18 of 2011; and c) Community Schemes Ombud Service Act 9 of 2011.	
Protected areas	This includes, but is not limited to: a) Proclaimed nature reserves, including wilderness areas and protected environments, as declared in terms of the National Environmental Management: Protected Areas Act 57 of 2003; b) Proclaimed environmental conservation areas that have been declared in terms of applicable legislation, whether in public or private ownership, for the purpose of conserving and managing wild life, fauna and flora in a predominantly natural habitat; c) Specially protected forest areas, forest nature reserves and forest wilderness areas declared in terms of the National Forests Act 84 of 1998; d) Mountain catchment areas declared in terms of the Mountain Catchment Areas Act 63 of 1970; e) Heritage sites declared in terms of the National Heritage Resources Act 25 of 1999 (NHRA); f) World heritage sites declared in terms of the World Heritage Convention Act 49 of 1999; and g) Provincial nature reserves, sites of ecological importance, protected environments, private nature reserves or resource use areas as indicated in the provincial conservation plan, as amended.	
Public accessibility area (PAA)	Means the area of a non-retail establishment to which the public has access.	

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
Public nuisance	Means any act, emission or condition which, in the opinion of the municipality or South African Police Service is offensive, injurious or dangerous to health, materially interferes with the ordinary comfort, convenience, peace or quiet of the public, or which adversely affects the safety of the public, having regard to: a) The reasonableness of the activities in question in the area concerned, and the impacts which result from these activities; and b) The ambient noise level of the area concerned.	
Public open space	Defined in terms of the By-law	All development on the site shall be in accordance with an approved site development plan.
Public parking area	Means land where provision is made for more than one parking space and for such manoeuvring and movement space as may be required to secure orderly traffic flow within such area as well as efficient connection with the flow of traffic in the adjoining street system. The land is owned by the municipality or other sphere of government.	a) The parking bays, together with room for entrance and manoeuvring, must be functional and accessible and must be maintained to the satisfaction of the municipality. b) The said parking together with the necessary manoeuvring area are to comply with chapter 3 section 16. c) No parking is allowed in a public open space other than in the designated parking area.
Public place	Defined in terms of the By-law	All development on the site shall be in accordance with an approved site development plan.
Public road or public street	Means any road, street, thoroughfare or "right of way" servitude in favour of the general public, declared as such by a competent authority or recognized as a public road under any law, to which the public has a right of access, and includes in addition to the roadway; a) the space between the roadway and the road reserve boundaries on either side of the roadway;	

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
	b) any other work or object on that land forming part of, is connected with, or belonging to such road, servitude or thoroughfare, and; c) any bridge, subway or drift traversed by such road, servitude or thoroughfare.	
Public service infrastructure	Defined in terms of the By-law	
Public transport area	Means a road designated by the municipality in accordance with the spatial development framework, public transport plan or parking policy.	
Public transport rank	Means an area outside a road or street reserve, reserved for the queuing of public transport vehicles and used for the collecting of commuters during peak traffic periods.	a) Provision shall be made for adequate shelter, security and ablution facilities for commuters. b) Shops and street traders are permitted. c) All development on site shall be in accordance with an approved site development plan.
Public transport terminus/intermodal facility	Means land and buildings from where scheduled public transport operations originate and defined public transport routes terminate.	a) Provision shall be made for adequate shelter, security and ablution facilities for commuters. b) Shops and street traders are permitted. c) Mechanical and servicing facilities as well as a car wash for public transport vehicles are permitted. d) All development on site shall be in accordance with an approved site development plan.
Quarrying	Means a land use where an artificial hole is made in the ground where stone, sand, clay and other materials is dug for use as building materials and other purposes.	a) This land use will have a high impact on the community and is dealt with as a category 1 application in terms of the By-law (thus has to be referred to the Municipal Planning Tribunal for a decision). b) The land use will only be permitted as a consent use in accordance with an approved site development plan. c) The applicant must satisfy the municipality as part of the consent use application that the land concerned

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
		<p>will be properly rehabilitated after the quarrying has ceased.</p> <p>d) The application should address the adequate provision of engineering services and a services agreement is required.</p> <p>e) Maintenance of access roads is the responsibility of the applicant.</p> <p>f) The application must address environmental considerations, specifically (but not limited to) dust pollution, water source, runoff, erosion prevention measures and rehabilitation to the satisfaction of the municipality.</p> <p>g) Land use approval by the municipality may not be exercised until all other statutory requisites have been obtained.</p>
Railway services	Means land and ancillary uses associated with railway services (public or private).	All development on site shall be in accordance with a site development plan.
Recreation area	Means land, water bodies and natural areas used for recreational purposes, where any building or structure is directly related to the management and function of the recreation area.	<p>A place of refreshment is permitted with the consent of the municipality.</p> <p>All development on site shall be in accordance with an approved site development plan.</p>
Renewable energy infrastructure	Means a structure, building and land used for the purpose of generating, distributing and transmission of renewable energy from biomass and non-biomass renewable sources such as hydropower, geothermal, wind, and solar.	The renewable energy infrastructure shall be in accordance with an approved site development plan.
Reserved parking bay	Means a parking bay reserved for the use by a specific person or group of persons, either by way of a lease agreement or by means of a notice indicating the parking bay as being "reserved".	
Residential hotel	Means land used for a hotel consisting of serviced apartments, in which guests stay on a medium term but	a) All development on the site shall be in accordance with an approved site development plan.

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
	not permanent basis. The hotel offers cleaning services, a dining room and room meal service.	
Restaurant (excludes retail sales)	Means land used for the preparation and consumption of food and liquid refreshments for the general public on the site and may include a children's play area. This may include a separate service counter for take away food. The on-site consumption of liquor must be legalised by means of a liquor licence issued in terms of relevant legislation.	<ul style="list-style-type: none"> <li>a) An entertainment component may be developed that is subsidiary to the main use with the consent of the municipality, provided that it shall not cause a public nuisance.</li> <li>b) Open or unroofed areas or balconies used for dining purposes must be included in FAR, GLA and parking calculations.</li> <li>c) All development on the site shall be in accordance with an approved site development plan.</li> </ul>
Retirement village	Means a public or private establishment that provides habitation and daily care for the elderly with medical and nursing services when required. This includes free standing and/or attached dwelling units that provide housing to retired persons in terms of Section 4C of the Housing Development Schemes for Retired Persons Act 65 of 1988. Facilities such as recreational-, medical, dining-, aid centre-, tuck shop, etc. which are secondary and related to the housing on the same site and which are provided exclusively to the benefit of the inhabitants is included. The definition includes an old age home.	<ul style="list-style-type: none"> <li>a) All development on the site shall be in accordance with an approved site development plan.</li> <li>b) Where an existing retirement village is converted to any other land use permitted under the same zoning category of a property, the municipality may require to be furnished with any information or documentation it considers necessary to ensure that such conversion shall be in conformity with the provisions of this scheme and that the impact of such conversion will not have an adverse effect on services infrastructure or traffic conditions.</li> </ul>
Riparian land	Means a terrain that is adjacent to rivers and streams and is subject to periodic or occasional flooding.	
Road or street reserve	Means the full width of any road or street within its boundaries, as indicated on an approved General Plan filed with the Surveyor-General's office or any other formal registration, proclamation or declaration by a competent authority.	
Roadway	Means that portion of any road or street that is improved, constructed or intended for vehicular traffic.	

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
Rooms to let	Means a habitable room detached from a main dwelling house that is offered to let.	The following conditions shall apply: a) No kitchen is permitted. b) Only four rooms to let per erf and all parking must be provided on site. c) A maximum of one household per room is permitted. d) A maximum of 8 persons may share a single toilet. e) Only permitted as a written consent. f) The total development on the site shall not exceed the permissible rights and development controls as per the land use scheme.
Rural area	Means land with a predominantly agricultural character, located outside an urban area.	This may include leisure residential estates, wildlife estates, holiday resorts and traditional settlement area.
Rural general dealer	Means land on an agricultural holding or farm portion used for the purposes of selling basic groceries (daily convenience goods) and fresh produce.	a) The use may only be permitted with the consent of the municipality. b) The sale of liquor is prohibited; c) The area used for the rural general dealer shall not exceed a total floor area of 250 m <sup>2</sup> . d) The rural general dealer site and access thereto shall be in accordance with an approved site development plan.
Sand washing	Means land used for surface mining to remove sand. The sand is screened and washed to remove silt and clay and allowed to drain. MPRDA	a) This land use will have a high impact on the community is dealt with as a category 1 application in terms of the By-law (thus has to be referred to the Municipal Planning Tribunal for a decision). b) The land use will only be permitted as a consent use in accordance with an approved site development plan. c) The applicant must satisfy the municipality as part of the consent use application that the land concerned will be properly rehabilitated after the sand washing has ceased.

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
		<ul style="list-style-type: none"> <li>d) The application should address the adequate provision of engineering services and a services agreement is required.</li> <li>e) Maintenance of access roads is the responsibility of the applicant.</li> <li>f) The application must address environmental considerations, specifically (but not limited to) dust pollution, water source, runoff, erosion prevention measures and rehabilitation to the satisfaction of the municipality.</li> <li>g) Land use approval by the municipality may not be exercised until all other statutory requisites have been obtained.</li> </ul>
Scrapyard	Means land used for the dismantling and storage of obsolete machinery, car wrecks, used parts, including an associated retail sales area, as well as the processing of such items or materials when located in an industrial area.	<ul style="list-style-type: none"> <li>a) Subsidiary offices and a caretaker's dwelling unit are permitted.</li> <li>b) Provided that the site shall be enclosed by a wall to a height of at least 2 metres, to the satisfaction of the municipality.</li> <li>c) All development on site shall be in accordance with an approved site development plan.</li> </ul>
Second dwelling house	Means an additional and separate dwelling house erected on the same erf or smallholding as an existing dwelling house, but does not include a duet house or an associated farmworker dwelling.	<ul style="list-style-type: none"> <li>a) May only be permitted in accordance with the minimum erf sizes and densities specified in chapter 3.</li> <li>b) Only one additional dwelling house per erf or smallholding shall be permitted.</li> <li>c) There must be sufficient space on the property to accommodate a second dwelling house.</li> <li>d) There must be sufficient engineering services available to accommodate a second dwelling house.</li> <li>e) The total development shall not exceed the permissible development controls in terms of this</li> </ul>



WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
		<p>scheme and all provisions relating to parking must be complied with.</p> <p>f) The dwelling house and second dwelling house shall make use of the same vehicle entrance to the property, unless the municipality has agreed to the provision of a second access.</p> <p>g) Where a second dwelling house will be located on a panhandle subdivision the minimum width of the panhandle shall be 5 metres.</p> <p>h) The design and position of the additional dwelling in relation to that of the property shall be to the satisfaction of the municipality.</p> <p>i) Where a second dwelling house has been permitted and developed on an erf, then neither the dwelling house nor the second dwelling house may be used for any purpose other than residential.</p> <p>j) A dwelling unit for a bona fide farm worker or domestic worker is not regarded as a second dwelling house.</p>
Sectional title development	Means land developed with dwelling units that are not on separate, full title erven. The housing units are individually owned and the owners have a share the common property.	<p>a) The use should comply with the provisions of the:</p> <p>(i) Sectional Titles Act 95 of 1986;</p> <p>(ii) Sectional Titles Management Act 18 of 2011;</p> <p>(iii) Community Schemes Ombud Service Act 9 of 2011.</p> <p>b) Sectional title properties are served by private streets/roads.</p> <p>c) The owner is bound by the rules of the home owner's association or similar body relating to building style, building materials or keeping of pets, animals etc. apart from what is stated in the municipal by-laws and other legislation.</p>

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
		<ul style="list-style-type: none"> <li>d) All development on site shall be in accordance with an approved site development plan.</li> <li>e) Also refer to the definition of town houses.</li> </ul>
Self-storage facility	Means land used for one or more separate storage units with a maximum size of 36 m <sup>2</sup> each, which shall be individually accessible and used primarily for the long and short term storage of household goods, caravans, trailers, boats, cars, motor cycles, office equipment and documentation.	<ul style="list-style-type: none"> <li>a) A single office may be provided for administration purposes as well as a security office from where access to and from the site is controlled.</li> <li>b) All development on site shall be in accordance with an approved site development plan.</li> <li>c) A minimum distance of 7.5m must be provided between buildings to allow for delivery facilities on the one side of the aisle, with sufficient space remaining for other vehicles to pass a parked delivery vehicle.</li> <li>d) A strip of loading bays at least 3.4m in width must be indicated on submitted building plans for each single or shared storage aisle.</li> <li>e) Acceptable turning radii (with splays where necessary) must be provided at turns in storage aisles and internal roads to ensure adequate site circulation.</li> <li>f) Adequate provision must be made on the development site for the accommodation of a heavy (articulated) delivery vehicle.</li> <li>g) All vehicles must enter and leave the site in the forward direction.</li> </ul>
Semi-detached residential building	Means two dwelling units under one roof which share a load bearing wall.	<ul style="list-style-type: none"> <li>a) The units may be subdivided, provided that a servitude is registered to protect the load bearing wall.</li> <li>b) One domestic worker's dwelling unit per semi-detached dwelling unit is allowed (thus a maximum of two).</li> <li>c) No additional dwelling units shall be permitted.</li> </ul>

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
		d) All development on site shall be in accordance with an approved site development plan.
Service industry	Means an industrial use and related retail business specified in Schedule 2 of the scheme, conducted on a small scale, incidental to the needs of the community, which will not: a) impair the amenities of surrounding properties or create a nuisance; b) be a source of disturbance to surrounding properties; c) be liable, in the event of fire, to cause excessive combustion, give rise to poisonous fumes or cause explosions.	a) The use is only permitted with the consent of the municipality in accordance with an approved site development plan. b) A shop for direct sales to the public not exceeding 250 m <sup>2</sup> is permissible with the written consent of the municipality. c) The use shall not have a detrimental effect on the surrounding area or cause any public nuisance or disturbance such as noise, odour, appearance or any undesirable activities whatsoever. d) The provisions relating to the use of land or buildings for more than one purpose applies.
Service lane	Means any road, street or thoroughfare with low traffic volumes, which is intended to provide access to properties having restricted or no access to the main street network.	
Services agreement	Means a written agreement reached between the municipality and an applicant for the provision of engineering services in accordance with section 49 of SPLUMA.	
Service station	Means the use of land and buildings for the repair, maintenance, servicing, fuelling, washing and cleaning of motor vehicles, sale of new and used vehicles, as well as the retail sale of associated products, spare parts, accessories and general merchandise (convenience shop) to the traveling public, but shall not include a building or place intended for use as a scrapyard, spray painting or panel beating.	a) All development on site shall be in accordance with an approved site development plan. b) Provided that the gross floor area of: (i) the repair, maintenance and servicing area shall not exceed 150 m <sup>2</sup> ; and (ii) the retail sales area (motor related products and general merchandise), shall not exceed 200 m <sup>2</sup> . c) All development on site shall be in accordance with an approved site development plan.

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
		d) Service stations do not qualify for access spacing relaxation which is normally intended for filling stations with a convenience shop of 100 m <sup>2</sup> or less.
Shebeen	Means a part of a dwelling house or dwelling unit constructed, designed or adapted for the sale of liquor for off-site consumption.	<ul style="list-style-type: none"> <li>a) The use may only be permitted with the consent of the municipality and a site development plan may be required at the discretion of the municipality.</li> <li>b) The sale of liquor must be legalised by means of a liquor licence issued in terms of the Liquor Act 87 of 1997.</li> <li>c) On site consumption of liquor is prohibited.</li> <li>d) Social gatherings are prohibited.</li> <li>e) Preparation and consumption of food for the shebeen are prohibited.</li> <li>f) No more than three persons, including the occupant of the house, are permitted to be involved in the operation of the business activities on the relevant property.</li> <li>g) Shebeens may only be operated from a structure approved in terms of the National Building Regulations and Building Standards and therefore no informal structures, temporary structures or containers can be permitted.</li> <li>h) The dominant use shall remain residential for the owner or occupant.</li> <li>i) All Health and Safety By-laws shall be complied with.</li> <li>j) Signage shall be to the satisfaction of the municipality in terms of the applicable By-law.</li> <li>k) The use shall not interfere with the amenity of the surrounding properties by virtue of noise, appearance, smell or any other activities whatsoever or cause a public nuisance.</li> <li>l) The following shall not be permitted in a shebeen:</li> </ul>

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
		(i) Storage or sale of any explosive or flammable goods; or (ii) Slot machines
Shop	Means a retail business used for purposes of carrying on sales, trade and the necessary accompanying storage and packaging, and includes any accompanying use on the same premises that is incidental and subordinate to the conduct of the retail trade.	a) The storage, packaging and small workshop shall not comprise more than 30% of the floor space or give rise to any disturbance or public nuisance. b) Storage, packaging and ancillary uses shall not give rise to any disturbance or nuisance. c) A shop does not include a restaurant, any residential uses, industrial uses, noxious industries, warehouses, wholesale trade, filling station or a service station. d) All development on site shall be in accordance with an approved site development plan. e) Adequate on-site loading facilities must be provided.
Showground	Means land used for the display of items and staging of events for the duration of an exhibition, and includes entertainment, the sale of displayed items, foodstuffs and refreshments during such periods of exhibition, the occasional use of the area or building as a place of assembly and/or for public religious purposes and/or sport gatherings.	All development on site shall be in accordance with an approved site development plan.
Site	Means any part or portion of a property or combination of properties, forming an enclosed, definable or integrated land entity on which a building has been, is being or is to be erected;	
Site development plan	Defined in terms of the By-law.	Subject to requirements stipulated in chapter 7 of this scheme.
Site plan	Means a plan submitted at the discretion of the municipality and that does not have to be to scale.	Subject to requirements stipulated in chapter 7 of this scheme.

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
Smallholding	Means land zoned as "Smallholding" and may be smallholdings or farm land zoned as such and primarily used for agriculture and rural residential purposes. Smallholdings are registered in the smallholdings register with the Registrar of Deeds.	<ul style="list-style-type: none"> <li>a) The following uses are permitted: <ul style="list-style-type: none"> <li>(i) A maximum of two dwelling houses is permitted. The written consent of the municipality is required for additional dwelling houses. Only these houses may be sectionalised.</li> <li>(ii) A maximum of four bona fide farm workers' dwelling units. The written consent of the municipality is required for any additional farm worker's dwelling units. These dwelling units may not be sectionalised.</li> </ul> </li> <li>b) Where a site development plan is required in terms of the scheme, only the section where the use applied for (including ingress and egress) needs to be shown.</li> <li>c) The smallholding must be excised from the register of smallholdings by means of a consent from the municipality, reservation of a new farm name and excision from the register in the Deeds Office, before township establishment can occur.</li> </ul>
Social hall	Means land used for social gatherings, meetings and recreation (without board and lodging). A place of refreshment may be included with the consent of the municipality.	All development on the site shall be in accordance with an approved site development plan.
Spaza shop	Means part of a dwelling house or dwelling unit used by the owner or occupant for small-scale retail trade incidental to the needs of the community. This includes trade commonly known as spaza shops and tuck shops, supplying essential pre-packed and/or pre-wrapped items and/or foodstuff.	<ul style="list-style-type: none"> <li>a) The use may only be permitted with the consent of the municipality and a site development plan or site plan may be required at the discretion of the municipality.</li> <li>b) The use is only permitted as a primary right on erven that previously resorted under Annexure F of section 57B of the Black Communities Development Act 4 of 1984 (repealed).</li> <li>c) The floor area is limited to 25% of the dwelling house or 50 m<sup>2</sup>, whichever is the smallest.</li> </ul>

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
		<ul style="list-style-type: none"> <li>d) The sale of meat and liquor are prohibited.</li> <li>e) The spaza shop shall be conducted from a fixed structure for which building plans have been approved (this may include a container/s).</li> <li>f) Taverns and shebeens are prohibited.</li> <li>g) Street trade and street hawking are prohibited.</li> <li>h) Not more than two additional employees, not residing permanently on the property, may be employed.</li> <li>i) Signage shall be to the satisfaction of the municipality.</li> <li>j) The use shall not interfere with the amenity of the surrounding properties by virtue of noise, appearance, smell or any other activities whatsoever or cause a public nuisance.</li> <li>k) The residential character of the building shall be retained and the immediate residential environment shall not be detrimentally affected.</li> <li>l) The use shall not: <ul style="list-style-type: none"> <li>(i) involve the public display of goods whether in a window or otherwise;</li> <li>(ii) the use of a vehicle that exceeds 3,500 kg gross weight.</li> </ul> </li> </ul>
Special building	Means a building designed or used for any use other than described in this land use scheme.	<ul style="list-style-type: none"> <li>a) A special building should be seen as the exception rather than the rule, e.g. a cellphone mast or greenhouse.</li> <li>b) Depending on the nature of the special building, the municipality may require development on site to be in accordance with an approved site development plan.</li> </ul>
Special development zone	Means a clearly defined geographical area that the municipality has delineated for focused planning and development intervention and investment.	Refer to chapter 4 for more details.

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
Sport and recreation facilities	Means land and buildings used and equipped for practicing indoor and outdoor sports and making provision to accommodate spectators in an open-air or sheltered area, including ancillary uses such as administration offices and ablution facilities.	a) This may include a golf course, athletic stadium, gymnasium, social hall and similar uses at the discretion of the municipality in accordance with an approved site development plan.
Sports academy	Means a facility with developmental objectives striving for sporting excellence in one or more sporting codes and may include sport and recreation facilities, lecture rooms and scientific facilities for the testing of fitness levels and sporting behaviour.	The following may be permitted with the consent of the municipality in accordance with an approved site development plan: a) A shop and place of refreshment. b) Dwelling units and/or a communal residential building for instructors and students. c) The provisions relating to the use of land for more than one purpose apply.
Sports club	Means land used for the purpose of providing outdoor and/or indoor facilities for the practicing of and competing in one or more sporting code with a specific sense of identity.	a) May include a subsidiary retail component and place of refreshment. b) All development on site shall be in accordance with an approved site development plan. c) The provisions relating to the use of land for more than one purpose apply.
Step-down facility	Means- a nursing facility which provides cost-effective non-acute and sub-acute care to stable patients who do not require hospitalisation but need supervision other than home care.	All development on site shall be in accordance with an approved site development plan.
Storage yard	Means land used for a yard in which materials, equipment and vehicles are stored, kept and maintained and may be covered, enclosed or screened.	All development on site shall be in accordance with an approved site development plan.
Storey	The vertical space in a building between one floor level and the following floor level or ceiling or roof above and as defined in the National Building Regulations and Build Standards Act, 103 of 1997 as amended.	



WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
Street boundary	Means the common boundary between a property and an abutting street.	
Structure	- any installation, works, device or other facility made or constructed by people and which is fixed to land, and includes any fixtures, fittings and equipment associated therewith;	
Student accommodation establishment	Defined in terms of the Student Accommodation By-law 2020	
Student housing (dwelling units)	Means land used for housing students in habitable rooms for occupation by single persons who make use of shared kitchen and bathroom facilities.	<ul style="list-style-type: none"> <li>a) The housing may include: <ul style="list-style-type: none"> <li>(i) A dwelling unit for the head of residency or accommodation manager.</li> <li>(ii) Communal study- library and computer facilities, laundry facilities, cafeteria, convenience store, automatic teller machine, gymnasium and other recreational facilities for the exclusive use by the employees and residents on the property only.</li> <li>(iii) Ancillary and subservient uses such as administrative offices and a caretaker's dwelling unit.</li> </ul> </li> <li>b) The provisions of the Student Accommodation By-law shall apply.</li> <li>c) All development on site shall be in accordance with an approved site development plan.</li> <li>d) No student dwelling units/flats may be developed on land smaller than 3 000 m<sup>2</sup>.</li> </ul>
Tavern	A dwelling house or part thereof constructed, designed or adapted for use for social gatherings and for the consumption of liquor and the preparation and consumption of food, but shall not include the sale of any of the aforesaid items for consumption off the site, provided that the dominant use shall remain residential for the occupant of the said dwelling house and subject to	<ul style="list-style-type: none"> <li>a) A hotel, guesthouse and drive through restaurant are excluded.</li> <li>b) The use may not interfere with the amenity of surrounding properties or be of nuisance value by virtue of noise, appearance, smell or activities or any other public nuisance.</li> </ul>

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
	the compliance of Health and Safety By-Laws and Free State Gambling and Liquor Act.	<ul style="list-style-type: none"> <li>c) The use may only be operated from a structure approved in terms of the National Building Regulations and Building Standards and therefore no informal, temporary structures or containers will be permitted.</li> <li>d) No tavern is permitted in flats or municipal rental units or allowed to encroach upon public open spaces or road reserves.</li> <li>e) This use may only be permitted with the consent of the municipality in terms of an approved site development plan.</li> </ul>
Telecommunication infrastructure	Means land or a portion of land accommodating any part of the infrastructure of a telecommunication network for radio/wireless communication including voice, data and video telecommunications, which may include antennae; any support structure, equipment room, radio equipment and optical communications equipment provided by cellular network operators or any other telecommunication providers and all ancillary structures needed for the operation of telecommunication infrastructure.	<ul style="list-style-type: none"> <li>a) Compliance with the Electronic Communication Act 36 of 2005 is required for all telecommunication infrastructure.</li> <li>b) The telecommunication infrastructure shall be in accordance with an approved site development plan, where applicable, and installed in accordance with the wayleave conditions imposed by the municipality.</li> </ul>
Town houses	Means land used for a sectional title development, consisting of two or more attached or detached units harmoniously designed with similar architectural character and situated within a security complex.	<ul style="list-style-type: none"> <li>a) The use should comply with the provisions of the: <ul style="list-style-type: none"> <li>(i) Sectional Titles Act 95 of 1986;</li> <li>(ii) Sectional Titles Management Act 18 of 2011; and</li> <li>(iii) Community Schemes Ombud Service Act 9 of 2011.</li> </ul> </li> <li>b) The following measures shall apply to developments that form part of a security complex: <ul style="list-style-type: none"> <li>(i) The streets, lanes and open spaces concerned must be transferred to a Section 21 Company acting on behalf of the owners.</li> </ul> </li> </ul>

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
		<p>(ii) These streets and open spaces are the responsibility of the Section 21 Company for maintenance purposes.</p> <p>c) All development on site shall be in accordance with an approved site development plan.</p> <p>d) Also refer to the definition of sectional title development.</p>
Township, township establishment	Defined in terms of the By-law.	
Traditional authority area	Land which falls within the municipal area and which is occupied by traditional community and falls under the jurisdiction of a traditional council.	
Traditional settlement area	The section of a traditional authority area that is occupied by traditional homesteads, dwelling houses and dwelling units.	This may include community facilities, as well as cropping and grazing land.
Transient guest	Means people staying overnight for a short period or on a temporary basis.	
Transportation use	Means land used for the provision of a service to the benefit of the public for the transportation of goods or passengers by rail, air, sea, road or pipeline and any related uses or uses that are directly linked to- or involved with serving the interests of the travelling public.	<p>a) Communication networks, airports, stations, harbours, transport amenities and facilities, sheds (hangars), container depots, workshops, offices, shops and recreational, business and residential uses are permitted.</p> <p>b) All development on the site shall be in accordance with an approved site development plan.</p>
Truck stop	Means land used primarily as a stop over facility for commercial vehicles.	<p>a) Facilities for the maintenance or repair of commercial vehicles, dispensing of motor fuel or other petroleum products, a restaurant, ablution facilities, overnight facilities and convenience shop for travellers are permitted.</p> <p>b) All development on the site shall be in accordance with an approved site development plan.</p>
Upgrading support area	Means land in a demarcated area where settlement took place in an informal basis, and may include mobile	a) The area must be earmarked for upgrading in terms of the National Upgrading Support Programme

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
	dwelling units. The area must be earmarked for upgrading in terms of the National Upgrading Support Programme (NUSP), specifically the Upgrading of Informal Settlement Programme (UISP).	<p>(NUSP), specifically the Upgrading of Informal Settlement Programme (UISP).</p> <ul style="list-style-type: none"> <li>b) The external boundaries of the settlement are clearly demarcated and geographically referenced.</li> <li>c) The structures are recorded on an aerial photograph and numbered.</li> <li>d) The households and individuals in the settlement are registered in a GIS database with the municipality according to the official structure number.</li> <li>e) The municipality has a settlement plan, indicating: <ul style="list-style-type: none"> <li>(i) the official structure numbers, corresponding with the GIS database;</li> <li>(ii) a basic road network that allows for storm water drainage, the access of emergency vehicles and public transport connectivity points;</li> <li>(iii) the location of proposed communal services (water and sanitation) and standpipes as an interim measure;</li> <li>(iv) electricity reticulation, if applicable;</li> <li>(v) existing community facilities, if applicable.</li> </ul> </li> <li>f) The upgrading of the area must follow normal township establishment principles to ensure liveable and sustainable development.</li> </ul>
Urban agriculture	Means the use of land to cultivate crops on relatively small areas within towns, for own consumption or sale in neighbouring markets.	<ul style="list-style-type: none"> <li>a) The use may only be permitted with the consent of the municipality and a site development plan may be required at the discretion of the municipality.</li> <li>b) The processing and marketing of own crops is permissible, however this may not cause any form of public nuisance.</li> </ul>
Urban area	Means areas with a predominantly urban character comprising of formal established townships and	

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
	smallholdings and may include small parcels of farm land in between.	
Urban core	Means an area around the Bloemfontein CBD as designated in terms of the spatial development framework or similar plan or policy of the municipality.	
Use zone	Means a zoning indicated with a specific notation in the scheme that is subject to the restrictions imposed on the erection and use of buildings or the use of land contained as detailed in the scheme. The use zone determines the primary and secondary use permitted on land.	
Vehicle showroom/dealership	Means land or a building or place used for display and/or sale of new or used motor vehicles, heavy vehicles, motor cycles, caravans or boats and accessories, with ancillary offices.	<ul style="list-style-type: none"> <li>a) Provided that a motor showroom shall be in an approved building enclosed on all sides with brick and/or glass.</li> <li>b) Workshops may only be permitted with the consent of the municipality in accordance with an approved site development plan.</li> <li>c) Parking bays for employees and patrons at motor dealerships must be provided separate from the vehicles on show or for sale. The site layout must provide for physical separation and staff/client parking must be separately and clearly demarcated and numbered. The relevant parking bays may not constitute frontage parking and may also not obstruct the vehicular accessibility of the showroom or sales area. The client parking area must be visible from the street and may not be used for the display or storage of vehicles on sale.</li> <li>d) Scrapyards, spray painting and panel beating is prohibited.</li> <li>e) All development on site shall be in accordance with an approved site development plan.</li> </ul>
Vehicle workshop	Means land used for the repair, servicing, washing, cleaning, panel beating or spray painting of motor vehicles and includes facilities connected with these	All development on site shall be in accordance with an approved site development plan.

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
	activities including storage of fuel and lubricants, ancillary office, storeroom, workshop, grease pit and machinery.	
Veterinary clinic	Means land use for a facility where animals receive medical treatment and stay overnight if necessary, excluding kennels for long term accommodation.	All development on the site shall be in accordance with an approved site development plan.
Wall of remembrance	Means a structure where containers with the ashes of the deceased are inserted in openings or niches in the structure and thereafter sealed and/or on which appropriate commemorative plaques can be attached.	Such uses are part of a cemetery and/or religious sites and should enjoy public access during the day.
Warehouse	Means land used for the bulk storage of goods and/or products.	<ul style="list-style-type: none"> <li>a) This excludes storage and trade in goods that are, in the opinion of the municipality, dangerous, noxious or unsightly.</li> <li>b) All development on the site shall be in accordance with an approved site development plan.</li> </ul>
Wholesale trade	Means land used for the bulk storage of goods and/or products, including the sale of such goods and/or products to bona fide dealers, retailers or bulk consumers.	<ul style="list-style-type: none"> <li>a) A shop for direct sales to the public not exceeding 250 m<sup>2</sup> is permissible.</li> <li>b) All development on site shall be in accordance with an approved site development plan.</li> </ul>
Wildlife estate	Means a low density formal residential development (created through township establishment) which may form part or include a country estate, private nature reserve or game farm.	<ul style="list-style-type: none"> <li>c) The residential component of a wildlife estate is usually clustered to ensure minimum impact on the natural environment.</li> <li>d) All development on the site shall be in accordance with an approved site development plan.</li> <li>e) The provisions relating to the use of land or buildings for more than one purpose in this scheme apply.</li> <li>f) The streets, lanes and communal open spaces must be transferred to a company established in terms of section 21 of the Companies Act 71 of 2008 acting on behalf of the owners. These streets and open spaces are the responsibility of the Section 21 Company for maintenance purposes.</li> </ul>

WORD	DEFINITION	DEVELOPMENT CONTROLS AND CONDITIONS
		g) A guard house may be constructed on the communal property.
Workshop	Means land used for conducting a retail business in goods manufactured, processed, assembled or repaired wholly or partially on the property and in any case a building not classified as a factory.	All development on the site shall be in accordance with an approved site development plan.
Zoning	In addition to the definition in the By-law means a statutory designation of a property imposed by the scheme which regulates the use of land and development controls.	

## CHAPTER 2: LAND USE SCHEME ARRANGEMENT

### 7. THE SCHEME IS ARRANGED INTO FOUR MAIN SECTIONS:

- (1) Land use zones and development controls.
  - (a) Table 2 sets out the land use zones, primary and secondary rights, density, floor area, coverage and height applicable to all erven. Table 1 provides the definitions of land uses and corresponding conditions.
  - (b) Table 2 forms an integral part of the scheme and has the same legality as the rest of the scheme, provided that in the event of a conflict between the provisions of chapter 3 and any provision in an annexure, the provisions of the annexure shall prevail.
- (2) Scheme provisions and conditions.
  - (a) Chapter 4: Provisions to promote certain principles in land development.
  - (b) Chapter 5: Provisions to promote conservation and sustainable use of resources.
  - (c) Chapter 6: Conditions applicable to all erven or categories of erven.
- (3) Provisions for land development applications.
  - (a) Chapter 7:
    - (i) Applications permitted in terms of the land use scheme.
    - (ii) Application procedure.
    - (iii) Public notice procedure.
- (4) Scheme map.
  - (a) The scheme map indicating the use zones in accordance with Table 2 is available in hard copy and electronic format as part of a GIS database, separate to this document.
  - (b) The GIS database is available at the municipality, and includes:
    - (i) Annexures approved previously and now incorporated into the scheme;
    - (ii) Overlay zones that have a direct link to the scheme and form an integral part of the scheme:
      - a. Protected areas (Declared Provincial Nature reserves, Declared Private Nature Reserves);
      - b. Traditional Authority Areas;
      - c. Bloemfontein Central Business District (CBD) boundary;
      - d. Township Empowerment Area (subject to policy), where additional economic activities will be allowed on Residential 1 erven; and
      - e. Municipal Road Classification.
  - (c) In the event of a conflict between the provisions of the scheme and the scheme maps/GIS database, the scheme shall prevail.

### 8. ORIGINAL SCHEME AND AMENDMENT SCHEME

- (1) This land use scheme shall be known as the original scheme of the municipality or the land use scheme in operation.
- (2) Any land use scheme which-
  - (a) is an amendment or extension of the original scheme;
  - (b) is a new scheme substituting the original scheme;
  - (c) is an amendment or extension of a new scheme contemplated in subregulation 2(b);shall be known as an amendment scheme.



## **9. REGISTER OF AMENDMENTS**

- (1) The municipality must keep a register of-
  - (a) The amendments to this scheme effected after the commencement date;
  - (b) Applications brought in terms of the By-law; and
  - (c) Applications brought in terms of the scheme;in accordance with the By-law in hard and electronic format.
- (2) The municipality must appoint a custodian to develop and maintain the registers listed above. The custodian must report directly to the General Manager: Town and Regional Planning and must keep the General Manager: Geographic Information Services informed of all applications received and approved in terms of the scheme and the By-law. The latter service unit must update the GIS on a continuous basis to ensure that planning decisions are taken in an informed manner.

## CHAPTER 3: LAND USE RIGHTS AND DEVELOPMENT CONTROLS

### 10. INTERPRETATION OF USE ZONES

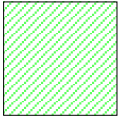
- (1) The purposes –
  - (a) for which land may be used;
  - (b) for which land may be used only with the consent of the municipality; and
  - (c) for which land may not be used;
 are indicated in each of the use zones specified in Table 2.
- (2) The use of land includes the erection and use of a building thereon.
- (3) No person shall use, or cause or permit to be used, any building or part thereof for a purpose other than the purpose for which it was erected, save with the necessary consent of the municipality.
- (4) The information set out below, which is elaborated on in Tables 2 to 10, contain the information relating to use zones and development controls:
 

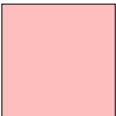
a) Use zone/Zoning:	Column 1
b) Notation on the map:	Column 2
c) Primary rights: the purposes for which land may be used:	Column 3
d) Secondary rights: the purposes for which land may be used only with the consent of the municipality in terms of chapter 7 regulation 42:	Column 4
e) Instances where the municipality may consider an exemption in terms of chapter 7 regulation 49:	Column 5
f) The purposes for which land may not be used:	Column 6
g) Coverage provisions:	Column 7
h) Floor area ratio provisions:	Column 8
i) Height provisions:	Column 9
j) Density provisions:	Column 10
k) Parking and loading:	Refer to chapter 3 regulation 16
l) Building lines and building restriction areas:	Refer to chapter 3 regulation 17
- (5) Special rights, conditions and restrictions which may apply to any property, township or area within any use zone, may be indicated in an annexure to the scheme.
- (6) The special conditions and restrictions referred to in subregulation (5) above shall:
  - (a) Be in addition to the general conditions, restrictions and other provisions of the scheme.
  - (b) Prevail should they conflict with any such other condition, restriction or provision in the scheme.
- (7) An annexure contemplated in subregulation (5) above shall consist of:
  - (a) A sheet upon which is inscribed the number of such annexure, a description of the property, township or area to which it applies, the special rights, conditions and restrictions applying to the property, and the number and name of the relevant amendment scheme in terms of which the annexure was prepared.
  - (b) A diagram of the property concerned, which diagram shall accord with the layout shown on the map.

- (c) An annexure number. This number is inscribed inside a double circle within or next to the figure of the relevant property on the map. It shall be joined to the figure by means of a line.
- (d) Annexures previously approved have, as far as possible, been incorporated into the scheme. Such annexures have either been renumbered, or have been replaced with general or specific conditions in terms of the scheme.
- (e) The municipality shall not, except as provided for in any of the conditions contained in an annexure, grant any consent for the relaxation or amendment thereof.

Table 2: Use zones and development controls

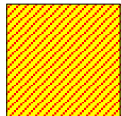
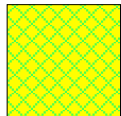

(\*\* Subject to Policy, Bylaw and /or Overlay Zone; n.r. no restriction; SDP: Site Development Plan)

Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Agricultural					Uses not under columns (3),(4), (5)				
		Agricultural Use				n.r.	n.r.	n.r.	2 dwelling houses and 4 dwelling units for farm workers
		Homestead				n.r.	n.r.	n.r.	
			Agricultural Industry (larger than 2 000m <sup>2</sup> )			SDP	SDP	SDP	
			Animal Establishment			SDP	SDP	SDP	
			Auction Pen			SDP	SDP	SDP	
			Livestock Yard			SDP	SDP	SDP	
			Non - agricultural Use - Resourced Based			SDP	SDP	SDP	
			Hospitality Establishment			SDP	SDP	SDP	
			Holiday Resort			SDP	SDP	SDP	
			Recreation Area			SDP	SDP	SDP	
			Place of Instruction			SDP	SDP	SDP	
			Place of Worship			SDP	SDP	SDP	
			Rural General Dealer	Rural General Dealer		SDP	SDP	SDP	

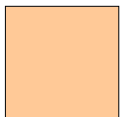
Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
			Home Enterprise	Home Enterprise		SDP	SDP	SDP	
			Low Impact Uses (see 40 (2) j) and Schedule1)	Low Impact Uses (see 40 (2) j) and Schedule1)		SDP	SDP	SDP	
			Renewable Energy Infrastructure			SDP	SDP	SDP	
			Telecommunication Infrastructure			SDP	SDP	SDP	
Smallholding					Uses not under columns (3),(4), (5)				
		Agricultural Use				n.r.	n.r.	3	2 dwelling houses and 4 dwelling units for farm workers
			Agricultural Industry (larger than 2 000m <sup>2</sup> )			SDP	SDP	3	
			Animal Establishment			SDP	SDP	SDP	
			Auction Pen			SDP	SDP	SDP	
			Livestock Yard			SDP	SDP	SDP	
			Commune			SDP	SDP	3	
			Hospitality Establishment			SDP	SDP	3	
			Holiday Resort			SDP	SDP	3	


Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
			Recreation Area			SDP	SDP	2	
			Place of Instruction			SDP	SDP	3	
			Place of Worship			SDP	SDP	3	
			Rural General Dealer	Rural General Dealer		SDP	SDP	2	
			Home Enterprise	Home Enterprise		SDP	SDP	2	
			Non - agricultural Use - Resourced Based			SDP	SDP	2	
			Nursery			SDP	SDP	2	
			Renewable Energy Infrastructure			SDP	SDP	SDP	
			Telecommunication Infrastructure			SDP	SDP	SDP	
Residential 1					Uses not under columns (3),(4), (5)				
		Dwelling House				60%	1,2	2	'Regulation 15
		Limited Overnight Accommodation				60%	1,2	2	
			Commune			60%	1,2	2	
			Boarding House			60%	1,2	2	
			Guesthouse			60%	1,2	2	
			Dwelling House Office			60%	1,2	2	

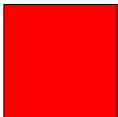
Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
			Home Enterprise	Home Enterprise		25%/50m <sup>2</sup> of floor area of House	1,2	2	
			Institution			60%	1,2	2	
			Place of Instruction			60%	1,2	2	
			Place of Worship			60%	1,2	2	
			Place of Assembly			60%	1,2	2	
			Animal Establishment			60%	1,2	2	
			Place of Refreshment**			60%	1,2	2	
			Spaza**	Spaza**		25%/50m <sup>2</sup> of floor area of House	1,2	2	
			Rooms to let**	Rooms to let**		60%	1,2	2	
			Shebeen**			Part of Dwelling House	1,2	2	
			Manual Brickmaking**			SDP	SDP	SDP	
			Tavern**			Part of Dwelling House	1,2	2	
			Telecommunication Infrastructure			SDP	SDP	SDP	

Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
<b>Residential 2 (incl. Guesthouse)</b>					Uses not under columns (3),(4), (5)				
		Dwelling House				60%	1,2	2	'Regulation 15
		Guesthouse				60%	1,2	2	
			Commune			60%	1,2	2	
			Conference Facility			60%	1,2	2	
			Place of Refreshment			60%	1,2	2	
<b>Residential 3 (Lifestyle/Wildlife Estate/Leisure residential)</b>			Telecommunication Infrastructure			SDP	SDP	SDP	
		Dwelling House				SDP	SDP	2	
		Dwelling Unit/s				SDP	SDP	2	
		Private Open space				SDP	SDP	SDP	
			Other uses specified on the SDP			SDP	SDP	SDP	
<b>General Residential 1A (Student Accommodation (Specific Overlay Zone))</b>			Telecommunication Infrastructure			SDP	SDP	SDP	
					Uses not under columns (3),(4), (5)				
		Student housing (dwelling units)				50%	3,5	7	>140 u/ha
			Place of Instruction			60%	1,0	2	
			Place of Assembly			60%	1,0	2	



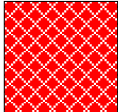
Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
			Sports and Recreation Facilities			40%	0,8	2	
			Place of Refreshment			30%	0,6	2	
			Telecommunication Infrastructure			SDP	SDP	SDP	
<b>General Residential 1B (Multiple Residential and Student Accommodation in CBD)</b>					Uses not under columns (3),(4), (5)				
		Dwelling Unit/s				60%	4,5	9	>140u/ha
		Communal Residential Building				60%	4,5	9	
		Retirement Village				40%	2,0	5	
		Residential Hotel				60%	4,5	9	
		Hotel				60%	4,5	9	
		Boutique Hotel				60%	3,0	5	
		Lodge				60%	3,0	5	
			Institution			75%	3,0	5	
			Place of Instruction			60%	3,0	5	
			Place of Assembly			75%	3,0	5	
			Place of Worship			60%	1,8	3	
			Sports and Recreation Facilities			40%	1,2	3	
			Place of Refreshment			30%	0,6	2	
			Place of Amusement			75%	3,0	5	

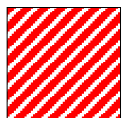
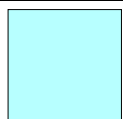
Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
			Telecommunication Infrastructure			SDP	SDP	SDP	
<b>General Residential 2 (Multiple Residential in Second Order Nodes)</b>					Uses not under columns (3),(4), (5)				
		Dwelling Unit/s				50%	2,5	5	>140u/ha
		Communal Residential Building				50%	2,5	5	
		Retirement Village				40%	2,0	5	
		Residential Hotel				50%	2,5	5	
		Hotel				50%	2,5	5	
		Boutique Hotel				50%	1,5	3	
		Lodge				50%	1,5	3	
			Institution			60%	1,8	3	
			Place of Instruction			60%	1,8	3	
			Place of Assembly			60%	1,8	3	
			Place of Worship			60%	1,8	3	
			Sports and Recreation Facilities			40%	0,8	2	
			Place of Refreshment			30%	0,6	2	
			Place of Amusement			60%	1,8	3	
			Telecommunication Infrastructure			SDP	SDP	SDP	


Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
		Dwelling Unit/s				50%	1,5	3	Between 20 and 180 u/ha
		Retirement Village				40%	0,8	2	
			Communal Residential Building			40%	1,2	3	
			Residential Hotel			40%	1,2	3	
			Hotel			40%	1,2	3	
			Boutique Hotel			40%	1,2	3	
			Lodge			40%	1,2	3	
			Institution			40%	1,2	3	
			Place of Worship			40%	1,2	3	
			Sports and Recreation Facilities			40%	0,8	2	
			Place of Refreshment			30%	0,6	2	
			Telecommunication Infrastructure			SDP	SDP	SDP	
<b>Business 1 (CBD)</b>					Uses not under columns (3),(4), (5)				
		Business Purposes				75%	6,0	9	
		Place of Assembly				75%	3,5	6	
		Service Industry				75%	3,5	6	
		Funeral Services				75%	2,1	3	
		Place of Amusement	Gymnasium			75%	3,5	6	
		Sport and Recreation Facilities				50%	2,0	5	

Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
		Dwelling Unit/s				50%	1,5	3	Between 20 and 180 u/ha
		Retirement Village				40%	0,8	2	
			Communal Residential Building			40%	1,2	3	
			Residential Hotel			40%	1,2	3	
			Hotel			40%	1,2	3	
			Boutique Hotel			40%	1,2	3	
			Lodge			40%	1,2	3	
			Institution			40%	1,2	3	
			Place of Worship			40%	1,2	3	
			Sports and Recreation Facilities			40%	0,8	2	
			Place of Refreshment			30%	0,6	2	
			Telecommunication Infrastructure			SDP	SDP	SDP	
		Co-operative Business				50%	2,5	5	
		Parking Garage				80%	SDP	SDP	
		Car wash				50%	1,0	2	
		Conference Facility				50%	4,5	9	
		Nursery				50%	1,0	2	
		Animal Establishment				50%	1,0	2	
			Municipal/Government Purposes			80%	SDP	SDP	
			Vehicle Workshop			75%	1,2	3	
			Service Station			85%	1,2	3	

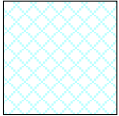
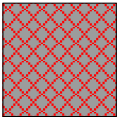
Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
		Dwelling Unit/s				50%	1,5	3	Between 20 and 180 u/ha
		Retirement Village				40%	0,8	2	
			Communal Residential Building			40%	1,2	3	
			Residential Hotel			40%	1,2	3	
			Hotel			40%	1,2	3	
			Boutique Hotel			40%	1,2	3	
			Lodge			40%	1,2	3	
			Institution			40%	1,2	3	
			Place of Worship			40%	1,2	3	
			Sports and Recreation Facilities			40%	0,8	2	
			Place of Refreshment			30%	0,6	2	
			Telecommunication Infrastructure			SDP	SDP	SDP	
			Filling Station			40%	0,8	2	
			Multi-Purpose Community Centre			60%	3,0	5	
			Commercial			60%	3,0	5	
			Urban Agriculture**			SDP	SDP	SDP	
			Street Trading**	Street Trading**		n.r.	n.r.	n.r.	
			Telecommunication Infrastructure			SDP	SDP	SDP	

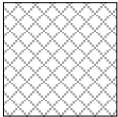
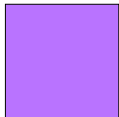
Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
<b>Business 2 (Second Order Nodes)</b>					Uses not under columns (3),(4), (5)				
		Business Purposes				75%	3,5	5	
		Place of Assembly				60%	1,8	3	
		Service Industry				75%	1,8	3	
		Funeral Services				75%	1,8	3	
		Place of Amusement	Gymnasium			75%	1,5	3	
		Sport and Recreation Facilities				50%	1,0	2	
		Nursery				50%	1,0	2	
			Municipal/Government Purposes			60%	3,0	5	
			Service Station			85%	1,2	3	
			Filling Station			40%	0,8	2	
			Conference Facility			50%	1,5	3	
			Animal Establishment			50%	1,5	3	
			Parking Garage			75%	SDP	SDP	
			Multi-Purpose Community Centre			50%	1,5	3	
			Commercial			50%	1,5	3	
			Urban Agriculture**			SDP	SDP	SDP	
			Street Trading**	Street Trading**		n.r.	n.r.	3	
			Telecommunication Infrastructure			SDP	SDP	SDP	

Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
<b>Business 3 (Suburban Nodes)</b>					Uses not under columns (3),(4), (5)				
		Business Purposes				75%	1,5	3	
		Place of Assembly				60%	1,0	2	
		Service Industry				75%	1,5	3	
		Place of Amusement	Gymnasium			75%	1,5	3	
		Sport and Recreation Facilities				50%	1,0	2	
			Municipal/Government Purposes			60%	1,5	3	
			Service Station			85%	1,2	3	
			Filling Station			40%	0,8	2	
			Nursery			50%	1,0	2	
			Multi-Purpose Community Centre			50%	1,5	3	
			Animal Establishment			50%	1,0	2	
			Urban Agriculture**			SDP	SDP	SDP	
			Street Trading**	Street Trading**		n.r.	n.r.	3	
			Telecommunication Infrastructure			SDP	SDP	SDP	
<b>Office 1 (CBD)</b>					Uses not under columns (3),(4), (5)				

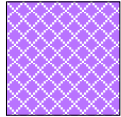
Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
		Office				67%	5,4	9	
		Municipal/Government Purposes				60%	5,4	9	
			Medical Consulting Rooms			40%	3,6	9	
			Place of Instruction			60%	5,4	9	
			Place of Refreshment			40%	0,8	2	
			Conference Facility			50%	4,5	9	
			Telecommunication Infrastructure			SDP	SDP	SDP	
Office 2 (Second Order Nodes)					Uses not under columns (3),(4), (5)				
		Office				67%	3,0	5	
		Office Park				50%	2,5	5	
		Municipal/Government Purposes				60%	3,0	5	
			Medical Consulting Rooms			40%	2,0	5	
			Place of Instruction			50%	2,5	5	
			Place of Refreshment			40%	0,8	2	
			Conference Facility			50%	2,5	5	
			Telecommunication Infrastructure			SDP	SDP	SDP	

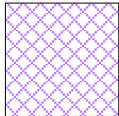


Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
<b>Office 3 (Suburban)</b>					Uses not under columns (3),(4), (5)				
		Office				50%	1,0	3	
		Office Park				40%	1,0	3	
		Dwelling Unit/s				50%	1,0	3	Between 20 and 180 u/ha
			Medical Consulting Rooms			40%	1,0	3	
			Guesthouse			50%	1,0	2	
			Place of Instruction			50%	1,0	3	
			Place of Refreshment			40%	0,8	2	
			Conference Facility			50%	1,0	2	
			Telecommunication Infrastructure			SDP	SDP	SDP	
<b>Service Station</b>					Uses not under columns (3),(4), (5)				
		Service Station				85%	1,2	3	
		Filling Station	Car wash	Car wash		40%	0,8	2	
			Vehicle Workshop			75%	1,0	3	
			Truck Stop			50%	1,0	2	
			Place of Refreshment			40%	0,8	2	

Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
			Caretaker Dwelling Unit			30%	0,6	2	
			Telecommunication Infrastructure			SDP	SDP	SDP	
<b>Parking</b>					Uses not under columns (3),(4), (5)				
		Parking Garage				80%	SDP	SDP	
		Public Parking Area				SDP	SDP	1	
			Ancillary Uses			SDP	SDP	SDP	
			Car wash	Car wash		40%	0,8	2	
			Telecommunication Infrastructure			SDP	SDP	SDP	
<b>Industrial 1</b>					Dwelling Units				
					Residential Buildings				
					Hotel				
		Industrial Purposes			Noxious Industries	70%	3,5	5	
		Light Industry	Panel beating/Spray painting			70%	3,5	6	
		Service Industry				70%	2,1	3	
		Vehicle Workshop				70%	2,1	3	
		Scrap Yard				70%	1,0	3	


Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
		Vehicle Showroom/Dealership				70%	2,1	3	
		Commercial				70%	3,5	6	
		Auction Premises				67%	1,8	3	
		Office				67%	3,0	5	
		Animal Establishment				50%	0,5	2	
		Funeral Services				70%	1,2	3	
		Municipal/Government Purposes				70%	3,5	5	
		Public Parking Area				SDP	SDP	1	
		Service Station				85%	1,2	3	
			Auction Pen			60%	1,2	2	
			Crematorium			60%	1,2	2	
			Caretaker Dwelling Unit			30%	0,6	2	
			Shop			70%	1,0	3	
			Place of Instruction (Adult instruction only)		Crèche, Playgroup	50%	1,0	2	
			Place of Refreshment for own employees only			40%	0,8	2	
			Urban Agriculture**			SDP	SDP	SDP	
			Renewable Energy Infrastructure			SDP	SDP	SDP	
			Telecommunication Infrastructure			SDP	SDP	SDP	

Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
<b>Industrial 2</b>					Dwelling Units				
					Residential Buildings				
					Crèche, Playgroup				
					Hotel				
		Noxious Industrial				70%	2,1	3	
		Industrial Purposes				70%	2,1	3	
		Abattoir				70%	2,1	3	
		Vehicle Workshop				70%	2,1	3	
		Scrap Yard				70%	1,0	3	
		Crematorium				60%	1,2	2	
		Animal Establishment				50%	0,5	2	
		Funeral Services				70%	1,2	3	
		Municipal/Government Purposes				70%	2,1	3	
		Public Parking Area				SDP	SDP	1	
		Service Station				85%	1,2	3	
			Caretaker Dwelling Unit			30%	0,6	2	
			Associated retail sales area			70%	1,0	3	
			Place of Refreshment for own employees only			40%	0,8	2	

Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
			Urban Agriculture**			SDP	SDP	SDP	
			Renewable Energy Infrastructure			SDP	SDP	SDP	
			Telecommunication Infrastructure			SDP	SDP	SDP	
<b>Industrial 3</b>					Noxious Industries				
					Dwelling Units				
		Service Industry				70%	2,1	3	
		Vehicle Workshop				70%	2,1	3	
		Vehicle Showroom/Dealership				70%	2,1	3	
		Distribution Centre, Warehouse, Wholesale Warehouse				70%	3,5	6	
		Self-storage				50%	1,5	3	
		Auction Premises				67%	1,8	3	
		Office				67%	1,8	3	
		Restaurant				50%	1,0	2	
		Place of Amusement	Gymnasium			75%	1,5	3	
		Funeral Services				70%	1,2	3	
		Nursery (Wholesale only)				50%	1,0	2	
		Municipal/Government Purposes				70%	2,1	3	
			Filling Station			40%	0,8	2	


Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
			Caretaker Dwelling Unit			30%	0,6	2	
			Associated retail sales area			75%	1,0	3	
			Place of Instruction (Adult instruction only)		Crèche, Playgroup	50%	1,0	2	
			Place of Assembly			60%	1,0	2	
			Sport and Recreation Facilities			40%	0,8	2	
			Urban Agriculture**			SDP	SDP	SDP	
			Renewable Energy Infrastructure			SDP	SDP	SDP	
			Telecommunication Infrastructure			SDP	SDP	SDP	
<b>Commercial 1 (CBD)</b>					Uses not under columns (3),(4), (5)				
		Commercial Use				70%	3,5	6	
		Co-operative Business				70%	3,5	5	
		Light Industry	Panel beating/Spray painting			70%	3,5	6	
		Service Industry				70%	3,5	6	
		Vehicle Workshop				70%	2,1	3	
		Auction Premises				67%	1,8	3	
		Office				75%	3,5	6	

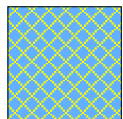
Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
		Vehicle Showroom/Dealership				70%	2,1	3	
		Restaurant				50%	1,0	2	
		Place of Assembly				75%	3,5	6	
		Funeral Services				70%	1,2	3	
		Place of Amusement	Gymnasium			75%	3,5	6	
			Municipal/Government Purposes			70%	3,5	5	
			Service Station			85%	1,2	3	
			Crematorium			60%	1,2	2	
			Communal Residential Building			60%	3,0	6	
			Residential Hotel			60%	3,0	6	
			Hotel			60%	3,0	6	
			Boutique Hotel			60%	3,0	6	
			Flat			60%	3,0	6	
			Caretaker Dwelling Unit			30%	0,6	2	
			Sports and Recreation Facilities			75%	1,4	3	
			Place of Instruction (Adult instruction only)			60%	2,0	6	
			Shop			70%	1,0	3	
			Conference Facility			50%	2,5	5	
			Urban Agriculture**			SDP	SDP	SDP	


Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
			Renewable Energy Infrastructure			SDP	SDP	SDP	
			Telecommunication Infrastructure			SDP	SDP	SDP	
<b>Commercial 2 (Suburban)</b>					Uses not under columns (3),(4), (5)				
		Commercial Use				70%	3,5	6	
		Co-operative Business				70%	2,1	3	
		Light Industry	Panel beating/Spray painting			70%	3,5	6	
		Service Industry				70%	2,1	3	
		Vehicle Workshop				70%	2,1	3	
		Auction Premises				67%	1,8	3	
		Office				67%	1,8	3	
		Vehicle Showroom/Dealership				67%	1,8	3	
		Restaurant				50%	1,0	2	
		Place of Assembly				60%	1,8	3	
		Funeral Services				70%	1,2	3	
		Place of Amusement	Gymnasium			75%	1,5	3	
			Municipal/Government Purposes			67%	1,8	3	
			Service Station			85%	1,2	3	
			Vehicle Showroom			70%	1,2	3	

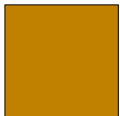



Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
			Crematorium			60%	1,2	2	
			Communal Residential Building			40%	1,0	3	
			Residential Hotel			40%	1,0	3	
			Hotel			40%	1,0	3	
			Boutique Hotel			40%	1,0	3	
			Flat			40%	1,0	3	
			Caretaker Dwelling Unit			30%	0,6	2	
			Sports and Recreation Facilities			75%	1,4	3	
			Place of Instruction (Adult instruction only)			50%	1,0	2	
			Shop			50%	1,0	2	
			Place of Refreshment for own employees only			40%	0,8	2	
			Conference Facility			50%	1,5	3	
			Urban Agriculture**			SDP	SDP	SDP	
			Renewable Energy Infrastructure			SDP	SDP	SDP	
			Telecommunication Infrastructure			SDP	SDP	SDP	

Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Institutional		Institution				50%	2,5	5	
		Medical Consulting Rooms				40%	2,0	5	
		Place of Worship				50%	1,0	2	
		Place of Instruction				50%	2,5	5	
		Communal Residential Building related to the main use				50%	2,5	5	
		Retirement Village				40%	2,0	5	
			Caretaker Dwelling Unit			30%	0,6	2	
			Social Hall			50%	1,0	2	
			Place of Refreshment			40%	0,8	2	
			Sports and Recreation Facilities			40%	0,8	2	
			Multi-Purpose Community Centre			50%	1,5	3	
			Private Club			50%	1,0	2	
			Place of Amusement			50%	1,0	2	
			Funeral Services			50%	1,0	2	
			Cemetery			SDP	SDP	2	
			Urban Agriculture**	Urban Agriculture**		SDP	SDP	2	
			Telecommunication Infrastructure			SDP	SDP	SDP	

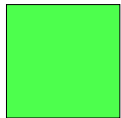
Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Community Facility					Uses not under columns (3),(4), (5)				
		Institution				70%	2,0	3	
		Place of Worship				70%	1,0	2	
		Place of Instruction				70%	2,0	3	
		Place of Assembly				70%	1,0	2	
		Communal Residential Building related to the main use				40%	1,2	3	
		Dwelling House				60%	1,0	2	
		Retirement Village				40%	1,2	3	
		Sports Club/Academy	Gymnasium			50%	0,75	2	
		Sport and Recreation Facilities				70%	0,75	2	
		Municipal/Government Purposes				60%	1,8	3	
		Library				50%	1,0	2	
			Caretaker Dwelling Unit			30%	0,6	2	
			Conference Facility			40%	0,67	2	
			Taxi and Bus Public Transport Facility			40%	0,8	2	
			Place of Refreshment			40%	0,8	2	

Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
			Multi-Purpose Community Centre			50%	1,5	3	
			Private Club			50%	1,0	2	
			Place of Amusement			50%	1,0	2	
			Funeral Services			50%	1,0	2	
			Cemetery			SDP	SDP	2	
			Urban Agriculture**	Urban Agriculture**		SDP	SDP	2	
			Telecommunication Infrastructure			SDP	SDP	SDP	
Educational					Uses not under columns (3),(4), (5)				
		Place of Instruction				50%	3,5	7	
		Dwelling unit/s related to the main use				50%	2,0	5	
		Communal Residential Building related to the main use				50%	3,5	7	
		Institution				50%	2,0	4	
		Sports Club/Academy	Gymnasium			50%	0,75	2	
			Caretaker Dwelling Unit			30%	0,6	2	
			Taxi and Bus Public Transport Facility			40%	0,8	2	

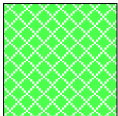

Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
			Place of Worship			50%	1,0	2	
			Place of Refreshment			40%	0,8	2	
			Urban Agriculture**	Urban Agriculture**		SDP	SDP	2	
			Telecommunication Infrastructure			SDP	SDP	SDP	
<b>Municipal</b>					Uses not under columns (3),(4), (5)				
		Municipal Purposes				SDP	SDP	SDP	
		Office				SDP	SDP	4	
		Dwelling unit/s				50%	2,0	4	
		Institution				50%	2,0	4	
		Communal Residential Building related to the main use				50%	2,0	4	
		Place of Assembly				60%	1,0	2	
		Sport and Recreation Facilities				50%	0,75	2	
		Animal Establishment				50%	0,5	2	
		Livestock Yard				SDP	SDP	1	
		Crematorium				SDP	SDP	2	
		Services Infrastructure				SDP	SDP	SDP	
		Cemetery				SDP	SDP	2	
		Transportation Use				SDP	SDP	4	

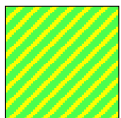
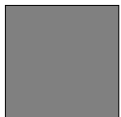
Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
			Commercial			50%	1,5	3	
			Service Industry			70%	1,0	3	
			Place of Refreshment			40%	0,8	2	
			Place of Instruction			50%	2,0	4	
			Parking Garage			80%	SDP	SDP	
			Street Trading**	Street Trading**		n.r.	n.r.	n.r.	
			Agricultural Use			SDP	SDP	SDP	
			Urban Agriculture**	Urban Agriculture**		SDP	SDP	SDP	
			Renewable Energy Infrastructure			SDP	SDP	SDP	
			Telecommunication Infrastructure			SDP	SDP	SDP	
<b>Government</b>					Uses not under columns (3),(4), (5)				
		Government Purposes				SDP	SDP	SDP	
		Office				SDP	SDP	4	
		Dwelling unit/s				50%	2,0	4	
		Institution				50%	2,0	4	
		Communal Residential Building related to the main use				50%	2,0	4	
		Place of Instruction				50%	2,0	4	
		Place of Assembly				60%	1,0	2	

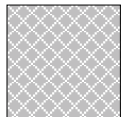
Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
		Sport and Recreation Facilities				50%	0,75	2	
		Place of Refreshment				40%	0,8	2	
		Vehicle Workshop				70%	2,1	3	
		Storage yard				50%	1,0	2	
		Animal Establishment				50%	0,5	2	
		Livestock Yard				SDP	SDP	1	
		Crematorium				SDP	SDP	2	
		Services Infrastructure				SDP	SDP	SDP	
		Cemetery				SDP	SDP	2	
		Transportation Use				SDP	SDP	4	
			Service Industry			70%	1,0	3	
			Parking Garage			80%	SDP	SDP	
			Street Trading**	Street Trading**		n.r.	n.r.	n.r.	
			Agricultural Use			SDP	SDP	SDP	
			Urban Agriculture**	Urban Agriculture**		SDP	SDP	SDP	
			Renewable Energy Infrastructure			SDP	SDP	SDP	
		Telecommunication Infrastructure				SDP	SDP	SDP	

Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
<b>Protected Area (Declared Provincial Nature reserves, Declared Private Nature Reserves, All other Protected Areas as defined)</b>					Uses not under columns (3),(4), (5)				
		Conservation Purposes				SDP	SDP	SDP	
		Open Space Systems				SDP	SDP	SDP	
		Areas of Environmental significance/Biodiversity				SDP	SDP	SDP	
		Cultural Heritage Sites				SDP	SDP	SDP	
		National Monument				SDP	SDP	SDP	
		Nature Reserve				SDP	SDP	SDP	
		Curio Shop				SDP	SDP	2	
		Public Toilets				SDP	SDP	1	
			Restaurant			SDP	SDP	2	
			Place of Refreshment			SDP	SDP	2	
			Recreation area			SDP	SDP	SDP	
			Other uses as permitted in terms of relevant declaration legislation			SDP	SDP	SDP	
			Renewable Energy Infrastructure			SDP	SDP	SDP	
			Telecommunication Infrastructure			SDP	SDP	SDP	

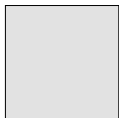

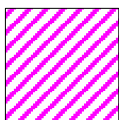


Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
<b>Public Open Space</b>					Uses not under columns (3),(4), (5)				
		Park				SDP	SDP	SDP	
		Nature Conservation Area				SDP	SDP	SDP	
		Open Space Systems				SDP	SDP	SDP	
		Areas of Environmental significance/Biodiversity				SDP	SDP	SDP	
		Cultural Heritage Sites				SDP	SDP	SDP	
		Sport and Recreation Facilities				50%	0,75	2	
			Urban Agriculture**	Urban Agriculture**		SDP	SDP	1	
			Renewable Energy Infrastructure			SDP	SDP	SDP	
			Telecommunication Infrastructure			SDP	SDP	SDP	
<b>Private Open Space</b>					Uses not under columns (3),(4), (5)				
		Park				SDP	SDP	SDP	
		Nature Conservation Area				SDP	SDP	SDP	
		Cultural Heritage Sites				SDP	SDP	SDP	
		Sports Club/Academy	Gymnasium			50%	0,75	2	




































Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
		Private Sports and Recreational Facilities				50%	0,75	2	
			Renewable Energy Infrastructure			SDP	SDP	SDP	
			Telecommunication Infrastructure			SDP	SDP	SDP	
Resort					Uses not under columns (3),(4), (5)				
		Holiday Resort				SDP	SDP	3	
		Nature Reserve				SDP	SDP	SDP	
			Guesthouse			40%	0,8	2	
			Renewable Energy Infrastructure			SDP	SDP	SDP	
			Telecommunication Infrastructure			SDP	SDP	SDP	
Mining					None				2 dwelling houses and 4 dwelling units for farm workers
		Mining Purposes				SDP	SDP	SDP	
		Agricultural Use				n.r.	n.r.	n.r.	
		Ancillary uses for the mine only:				SDP	SDP	SDP	

Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
		- Dwelling house				SDP	SDP	SDP	
		- Dwelling Unit/s				SDP	SDP	SDP	
		- Communal Residential Building				SDP	SDP	SDP	
		- Shops				SDP	SDP	SDP	
		- Service Station				SDP	SDP	SDP	
		- Institution				SDP	SDP	SDP	
		- Medical Consulting Rooms				SDP	SDP	SDP	
		- Place of Instruction				SDP	SDP	SDP	
		- Place of Refreshment				SDP	SDP	SDP	
		- Hospitality Establishment				SDP	SDP	SDP	
		- Social Hall				SDP	SDP	SDP	
		- Private Open Space				SDP	SDP	SDP	
		- Conservation Area				SDP	SDP	SDP	
		- Water and Sanitation Infrastructure				SDP	SDP	SDP	
		Any other uses ITO a SDP				SDP	SDP	SDP	
			Sand washing			SDP	SDP	SDP	
			Quarrying			SDP	SDP	SDP	
Transport					Uses not under columns (3),(4), (5)				
		Transportation Use				SDP	SDP	SDP	
		Airport				SDP	SDP	SDP	

Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
		Railway Services				SDP	SDP	SDP	
		Parking Garage				80%	SDP	SDP	
		Public Parking Area				SDP	SDP	1	
			Dwelling unit/s			40%	3,5	9	
			Communal Residential Building			40%	2,0	5	
			Hotel			40%	3,5	9	
			Boutique Hotel			50%	2,5	5	
			Lodge			50%	2,5	5	
			Conference Facility			40%	1,2	3	
			Noxious Industrial			70%	2,1	3	
			Industrial Purposes			70%	2,1	3	
			Light Industrial			70%	3,5	6	
			Service Industry			70%	2,1	3	
			Vehicle Workshop			70%	2,1	3	
			Commercial			70%	3,5	6	
			Auction Premises			67%	1,8	3	
			Service Station			85%	1,2	3	
			Street Trading**	Street Trading**		n.r.	n.r.	n.r.	
			Renewable Energy Infrastructure			SDP	SDP	SDP	
			Telecommunication Infrastructure			SDP	SDP	SDP	

Use Zone	Notation on Map	Uses permitted as a primary right	Uses permitted as a secondary right with consent in terms of regulation 44	Uses where an exemption may be considered in terms of regulation 51	Uses not permitted	Coverage (%)	F.A.R.	Height: Storeys	Density
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Public Roads					Uses not under columns (3),(4), (5)				
		Street/Road				SDP	SDP	SDP	
		Municipal Purposes				SDP	SDP	SDP	
Private Roads		Private Street/Road			Uses not under columns (3),(4), (5)	SDP	SDP	SDP	
Special		Uses not defined in LUS				SDP	SDP	SDP	

**Use Zone RGB Codes:**

	95,255,95 Diagonal stripes		255,0,0		185,115,255 Diamond grid		193,129,0		226,226,226
	255,190,190		255,0,0 Diamond grid		185,115,255 Diamond grid		181,90,0 Diagonal stripes		226,226,226 Diagonal stripes, wide downward
	255,255,0		255,0,0 Diamond stripes wide		185,115,255 Diamond grid		77,255,77		255,0,197 Diagonal stripes
	255,255,0 Diagonal stripes		183,255,255		255,128,255		77,255,77 Diamond grid		
	255,255,0 Diamond Grid		183,255,255 Diamond grid		255,128,255 Diamond grid		77,255,77 Diamond grid		
	255,201,15 Diagonal stripes		183,255,255 Diamond grid		98,182,165		77,255,77 Diagonal stripes, wide		
	255,201,151		156,156,156 Diamond grid		139,193,236 Diamond grid		128,128,128		
	255,201,151 Diamond grid		156,156,156 Diamond grid		98,176,255		205,205,205 Diamond grid		

## 11. LAND USE ZONES

- (1) Zoning means a statutory category of directions regulating the development of land and setting out the purposes for which the land may be used as determined by the scheme.
- (2) The use zones in terms of the scheme are categorized in column 1 of Table 2 and indicated on the map according to the notation in column 2.
- (3) The definitions of permissible uses listed in columns 3, 4 and 5 are set out in Table 1, with corresponding conditions.
- (4) Change of land use rights or rezoning shall be undertaken in accordance with the By-law.
- (5) If a particular site cannot be developed in a compliant manner in terms of the development restrictions of a certain use zone, it must be concluded that the relevant site is not suitable to accommodate land uses allowed in terms of the specific use zone.

## 12. COVERAGE

- (1) No building or structure or combination thereof shall be erected so as to exceed the coverage as prescribed in Table 2 column 7 of the scheme.
- (2) These provisions shall apply to every storey in a building, including a basement protruding above natural ground level, provided that the municipality may consent to exceed the coverage for any basement which is entirely below natural ground level in terms of a site development plan.
- (3) The following shall not be included in coverage calculations:
  - a) the roof overhang extending beyond an external wall of a building, not exceeding one meter;
  - b) a car port or similar structure covered by a shade net;
  - c) open balconies and verandas extending beyond an external wall of a building, or such like structures as may be approved by the authorised official; and
  - d) solar panels used for carports on non-residential properties;

## 13. FLOOR AREA RATIO

- (1) No building shall be erected so as to exceed the floor area ratio as prescribed in column 8 of Table 2.
- (2) For the purposes of calculating floor area no account shall be taken of:
  - a) the floor area exclusively used for the parking of vehicles, but does not include the floor area where vehicles are parked to be exhibited, stored or repaired for business purposes or used as a commercial parking garage;
  - b) covered public arcades in the trading zones which are not utilized for retail purposes or for the exhibition, selling or storage of goods;
  - c) in the case of a service station, the covered pump area;
  - d) lift shafts, lift motor room, staircases, meter rooms or areas for other mechanical or electrical equipment required for the proper functioning of a building and other similar areas in a building used for services infrastructure, which are not used for accommodating the primary use;
  - e) toilets, bathrooms and other similar spaces that have no functional purpose, other than that of a service; but excluding toilets and similar spaces that are essential to the functioning of the

- primary and ancillary uses such as the toilets in medical consulting rooms used for taking medical samples and hand basins in each consulting room;
- f) accommodation for cleaners on the roof of a building: provided that the floor area excluded in this manner shall not be exceed 10% of the permissible floor area for such building.
- (3) For the purpose of calculating the Gross Leasable Area (GLA) of a building, the following areas are excluded:
- a) the areas listed in subregulation 13(3) above;
  - b) an open roof that is not used for trip generating activities, e.g. an open roof used for a restaurant or place of refreshment cannot be excluded;
  - c) parking as required in terms of the scheme;
  - d) communal walkways in shopping centres between individual shops, including the entrance hall and foyer, which are not utilized for retail purposes or for the exhibition, selling or storage of goods;
  - e) accommodation for caretakers, supervisors, servants, cleaners, or maintenance staff, not exceeding a total area of 100 m<sup>2</sup>;
  - f) a veranda or balcony in a building, provided that such veranda or balcony is not enclosed, or utilized for retail purposes, a restaurant, place of refreshment or for the exhibition, selling or storage of goods;
  - g) a canopy erected on the street frontage of a shop;
  - h) areas reasonably used in connection with the cleaning, maintenance and care of a building;
  - i) steps and entrances that serve no functional purpose, other than that of an entrance;
  - j) but a reception area and/or waiting room may not be excluded.
- (4) Unless development rights are approved with the provision that existing building(s) be demolished in order to comply in full with applicable development restrictions, an applicant must demonstrate that the full floor area of the buildings on the site can be utilised without deviating from the applicable development restrictions of the use zone.
- (5) Unless the applicant can quantify the GLA of a building accurately by means of detailed floor layout and usage table, the GLA must be taken as 90% of the total floor area for planning purposes.
- (6) Any shopping aisles and other public assessable areas, where patrons can view products on shelves or in other forms of storage, form part of the retail component of a development. Such aisles or PAAs are not regarded as the storage area of the development as far as GLA calculations are concerned.

## 14. HEIGHT

- (1) No building shall be erected so as to exceed the height as prescribed in Table 2 column 9.
- (2) A building shall have only one ground storey and, except for a building consisting of only one storey, the site development plan and building plans shall indicate the ground storey.
- (3) The maximum height of a storey shall not exceed 6m in respect of the ground storey and 4,5m in respect of any other storey.
- (4) The following shall not be counted as a storey:
- (a) any chimney, ornamental tower, tower-like projection or similar architectural feature or lift servicing room or room wherein mechanical or electrical equipment is installed.
  - (b) basements situated below natural ground level, provided further that the floor area ratio as determined in the scheme is not exceeded.



## 15. DENSITY AND MINIMUM PROPERTY SIZE

- (1) Density refers to a limitation on the number of dwelling houses or dwelling units on a property.
- (2) No more than one household (as defined by this scheme), together with two other persons, or a maximum of eight persons, may live on a permanent basis in one dwelling house or one dwelling unit.
- (3) No land use development shall be undertaken to exceed the permissible density set out in column 10 of Table 2, provided that-
  - a) The provisions relating to second dwelling houses and domestic worker's dwelling units set out in Table 1 and Table 3 shall apply.
- (4) The municipality may grant its consent for the subdivision of land in accordance with column 10 of Table 2 and Table 3: Minimum property sizes after subdivision, in accordance with the application procedure set out in chapter 7.

**Table 3: Minimum property sizes after subdivision**

<b>Residential 1</b>		
<b>Erf size</b>	<b>Minimum size after subdivision</b>	<b>Second dwelling</b>
< 300 m <sup>2</sup>	No subdivision permitted	Rooms to let: Maximum 4, subject to development conditions.
300m <sup>2</sup> - < 900 m <sup>2</sup>	No subdivision will be permitted. Minimum erf size is limited to 900 m <sup>2</sup> (excluding the panhandle)	Rooms to let: Maximum 4, subject to development conditions.
900m <sup>2</sup> - 2 000 m <sup>2</sup>	Minimum erf size is limited to 900 m <sup>2</sup> (excluding the panhandle)	Second dwelling house allowed as a primary right on erven ≥ 900 m <sup>2</sup> .
> 2 000 m <sup>2</sup>	Minimum erf size is limited to 900 m <sup>2</sup> (excluding the panhandle)	Second dwelling house allowed as primary right on erven ≥ 900 m <sup>2</sup> .
<b>Use Zone</b>		<b>Minimum size</b>
Agriculture		In accordance with the requirements from the National Department of Agriculture. Second dwelling house allowed as a primary right.
Smallholding		In accordance with the requirements from the National Department of Agriculture. Bloemspruit and Bainsvlei - In terms of overlay zone. Second dwelling house allowed as a primary right.
Residential 2		900 m <sup>2</sup>
General Residential		3 000 m <sup>2</sup> (for the total development site)
Boutique Hotel, Lodge and a Crèche		3 000 m <sup>2</sup>
All other zoning categories		To be determined by the municipality

- (5) The municipality may permit a subdivision smaller than the minimum erf size in the case where:
  - a) such a subdivision is simultaneously consolidated or notarially tied with adjacent land to ensure that the combined area conforms to the prescribed minimum size;

- b) subdivision by way of severance occurs - any existing natural feature or permanent physical barrier such as a river, road, street, railway line etc., creates a natural divide or separation of the property, preventing it from being used as a functional unit;
- c) the size of such a property is reduced by an encumbrance relating to the reservation of land for municipal purposes, or the expropriation of land for public purposes;
- d) housing units in existing housing schemes are being subdivided into residential erven, together with the necessary infrastructure;
- e) new erven are being created in accordance with a formal township establishment procedure after the effective date of commencement of this scheme.

## 16. PARKING AND LOADING

- (1) Effective and paved parking spaces as set out in Table 4: Minimum parking requirements, together with the necessary maneuvering area, shall be provided on the property to the satisfaction of the municipality at the cost of the land owner.
  - a) All parking must be accommodated within the boundaries of a property and the use of public open space for parking purposes is prohibited.
  - b) Refer to Schedule 5: for a check list with land uses qualifying for the provision of formal parking, loading and pick-up/drop-off facilities (only land uses qualifying for the submission of a site development plan are listed).
- (2) All parking and loading areas, parking and loading bays, access and maneuvering areas shall be provided to the satisfaction of the municipality. In the event of any such aforesaid areas not conforming to the provisions of scheme, then no building plan shall be approved prior to the granting of such aforesaid approval from the municipality.

**Table 4: Minimum parking requirements**

LAND USE (ALPHABETICAL ORDER)	STANDARD PARKING REQUIREMENT (PARKING BAYS)
<b>Residential Uses</b>	
Caravan Park*	1 parking bay per stand
Caretaker's unit	1 parking bay per unit
Chalets	1 parking bay per chalet
Communal residential building and boarding house	0,6 parking bays per habitable room
Commune	0,4 parking bays per student
Dwelling house office	Administrative uses: 4/100 m <sup>2</sup> Professional and medical offices: 6/100 m <sup>2</sup>
Dwelling units, single and attached (excluding group houses), with; <ul style="list-style-type: none"> <li>- 1 habitable room</li> <li>- 2 habitable rooms</li> <li>- 3 habitable rooms</li> <li>- 4 or more habitable rooms</li> </ul>	1 parking bay per unit <b>plus</b> 0,5 parking bays per unit for visitors. 1 parking bay per unit <b>plus</b> 0,5 parking bays per unit for visitors. 1,5 parking bays per unit <b>plus</b> 0,5 parking bays per unit for visitors. 2 parking bays per unit <b>plus</b> 0,5 parking bays per unit for visitors.
Group houses	1 sheltered parking bay <b>plus</b> 1 visitor's parking bay per unit.

LAND USE (ALPHABETICAL ORDER)	STANDARD PARKING REQUIREMENT (PARKING BAYS)
Guesthouse	1 parking bay per bedroom
Home enterprise	Minimum of 4 parking bays
Hotel, Boutique Hotel, Hospitality Establishment*	1 parking bay per bedroom <b>plus</b> 10 parking bays per 100 m <sup>2</sup> for public accessible areas to the satisfaction of the municipality
Leisure residential dwelling	2 parking bays per unit <b>plus</b> one visitor's parking bay per dwelling unit
limited overnight accommodation	1 parking bay per guest room
Lodge*	1 parking bay per chalet <b>plus</b> 0.5 parking bays per chalet communal parking,
Residential estates*	2 parking bays per dwelling house/unit,
Retirement homes, place of safety, orphanage, institutions (other than medical)	0,5 parking bays per habitable room
Retirement village*	1 sheltered parking bay <b>plus</b> 0,5 visitors' parking bays per unit
Second dwelling house	Minimum of 2 bays
Student dwelling/flats	0,4 parking bays per student
<b>Businesses Uses</b>	
Auctioneer premises	2 parking bays per 100 m <sup>2</sup> (including outside exhibition areas)
Betting room	4 parking bays per 100 m <sup>2</sup> GLA.
Casino*	4 parking bays per 100 m <sup>2</sup> GLA for the slot machines, plus additional parking bays per additional land use, as specified for each land use in Table 4.
Cinemas and theatres: - within shopping centres - isolated	0,1 parking bays per seat. 0,3 parking bays per seat.
Conference facilities*	0,25 parking bays per seat or 20 parking bays per 100m <sup>2</sup> GLA, whichever is the greater
Fast-food restaurant - without drive-through facility - with a drive-through facility	12 parking bays per 100 m <sup>2</sup> 9 parking bays per 100 m <sup>2</sup> GLA together with vehicle queuing space to the satisfaction of the municipality
Financial institutions	4 parking bays per 100 m <sup>2</sup> GLA
Funeral services	4 parking bays per 100 m <sup>2</sup> GLA
Gymnasium*	4 parking bays per 100 m <sup>2</sup> GLA
Hairdressers, beauty salons and spas*	6 parking bays per 100 m <sup>2</sup>
Nursery*	1 parking bay per 100 m <sup>2</sup> GLA with a minimum of 6 parking bays (including outside exhibition areas)
Nursery (Wholesale only)	2 parking bays per 100 m <sup>2</sup> GLA with a minimum of 6 parking bays (including outside exhibition areas)
Offices for administrative use	4 parking bays per 100 m <sup>2</sup> GLA with a minimum of 5 parking bays.

LAND USE (ALPHABETICAL ORDER)	STANDARD PARKING REQUIREMENT (PARKING BAYS)
Offices for professional use (excluding medical suites)	6 parking bays per 100 m <sup>2</sup> GLA with a minimum of 6 parking bays.
Pub	8 parking bays per 100 m <sup>2</sup> GLA with provision for public transport
Shops larger than 1000 m <sup>2</sup> up to and including 15000 m <sup>2</sup>	6 parking bays per 100 m <sup>2</sup> GLA <b>plus</b> provision for public transport
Shops larger than 15000 m <sup>2</sup>	5 parking bays per 100 m <sup>2</sup> GLA <b>plus</b> provision for public transport
Shops up to and including 1000 m <sup>2</sup>	4 parking bays per 100 m <sup>2</sup> GLA with a minimum of 6 parking bays.
Showrooms, motor showrooms, vehicle sales*	4 parking bays per 100 m <sup>2</sup> GLA
Sit-down restaurant, place of refreshment:	6 parking bays per 100 m <sup>2</sup> GLA with a minimum of 6 parking bays.
- within shopping centres	
- isolated	8 parking bays per 100 m <sup>2</sup> GLA with a minimum of 8 parking bays.
Tavern, shebeen	8 parking bays per 100 m <sup>2</sup> GLA plus provision for public transport
<b>Commercial and Industrial Uses</b>	
Abattoir	1 parking bay per 100 m <sup>2</sup> GLA.
Agricultural Industry / Business	2 parking bays per 100 m <sup>2</sup> GLA.
Associated retail sales area – commercial use	6 parking bays per 100 m <sup>2</sup> GLA.
Commercial workshop	4 parking bays per 100 m <sup>2</sup> GLA.
Crematorium	1 parking bay per 4 seats or persons calculated at 1,4 m <sup>2</sup> per person, whichever is the greater
Dairies, bakeries, laundries and dry cleaners	2 parking bays per 100 m <sup>2</sup> GLA.
Manufacturing	2 parking bays per 100 m <sup>2</sup> GLA.
Scrapyard	1 parking bay per 100 m <sup>2</sup> GLA (Storage yard included in GLA).
Self-storage facility	0,2 parking bays per 100 m <sup>2</sup> GLA with a minimum of 4 parking bays.
Service station, vehicle workshop, car wash and fitment centre	4 parking bays per service parking bay <b>plus</b> 2 parking bays per 100 m <sup>2</sup> display, spares or sales area, together with vehicle queuing space to the satisfaction of the municipality
Storage yard	1 parking bay per 100 m <sup>2</sup> GLA with a minimum of 4 parking bays.
Warehouse, wholesale warehouse and distribution centre	2 parking bays per 100 m <sup>2</sup> GLA.
<b>Educational Uses</b>	
Crèche	6 parking bays per 100 m <sup>2</sup> classroom area
Institution	4 parking bays per 100 m <sup>2</sup> GLA
Place of assembly and place of amusement	1 parking bay per 4 seats or persons calculated at 1,4 m <sup>2</sup> per person, whichever is the greater <b>plus</b> provision for public transport
Place of instruction (adult instruction only)	30 parking bays per 100 m <sup>2</sup> classroom area <b>plus</b> provision for public transport

LAND USE (ALPHABETICAL ORDER)	STANDARD PARKING REQUIREMENT (PARKING BAYS)
Place of worship	0,15 parking bays per seat or 14 parking bays per 100 m <sup>2</sup> GLA, whichever is the greater
Primary and secondary schools	2 parking bays per 15 children <b>plus</b> additional area for drop-off and pick-up to the satisfaction of the municipality
Tertiary institutions*	0,4 parking bays per student <b>plus</b> 1,0 parking bay per classroom and 1,0 parking bay per additional trained/administration staff. Provision must be made for public transport.
<b>Medical Uses</b>	
Private hospitals, clinics, step-down or frail care facility*	2 parking bays per bed 8 parking bays per 100 m <sup>2</sup> GLA for consulting rooms Provision must be made for public transport use. A hospital may include a helipad in the parking area.
Public hospitals, clinics, step-down or frail care facility*	1 parking bays per bed 6 parking bays per 100 m <sup>2</sup> GLA for consulting rooms Provision must be made for public transport use. A hospital may include a helipad in the parking area.
Medical consulting rooms	8 parking bays per 100 m <sup>2</sup> GLA for consulting rooms
Other medical uses	6 parking bays per 100 m <sup>2</sup> GLA with a minimum of 6 parking bays
<b>Community, Sport and Recreational Facilities</b>	
Club house	2,5 parking bays per 100 m <sup>2</sup> GLA.
Community and social halls*	0,25 parking bays per seat or 20 parking bays per 100 m <sup>2</sup> GLA, whichever is the greater <b>plus</b> provision for public transport
Libraries and museums	2 parking bays per 100 m <sup>2</sup> GLA
Sport stadiums*	0,25 parking bays per seat. Provision must be made for public transport.
Sports club/academy*	2,5 parking bays per 100 m <sup>2</sup> GLA
Swimming pools	0,25 parking bays per seat.

\*The provisions relating to the use of land for more than one purpose in chapter 6 regulation 23 apply

- (3) Parking bays, loading bays, maneuvering space, access from the public road network and internal roadways must comply with the requirements of the municipality's parking standards, as amended from time to time, the requirements of TMH16: South African Traffic Impact and Site Traffic Assessment Manual and the National Building Regulations in terms of SANS10400-S. Approval of SDPs and building plans are subject to compliance with the relevant standards.
- (4) A certificate of occupancy, as provided for in the National Building Regulations and Building Standards Act 103 of 1977, shall not be issued unless the vehicular parking and loading area, as well as the access(es) to the site, indicated in accordance with the provisions of the scheme on a site development plan and building plan, have been constructed and completed to the satisfaction of the municipality.

- (5) All vehicle parking or loading parking bays, access and maneuvering areas shall be permanently hardened, paved or sealed and maintained in a dust free condition to the satisfaction of the municipality.
- (6) Every parking or loading parking bay required in terms of the scheme shall be clearly marked and defined to the satisfaction of the municipality.
- (7) Parking in public and private parking areas must be shaded and landscaped. Trees must be planted and maintained at a minimum ratio of one tree for every two parking bays, in such a manner that shade is provided for all passenger vehicle parking bays to the satisfaction of the municipality.
- (8) An area to be used for parking or loading shall be used for no other purpose and any encroachment on such area for any other purpose which renders any portion of such area unfit for parking or loading, shall constitute a contravention of the By-law and scheme.
- (9) Calculating parking requirements.
  - (a) Every site development plan and/or site plan or part of a building plan submission must contain a parking table in which the parking demand and the parking provision of the development must be reflected. It must be demonstrated that the provision of parking meets or exceeds the required number of parking bays. The parking table must comply with the requirements stated below:
    - (i) When calculating the total number of parking spaces required in respect of any specific building, use or development, such number shall be determined by rounding-up the fractions of parking spaces to the next greater whole number.
  - (b) When calculating the parking requirements of a development, the parking requirements of all land uses and buildings on the site must be reflected. This includes the parking requirements of buildings that have been approved in the past as well. In the unlikely event that a development had been approved over more than one property, the parking requirement of all buildings on all of the properties must be reflected.
  - (c) The parking table must distinguish between parking for residents and parking for visitors in the case of residential developments. Parking bays provided for visitors can be counted towards compliance with the aggregate parking requirement.
  - (d) The parking table must reflect the number of reserved parking bays on the site and the number of replacement bays that are required.
  - (e) The parking table must reflect the number of on-site public transport bays and the impact of such bays on the calculation of the parking requirement.
  - (f) The parking table must reflect the number of parking bays that must be provided for persons with disabilities, as prescribed by the National Building Regulations in terms of SANS10400-S. Parking bays provided for persons with disabilities can be counted towards compliance with the aggregate parking requirement.
  - (g) The parking table must reflect the required number of loading bays associated with the development, as determined in terms of the requirements of national report U12/7/4/23 (Guidelines for off-street loading facilities) and the mandatory standards in TMH16: South African Traffic Impact and Site Traffic Assessment Manual. The required number of loading bays in each class (light, medium and heavy) must be specified separately.
  - (h) Apart from specifying the required number of parking bays and loading bays of each class/category as indicated above, the parking table must also reflect the provision of parking/loading bays per class/category, demonstrating that the different requirements are being met.

(10)Reserved parking.

- (a) A parking bay that is required for any development may not be reserved, unless it is indicated as a “reserved parking bay” on the latest approved site development plan and building plan.
- (b) When parking is reserved within any development (except for residential development) and indicated as such by means of a “reserved parking” sign, an additional standard parking bay must be provided for every four reserved parking bays or fraction thereof.
- (c) When parking for visitors within any residential development is reserved for use by visitors of designated dwelling units, an additional visitor’s bay shall be provided for every reserved parking bay.
- (d) Although a parking bay provided for persons with disabilities is technically a reserved parking bay, such bays are excluded from the definition of reserved parking bays.

(11)Parking for people with disabilities.

- (a) Parking for disabled persons shall be provided in accordance with the provisions of regulations 4.3.1 and 4.3.2 of SANS10400-S.
- (b) Parking for disabled persons may form part of the total number of parking bays required for any specific development.
- (c) Parking bays at animal establishments must be at least 3 m wide to prevent damage to vehicles parked in adjacent parking bays.

(12)Parking for minibus-taxis.

- (a) The municipality may require that a certain percentage of the total required parking bays be converted into parking for minibus-taxis at a ratio of one bay for every four standard parking bays. The following requirements must be complied with:
  - (vi) The conversion of standard parking bays into minibus-taxi parking bays are only officially allowed in relation to land uses identified in Schedule 5: Land uses qualifying for the provision of formal parking, loading and pick-up/drop-off facilities. Property owners/developers are allowed to provide additional minibus-taxi parking bays in an informal manner, but according to the normal design standards.
  - (vii) Standard parking bays can be exchanged for minibus-taxi parking bays at identified developments where 50 or more parking bays are required.
  - (viii) The number of minibus-taxi parking bays may not exceed 1% of the total number of required parking bays at developments where more than 100 parking bays are required.
  - (ix) Minibus-taxi bays must be 5 m deep and at least 3 m wide. The same aisle widths and manoeuvring space required for standard parking bays are applicable.
  - (x) Minibus-taxi bays located in access-controlled parking areas with parking levies may not be counted towards the aggregate parking provision total.
  - (xi) Parking bays for minibus-taxis must be clearly marked with signage and road markings in accordance with the requirements of the Southern African Development Community Road Traffic Signs Manual.

(13)Parking for motorcycles and bicycles.

- (a) The municipality may require that parking be provided for motorcycles and bicycles, in which case a maximum of 1% of the total number of standard parking bays may be converted into parking for motorcycles and/or bicycles at a ratio of:
  - (i) 4 motorcycle parking bays for every normal parking bay; and
  - (ii) 6 bicycle parking bays for every normal parking bay.
- (b) A parking bay for a motorcycle must be at least 2.5 m deep and 1.2 5m wide.
- (c) Unless dictated by off-the-shelve bicycle racks, parking bays for bicycles must be at least 2.5 m, deep and 1 m wide.
- (d) Aisle widths and manoeuvring space must be provided to the satisfaction of the municipality.
- (e) Bicycle racks or poles must be provided in the case of bicycle bays.

- (f) Parking bays must be clearly demarcated for motorcycles and/or bicycles by means of road markings and signage.

(14) Parking layout and standards.

- (a) The area to be used for parking shall be shown on all site development plans and building plans, or any other plan required by the municipality, and shall be clearly defined and dimensioned.
- (b) Except, where in the scheme it is otherwise expressly provided, on-site parking areas shall conform to the following minimum standards and dimensions listed below:
  - (i) in determining the area required for parking, a standard parking bay, inclusive of manoeuvring area, shall be no less than 30 m<sup>2</sup> in extent.
  - (ii) a standard parking bay shall be 2,5 m wide (plus an additional 1,0 m for a parking bay for disabled persons), and 5,0 m long with an aisle width of 7,5 m behind the parking bay;
  - (iii) the entrance to and exit from the parking area, as well as the location of the parking area shall be to the satisfaction of the municipality;
  - (iv) parking bays must be individually accessible and vehicles shall be parked in such a way that each vehicle can be moved freely in and out of its parking bay in a single manoeuvre;
  - (v) the parking layout shall be so designed that structural features such as columns, beams, walls, etc., shall not encroach onto any parking bay and shall not obstruct the free manoeuvring of vehicles into and out of parking bays;
  - (vi) in cases where a parking bay is provided adjacent to structural features such as columns, beams, walls etc., where the opening of vehicle doors may be obstructed, an additional allowance of 0,35 m in the width of the parking bay is required per side that is obstructed;
  - (vii) parking bays shall not be located in such a way so as to obstruct the entrance to any building, the opening of windows, service areas or emergency equipment;
  - (viii) the dimensions for queuing space to be provided at a car wash, fitment centre or any other drive-through facility shall adhere to the municipality's latest parking standards policy; and
  - (ix) The design and provision of parking bays and areas must be TMH16 compliant.

(15) Provision of parking in a building.

- (a) Parking bays for vehicles may not be located within a building, unless such parking bays:
  - (i) form part of a dedicated parking area in a basement or on the ground level of a building indicated on a site development plan, which level is used exclusively for the parking of vehicles;
  - (ii) are located inside a formal parking garage;
  - (iii) serve as a vehicle showroom or similar display area for vehicles, in which case the display area is regarded as Gross Leasable Floor Area and not parking;
  - (iv) form part of a workshop, panel beater workshop or similar working area where vehicles are being kept for purposes of repair or service;
  - (v) are located within a motor garage.
- (b) Parking bays which are permitted within a building as per the above may not be converted into Gross Leasable Floor Area so as to compromise the provision of the required number of parking bays for any development at any given time.
- (c) Unless properly motivated from a traffic engineering perspective and approved beforehand by the municipality, motorists may not be required to drive through a building to access a parking area outside such building.

(16) Alternative to providing on-site parking.

- (a) As an alternative to compliance with the on-site parking requirements in terms of this scheme for a particular land use, excluding residential land uses, an owner of land may with the approval of the municipality, acquire suitable land for the permanent parking requirements elsewhere, or



acquire permanent rights to a parking facility or portion of a parking facility elsewhere, subject to the following conditions:

- (i) that the position of the alternative land or parking facility be approved by the municipality and appropriately zoned;
- (ii) that, if the concerned properties cannot be consolidated, a notarial tie or servitude be registered against the alternative land or parking facility to ensure that such land or facility may not be separately alienated, leased or used for any other purpose;
- (iii) that the alternative land or parking facility be within reasonable walking distance, but not exceeding 200 metres, from the site on which the proposed development is intended;
- (iv) that the parking be constructed and maintained in accordance with a site development plan and conditions set by the municipality; and
- (b) The alternative land or parking facility shall comply with all the requirements and conditions specified for on-site parking in terms of this scheme.
- (c) That the relevant sites, if adjacent to each other, be consolidated, or if not adjacent to each other, be notorially tied so that the sites may not be separately alienated or leased for other purposes without the consent of the municipality;
- (d) A direct access via the common boundary must be provided in cases where the development site is located adjacent to the property on which the external parking area is created. (An additional access to an external parking area can only be considered under special circumstances.)
- (e) In the case of geographically separated properties, such an off-site parking area must be motivated from a traffic engineering perspective (in a formal traffic report compiled by a professional traffic engineer) by at least discussing the following items:
  - (i) The details of the different properties.
  - (ii) Details of how the properties are legally linked and how the parking area is legally secured for parking in favour of the development site.
  - (iii) Vehicular access to the different properties (also addressing access control).
  - (iv) Pedestrian access to the different properties (also addressing access control).
  - (v) Directional guidance of motorists to the off-site parking area in terms of the requirements of the Southern African Development Community Road Traffic Signs Manual.
  - (vi) Directional guidance of pedestrians between the two properties in terms of the requirements of the Southern African Development Community Road Traffic Signs Manual.
  - (vii) The required distance to be travelled on foot between the off-site parking area and the development itself. (From furthest parking bay to building access.)
  - (viii) The effective width and gradient of the pedestrian route between the properties.
  - (ix) The nature and extent of goods that must be carried/moved by pedestrians between the properties.
  - (x) Provision that must be made for persons with disabilities
  - (xi) Obstructions that need to be removed along the route to facilitate proper movement of pedestrians.
  - (xii) Potential pedestrian/vehicular conflict along the pedestrian route.

(17) Variation to standard parking requirements.

- (a) A variation to the standard parking requirements may be considered only within the Bloemfontein Central Business District described in Chapter 6 regulation 33 and Priority Public Transport Network Area (PPTN) in terms of a parking policy.

(18) Loading requirements.

- (a) In addition to the parking bays required in terms of this scheme, any development listed in Table 5: Land Uses for which loading facilities must be provided, shall provide an adequate on-site loading area within the boundaries of the property in accordance with the standards and

requirements set out in the municipality's policy relating to the provision of off-street loading facilities and Table 5.

**Table 5: Land uses for which loading facilities must be provided**

LAND USE/ACTIVITY	THRESHOLD VALUE
<b>Residential</b>	
Multiple residential units and group houses	45 dwelling units
Hotel, residential hotel and boutique hotel	20 rooms
<b>Offices and businesses</b>	
Offices outside the CBD	1,270 m <sup>2</sup> GLA
Shops other than shopping centres	
- within the CBD	530 m <sup>2</sup> GLA
- outside the CBD	100 m <sup>2</sup> GLA

- (b) In addition to the parking bays required in terms of this scheme, any development listed in Schedule 5: Land Uses for which parking bays, loading facilities, minibus-taxi bays, pick-up and drop-off facilities and SDPs must be provided, shall provide an adequate on-site loading area within the boundaries of the property in accordance with the standards and requirements set out in the municipality's policy relating to the provision of off-street loading facilities. Loading facilities must be provided for the land uses listed in Table 5 once the respective threshold values are reached.
  - (c) Where, in the opinion of the municipality, it is necessary and/or desirable to provide loading facilities for any other land use or activity not listed in Schedule 5, the municipality may require the provision of an adequate on-site loading area within the boundaries of the relevant site in accordance with the standards and requirements set out in the municipality's policy relating to the provision of off-street loading facilities.
  - (d) Except for qualifying streets located within the Bloemfontein CBD, or streets that have been identified in terms of the municipality's PPTN, as being specifically excluded from this requirement, no loading or off-loading of goods or material on-to or from vehicles shall be permitted within street reserves.
  - (e) Loading areas must comply with the requirements of national report U12/7/4/23 (Guidelines for off-street loading facilities) and the mandatory standards in TMH16: South African Traffic Impact and Site Traffic Assessment Manual. When calculating the total number of loading bays required in respect of any specific building, use or development, such number shall be determined by rounding-up the fractions of loading bays to the next greater whole number.
  - (f) The determination of the required number of loading or waiting bays must distinguish between the required numbers associated with different classes of delivery vehicle, i.e. light, medium and heavy.
  - (g) The design of loading bays and the associated manoeuvring space must comply with the requirements of the design manuals referred to in regulation 18(e) above.
- (19) No parking bay or loading bay may be located at a position where it can obstruct access to firefighting equipment, access to fire escapes, access to building, access to service areas or store rooms, can obstruct the opening of a window or gate, or where it can obstruct the flow of traffic.
- (20) No parking bay or loading bay located on-, or accessible from land that had been reserved for future road widening or road improvements may be numbered or counted as official parking or loading bays.

## 17. BUILDING LINES AND BUILDING RESTRICTION AREAS

- (1) No building and/or structure shall be erected so as to exceed the building lines as prescribed in Table 6: Road and street building line requirements.

**Table 6: Road and street building line requirements**

ROAD AND STREET CLASSIFICATION	BUILDING LINE
<b>1) National Roads (N1, N6 and N8)</b>	
(a) Farms and smallholdings	60 m
(b) Erven within urban areas	10 m
<b>2) Provincial Roads</b>	
(a) Primary ("P" and "A") Roads (Class 1 to 4)	20 m
(b) Secondary ("S") Roads (Class 5 and 6)	15 m
(c) Tertiary ("T") Roads	15 m
<b>3) Roads and servitudes on farms and small holdings</b>	
(a) Unnumbered farm roads	15 m
(b) Servitude roads	15 m
<b>4) Municipal Road Classification</b>	
(a) Arterial road	
- Residential Erven < 500 m <sup>2</sup>	7 m
- All other uses	10 m
(b) Collector road	
- Residential Erven < 500 m <sup>2</sup>	5 m
- All other uses	7 m
(c) All other road classes and unclassified streets	
- Residential Erven < 500 m <sup>2</sup>	3 m
- All other uses	5 m
(d) Class 5 roads within Bloemfontein CBD	0 m
<b>5) Internal roads in respect of;</b>	
(a) Enclosed residential estate with separate erven	5 m
(b) Multiple residential units	5 m
<b>6) Designated roads and streets</b>	
(a) Building lines that may not be relaxed	<b>Table 7</b>
(b) Relaxation of building lines to a minimum	<b>Table 8</b>

*Note: Unless indicated otherwise, a building line is measured from the road or street boundary.*

- (2) No building and/or structure other than boundary walls, fences or temporary buildings or structures required in connection with building operations on the property, shall be erected within any building restriction area.
- (3) Where an erf borders on a national or provincial road, the applicable building line shall be prescribed by the controlling authority, and such building line may not be relaxed, modified or amended without the written consent of the controlling authority.
- (4) A building line applicable to a property under this part of the scheme shall not be construed as to nullify the existence of a building line registered against the title deed of a property, laid down in terms of any other law, or imposed by any competent authority.
- (5) In accordance with the provisions of chapter 7 of this scheme the municipality may, on receipt of a written application and in its discretion, relax a building line if, in its opinion, compliance with the building line would seriously hamper the development of a property on account of the location,

levels, shape, slope or size of a property, or adjoining land, or the location of existing buildings in relation to a building line, or any other special circumstances as determined by the municipality. Applications will be considered only if supported by all affected service units and road authorities.

(6) The municipality shall keep a record of all building line relaxations approved in terms of the scheme.

(7) Road and street building lines.

- (a) Road and street building lines applicable to all properties are indicated in Table 6 and no permanent structure, building or any part thereof may be erected closer to the road or street boundary or improvement line than the distance so indicated.
- (b) Where an overlap occurs between the classification of any road or street by more than one competent authority, then the most restrictive building line shall apply.
- (c) Where a new road, street or widening of an existing road or street is required, the building line is to be set back so as to take into consideration any such new road, street or widening of an existing road or street.

(8) Relaxation of road or street building lines.

In accordance with the provisions of chapter 7 of this scheme the municipality may, except for National and Provincial Roads, relax any road or street building line, provided that the extent of the relaxation shall not exceed the following:

- (a) Building lines applicable to any land situated along or adjacent to a designated street:
  - (i) may not be relaxed for any of the streets listed in Table 7: Building lines that may not be relaxed; and
  - (ii) may not be relaxed further than the minimum distance from the street boundary, specified for the streets listed in Table 8: Building lines that may only be relaxed to a minimum;
- (b) A maximum of not more than 50% in respect of unnumbered farm roads and servitudes located on farms and smallholdings;
- (c) In respect of buildings or structures located in urban areas a relaxation not nearer from the street boundary as set out in Table 9: Relaxation of urban street building lines below.

**Table 7: Building lines that may not be relaxed**

STREET	DESCRIPTION	BUILDING LINE
<b>Class 5 Roads in the Bloemfontein CBD</b>		
Zastron Street	Along both street reserves of that part between Alexandra Avenue and First Avenue	3 m
Peet Avenue	Along the southern street reserve of that part between Harvey Road and President Brand Street	3 m
St Georges Street	Along the southern street reserve of that part between Harvey Road and President Brand Street	7 m
First Avenue	Along the eastern street reserve of that part between Selborne Avenue and Elizabeth Street	7 m
Markgraaff Street	Along both street reserves of that part between Selborne Avenue and Barnes Street	4,5 m
President Brand Street	Along the western street reserve for the entire length of the street	16 m
**Aliwal and Green Streets extension	Along the eastern street reserves of that part between St Georges Street and Zastron Street	1,6 m
Aliwal Street	Along both street reserves	3 m
Wes Burger Street	Along both street reserves	3 m
** Oliver Tambo Road (former Church Street)	Along both street reserves of that part between Falck Street and Peet Avenue	4,5 m

STREET	DESCRIPTION	BUILDING LINE
Oliver Tambo Road	Along both street reserves of that part between Falck Street and the railway crossing	6 m
Victoria Road	Along both street reserves	Awaiting reply from MMM

Main access routes		
Curie Avenue	Along both street reserves of that part between the N1 National Road and Nico van der Merwe Street	10 m
Kolbe Avenue, Pres. Boshoff Street and Markgraaff Street	Along both street reserves of that part between Nico van der Merwe Street and Selborne Avenue	6 m
Victoria Road		Awaiting reply from MMM

Table 8: Building lines that may only be relaxed to a minimum

STREET	DESCRIPTION	MINIMUM BUILDING LINE
Raymond Mhlaba Street	Along both street reserves of that part between the CBD and Wilcocks Road	4,5 m
Lombard Street	Along both street reserves of that part between Koller Street and Gruis Street	3 m
Exton Road	Along both street reserves of that part between Ambulance Road and Raymond Mhlaba Street	3 m
Nelson Mandela Drive	Along the southern street reserve of that part between Markgraaff Street and Parfit Avenue	3 m
Second Avenue	Along both street reserves for the entire length of the street	4,5 m
Brill Street	Along both street reserves for the entire length of the street	3 m

Table 9: Relaxation of urban street building lines

APPLICATION OF RELAXATION	SINGLE STOREY	MULTI STOREY
<b>Arterial road</b>		
- Residential erven < 500 m <sup>2</sup>	3 m	5 m
- All other uses	5 m	7 m
<b>Collector road</b>		
- Residential erven < 500 m <sup>2</sup>	3 m	5 m
- All other uses	5 m	7 m
<b>All other unnumbered streets</b>		
- Residential erven < 500 m <sup>2</sup>	1 m	1,5 m
- All other uses	3 m	5 m
<b>Internal roads in respect of:</b>		
- Enclosed residential estate	3 m	5 m
- Multiple dwelling units	3 m	5 m

(9) Motor garages and car ports.

- (a) A motor garage or car port gaining access directly from the street and where the entrance faces the street, must be a minimum of 5 metres from the street boundary, so as to ensure that a

standard length motor vehicle can be parked between the motor garage or car port and the street boundary.

(10) Side and rear spaces.

- (a) Standard building lines applicable to the side and rear boundaries of a property are indicated in Table 10: Standard building lines for side and rear spaces below and no permanent structure, building or any part thereof may be erected closer to the side and rear boundaries than the distance so indicated.
- (b) In accordance with the provisions of chapter 7 of this scheme the municipality may in its discretion, grant consent to a permanent structure, building or any part thereof to be erected closer to any side or rear boundary than the distance specified in Table 10, provided that;
  - (i) in respect of a relaxation to 0m, no windows or other openings may front towards such boundary;
  - (ii) the concerned boundary is not affected by the installation of existing or future municipal services; and
  - (iii) at least one side boundary of not less than 1m in width is left open, providing access from the street to the rear space.
- (c) No side space is required on the common boundary in respect of a semi-detached building in the event of a subdivision and where the subdivision line thus divides the semi-detached building into two parts.

**Table 10: Standard building lines for side and rear spaces**

ZONING CATEGORY OR LAND USE	STANDARD BUILDING LINE	RELAXATION
1) "Agricultural" and "Smallholdings"	3 m	Not Applicable
2) "Residential 1 and 2"	1 m	Subregulation 10(b)
3) All other residential uses	3 m	Subregulation 10(b)
4) All other uses in urban areas	3 m	Subregulation 10(b)
5) Properties within the Bloemfontein CBD	0m, except those mentioned in row 6 below and chapter 6 regulation 32	
6) In any Use Zone where shops are permitted in respect of erven which abut onto President Brand Street, no shop windows or entrance to a shop and no shop or portion of a shop shall be permitted within 9,4m of President Brand Street, except on Erf 2797. Provided further that no use, advertisement or way of advertising, which, in the opinion of the Municipality in consultation with the South African Heritage Resource Council (SAHRA), will be detrimental to President Brand Street, shall be permitted.		

*Note: Unless indicated otherwise, a building line is measured from the erf boundary.*

**CHAPTER 4: PROMOTION OF LAND DEVELOPMENT****18. SPECIAL DEVELOPMENT ZONES**

- (1) The municipality may, from time-to-time, designate special development zones. The purpose of these zones is to implement the priorities of the municipality outlined in its integrated development plan and spatial development framework. These zones include a number of erven with their individual land use zonings.
- (2) The special development zones may include, but are not limited to:
  - (a) Previously disadvantaged areas; and
  - (b) Industrial symbioses areas.
- (3) A special development zone, which has to be approved and advertised, shall have a specific function and include a number of developmental tools, to achieve desired priorities and objectives.
- (4) The special development zone shall comprise inter alia the following, in order to be advertised:
  - (a) A geographical delineation, ensuring that the boundaries are cadastrally based or geographically identifiable;
  - (b) Statement of policy and intention that elaborates on the developmental perspective and which will be used by the municipality in the assessment of land development applications within the special development zone;
  - (c) The expected traffic implications and required mitigation measures associated with the special development zone;
  - (d) A public participation result, which elaborates on the participation process with interested and affected parties within the proposed special development zone, as well as their response and uptake;
  - (e) Development standards and proposed land management tools that will be in force in the special development zone;
  - (f) A monitoring and assessment mechanism along with the municipality's investment commitment for the public areas and facilities within and supporting the special development zones, including proposed achievement timeframes.
- (5) A resolution adopting a special development zone containing the minimum elements detailed above shall be passed at a meeting of the municipal council and follow the process detailed below:
  - (a) After the passing of a resolution by the municipality, the special development zone shall be advertised in the *Provincial Gazette* and a local newspaper and shall simultaneously be open for inspection at the municipal office during normal working hours for not less than 28 days;
  - (b) Further, the municipality shall notify all ward councillors and residents associations within the special development zone on or before the date of advertisement;
  - (c) Written representations, comments or objections on the said special development zone or any proposal contained therein may be lodged, with the municipality on or before a certain date. Such date shall not be less than 28 days after the date of the closure of the advertisement period stated above;
  - (d) The municipality shall consider each representation, comment or objection received within the stipulated period and approve or amend the special development zone, stipulating the date of commencement in a notice in the *Provincial Gazette*;
  - (e) The municipality may at any time amend a special development zone, subject to compliance with the procedures set out above;

- (6) After a special development zone has been approved by the municipality, it shall be deemed to be the overriding guidelines in terms of the spatial development framework for the erven falling within its boundaries;
- (7) The municipality may revoke a special development zone by passing a resolution and should give notice in accordance with regulation 5 above.

## **19. INCLUSIONARY HOUSING**

- (1) Inclusionary housing shall be provided in terms of the provisions of:
  - (a) SPLUMA;
  - (b) the By-law;
  - (c) the municipality's spatial development framework and alignment plan;
  - (d) the municipality's housing plan;
  - (e) detailed guidelines and/or an overlay zone done by the municipality, which shall address the methodology for levying inclusionary housing contributions and the calculation thereof.



**CHAPTER 5: PROMOTION OF CONSERVATION AND SUSTAINABLE USE OF RESOURCES****20. HERITAGE**

- (1) All development shall meet all the criteria set out in the National Heritage Resources Act 25 of 1999 (NHRA).
- (2) The municipality is entitled to require the input of authorities responsible for enforcing the NHRA with any application where the approval of such application may require the demolition or changing of structures that can potentially be viewed as heritage resource assets.
- (3) The municipality may insist on proof of compliance with the NHRA prior to issuing a demolition permit in terms of the Building Act.

**21. ENVIRONMENT AND AESTHETICS**

- (1) The following categories of land use rights for open spaces and environmental areas are provided for in Table 2:
  - (a) Public open space;
  - (b) Private open space;
  - (c) Conservation areas;
  - (d) Protected areas; and
  - (e) Environmental control areas.
- (2) The following conditions apply to land included in subregulation 21(1):
  - (a) All development shall be in accordance with an approved site development plan. Any information in relation to flood lines, wetlands and riparian zones shall be taken into consideration during the development of a site. Such information shall be clearly indicated on the site development plan.
  - (b) No recycling facilities are permitted;
  - (c) No development shall be permitted within the area which is subject to flooding by a 1:100 year flood or within the riparian zone and a buffer area of 30 metres from the edge of the riparian zone or river bank where this is clearly identifiable, whichever is the greater.
  - (d) No parking or formal parking area is allowed in a public open space.
- (3) The Critical Biodiversity Areas and Ecological Support Areas in the municipal area are indicated as an overlay on the GIS.

**22. ENERGY AND WATER EFFICIENCY**

- (1) The assessment of applications in terms of the By-law and the scheme shall be done in accordance with the guidelines and criteria as adopted by the municipality to promote energy and water efficiency and provided at pre-application consultation with an applicant.
- (2) Owners will be encouraged to consider alternative forms of energy, renewable sources of energy and building design parameters that embrace energy efficiency, provided that:
  - (a) For the purpose of this subregulation no account shall be taken of solar panels used for car ports in coverage calculations on non-residential properties.
- (3) The visual impact of the energy efficiency measures shall be indicated on the site development plan and the design materials/screening shall be specified.

## **CHAPTER 6: CONDITIONS APPLICABLE TO ALL LAND, PROPERTIES AND CATEGORIES OF PROPERTIES**

### **23. USE OF LAND OR BUILDINGS FOR MORE THAN ONE PURPOSE**

- (1) No provision in this scheme restricts the use of land to a single use, where the primary right in Table 2 permits more than one land use.
- (2) Where a building, erf or site is used for more than one purpose – thus a mixed land use - the development parameters of the land use with the highest impact shall apply to the property (all buildings included), provided that the development controls applicable to each individual land use are not exceeded. This applies to density, floor area, coverage and height, however the parking standard requirement for each individual land use will be used in calculating the total number of required parking bays for such a development. In the case of a wide range of land uses grouped in a single homogenous building/structure under centralised management, such as a regional shopping centre, the parking requirement of the overarching land use shall apply with respect to the full building, without considering different internal land uses.

### **24. CONFLICT BETWEEN SCHEME, TITLE CONDITIONS AND TOWNSHIP CONDITIONS**

No consent of the municipality given under the provisions of this scheme shall be construed as conferring upon any person the right to use any land or to erect or use any building thereon in any manner or for any purpose which is prohibited in any condition registered against the title deed of the land or imposed in respect of the land under any law relating to the establishment of townships or smallholdings.

### **25. TRAFFIC IMPLICATIONS OF LAND USE AND LAND USE CHANGES**

- (1) The document TMH16: South African Traffic Impact and Site Traffic Assessment Manual determines which applications qualify for the submission of Traffic Impact Assessments (TIAs) or a Site Traffic Assessments (STAs). Qualifying applications may only be considered for approval once a supporting TIA or STA, compiled by an adequately qualified and experienced professional, had been approved as acceptable by the municipality from a traffic engineering perspective.
- (2) The municipality may also, in the case of any other proposed development (or application) which, in its opinion, may substantially alter or effect the traffic volumes or traffic patterns in the surrounding area of the proposed development, or affect road infrastructure that is already operating at poor levels of service, require the submission of a TIA or a STA, prepared by an adequately qualified and experienced professional, in respect of such proposed development or change. This includes, but is not limited to:
  - a) Consent uses;
  - b) Rezoning applications;
  - c) Township establishment;
  - d) Development or redevelopment within existing development rights;
  - e) Changes to access arrangements;
  - f) Subdivision and consolidation of land;
  - g) Partial or full street closures, including pedestrianisation of roads;
  - h) Changes in public transport, parking and traffic management, etc.

- (4) The municipality may require the submission of a TIA to facilitate the compilation of a fair Services Agreement.
- (5) Submitted TIAs and STAs must comply in full with the requirements of TMH16: South African Traffic Impact and Site Traffic Assessment Manual, as well as the Mangaung Framework for the Compilation of Traffic Impact Studies.
- (6) Unless containing a letter issued by the municipality stating that an application is exempted from the submission of a TIA, all applications must either contain a departmentally certified Traffic Impact Assessment, or a motivational letter from a professional traffic engineer, demonstrating that the application does not qualify for the submission of a TIA.
- (7) An individual site is entitled to only one access. Additional accesses can only be considered if this can be motivated in terms of the provisions and standards of TMH16: South African Traffic Impact and Site Traffic Assessment Manual.

## **26. RESERVATION OF LAND**

The municipality may require the reservation of land for new streets, street widenings, improvements, closings and deviations. Reservation of land for existing streets, new streets, street widening and other road improvements are indicated in Schedule 6.

## **27. MAINTENANCE OF PRIVATE PROPERTIES**

- (1) The owner is responsible for the maintenance of the property.
- (2) Where the amenity of any area is adversely affected by the general condition of any garden, courtyard, fence, building or development of any erf, or an injurious condition on the aforesaid, the municipality may serve a notice on the owner or occupant of the premises on which the conditions exist, requiring him to take action to abate the conditions.
- (3) The said notice can prescribe remedial actions to be taken and can also specify a time, limit within which the actions must be affected.
- (4) The municipality may also undertake any measures to abate such conditions at the cost of the owner.

## **28. PROTECTION FOR PROFESSIONS AND OCCUPATIONS**

Without prejudice to any of the powers of the municipality under the provisions of the scheme or any other law, no provision of the scheme prohibits or restricts the practice by any permanent occupant of a dwelling house or dwelling unit of a profession or occupation. These uses shall not result in an interference with the amenities of the neighbourhood or cause a nuisance. In developments governed by sectional title schemes or homeowners' associations, this practice shall be accommodated subject to approval of the relevant body.

## **29. ERVEN AFFECTED BY SPLAYS**

Where the area of an existing erf situated at the corner of two streets is reduced by the splaying of the street corner, the area of such erf shall be deemed to be the same as its area before it was reduced by the new splay, for the purposes of calculating density, coverage and floor area ratio in Table 2. The

development parameters of erven created with standard splay sizes from the onset should be calculated in terms of the actual erf size, excluding the splay.

### **30. ERVEN AFFECTED BY PUBLIC WORKS**

Upon the subdivision of any land, where any portion of such land is physically separated by the execution or proposed execution of public works, the portion so separated may be regarded as an existing erf.

### **31. GENERAL CONDITIONS APPLICABLE TO ALL ERVEN**

- (1) Except with the written consent of the municipality and subject to such conditions as it may impose, neither the owner nor any other person shall –
  - (a) have the right, save and except to prepare the erf for building purposes, to excavate any material therefrom;
  - (b) sink any wells or boreholes thereon or abstract any subterranean water therefrom; or
  - (c) make, or permit to be made, on the property for any purpose whatsoever, any tiles or earthenware pipes or other articles of a like nature, provided that this condition shall not apply to erven zoned Industrial 1.
- (2) Where, in the opinion of the municipality, it is impracticable for stormwater to be drained from higher-lying erven directly to a public street, the owner of a lower-lying erf shall be obliged to accept and permit the passage over the erf of such storm water. Provided that the owners of any higher-lying erven, the storm water from which is discharged over any lower-lying erf, shall be liable to pay a proportionate share of the cost of any pipeline or drain which the owner of such lower-lying erf may find necessary to lay or construct for the purpose of conducting the water so discharged over the erf.
- (3) The siting of buildings, including outbuildings, on the erf and entrances to and exits from the erf to a public street system shall be to the satisfaction of the municipality.
- (4) The main building, which shall be a completed building and not one which has been partly erected and is to be completed at a later date, shall be erected simultaneously with or before the outbuildings.
- (5) The erection and use of a building shall also mean the transformation of the building for a specific use, whether such transformation will cause structural changes to the existing building or not.
- (6) Unless an erf is located along a qualifying CBD street or exempted street in terms of the PPTN, all loading and off-loading operations shall take place within the boundaries of the erf to the satisfaction of the municipality.
- (7) No material or goods of any nature whatsoever shall be dumped or placed within the building restriction area along any street, and such area shall be used for no other purpose than the laying out of lawns, gardens, parking or access roads: Provided that if it is necessary for a fence to be erected on such a boundary this condition may be relaxed by the municipality and subject to such conditions as may be determined by it.
- (8) A fence, which may consist of a wall, palisade fence or other suitable fence shall be erected and maintained to the satisfaction of the municipality as and when required by it.

- (9) Fences, and the maintenance thereof, shall be to the satisfaction of the municipality. Boundary walls exceeding 1,8m in height require the written consent of the municipality. All fences and boundary walls shall be completed and finished off on both sides to the satisfaction of the municipality.
- (10) The registered owner or occupant is responsible for the maintenance of all the development on the property. If the municipality is of the opinion that the property, or any portion of the development, is not being satisfactorily maintained the municipality shall be entitled to undertake such maintenance at the cost of the registered owner.
- (11) No informal structures may be erected on any property within the area of the scheme, provided that the municipality in consultation with the community may consent to the erection of an informal structure in certain areas.
- (12) If an erf or site abuts a provincial road or a national road, a fence shall be erected along the boundary between the erf or site and such road in accordance with the standards laid down by the relevant national or provincial department. No direct access shall be permitted to the erf or site, unless permission has been obtained from the relevant department.
- (13) Except with the express approval of the municipality;
- (a) The number, location and design of vehicle accesses shall comply with the national minimum standards depicted in TRH26, South African Road Classification and Access Management Manual and TMH16: South African Traffic Impact and Site Traffic Assessment Manual. Access control and traffic control must also comply with the relevant national standards and the relevant municipal policies and requirements in this regard.

### **32. CONDITIONS APPLICABLE TO DOLOMITIC AREAS**

- (1) The South African National Standards for Dolomite Risk Management, SANS 1936 of 2012 apply to all erven affected by dolomite.
- (2) SANS 1936 uses the following classification that determines the precautionary measures required:
- (a) D1: No precautionary measures are required.
  - (b) D2: General precautionary measures, in accordance with the requirements of SANS 1936-3, that are intended to prevent the concentrated ingress of water into the ground, are required.
  - (c) D3: Precautionary measures in addition to those pertaining to the prevention of concentrated ingress of water into the ground, in accordance with the relevant requirements of SANS 1936-3, are required.
  - (d) D4: Additional site-specific precautionary measures are required.

### **33. CONDITIONS APPLICABLE TO THE BLOEMFONTEIN CBD**

The area included within the boundaries defined by Zastron Street, Kloof Street, Barnes Street, Aliwal Street, Alexandra Avenue, railway line, Fort Street, Harvey Road, Rhodes Avenue, Oliver Tambo Road (Church Street), St Georges Street, President Brand Street, Selborne Avenue, First Avenue, Elizabeth Street and Markgraaff Street (and other adjacent properties so designated by the municipality) shall be subject to the following development guidelines:

- a) Coverage: As per Table 2 and the CBD overlay zone
- b) Floor Area Ratio: As per Table 2 and the CBD overlay zone

- c) Height: All properties located in a street block between Wes Burger and Oos Burger Streets, directly opposite the Twin Tower Church ("Tweetering Kerk") in Radloff Street, Greyvensteyn Street, Henry Street and Charles Street, shall have a restriction of 18,5 m.  
All properties located in a street block between Charles and Elizabeth Streets, directly opposite the "Vierde Raadsaal" in Aliwal Street, shall have a restriction of 18,5 m.  
All other buildings in the CBD are restricted to 9 storeys (28m), subject thereto that no building in Maitland Street shall be erected so as to be less than 9.2 m in height;
- d) Parking: Parking in the CBD is to be provided in accordance with chapter 3 subregulation 16(17).
- e) Loading and off-loading: In terms of Table 5 and chapter 3 regulation 16.
- f) Building lines: In terms of Table 6, 7 and 8.  
All buildings located along Maitland Street are subject to a 3 m setback from the street boundary for the ground floor. Any storey above the ground floor is exempted from the setback, provided that:  
(i) a clear headroom of 3 m shall be left between the pavement level and the portion so constructed; and  
(ii) columns to support the upper storeys will be permitted to encroach over such 3 m setback.
- g) In any use zone where shops are permitted in respect of erven which abut onto President Brand Street, no shop windows or entrance to a shop and no shop or portion of a shop shall be permitted within 9,4 m of President Brand Street, except on Erf 2797. Provided further that no use, advertisement or way of advertising, which, in the opinion of the municipality in consultation with the South African Heritage Resource Council (SAHRA), will be detrimental to President Brand Street, shall be permitted.

#### **34. CONDITIONS APPLICABLE TO DWELLING UNITS IN ANY USE ZONE**

- (1) This includes all types of housing and dwelling units done as sectional title developments, and specifically town houses, maisonettes and duets. It also includes complexes developed with sectional title units with or without exclusive use areas.
- (2) The internal roads on the erf shall be constructed and maintained by the registered owner to the satisfaction of the municipality.
- (3) A site development plan shall be submitted to the municipality for approval prior to the submission of building plans.
- (4) No building shall be erected on the erf before such site development plan has been approved by the municipality and the whole development on the erf shall be in accordance with the approved site development plan, provided that:  
(a) The plan may, from time to time be amended with the written consent of the Body Corporate/management entity and the municipality.  
(b) Amendments or additions to buildings which in the opinion of the municipality will have no influence on the total development of the erf (or the sectional title scheme, if applicable), shall be deemed to be in accordance with the approved site development plan.

- (5) Where the development takes place at a density greater than 20 dwelling units per hectare the following conditions shall apply:
  - (a) The registered owner shall make available and accessible, to the satisfaction of the municipality, at least 250 m<sup>2</sup> of the erf as children's play area which area may include paved areas and lawns.
  - (b) Play apparatus, according to the requirements of the residents, shall be provided on the erf by the registered owner to the satisfaction of the municipality.
- (6) All individual vehicle entrances providing access to exclusive use areas may be provided from an internal road only.
- (7) All parking bays must be individually accessible.
- (8) If at least one visitor's parking bay is provided at each residential unit, such a visitor's parking bay, as an exception to the condition above, can be located in front of the resident's own parking bay or garage.
- (9) Other conditions related to the location of parking bays for visitors:
  - (a) Unless at least one visitor's parking bay is provided at each and every residential unit, all visitors parking must be provided in a dedicated parking area close to the entrance of the complex.
  - (b) Visitor parking bays can be distributed evenly spaced throughout the complex in the case of large developments, where walking distances from a centralised parking area at the site access will become excessive.
  - (c) A parking bay for visitors may not be provided inside a garage.
- (10) All visitors' parking bays must be clearly demarcated on the site and unless one visitor's parking bay is provided at each residential unit, may not be reserved for visitors of specific units.
- (11) The standard or location of parking bays for visitors may only be changed with the approval of the municipality in terms of an updated SDP.
- (12) No parking garage may be converted for another use without approval in terms of an updated SDP and subsequent conversion building plan.
- (13) All parking bays, access roads and manoeuvring space must be evaluated according to the requirements of the document Parking Standards and TMH16: South African Traffic Impact and Site Traffic Assessment Manual, published by the South African Department of Transport.
- (14) Design vehicle turning templates shall be used to test acceptability of vehicle manoeuvres on the development site.
- (15) A formal turnaround space must be provided on the site if an access road serves more than one residential unit.
- (16) Frontage parking is not allowed.
- (17) Access control must comply with the provisions of TMH16 and the municipal policies and standards. Unless access is controlled by security personnel on duty 24 hours of every day, a proper intercom system must be installed and maintained in good working order. A "cell-to-gate type" system may only be installed when proper intercom system is already in operation. No access control may be implemented without either 24-hour guards or an intercom system in operation.

- (18) An Occupation Certificate may only be issued once all required parking bays have been accurately demarcated on the development site according to the approved SDP.

### **35. CONDITIONS APPLICABLE TO GROUP HOUSING AND FULL TITLE DEVELOPMENTS IN ESTATES**

- (1) Individual subdivisions to be transferred as separate erven are subject to the same coverage restriction as for the entire group housing site and no individual subdivision may be developed so as to exceed the coverage applicable to the site.
- (2) Only one dwelling unit may be erected per individual subdivision to be transferred as a separate erf.
- (3) A five metre building line is applicable on the internal road front of every individual subdivision to be transferred as a separate erf, which may be relaxed by means of a written consent to a minimum of three metres in respect of a single storey building only, except in the case of a motor garage or car port gaining access directly from the internal road and where the entrance faces the internal road, which must be a minimum of five metres from the internal road boundary, so as to ensure that a standard length motor vehicle can be parked between the motor garage or car port and the internal road boundary.
- (4) All internal roads, stormwater, water (including fire hydrants), sewage and electrical services, if ownership thereof is to be transferred to the municipality, must be designed and constructed to the satisfaction of the municipality.
- (5) When the development of a group housing site is conducted in phases, no individual subdivision may be registered as a separate erf or be transferred to an individual owner until the development proposal, in which the dwelling units do not necessarily have to be included, has been executed in accordance with the phases indicated on an approved site development plan and certified accordingly by the municipality.

### **36. CONDITIONS APPLICABLE TO LEISURE RESIDENTIAL ESTATES**

- (1) The development may include dwelling houses and dwelling units.
- (2) Over and above the definitions and development controls of this scheme, the following conditions shall also apply:
- (a) The resource for the purpose of leisure residential has to be unique, giving the property that it is attached to a comparative and distinct advantage without reasonable doubt, over other properties in the area. This should make the motivation for similar applications in the region notably difficult.
- (b) In the case where the resource is a mountain, lake or a river, location advantages must be considered. When one site offers more than another does; for instance the widening of a river, less negative effects on the environment, better accessibility or more/better services, or a combination of these factors, then these factors have to play a significant role.
- (3) The following criteria apply to this land use application:
- (a) The proposed development must be done by means township establishment.
- (b) The sectional title development portion must function as a single entity.



- (c) Only one estate on a specific farm is allowed – the further development of the remainder of the farm for the purpose of a leisure residential estate, wildlife estate, resort, residential buildings or other leisure residential development is not permitted.
  - (d) Outbuildings must be linked to the main dwellings.
  - (e) The same architectural style and building materials must be maintained for all dwellings.
  - (f) Internal boundary fences are not allowed.
  - (g) Reciprocal traversing rights (for game viewing) must be registered for all dwelling houses, dwelling units and the common area.
  - (h) The application must address the adequate provision of engineering services and a services agreement with the municipality is required.
  - (i) The area to be used for the development must be subdivided in terms of the Subdivision of Agricultural Land Act 70 of 1970 and the provisions of the National Environmental Management Act 107 of 1998 apply and the National Water Act 36 of 1998 apply.
- (4) Additional conditions applicable to riparian land.
- (a) Riparian land has in addition a maximum density of 1 dwelling per 10 metre waterfront. The more restrictive density prevails.
  - (b) Riparian land must have a minimum waterfront of 100 metres per property (and 100 metres for the remainder).

### **37. CONDITIONS APPLICABLE TO WILDLIFE ESTATES**

- (1) The development is limited to individual dwelling houses and no dwelling units or sectional title development is permitted.
- (2) Over and above the definitions and development controls in Table 1 of this scheme, the following conditions shall also apply:
- (a) An ecological management plan and monitoring programme is required as part of the application and for the lifetime of the development.
  - (b) Development should not restrict access to waterholes for animals.
  - (c) A fire prevention and management plan must be done for the development.
  - (d) The development should be strictly guided by sensitivity classes and buffer zones should be adopted around sensitive areas.
  - (e) Residences should preferably be clustered to allow sufficient feeding areas and corridors for the game.
  - (f) Game should be allowed to move freely between dwelling houses, hence no predators or carnivores are allowed.
  - (g) The size of the estate should be sufficient to allow game species and residents to co-exist without having a negative impact on the game or the environment.
  - (h) No hunting is allowed, except in extenuating circumstances to control herd size.
- (3) The following criteria apply to this land use application:
- (a) The proposed development must be done by means of township establishment.
  - (b) Only one estate on a specific farm is allowed.
  - (c) Outbuildings must be linked to the main dwellings.
  - (d) The same architectural style and building materials must be used for all dwelling houses and buildings. The architectural style must blend in with the natural environment.
  - (e) Internal boundary fences are not allowed.
  - (f) Reciprocal traversing rights (for game viewing) must be registered for all dwelling houses and the common area.
  - (g) The application must address the adequate provision of engineering services and a services agreement with the municipality is required.

- (h) The area to be used for the development must be subdivided in terms of the Subdivision of Agricultural Land Act 70 of 1970 and the provisions of the National Environmental Management Act 107 of 1998 apply and the National Water Act 36 of 1998 apply.

### **38. CONDITIONS APPLICABLE TO HOLIDAY RESORTS**

- (1) Over and above the definitions and guidelines in chapter 1 and Table 1 of this scheme, the following guidelines shall also apply:
  - (a) The location must include natural physical amenities such as a hot spring, lake, river or other unique feature that may become relevant only as a resource for leisure residential should the development occur at a specific point. This point to be distinctly favourable where, for instance, the river widens considerably and displays both scenic and water recreation potential.
  - (b) Occasionally these settings may include already existing and established man-made features such as large dams, rock paintings or historic features that cannot be replicated while the water resource must also be perennial and stable. A golf course or specific view can add value, but cannot serve as an existing resource. In all cases a comprehensive motivation must accompany all applications.
  - (c) The resource for the purpose of a resort has to be unique, giving the property that it is attached to a comparative and distinct advantage without reasonable doubt, over other properties in the area. This should make the motivation for similar applications in the region notably difficult. In the case where the resource is a mountain, lake or a river, location advantages must be considered. When one site offers more than another does; for instance the widening of a river, less negative effects on the environment, better accessibility or more/better services, or a combination of these factors then these factors have to play a significant role.
- (2) The following criteria apply to this land use application:
  - (a) Only one application for resort utilization of a specific farm is allowed – the further development of the remainder of the farm for the purpose of resort or leisure residential dwellings (sectional title and/or share block development) or residential building or other leisure residential development is not permitted.
  - (b) The subdivided portion may only be registered after proof that the resort has been developed.
  - (c) The distance between the edge of any caravan stand and any dwelling or other permanent building must be a minimum of 10 metre.
  - (d) Ablution facilities: no facilities may be located more than 100 metres from any caravan stand.
  - (e) The development must adhere to the requirements of the South African Bureau of Standards (Publication SABS 092/1971- Code of Practice for Caravan parks).
  - (f) A dwelling unit in a resort may only be used for purposes of temporary overnight accommodation for transient guests.
  - (g) Occupancy of a dwelling unit, or camping stand by any one occupant or caravan shall be limited to an aggregate of three months in every twelve months.
  - (h) Non-residential facilities must be complementary and secondary to the resort and be restricted to the users of the resort, e.g. kiosk, restaurant. Utilization of the associated conference facilities, restaurants and bars of a residential building by the outside public is subject to the consent of the municipality.
  - (i) The same architectural style and building materials must be maintained for all buildings.
  - (j) A site development plan must be submitted indicating the 1:50 and 1:100 year flood line as determined by a professional engineer or if the land is not subject to such flood lines, an indication by a professional engineer to such effect.
  - (k) The application must address the adequate provision of engineering services and a services agreement with the municipality is required.
  - (l) A geotechnical report with 1 test hole per 10 ha is required. If area to be utilized for resort development is smaller than 10 ha in size, 1 test hole also applies.

- (m) The area to be used for the development must be subdivided in terms of the Subdivision of Agricultural Land Act 70 of 1970 and the provisions of the National Environmental Management Act 107 of 1998 apply and the National Water Act 36 of 1998 apply.

### **39. CONDITIONS APPLICABLE TO TOWNSHIP ESTABLISHMENTS IN TERMS OF THE BY-LAW**

- (1) Over and above the definitions and guidelines in chapter 1 and Table 1 of this scheme, the municipality's standards, guidelines and policies relating the following shall also apply:
- (a) Land reservation for non-residential uses in residential townships in accordance with a land use budget (community facilities, educational facilities, public open space etc.).
  - (b) Land reservation for street widening and improvement in accordance with Schedule 6 of the scheme;
  - (c) Access to the township; and
  - (d) Streets (widths and splays) design in accordance with the latest non-motorised transport (NMT) directives of government.
- (2) The above shall be communicated to the applicant during a pre-application consultation and the municipality reserves the right to refuse an application which does not comply with the above.
- (3) The applicant shall be responsible for circulating the application to municipal departments and external service providers, prior to the submission of the application to the municipality. These departments and service providers shall be given 90 days to provide comment and input on the application. The complete application shall contain a list of service providers and status of their comments and representations.

**CHAPTER 7: LAND DEVELOPMENT APPLICATIONS****40. APPLICATIONS PERMITTED IN TERMS OF THE LAND USE SCHEME IN OPERATION**

- (1) In accordance with the provisions of the By-law, the following Category 1 applications shall be undertaken in terms of the By-law:
- a) establishment of a township, division of a township or the amendment of the layout of a township;
  - b) amendment of an existing scheme or land use management scheme by the rezoning of land;
  - c) removal, amendment or suspension of a restrictive or obsolete condition, servitude or reservation registered against the title of the land, or the registration of a new condition, servitude or reservation;
  - d) amendment or cancellation in whole or in part of a general plan as approved by the Surveyor General;
  - e) subdivision and/or consolidation of any land parcel (other than a subdivision and consolidation which is provided for as a Category 2 application);
  - f) permanent closure of any public place;
  - g) any consent or approval required in terms of a condition of title, a condition of establishment of a township or condition of an existing scheme or land use management scheme;
  - h) any consent or approval provided for in any law referred to in section 52(4) of the Regulations of the Spatial Planning and Land Use Management Act; and
  - i) land development that will have a high impact on the traditional community concerned listed in Schedule 1.
- (2) In accordance with the provisions of the By-law, the following Category 2 applications shall be undertaken in terms of the land use scheme in operation:
- a) subdivision and/or consolidation;
  - b) written consent for creation of any servitude or long-term lease;
  - c) consent of the municipality for a secondary right or deviation in terms of a land use management scheme;
  - d) registrar's removal, amendment or suspension of a restrictive title condition relating to the density of residential development on a specific erf where the residential density is regulated by a land use management scheme in operation.
  - e) written consent for specific purposes;
  - f) consent for a temporary use;
  - g) site development plans;
  - h) consent to build in a building restriction area;
  - i) excision of land from agricultural holdings;
  - j) consent of the municipality for land uses in traditional areas that will have a low impact on the community concerned as listed in Schedule 1.
- (3) Applications mentioned in subregulations 1 or 2 may be submitted simultaneously as combined applications.
- (4) The application procedure and public notice procedure applicable to Category 2 applications referred to above are described below per land use application.
- (5) The municipality shall refer any opposed Category 2 application to the Municipal Planning Tribunal for consideration in terms of the By-law.
- (6) All applications made in terms of the scheme shall be:

- (i) clearly and legibly written or typed, and explained in the official language of the municipality;
  - (ii) fully completed and properly motivated; and
  - (iii) accompanied by such fees, documents and relevant information as may be required by municipality.
- (7) Applications may be submitted in hard format and/or electronic format to be determined in terms of a pre-application consultation.
- (8) Conditions for approval of an application:
- a) the municipality, in granting approval of an application, may impose any conditions that it deems necessary in order to ensure that the land use shall conform with the provisions of the scheme;
  - b) any permission, approval or consent granted in terms of this scheme does not exempt an owner, occupier, or permanent resident of a property from obtaining such other approvals, authorizations, permits, regulations or licenses, as may be required in terms of any other legislation;
  - c) a consent use application granted in terms of the scheme shall lapse if not executed within a period of two years after the date on which the consent had been granted, or if the relevant activity is discontinued for a period of two years or longer; provided that the municipality may grant an extension of such time if requested to do so in writing before the relevant lapse date.
  - d) A written permission, approval or consent granted by the municipality in terms of this scheme may be subject to termination by the municipality if any breach of a condition upon which such written permission, approval or consent was granted is not remedied in compliance with a notice served by the municipality upon the owner or occupier of the erf or site concerned (in terms of the By-law).
  - e) Any written permission, approval or consent granted by the municipality in terms of this scheme may be nullified if it is found that such permission, approval or consent had been based on a blatant misrepresentation by the applicant or other parties.

#### 41. APPLICATION PROCEDURE

Table 11 summarises the application procedure and time frames involved for Category 2 applications in terms of the land use scheme.

**Table 11: Application procedure and time frames for Category 2 applications in terms of the land use scheme.**

PHASE	ACTIONS	TIME FRAME
<b>1. Pre-application phase</b>	a) Pre-application consultation	
	b) Finalise application	
	c) Applicant to circulate to municipal departments and external service providers	90 days for comments/input
<b>2. Administrative phase</b>	d) Submit application, including external comments	
	e) Register application and allocate number	Notification date
	f) Acknowledge receipt	14 days from notification date (e)
	g) Notify applicant on completeness of application, proceed with public notices	21 days from notification date (e)
	h) *Circulate to internal departments	*7 days from notification date (e)
	i) *Obtain comments from internal departments	*90 days from notification date (e)

Public notification	j) *Forward comments to applicant	*Within 14 days from expiry of 90 days (i)
	k) Applicant to respond	28 days from receipt of comments (j)
	l) Newspaper notice, two languages	Once per week, two consecutive weeks
	m) Site notice, two languages	14 days from first newspaper notice (l)
	n) Registered mail, two languages	Same date as first newspaper notice (l)
	o) Period for representation	28 days from first newspaper notice (l)
	p) Proof of advertisement by applicant	28 days from first newspaper notice (l)
<b>3. Consideration phase</b>	q) Unopposed application – decision by official	Within 90 days from receipt of internal comments
	r) Opposed application – refer to Municipal Planning Tribunal	Within 90 days from receipt of internal comments (j)
<b>4. Decision phase</b>	s) Unopposed application – notify all parties	Within 30 days from decision (q)
	t) Opposed application – notify all parties	within 30 days from Municipal Tribunal Hearing (r)

\*These periods will be shorter, due to the fact that the application was circulated prior to submission by the applicant.

(1) Pre-application.

- (e) The municipality shall require an applicant who intends to submit an application in terms of this scheme to consult with a person/s appointed by the municipality for a pre-application consultation, before he submits an application to the municipality. The purpose of this is to determine the information to be submitted with the application and other relevant matters.
- (f) A consultation related to a Category 1 application constitutes a formal presentation by the applicant or representative to the municipality's Pre-application Consultation Committee, based on a preceding request for inclusion on the agenda of the relevant committee.
- (g) The municipality must keep minutes of the discussions at all formal pre-application consultation meetings of the appointed committee.
- (h) The applicant shall be responsible for circulating the application to external service providers, prior to the submission of the application to the municipality. The complete application shall contain a list of service providers and status of their comments and representations.

(2) Administrative phase (in accordance with SPLUMA may not exceed 12 months).

- (a) On receipt of the application, the municipality must:
  - (i) register the application and allocate a registration number;
  - (ii) acknowledge receipt in writing of the application within 14 days after receipt of the application and proof of payment of the application fee;
  - (iii) notify the applicant within 21 days after receipt of the application (the **notification date**) whether the application contains all the information and documentation required in terms of the scheme, and stating that such notification is not to be construed as signifying that the application will or will not be approved. The notification will include instructions to proceed with the public notice procedures.
- (b) the planning department may at any time prior to a final decision being taken on an application, require the applicant, at the applicant's cost, to submit such further information or documentation as it may reasonably require in order to reach a decision on the application and will defer consideration of the application until such time as the further information required is submitted to its satisfaction.

- (i) if such further information is not submitted in accordance and within a time period stated in a written request addressed to the applicant, the municipality may return the application and all supporting documentation to the applicant without considering it in accordance with the provisions of the By-law.
- (c) To process the application the municipality shall:
  - (i) within 7 days from the notification date, circulate the application to the municipality's relevant departments and the ward councillor in the application area for their comments, to be provided within 90 days from the notification date; *(this period may be shorter, as the application needs to be circulated prior to submission)*.
  - (ii) forward all comments, objections and representation to the applicant within 14 days after the 90 day period above has expired;
  - (iii) where objections, comments and/or representations were received as a result of the advertisement procedure, the applicant may respond in writing thereto to the municipality within 28 days of date of receipt of such objection, comment and/or representation (or such further period as the municipality may allow).
- (3) Consideration phase (in accordance with SPLUMA may not exceed three months).
  - (a) In the instance of an unopposed application, the authorised official specified in terms of the By-law, shall within 90 days of the receipt of comments from the municipal departments, take a decision on the application.
  - (b) In the instance of an opposed application, the municipality shall within 90 days from the receipt of the response from the applicant referred to above, make a recommendation and refer the application to the Municipal Planning Tribunal for a hearing.
- (4) Decision phase (in accordance with SPLUMA may not exceed 30 days).
  - (a) In the instance where an application was considered by the authorised official, the municipality shall notify all relevant parties of the decision in writing by registered post, by hand, by e-mail or by any other means available within 30 days from the date of the decision made by the authorised official.
  - (b) In the instance where an application was considered by the Municipal Planning Tribunal, the municipality shall notify all relevant parties of the decision in writing by registered post, by hand, by e-mail or by any other means available within 30 days from the hearing held by the Municipal Planning Tribunal.
- (5) The municipality shall keep a proper record of each application granted.
- (6) The contribution and amount of money payable as a condition of approval of any application brought in terms of the scheme shall become due and payable within 90 days from date of the approval of the application by the authorised official or the Municipal Planning Tribunal.

## 42. PUBLIC NOTICE

- (1) Only the following applications undertaken in terms of this scheme shall be subject these provisions:
  - (a) consent for a secondary right;
  - (b) subdivision; and
  - (c) registrar's removal, amendment or suspension of a restrictive title condition relating to the density of residential development on a specific erf where the residential density is regulated by a land use management scheme in operation.
- (2) The public notice procedure to be followed for other applications is detailed per application.

- (3) The applicant shall give notice of the application:
- (a) by publishing once a week for two consecutive weeks, a notice in such form and such manner as prescribed in the scheme in English and one other official language commonly spoken in the area, in two local newspapers circulating in the area.
  - (b) by posting a notice as prescribed by the scheme on the application property clearly visible to the general public. Such notice shall be in English and one other official language commonly spoken in the area shall be maintained for a period of at least 14 days from the date of first publication of the newspaper notice. The notice shall be at least 60 centimetres by 42 centimetres (60 cm x 42 cm)(A3) in size. Lettering shall be at least 6 mm high, legible, upright and in print.
  - (c) by sending a notice in English and one other official language commonly spoken in the area by registered mail or delivered by hand to the owners of all contiguous erven on the same date as the first publication of the newspaper notices.
- (4) The notice mentioned in subregulation (2) shall contain at least the following information:
- (a) the details of the application including the property description (erf number and township name) and street address of the application property;
  - (b) the nature and general purpose of the application (also in layman's terms);
  - (c) the date on which the application was lodged with the municipality and the name, contact number, email address and physical address of the applicant;
  - (d) that the application documents will be open for inspection at specified times and a specified place at the municipality's office and that any objections or representations in regard thereto must be submitted in writing to the municipality by means of registered mail, email or by hand within 28 days from the first publication of the newspaper notice.
- (5) The applicant shall submit the following to the municipality within 28 days from the first publication of the newspaper notice:
- (a) clear, legible copies of the notices published in the newspapers;
  - (b) a sworn statement that the notice was displayed on the property boundary in accordance with the requirements as stated above;
  - (c) proof of dispatch of the registered mail or hand delivery of notices.

#### **43. INFORMATION REQUIRED**

- (1) Only the following applications undertaken in terms of this scheme shall be subject these provisions:
- (a) consent for a secondary right; and
  - (b) subdivision.
- (2) An application contemplated above must be accompanied by the following documents:
- (a) an application form as prescribed by the scheme, completed and signed by the applicant;
  - (b) if the applicant is an agent, a power of attorney authorizing the applicant to make the application on behalf of the owner;
  - (c) if the owner of the land is a company, close corporation, trust, body corporate or homeowners' association, proof that the person is authorized to act on behalf of the company, close corporation, trust, body corporate or a homeowners' association by means of a resolution;
  - (d) if the land is subject to a mortgage bond, the written consent of the bondholder;
  - (e) a certified copy of the latest title deed of the property,
  - (f) a motivation, based on the criteria for consideration of the application referred to in section 74 of the By-law with at least but not limited to the following information:
    - (i) a detailed description and explanation of the proposed application and intended land use rights;
    - (ii) reference to the objectives and principles contained in section 7 of SPLUMA;



- (iii) reference to the integrated development plan and municipal spatial development framework, and its components and any other policies, plans or frameworks with specific reference on how this application complies with it or departs from it based on specific circumstances of the property(ies),
  - (iv) need and desirability of the intended use;
  - (v) the development context of the area and impact of the development on the surrounding properties; and
  - (vi) availability and provision of infrastructure and social facilities, and which amenities will be transferred to the municipality (if required); and
  - (vii) as required in terms of section 42 of the Act indicate the following:
    - (aa) the public interest;
    - (bb) the constitutional and transformation imperatives and the related duties of the State;
    - (cc) the facts and circumstances relevant to the application;
    - (dd) the respective rights and obligations of all those affected;
    - (ee) the state and impact of engineering services, social infrastructure and open space requirements; and
    - (ff) the effect of the land development application on the environment and environmental legislation and heritage resource (if applicable) and heritage legislation; and
    - (gg) any other requirements specified in terms of an approved municipal By-law, policy or pre-application consultation.
- (3) The following plans and documents, compiled in accordance with the standards prescribed by the By-law must form part of an application specified in this chapter, unless the municipality has, in writing, indicated differently:
- a) orientation locality plan;
  - b) zoning plan (obtainable from the municipality);
  - c) zoning certificate (obtainable from the municipality);
  - d) land use plan;
  - e) site development plan;
  - f) services reports regarding civil engineering services, electrical services (if required by the municipality);
  - g) traffic impact study (if required by the municipality);
  - h) approved environmental authorization by relevant authority commonly referred to as Environmental Impact Assessment (EIA) Report (if warranted); and
  - i) a permit or comments issued by the Provincial Heritage Resources Authority pertaining to a heritage resource (if applicable);
  - j) any other requirements specified in terms of an approved municipal By-law, policy or pre-application consultation.

#### **44. CONSENT FOR A SECONDARY RIGHT**

- (1) The municipality may grant its consent for a secondary right as set out in column 4 of Table 2 subject to such conditions as it may deem fit.
- (a) The consent is granted to the owner of the property while permanently residing on the property and for the lifetime of the buildings on the property. Should the property be sold or should the buildings be demolished, the consent shall automatically lapse (except if this consent is registered in the Title Deed).
  - (b) The consent shall lapse if the land use concerned is not commenced with two years of the date granted.
  - (c) The consent shall lapse if it is discontinued for two years or longer provided that the municipality may grant an extension of such time if requested to do so in writing before the relevant lapse date.

- (d) The consent may be withdrawn if there has been non-compliance with any of the conditions of approval or because of change of circumstances.
  - (e) When a building is erected in accordance with the provisions of a consent granted by the municipality, and the consent has lapsed, is withdrawn or the property is sold, the building may only be used in accordance with the primary right designated in Table 2.
- (2) A contribution shall be paid to the municipality in respect of engineering services where it will be necessary to enhance or improve such services as a result of the consent granted.
  - (3) An amount of money shall be paid to the municipality in respect of open spaces or parks where the granting of the consent will bring about a higher residential density.
  - (4) The municipality shall, when considering an application for consent for a secondary right (other than a second dwelling house or a worker's dwelling unit), in addition to other factors it must take into account, have regard to whether such use is likely:
    - (a) mainly to serve the needs of the inhabitants of the immediate area in which it is or will be situated.
    - (b) to cause injury to the amenity of the area in which it will be situated including, without prejudice to the generality of the foregoing, increased traffic, parking difficulties and noise.
  - (5) The application shall comply with the procedure and public notice requirements as set out in this scheme.

#### **45. WRITTEN CONSENT FOR SPECIFIC PURPOSES**

- (1) The municipality may grant its written consent as required in terms of the provisions of this scheme, a municipal policy or any other law, subject to such conditions as it may deem fit.
- (2) The application shall consist of at least the following:
  - (a) an application form as prescribed by the scheme, completed and signed by the applicant;
  - (b) if the applicant is an agent, a power of attorney authorizing the applicant to make the application on behalf of the owner;
  - (c) if the owner of the land is a company, close corporation, trust, body corporate or homeowners' association, proof that the person is authorized to act on behalf of the company, close corporation, trust, body corporate or a homeowners' association by means of a resolution;
  - (d) if the land is subject to a mortgage bond, the written consent of the bondholder;
  - (e) a certified copy of the latest title deed of the property,
  - (f) orientation locality plan;
  - (g) zoning plan (obtainable from the municipality);
  - (h) zoning certificate (obtainable from the municipality);
  - (i) land use plan;
  - (j) any other requirements specified in terms of an approved municipal By-law, policy or pre-application consultation.
- (3) The application should address the following in terms of a report and a site plan as required by the municipality:
  - (a) true north, key, scale and heading "Site Plan";
  - (a) the nature of the use;
  - (b) existing property boundaries and structures;
  - (c) the extent of the proposed use and demarcation of the area to be used;
  - (d) provisions for ingress, egress, vehicular flow and parking for visitors and emergency vehicles;
  - (e) indication of the level of municipal engineering services required.

- (4) The municipality shall within 14 days from the receipt of the application (and application fee), provide the applicant with proof of acceptance of the application, or inform the applicant of outstanding matters to be attended to.

#### **46. CONSENT FOR A TEMPORARY USE**

- (1) A temporary or occasional use is defined for the purpose of the scheme as a right to use land for a purpose granted on a temporary basis for a specific occasion or event that lasts no longer than 3 months.
- (2) The municipality may consent to the temporary use of any land or building within any use zone, for any of the erection and use of temporary buildings or the use of existing buildings for purposes of site offices, storerooms, workshops or such other uses as are, in the opinion of the municipality necessary during the construction of any permanent building or structure on the land: Provided that such consent shall ipso facto lapse upon completion of the permanent building or structure.
- (a) This includes the temporary storage of goods in a building restriction area during construction.
- (3) An applicant may submit a written consent for temporary use in terms of the scheme. The applicant shall at his own expense give notice in the prescribed format of the scheme once of the intended use by registered mail or email to:
- (a) the contiguous land owners and;
- (b) the ward councillor and residents' association, where applicable, and
- (c) proof of compliance with the advertisement procedure in the form of copies of the notices must be submitted to the municipality prior to consideration of the application.
- (4) The application should address the following in terms of a report and a site plan as required by the municipality:
- (a) true north, scale, key and heading "Site Plan";
- (b) the nature of the use;
- (c) existing property boundaries and structures;
- (d) the extent of the proposed use and demarcation of the area to be used;
- (e) the number of persons to be involved;
- (f) the operating hours;
- (g) layout of the proposed use, including but not limited to the temporary structures to be erected (e.g. stage, stalls, tents);
- (h) provisions for ingress, egress, vehicular flow and parking for visitors and emergency vehicles;
- (i) indication of the level of municipal engineering services required;
- (j) temporary ablution facilities and refuse collection facilities;
- (k) the responsible person to be contacted in the event of any transgressions or complaints including a cellphone number and email address; and
- (l) the person responsible for restoring the application site after the use has ceased or the consent has lapsed.
- (5) The municipality shall within 14 days from the receipt of the application (and application fee), provide the applicant with proof of acceptance of the application, or inform the applicant of outstanding matters to be attended to.
- (6) The municipality may impose any condition deemed necessary to ensure that:
- (a) the amenity of the surrounding area is protected;
- (b) no public nuisance arises from the temporary use;
- (c) the property is cleaned and maintained during the operation of the temporary use and is restored to its original state once the use has ceased;

- (d) any other condition it may seem fit.
- (7) The written consent shall lapse automatically within a period of 12 months unless a written application with good reason was submitted for an extension of time.

#### **47. SITE DEVELOPMENT PLANS**

- (1) Site development plans (SDPs) are required for the following reasons:
  - (a) to confirm that a site can actually be developed in a compliant and safe manner in terms of the development rights and design standards involved;
  - (b) to quantify the impact of buildings/structures that may not be altered due to their heritage status;
  - (c) to reflect the practicalities of development restrictions, enabling the applicant and the authorities to take informed decisions regarding an application;
  - (d) to provide affected stakeholders with adequate information on which their support or objection of an application can be based; and
  - (e) to confirm that the application site(s) can be provided with compliant vehicular access.
- (2) In general, site development plans must be submitted for consideration when:
  - (a) it is a condition of an application, including consent use applications, as and when required by the municipality; or
  - (b) the application relates to a site within any use zone other than properties zoned Residential 1 and Agriculture; or
  - (c) it is intended to develop structures (by any party) on erven or sites with a public open space zoning in terms of the scheme; or
  - (d) the application site(s) is located within a registered special development zone; or
  - (e) any site is regarded as sensitive, whether environmentally or otherwise, or
  - (f) a historic building or heritage resources is involved, or
  - (g) it is necessary to ensure that specific elements of a development comply with the requirements of the scheme or at the discretion of the municipality;
- (3) The municipality may request any other supplementary information it deems necessary before building plans of such proposed development is approved.
- (4) Site development plans shall be drawn at an appropriate scale to ensure correct interpretation and verification of accuracy. The following scales can be used to ensure that vehicle templates can be used to assess the layout:
  - (a) Scale 1:100 (on small sites)
  - (b) Scale 1:200
  - (c) Scale 1:250 (larger sites).
- (5) In cases where the development is so large that it cannot be accommodated on a standard A0 paper size, the SDP can be split into more than one drawing. A key plan on a smaller scale, showing how the individual drawings are connected, must be submitted in such a case.
- (6) In a case where the site is large and the portion of interest only comprises a small portion of the larger site, the larger site can be shown at 1:500 (or even smaller with the consent of the municipality), with an insert or additional drawing compiled on an appropriate scale, showing the portion of interest.
- (7) A site development plan shall always be submitted in hardcopy format, irrespective of whether it had been submitted electronically or not. The site development plan shall be approved by the

municipality before any building plan in connection with the proposed development may be considered by the municipality.

- (8) Unless the municipality requires less information, a site development plan shall show at least the following:
- (a) the scale, true north, key and heading "Site Development Plan";
  - (b) existing buildings/structures on the land parcel and on directly adjacent land parcels;
  - (c) all existing services within and surrounding the application area;
  - (d) all proposed buildings/structures and access, formal and informal thoroughfares;
  - (e) contours;
  - (f) the development controls applicable to the site, including the zoning as well as siting, height, floor area and coverage of all buildings and structures, the parking rate and parking requirement and compliance with these controls;
  - (g) open spaces and landscaping of the site shall include but not be limited to:
    - (i) All landscaping and existing mature vegetation.
    - (ii) A minimum of 10% of the site shall be landscaped.
    - (iii) A minimum of 1 tree per 3 parking bays shall be provided.
    - (iv) All hydrological features including such as, but not limited to, pans, ponds, dams, drainage features, stormwater attenuation and wetlands.
    - (v) Natural environmental features such as, but not limited to, special geological formations and grassland.
  - (h) energy efficiency and water saving measures.
  - (i) passing roads, entrance(s) and exit(s) from the site for vehicles and pedestrians with their spacing, access road lengths, access control measures, internal traffic systems, parking bays with basic parking dimensions, numbers and gradients, as well as loading facilities;
  - (j) entrances to buildings and parking areas;
  - (k) building restriction areas; including floodlines or areas subject to poor geotechnical conditions;
  - (l) all elevations and typical elevation treatment of all the buildings;
  - (m) subdivision lines if the property is to be subdivided;
  - (n) development phases where development will occur in phases;
  - (o) the layout of engineering services, refuse storage and collection areas (including provision for waste separation and recycling);
  - (p) stormwater attenuation measures to the satisfaction of the municipality, preferably so that post development flows do not exceed the pre-development flows for both the 1 in 5 year and 1 in 25 year return periods.
  - (q) any other such information as considered necessary by the municipality.
- (9) The following applications may be submitted to the municipality and considered simultaneously with a site development plan:
- (a) consent for a secondary right in terms of the scheme;
  - (b) consent to build in a building restriction area in terms of the scheme;
  - (c) approval for variation of floor area, coverage, density and parking provisions;
  - (d) consent for subdivision or consolidation or simultaneous consolidation and subdivision;
  - (e) any other use requiring the consent of the municipality, as stipulated in terms of the scheme or the By-law;
- provided that this does not absolve the applicant from complying with the public notice requirements for the relevant applications, where applicable.

#### **48. CONSOLIDATION AND NOTARIAL TIE OF ERVEN**

- (1) The municipality may grant its consent to the consolidation of any adjoining properties subject to such conditions as it may deem fit, provided that the properties are owned by the same owner.

- (2) No consolidation of two or more erven with different zonings or annexures shall be permitted unless appropriately rezoned.
- (3) The consolidation application shall comply with the following requirements:
  - (a) an application form as prescribed by the scheme, completed and signed by the applicant;
  - (b) if the applicant is an agent, a power of attorney authorizing the applicant to make the application on behalf of the owner;
  - (c) if the owner of the land is a company, close corporation, trust, body corporate or homeowners' association, proof that the person is authorized to act on behalf of the company, close corporation, trust, body corporate or a homeowners' association by means of a resolution;
  - (d) if the land is subject to a mortgage bond, the written consent of the bondholder;
  - (e) a certified copy of the latest title deed of the property,
  - (f) orientation locality plan;
  - (g) zoning plan (obtainable from the municipality);
  - (h) zoning certificate (obtainable from the municipality);
  - (i) land use plan;
  - (j) consolidation plan drawn to an appropriate scale;
  - (k) a comprehensive motivational memorandum which states the extent and implications of the application, as well as the necessity and desirability thereof, founded upon planning principles.
  - (l) A site development plan containing the following specific information:
    - (i) The location of historic vehicle accesses to be consolidated or removed;
    - (ii) The location of the proposed consolidated vehicle access to the consolidated site, complete with access spacing dimensions to the satisfaction of the municipality.
    - (iii) any other requirements specified in terms of an approved municipal By-law, policy or pre-application consultation.
- (4) The municipality shall within 14 days from the receipt of the application (and application fee), provide the applicant with proof of acceptance of the application, or inform the applicant of outstanding matters to be attended to.
- (5) The owner of erven which are being notarially tied must notify the municipality as soon as such notarial tie has been approved by the Registrar of Deeds.
- (6) Spreading of rights in respect of a notarial tie.
  - (a) Where two or more erven with different zonings are notarially tied, the land use rights and development controls, including zoning, density, floor area, coverage, height and parking provisions, shall apply as if the notarial tie has not taken place.
  - (b) Where erven were notarially tied prior to the commencement of the scheme and rights were spread, should the erven or any specific erf in the site be untied from the rest of the erven comprising the site, in so far as any of the development controls applicable to every erf proposed to be untied are exceeded, the owner shall simultaneously apply to rezone every erf necessary to regularize and legalize the development thereon.
- (7) Historic approval of accesses to subject properties lapse upon the successful consolidation or notarial tie of such properties. The property owner must apply anew for a new access to the consolidated site or notarially tied sites.
- (8) The applicant shall, within three months after approval of the consolidation by the Surveyor-General (or such further period as allowed by the municipality), submit two clear and legible copies of the approved consolidation diagram to the municipality. Failure to comply with this condition shall cause the consent to lapse.

- (9) The applicant shall, within three months after registration of the consolidated title deed, submit the following to the municipality:
- (a) a copy of the consolidated title deed.
  - (b) building plans indicating the new erf number, even if no alterations are made to the buildings.

#### **49. SUBDIVISION**

- (1) The municipality may grant its consent to the subdivision of land other than:
- (a) agricultural land as defined in the Subdivision of Agricultural Land Act 70 of 1970,
  - (b) state owned land under traditional authority leadership. In this instance the applicant shall obtain a letter from the municipality stating that the subdivision is exempt from approval by the municipality.
- (2) The municipality may grant its consent to:
- (c) subdivision of land, subject to compliance with regulation 14 (Density and Minimum Property Size) in accordance with a site development plan, subject to such conditions as it may seem fit.
- (3) The application shall comply with the procedure, information and public notice requirements as set out in this scheme.
- (4) No application for subdivision shall be approved unless the municipality is satisfied that each proposed subdivided portion has satisfactory vehicular access to a public street, fully compliant with access spacing requirements, which may be provided by means of a panhandle or a servitude.
- (a) In the case where a proposed subdivided portion has access to a public street by means of a panhandle or servitude, the panhandle or servitude shall be constructed, paved and maintained by the owner to the satisfaction of the municipality.
  - (b) If access to a public street is to be provided to more than one subdivided portion by means of a single panhandle, the municipality shall, when it approves the application for subdivision, impose a condition that the applicant shall cause a servitude of right of way in favour of each such portion, other than the portion of which the panhandle forms a port, to be registered over the latter portion.
  - (c) The panhandle providing access to a panhandle subdivision is excluded for purposes of calculating the minimum size of a subdivision, unless, in the discretion of the authorized official, a portion of the panhandle or any part thereof is suitable for development or wide enough to be included within the developable portion of the site.
- (5) Prior to the registration of any subdivision in terms of any act with the Deeds Registry, the following conditions shall be complied with, which must be accepted by the applicant in writing:
- (a) proof of payment of any re-valuation fee;
  - (b) compliance with applicable health, fire, access and building regulations;
  - (c) the installation of water, sanitation and electricity connections where such engineering services are required and available or to be made available;
  - (d) the construction of vehicle accesses to the subdivided properties to the satisfaction of the municipality, in accordance with approved low volume access applications, or design drawings related to high volume accesses, whichever are applicable;
  - (e) any other conditions set by the municipality;
  - (f) all buildings encroaching onto a common boundary between two subdivisions, shall be demolished and a compliance certificate certifying that the demolition has been satisfactorily completed, must be obtained from an authorized official, unless such a building can be divided functionally to become a semi-detached building as part of the subdivision, in which case such a division of the building shall comply with the requirements of the National Building Regulations

- and Building Standards Act, 103 of 1977 relating to the division of buildings to create separate units; and
- (g) the construction of any link walls, screen walls and alternations to windows and door openings which may be required shall be executed to the satisfaction of the municipality and a compliance certificate to this effect must be obtained from an authorized official.
- (6) The applicant shall, within three months after approval of the subdivision by the Surveyor-General, submit two clear and legible copies of the approved plan to the municipality. Failure to comply with this condition shall cause the consent to lapse.
- (7) The applicant shall, before he submits a deed of transfer or certificate of registered title in respect of the subdivided portion to the Registrar for registration in terms of the Deeds Registries Act, 47 of 1937, have the power of attorney in respect of the transfer or the application for such certificate endorsed by the authorised official specified in the By-law, to the effect that the applicant has complied with the conditions imposed by the municipality or that arrangements in respect of such compliance, including the furnishing of guarantees in respect of any condition requiring payment or an amount of money, have been made to the satisfaction of the municipality.

## **50. BUILDING LINE RELAXATION**

- (1) The municipality may, subject to chapter 3 regulation 17, grant its consent to relax a building line or build a building in a building restriction area (side or rear space) subject to such conditions as it may deem fit, provided that no part of a building such as an air conditioner, balcony, overhang, gutter or satellite dish may extend across a property boundary.
- (2) In the case of a street building line relaxation, the applicant must conclude specific pre-application consultation discussions with the Manager: Transport Planning, General Manager: Roads and Stormwater and General Manager: Water and Sanitation of the municipality. An application for relaxation of a street building line must specifically include written approval/comments from these three offices.
- (3) The application shall consist of at least the following:
- (a) an application form as prescribed by the scheme, completed and signed by the applicant;
  - (b) if the applicant is an agent, a power of attorney authorizing the applicant to make the application on behalf of the owner;
  - (c) if the owner of the land is a company, close corporation, trust, body corporate or homeowners' association, proof that the person is authorized to act on behalf of the company, close corporation, trust, body corporate or a homeowners' association by means of a resolution;
  - (d) if the land is subject to a mortgage bond, the written consent of the bondholder;
  - (e) a certified copy of the latest title deed of the property,
  - (f) orientation locality plan;
  - (g) zoning plan (obtainable from the municipality);
  - (h) zoning certificate (obtainable from the municipality);
  - (i) land use plan;
  - (j) a comprehensive motivational memorandum which states the extent and implications of the application, as well as the necessity and desirability thereof, founded upon planning principles;
  - (k) any other requirements specified in terms of an approved municipal By-law, policy or pre-application consultation.
- (4) The application shall comply with the following public notification procedures:
- (a) a letter, accompanied by the proposed site development plan or building plan in the case of a Residential 1 erf, shall be dispatched in writing by registered post, by hand, by email or by any



other means available to all adjoining owners whom, at the discretion of the municipality, may possibly be adversely affected by the relaxation of the applicable building line restriction setting out the following:

- (i) full details of the application including, but not limited to, the street address, the name of the township, a clear erf description of the erf concerned and the nature and general purpose of the application with specific emphasis on which building lines – side, rear or street - are being applied for;
  - (ii) the date on which such application was submitted to the municipality and it shall reflect the name, postal address, telephone number and e-mail address of the person submitting the application; and
  - (iii) that any objection, comment or representation in regard thereto must be submitted timeously to both the municipality and the applicant in writing by registered post, by hand or by e-mail within a period of 28 days from date of receipt of the letter.
- (b) proof of compliance with the advertisement procedure in the form of a written affidavit and copies of the notices must be submitted to the municipality prior to consideration of the application.
- (5) The application shall comply with the following application procedures and provisions:
- (a) the municipality shall forward all comments, objections and representation to the applicant within 14 days after the objection period has expired.
  - (b) where objections, comments and/or representations have been received as a result of the advertisement procedure, the applicant may respond in writing to the municipality within 28 days (or such further period as the municipality may approve), of the date of receipt thereof from the municipality, where after the municipality shall refer the application to the Municipal Planning Tribunal for determination.
  - (c) no decision shall be taken on the application unless due regard has been given to each objection, comment and representation lodged timeously.
  - (d) in the instance of an unopposed application, a decision on the application shall be taken by the authorised official, within 60 days of expiry of the objection period.
  - (e) such building line relaxation may be refused or approved subject to any condition the municipality may deem fit.
  - (f) whether a decision was taken on the application by the authorised official or the Municipal Planning Tribunal, the municipality shall notify all relevant parties of the decision in writing by registered post, by hand, by e-mail or by any other means available within 30 days of the date of the decision.
  - (g) the municipality shall keep a proper record of each building line relaxation application granted.
  - (h) no building plans may be approved in terms of the Building Act showing a proposed building within a building line restriction area without the approval of such building line relaxation application in terms of this scheme.

## **51. PROVISION FOR EXEMPTION IN A CONSENT USE APPLICATION**

- (1) The municipality may at its discretion permit exemption for:
- (a) written consent for specific purposes;
  - (b) consent for building line relaxation;
  - (c) consent for a temporary use;
  - (d) land development in traditional authority areas for uses set out in column 5 of Table 2.

- (2) The exemption may apply to the following aspects:
  - (a) Advertisement procedures. The municipality may exempt the applicant from advertising in newspapers.
  - (b) Application requirements:
    - (i) A report detailing the salient features of the application. The municipality may permit a letter setting out the salient features of the application.
    - (ii) A site development plan. The municipality may permit a site plan or a conceptual plan depicting the proposed use.
- (3) The municipality must provide the applicant in writing with the specifics of the aspects in terms of which exemption is permitted, subject to:
  - (a) a pre-application consultation;
  - (b) consideration of the cultural customs and practices of traditional communities in land use management; and
  - (c) the principles contained in chapter 1 of the scheme.

## **52. EXCISION OF LAND FROM AGRICULTURAL HOLDINGS REGISTER**

- (1) The municipality may grant its consent to the excision of a smallholding from the Smallholding Register in the Deeds Office subject to such conditions as it may deem fit.
- (2) This is required as a prerequisite to township establishment and the application may be submitted simultaneously with an application for township establishment.
- (3) The application shall comply with the following requirements:
  - (a) All copies of the application, must be submitted in writing to the authorised official specified in the By-law or during a pre-application consultation. The number of copies will be determined by the municipality.
  - (b) The application must be accompanied by proof of payment of the prescribed non-refundable administrative fee as determined by the municipality.
  - (c) The application shall consist of at least the following:
    - (i) Duly completed application form;
    - (ii) A motivation detailing the salient features of the application;
    - (iii) Proof of ownership of the application site, power of attorney and company resolution (where applicable) where the applicant is not the owner;
    - (iv) Bondholder's consent;
    - (v) The name and contact details of the applicant;
    - (vi) A locality plan drawn to an appropriate scale;
    - (vii) A zoning plan of surrounding properties drawn to a scale of 1:500 or an appropriate scale; and
    - (viii) A zoning certificate of the application property (obtainable from the municipality).
- (4) The municipality shall within 14 days from the receipt of the application (and application fee), provide the applicant with proof of acceptance of the application, or inform the applicant of outstanding matters to be attended to.
- (5) The applicant shall upon receipt from the municipality of a recommendation for granting the application for excision without delay submit the recommendation to the Surveyor-General, with a request for a new property description of the farm into which the smallholding will be incorporated.
- (6) The applicant shall upon receipt of a new farm description as contemplated from the Surveyor-General submit proof to the satisfaction of the municipality of:

- (i) the new farm description;
  - (ii) a draft surveyed diagram; and
  - (iii) confirm that he/she wishes to proceed with the excision, quoting the new farm portion.
- (7) The municipality shall consider the information provided and for purposes of granting the excision application shall issue a certificate that excision of the smallholding has been approved.
- (8) The municipality shall deliver a notice to the applicant of its decision and the applicant shall deliver to the Surveyor-General and the Registrar of Deeds a copy of the excision certificate.
- (9) The endorsement of the Smallholding Title Deed by the Registrar of Deeds, to the effect that it is excised and known as a farm portion for purposes of a township establishment application, may be done simultaneously with the endorsement of the title deed of the farm portion and the opening of a township register.
- (10) The municipality may issue a certificate certifying that the pre-proclamation conditions have been complied with and in so certifying it may require that certain conditions be complied with together with the opening of a township register, which may include the registration of the excision of a smallholding.
- (11) The municipality shall only regard proof an excision as being the endorsed title deed of the smallholding by the Registrar of Deeds and a copy of the farm title deed created at the Registrar of Deeds as a result of the excision.

### **53. SUBMISSION OF BUILDING PLANS**

The following plans and documents must accompany the submission of building plans to the municipality (over and above the requirements of the Building Act and By-law):

- (1) Title Deed; and
- (2) Zoning Certificate.

**CHAPTER 8: TRANSITIONAL ARRANGEMENTS AND COMMENCEMENT****54. TRANSITIONAL ARRANGEMENTS**

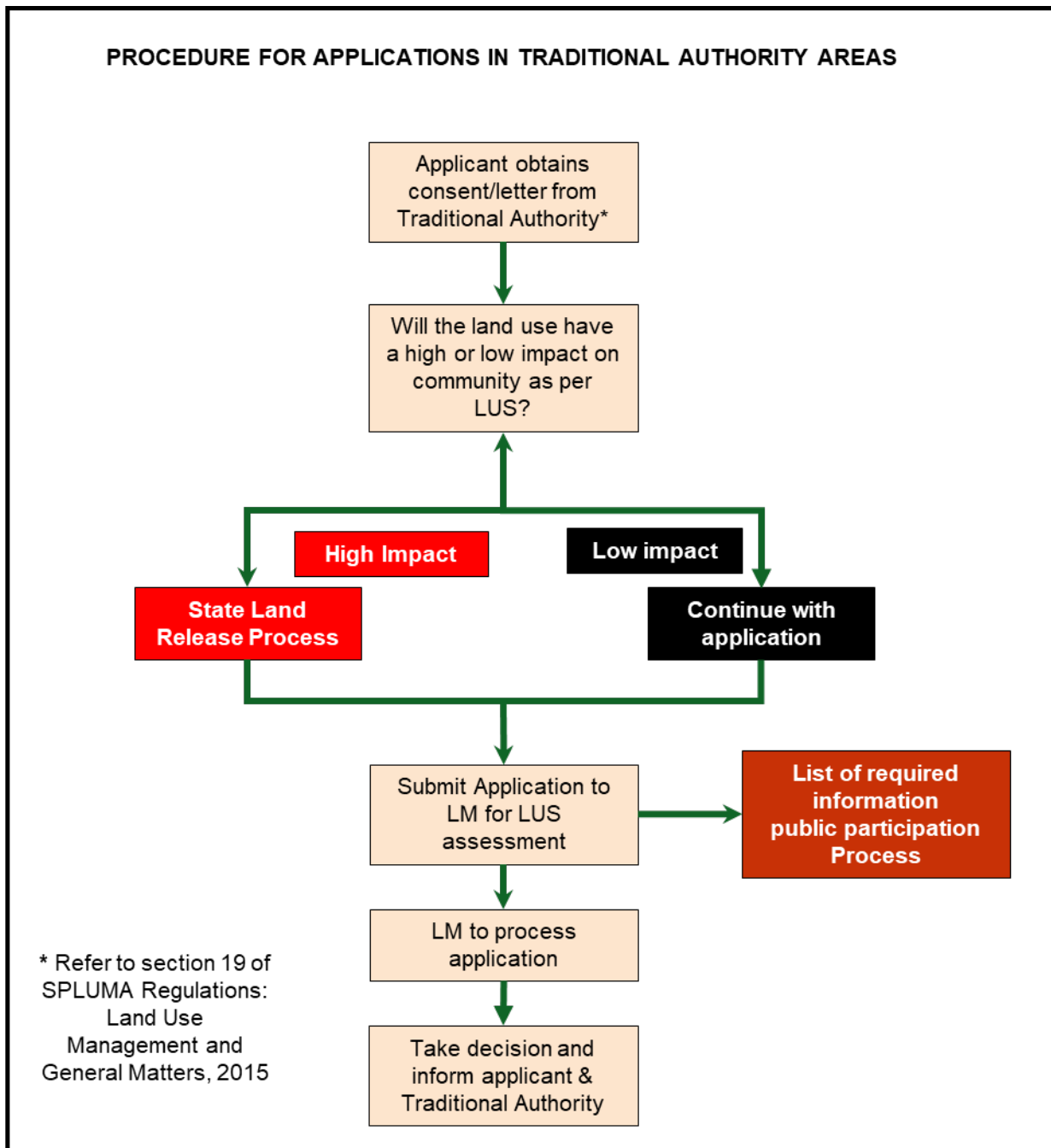
- (1) In the event of a conflict between the provisions of the scheme and an annexure approved in terms of a previous scheme, the annexure shall apply.
- (2) Any town planning scheme in operation within the jurisdiction of the municipality shall remain in force until the adoption and approval of this land use scheme, which shall replace such schemes as well as Annexure F to the Regulations Relating to Township Establishment and Land Use published in terms of the Black Communities Development Act 1984.
- (3) Within five years from the date of the coming into operation of this land use scheme (or such further time as the municipality may permit):
  - (a) The owner of any property may deliver a written notice to the municipality stating that he/she wishes to forfeit the additional land use rights arising from the application of the definitions in Table 1 of this scheme or the zoning and development controls in Table 2 of this scheme.
  - (b) Pursuant to the receipt of this notice, the municipality shall issue an annexure in terms of this scheme confirming that the property has the zoning and permissible rights that were applied before this scheme came into operation.

**55. COMMENCEMENT**

The scheme shall come into effect on the date that notice of its adoption by the municipal council is published in the *Provincial Gazette*.

## SCHEDULE 1: HIGH AND LOW IMPACT USES IN TRADITIONAL AUTHORITY AREAS

Diagram 1 outlines the application procedure within Traditional Authority Areas:



Land development applications for uses in traditional authority areas (category 1 and 2 applications) must be accompanied by the following:

- a) A resolution from the traditional authority granting the applicant permission to apply for the land use right from the municipality.
- b) Proof that the applicant applied for authorisation from the National Department of Department of Agriculture, Land Reform and Rural Development (DALRRD) to lease the land for the purpose of the land use applied for.

## 1. HIGH IMPACT LAND USES

Land development that will have a high impact on the community and are dealt with in terms of **Category 1 of the By-law** are listed below (in alphabetical order):

1. Abattoir
2. Aerodrome
3. Agricultural industry
4. Builder's yard
5. Butchery
6. Casino
7. Cemetery
8. Combined school
9. Commercial/storage
10. Dry cleaner
11. Filling station
12. Flats
13. General dealer
14. Government offices
15. Hardware store
16. Hospital
17. Hostels
18. Hotel
19. Institution
20. Industrial uses and light industries as per Schedule 2
21. Liquor store
22. Mining
23. Motor spares
24. Multiple residential
25. Municipal offices
26. Night club/adult entertainment/place of amusement
27. Old age home
28. Panel beater and spray painter
29. Pharmacy
30. Place of worship
31. Police offices
32. Primary school
33. Processing of hides/tannery
34. Service station
35. Quarrying
36. Railway and stations
37. Refuse/landfill sites
38. Renewable energy infrastructure
39. Resort
40. Restaurant/café
41. Sand washing
42. Scrapyard
43. Secondary school
44. Shop, supermarket, general dealer, restaurant, takeaway
45. SMME incubators

46. Stone crushing
47. Tavern
48. Taxi/bus rank
49. Telecommunication infrastructure
50. Transport/logistics
51. Vehicle sales lot
52. Water park
53. Wholesale trade
54. Workshop

**Notes:**

1. Any development that requires a specialist report such as an environmental impact assessment or traffic impact study and in the opinion of the municipality could have a negative impact on the community will be dealt with as a category 1 application.
2. The specialist reports required for the application will be confirmed during a pre-application consultation. The application should at least address the following:
  - a. Engineering services provision.
  - b. Engineering geological conditions.
  - c. Environmental issues.

**2. LOW IMPACT LAND USES**

Land development that will have a low impact on the community and are dealt with in terms of **Category 2 of the By-law** are listed below (in alphabetical order):

1. Agriculture
2. Animal institution
3. Car wash
4. Clinic
5. Community hall
6. Dwelling house office
7. Farmsteads and outbuildings
8. Funeral services
9. Guesthouse
10. Home enterprise
11. Library
12. Medical consulting rooms
13. Modal transfer station
14. Nursery
15. Park
16. Pre - primary school/crèche, playschool
17. Rental rooms
18. Service industry as per Schedule 3
19. Spaza shop/tuck shop
20. Shebeen
21. Single residential
22. Sports and recreation

**Notes:**

The specialist reports required for the application will be confirmed during a pre-application consultation.

## SCHEDULE 2: SERVICE INDUSTRIES

The following uses may be permitted as service industries in terms of this scheme:

Activity
<b>Repair workshops for vehicles and household/office appliances:</b>
1. Air conditioners, blinds and roll-up doors
2. Auto electricians
3. Batteries, brakes and clutches
4. Bearings and gearboxes
5. Motor vehicles, motor cycles, repair workshop (associated with service station)
6. Boats, caravans and trailers
7. Computers and electronic equipment
8. Electrical appliances
9. Jewellery, shoes and leatherwork
10. Lawnmowers
11. Radios, television sets, DVD players and electronic appliances
12. Tents and sails
<b>Small scale services/industries related to food, cleaning, clothing and upholstery, printing, medical laboratories and vehicles</b>
1. Bakery(ies)
2. Caterers
3. Cold storage for vegetables and fruit
4. Confectioners
5. Food and health laboratories
6. Dressmakers, tailors and alterations
7. Upholsterers
8. Dry-cleaners*
9. Laundries
10. Fitting of tyres, exhaust systems and tow bars
11. Installation of motor vehicle accessories, radios, sunroofs and alarms
12. Manufacturers and sellers of number plates and name plates
13. Medical and dental laboratories
14. Photographical studios (for the development of films and printing of photographs)
15. Printing works
16. Electricians
17. Locksmiths
18. Plumbers
19. Soil testing laboratories

### Notes:

1. Similar uses may be allowed at the discretion of the municipality, but excluding any use listed as a Light Industry in Schedule 3
2. Provided that a workshop on the same premises as, and incidental to the conduct of a non-industrial type retail business shall not be considered as a "Light Industry."



\*If the municipality is satisfied that the method of processing in a dry cleaner will not be dangerous owing to gaseous or other effluents or will not be objectionable in the area in which the dry cleaning establishment is to be situated, such a use may be permitted, provided the following requirements are complied with:

- a) The floor area of the shop utilized for receiving and returning clothes the processing area and the space for clothes racks shall not together exceed 255 m<sup>2</sup>.
- b) The minimum distance between the nearest boundaries of dry cleaning establishments unless situated on opposite sides of a street shall be 152 m.
- c) Only gas, electricity furnace of diesel fuel or illuminating paraffin shall be used for the production of heat. No solid fuel heat generators will be permitted.
- d) The fluid used in the cleaning process shall be neither inflammable nor combustible.
- e) The combined capacity of dry cleaning machines shall not exceed 19kg dry weight of clothing or other articles per cleaning operation per half hour cycle.
- f) The personnel shall not exceed 12 persons.
- g) The term "dry cleaners" shall include cleaning and pressing but shall not include washing or dyeing of clothes or articles.

### SCHEDULE 3: LIGHT INDUSTRIES

The following are classed as Light Industrial uses, provided that the local authority may, by resolution, add any other light industries to this list:

1. Adding machine/electronics manufacturer
2. Artificial flower manufacturer
3. Bakery
4. Battery charging and repair
5. Beverage bottling
6. Blacksmith
7. Beverage (soft drink) manufacturer
8. Boot and shoe manufacturer
9. Book publishing
10. Building material yard
11. Cabinet maker
12. Canning and preserving factory
13. Car repair
14. Cold storage warehouse
15. Car assembly
16. Contractor's store yard
17. Cosmetic manufacturer
18. Creamery (wholesale)
19. Dairy (milk depot) wholesale
20. Dry cleaner*
21. Electrical repairing
22. Electrical sign manufacturer
23. Engineering workshops e.g. welding, cutting, joinery, pumps, pipes, fitting etc.
24. Engineering systems/design services
25. Engraving plant
26. Feed manufacturer
27. Food products manufacturer
28. Garage (repair)
29. Garment factory
30. Grain elevator
31. Grain storage
32. Gravel pits
33. Ice-cream manufacturer
34. Laundry
35. Medicine (patent) manufacturer
36. Mineral water plant
37. Monumental mason
38. Timber yard
39. Newspaper office and printing
40. Office equipment manufacturer
41. Optical goods manufacturer
42. Paint shop
43. Panel beater
44. Paper box manufacturer
45. Paper bag manufacturer

46. Pencil manufacturer
47. Publishing company
48. Refrigerator manufacturer
49. Saddlery manufacturer
50. Sand and gravel storage
51. Service industries as listed in Schedule 3
52. Shirt factory
53. Surface liquefied petroleum gas tank
54. Storage warehouse
55. Soda water manufacturer
56. Telephone exchange
57. Tinsmith
58. Tobacco manufacturer
59. Tea and spice making
60. Upholstery manufacturer
61. Upholstery warehouse
62. Vehicle repair/workshop e.g. fitment centres, battery charging and repair, panel beating and spraypainting
63. Waste paper collection depot
64. Welding shop
65. Wire brush manufacturer
66. Woven goods manufacturer
67. Wool products manufacturer

**Notes:**

1. Light industries are considered to have a higher impact than service industries, and are only permitted in areas with an Industrial or Commercial zoning.
2. Provided that a workshop on the same premises as, and incidental to the conduct of a non-industrial type retail business shall not be considered as a "Light Industry."
3. \*If the municipality is satisfied that the method of processing in a dry cleaner will not be dangerous owing to gaseous or other effluents or will not be objectionable in the area in which the dry cleaning establishment is to be situated, such a use may be permitted, provided the following requirements are complied with:
  - a) The floor area of the shop utilized for receiving and returning clothes the processing area and the space for clothes racks shall not together exceed 255 m<sup>2</sup>.
  - b) The minimum distance between the nearest boundaries of dry cleaning establishments unless situated on opposite sides of a street shall be 152 m.
  - c) Only gas, electricity furnace of diesel fuel or illuminating paraffin shall be used for the production of heat. No solid fuel heat generators will be permitted.
  - d) The fluid used in the cleaning process shall be neither inflammable nor combustible.
  - e) The combined capacity of dry cleaning machines shall not exceed 19kg dry weight of clothing or other articles per cleaning operation per half hour cycle.
  - f) The personnel shall not exceed 12 persons.
  - g) The term "dry cleaners" shall include cleaning and pressing but shall not include washing or dyeing of clothes or articles.

#### SCHEDULE 4: NOXIOUS INDUSTRIES

The following are classed as Noxious Industrial uses, provided that the municipality may, by resolution, add any other noxious industries to this list:

(a) Any building assigned for use as-, or in connection with one of the following works:

1. Annealing	2. Lime kilns
3. Brick kilns	4. Recovery of metal from scrap
5. Calcining	6. Refining or blending of oils
7. Coke ovens	8. Re-heating
9. Conversion of pig-iron into wrought iron	10. Salt glazing works
11. Distilling	12. Sintering of sulphur bearing materials
13. Forging	14. Smelting of ores and minerals
15. Galvanizing	16. Stone crushing or screening
17. Hardening	18. Storage and/or processing of ash
19. Converting and carburising iron and other metals	20. Puddling and rolling of iron and other metals
21. Pickling or dissolution of metal in acid and chromium-plating	22. Plants for the preparation of road surfacing materials

(b) Industries in which the following are produced or used;

1. Amyl acetate	2. Iodoform
3. Aromatic esters	4. Lamp-black
5. B-naphthol	6. Liquid or gaseous sulphur dioxide
7. Butyric acid	8. Production of rubber from scrap
9. Caramel	10. Pyridine
11. Cellulose lacquers	12. Salicylic acid
13. Cyanogen or its compounds	14. Sulphur chlorides or calcium carbide.
15. Enameled wire	16. Sulpurated organic compounds'
17. Glass	18. Ultra-marine
19. Hexamine	20. Zinc chloride
21. Hot pitch of bitumen	22. Zinc oxide
23. Paint and varnish manufacturer (excluding works at which only milling and blending are practiced)	24. Resin products other than synthetic resin powders

(c) Any building designed for the purpose of carrying on any of the following industries, businesses or trades:

1. Abattoirs	2. Flockmaker
3. Animal bristle and hair processing	4. Glue maker
5. Animal charcoal manufacturer	6. Gut cleaner or scraper
7. Animal organic matter processing	8. Hardboard manufacturer
9. Bacon maker	10. Hide processing and storing
11. Breeder of maggots from putrescible animal matter	12. Chitterlings boiler if not carried on as subsidiary to a retail business or trade
13. Dealer in blood, skin hides or butcher's waste.	14. Large scale sausage and polony maker
15. Blood albumen maker	16. Knackers yard
17. Blood boiler	18. Leather dresser

19. Blood drier	20. Malt factory
21. Bone boiler or steamer	22. Manure making and storing
23. Bone burner	24. Oil pressing and processing
25. Bone grinder (and storing)	26. Paper maker
27. Bone processing	28. Parchment maker
29. Brewing	30. Peanut shelling factory
31. Candle maker	32. Scrap dealer
33. Catgut manufacturers	34. Size maker's
35. Charcoal burning	36. Skin (maker) drier
37. Chemical making	38. Skin curing and storing
39. Cyanide fumigator	40. Slaughterer
41. Distilleries	42. Soap maker
43. Dye works	44. Sugar mills and refining
45. Fat melter (or fat extractor)	46. Tallow melter or refiner
47. Fellmonger	48. Tanner of tripe boiler and cleaner
49. Fertilizer making or storing	50. Wattle bark processor
51. Fish curing and canning	52. Wool scourer
53. Fish frying for wholesale trade	54. Yeast maker
55. Fish oil manufacturer	
56. Fish skin dresser or scraper	
57. Hoof and horn processing	

Including:

- a) Dealer in rags and/or bones, (including receiving, storing, carting or manipulating rags in, or likely to become in an offensive condition, or any bones, rabbit skins, fat or putrescible animal products of a light nature);
- b) Fish curer if not carried on by a fishmonger as subsidiary to his trade or business as a fishmonger;
- c) Maker of meal for feeding poultry, dogs, cattle or other animals from any fish, blood, bone, fat or animal offal, either in an offensive condition or subjected to any process causing noxious or injurious effluvia;
- d) Manufacturer of manure from bones, fish, fish offal, blood, spent hops, been or other putrescible animal or vegetable matter.

**Notes:**

1. Provided that the municipality, on receipt of a written representation and through examination and consultation with the health department of the local authority and/or other specialists in the field of environmental protection and pollution, is convinced that the annoyance of the use can be held within acceptable limits by measures and/or processes, can allow such use subject to such conditions as deemed to be necessary.
2. Provided that garages carrying on a spray-painting trade shall not be termed as a noxious industrial use.
3. Provided that where the municipality is satisfied that certain noxious conditions will be prevented by the installation of suitable equipment it may regard the building as an Industrial 1 use in terms of Table 2.

**SCHEDULE 5: CHECKLIST: PARKING, LOADING AND SDP**

1. Land uses qualifying for the provision of formal parking, loading and pick-up/drop-off facilities (only land uses qualifying for the submission of a site development plan are listed).
2. In the event of a discrepancy between this list and the regulations of the land use scheme, the regulations shall prevail.

**Notes:**

✓ – Required

✍ – Required at the discretion of the municipality

Land use	Parking	Loading facilities	Minibus-taxi bays	Pick-up & drop-off	SDP
1. Abattoir	✓	✓			✓
2. Agricultural industry	✓	✓			✓
3. Airport	✓				✓
4. Amusement park/theme park	✓	✓	✍	✍	✓
5. Animal establishment	✓	✓			✓
6. Art gallery	✓	✓			✓
7. Auctioneers premises	✓	✓			✓
8. Auction pen	✓	✓			✓
9. Bakeries	✓				
10. Banks	✓	✓	✍		✓
11. Bar	✓			✍	✓
12. Beauty salons	✓				✓
13. Boarding house	✓	✓			✓
14. Boutique Hotel	✓	✓			✓
15. Brewery	✓	✓			✓
16. Builder's yard	✓	✓			✓
17. Butchery	✓				✓
18. Car wash	✓				✓
19. Caravan park	✓	✓			✓
20. Casino	✓	✓	✍	✍	✓
21. Cemetery	✓				✓
22. Chalets	✓				✓
23. Chapel	✓				✓
24. Church	✓		✍	✍	✓
25. Cinema	✓	✓			✓
26. Clinic	✓	✓		✍	✓
27. Clubhouse	✓				✓
28. College	✓		✍	✍	✓
29. Communal residential building	✓		✍	✍	✓
30. Commune	✓	✓			✓
31. Community centre	✓		✍	✍	✓
32. Community hall	✓	✓	✍	✍	✓

Land use	Parking	Loading facilities	Minibus-taxi bays	Pick-up & drop-off	SDP
33. Conference facilities	✓				✓
34. Co-operative	✓				✓
35. Court	✓		✗	✗	✓
36. Crèche	✓	✓			✓
37. Crematorium	✓	✓			✓
38. Curio shop	✓				✓
39. Day care centre	✓	✓			✓
40. Distillery	✓	✓			✓
41. Distribution centres	✓	✓			✓
42. Dry cleaners	✓				✓
43. Duet house	✓				
44. Dwelling house/unit					✓
45. Dwelling house office	✓	✓			✓
46. Factory	✓	✓			✓
47. Farm stall	✓	✓			✓
48. Fast food outlet/restaurant	✓	✓			✓
49. Flats	✓	✓	✗		✓
50. Frail care centre	✓	✓			✓
51. Funeral parlour	✓	✓			✓
52. Guesthouse	✓				✓
53. Gymnasium/fitness centre	✓		✗	✗	✓
54. Hair dresser	✓				✓
55. Holiday resort	✓	✓			✓
56. Hotels (all)	✓		✗	✗	✓
57. Home enterprise	✓	✓			✓
58. Hospital	✓	✓	✗	✗	✓
59. Hospitality establishment	✓	✓			✓
60. Industry	✓	✓			✓
61. Street trade area	✓				✓
62. Initiation school	✓				✓
63. Institution	✓	✓		✗	✓
64. Leisure residential estate	✓	✓			✓
65. Library	✓	✓			✓
66. Lifestyle estate	✓	✓			✓
67. Light industry	✓	✓			✓
68. Livestock yard	✓				✓
69. Lodge	✓	✗			✓
70. Maisonette	✓	✓			✓
71. Market	✓				✓
72. Medical consulting rooms	✓				✓
73. Medical suite	✓	✓			✓
74. Mill	✓				✓
75. Modal transfer point	✓				✓

Land use	Parking	Loading facilities	Minibus-taxi bays	Pick-up & drop-off	SDP
76. Museum	✓				✓
77. National monument	✓	✓		✗	✓
78. Noxious industry	✓	✓			✓
79. Nursery	✓				✓
80. Nursing home	✓	✗			✓
81. Offices	✓	✓			✓
82. Office park	✓				✓
83. Overnight accommodation/ Airbnb	✓	✓			✓
84. Packaging	✓	✓			✓
85. Panel beater	✓	✓			✓
86. Pharmacies/chemist s	✓	✗			✓
87. Place of amusement	✓			✗	✓
88. Place of assembly	✓		✗	✗	✓
89. Place of instruction	✓	✓	✗	✗	✓
90. Place of refreshment	✓				✓
91. Place of worship	✓		✗	✗	✓
92. Playgroup	✓				✓
93. Professional occupation	✓				✓
94. Police station	✓	✓	✗	✗	✓
95. Postal Services/post office	✓		✗		✓
96. Pre-school	✓				✓
97. Primary school	✓	✓		✗	✓
98. Pub	✓	✓	✗		✓
99. Public transport (bus/taxi) rank	✓	✓			✓
100. Public transport terminus	✓	✓			✓
101. Quarry	✓	✓			✓
102. Residential buildings	✓	✓			✓
103. Restaurants (all)	✓	✓			✓
104. Retirement resort/village	✓				✓
105. Rooms to let	✓	✓			✗
106. Rural general dealer	✓	✓			✓
107. Scrap yard	✓	✓			✓
108. Secondary school	✓	✓	✗	✗	✓
109. Self-storage	✓	✓			✓
110. Service industry	✓	✓			✓
111. Service station	✗	✗			✓
112. Shebeen	✓	✓		✗	✓
113. Shops (all)	✓	✓			✓



Land use	Parking	Loading facilities	Minibus-taxi bays	Pick-up & drop-off	SDP
114. Showrooms	✗	✗			✓
115. Spaza shop	✗	✗			✗
116. Special building	✓				✓
117. Sport stadium	✓			✗	✓
118. Sport and recreational facilities	✓			✗	✓
119. Sports academy	✓	✓		✗	✓
120. Sports club	✓			✗	✓
121. Social halls	✓	✓		✗	✓
122. Station	✓	✓		✗	✓
123. Storage yard	✓	✓			✓
124. Student accommodation establishment	✓	✓	✗	✗	✓
125. Student housing	✓		✗	✗	✓
126. Tailors	✓	✓			✓
127. Tavern	✓	✓	✗	✗	✓
128. Theatre	✓	✓	✗	✗	✓
129. Townhouses	✓	✓			✓
130. Transport uses	✓	✓			✓
131. Truck stop	✗	✗			✗
132. Tuck shop	✓	✓			✓
133. Vehicle dealership	✓	✓			✓
134. Vehicle workshop	✓	✓			✓
135. Veterinary clinic	✓				✓
136. Video games arcade	✓	✓			✓
137. Warehousing	✓	✓			✓
138. Wedding venue	✓	✓			✓
139. Wholesale trading	✓	✓			✓
140. Winery	✓	✓			✓
141. Workshop	✓	✓			

**SCHEDULE 6: RESERVATION OF LAND FOR EXISTING STREETS, NEW STREETS, STREET WIDENING AND OTHER ROAD IMPROVEMENTS**

INDICATION ON MAP OF LAND TO BE RESERVED (1)	LOCALITY (2)	USE FOR WHICH LAND IS RESERVED (3)	SOURCE (4)
1	Maselspoort Road from Raymond Mhlaba Street to the south west corner of Estoire settlements	Creating and widening formal road reserve widths 50m-80m between Raymond Mhlaba Street and the south-western corner of Estoire settlements for future road widening, as well as formalizing road reserves for roads already constructed on erven outside road reserves. Widening spays for intersection improvements also required.	Bloemfontein Town Planning Scheme [Page 18,19]
2	Harvey Road from the southern boundary of Erf 3943 up to Oliver Tambo Road (Erf 5009)	Widening to 34,6m with the exception of the portion between the power station and the cooling towers that must be 28,0m.	Bloemfontein Town Planning Scheme [Page 24] 2012 Draft LUMS - Map no. 100CB

INDICATION ON MAP OF LAND TO BE RESERVED (1)	LOCALITY (2)	USE FOR WHICH LAND IS RESERVED (3)	SOURCE (4)
3	Oliver Tambo Road and Krause Street	The development of the Oliver Tambo Road/Krause Street one-way pair. Creating and widening formal road reserves of 27m in Krause Street (between Francken Street <del>to</del> and President Avenue) and in Oliver Tambo Street (between President Avenue <del>to</del> and Falck Street), adding 1m on the eastern side of Oliver Tambo Road between Falck Street and Westley Street and creating a 50m wide road reserve in Oliver Tambo Road between Harvey Road and Vooruitsig Street. Formalizing roads already constructed on erven outside road reserves. Widening splays for intersection improvements also required.	The OR Tambo Transport Corridor Study
4	The Oliver Tambo Road/M10 intersection	Future road reserve required for switching interchange based on schematic layout from the OR Tambo Transport Corridor Study.	The OR Tambo Transport Corridor Study
5	Roads inside parts of Grasslands, Bloemspruit, Shannon Valley small holdings.	Creating and widening formal road reserve widths inside parts of Grasslands, Bloemspruit, Shannon Valley, bordered by the Mangaung Airport Development to the north, M10 to the west, Eufees Avenue to the south and the SDF Urban Edge to the east, as well as formalizing road reserves for roads already constructed on erven outside road reserves.	Bloemfontein Town Planning Scheme [Area not covered by maps.] Included in 2007 Integrated Transport Plan, inter alia Project Code LM/I/Pr/60, part of Project Code LM/I/Pr/61 and Project Code FS/I/Pr/04.

INDICATION ON MAP OF LAND TO BE RESERVED (1)	LOCALITY (2)	USE FOR WHICH LAND IS RESERVED (3)	SOURCE (4)
6	Rhodes Avenue from Harvey Road to its intersection with Oliver Tambo Road	Widening to 25,0m on the northern side.	Bloemfontein Town Planning Scheme [Page 24] 2012 Draft LUMS - Map no.100CB
7	Aliwal Street between Bloemspruit and Barnes Street	Widening by 3,0m on the western side	Bloemfontein Town Planning Scheme [Page 18] 2012 Draft LUMS
8	Portion of Kolbe Avenue	Creating and widening formal road reserve widths between Roth Avenue and Park Road for future road widening and intersection improvements, as well as formalizing road reserves for roads already constructed on erven outside road reserves.	Bloemfontein Town Planning Scheme [Page 23] 2012 Draft LUMS
9	Union Avenue and Aliwal Street	Creating and widening formal road reserve widths for Union Avenue and Aliwal Street from Milner Road in the north to Alexandra Avenue in the south, as well as formalizing road reserves for roads already constructed on erven outside road reserves.	Bloemfontein Town Planning Scheme [Page 12, 18]
10	McGregor Street	Widening to 31,4m on eastern side from the N8 (Maselspoort Road) to Dr Belcher Road.	Bloemfontein Town Planning Scheme [Page 24]
11	Mantle Street	Widening to 15,7m on both sides	Bloemfontein Town Planning Scheme [Page 18] 2012 Draft LUMS
12	The Curie Avenue/Nico van der Merwe Avenue/James Dick Street intersection	The realignment of roads and railway track to create an interchange	The OR Tambo Transport Corridor Study

<b>INDICATION ON MAP OF LAND TO BE RESERVED (1)</b>	<b>LOCALITY (2)</b>	<b>USE FOR WHICH LAND IS RESERVED (3)</b>	<b>SOURCE (4)</b>
13	Widening of Raymond Mhlaba Street (previously Andries Pretorius Street) over Erf 26475 Noordhoek and Erf 29581	Widening to 75m	Bloemfontein Town Planning Scheme [Page 7]
14	First Avenue	Creating and widening formal road reserve widths for First Avenue from Brill Street in the north to Park Road in the south for future road widening and intersection improvements, as well as formalizing road reserves for roads already constructed on erven outside road reserves.	Bloemfontein Town Planning Scheme [Page 18] 2012 Draft LUMS
15	Kellner Street and McHardy Avenue	Construction of the Kellner/McHardy arterial, including the bridge over Furstenburg Road and Nelson Mandela Drive and the realignment and widening of existing streets	The Mangaung Western Suburbs Study (2007 Integrated Transport Plan, Project 4, code LM/I/PR/51)
16	Possible extension of Blouberge Crescent to the Municipal boundary over Subdivision 1 of Erf 24702	For a link road between Blouberge Crescent and the Municipal boundary	Bloemfontein Town Planning Scheme [Page 27]
17	DM Selemela Street	New street with 30,0m reserve	Bloemfontein Town Planning Scheme [Page 42]
18	Link Road between the M10 Inner Ring Road and Frikkie van Kraayenburg Street over Erven 19036 and the most northerly portion of Erf 19037	New link road. Formalizing road reserve for road already constructed on erven/land outside road reserves	Bloemfontein Town Planning Scheme [Page 25]
19	Extension of Georg Lubbe Street over portions of Erven 11148, 15975 and 18321, Hamilton	Extension of Georg Lubbe Street and formalizing road reserves for road already constructed on erven/land outside road reserves	Bloemfontein Town Planning Scheme [Page 39] 2012 Draft LUMS

INDICATION ON MAP OF LAND TO BE RESERVED (1)	LOCALITY (2)	USE FOR WHICH LAND IS RESERVED (3)	SOURCE (4)
20	Extension of Furstenburg Road south of Nelson Mandela Drive, to provide access between Furstenburg Road and Wynand Mouton Drive	New extension of Furstenburg Road	Bloemfontein Town Planning Scheme [Page 10, 16] 2012 Draft LUMS -
21	Falck Street	Widening of section of Falck Street to the east of Harvey Road	Departmental Planning
22	Indication of a portion of Kanseliers Road as public road	New public road	Bloemfontein Town Planning Scheme [Page 17] 2012 Draft LUMS
23	Amendment of the alignment of Badenhorst Street over Erf 8885	Widening of street	Bloemfontein Town Planning Scheme [Page 17] 2012 Draft
24	Benade Drive/Charlie Sutton Street. Proposed subdivision 2 of Erf 5/15722 and a portion of Erf 15721, Bloemfontein (Fichardt Park)	New 15m service road linking Benade Drive with Charlie Sutton Street	Bloemfontein Town Planning Scheme [Page 27] 2012 Draft LUMS
25	Hornby Street	Street widening of 6m along the north-eastern street reserve of that part between Nico van der Merwe Street and Monument road	2012 Draft LUMS – Annexure C – Table C1
26	Parfitt Avenue	Subdivision and rezoning of erven to accommodate the widening and realignment of Parfitt Avenue along its full length	2012 Draft LUMS Council resolution TLC110A93-1999/12/01 2007 ITP, Project W2, code LM/I/PR/72
27	Proposed road between Kolbe Avenue and Wilgehof	Formalizing road reserve for road already constructed on erven/land outside road reserves. Proposed road 18,8m wide along Kimberley railway line from Kolbe Avenue to connect up with James Dick Street	Bloemfontein Town Planning Scheme [Page 23]
28	Intersection of St. Andrews Street and Harvey Road	Provision for corner improvements.	2012 Draft LUMS – Annexure C – Table C2 (Map no.100AD)

INDICATION ON MAP OF LAND TO BE RESERVED (1)	LOCALITY (2)	USE FOR WHICH LAND IS RESERVED (3)	SOURCE (4)
29	Maitland Street/Hanger Street intersection	Splaying of corner of erf 1054, Maitland and Hanger Streets	2012 Draft LUMS – Annexure C – Table C2 (Map no.100AD)
30	Maitland Street/Harvey Road intersection	Splaying of corner of erf 17/9/1964, Maitland Street and Harvey Road	2012 Draft LUMS – Annexure C – Table C2 (Map no.100AD)
31	Intersection of Barry Richter Road and Napoleon Street	Portion required from erf 16205 to allow a wider sidewalk with a minimum width of 4,5m for safer pedestrian movement. Formalizing road reserve for road already constructed on erven/land outside road reserves.	2012 Draft LUMS – Annexure C – Table C2 (Map no.86BB)
32	Curie Avenue, Kolbe Avenue, Pres Boshoff Street, Markgraaff Street	Localised widenings to provide for planned road improvements	The Curie Avenue Corridor Study The OR Tambo Transport Corridor Study (Also 2007 ITP, Project W4, code LM/I/PR/74)
33	First Avenue	The extension of First Avenue to Kolbe Avenue	Report regarding: “ <i>Investigating possible solutions for: the closing of Pres Brand Street between St George Street and Victoria Road and an optimal north-south one-way pair street system around President Boshof/Markgraaff Street corridor</i> ” (2007 ITP, Project 20, code LM/I/PR/67)
34	Markgraaff Street	The extension of Markgraaff Street past the Musicon up to Arboretum Avenue	Report regarding: “ <i>Investigating possible solutions for: the closing of Pres Brand Street between St George Street and Victoria Road and an optimal north-south one-way pair street system around President Boshof/Markgraaff Street corridor</i> ”

INDICATION ON MAP OF LAND TO BE RESERVED (1)	LOCALITY (2)	USE FOR WHICH LAND IS RESERVED (3)	SOURCE (4)
35	The Ferreira Road/Vereeniging Drive intersection	The construction of an interchange, the relocation of Ferreira Road and the extension of Vereeniging Drive in an easterly direction to join the M10 route	The OR Tambo Transport Corridor Study. (2007 Integrated Transport Plan, inter alia Project 19, code LM/I/PR/66)
36	The Dr Belcher Road/Hamilton Road intersection	The construction of a grade separated traffic circle	The OR Tambo Transport Corridor Study
37	Tempe Military area	Construction of the Dam van Trane link road between Frans Kleynhans Road/Lucas Steyn Road and Nelson Mandela Drive.	The Mangaung Western Suburbs Study
38	Western portion of the University of the Free State.	Extension of Elias Motsoaledi Street over the land of the University of the Free State to Furstenburg Road	The Mangaung Western Suburbs Study
39	Muller Road, Bainsvlei	Extension of Muller Road to Langeberg Avenue and from there further to the N1 Route at the Botanical Gardens	The Mangaung Western Suburbs Study. 2007 ITP, Project 5, code LM/I/PR/52
40	Bloemendal Road	Road widening and construction of an interchange where Muller Road extension reaches the N1	The Mangaung Western Suburbs Study.
41	Jan Spies Street, Langenhovenpark	Construction of an interchange to provide grade separation between the R64 route, Jan Spies Street and van Blerk Avenue.	The Mangaung Western Suburbs Study
42	Van Blerk Avenue, Bainsvlei	The construction of Van Blerk Avenue extension to Frans Kleynhans Road	The Mangaung Western Suburbs Study Mangaung SDF



<b>INDICATION ON MAP OF LAND TO BE RESERVED (1)</b>	<b>LOCALITY (2)</b>	<b>USE FOR WHICH LAND IS RESERVED (3)</b>	<b>SOURCE (4)</b>
43	Du Plessis Road, Cecilia	The extension of Du Plessis Road to Cecilia Park.	The Mangaung Western Suburbs Study ITP code LM/I/Pr/09
44	Faan Ferreira Avenue to Langeberg Avenue	The construction of a link road between Faan Ferreira Avenue (Spitskop) to /Langeberg Avenue (Vredenhof)	The Mangaung Western Suburbs Study
45	Vredenhof, Stirling and Tempe	The extension of Langeberg Avenue to the Dam van Trane link road in Tempe	The Mangaung Western Suburbs Study Mangaung SDF
46	McKenzie Street, East End	The extension of McKenzie Street underneath the M10 road-over-rail bridge to the east	2007 Integrated Transport Plan – Project 13, code LM/I/PR/60
47	Eastern areas of the city	The implementation of the higher order roads related to the Eastern Areas Road Master Plan	Eastern Areas Road Master Plan Bloemfontein Road Master Plan (See drawing no. B0456.01 of the FSPG)
48	Kwaggafontein	Required road improvements identified in the Haldon Road area Road Master Plan	Haldon Road area Road Master Plan
49	Estoire	Required road improvements identified in the Estoire Road Master Plan	2012 Draft LUMS
50	Jan Wilkens Street	The extension of Jan Wilkens Street to Raymond Mhlaba Street	Departmental Planning
51	Nicolai Street	The extension of Nicolai Street in an easterly and westerly direction to complete the northern local ring road.	The Northern Extension of the Larger Bloemfontein Study (2007 ITP, Project 9, code LM/I/PR/56)
52	Louw Wepener Street	The extension of Louw Wepener Street to Lucas Steyn Road	2007 Integrated Transport Plan, Project 8, code LM/I/PR/55
53	Kwagga Street, Kwaggafontein	The extension of Kwagga Street to Pellissier	The N8 (west) Road Master Plan (2007 Integrated Transport Plan – Project 2, code LM/I/PR/49)

INDICATION ON MAP OF LAND TO BE RESERVED (1)	LOCALITY (2)	USE FOR WHICH LAND IS RESERVED (3)	SOURCE (4)
54	The Outer Ring Road	The completion of the Outer Ring Road	Mangaung SDF (2007 Integrated Transport Plan Projects 16, 69, 70).
55	Gluckman Avenue	Extension of Gluckman Avenue to Benade Drive	2007 ITP, Project 6, code LM/I/PR/53
56	Tempe	Linking Furstenburg Road via Jock Whammond Street with Gen. Dan Pienaar Drive opposite Gen. Cronje Street to provide additional access to the Tempe area.	2007 ITP, Project 7, code LM/I/PR/54
57	Roderick's Park	Construction of a link road between Normandie Avenue and Raymond Mhlaba Street. (Road reserve partially created)	2007 ITP, Project 11, code LM/I/PR/58
58	St Georges Street, Buitesig	Extension of St Georges Street over the railway lines, through Buitesig to link up with McKenzie Street in East End	Waaioek Project (2007 ITP, Project 12, code LM/I/PR/59- old alignment)
59	Leepile Street, JB Mafora	Extending Leepile Street to the Outer Ring Road	2007 ITP, Project 17, code LM/I/PR/65
60	Singonzo Street, Rocklands	Extending Singonzo Street to the Outer Ring Road	2007 ITP, Project 18, code LM/I/PR/64
61	Lourierpark	Construction of new road links between Ferreira Road, Lourierpark and Jagersfontein Road (R706 route)	2007 ITP, Project 21, code LM/I/PR/68, 69)
62	Walter Sisulu Road	Widening of Walter Sisulu Road to 3 lanes per direction between the N1 and Victoria Road	2007 ITP, Project 21, code LM/I/PR/73)
63	Moshoeshoe Public Transport Bay	Widening of Moshoeshoe Street to the west between M10 and Sibizi Street	Departmental Planning

<b>INDICATION ON MAP OF LAND TO BE RESERVED (1)</b>	<b>LOCALITY (2)</b>	<b>USE FOR WHICH LAND IS RESERVED (3)</b>	<b>SOURCE (4)</b>
64	Louw Wepener Street	Louw Wepener Street widening to accommodate a service road	Structure Plan 2017: Preller Square and surrounding
65	Genl Hertzog Street	Genl Hertzog Street widening to accommodate a service road	Structure Plan 2017: Preller Square and surrounding
66	Koos van der Walt Street/Wynand Mouton Drive intersection.	Re-alignment of Koos van der Walt Street and new intersection with Wynand Mouton Drive	Concept Design Report of 24 Intersections in Bloemfontein, Cecilia Park TIA.
67	Du Plessis Road	Du Plessis Road Widening	Development Plan for Spitskop and Quaggafontein ITP code LM/I/Pr/09
68	Frans Kleynhans Road	Frans Kleynhans Road widening	Various traffic impact studies.
69	Ray Champion Road	Ray Champion Road widening	Northern Extension of the Greater Bloemfontein study (Noordelike Uitbreiding van die Groter Bloemfontein)"
70	Kolbe Avenue	Kolbe Avenue partial widening to accommodate a service road	Structure Plan 2017: Oranjesig
71	Genl Dan Pienaar Drive	Genl Dan Pienaar Drive Widening and to create a service road.	Structure Plan 2017: Brandwag, Departmental Planning
72	De Bruyn Street	Extension of De Bruyn Street over the N1 to Cecilia Park.	The Mangaung Western Suburbs Study
73	Kenneth Kaunda Road	Kenneth Kaunda Road Widening	Various TIA's
74	Lantern Street	Lantern Street extension in Pellissier up to the future Outer Ring Road.	Departmental Planning
75	South Park Cemetery Road	Creation of a formal road reserve to accommodate the existing road.	The OR Tambo Transport Corridor Study

<b>INDICATION ON MAP OF LAND TO BE RESERVED (1)</b>	<b>LOCALITY (2)</b>	<b>USE FOR WHICH LAND IS RESERVED (3)</b>	<b>SOURCE (4)</b>
76	Brandkop Boulevard	Brandkop Boulevard extension from new township on Farm Brandkop 702 and Farm de Vlake 1950 in the north to new township on portion 5 of the Farm Brandkop 702.	Departmental Planning emanating from proposed private township establishment on Farm Brandkop 702 and Farm de Vlake 1950 in the north and new municipal township establishment on portion 5 of the Farm Brandkop 702.
77	Pasteur Avenue	Extension of Pasteur Avenue in a northerly direction to Rose Avenue	2007 ITP, Project code LM/I/Pr/06
78	Botshabelo J and W link road	New 2km single carriageway two-way link road between Botshabelo J and W	2007 ITP, code LM/I/Pr/07
79	Botshabelo N and S link road	New 1,2km single carriageway two-way link road between Botshabelo N and S	2007 ITP, code LM/I/Pr/08
80	Rustfontein Dam Road	Upgrade Road to Rustfontein Dam	2007 ITP, code FS/I/Pr/01
81	Botshabelo U and T link road	New 800m single carriageway two-way link road between Botshabelo U and T	2007 ITP, code LM/I/Pr/31
82	Botshabelo J and C link road	New 1,7km km single carriageway two-way link road between Botshabelo J and C	2007 ITP, code LM/I/Pr/32
83	Western Botshabelo access road and Botshabelo Industrial area link road	New 2,3km single carriageway two-way link road between Western Botshabelo access road and Botshabelo Industrial area	2007 ITP, code LM/I/Pr/33
84	Botshabelo Industrial area and Botshabelo main access road link	New 800m single carriageway two-way link road between Botshabelo Industrial area and Botshabelo main access road	2007 ITP, code LM/I/Pr/34
85	Botshabelo South and Dewetsdorp Road link road	New 28km link road between Botshabelo South and Dewetsdorp Road	2007 ITP, code LM/I/Pr/47

86	Eastern Thaba Nchu industrial area and N8 link road	New link road between eastern Thaba Nchu industrial area and N8	2007 ITP, code LM/I/Pr/40
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Projects listed in the table above must be considered with all future planning and land development applications. The land in question is reserved for projects in the public interest and property owners has no right to compensation until the land in question is required for road improvement projects. It has the same status as building lines and side spaces, except that the municipality only gains right of access when the land needs to be acquired for road improvement projects.