

# MOQHAKA LAND USE SCHEME



**"People's power in  
action"**

**[PROVINCIAL NOTICE NO ... OF 2018]**

**MOQHAKA LOCAL MUNICIPALITY  
MUNICIPAL LAND USE SCHEME**

Notice is hereby given in terms of the provisions of Section 13 of the Local Government Municipal Systems Act, 2000 (No 32 of 2000) that the Council of the Moqhaka Local Municipality adopted the Municipal Land Use Scheme By-law as contained in the schedule hereunder. This By-law is published for the purpose of general public notification and the By-law will take effect from date of publication in the Provincial Gazette. Copies of the By-law are available at the Municipal Offices, Hill Street, Kroonstad.

MS MQWATHI  
MUNICIPAL MANAGER

**SCHEDULE**

**MUNICIPAL LAND USE SCHEME**

**Preamble**

To provide for the regulation and control of activities on and in respect of spatial planning and land use management, and to provide for matters in connection therewith

**WHEREAS** the Constitution established local government as a distinctive sphere of government, interdependent, and interrelated with the national and provincial spheres of government; and

**WHEREAS** there is agreement on the fundamental importance of local government to democracy, development and nation-building in our country; and

**WHEREAS** there is fundamental agreement in our country on a vision of democratic, accountable and developmental local government, in which municipalities must strive within their financial and administrative capacity, to achieve their constitutional objectives by ensuring the provision of sustainable, effective and efficient municipal services to communities, by promoting social and economic development, by promoting a safe and healthy environment, and by encouraging the involvement of communities in the matters of local government; and

**WHEREAS** the Constitution authorises and empowers municipalities to administer the local government matters listed in Part B of Schedules 4 and 5, which include hoardings and the display of advertisements in public places and any other matter assigned to it by national or provincial legislation, by making and administering By-laws for the effective administration of these matters;

**BE IT THEREFORE ENACTED** by the Municipal Council of the Moqhaka Local Municipality as follows:

## ARRANGEMENT OF SECTIONS AND SCHEDULES

This Scheme may be cited as the *Moqhaka Land Use Scheme* and is divided as follows:

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**CHAPTER 1 - DEFINITIONS**

In this By-law, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Spatial Planning and Land Use Management Act, 2013 (No 16 of 2013) has the meaning assigned to it in that Act.

All references to sections in this By-law refers to this specific document unless otherwise stated -

“**adopt**”, in relation to a spatial development framework, land use scheme, policy or strategy, means the approval thereof by the competent authority;

“**applicant**” means a person referred to in Section 16(3) of the Moqhaka Municipal Land Use Planning By-law, 2015 who makes an application to the Municipality as contemplated in that Section;

“**application**” means an application to the Municipality referred to in Section 16(3) of the Moqhaka Municipal Land Use Planning By-law, 2015;

“**authorised employee**” means a municipal employee who is authorised by the Municipality to exercise a power or perform a duty in terms of this By-law or to inspect land and buildings in order to enforce

compliance with this By-law, the Moqhaka Municipal Land Use Planning By-law, 2015 and Deeds of Title;

“**consolidation**”, in relation to land, means the merging of two or more adjacent land parcels into a single land parcel;

“**day**” means a calendar day, and when any number of days are described for the execution of any act, it must be calculated by excluding the first day and including the last day, however, should the last day fall on a Saturday, Sunday or public holiday, the number of days must be calculated by excluding the first day and also the Saturday, Sunday or public holiday;

“**Municipal Manager**” means the municipal manager of the Municipality;

“**Municipality**” means the municipality of Moqhaka established in terms of the Local Government: Municipal Structure Act, 1998 (No 117 of 1998), and any employee of the Municipality acting in terms of delegated or sub-delegated authority of the Municipality;

“**occasional use**” means a departure in respect of a right to use land for a purpose granted on a temporary basis for a specific occasion or event;

“**owners’ association**” means an owners’ association established in terms of Section 30 of the Moqhaka Municipal Land Use Planning By-law, 2015 and includes for the purpose of Section 29(2)(a) of the aforementioned By-law, a body corporate created in terms of the Sectional Titles Act, 1986 (No 95 of 1986) or the Companies Act, 2008 (No 71 of 2008);

“**service**” means a service provided by the Municipality, any other organ of state or a service provider, including services for the provision of water, sewerage, electricity, refuse removal, roads, storm water, and includes infrastructure, systems and processes related to the service;

“**social infrastructure**” means community facilities, services and networks that meet social needs and enhance community well-being;

“**Spatial Planning and Land Use Management Act**” means the Spatial Planning and Land Use Management Act, 2013 (No 16 of 2013) and the regulations promulgated in terms of the Act.

## CHAPTER 2 - DESCRIPTION

1. This Scheme consists of these written Scheme clauses as well as maps prepared and approved in terms of Section 24(1) of the Spatial Planning and Land Use Management Act, 2013 (No 16 of 2013).
2. Maps shall include within its meaning any maps depicting use zones, building lines, densities (including minimum subdivision areas), management areas, environmental resources, heritage resources, existing uses, guideline plans and any spatial depiction of policies relating to land use and physical development.
3. This Scheme applies to all land within the municipal area of the Moqhaka Local Municipality.

### **CHAPTER 3 - LEGAL MANDATE**

4. This Scheme is constituted in terms of Section 24(1) of the Spatial Planning and Land Use Management Act, 2013 (No 16 of 2013).
5. In this Scheme, unless it is otherwise expressly determined, the Municipality is the authority responsible for the execution of the provisions of this Scheme.

### **CHAPTER 4 - INTERPRETATION**

6. A term, word or expression used in this Scheme, shall have the respective meaning thereby assigned in Schedule 1, except where the context otherwise requires, or it is otherwise expressly determined.
7. In the case of any uncertainty, disagreement or dispute arising from the interpretation of a term, word or expression defined in Schedule 1; the decision of the Municipality will be final, with appeal to the Council under Section 84 of the Moqhaka Municipal Land Use Planning By-law, 2015.
8. Land to which this Scheme applies is within a use zone or allocated area if it is shown on the zoning map, or any of the maps referred to in Section 2, as being within such a zone or allocated area.
9. In this Scheme a reference to a building, a place or land used for a purpose also includes a reference to a building, a place or land intended to be used for such a purpose.
10. In this Scheme any reference to the "map" or "maps" are to the Scheme Maps depicting use zones kept at the office of the Municipality, also referred to in Section 2.
11. In all cases where conflict exists between the provisions of this Scheme and any By-law, the more restrictive provisions shall prevail.
12. A consent granted by the Municipality by virtue of provisions of this Scheme shall not entitle any person the right to use any land, or to erect or use buildings thereon in any manner or for any purpose which is prohibited by the provisions of any condition registered against the title deed under which such land is held, or imposed by legislation in respect of such land or in terms of the conditions of township establishment by virtue of any act.

### **CHAPTER 5 - CLASSIFICATION OF USE ZONES AND REZONING**

13. Development of land, including buildings and structures on land, is controlled by use zones as provided for in this Section and the maps depicting use zones, subject to the special provisions in the relevant sections of this Scheme.
14. Use zones are classified in Schedule 2 and specify:
  - (1) development allowed with or without consent, or prohibited within each zone; and
  - (2) development standards.

15. Use zones are visually depicted in distinctive colours on the maps that form part of this Scheme and land rezoned is depicted in the colour of the new use zone. The previous use zone will be depicted on a separate Schedule, designed for this specific purpose and will form part of the maps.
16. The terms used in Schedule 2 will be according to the definitions listed in Schedule 1. If no definition for a specific term or word is listed in Schedule 1, the interpretation thereof will be to the final discretion of the Municipality.
17. In each use zone there are “permitted uses” and “consent uses”, which are defined as follows:
  - (1) “Permitted uses” refers to the specific use of land, buildings or structures or to the purpose for which land, buildings or structures are to be erected, established or intended to be used; and which is exempt from consent if it complies with the development standards in the Schedules of this Scheme, any other provision in this Scheme, all other legislation applicable to the proposed use of land, buildings or structures as well as such conditions as determined by the Municipality.
  - (2) “Consent uses” refers to the specific use of land, buildings or structures or to the purpose for which land, buildings or structures are to be erected, established or intended to be used; and which requires consent according to the procedures for application, consultation and decision-making provided for in Chapter 6 of this Scheme.

#### **CHAPTER 6 - PROCEDURES FOR APPLICATION, CONSULTATION AND DECISION-MAKING**

18. Refers to the provisions of the Moqhaka Municipal Land Use Planning By-law, 2015.

#### **CHAPTER 7 - MANAGEMENT AREAS**

19. Any particularly significant portion of land may be declared a management area by the Municipality at its own initiative or on request of any interested or affected party. Such a management area must be depicted in the Spatial Development Framework.
20. The term “area” as used in “Management Areas” may also include land, portions of land, designated land, buildings or structures, and may include the following:
  - (1) Areas with unique environmental, natural, biophysical, ecological and topographical characteristics, including a nature conservation area;
  - (2) Heritage areas and other areas of historical, cultural or archeological significance;
  - (3) Areas currently or previously undermined or used for mining purposes, including the excavation of topsoil;
  - (4) Areas subject to flooding or within a significant flood line;
  - (5) A CBD (Central Business District) demarcated for that purpose;
  - (6) An area significant to the economic growth and development of the community;

- (7) Current or anticipated transport corridors;
  - (8) An “urban edge” or the area surrounding a significantly developed or proposed urban area;
  - (9) An informal residential area subject to formal township development;
  - (10) River- or storm water catchments and wetlands;
  - (11) Smallholdings or agricultural land on a developed urban periphery;
  - (12) Landfill areas (including waste incinerators);
  - (13) AWTS - aerated wastewater treatment system and waste management facilities;
  - (14) Areas including and surrounding significant or noxious industries;
  - (15) Cemeteries (including incinerators and crematoriums);
  - (16) Airports or landing strips and the surrounding area required for the safe landing or take-off of aircraft;
  - (17) A military installation or compound;
  - (18) An open space or an open space system;
  - (19) A natural reserve or sanctuary; and
  - (20) A traditional settlement(s).
21. A declared Management Area must be depicted in a Management Plan with a map indicating the area and a written management policy describing any additional development standards and conditions that will apply in the area subject to the development standards of this Scheme. The Management Plan will form part and is deemed an extension of the Scheme.
22. The procedures to be followed for the declaration of a Management Plan will be according to the provisions of the Spatial Planning and Land Use Management Act, 2013 (No 16 of 2013).

### **CHAPTER 8 - CONSOLIDATION AND SUBDIVISION**

23. The Local Municipality may not approve any subdivision if such approval will result in the existing building exceeding the coverage as provided for in Schedule 2 of this Scheme.
24. The minimum areas for subdivided land are indicated as “minimum area of erf required per dwelling house” in Schedule 8 and “building lines” for each use zone in Schedule 2 of this Scheme, or as spatially indicated on a map for that purpose included to the maps that form part of this Scheme.
25. The minimum areas for subdivided land as indicated in Schedule 8, or the relevant map, will apply to any subdivision as well as the remaining extent thereof.

26. The Municipality may not recommend any subdivision that will result in any portion of land on which a dwelling house exists, or is to be erected, to have a street frontage of less than 12 metres, subject to Section 29 of this Scheme.
27. Where subdivision divides existing buildings or structures, requirements of the National Building Regulations and Building Standards Act, 1977 (No 103 of 1977) must be adhered to, the appropriate servitudes are registered, and relaxation of building lines are granted by the Municipality.
28. Land necessary for the provision of any new street, street widening or street improvement must be relinquished for that purpose where the need for such is brought about by reason of such subdivision, and no compensation will be made for such relinquishment.
29. The Municipality may recommend a subdivision of an erf in a panhandle form subject to the following:
  - (1) The owner must prove that for optimal use of the land it cannot be subdivided in a conventional manner;
  - (2) the proposed subdivision must be linked to a street with an elongated portion, lengthwise nowhere narrower than 4m;
  - (3) nothing contained in the approval exempts the applicant from any other provisions of the Scheme in respect of density, coverage, building lines and other provisions;
  - (4) the owner must provide the handle portion of the panhandle subdivision with a dust free surface and fence it at his own cost and to the satisfaction of the Municipality within 60 days after the development of the subdivision or before transfer to the following owner takes place, whichever is the shorter period;
  - (5) the owner of the subdivision must see to it that the improvements as mentioned in Sub-section (4) above are maintained to the satisfaction of the Local Municipality; and
  - (6) the area of the driveway of a panhandle-type subdivision will not be calculated for the minimum area of a subdivision, or remaining extent thereof, in any use zone.
30. Where 2 or more adjoining erven are developed and/or used as a unit, such erven must be consolidated.

## **CHAPTER 9 - EXISTING AND MIXED USES**

31. An existing building, structure, land use or work may be maintained and continued with where these uses would have contravened the provisions of the Scheme, if they had taken place after the material date, provided that the right to continue a use shall be deemed to have lapsed if such land or building or structure is not reasonably used for that existing use for a continuous period of 12 months.
32. Where, but for the provisions of Section 31 hereof, an existing building, structure, land use or work would have contravened some provision of this Scheme, the Municipality may permit that building to be used for any purpose of existing or similar character, or for any purpose which is



in conformity with the provisions of the Scheme, provided that the extent to which the relevant provisions of the Scheme would have been contravened by the existing use, will not be increased by that change of use.

33. Notwithstanding any provision of this Scheme, an alteration of an existing building, which constitutes a contravention of the Scheme, may be made if the alteration, together with any other alteration after the material date, does not involve the demolition of existing buildings, to an extent that Municipality considers reasonable of the area within its main containing walls.
34. The Municipality may, upon receipt of a written application, permit an extension of the existing use as it considers reasonable and necessary, and will prescribe such restrictions as it deems fit for application to the building so extended, having regard to the circumstances of each particular case.
35. An extension to an existing use may be permitted according to Section 34, provided that the new building or portion thereof is erected within 24 months of its demolition or partial demolition, and that the building is used for the same or a similar purpose as the demolished building.
36. Where a building is used for, or a proposed building is designed for more than one use, the uses must individually and jointly conform to the provisions of the Scheme. For the application of Schedule 7 (use zones), Schedule 2 (height of buildings) and Section 30 (consolidation) hereof it is considered to be applicable to each use or design individually, but for the application of other provisions of this part in the Scheme it is viewed that the predominant use or design will prevail and the Municipality will decide what the predominant use is.
37. The Municipality must inform the applicant in terms of this Section about its decision and the person who is informed in this way may appeal.

#### **CHAPTER 10 - MISCELLANEOUS**

38. Notwithstanding any of the provisions contained in this Scheme, the Municipality may prohibit the erection of any building, structure, access way or portion thereof where it is of the opinion that vehicles entering or leaving such building or structure or access way will prove a source of danger to pedestrian or vehicular traffic.
39. Where the amenity of any use zone or reservation has a negative effect on any privately owned land or curtilage in the area, the Municipality may serve a notice on the owner or occupier of the premises or land on which the undesirable condition exists, requiring him within such period as may be specified in such notice, calculated from the date of serving of such notice, to take such action as may be necessary to abate the impediment and the said notice may specify the measures to be taken to abate the impediment.
40. The Municipality shall have power, by its duly authorised employees, to enter into and upon any land, whether in private ownership or not, within the Scheme Area, to enter into and upon such land between the hours of nine in the forenoon and four in the afternoon, for the purpose of any inspection which the Municipality may deem necessary or desirable for the purposes of this Scheme. In exceptional cases, and where circumstances warrant it, inspections may be conducted during any hours.

41. No person shall in any way hinder, obstruct or interfere with any duly authorised employee of the Municipality or cause, or in so far as he/she has any authority, permit such employee to be hindered, obstructed or interfered with, in the exercise of the powers hereby granted.
42. Any person who in any way hinder, obstruct and/or interfere with any duly authorised employee of the Municipality, or cause, or in so far as he/she has any authority, permit such employee to be hindered, obstructed and/or interfered with, may be taken into custody by any municipal, provincial and/or national law enforcement officer(s).
43. If consent has been given in terms of this Scheme to erect any building, or to undertake work, or to use any building or land for a specific purpose, or to do anything else, for which conditions have been imposed, the conditions shall have the same legality as this Scheme and it shall be deemed to be part of this Scheme.
44. The Municipality shall keep, in such a manner that it is available for inspection by any interested person at any reasonable time, a register of approvals, authorisations or consent uses by it or an appeal granted against its decisions in terms of any provisions of this Scheme, and of any conditions imposed or agreed upon in this regard by the Municipality and the applicant.
45. Serving of orders and notices must be done in accordance with the provisions in the Moqhaka Municipal Land Use Planning By-law, 2015.
46. The Municipality may, in its sole discretion, levy such fees as it deems necessary in respect of any application where densification is implied.

#### **CHAPTER 11 - PENALTIES**

47. Any person or party not abiding to the provisions of this Scheme, transgress by means of illegal use of land or refuse to abide to any written order issued in terms of this Scheme, will be guilty of a transgression and will be prosecutable in a court of law.
48. The penalty for a transgression of the provisions of this Scheme will be in accordance with the provisions in the Moqhaka Municipal Land Use Planning By-law, 2015.
49. Any person or party using land and/or a building contradicting its zoning is liable to payment of assessment rates and service charges on such land and/or building according to a revised tariff with effect from the date the contravention comes to the attention of the Municipality.

## **SCHEDULE 1**

### **LAND USE DEFINITIONS**

ABATTOIR [SLAGPALE] - means land and buildings used to slaughter animals and poultry and may include the processing of animal products.

ADDITIONAL DWELLING UNIT [ADDISIONELE WOONEENHEID] - means the erection or establishment of a second dwelling house (only on erven larger than 600 m<sup>2</sup>), where the maximum floor area of the second dwelling house does not exceed 75 m<sup>2</sup>, subject thereto that the two dwellings jointly do not exceed the permitted coverage and floor area ratio for the premises. The two dwelling houses may not be alienated separately on sectional title basis. The design and location of the additional dwelling house must be to the satisfaction of the Municipality. The Municipality may also require that the two dwellings be physically / structurally linked in order to attain an architectural unit.

AERATED WASTEWATER TREATMENT SYSTEM (AWTS) [WATERSUIWERINGSWERKE] - means a plant used for, but not limited to, chemical treatment, sedimentation, flocculation, filtration or purification of wastewater.

AGRICULTURAL PURPOSE [LANDBOU DOELEINDES] - means horticulture, the cultivation of crops (including cereals, fruit, and vegetable or flower crops) for human or animal consumption, horticultural irrigation and dry land farming, and includes:

- (a) the keeping or breeding of (grazing) livestock, bees or poultry and other birds (excluding intensive livestock keeping establishments, pig and/or poultry farming, the retail sale of animal products and the sale of any agricultural product not cultivated on the land, for which consent must be obtained from the Municipality);
- (b) the cultivation of plants in a wholesale plant nursery;
- (c) aquaculture;
- (d) dwelling houses (including dwelling houses for farm workers) and any other buildings which are reasonably necessary to conduct such activities; and
- (e) game farming and breeding provided that the required permits are obtained from the relevant authority.

AGRI-INDUSTRY [LANDBOU NYWERHEID] - means handling, treating, processing, packing and transporting of primary agriculture related products and includes the servicing, in a workshop, of plant and equipment used for such industry only.

AIRLINE TERMINAL [LUGHAWE GEBOU] - means a building or place used for the assembly of passengers and goods prior to the transportation thereof either to or from an airport.

AIRPORT [LUGHAWE] - means an area or place 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 and maintenance hangars and associated buildings.

ALCOHOLIC PRODUCTION FACILITY (ALKOHOLIESE VERVAARDIGINGSFASILITEIT) - means a production (in the form of a brewery and/or a distillery) and storage facility reserved for the brewing and distilling of alcoholic beverages for commercial purposes and distribution, but does not include on-site consumption other than a tasting room.

**ALTER AND ALTERATION [WYSIG EN WYSIGING]** - means the making of structural changes to a building or structure, and in relation to a heritage resource also means making non-structural changes to the detail, fabric, finish or appearance of a building or structure otherwise than by means of reasonable and necessary maintenance.

**ANIMAL ESTABLISHMENT [DIERE BEDRYF]** - means a building or place used for breeding, boarding, training, keeping or caring for animals, and includes a riding school, touch farm and veterinary clinic, but excludes an intensive livestock keeping establishment.

**APPEAL [APPELLEER]** - means procedures followed to the Appeal Authority as determined in the provisions of the Mqohaka Municipal Land Use Planning By-law, 2015.

**AQUACULTURE [WATERKULTUUR]** - means cultivating (including propagating and rearing) the living resources of the sea or inland waters, whether or not that cultivation is carried out in a natural river, stream, pan or dam; a farm established for that purpose or is by use of an artificially created body of water.

**AUCTIONEERS BUSINESS [AFSLAERS-BESIGHEID]** - means a building or site used for the sale of movable or unmovable goods 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, but excludes a livestock sale yard.

**BACKPACKER AND HOSTELLING ACCOMMODATION [RUGSAKSTAPPER EN HERBERG AKKOMMODASIE]** - means an accommodation facility that provides communal facilities, including dormitories yet may offer a range of alternative non-permanent sleeping arrangements.

**BED AND BREAKFAST ACCOMMODATION [BED-EN-ONTBYT AKKOMMODASIE]** - means accommodation provided in a family (private) home with a maximum of 6 bedrooms of which 4 bedrooms may be let out, which mainly serves as an overnight visitors and tourist accommodation facility where the owner lives in the house or on the property. Breakfast is usually served. Bathroom facilities may or may not be en-suite and/or private. In general, the guest shares the public areas with the host family.

**BOARDING HOUSE [LOSIESHUIS]** - means a dwelling house with a maximum of 10 bedrooms / suites of which bedrooms /suites may be let out on a permanent basis, provided that:

- (a) no such premises be licensed in terms of the Liquor Act, 2010 (No 6 of 2010);
- (b) no overnight and tourist accommodation be provided on the premises;
- (c) a maximum of two bedrooms may form part of any outbuilding;
- (d) no self-sustaining (kitchen) facilities be provided as part of a bedroom / suite;
- (e) parking must be provided according to Schedule 3;
- (f) occupancy must be strictly according the permissible occupancy rate determined in the National Building Regulations and Standards Act, 1977 (No 103 of 1977) and any Regulations promulgated in terms of said Act; and
- (g) a boarding house may not be established on a residential erf smaller than 1 000 m<sup>2</sup>.

**BRICK WORKS [STEENWERKE]** - means an industry conducted with the purpose of manufacturing bricks or other products made of clay, which are removed from a quarry on the premises or that originates from another site and which are baked there.

**BUILDING [GEBOU]** - means any construction or structure, which has been completed or is still under construction, or which is built underground, and which is intended to be used by humans or animals, or for storing, processing, manufacturing or selling goods and materials, or for the treatment of refuse or waste materials, and includes any

wall higher than 2 metres, swimming pool, reservoir, water tower, bridge, summer-house, aerial or radio mast, and depending on the context, also includes a portion of a building and the structural change of or any addition to a building.

**BUILDING LINE [BOULYN]** - means an imaginary line on an erf or piece of land running parallel to the boundary and within which area no building or structure may be erected apart from that determined in Schedule 2.

**BUSINESS BUILDING [BESIGHEIDSGEBOU]** - means a building used for the display, retail sale of commodities, professional / administrative / personal / general service provision and includes offices, financial enterprises, shops, tuck shops, convenience stores, department stores, specialist shops, showrooms, restaurants, eating house, café, coffee shops, any other purposes reasonably deemed as a business or commercial enterprise which includes neighbourhood centres, but does not include a building or place elsewhere defined in this Scheme, provided that:

- (a) the workshop component does not exceed 10% of the floor area of the business and is limited to repair work to items sold in the retail portion of the business on the premises;
- (b) the storage component only be in respect of goods / merchandise / material that are sold by the business in the retail arena;
- (c) power generated machinery is only driven by electricity and no liquid or solid fuels are used; and
- (d) the building does not include any residential buildings, scrap yard, builder's yard or noxious industry.

**BUS / TAXI DEPOT [BUS / HUURMOTOR DEPOT]** - means a building or place used for the servicing, repair and garaging of buses and other vehicles used for the purpose of a bus/taxi transport undertaking.

**BUS / TAXI RANK [BUS / HUURMOTOR STAANPLEK]** - means a building or place used as a terminal for the assembly and dispersal of passengers travelling by bus/taxi.

**CAFÉ [KAFEE]** - means a business conducted with a view to selling refreshments, meals and food products for consumption on or off the premises, and includes the sale of tobacco, newspapers, flowers and plants.

**CARAVAN PARK [KARAVAANPARK]** - means an area used for the purpose of:

- (a) placing and parking of caravans, motor homes, moveable dwellings for temporary overnight accommodation of tourists and visitors, or long-term temporary accommodation not exceeding 3 months; or
- (b) the erection, assembly or placement of cabins, chalets or huts for temporary overnight accommodation of tourists and visitors; or
- (c) a camping ground; and

must adhere to the requirements of the South African Bureau of Standards (Publication SABS 092/1971- Code of Practice for Caravan Parks) and the Free State Provincial Government, Department of Local Government and Housing, Directorate Spatial Planning's guidelines for the Development of Rural and Peri-Urban Areas.

**CARETAKER ACCOMMODATION [OPSIGTERSAKKOMMODASIE]** - means a dwelling unit (not exceeding 75 m<sup>2</sup>) for a person and his family who is responsible for the care and supervision of land and main buildings on the same property.

**CEMETERY PRIVATE [BEGRAAFPLAAS PRIVAAT]** - means any cemetery owned, established or maintained by, or the control and management of which is legally vested in a private person or entity on a privately owned site used exclusively for the burial of the dead (excluding a crematorium) as well as a commemorative wall for the storage of human ashes in a manner and format determined by the Municipality.

**CEMETERY PUBLIC [BEGRAFFPLAAS PUBLIEK]** - means any cemetery owned, established or maintained by, or the control and management of which is legally vested in the Municipality on a site used exclusively for the burial of the dead and which includes buildings for the accompanying administrative and church observances (excluding crematorium) and dwelling house for a caretaker, as well as a commemorative wall for the storage of human ashes in a manner and format determined by the Municipality.

**CENTRAL BUSINESS DISTRICT (CBD) [SENTRALE BESIGHEIDSGEBIED]** - means an area indicated as such on the Scheme Maps or as part of a Management Area.

**CHILD CARE CENTRE [KINDER VERSORGINGSENTRUM]** - means a building or place that is used (whether or not for profit) for the purpose of educating, minding or caring of children (whether or not any of the children are related to the owner or operator) on a temporary or permanent basis, subject thereto that the children are 18 years or younger. Residential care (such as a child care centre forming part of an orphanage) may only be provided for the children with the approval of the Municipality: Provided that any dwelling house where a maximum of 6 children are cared for, is not considered to be a child care centre.

**CLUB [KLUB]** - means a building or site which is equipped for the convenience and relaxation of club members and their guests, and to which admission may only be obtained by means of the permission by the club management, and includes accommodation, sport, entertainment, dining and reception facilities for the use of club members as well as of a liquor license with the prior approval of the Municipality.

**COMMEMORATIVE WALL [GEDENKMUUR]** - means a structure for the storage of human ashes in a manner and format determined by the Municipality.

**COMMUNITY FACILITY [GEMEENSKAPSFASILITEIT]** - means a building or place owned or controlled by a public authority or a body of persons, which may provide for the physical, social, cultural or intellectual development or welfare of the local community.

**CONSENT USE [VERGUNNINGS GEBRUIK]** - refers to the specific use of land, buildings or structures or to the purpose for which land, buildings or structures are to be erected, established or intended to be used, and which requires consent according to the procedures for application, consultation and decision-making provided for in the provisions in the Moqhaka Municipal Land Use Planning By-law, 2015.

**CO-OPERATIVE [KOÖPERASIE]** - means a business as defined in the Co-operatives Act, 2005 (No 14 of 2005).

**COUNCIL [RAAD]** - means the Council of the Moqhaka Local Municipality.

**COVERAGE [DEKKING]** - means the maximum area of a site that may be covered by any permanent roofed building and/or waterproof structure, open verandas, as well as cantilever balconies, balconettes, bay windows, and loggias, and is represented in the Scheme as a percentage of the total site area on which the buildings and/or structures are erected or proposed to be erected.

**CRAFT ALCOHOLIC PRODUCTION FACILITY [BOUTIQUE ALKOHOLIESE VERVAARDIGINGSFASILITEIT]** - means a micro production facility (in the form of a micro-brewery and/or a micro-distillery) for the brewing and distilling of alcoholic beverages for private and commercial purposes and includes on-site consumption.

**CREMATORIUM [KREMATORIUM]** - means a building for cremating human corpses, with an assembly area for family and friends of the deceased.

**DEALER IN BUILDING NECESSITIES [HANDELAAR IN BOUBENODIGDHEDE]** - means a building designed to be used for the sale of goods used in the building industry for the construction of buildings.

**DECIDING AUTHORITY [BESLUITNEMINGSGESAG]** - means the relevant Local, Provincial and/or Governmental Authority who has the responsibility to consider any application and or action to be taken in terms of this Scheme.

DEMOLISH AND DEMOLITION [SLOOP EN SLOPING] - means the destruction, pulling down, dismantling or removal of a building or structure, in whole or in part and includes the damaging, defacing or intentional decay by neglect: Provided that prior and appropriate approval has been obtained from the Municipality.

DENSITY [DIGTHEID] - means the permitted number of units on a property or the minimum area of a property, normally expressed in units per hectare for rural areas and use zones where multiple dwelling houses are permitted.

DEPOT [DEPOT] - means a building or place used for the storage and distribution (but not retail sale) of plant, machinery, goods or materials used or intended to be used by the owner or occupier of the building or place, but does not include a building or place elsewhere defined in this Scheme.

DRY CLEANING WORKS [DROOGSKOONMAKER] - means a building, other than a state or provincial laundry, designed or used for the dry cleaning, dyeing or bleaching of clothes, linen, carpets, mats, blankets, curtains or other similar domestic woven fabrics and may include the normal retail laundry, subject to the following:

- (a) that perchloroethylene or any other non-flammable liquid, approved by the Municipality may be used as cleaning agent;
- (b) that steam or hot water is generated by electricity, gas or solar energy;
- (c) that the public is prohibited in the work division and that such entrance is out of sight of the general public; and
- (d) that provision is made for the outlet and control of smoke and fumes to the satisfaction of the Municipality.

DUET HOUSING [DUET WONING] - means a single residential building consisting of 2 residences with a common exterior appearance of a single dwelling house together with outbuildings, which are normally erected with dwelling houses on an erf larger than 600 m<sup>2</sup>.

DWELLING [WONING] - includes a dwelling house as well as a dwelling unit.

DWELLING HOUSE [WOONHUIS] - means a separate, undivided building designed for use as a single person or single-family residence by an owner or tenant, together with such outbuildings as are reasonably used therewith.

DWELLING UNIT [WOON EENHEID] - means an undivided building designed for use as a single person or single-family residence by an owner or tenant.

EATING HOUSE [EETHUIS] - means a building designed or used as a place where mainly take-away foods can be obtained, but food and non-alcoholic beverages may also be sold and consumed on the premises.

ERF [ERF] - means a surveyed portion of land registered in a register in the Townships Register and forming part of an approved General Plan in the office of the Surveyor General.

EXISTING CONFLICTING USE [BESTAANDE STRYDIGE GEBRUIK] - means in relation to any building, structure or land, the continuous use of that building or land for any purpose of the same or like character for which it was being used before the material date, or in the instance of a newly erected building or structure, erected before such material date, and which has not been used before that date, the use for any purpose for which it was designed, including, in any instance, any use of a building, structure or land permitted by the Municipality pending the preparation and approval of this Scheme: Provided that:

- (a) the liability and onus for proof of existence of a claimed existing use will be for the applicant or land owner with the final decision, concerning the validity of a claim for an existing use, with the Municipality; and
- (b) the discontinuance of the existing use of a building, structure or land at any time, after the approval of the Scheme, for a period exceeding 12 months, shall be deemed to interrupt and nullify any claim to such an existing use or the continuance thereof.

EXTRACTIVE INDUSTRY [ONTGINNINGSNYWERHEID] - means the winning and extraction of extractive material, or an undertaking which depends for its operations on the winning and extraction of extractive material from the land on which it is carried on, and includes any washing, crushing, grinding, milling or separating into different sizes of that extractive material on that land, but does not include earthworks or works for drainage and landfill or maintenance dredging.

EXTRACTIVE MATERIAL [ONTGINNING MATERIAAL] - means sand, gravel, clay, turf, soil, rock, stone, minerals, water or similar substances.

FARMER PRODUCTION SUPPORT UNIT (FPSU) [LANDBOUER PRODUKSIE ONDERSTEUNINGSEENHEID (LPOE)] - means centers of:

- (a) agricultural input supply control, in terms of quality, quantity and timeous deployment of inputs;
- (b) extension support and training, using Universities, agricultural graduates and Narysec working in a symbiotic relationship to "hold-hands" with farmers;
- (c) mechanisation support (tractor driving, ploughing, spraying, harvesting et cetera);
- (d) machinery and servicing workshop facilities;
- (e) local logistics support, which could entail the delivery of farming inputs, transportation postharvest, transportation to local markets;
- (f) primary produce collection;
- (g) weighing of produce and stock;
- (h) sorting of produce for local and other markets;
- (i) packaging of produce for local markets;
- (j) local storage;
- (k) processing for local markets (small scale mills et cetera);
- (l) auction facilities for local markets;
- (m) provide market information on commodity prices (ICT);
- (n) farmers wanting services and support from the FPSU will register with the FPSU of their choice;
- (o) small business development and training center;
- (p) banking; and
- (q) fuel (energy center).

FARM VILLAGE [PLAAS NEDERSETTING] - means a clustered settlement in rural areas doing predominant farming, with a range of mixed land uses and infrastructure and engineering services (including on-site sewage waste treatment and on-site solid waste management systems), community buildings and may have co-operatively owned land.

FISHMONGER [VISHANDELAAR] - means a business conducted with a view to selling, raw, baked or processed fish for use other than on the premises, with special permission of the Municipality and then only if efficient equipment and sufficient storage facilities are provided to control smoke, fumes, odours, or any other nuisance to the satisfaction of the Municipality.



FLAT [WOONSTELGEBOU] - means a group of structurally linked dwelling units of which not all need to have a ground floor, with linkage between the floors by means of stairs, escalators or lifts, together with communal outbuildings as are reasonably used therewith.

FLOOR AREA RATIO [VLOEROPPERVLAKVERHOUDING] - means a measurement of the maximum floor area permitted for a building or structure under a specific use zone(s), and is expressed as a factor that must be multiplied with the erf size to calculate the permissible floor area.

FRAIL CARE [VERSWAKTE SORG] - means a nursing home or nursing accommodation for a person who requires 24 hour nursing care and includes palliative care.

FUNERAL ESTABLISHMENT [BEGRAFNIS ONDERNEMING] - means a building or place used for the conducting of funerals and for any reasonably associated activities which may include the provision of a mortuary, preparation areas, offices, caretaker's accommodation or the like, but does not include a building used solely as an office or used as a crematorium or the manufacturing of coffins.

GENERAL PLAN [ALGEMENE PLAN] - means an approved plan registered at the Surveyor General indicating a township or extension.

GENERATING WORKS [KRAGSTASIE] - means a building or place used for the purpose of generating electricity or other forms of energy, excluding urban substations and electricity distribution facilities.

GOVERNMENT PURPOSES [REGERINGSDOELEINDES] - means land and buildings used by provincial and national government to carry out its mandatory functions and includes uses such as library, telecommunications (excluding a public-private utility undertaking), clinic, hospital, correctional facilities, museums, pension pay-points, social and welfare facilities, reformatory, police station, rescue centre, emergency services and fire services, and the like.

GROSS LETTABLE AREA (GLA) [BRUTO VERHUURBARE OPPERVLAK] - means the sum of the gross area covered by the building at the floor level of each storey, provided that the area reasonably required for the following purposes be excluded from the calculation of the GLA:

- (a) open roof;
- (b) parking for occupants of the building;
- (c) accommodation for the lift motor room and other mechanical or electrical equipment required for the proper functioning of a building;
- (d) a veranda or balcony in a building provided that such veranda or balcony is not enclosed otherwise than by a parapet 1.8m high or by security fencing, burglar proofing or a wire gauze screen, and is not used for access purposes;
- (e) a canopy erected on the street frontage of a shop, excluding the portions extending over council property;
- (f) areas reasonably used in connection with the cleaning, maintenance and care of a building, excluding a dwelling house for caretakers, supervisors, cleaners or maintenance staff; and
- (g) steps, stairs, fire escapes and entrances (excluding a reception area, foyer, entrance hall) that have no other functional purpose other than that of entrance, and comprise a separate space or room.

GROUP HOUSING [GROEPSBEHUISING] - means a group of detached dwelling houses of similar architectural style (each with a ground floor) that constitutes a complex of dwelling houses with open spaces and internal streets, provided that:

- (a) should the dwelling houses and its demarcated sub-premises be sold as subdivisions of the original site with a separate deed of transfer for each subdivision, the internal streets and open spaces must be designed to the satisfaction of the Municipality;
- (b) no demarcated sub-premises for dwelling houses be less than 400 m<sup>2</sup>; and
- (c) the total area of the premises may not be smaller than 3 500 m<sup>2</sup> including gardens, service yards and access.

**GUESTHOUSE [GASTEHUIS]** - means a permanently inhabited dwelling house and/or management driven dwelling house with a maximum of 10 bedrooms / suites, of which a maximum of 8 bedrooms / suites may be let out, which mainly serves as an overnight visitors and tourist accommodation facility and where meals are served in a central dining room by the residing family and/or manager to overnight guests only, provided that:

- (a) accommodation may only be made available in the short term on an overnight basis, in which instance the maximum number of persons that may reside on an erf be not more than the number of rooms multiplied by the factor 2.5;
- (b) the building may only be licensed for on-site liquor consumption for residing guests in terms of the Free State Liquor Act, 2010 (No 6 of 2010);
- (c) no self-sustaining accommodation, with the exception of a kettle or coffee machine, small fridge and a microwave oven, no separate facilities for the preparation of meals, besides a central kitchen, may be provided on the premises; and
- (d) no conference or public bar be permitted on the premises, except for a single lounge with a maximum floor area of 36 m<sup>2</sup> which may only be utilised by residing guests.

**HAWKER'S STALL [SMOUS STAL]** - means a non-permanent structure or place approved by the Municipality (excluding fast foods carts) not exceeding 15 m<sup>2</sup> in floor area, but including telephone containers, which may not exceed 30 m<sup>2</sup> in floor area.

**HAZARDOUS GOODS [GEVAARHOUDENDE GOEDERE]** - means materials that are radioactive, explosive, flammable liquids and gases, corrosives, oxidising or acutely (highly) toxic substances, that is harmful to people, other living organisms, property, or the environment.

**HERITAGE RESOURCE [ERFENIS BRON]** - means a resource of cultural significance or other special value for the present community and/or for future generations, and as such forming part of the national estate and listed in the appropriate register, and includes places, buildings, structures and equipment, places to which oral traditions are attached, historical settlements and townscapes, landscapes and natural features of cultural significance, geological sites of scientific or cultural significance, archaeological and palaeontological sites, sites of significance relating to slavery, graves and burial grounds (ancestral and royal graves, graves of traditional leaders and victims of conflict, historical graves and cemeteries).

**HOME BUSINESS [TUISBEDRYF]** - means the practise of an activity or occupation / profession on a residential erf by the owner or lessee of the complete property and excludes a lessee who only leases a portion of the property, conducted in a single dwelling house, or in the curtilage of a single dwelling house, provided that:

- (a) such home business may not be sub-leased;
- (b) the home business does not exceed 30 m<sup>2</sup>;
- (c) the remainder of the dwelling house still be used as a *bona fide* dwelling house;
- (d) not more than 2 persons be employed in the home business;

- (e) no goods may be displayed in such a manner that it will be visible from outside the building or from the street;
- (f) the activities of the home business be restricted to such hours of the day, that it does not interfere with the normal tranquillity of the neighbourhood;
- (g) any such business shall be subject to inspections by an authorised official from the Municipality;
- (h) the granting of approval / permission shall not be construed as permission for the keeping of stocks on a residential erf and where the keeping of stock is essential for the running of an undertaking, the quantity and manner of storing of such stock shall be subject to the satisfaction of the Municipality;
- (i) where repairs to equipment and/or machinery are undertaken on the site concerned, it shall be restricted to equipment and/or machinery used in the home business;
- (j) no consent may be granted for home businesses that require a business and/or liquor license, or for a home business entailing or partially concerned with scrap yards, builders or any other contractors yard, repair of motor vehicles (including general repairs, panel beating and spray painting);
- (k) no consent be granted for a home business that is indeed, or can be foreseen to cause a nuisance by means of congregating of visitors, clients or customers, the creation of noise, vibration, smoke, odour, dust, fumes that cause defacement in the neighbourhood where it is proposed to be established;
- (l) advertisements only be allowed according to the Municipality's policy;
- (m) The following activities are not included under this definition:

shop, funeral establishment, tourist information bureau, building society agency, banking agencies, animal establishment, tow-in service, place of entertainment or institution, place of instruction for more than 15 people, panel beater, spray painter, courier service, travel agency, shooting range and/or shooting instructions, butchery, taxi business, fishmonger, vehicle-rental agency, manufacturing of concrete products, transport contractor, coal and wood merchant, noxious activity and/or any such activities which, in the opinion of the Municipality, do not conform to the definition of a home business or does not fit in the particular environment or is of such nature that it should preferably be located on a suitably zoned erf.

**HORTICULTURE [TUINBOU]** - means the permanent planting of fruit trees, vegetables, vines or nuts for commercial purposes and includes such uses as tunnels, glasshouses, flower growing and hydroponics.

**HOSPITAL [HOSPITAAL]** - means a building or place (other than an institution) used for the purpose of 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), and includes:

- (a) ancillary facilities for the accommodation of doctors, nurses or other health care workers, ancillary shops or refreshment rooms and ancillary accommodation for patients or for their visitors;
- (b) facilities situated in the building or at the place and used for educational and research purposes, whether or not they are used only by hospital staff or health care workers, and whether or not any such use is a commercial use; and
- (c) a clinic or primary health care facility.

**HOTEL [HOTEL]** - means a building comprising overnight rooms for tourists or commuters which have access via a central door/foyer and may include conference facilities, a dining room, restaurant, entertainment- and

recreational area, bar, and reception area (licensed as a hotel in terms of the Hotels Act, 1965 (No 70 of 1965), as amended, but excludes a motel.

INCINERATOR [VERBRANDINGSOOND] - means a building for cremating animal corpses, human and animal tissue, medical waste and certain industrial waste as well as agricultural waste.

INCLUSIONARY HOUSING [INKLUSIEWE BEHUISING] - means a mixed housing development, comprising different affordable housing typologies with diverse densities that may be rental units or privately owned, accessible to public transport and related social amenities and may include RDP and GAP housing, semi-detached and or row housing, dwelling houses and the like to the satisfaction of the Municipality.

INDUSTRY [NYWERHEID] - means a building, excluding a building for a service industry or noxious industry, which is designed for the purpose of establishing a factory or workshop for the manufacturing, processing or assembly of articles, commodities, goods, foodstuff or products and which includes:

- (a) administrative office for such industry;
- (b) a place of safekeeping or warehouse;
- (c) facilities directly related to the maintenance of such goods;
- (d) facilities for the retail sale of such goods, subject to the conditions set by the Municipality;
- (e) facilities for the use of the employees on the site such as restaurant and recreational buildings; and
- (f) the activities set out in Schedule 5 of this Scheme.

INSTITUTION [INRIGTING] - means a building used for public welfare, charity or frail care.

INTENSIVE LIVESTOCK KEEPING ESTABLISHMENT [VOERKRAAL] - means a building or a place in which or on which cattle, sheep, goats, poultry or other livestock are held for the purpose of nurturing by a feeding method other than natural grazing and, without limiting the generality of the foregoing, includes feed lots, piggeries, poultry farms and fish farms, but does not include an animal establishment or land used for the keeping of livestock or poultry intended solely for personal consumption or enjoyment by the owner or occupier of the land.

ITINERANT WORKERS ACCOMMODATION [TREK-ARBEIDER AKKOMMODASIE] - means a site or place used for the purpose of placing moveable dwellings for temporary accommodation by itinerant workers, or the erection, assembly or placement of cabins, huts or tents for temporary accommodation by itinerant workers.

LANDING STRIP [AANLOOPBAAN] - means an area or place suitable for the landing and taking-off of aircraft, with or without associated buildings and facilities and must at all times meet the requirements of the South African Civil Aviation Authority (SACAA).

LAUNDERETTE [KITS WASSERY] - means a clothing or material laundry where the machines are operated and controlled by the public.

LAUNDRY [WASSERY] - means a building other than a dry cleaner, which is designed and used solely for the washing and ironing of clothing, linen, blankets, curtains and similar delicate fabrics and includes a state or provincial laundry.

LEISURE RESIDENTIAL DWELLING [ONTSPANNINGS RESIDENSIËLE WOONHUIS] - means dwelling houses developed under sectional title or share block scheme mostly in (but not limited to) peri-urban and rural settings of environmental significance, nature conservation area or with vistas on or with access to settings of environmental significance, with or without access to leisure, recreational and sports facilities and features such as golf courses, hiking trails, river fronts and the like.

LIQUID FUEL DEPOT [BRANDSTOF DEPOT] - means a depot or place used for the bulk storage for wholesale distribution of petrol, oil, diesel or other inflammable liquid.

LIVESTOCK SALE YARD [VENDUSIEKRAAL] - means a building or place used for the purpose of offering animals for sale and includes a public cattle market. No animals may be kept on premises of this nature for longer than 48 hours.

LODGE [LODGE] - means an accommodation facility located in the urban environment or in natural surroundings comprising a maximum of 30 overnight rooms and may include back packers and hostelling accommodation, conference facilities, chapel, dining room, entertainment and recreational area and reception area and bar accessible to the outside public, restaurant, self-catering rooms, wedding village, but exclude a hotel, guesthouse and resort. The rates charged are usually inclusive of an experience offered at the lodge, viz game drives, battlefield tours, et cetera. In general, food and beverage services are provided for all meals.

MAISONETTE [MAISONETTE] - means a group of linked double storey dwelling units with a maximum of two first floor dwelling units served by a common external staircase.

MANAGEMENT AREA [BESTUURSGEBIED] - means an area of land or a place that is deemed by, or required from the Municipality, to qualify for a level of special treatment such as additional development provisions and/or long-term management measures over and above that provided by an underlying use zone and development provisions (Schedules 2 and 3).

MARKET [MARK] - means a building or place used for the display and sale of primary products (food or goods), or products manufactured from primary or recycled materials.

MATERIAL DATE [AANVANGSDATUM] - means the date on which this Scheme was officially approved by promulgation in the Provincial Gazette.

MEC [LUR] - means the Member of the Executive Committee of the Free State Provincial Department of Cooperative Governance and Traditional Affairs.

MEDICAL CENTRE [MEDIESE SENTRUM] - means a building (including a dispensing pharmacy and primary care clinic) used by one or more professional medical practitioners, dentists or para-medical practitioners, or by one or more health care professionals, who employ ancillary staff in connection with or in support of such a practice.

MINE AND MINING ACTIVITIES [MYN EN MYNBOU AKTIWITEITE] - means:

- (a) any excavation in the earth, including any portion under the sea or under other water or in any residue deposit, as well as any borehole, whether being worked or not, made for the purpose of searching for or winning a mineral;
- (b) any other place where a mineral resource is being extracted, including the mining area and all buildings, structures, machinery, residue stockpiles, access roads or objects situated on such area and which are used or intended to be used in connection with such searching, winning or extraction or processing of such mineral resource;
- (c) used as a verb, in the mining of any mineral, in or under the earth, water or any residue deposit, whether by underground or open working or otherwise and includes any operation or activity incidental thereto, in, on or under the relevant mining area; and
- (d) including all ancillary uses that may include dwelling houses, tenements or flats for residential purposes.

MINIMUM SITE AREA [MINIMUM ERF GROOTTE] - means the minimum extent of a property after subdivision applicable to subdivisions of such a property as well as the remainder thereof.

**MOTEL [MOTEL]** - means a building comprising semi-detached or detached rooms for overnight accommodation for travelling tourists or commuters with limited entertainment and recreational facilities excluding a hotel.

**MOTOR SHOWROOM [MOTOR VERTOONLOKAAL]** - means a building or place used for display and/or sale of motor vehicles, motor cycles, caravans or boats, whether or not motor vehicle accessories, caravan accessories or boat accessories are sold or displayed in it or not.

**MOTOR WORKSHOP [MOTOR WERKSWINKEL]** - means a building (other than a motor showroom) for repair, servicing, washing, cleaning, spray painting or panel beating of vehicles (panel beating and spray painting only permitted within an industrial area), as well as the sale of general merchandise, provided that the floor area of the retail area does not exceed 150 m<sup>2</sup>.

**MUNICIPALITY [MUNISIPALITEIT]** - means the Municipality of Moqhaka established in terms of the Local Government: Municipal Structures Act, 1998 (No 117 of 1998), and any employee or department or authorised structure of the Municipality acting in terms of delegated or sub-delegated authority of the Municipality.

**MUNICIPAL PURPOSES [MUNISIPALE DOELEINDES]** - means land and buildings utilised by the local and district municipality to carry out its mandatory functions and includes uses such as municipal offices, power distribution installations, pump stations, water reticulation, cemetery public, extractive industries, sewage disposal works, waste management and disposal facilities, transfer stations or for any building or land which renders essential services to the community and also includes agricultural purpose, airport, caravan park, club, dwelling house (for staff rental only), extractive industry (government use only), livestock sale yard, nursery (government use only), public-private utility undertakings, public use, residential units (for staff rental only), rifle- and shooting range (government use only), utility installation, racetrack (municipal and government use only) and showground.

**NATURE CONSERVATION AREA [NATUURBEWARINGSGBIED]** - means land earmarked and identified for protecting and conserving the natural environment and ecosystem processes for their ecological, bio-diversity, habitat, landscape, scientific, historic or cultural importance and value, with ancillary buildings and structures necessary for the management of such an area, including public education (interpretation centre) and ablution facilities and may also include related business activities with the consent of the designated authority and the relevant nature conservation authority, places of scenic beauty, natural vegetation, rivers, streams, river catchments, wetlands and significant topographical features including habitats of significant, rare or endangered fauna and flora.

**NEIGHBOURHOOD CENTRE [WOONBUURT INKOPIE SENTRUM]** - means an integrated development comprising shops and business buildings that serve the local community and is limited in scale to a maximum of 8 000 m<sup>2</sup> GLA, with ancillary parking and landscaping and whether or not it also contains development for the purpose of a bus station, child care centre, club, community facility, hotel, place of assembly, place of worship, medical centre, public building, recreation facility, retail plant nursery, taxi- and bus terminus, or service station.

**NOXIOUS INDUSTRY [HINDERLIKE BEDRYF]** - means an industry or trade that owing to noise or effluents is dangerous or potentially harmful to the health and welfare of the general public and/or is used for any of the industries or activities as determined in Schedule 6 of this Scheme and which may not include a building for accommodating a caretaker: Provided that -

- (a) the Municipality may accede to the erection and use of buildings on land for any such industry or activity in the industrial zone, provided satisfactory reliable evidence or proof is submitted that the process applied in the execution of the activities as mentioned in the said Schedule 6 will eliminate the danger on adjacent sites as a result of -
  - (i) vapour or fumes or gasses;

- (ii) the discharge of sewerage or liquid waste and, if the disposal of such waste is done according to soil treatment methods, the nature, gradient and area of the site in relation to dwellings, streams or canals; and
  - (iii) solid waste;
- (b) the Municipality may require of the owner to process and dispose of wastewater, fall-out and solid waste at an acceptable standard and at an acceptable facility; and
- (c) the Municipality may require from the owner or occupant to provide regular evidence of compliance with local, provincial and national policies and guidelines or any similar policy that may apply to a noxious industry.

**NURSERY [KWEKERY]** - means an enterprise, which buys and sells plants, trees, seeds and garden accessories, as well as cultivating and growing plants on the premises of the enterprise, and includes the selling of refreshments as part of a tea garden, a petting zoo and playground as secondary to the main enterprise.

**NURSERY WHOLESALE [KWEKERY GROOTHANDEL]** - means an establishment, or area, used exclusively for the propagation, breeding and early cultivation of all types of potted plants and their sale, either as seedlings or grown to usable size, not intended for selling to the general public and does not include the sale by retail of any plants or garden / landscape material on the site, but only to businesses such as other nurseries and commercial gardeners; and may include greenhouses or be operated as a nursery dependent on natural conditions, but excludes any other secondary activities.

**OCCUPIER [BEWONER]** - means in respect of any building, construction or land, any person who actually occupies such building, structure or land or is lawfully entitled to occupy it, or any person who exercises control over it, or manages it, including also the duly authorised, by power of attorney, agent of any such person.

**OFFICE [KANTOOR]** - means a building (or portion thereof) for professional / administrative / general services provision, including medical consulting rooms, but excluding a clinic, commercial pharmacy, clinic or hospital, provided that only sales, repair, manufacturing and storage of specialised goods specifically, directly and *bona fide* necessary for the provision of a professional service will be permitted (to the consent of the Municipality), and that no goods may be visibly displayed for the general public and that no retail sales, repairs, manufacturing, storing or distribution of any other goods, whether obtainable in the general and retail trade, or not, will be permitted.

**OPEN AIR AUCTION MART [VLOOIMARK]** - means an auction mart that is primarily conducted outdoor, provided that the Municipality may set conditions in respect of the parking of vehicles on the site of the business.

**OPEN SPACE [OOP RUIMTE]** - means an undeveloped property or land (including a park indicated as such on the General Plan) with an aesthetical, natural, ecological, sport and/or recreation function that also serves to provide a sense of space within urban areas, and upon which ablution facilities, cloakrooms, clubhouses, flea / art markets, gatherings and events may only be established or held with the prior consent of the Municipality.

**OPEN SPACE SYSTEM [OOP RUIMTE STELSEL]** - means natural vegetation corridors, which may include, but are not limited to rivers, streams and catchments or undeveloped topographical features.

**OUTBUILDING [BUIITEGEBOU]** - means a building on the same site of a dwelling unit, dwelling house or residential building, which is used as a maintenance area, garage, workroom, storeroom or recreation room.

**OWNER [EIENAAR]** - means in relation to any building, structure or land the person in whose name the ownership to such building, structure or land is registered in the Deeds Office.

**PARKING FACILITY [PARKADE]** - means a building, site or place (including a parking garage) used or developed for parking of vehicles for the general public or tenants, for free, or at payment of a prescribed fee for a pre-determined period.

PERMITTED USE [TOELAATBARE GEBRUIK] - refers to the specific use of land, buildings or structures or to the purpose for which land, buildings or structures are to be erected, established or intended to be used; and which is exempt from consent if it complies with the development standards in the Schedules of this Scheme and any other provision in this Scheme as well as all other legislation applicable to the proposed use of land, buildings or structures.

PET PARLOUR [DIERESALON] - means a building used for the washing and care of pets.

PET SHOP [DIEREWINKEL]: - A shop where domestic companion animals and related domestic animal products are bought, sold, exchanged, or offered for sale or exchange to the general public.

PIG FARMING [ VARKBOERDERY] - means the raising and breeding of domestic pigs for food purposes performed on such a scale and with such intensity that it could not, in the opinion of the Municipality, possibly cause a health nuisance in respect of noise, smells, dust, waste and effluent but excludes an abattoir and the piling of manure or other outputs in an inappropriate manner.

PLACE OF ASSEMBLY [PLEK VAN SAMEKOMS] - means a building or place for public assembly, including a meeting, exhibition and/or special events (MESE) venue fit for the purpose of hosting a meeting, exhibition and/or special event, public hall, music hall, concert hall, dance hall, open-air theatre, music bowl, race course, showground, or other building or place of a similar character which may be approved by the Municipality, whether used for the purposes of gain or not, but does not include a place of worship, institution or place of instruction.

PLACE OF ENTERTAINMENT [VERMAAKLIKHEIDSPLEK] - means a building designed for the carrying on of business by -

- (a) providing Turkish baths, saunas or other health baths;
- (b) providing massage or infrared treatments;
- (c) making the services of an escort, whether male or female, available to any other person;
- (d) keeping 3 or more mechanical, electronic or electrical contrivances, instruments, apparatus or devices which are designed or used for the purpose of the playing of any game or for the purpose of recreation or amusement, and the operation of which involves the payment of any valuable consideration, either by the insertion of a coin, token coin or disc therein or in an appliance attached thereto or in any other manner;
- (e) keeping 3 or more snooker or billiard tables;
- (f) keeping or conducting a bar, discotheque, night club, pub, sports bar or tavern;
- (g) keeping or conducting a cinema or theatre; and
- (h) conducting adult premises referred to in Section 24 of the Films and Publications Act, 1996.

PLACE OF INSTRUCTION [PLEK VAN ONDERRIG] - means a building designed to be used as a pre-primary school, school, college, technical institution, academy, lecture hall, penal or reformative establishment or other education centre and includes an accompanying hostel relating to such place of instruction; and subject to the definition of an institution, a monastery attached to such place of instruction, public library, art gallery, museum, gymnasium, training and recreational facilities, library and tuck shop (in conjunction with a place of instruction only).

PLACE OF WORSHIP [PLEK VAN AANBIDDING] - means a building designed for the use of a church, chapel, synagogue, Sunday school or any other place for public worship and may include a church office, commemorative wall, a residential unit (both for the exclusive use as a rectory), a hall (provided that the hall may not be let for the purpose of public use), a kitchen, toilet facilities and a wall of remembrance for the safe-keeping of human ashes.



**POULTRY FARMING [PLUIMVEEBOERDERY]** - means the raising of domesticated birds such as chickens, ducks, turkeys or geese for food purposes performed on such a scale and with such intensity that it could not, in the opinion of the Municipality, possibly cause a health nuisance in respect of noise, smells, dust, waste and effluent but excludes an abattoir and the piling of manure or other outputs in an inappropriate manner.

**PRIVATE OPEN SPACE [PRIVAAT OOP RUIMTE]** - means any land reserved for use as premises for sport, games exhibitions, rest and recreation, or as an ornamental or pleasure garden, to which entry can only be obtained upon payment of entrance fees or by permission granted by the owner.

**PROPERTY [EIENDOM]** - means land or a portion of land registered as a separate unit at the Deeds Office.

**PUBLIC OPEN SPACE [PUBLIEKE OOP RUIMTE]** - means an open space in ownership of the Municipality, with unrestricted access for the general public, and may be indicated as such on a registered General Plan as park.

**PUBLIC-PRIVATE UTILITY UNDERTAKING [OPENBARE-PRIVATE NUTSONDERNEMING]** - means any public utility undertaking carried on or permitted or caused to be carried by a private business entity or public-private partnership and includes outsourcing of civil and emergency services, privatised transport and telecommunications services, cellular services and the like.

**PUBLIC USE [PUBLIEKE GEBRUIK]** - means a facility, building or land being used by a local, provincial or national government body, semi-state organisation, a statutory body, council or organisation established for public purposes.

**RACETRACK [RESIESBAAN]** - means a track for racing cars, 4 x 4 vehicles, motorcycles and the like and includes ancillary facilities for parking, a playground, landscaping, liquor sales, recreation facilities and ablution facilities.

**RAILWAY PURPOSE [SPOORWEGDOELEINDES]** - means the use of land or buildings for the transport, loading and off-loading of passengers and goods by rail, including storage of goods, stations, container depots, marshalling yards, terminal facilities, equipment servicing facilities, as well as other associated buildings.

**RECREATION AREA [ONTSPANNINGSGEBIED]** - means land, water bodies or natural areas used or developed for recreation, including children's playgrounds, areas used for sporting activities and facilities, areas used by the Municipality or a body of persons for the purposes of the physical, cultural or intellectual welfare and enrichment of the community, including any buildings or structures necessary for its management and function such as ablution facilities, but excluding resorts.

**RECREATION ESTABLISHMENT [ONTSPANNINGS INRIGTING]** - means a health farm, spa, religious retreat, rest home, youth camp or a similar facility specifically intended for character enrichment, rest and recuperation, but does not include a building or place used or intended for use as a land use elsewhere specifically defined in this Scheme.

**RECREATION FACILITY [ONTSPANNINGS FASILITEIT]** - means a building or place used for indoor or enclosed recreation, including a table tennis centre, squash court, swimming pool, gymnasium, health studio, bowling alley, skate board park, sport club, or any other building or enclosed place of a similar character used for entertainment that may be approved by the Municipality, for gain or not, but does not include a place of assembly and entertainment.

**REGIONAL SERVICE STATION [STREEKSDIENSSTASIE]** - means a building or place with underground installations, located in rural areas adjacent to a higher order road or highway but without impeding on the integrity of the road or highway, with related signage and used for the fuelling of vehicles involving the sale by retail of petrol, diesel, oil and other petroleum products, serviceable by means of all engineering services and specific measures to capture any hydrocarbon or other pollutants, operating 24/7, whether or not the building or place is also used for any 1 or more of the following:

- (a) the sale by retail of spare parts and accessories for motor vehicles and installation of accessories;

- (b) washing and greasing of motor vehicles;
- (c) truck stop (where the gross floor area of the workshop and the retail department must be included in the service station buildings);
- (d) the sale of food, beverages and general merchandise to the travelling public, including (but not limited to) a convenience shop, food court, restaurants, restrooms, ATMs, vending machines;
- (e) play and recreational areas (excluding areas used for formal sporting activities); and
- (f) caravan park and motel.

**RESIDENTIAL BUILDING [WOONGEBOU]** - means a single building that provides for human habitation, together with the outbuildings that are ordinarily used therewith, with no restriction to the number of rooms available for letting when located in urban areas, and includes a backpacker and hostelling accommodation, larger boarding houses, a block of rooms, hotel and motel, and which may include a lounge or dining room for residing guests only and may be licensed for liquor consumption by residing guests only, but does not include a dwelling house, town and group housing, maisonettes, flats, institution, place of worship, place of instruction, and may not have conference or restaurant facilities directed and accessible to the general public.

**RESIDENTIAL UNIT [RESIDENSIËLE EENHEID]** - means a room or a set of rooms neither intended for ownership, nor permanent human occupation in association with specifically earmarked non-residential land use, that includes at least a bedroom, living room, kitchen and bathroom: Provided that the sleeping and living quarters may be connected in the instance of a single flat.

**RESORT [OORD]** - means a premises developed for holiday accommodation or recreation and includes back packers and hostelling accommodation, residential units (including chalets), hotel, motel, caravan park, camping ground, playground, golf course, water sport facilities, boat shed, boat landing facilities, marina, recreation establishments and recreation facilities, provided with water, spa, sewage and electrical connection points, as well as associated ablutions, communal kitchens, shop, associated business buildings (including a club used in conjunction with any such activities), and offices and dwellings for staff and all other uses normally related to resort developments. Utilisation of associated conference facilities, restaurants and bars by the general public is subject to the consent of the Municipality.

**RESTAURANT [RESTOURANT]** - means a business conducted with a view to selling meals and refreshments to the public, to be consumed mainly on the premises but also away from the premises.

**RETIREMENT RESORT [AFTREE-OORD]** - means a group of free standing and/or attached residential units which provides housing to aged and retired persons and includes facilities such as a place of worship, recreational establishments and -facilities, medical care facilities, dining hall, aid centre, library, lounge, tuck shop, and the like, which is secondary and related to the housing on the same site and which is provided exclusively for the benefit of the inhabitants.

**RIFLE- AND SHOOTING RANGE [SKIETBAAN]** - means a premises for safe shooting practice and competing, including associated buildings and structures.

**ROADHOUSE [PADKAFEE]** - means a building designed to be used as a café, but where food or refreshments are also served to occupants in vehicles parked on the site or on an adjacent site.

**ROADSIDE STALL [PADSTAL]** - means a building or place not exceeding 50 m<sup>2</sup> in floor area, where only primary products produced on the property on which the building or place is situated are exposed or offered for sale or sold by retail.

**ROAD / STREET [PAD / STRAAT]** - means any street or part of a street, road, bridge, fly-over, tunnel, avenue, drive, lane, sanitary lane or thoroughfare as indicated on the General Plan of the town, or approved plans of

subdivisions of land, or an erf, and includes any land or erf, or subdivision of an erf, or subdivision of any land that was designated to be used as a street or road at the approval of such subdivision.

ROAD TRANSPORT TERMINAL [PADVERVOER TERMINAAL] - means a building or place used principally for bulk handling of goods for transport by road, including facilities for the loading and unloading of vehicles used to transport those goods and for the parking, servicing and repair of those vehicles, and also includes a weighbridge.

RURAL AREA [LANDELIKE GEBIED] - means areas located outside the urban fringe portrayed in the approved Municipal Spatial Development Framework.

RURAL TOURIST FACILITY [LANDELIKE TOERISTE FASILITEIT] - means:

- (a) educational or recreational facilities for tourists that may include ancillary accommodation and are based on the rural, scenic or natural attributes of the locality; or
- (b) tourist accommodation associated with the dwelling and farm buildings on a property principally used for primary production.

RURAL WORKERS' DWELLING [ARBEIDERSWONING] - means a dwelling that is not the primary residence on a property on which there is a single dwelling and that is only occupied by persons engaged in rural occupations.

SCRAP YARD [SKROOTWERF] - means a site intended for storing obsolete machinery, car wrecks and used parts, but does not include the processing of such items or materials: provided that any scrap yard must be walled to a height of at least 2 m, in a way and with materials to the satisfaction of the Municipality, and that a scrap yard will only be allowed and restricted to the general and noxious industrial area.

SELF-STORAGE FACILITY [SELFSTOORFASILITEIT] - means a facility comprising rentable units, secured by the tenant's own lock and key, offering storage units in different sizes and may include storage for a single vehicle (caravan, trailer, vintage car etc.) but excludes storage of any hazardous goods, repairing and manufacturing of any goods or products and any business activity.

SERVICE INDUSTRY [DIENSNYWERHEID] - means a light industrial building, with predominantly a repair workshop and/or service providing function (including manufacturing), and includes the uses as pertained in Schedule 4, where no solid fuel is used in connection with any industrial process and machinery is electrically driven: Provided that articles, commodities, goods, foodstuff or products wholly or partially manufactured or produced, treated or constructed on the site may be sold in the retail market, subject thereto that the special consent of the Municipality have been obtained for that purpose.

SERVICE STATION [DIENSSTASIE] - means a building or place with underground installations, used for the fuelling of motor vehicles involving the sale by retail of petrol, diesel, oil and other petroleum products, whether or not the building or place is also used for any 1 or more of the following:

- (a) the sale by retail of spare parts and accessories for motor vehicles;
- (b) washing and greasing of motor vehicles;
- (c) installation of accessories;
- (d) repairing and servicing of motor vehicles involving the use of hand tools (other than repairing and servicing that involves panel beating or spray painting); and
- (e) the sale of general merchandise to the travelling public (convenience shop), which may include a restaurant;

Provided that the gross floor area of the workshop does not exceed 100 m<sup>2</sup> and retail department (motor related products and general merchandise) does not exceed 150 m<sup>2</sup> in total.

SHOP (SHOPPING CENTRE) [WINKEL (WINKELSENTRUM)] - means a building which is designed for the purpose of conducting a retail business with the exclusion of a café: Provided that a workshop for the rendering of services directly associated with the conducting of the retail business may be maintained on the same site with the approval of the Municipality, but this does not include a warehouse and a stock magazine, and does not include a building or place elsewhere specified in this Scheme.

SHOWGROUND [SKOUGRONDE] - means an area of land used for the display of items and staging of events for the duration of an exhibition, and shall include the retail sale of displayed items, foodstuffs and refreshments during such periods of exhibition, the occasional use of the areas as a place of assembly and/or for public religious purposes and/or sport gatherings.

SITE DEVELOPMENT PLAN [TERREIN ONTWIKKELINGSPLAN] - means a plan providing an overview of the proposed development and should include the following:

- (a) boundary lines, building lines, area extent and description of the property concerned as well as adjacent properties;
- (b) existing and proposed roads/streets and ingresses/egresses;
- (c) existing and proposed municipal services;
- (d) scale of the plan and arrow to indicate due north;
- (e) exact position of existing and proposed buildings; and
- (f) where applicable, parking provision, coverage, floor area factor, density and height.

SMALLHOLDING [KLEINHOEWE] - means any land, which is set aside for housing and related urban scale agriculture where the number and magnitude of ancillary land use types is of the kind related to daily employment and service needs and where the minimum size of a smallholding will not be less than 4 ha.

SPATIAL DEVELOPMENT FRAMEWORK (SDF) [RUIMTELIKE ONTWIKKELINGS RAAMWERK] - means a Spatial Development Framework defined in the Spatial Planning and Land Use Management Act, 2013 (No 16 of 2013).

STOREY [VERDIEPING] - means the space extending from a floor level to the first higher ceiling level, not exceeding a height of 4 metres, or in the case of a basement extending from the ceiling level to the first lower floor level provided that a mezzanine floor over a ground floor will not be deemed a storey if it does not exceed 25% of the area of the ground floor.

STUDENT DWELLING [STUDENTE WONING] - means a dwelling or part thereof used for the accommodation of a restricted number of *bona fide* students of a recognised primary, secondary or tertiary institute. No detached rooms will be permitted on the premises.

TOWN HOUSING [MEENTHUISE] - means attached or detached residential units, of similar architectural style, where no horizontal division, but a vertical division exists between the dwelling units which each has a ground floor with a floor on top or only a ground floor and where each unit has its own private garden and service yard, separate from any common open areas created by the grouping (which is controlled by a body corporate of owners) that constitute the complex.

TRUCK STOP [SWAARVOERTUIG OORNAG STAANPLEK] - means a building or land used primarily as a stop-over facility for commercial vehicles, with facilities for the maintenance or repair of commercial vehicles, dispensing of fuel or other petroleum products, restaurant, ablution facilities and convenience shop for travellers: Provided that the gross floor area of the workshop does not exceed 100 m<sup>2</sup> and retail department (motor related products and general merchandise) does not exceed 150 m<sup>2</sup> in total.

URBAN AREA [STEDELIKE GEBIED] - means areas located inside the urban fringe portrayed in the approved Municipal Spatial Development Framework.

URBAN FRINGE [STEDELIKE OORGANGSONE] - means a demarcated line portrayed in the approved Municipal Spatial Development Framework that separates urban areas from rural areas to establish a defined limit, beyond which urban development, must not be permitted to protect land for natural resources, agriculture, conservation and open space use.

USE ZONE [GEBRUIK SONE] - means a zone, as listed and described in this Scheme, applicable to a portion of land or premises (including any buildings, structures or works thereon) with applicable restrictions, provisions and guidelines that regulate the use and development of such a portion of land or premises.

UTILITY INSTALLATION [NUTS INSTALLASIE] - means a building or work used by a public-private utility undertaking, a radio, television or telecommunications transmission tower, but does not include a building designed wholly or principally as administrative or business premises or as a showroom.

WAREHOUSE [PAKHUIS] - means a building or place used for the storage of goods, merchandise or materials pending their sale and distribution to persons engaged in the retail trade, with limited retail only permitted with the approval of the Municipality.

WASTE MANAGEMENT FACILITY [STORTINGSTERREIN] - means any building, land or works used for the storage, treatment, reprocessing, sorting or disposal of waste and, without limiting the generality of the foregoing, includes:

- (a) waste management and disposal centres, including landfill sites and waste transfer stations;
- (b) recycling facilities, including material recovery facilities and waste processing facilities; and
- (c) parking or storage areas for equipment and plant associated with the Municipality's waste management program.

WETLAND [VLEIGEBIED] - means land which is transitional between terrestrial and aquatic systems where the water table is usually at or near the surface, or the land is periodically covered with shallow water, and which land in normal circumstances support or would support vegetation typically adapted to life in saturated soil.

ZONING MAP [SONERINGSKAART] - means the series of maps forming part of this Scheme depicting the spatial distribution of use zones and related restrictions and guidelines.

ZONING OVERLAY [OORLEG SONERING] - means the attainment of the original zoning of land, not located within the urban fringe, by overlaying an additional zoning, permanent or not permanent, provided that it is cadastral identifiable by means of a land surveyors sketch plan or SG Diagram (where subdivision is required) and may include road reserves and road proclamations, power lines, pipelines and water storage servitudes, alternative energy generating installations, guesthouses, farm stalls, restaurants, agri-industries (larger than 2 000 m<sup>2</sup>), mining, leisure residential and resort developments.

**SCHEDULE 2**  
**DEVELOPMENT PROVISIONS FOR USE ZONES**

**RESIDENTIAL ZONINGS**

**SINGLE RESIDENTIAL [ENKEL WOON]**

**Use zone:**

Single residential.

**Permitted uses:**

Dwelling house, outbuilding.

**Consent uses:**

Additional dwelling unit (only on erven larger than 600 m<sup>2</sup>), backpacker and hostelling accommodation (only within demarcated CBD), bed and breakfast accommodation, boarding house (a maximum of 4 tenants), child care centre (a maximum of 15 children), duet housing (only on erven larger than 600 m<sup>2</sup>), frail care, home business, place of instruction (a maximum of 15 learners), student dwelling.

**Coverage:**

Properties smaller than 600 m <sup>2</sup> :	60%.
Properties larger than 600 m <sup>2</sup> :	50%.
Child care centre and place of instruction:	60%.

**Floor area ratio:**

0.75.

**Maximum height:**

2 storeys (but, to the discretion of the Municipality, where the mean gradient of the land exceeds 1:10 up to 4 storeys, where the maximum height of a dwelling house may not exceed 8 m from the natural ground level, in the center of the dwelling and not the center of the erf. In this instance, the center of the dwelling will have to be confirmed by a land surveyor).

**Building lines:**

Properties larger than 600 m<sup>2</sup>:

Street building line:

5 m for the whole street front subject thereto that the Municipality may conditionally permit a 40 % reduction of the street building line. Only boundary walls or hedges or temporary buildings erected in connection with building activities or buildings may be erected within this building line: Provided that the Municipality may in its discretion allow the erection of a building within the building line in the case of a corner erf if the safe line of sight regarding

traffic is not obstructed by it or if the gradient of the erf or adjoining land, or any other unreasonable circumstances impede or restrict the development of the erf.

Corner erven:

The Municipality may allow a 50 % relaxation on only 1 of the street building lines.

Side and rear spaces:

1.0 m, but subject thereto that Municipality may permit a 0 m building line in respect of 2 of the side and/or the rear boundary in such a manner that it will not impede on municipal services.

A 0 m building line will only be allowed if no openings exist in the exterior walls. Where openings exist in the exterior walls a building line of at least 1.0 m will be maintained.

Properties smaller than 600 m<sup>2</sup>:

Street building line:

3 m for the whole street front, subject thereto that the Municipality may conditionally permit a 50 % reduction of the street building line.

Corner erven:

The Municipality may allow a 50 % relaxation on only 1 of the street building lines.

Side and rear spaces:

1 m, but subject thereto that Municipality may permit a 0 m building line in respect of 2 of the side and/or the rear boundary in such a manner that it will not impede on municipal services.

A 0 m building line will only be allowed if no openings exist in the exterior walls. Where openings exist in the exterior walls a building line of at least 1 m will be maintained.

Properties adjacent the provincial / national road:

Subject to said authority's requirements.

**Density:**

1 dwelling house per site.

**Minimum site area:**

See Schedule 8.

**Parking requirements:**

See Schedule 3.

**Additional provisions:**

- For any developments, additions or alterations, the Municipality may require a site development plan, on which the proposed parking configuration and any other information required must be indicated.
- No caravan may be used for residing purposes on properties in this use zone without the consent of the Municipality.
- No vehicle with a mass exceeding 3 000 kg or a tractor with a trailer, or a bus may be parked on an erf or in the street in this use zone, other than for the purpose to have passengers embark or disembark or loading or unloading goods and then only for the period of such embarkation, disembarkation, loading or unloading: Provided that no such activities may take place between 22:00 and 06:00.

- The maximum number of persons who may live in a dwelling house or on a single residential erf shall be limited to 10: Provided that the Municipality may approve a deviation hereof if circumstances, in its exclusive opinion, justify it.
- The pavement in front of a premises may in no way be obstructed or used for any other purpose than for pedestrian traffic, except with the special permission of the Municipality and then only in line with the condition set by the Municipality.
- In the case of a student dwelling the following occupation will apply:
  - a maximum of 6 students on a site with a size that varies between 1 m<sup>2</sup> and 900 m<sup>2</sup>;
  - a maximum of 8 students on a site with a size that varies between 901 m<sup>2</sup> and 1 100 m<sup>2</sup>;
  - a maximum of 9 students on a site with a size that varies between 1 101 m<sup>2</sup> and 1 500 m<sup>2</sup>;
  - a maximum of 10 students on a site larger than 1 500 m<sup>2</sup>;
  - each student must be accommodated in his/her own room and such room may not be smaller than 9 m<sup>2</sup> and each student must have access to a central kitchen and lounge; and
  - toilet and bathroom facilities must be provided at the ratio of 1 toilet and bathroom for every 3 students.



**MEDIUM RESIDENTIAL [MEDIUM WOON]****Use zone:**

Medium residential.

**Permitted uses:**

Additional dwelling unit, duet housing, dwelling house, group housing, guesthouse, maisonette, outbuilding, retirement resort, town housing.

**Consent uses:**

None.

**Coverage:**

50 %.

**Floor area ratio:**

0.4.

**Maximum height:**

Ground floor plus 1 floor.

**Building lines:****Street building line:**

5 m for the whole street front subject thereto that the Municipality may conditionally permit a 40 % reduction of the street building line for any other structure.

Only boundary walls or hedges or temporary buildings erected in connection with building activities or buildings may be erected within this building line: Provided that the Municipality may in its discretion allow the erection of a building within the building line in the case of a corner erf if the safe line of sight regarding traffic is not obstructed by it or if the gradient of the erf or adjoining land, or any other unreasonable circumstances impede or restrict the development of the erf.

**Corner erven:**

The Municipality may allow a 50% relaxation on only 1 of the street building lines.

**Side and rear spaces:**

1.5 m, but subject thereto that the Municipality may permit a 0 m building line in respect of 2 of the side and/or the rear boundary in such a manner that it will not impede on municipal services.

A 0 m building line will only be allowed if no openings exist in the exterior walls. Where openings exist in the exterior walls a building line of at least 1.5 m will be maintained.

**Properties adjacent provincial / national road:**

Subject to said authority's requirements.

**Density:**

Not more than 25 units per hectare.

**Minimum site area:**

1 000 m<sup>2</sup>.

**Parking requirements:**

See Schedule 3.

**Additional provisions:**

- For any developments, additions or alterations, the Municipality may require a site development plan, on which the proposed parking configuration and any other information required must be indicated.
- No caravan may be used for residing purposes on properties in this use zone without the consent of the Municipality.
- No vehicle with a mass exceeding 3 000 kg or a tractor with a trailer, or a bus may be parked on an erf or in the street in this use zone, other than for the purpose to have passengers embark or disembark or loading or unloading goods and then only for the period of such embarkation, disembarkation, loading or unloading: Provided that no such activities may take place between 22:00 and 06:00.
- The maximum number of persons who may live in a dwelling unit within this use zone shall be limited to 6: Provided that the Municipality may approve a deviation hereof if circumstances, in its exclusive opinion, justify it.
- The pavement in front of a premises may in no way be obstructed or used for any other purpose than for pedestrian traffic, except with the special permission of the Municipality and then only in line with the condition set by the Municipality.

**GENERAL RESIDENTIAL [ALGEMENE WOON]****Use zone:**

General residential.

**Permitted uses:**

Additional dwelling unit, backpacker and hostelling accommodation (not in combination with any other land use), boarding house, dwelling house, flat, group housing, inclusionary housing, maisonette, hotel, motel, outbuilding, residential building, retirement resort, town housing.

**Consent uses:**

Community facility, guesthouse, institution, lodge, office, place of instruction, place of worship.

**Coverage:**

50 %.

**Floor area ratio:**

1.8.

Flats and residential building: 3 (a larger floor area factor may be allowed for flats to the discretion of the Municipality).

**Maximum height:**

Group housing, maisonette, retirement resort, town housing:

Ground floor plus 1 floor.

Flats and residential building:

Ground floor plus 6 floors (more floors may be allowed for flats to the discretion of the Municipality).

All other uses:

Ground floor plus 2 floors.

**Building lines:**

Street building line:

5 m for the whole street front subject thereto that the Municipality may conditionally permit a 40 % reduction of the street building line.

Only boundary walls or hedges or temporary buildings erected in connection with building activities or buildings may be erected within this building line: Provided that the Municipality may in its discretion allow the erection of a building within the building line in the case of a corner erf if the safe line of sight regarding traffic is not obstructed by it or if the gradient of the erf or adjoining land, or any other unreasonable circumstances impede or restrict the development of the erf.

Corner erven:

The Municipality may allow a 50 % relaxation on only 1 of the street building lines.

Side and rear spaces:

1.5 m, but subject thereto that the Municipality may permit a 0 m building line in respect of 2 of the side and/or the rear boundary in such a manner that it will not impede on municipal services.

A 0 m building line will only be allowed if no openings exist in the exterior walls. Where openings exist in the exterior walls a building line of at least 1.5 m will be maintained.

Properties adjacent provincial / national road:

Subject to said authority's requirements.

**Density:**

No more than 80 units per hectare for flats and 40 units per hectare for all other uses in urban areas, except for townhouses where 30 units per hectare will be applicable.

**Minimum size of premises:**

2 000 m<sup>2</sup> excluding existing uses and sites reasonably and lawfully established for the permitted uses under this use zone before the material date.

**Parking requirements:**

See Schedule 3.

**Additional provisions:**

- The winter minimum solar incline in relation to adjacent properties needs to be calculated for any building in this use zone that will exceed 2 storeys, and it must be demonstrated that adjacent properties retain reasonable and liveable conditions, to the sole discretion of the Municipality, before any building or building work may be approved.
- For any developments, additions or alterations, the Municipality may require a site development plan, on which the proposed parking configuration and any other information required must be indicated.
- Where the accepted use is flats, any floor on which flats occur must be reserved for that purpose only.
- No caravan may be used for residing purposes on properties in this use zone without the consent of the Municipality.
- No vehicle with a mass exceeding 3 000 kg or a tractor with a trailer, or a bus may be parked on an erf or in the street in this use zone, other than for the purpose to have passengers embark or disembark or loading or unloading goods and then only for the period of such embarkation, disembarkation, loading or unloading: Provided that no such activities may take place between 22:00 and 06:00.
- The maximum number of persons who may live in a dwelling unit shall be limited to 6: Provided that the Municipality may approve a deviation hereof if circumstances, in its exclusive opinion, justify it.
- The pavement in front of a premises may in no way be obstructed or used for any other purpose than for pedestrian traffic, except with the special permission of the Municipality and then only in line with the condition set by the Municipality.

**LEISURE RESIDENTIAL [ONTSPANNINGS RESIDENSIEEL]****Use zone:**

Leisure residential.

**Permitted uses:**

Agricultural purpose (on the remaining portion, where applicable), leisure residential dwelling (only sectional title and share block schemes).

**Consent uses:**

None.

**Coverage:**

Not applicable.

**Floor area ratio:**

Not applicable.

**Maximum floor area:**

Maximum permitted floor area of 500 m<sup>2</sup> per dwelling including outbuildings, which may be relaxed to the discretion of the Municipality.

**Maximum height:**

2 storeys (but, to the discretion of the Municipality, where the mean gradient of the land exceeds 1:10 up to 4 storeys, where the maximum height of a dwelling house may not exceed 8 m from the natural ground level, in the center of the dwelling and not the center of the erf. In this instance, the center of the dwelling will have to be confirmed by a Land Surveyor.

**Building lines:**Waterside:

32 m (or the 1:100-year flood line, whichever is the most restrictive).

Road or front building line:

10 m.

Side and rear spaces:

5 m.

Properties adjacent provincial / national road:

Subject to said authority's requirements.

**Density:**

Maximum number of leisure residential dwellings per farm size:

If the farm on which development is intended falls within the following size ranges, the sectional title or share block development will have the maximum number of dwellings as listed below:

Area in hectares (ha)	Maximum no. of dwelling units
<20	2
20 - 100	5
100 - 300	10
300 - 500	12
>500	15

The area to be utilised for sectional title or share block development must be subdivided from the remainder of the farm in terms of relevant legislation.

Riparian land has in addition a maximum density of 1 dwelling per 10 meters waterfront. The more restrictive density prevails.

**Minimum size of premises:**

A minimum size of 1 ha per unit, and not exceeding 2 ha.

In the case of riparian land, a premises intended for sectional title scheme or share block development, must have a minimum waterfront of 100 m (and 100 m minimum waterfront for the remainder).

**Parking requirements:**

See Schedule 3.

**Additional provisions:**

- The proposed development must be located on a subdivision unless the entire farm is utilised for leisure residential purposes.
- A reversion clause must be registered against the subdivided portion that determines that should the development not take place or be terminated that the portion will then revert to agricultural land and be consolidated with the land from which it was subdivided.
- The sectional title / share block development portion must function as a single entity.
- For any development a site development plan must be provided.
- Only 1 application for leisure residential on a specific farm shall be allowed.
- The further development of the remainder of the farm for the purpose of leisure residential or resort utilisation shall not be permitted.
- An approval in terms of this zoning will lapse if development does not commence within 5 years from date of approval.
- No development for leisure residential purposes shall be allowed on high potential agricultural land and without the written comment of the relevant department.
- Outbuildings must be linked to the main dwellings and no internal boundary fences are allowed.

- The same architectural style and building materials must be maintained.
- In the case of a game farm, reciprocal traversing rights (for game viewing) must be registered for all units and the remainder.

**RESORT ZONING****RESORT [OORD]****Use zone:**

Resort.

**Permitted uses:**

Caravan park, resort.

**Consent uses:**

None.

**Coverage:**

Not applicable.

**Floor area ratio:**

Not applicable.

**Maximum floor area:**

No maximum floor area for dwellings.

Minimum usable area of a caravan stand should be 120 m<sup>2</sup>.

**Maximum height:**

Ground level plus 1 level.

**Building lines:****Waterside:**

32 m (or the 1:100-year flood line, whichever is the most restrictive).

**Road or front building line:**

10 m.

Only boundary walls or hedges or temporary buildings erected in connection with building activities or buildings may be erected within this building line.

**Side and rear spaces:**

5 m.

**Properties adjacent provincial / national road:**

Subject to said authority's requirements.



**Density:**

A maximum of 16 chalets per ha.

Riparian land has in addition a maximum density of 1 chalet per 10 m waterfront. The most restrictive density applies.

Caravan stands: A maximum of 30 caravan stands per usable hectare identified as the caravan park.

Residential building: No restriction in number of rooms, provided that riparian land has a maximum density of 1 room per 10 meters waterfront.

**Minimum size of premises:**

A premise intended for a resort, must have a minimum waterfront of 100 m (and 100 m minimum waterfront for remainder).

**Parking requirements:**

See Schedule 3.

**Additional provisions:**

- The proposed development must be located on a subdivision unless the entire farm is utilised for resort purposes.
- A reversion clause must be registered against the subdivided portion that determines that should the development not take place or be terminated then the portion will revert to agricultural land and be consolidated with the land from which it was subdivided.
- For any development a site development plan must be provided.
- Only 1 application for a resort on a specific farm shall be allowed.
- The further development of the remainder of the farm for the purpose of leisure residential or resort utilisation shall not be permitted.
- An approval in terms of this zoning will lapse if development does not commence within 5 years from date of approval.
- No development for resort purposes shall be allowed on high potential agricultural land and without the written comment of the relevant department.
- The same architectural style and building materials must be maintained.
- In the case of a game farm, reciprocal traversing rights (for game viewing) must be registered for all units and the remainder.
- The alienation of "private" units is permitted at the ratio of a maximum of 40 % of all holiday units by means of a sectional title scheme, share block scheme, time share scheme and fractional title scheme where a Home Owners' Association must govern the development.
- The remaining minimum of 60 % forms part of the public resort and units in this portion may not be alienated.
- The portions must jointly be developed.
- The public (minimum of 60 %) and private (maximum of 40 %) ratio of the resort must be maintained at all times.

- Occupancy of a dwelling unit (60 % of the public resort), or camping stand by any 1 occupant or caravan shall be limited to an aggregate of 3 months in every 12 months.
- The distance between the edge of any caravan stand and any dwelling or other permanent building must be a minimum of 10 meters.
- Ablution facilities: no facilities may be situated further than 100 meters from any caravan stand.
- Adherence to the requirements of the South African Bureau of Standards (Publication SABS 092/1971- Code of Practice for Caravan parks) must be maintained.
- Non-residential facilities must be complementary and secondary to the resort and be restricted to the users of the resort, e.g. kiosk, restaurant et cetera.

## **BUSINESS ZONINGS**

### **BUSINESS [BESIGHEID]**

**Use zone:**

Business.

**Permitted uses:**

Auctioneers business (excluding a livestock sale yard), backpacker and hostelling accommodation (not in combination with any other land uses), boarding house, business building, café, community facility, eating house, flat (of which at least the ground floor is a business), hotel, institution, lodge, motel, neighbourhood centre, office, public use, residential building (of which at least the ground floor is a business), restaurant, shop.

**Consent uses:**

Animal establishment (restricted to a veterinary clinic), club, craft alcoholic production facility, dealer in building necessities (no stock piling or keeping of construction material), dry cleaning works, fishmonger, funeral establishment, guesthouse, launderette, motor showroom, open air auction mart, parking facility, pet parlour, pet shop, place of assembly, place of entertainment, place of instruction, place of worship, public-private utility undertaking, recreation establishment, recreation facility, rifle and shooting range, roadhouse, service industry, service station, utility installation.

**Coverage:**

Uses within CBD:	100 %.
Neighbourhood centre:	50 %.
All other uses:	75 %.

**Floor area ratio:**

Uses within CBD:

4 (a higher floor area factor may be allowed within the CBD to the discretion of the Municipality, but not more than 6).

Neighbourhood centre:

1.8.

All other uses:

1.0.

**Maximum height:**

Uses within CBD:

No restriction, subject to aesthetic approval by the Municipality.

Neighbourhood centre:

Ground floor plus 1 floor.

All other uses:

Ground floor plus 2 floors.

**Building lines:**Street building line:

Uses within CBD: No restriction, subject to aesthetic approval by the Municipality.

Neighbourhood centre and all other uses: 5 m. Only boundary walls or hedges or temporary buildings erected in connection with building activities or buildings may be erected within this building line: Provided that the Municipality may in its discretion allow the erection of a building within the building line in the case of a corner erf if the safe line of sight regarding traffic is not obstructed by it or if the gradient of the erf or adjoining land, or any other unreasonable circumstances impede or restrict the development of the erf.

Side and rear spaces:

Uses within CBD: 0 m, provided that no openings exist in the exterior walls. Where openings exist in the exterior wall a building line of at least 1.5 m will be applicable.

Neighbourhood centre and all other uses: At least 1 side space, which is not the rear space, must be 2 m.

**Parking requirements:**

See Schedule 3.

**Additional provisions:**

- For any developments, additions or alterations, the Municipality may require a site development plan, on which the proposed parking configuration and any other information required must be indicated.
- The winter minimum solar incline in relation to adjacent properties needs to be calculated for any building in this use zone that will exceed 2 storeys, and it must be demonstrated that adjacent properties retain reasonable and liveable conditions, to the sole discretion of the Municipality, before any building or building work may be approved.
- Where the accepted use is flats, any floor on which flats occur must be reserved for that purpose only.
- No caravan may be used for residing purposes on properties in this use zone without the consent of the Municipality.
- No vehicle with a mass exceeding 3 000 kg or a bus may be parked anywhere, but on the erf of the institution or business to which it is related.
- If, on business premises, the building line of any new building or that of an extension to an existing building, does not correspond with the boundary line, no goods or merchandise may be stored or displayed on the premises between the erf boundary and such building line.
- Residing on business premises is prohibited, except if it is on a separate level (floor) than the one used for business purposes.
- The pavement in front of a premises may in no way be obstructed or used for any other purpose than for pedestrian traffic, except with the special permission of the Municipality.

**RESTRICTED BUSINESS [BEPERKTE BESIGHEID]****Use zone:**

Restricted business.

**Permitted uses:**

Medical centre, office, public use, recreation establishment.

**Consent uses:**

Flat, student dwelling.

**Coverage:**

80 %.

**Floor area ratio:**

Not applicable.

**Maximum height:**

Ground level plus 4 storeys, but limited to a ground level plus 1 storey if situated in single residential surroundings.

**Building lines:****Street building line:**

Uses within CBD: No restriction, subject to aesthetic approval by the Municipality.

Uses not within CBD: 5 m for the whole street front subject thereto that the Municipality may conditionally permit a 40 % reduction of the street building line.

Only boundary walls or hedges or temporary buildings erected in connection with building activities or buildings may be erected within this building line: Provided that the Municipality may in its discretion allow the erection of a building within the building line in the case of a corner erf if the safe line of sight regarding traffic is not obstructed by it or if the gradient of the erf or adjoining land, or any other unreasonable circumstances impede or restrict the development of the erf.

**Side and rear spaces:**

Uses within CBD: 0 m, provided that no openings exist in the exterior walls. Where openings exist in the exterior wall a building line of at least 1.5 m will be applicable.

Uses not within CBD: 1.5 m, but subject thereto that the Municipality may permit a 0 m building line in respect of 2 of the side and/or the rear boundary in such a manner that it will not impede on municipal services.

A 0 m building line will only be allowed if no openings exist in the exterior walls. Where openings exist in the exterior walls a building line of at least 1.5 m will be maintained.

**Parking requirements:**

See Schedule 3.

**Additional provisions:**

- For any developments, additions or alterations, the Municipality may require a site development plan, on which the proposed parking configuration and any other information required must be indicated.
- The winter maximum solar incline in relation to adjacent properties needs to be calculated for any building in this use zone, and it must be demonstrated that adjacent properties retain reasonable and liveable conditions, to the sole discretion of the Municipality, before any building or building work may be approved.
- No caravan may be used for residing purposes on properties in this use zone without the consent of the Municipality.
- No vehicle with a mass exceeding 3 000 kg or a bus may be parked anywhere, but on the erf of the institution or business to which it is related.
- If, on business premises, the building line of any new building or that of an extension to an existing building, does not correspond with the boundary line, no goods or merchandise may be stored or displayed on the premises between the erf boundary and such building line.
- Residing on business premises is prohibited, except if it is on a separate level (floor) than the one used for business purposes.
- The pavement in front of a premises may in no way be obstructed or used for any other purpose than for pedestrian traffic, except with the special permission of the Municipality.

**GARAGE [GARAGE]****Use zone:**

Garage.

**Permitted uses:**

Regional service station, service station.

**Consent uses:**

Motor showroom, truck stop.

**Coverage:**

75 %.

50 % (residential surroundings).

**Floor area ratio:**

1.0.

**Maximum height:**

Ground level plus 2 storeys, but single storey limited to 6 m in height if situated in residential surroundings.

**Building lines:**Urban street building line:

Uses within CBD: No restriction, subject to aesthetic approval by the Municipality.

All other urban locations: 5 m.

Rural street building line:

20 m unless determined differently by relevant legislation and relevant authorities.

Urban side and rear spaces:

Uses within CBD: 2 m.

All other urban locations: 3 m.

Rural side and rear spaces:

10 m unless determined differently by relevant legislation and relevant authorities.

**Minimum size of premises:**

Within CBD: 800 m<sup>2</sup>.

Within residential surroundings: 2 000 m<sup>2</sup>.

Rural locations: 5 000 m<sup>2</sup> provided that the Municipality may relax the minimum premises size with a maximum of 40 %.

**Parking requirements:**

See Schedule 3.

**Additional provisions:**

- For any developments, additions or alterations, the Municipality may require a site development plan, on which the proposed parking configuration and any other information required must be indicated.
- No caravan may be used for residing purposes on properties in this use zone without the consent of the Municipality.
- Residing on garage premises is prohibited.
- The pavement in front of a premises may in no way be obstructed or used for any other purpose than for pedestrian traffic, except with the special permission of the Municipality.



## **INDUSTRIAL ZONINGS**

### **SERVICE INDUSTRY [DIENSNYWERHEID]**

**Use zone:**

Service industry.

**Permitted uses:**

Auctioneers business (excluding a livestock sale yard), co-operative, craft alcoholic production facility, dealer in building necessities, dry cleaning works, funeral establishment (excluding an incinerator), laundry, motor showroom, motor workshop, nursery, open air auction mart, public-private utility undertaking, recreation facility, self-storage facility, service industry.

**Consent uses:**

Business building, café, caretaker accommodation, depot, eating house, fishmonger, parking facility, rifle and shooting range, road transport terminal, truck stop, utility installation, warehouse.

**Coverage:**

80 %.

**Floor area ratio:**

2.0.

**Maximum height:**

3 storeys.

**Building lines:****Street building line:**

No restriction, subject to aesthetic approval by the Municipality.

Only boundary walls or hedges or temporary buildings erected in connection with building activities or buildings may be erected within this building line: Provided that the Municipality may in its discretion allow the erection of a building within the building line in the case of a corner erf if the safe line of sight regarding traffic is not obstructed by it or if the gradient of the erf or adjoining land, or any other unreasonable circumstances impede or restrict the development of the erf.

**Side and rear spaces:**

0 m, provided that no openings exist in the exterior walls. Where openings exist in the exterior wall a building line of at least 1.5 m will be applicable.

**Parking requirements:**

See Schedule 3.

**Additional provisions:**

- For any developments, additions or alterations, the Municipality may require a site development plan, on which the proposed parking configuration and any other information required must be indicated.
- No caravan may be used for residing purposes on properties in this use zone without the consent of the Municipality.
- No vehicle with a mass exceeding 3 000 kg or a bus may be parked anywhere, but on the erf of the institution or business / industry to which it is related.
- If the building line of any new building or that of an extension to an existing building, does not correspond with the boundary line, no goods or merchandise may be stored or displayed on the premises between the erf boundary and such building line.
- The storage of coal for commercial purposes in this use zone may only take place with the approval of the Municipality.
- Residing on premises in this zone is prohibited, except as specifically provided for in the definition of a service industry.
- The pavement in front of a premises may in no way be obstructed or used for any other purpose than for pedestrian traffic, except with the special permission of the Municipality.

**GENERAL INDUSTRY [ALGEMENE NYWERHEID]****Use zone:**

General industry.

**Permitted uses:**

Auctioneers business (excluding a livestock sale yard), bus/taxi depot, co-operative, craft alcoholic production facility, dealer in building necessities, depot, funeral establishment (excluding an incinerator), industry, laundry, motor workshop, nursery, public-private utility undertaking, road transport terminal, truck stop, scrap yard, self-storage facility, service industry, warehouse.

**Consent uses:**

Alcoholic production facility, animal establishment, aquaculture, brick works, bus/taxi rank, café, caretaker accommodation, club, crematorium, eating house, generating works, liquid fuel depot, livestock sale yard, noxious industry, railway purpose, rifle and shooting range, utility installation, waste management facility (excluding landfill sites).

**Coverage:**

60 %.

**Floor area ratio:**

2.0.

**Maximum height:**

No restriction.

**Building lines:****Street building line:**

3 m.

Only boundary walls or hedges or temporary buildings erected in connection with building activities or buildings may be erected within this building line: Provided that the Municipality may in its discretion allow the erection of a building within the building line in the case of a corner erf if the safe line of sight regarding traffic is not obstructed by it or if the gradient of the erf or adjoining land, or any other unreasonable circumstances impede or restrict the development of the erf.

**Side and rear spaces:**

0 m, provided that no openings exist in the exterior walls. Where openings exist in the exterior wall a building line of at least 1.5 m will be applicable.

**Parking requirements:**

See Schedule 3.

**Additional provisions:**

- For any developments, additions or alterations, the Municipality may require a site development plan, on which the proposed parking configuration and any other information required must be indicated.
- No caravan may be used for residing purposes on properties in this use zone without the consent of the Municipality.
- No vehicle with a mass exceeding 3 000 kg or a bus may be parked anywhere, but on the erf of the institution or business / industry to which it is related.
- If the building line of any new building or that of an extension to an existing building, does not correspond with the boundary line, no goods or merchandise may be stored or displayed on the premises between the erf boundary and such building line.
- The storage of coal for commercial purposes in this use zone may only take place with the approval of the Municipality.
- Residing on premises in this zone is prohibited, except as specifically provided for in the definition of an industry.
- The pavement in front of a premises may in no way be obstructed or used for any other purpose than for pedestrian traffic, except with the special permission of the Municipality.

**NOXIOUS INDUSTRY [HINDERLIKE NYWERHEID]****Use zone:**

Noxious industry.

**Permitted uses:**

Abattoir, alcoholic production facility, auctioneer business, brick works, craft alcoholic production facility, crematorium, generating works, incinerator, liquid fuel depot, motor workshop (noxious related), noxious industry, public-private utility undertaking, railway purpose, road transport terminal, scrap yard, self-storage facility, waste management facility (excluding landfill sites).

**Consent uses:**

Utility installation.

**Coverage:**

60 %.

**Floor area ratio:**

2.0.

**Maximum height:**

No restriction.

**Building lines:****Street building line:**

5 m.

Only boundary walls or hedges or temporary buildings erected in connection with building activities or buildings may be erected within this building line: Provided that the Municipality may in its discretion allow the erection of a building within the building line in the case of a corner erf if the safe line of sight regarding traffic is not obstructed by it or if the gradient of the erf or adjoining land, or any other unreasonable circumstances impede or restrict the development of the erf.

**Side and rear spaces:**

5 m.

**Parking requirements:**

See Schedule 3.

**Additional provisions:**

- For any developments, additions or alterations, the Municipality may require a site development plan, on which the proposed parking configuration and any other information required must be indicated.

- No caravan may be used for residing purposes on properties in this use zone without the consent of the Municipality.
- No vehicle with a mass exceeding 3 000 kg or a bus may be parked anywhere, but on the erf of the industry to which it is related.
- The storage of coal for commercial purposes in this use zone may only take place with the approval of the Municipality.
- Residing on noxious industry premises is prohibited.
- The pavement in front of a premises may in no way be obstructed or used for any other purpose than for pedestrian traffic, except with the special permission of the Municipality.

## **EDUCATION, PUBLIC FACILITY AND MUNICIPAL TOWNLANDS ZONINGS**

### **EDUCATION [OPVOEDKUNDIG]**

**Use zone:**

Education.

**Permitted uses:**

Boarding house (in conjunction with a place of instruction only), child care centre, dwelling house (for staff and student rental only, but in conjunction with a place of instruction), medical centre (in conjunction with a place of instruction only), place of instruction, recreation facility (in conjunction with a place of instruction only), residential unit (for staff and student rental only, but in conjunction with a place of instruction).

**Consent uses:**

Animal establishment (rural areas only and in conjunction with a place of instruction), commemorative wall, community facility, institution, place of assembly, place of worship, public use, shop (not exceeding 40m<sup>2</sup>), - all the above uses will be for staff and student rental only and in conjunction with a place of instruction, utility installation.

**Coverage:**

60 %.

**Floor area ratio:**

Not applicable.

**Maximum height:**

3 storeys.

**Building lines:**

Street building line:

10 m.

Only boundary walls or hedges or temporary buildings erected in connection with building activities or buildings may be erected within this building line: Provided that the Municipality may in its discretion allow the erection of a building within the building line in the case of a corner erf if the safe line of sight regarding traffic is not obstructed by it or if the gradient of the erf or adjoining land, or any other unreasonable circumstances impede or restrict the development of the erf.

Side and rear spaces:

5 m.

**Minimum size of premises:**

2 000 m<sup>2</sup>.

**Parking requirements:**

See Schedule 3.

**Additional provisions:**

- For any developments, additions or alterations, the Municipality may require a site development plan, on which the proposed parking configuration and any other information required must be indicated.
- No caravan may be used for residing purposes on properties in this use zone without the consent of the Municipality.
- No vehicle with a mass exceeding 3 000 kg or a bus may be parked anywhere, but on the erf of the institution to which it is related.
- The pavement in front of a premises may in no way be obstructed or used for any other purpose than for pedestrian traffic, except with the special permission of the Municipality.



**PUBLIC FACILITY [PUBLIEKE FASILITEIT]****Use zone:**

Public facility.

**Permitted uses:**

Child care centre, community facility, frail care, governmental purposes, hospital, institution, market, medical centre, municipal purposes, nursery (municipal or government use only), place of worship, public use, recreation facility (for staff use only), residential unit (for staff rental only), retirement resort, road transport terminal.

**Consent uses:**

Business building (for staff use only), caravan park, club (for staff use only), commemorative wall, dwelling house (for staff rental only), extractive industry (municipal or government use only), generating works, livestock sale yard, place of assembly, public-private utility undertaking, racetrack, recreation area, recreation establishment, recreation facility, rifle and shooting range, utility installation.

**Coverage:**

60 %.

50 % (residential surroundings).

80 % (central business district).

**Floor area ratio:**

2.0.

**Maximum height:**

As determined by the Municipality.

**Building lines:****Street building line:**

3 m.

Only boundary walls or hedges or temporary buildings erected in connection with building activities or buildings may be erected within this building line: Provided that the Municipality may in its discretion allow the erection of a building within the building line in the case of a corner erf if the safe line of sight regarding traffic is not obstructed by it or if the gradient of the erf or adjoining land, or any other unreasonable circumstances impede or restrict the development of the erf.

**Side and rear spaces:**

2 m.

**Parking requirements:**

See Schedule 3.

**Additional provisions:**

- For any developments, additions or alterations, the Municipality may require a site development plan, on which the proposed parking configuration and any other information required must be indicated.
- No caravan may be used for residing purposes on properties in this use zone without the consent of the Municipality.
- No vehicle with a mass exceeding 3 000 kg or a bus may be parked anywhere, but on the erf of the institution to which it is related.
- The pavement in front of a premises may in no way be obstructed or used for any other purpose than for pedestrian traffic, except with the special permission of the Municipality.

**MUNICIPAL TOWNLANDS [MUNISIPALE DORPSGRONDE]****Use zone:**

Municipal townlands.

**Permitted uses:**

Aerated wastewater treatment system (AWTS), cemetery public, municipal purpose, waste management facility.

**Consent uses:**

Utility installation.

**Coverage:**

As determined by the Municipality.

**Floor area ratio:**

As determined by the Municipality.

**Maximum height:**

As determined by the Municipality.

**Building lines:**

As determined by the Municipality.

**Parking requirements:**

See Schedule 3.

**Additional provisions:**

- For any developments, additions or alterations, the Municipality may require a site development plan, on which the proposed parking configuration and any other information required must be indicated.
- No caravan may be used for residing purposes on properties in this use zone without the consent of the Municipality.
- No vehicle with a mass exceeding 3 000 kg or a bus may be parked anywhere, but on the erf of the institution to which it is related.
- No person may sleep/overnight on any land zoned for this purpose, except as specifically provided for by the Municipality.
- The pavement in front of a premises may in no way be obstructed or used for any other purpose than for pedestrian traffic, except with the special permission of the Municipality.

## **ROADS, STREETS AND TRANSPORT ZONINGS**

### **ROADS AND STREETS [PAAIE EN STRATE]**

**Use zone:**

Roads and streets.

**Permitted uses:**

Road, street.

**Consent uses:**

Bus/taxi rank, hawker's stall, roadside stall, utility installation (only within the road or street reserve or width and depending on traffic safety and relevant safety conditions).

**Parking requirements:**

See Schedule 3.

**Additional provisions:**

- For any developments, additions or alterations, the Municipality may require a site development plan, on which the proposed parking configuration and any other information required must be indicated.
- No caravan may be used for residing purposes on properties in this use zone without the consent of the Municipality.
- If the Municipality is of the opinion that any obstruction of view occurs at a corner or bend in the street or road and should be eliminated or rectified in the interest of traffic safety it can enforce restrictions regarding the height or position of such obstruction impeding the view. This can be done by serving a notice on the owner or occupier of the land informing the owner or occupier about the requirements of the Municipality and also forwarding a sketch on which is indicated the land in question.
- No person may sleep/overnight on any land zoned for this purpose, except as specifically provided for by the Municipality.
- A street reserve may in no way be obstructed, except with the special permission of the Municipality.

**TRANSPORT [VERVOER]****Use zone:**

Transport.

**Permitted uses:**

Airline terminal, airport, bus/taxi depot, bus/taxi rank, depot, municipal purpose, parking facility, public-private utility undertaking, public use, railway purpose, recreation facility (for staff use only), road transport terminal, self-storage facility, truck stop, warehouse.

**Consent uses:**

Utility installation.

**Maximum height:**

No restriction.

**Building lines:****Street building line:**

10 m.

Only boundary walls or hedges or temporary buildings erected in connection with building activities or buildings may be erected within this building line: Provided that the Municipality may in its discretion allow the erection of a building within the building line in the case of a corner erf if the safe line of sight regarding traffic is not obstructed by it or if the gradient of the erf or adjoining land, or any other unreasonable circumstances impede or restrict the development of the erf.

**Side and rear spaces:**

5 m.

All buildings not directly related to the functioning of a railway track, must be located at least 20 m from the railway track.

**Parking requirements:**

See Schedule 3.

**Additional provisions:**

- For any developments, additions or alterations, the Municipality may require a site development plan, on which the proposed parking configuration and any other information required must be indicated.
- No caravan may be used for residing purposes on properties in this use zone without the consent of the Municipality.
- No person may sleep/overnight on any land zoned for this purpose.
- The pavement in front of a premises may in no way be obstructed or used for any other purpose than for pedestrian traffic, except with the special permission of the Municipality.

## **PUBLIC AND PRIVATE OPEN SPACE ZONINGS**

### **PUBLIC OPEN SPACE [PUBLIEKE OOP RUIMTE]**

**Use zone:**

Public open space.

**Permitted uses:**

Open space, recreation area, recreation facility.

**Consent uses:**

Public-private utility undertaking (excluding waste management and landfill sites), utility installation.

**Coverage:**

50 %.

**Floor area ratio:**

1.0.

**Maximum height:**

Ground level plus 1 level.

**Building lines:****Street building line:**

10 m: Provided that where a property abuts a national or provincial road the road building line will be subject to the approval by the relevant road authority.

**Side and rear spaces:**

10 m.

Only boundary walls or hedges or temporary buildings erected in connection with building activities or buildings may be erected within this building line: Provided that the Municipality may in its discretion allow the erection of a building within the building line in the case of a corner erf if the safe line of sight regarding traffic is not obstructed by it or if the gradient of the erf or adjoining land, or any other unreasonable circumstances impede or restrict the development of the erf.

**Parking requirements:**

See Schedule 3.

**Additional provisions:**

- For any developments, additions or alterations, the Municipality may require a site development plan, on which the proposed parking configuration and any other information required must be indicated.

- No caravan may be used for residing purposes on properties in this use zone without the consent of the Municipality.
- No vehicle with a mass exceeding 3 000 kg or a tractor with a trailer, or a bus may be parked on an erf or in the street in this use zone, other than for the purpose to have passengers embark or disembark or loading or unloading goods and then only for the period of such embarkation, disembarkation, loading or unloading: Provided that no such activities may take place between 22:00 and 06:00.
- No person may sleep/overnight on any land zoned for this purpose.
- The pavement in front of a premises may in no way be obstructed or used for any other purpose than for pedestrian traffic, except with the special permission of the Municipality.

**PRIVATE OPEN SPACE [PRIVATE OOP RUIMTE]****Use zone:**

Private open space.

**Permitted uses:**

Club, private open space, recreation areas, recreation facility, showground.

**Consent uses:**

Caravan park, community facility, municipal purpose (excluding waste management and landfill sites), place of assembly, public-private utility undertaking (excluding waste management and landfill sites), racetrack, utility installation.

**Coverage:**

50 %.

**Floor area ratio:**

1.0.

**Maximum height:**

Ground level plus 1 level.

**Building lines:****Street building line:**

10m: Provided that where a property borders a national or provincial road the road building line will be subject to the approval by the relevant road authority.

**Side and rear spaces:**

10 m.

Only boundary walls or hedges or temporary buildings erected in connection with building activities or buildings may be erected within this building line: Provided that the Municipality may in its discretion allow the erection of a building within the building line in the case of a corner erf if the safe line of sight regarding traffic is not obstructed by it or if the gradient of the erf or adjoining land, or any other unreasonable circumstances impede or restrict the development of the erf.

**Parking requirements:**

See Schedule 3.

**Additional provisions:**

- For any developments, additions or alterations, the Municipality may require a site development plan, on which the proposed parking configuration and any other information required must be indicated.



- No vehicle with a mass exceeding 3 000 kg or a tractor with a trailer, or a bus may be parked on an erf or in the street in this use zone, other than for the purpose to have passengers embark or disembark or loading or unloading goods and then only for the period of such embarkation, disembarkation, loading or unloading: Provided that no such activities may take place between 22:00 and 06:00.
- The pavement in front of a premises may in no way be obstructed or used for any other purpose than for pedestrian traffic, except with the special permission of the Municipality.

**ENVIRONMENTAL AREA ZONING****ENVIRONMENTAL AREA [OMGEWINGSGEBIED]****Use zone:**

Environmental area.

**Permitted uses:**

Nature conservation area, parking facility (in conjunction with the nature conservation area).

**Consent uses:**

None.

**Coverage:**

10 %.

**Floor area factor:**

0.1.

**Maximum height:**

Ground level.

**Building lines:**Waterside:

32 m (or the 1:100 year flood line, whichever is the most restrictive).

Road and front building line:

10m

Side and rear spaces:

10 m.

Properties adjacent provincial / national road:

Subject to said authority's requirements.

**Parking requirements:**

See Schedule 3.

**Additional provisions:**

- For any developments, additions or alterations, the Municipality may require a site development plan, on which the proposed parking configuration and any other information required must be indicated.

- No caravan may be used for residing purposes on properties in this use zone without the consent of the Municipality.
- No vehicle with a mass exceeding 3 000 kg or a tractor with a trailer, or a bus may be parked on an erf or in the street in this use zone, other than for the purpose to have passengers embark or disembark or loading or unloading goods and then only for the period of such embarkation, disembarkation, loading or unloading: Provided that no such activities may take place between 22:00 and 06:00.
- No person may sleep/overnight on any land zoned for this purpose.
- The pavement in front of a premises may in no way be obstructed or used for any other purpose than for pedestrian traffic, except with the special permission of the Municipality.

## **AGRICULTURE ZONING**

### **AGRICULTURE [LANDBOU]**

**Use zone:**

Agriculture.

**Permitted uses:**

Agricultural purpose, agri-industry (not exceeding 2 000 m<sup>2</sup>), animal establishment (non-public use), aquaculture, dwelling houses (maximum of 2), farmer production support unit, farm village, horticulture, nursery wholesale, rural workers' dwelling (maximum of 8 dwellings).

**Consent uses:**

Abattoir, aerated wastewater treatment system (AWTS), agri-industry (exceeding 2 000m<sup>2</sup>), animal establishment (public use), backpacker and hostelling accommodation, business building (not exceeding 75m<sup>2</sup>), cemetery private, club, commemorative wall, craft alcoholic production facility, extractive industry, generating works, guesthouse, home business, incinerator (animal and farm-related waste only), intensive livestock keeping establishment, itinerant workers accommodation, landing strip, livestock sale yard, lodge, municipal purposes (excluding waste management and disposal facilities), nursery, pig farming, place of instruction, place of worship, poultry farming, public-private utility undertaking (excluding waste management and disposal facilities), public use, racetrack, recreation establishment, restaurant, rifle- and shooting range, roadside stall, rural tourist facility, rural workers' dwelling (more than 8 dwellings), self-storage facility (not exceeding 4 000 m<sup>2</sup>), utility installation, warehouse (not exceeding 5 000 m<sup>2</sup> and no retail whatsoever), waste management facility (limited to on-site generated waste only).

**Coverage:**

Not applicable.

**Floor area ratio:**

Not applicable.

**Maximum height:**

Ground level plus 1 level.

**Building lines:****Waterside:**

32 m (or the 1:100 year flood line, whichever is the most restrictive).

**Road and front building line:**

10m

**Side and rear spaces:**

10 m.

**Properties adjacent provincial / national road:**

Subject to said authority's requirements.

**Density:**

As determined by permissible and consent uses.

**Minimum size of premises:**

In accordance with the requirements of the Department of Agriculture.

**Parking requirements:**

See Schedule 3.

**Additional provisions:**

- All applications for consent under this use zone should be accompanied by the written approval of the National Department of Agriculture.
- For any developments, additions or alterations, the Municipality may require a site development plan, on which the proposed parking configuration and any other information required must be indicated.
- No caravan may be used for residing purposes on properties in this use zone without the consent of the Municipality.

## **SMALLHOLDINGS ZONING**

### **SMALLHOLDINGS [KLEINHOEWES]**

**Use zone:**

Smallholdings.

**Permitted uses:**

Agricultural purposes, animal establishment (non-public use), dwelling house, farmer production support unit, nursery wholesale, rural workers' dwellings (maximum of 2 dwellings).

**Consent uses:**

Additional dwelling unit, aerated wastewater treatment system (AWTS), agri-industry (not exceeding 2 000 m<sup>2</sup>), animal establishment (public use), aquaculture, auctioneers business, backpacker and hostelling accommodation, boarding house, business building (not exceeding 75 m<sup>2</sup>), craft alcoholic production facility, frail care, generating works, guesthouse, home business (where a maximum floor area of 100 m<sup>2</sup> will be applicable), horticulture, livestock sale yard, lodge, municipal purposes (excluding waste management and disposal facilities), nursery, pig farming, place of instruction, place of worship, poultry farming, public-private utility undertaking (excluding waste management and disposal facilities), public use, recreation area, recreation establishment, recreation facility, restaurant, roadside stall, rural workers' dwelling (more than 2 dwellings but not exceeding 4 dwellings), self-storage facility (not exceeding 4 000 m<sup>2</sup>), utility installation, warehouse (not exceeding 5 000 m<sup>2</sup> and no retail whatsoever).

**Coverage:**

Not applicable.

**Floor area ratio:**

Not applicable.

**Maximum height:**

Ground level plus 1 level.

**Building lines:**Waterside:

32 m (or the 1:100 year flood line, whichever is the most restrictive).

Road and front building line:

10m

Side and rear spaces:

10 m.

Properties adjacent provincial / national road:

Subject to said authority's requirements.

**Density:**

As determined by permissible and consent uses.

**Minimum size of premises:**

4 ha.

**Parking requirements:**

See Schedule 3.

**Additional provisions:**

- For any developments, additions or alterations, the Municipality may require a site development plan, on which the proposed parking configuration and any other information required must be indicated.
- No caravan may be used for residing purposes on properties in this use zone without the consent of the Municipality.

**MINING ZONING****MINING [MYNBOU]****Use zone:**

Mining.

**Permitted uses:**

Agricultural purposes, mine and mining activities.

**Consent uses:**

Utility installation.

**Coverage:**

Not applicable.

**Floor area ratio:**

Not applicable.

**Maximum height:**

Not applicable.

**Building lines:****Street / Road building lines:**

10 m: where a property borders a national or provincial road the road building line will be subject to the approval by the relevant road authority.

**Side and rear spaces:**

10 m.

**Density (residential units and dwellings only):**

To be determined by the Municipality.

**Parking requirements:**

See Schedule 3.

**Additional provisions:**

- All applications for rezoning must be accompanied by the written approval of the Department of Mineral Resources.



- For any developments, additions or alterations, the Municipality may require a site development plan, on which the proposed parking configuration and any other information required must be indicated.
- No caravan may be used for residing purposes on properties in this use zone without the consent of the Municipality.

**SPECIAL USE ZONING****SPECIAL USE [SPESIALE GEBRUIK]****Use zone:**

Special use.

**Permitted uses:**

Any particular land use or combination of land uses not described elsewhere in this Scheme, or for which specific provision has been made for as part of a Management Area, or for which merit exists, according to the discretion of the Municipality.

**Consent uses:**

None.

**Coverage:**

As determined per application to the Council.

**Floor area ratio:**

As determined per application to the Council.

**Maximum height:**

As determined per application to the Council.

**Building lines:**

As determined per application to the Council.

**Density:**

As determined per application to the Council.

**Parking requirements:**

As determined per application to the Council.

**Additional provisions:**

- As determined per application to the Council.

**SPECIAL USE 1 [SPESIALE GEBRUIK 1]****Use zone:**

Special use 1.

**Permitted use:**

Town housing, utility installation.

**Consent uses:**

None.

**Coverage:**

50 %.

**Floor area ratio:**

0.4.

**Maximum height:**

Town housing: Ground floor plus 1 floor.

Utility installation: 60 m.

**Building lines:****Street building line:**

5 m for the whole street front subject thereto that the Municipality may conditionally permit a 40 % reduction of the street building line. Only boundary walls or hedges or temporary buildings erected in connection with building activities or buildings may be erected within this building line: Provided that the Municipality may in its discretion allow the erection of a building within the building line in the case of a corner erf if the safe line of sight regarding traffic is not obstructed by it or if the gradient of the erf or adjoining land, or any other unreasonable circumstances impede or restrict the development of the erf.

**Corner erven:**

The Municipality may allow a 50 % relaxation on only 1 of the street building lines.

**Side and rear spaces:**

1.5 m, but subject thereto that Municipality may permit a 0 m building line in respect of 2 of the side and/or the rear boundary in such a manner that it will not impede on municipal services.

A 0 m building line will only be allowed if no openings exist in the exterior walls. Where openings exist in the exterior walls a building line of at least 1.5 m will be maintained.

**Density:**

Not more than 25 units per hectare.

**Minimum site area:**

8182 m<sup>2</sup>.

**Parking requirements:**

See Schedule 3.

**Additional provisions:**

- For any developments, additions or alterations, the Municipality may require a site development plan, on which the proposed parking configuration and any other information required must be indicated.
- No caravan may be used for residing purposes on properties in this use zone without the consent of the Municipality.
- No vehicle with a mass exceeding 3 000 kg or a tractor with a trailer, or a bus may be parked on an erf or in the street in this use zone, other than for the purpose to have passengers embark or disembark or loading or unloading goods and then only for the period of such embarkation, disembarkation, loading or unloading: Provided that no such activities may take place between 22:00 and 06:00.
- The maximum number of persons who may live in a dwelling unit shall be limited to 6: Provided that the Municipality may approve a deviation hereof if circumstances, in its exclusive opinion, justify it.
- The pavement in front of a premises may in no way be obstructed or used for any other purpose than for pedestrian traffic, except with the special permission of the Municipality and then only in line with the condition set by the Municipality.

## **SCHEDULE 3**

### **PARKING REQUIREMENTS**

#### **General**

- The number of parking spaces to be provided on-site is to be determined in accordance with Table A.
- In cases where more than 1 use, or a combination of uses, are conducted on a site, each use must be calculated separately in accordance with Table A.
- Where development comprises an extension or modification to an existing development, additional parking only needs to be provided for additional GLA, or additional demands arising from increases in floor area or change of use.
- The conversion of existing parking bays into a formal development will necessitate the provision of all lost parking bays elsewhere on the premises, plus additional parking for the additional GLA created through the additional development.
- An area of at least 30 m<sup>2</sup> must be permitted for each parking bay that includes manoeuvring space for vehicles.
- The locality and design of the required on-site parking and manoeuvring space, on the site or in a building and the ingress and egress for vehicles are subject to the approval of the Municipality.
- All applicants should be aware that any road and/or intersection works or upgrades on arterial roads, required to mitigate associated traffic impacts arising from a proposed development, are to be provided at the total cost of the applicant.
- A site development plan must, where applicable, include proposed parking bays (for the disabled, bicycle, motorcycle, visitor parking, emergency vehicles), loading bays, anticipated volume and frequency of deliveries, traffic flow direction, access-ways, service provisions, availability of public transport, the likely demand for on-street parking, justification for departures from parking requirements, landscape plan any other additional information reasonably required to determine parking requirements.
- The Municipality may require a developer to demarcate a number of parking bays for exclusive use of taxis for loading and off-loading of passengers on a property.

#### **Parking in-lieu**

The Municipality may approve or require that:

- the prescribed parking and manoeuvring space, in entirety or partially, must be provided on a site other than that on which the building is situated provided that a notarial deed of coupling or servitude of non-alienation in respect of the site or sites is registered in favour of the Municipality; and/or
  - that in respect of each parking bay, not provided on the site or somewhere else, a financial contribution must be paid to the Municipality.
  - a financial contribution is calculated according to the number of bays that are not provided (at 30 m<sup>2</sup> per parking bay) multiplied by the amount of the valuation per m<sup>2</sup> of the relevant site.

- a financial contribution must be paid prior to the approval of the relevant building plans and prior to any building activities or alterations commencing or upon such terms and conditions as the Municipality may decide upon in a specific case.
- a deferred payment may only be considered by the Municipality upon submission of valid reasons for the requested deferment in which instance interest will be levied on the deferred payment at a rate equal to the prevailing prime interest rate + 3 %.

#### **Additional requirements**

- Off-street loading and unloading parking facilities must be provided for all business, commercial, office and retail uses.
- An applicant may be exempted from the provision of a loading bay on submission of exceptional circumstances and reasons to the Municipality forming part of the development application.
- A vehicle crossing or driveway must be situated in such a manner that any vehicle turning from the street into the driveway, or turning into the street from it, can be clearly seen by the driver of an approaching vehicle and pedestrians.
- Reversing of vehicles onto any property, other than a dwelling house, from a public street or on to a public street shall not be permitted.
- Where separate driveways are provided for ingress and egress, the direction of flow must be clearly marked with appropriate signposting.
- Driveways must be separated from each other at the kerb as well as at the property alignment.
- The distance between adjacent driveways must be less than 1.5 m or greater than 6 m to deter vehicles from attempting to park between driveways and beside an insufficient section of kerb.
- A single combined ingress / egress driveway must only be accepted for up to 30 parking spaces.
- The entry and exit lanes of a combined driveway must be separated by a physical barrier (such as a median island) at the property boundary alignment, situated wholly within the property, if there is any likelihood that vehicles entering and leaving the site simultaneously may obstruct or delay traffic flow.

#### Landscaping

- With the exception of the development of dwelling houses, parking lots are required to be landscaped and where possible be screened from roads and public areas by landscaping, to the Municipality's satisfaction. A landscape plan may be required for this purpose.
- Except, where explicitly allowed otherwise by the Municipality, indigenous trees must be planted and maintained for shade at the ratio of 1 tree for every 4 parking bays and must be protected from damage due to vehicular movement by appropriate obstructions such as wheel stops.
- Plants and trees must be planted and maintained in such a manner as not to obscure road signs or reduce visibility for drivers and pedestrians alike.

#### Lighting and signage

- The safety of vehicles, occupants and pedestrians in a car park is to be enhanced with appropriate illumination.

TABLE A

Type of Building	Parking
Abattoir, agri-industry, alcoholic production facility, animal establishment, brick works, crematorium, dealer in building necessities, depot, dry cleaning works, extractive industry, funeral establishment, hawker's stall, incinerator, industry, intensive livestock keeping establishment, liquid fuel depot, livestock sale yard, noxious industry, nursery wholesale, open air auction mart, road transport terminal, scrap yard, Warehouse	1 parking bay for every 100 m <sup>2</sup> GLA
Additional dwelling unit, agricultural purpose, aquaculture, caretaker accommodation, duet housing, dwelling house, farm village, horticulture, itinerant worker accommodation, leisure pig farming, poultry farming, residential dwelling, residential unit, rural workers' dwelling	1 parking bay for every dwelling / unit plus 1 for visitors
Airline terminal, airport, bus / taxi depot, bus / taxi rank, child care centre, cemetery private, cemetery public, club, commemorative wall, community facility, farmer production support unit, generating works, government purpose, heritage resource, institution, landing strip, municipal purpose, nature conservation area, place of assembly, place of entertainment, place of instruction, place of worship, private open space, public-private utility undertaking, public open space, public use, racetrack, railway purpose, recreational area, recreational establishment, recreational facility, rifle and shooting range, roadside stall, rural tourist facility, showground, truck stop, waste management facility	1 parking bay - <ul style="list-style-type: none"> <li>▪ for every 6 seats; or</li> <li>▪ 25 m<sup>2</sup> floor area; or</li> <li>▪ 100 m<sup>2</sup> erf size; or</li> <li>▪ for every 20 m<sup>2</sup> GLA,</li> </ul> whichever is the most applicable in the Municipality's sole discretion
Aerated wastewater treatment plant, auctioneer business, business building, café, co-operative, craft alcoholic production facility, eating house, fishmonger, home business, launderette, laundry, mine and mining activities, neighbourhood centre, nursery, office, pet parlour, pet shop, restaurant, roadhouse, shop	4 parking bays for every 100 m <sup>2</sup> GLA
Backpacker and hostelling accommodation, bed and breakfast accommodation, guesthouse	1 parking bay for every rentable room
Boarding house	1 parking bay for every 2 rooms to let
Flat, group housing, inclusionary housing, maisonette, residential building, retirement resort, town housing	1 parking bay for every dwelling unit plus 1 for visitors for every 4 dwelling units
Frail care, hospital, medical centre	1 parking bay for every 4 beds
Caravan park, hotel, lodge, motel, resort	1 parking bay for every room or suite plus 1 for every 20 m <sup>2</sup> of meeting or conference or restaurant area plus 4 parking bays for every rentable unit (including caravan stands) for day visitors
Market, service industry	1 parking bays for every 100 m <sup>2</sup> GLA
Motor showroom, motor workshop, regional service station, service station	A minimum of 5 parking bays plus 1 parking bay for every 50 m <sup>2</sup> GLA
Self-storage facility	1 parking bay for every 4 storage units
Student dwelling	A minimum of 4 parking bays for 6 or less students plus 1 parking bay for every additional 2 students

## SCHEDULE 4

### SERVICE INDUSTRIES AS DESCRIBED IN SCHEDULE 2

Bottling of purified water  
 Confectionery (banquette bakery)  
 Courier services  
 Gold- and silversmith  
 Gunsmith  
 Key and locksmith  
 Milk depot  
 Newspaper printers  
 Printing and binding  
 Selling and fitting of tires, exhausts and shocks  
 Sign writing  
 Upholsterer  
 Waste tyre pre-processing

Repair of:                   batteries and radiators  
                                   bicycles  
                                   electrical domestic apparatus  
                                   electro technical apparatus  
                                   lawnmowers  
                                   shoes  
                                   sports goods  
                                   swimming pool apparatus

Workshops for:           handicapped  
                                   mechanical  
                                   service of fire extinguishers  
                                   welding

Manufacturing of:       burglar proofing  
                                   clothes  
                                   coffins  
                                   cosmetics  
                                   electric fences  
                                   ice cream  
                                   irrigation equipment  
                                   safety gates  
                                   shoes



**SCHEDULE 5****INDUSTRIES AS DESCRIBED IN SCHEDULE 2**

Armature winding

Bakery

Bottling of mineral water and soft drinks

Fodder preparation works

Hauling business

Mill

Mixing and packing of soap

Powder coating

Waste tyre processing

Workshops:                    engineering works  
                                     panel beating  
                                     retread of tires  
                                     spray painting

Manufacturing of:           furniture  
                                     non-alcoholic beverages  
                                     sweets

## **SCHEDULE 6**

### **NOXIOUS INDUSTRIES AS DESCRIBED IN SCHEDULE 2**

Brick kilns, lime kilns, coke ovens, salt glazing works, sintering of sulphur bearing materials, smelting of ores and minerals, clacining, puddling and rolling of iron or other metals, annealing, hardening, forging, converting and carburising of iron or other metals.

Works for the production of, or which employ, cellulose lacquers, caynogen or its compounds, hot pitch or bitumen, pyridine, liquid or gaseous sulphur dioxide, sulphur chlorides.

Works for the production of amyl acetate, aromatic esters, butyric acid, caramel, enameled wire, glass hexmine, iodoform, lampblack, B naphtol, resin products other than synthetic resin powders, salicylic acid, sulphonated organic compounds, ultramarine, zinc chloride, zinc oxide.

Any building designed for the purpose of carrying on any of the following industries, business or trades viz:

Abattoirs, animal charcoal manufacturer, animal organic matter processing, animal bristle and hair processing, bacon maker, blood boiler, blood drier, bone processing, bone boiling and steaming, bone grinding and storing, brewing, candle making, charcoal burning, chemical making, chitterling boiler (not carried on as a subsidiary to retail trade or business), cyanide fumigator, dealers in blood, skins, hides or butchers waste, dealers in rags and/or bones (including receiving, storing, sorting, or manipulating rags in order likely to become in an offensive condition, or any bones, animal skins or feathers, fat or putrescible animal products of a like nature), distilleries, dye works, fat melter or fat extractor, fellmonger, fertilizer making or storing, fish curing and canning, frying for wholesale trade, fish oil manufacturer, flock maker, glue maker, gut scraper or gut cleaner, hardboard manufactory, hide processing and storing, hoof and horn processing, knackers yard, leather dresser, livestock sale yard, 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 effluvium, malt factory, manure making and storing, oil pressing and processing, paper maker, parchment maker, sausage and polony maker, scrap dealer, size maker, skin curing and storing, slaughterer, soap maker, sugar mills and refining, tallow melter, tanner, tripe cleaner or boiler, wattle bark processor, wool scourer, yeast maker.

**SCHEDULE 7****PERMITTED AND CONSENT USES PER USE ZONE**

USE ZONE	COLOUR NOTATION ON MAP	PERMITTED USE	CONSENT USE
1. Single Residential	Solid yellow (RGB: 255 255 0) fill	Dwelling house, outbuilding.	Additional dwelling unit (only on erven larger than 600 m <sup>2</sup> ), backpacker and hostelling accommodation (only within demarcated CBD), bed and breakfast accommodation, boarding house (a maximum of 4 tenants), child care centre (a maximum of 15 children), duet housing (only on erven larger than 600 m <sup>2</sup> ), frail care, home business, place of instruction (a maximum of 15 learners), student dwelling.
2. Medium Residential	White fill with 1pnt thick orange (RGB: 255 102 0) lines at 45° angle with 8pnt separation and 45° angled 2pnt thick orange (RGB: 255 102 0) lines at 16pnt separation	Additional dwelling unit, duet housing, dwelling house, group housing, guesthouse, maisonette, outbuilding, retirement resort, town housing.	None.
3. General Residential	Solid orange (RGB: 255 102 0) fill	Additional dwelling unit, backpacker and hostelling accommodation (not in combination with any other land use), boarding house, dwelling house, flat, group housing, inclusionary housing, maisonette, hotel, motel, outbuilding, residential building, retirement resort, town housing.	Community facility, guesthouse, institution, lodge, office, place of instruction, place of worship.
4. Leisure Residential	Solid white fill with orange (RGB: 255 102 0) lines at 45° hatching 1pnt thick and 8pnt separation	Agricultural purpose (on the remaining portion, where applicable), leisure residential dwelling (only sectional title and share block schemes).	None.

USE ZONE	COLOUR NOTATION ON MAP	PERMITTED USE	CONSENT USE
5. Resort	Solid white fill with dotted orange lines (RGB: 255 102 0) at 45° hatching line thickness is 1pnt and dot separation is 2pnt with 2pnt dot (line caps are butt) line separation is 8pnts	Caravan park, resort.	None.
6. Business	Solid white (RGB: 255 255 255) fill with black (RGB: 0 0 0) hatching at 45° line 1pnt thick 8pnt separation	Auctioneers business (excluding a livestock sale yard), backpacker and hostelling accommodation (not in combination with any other land uses), boarding house, business building, café, community facility, eating house, flat (of which at least the ground floor is a business), hotel, institution, lodge, motel, neighbourhood centre, office, public use, residential building (of which at least the ground floor is a business), restaurant, shop.	Animal establishment (restricted to a veterinary clinic), club, craft alcoholic production facility, dealer in building necessities (no stock piling or keeping of construction material), dry cleaning works, fishmonger, funeral establishment, guesthouse, launderette, motor showroom, open air auction mart, parking facility, pet parlour, pet shop, place of assembly, place of entertainment, place of instruction, place of worship, public-private utility undertaking, recreation establishment, recreation facility, rifle and shooting range, roadhouse, service industry, service station, utility installation.
7. Restricted Business	Solid grey (RGB: 150 150 150) fill	Medical centre, office, public use, recreation establishment.	Flat.
8. Garage	Solid white fill with hatching at 45° grey (RGB: 150 150 150) lines 1pnt thick and 8pnt separation	Regional service station, service station.	Motor showroom, truck stop.

USE ZONE	COLOUR NOTATION ON MAP	PERMITTED USE	CONSENT USE
9. Service Industry	White fill with 1pnt thick purple (RGB 212 85 255) lines at 45° angle with 8pnt separation and 45° angled 2pnt thick purple (RGB 212 85 255) lines at 16pnt separation	Auctioneers business (excluding a livestock sale yard), co-operative, craft alcoholic production facility, dealer in building necessities, dry cleaning works, funeral establishment (excluding an incinerator), laundry, motor showroom, motor workshop, nursery, open air auction mart, public-private utility undertaking, recreation facility, self-storage facility, service industry.	Business building, café, caretaker accommodation, depot, eating house, fishmonger, parking facility, rifle and shooting range, road transport terminal, truck stop, utility installation, warehouse.
10. General Industry	Solid purple (RGB: 212 85 255) fill	Auctioneers business (excluding a livestock sale yard), bus/taxi depot, co-operative, craft alcoholic production facility, dealer in building necessities, depot, funeral establishment (excluding an incinerator), industry, laundry, motor workshop, nursery, public-private utility undertaking, road transport terminal, truck stop, scrap yard, self-storage facility, service industry, warehouse.	Alcoholic production facility, animal establishment, aquaculture, brick works, bus/taxi rank, café, caretaker accommodation, club, crematorium, eating house, generating works, liquid fuel depot, livestock sale yard, noxious industry, railway purpose, rifle and shooting range, utility installation, waste management facility (excluding landfill sites).
11. Noxious Industry	White fill with 1pnt thick purple (RGB: 212 85 255) lines at 45° angle with 8pnt separation	Abattoir, alcoholic production facility, auctioneers business, brick works, craft alcoholic production facility, crematorium, generating works, incinerator, liquid fuel depot, motor workshop (noxious related), noxious industry, public-private utility undertaking, railway purpose, road transport terminal, scrap yard, self-storage facility, waste management facility (excluding landfill sites).	Utility installation.
12. Education	White fill with 1pnt thick orange (RGB: 255 102 0) lines at 45° angle at 8pnt separation and 1pnt thick blue (RGB: 0 112 255) lines at 135° angle with 8pnt separation	Boarding house (in conjunction with a place of instruction only), child care centre, dwelling house (for staff and student rental only, but in conjunction with a place of instruction), medical centre (in conjunction with a place of instruction only), place of instruction, recreation facility (in conjunction with a place of instruction only), residential unit (for staff and student rental only, but in conjunction with a place of instruction).	Animal establishment (rural areas only and in conjunction with a place of instruction), commemorative wall, community facility, institution, place of assembly, place of worship, public use, shop (not exceeding 40m <sup>2</sup> ), - all the above uses will be for staff and student rental only and in conjunction with a place of instruction, utility installation.

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USE ZONE	COLOUR NOTATION ON MAP	PERMITTED USE	CONSENT USE
13. Public Facility	Solid blue (RGB: 0 110 255) fill	Child care centre, community facility, frail care, governmental purposes, hospital, institution, market, medical centre, municipal purposes, nursery (municipal or government use only), place of worship, public use, recreation facility (for staff use only), residential unit (for staff rental only), retirement resort, road transport terminal.	Business building (for staff use only), caravan park, club (for staff use only), commemorative wall, dwelling house (for staff rental only), extractive industry (municipal or government use only), generating works, livestock sale yard, place of assembly, public-private utility undertaking, racetrack, recreation area, recreation establishment, recreation facility, rifle and shooting range, utility installation.
14. Municipal Townlands	Solid white fill with blue (RGB: 0 122 255) cross hatching at 45° and 135° line 1pnt thick separation 8pnt	Aerated wastewater treatment system (AWTS), cemetery public, municipal purpose, waste management facility.	Utility installation.
15. Roads and Streets	Solid brown (RGB185 100 15) fill	Road, street.	Bus/taxi rank, hawkker's stall, roadside stall, utility installation (only within the road or street reserve or width and depending on traffic safety and relevant safety conditions).
16. Transport	Solid white fill with 45° brown (RGB: 185 100 15) hatch thin line 1pnt thick with 8pnt separation overlay	Airline terminal, airport, bus/taxi depot, bus/taxi rank, depot, municipal purpose, parking facility, public-private utility undertaking, public use, railway purpose, road transport terminal, self-storage facility, truck stop, warehouse.	Utility installation.
17. Public Open Space	Solid white fill with 45° green (RGB: 5 217 47) hatch thin line 1pnt thick with 8pnt separation overlay	Open space, recreation area, recreation facility.	Public-private utility undertaking (excluding waste management and landfill sites), utility installation.

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USE ZONE	COLOUR NOTATION ON MAP	PERMITTED USE	CONSENT USE
18. Private Open Space	White fill with 1pnt thick green (RGB: 38 166 38) lines at 45° angle with 8pnt separation and 45° angled 2pnt thick green (RGB: 38 166 38) lines at 16pnt separation	Club, private open space, recreation areas, recreation facility, showground.	Caravan park, community facility, municipal purpose (excluding waste management and landfill sites), place of assembly, public-private utility undertaking (excluding waste management and landfill sites), racetrack, utility installation.
19. Environmental Area	Solid green (RGB: 5 217 47) fill	Nature conservation area, parking facility (in conjunction with the nature conservation area).	None.
20. Agriculture	Solid white fill with 45° blue (RGB: 115 223 255) hatch line 1.5pnt thick with 16pnt separation	Agricultural purpose, agri-industry (not exceeding 2 000 m <sup>2</sup> ), animal establishment (non-public use), aquaculture, dwelling houses (maximum of 2), farmer production support unit, farm village, horticulture, nursery wholesale, rural workers' dwelling (maximum of 8 dwellings).	Abattoir, aerated wastewater treatment system (AWTS), agri-industry (exceeding 2 000m <sup>2</sup> ), animal establishment (public use), backpacker and hostelling accommodation, business building (not exceeding 75m <sup>2</sup> ), cemetery private, club, commemorative wall, craft alcoholic production facility, extractive industry, generating works, guesthouse, home business, incinerator (animal and farm-related waste only), intensive livestock keeping establishment, itinerant workers accommodation, landing strip, livestock sale yard, lodge, municipal purposes (excluding waste management and disposal facilities), nursery, pig farming, place of instruction, place of worship, poultry farming, public-private utility undertaking (excluding waste management and disposal facilities), public use, racetrack, recreation establishment, restaurant, rifle- and shooting range, roadside stall, rural tourist facility, rural workers' dwelling (more than 8 dwellings), self-storage facility (not exceeding 4 000 m <sup>2</sup> ), utility installation, warehouse (not exceeding 5 000 m <sup>2</sup> and no retail whatsoever), waste management facility (limited to on-site generated waste only).

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USE ZONE	COLOUR NOTATION ON MAP	PERMITTED USE	CONSENT USE
21. Smallholdings	Solid blue (RGB: 115 223 255) fill	Agricultural purposes, animal establishment (non-public use), dwelling house, farmer production support unit, nursery wholesale, rural workers' dwellings (maximum of 2 dwellings).	Additional dwelling unit, aerated wastewater treatment system (AWTS), agri-industry (not exceeding 2 000 m <sup>2</sup> ), animal establishment (public use), aquaculture, auctioneers business, backpacker and hostelling accommodation, boarding house, business building (not exceeding 75 m <sup>2</sup> ), craft alcoholic production facility, frail care, generating works, guesthouse, home business (where a maximum floor area of 100 m <sup>2</sup> will be applicable), horticulture, livestock sale yard, lodge, municipal purposes (excluding waste management and disposal facilities), nursery, pig farming, place of instruction, place of worship, poultry farming, public-private utility undertaking (excluding waste management and disposal facilities), public use, recreation area, recreation establishment, recreation facility, restaurant, roadside stall, rural workers' dwelling (more than 2 dwellings but not exceeding 4 dwellings), self-storage facility (not exceeding 4 000 m <sup>2</sup> ), utility installation, warehouse (not exceeding 5 000 m <sup>2</sup> and no retail whatsoever).
22. Mining	Solid white fill with brown (RGB: 185 100 15) cross hatching at 45° and 135° line 1pnt thick separation 8pnt	Agricultural purposes, mine and mining activities.	Utility installation.
23. Special Use	Solid green (RGB: 205 205 102) fill with red (RGB: 255 0 0) border at 2.5pnt thick	Any particular land use or combination of land uses not described elsewhere in this Scheme, or for which specific provision has been made for as part of a Management Area, or for which merit exists, according to the discretion of the Municipality.	None.

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USE ZONE	COLOUR NOTATION ON MAP	PERMITTED USE	CONSENT USE
24. Special Use 1	Solid green (RGB: 205 205 102) fill with red (RGB: 255 0 0) border at 2.5pnt thick	Subdivision 8 of erf 24017. Town housing, utility installation.	None.

**SCHEDULE 8****MINIMUM SINGLE RESIDENTIAL ERF SIZE PER AREA**

AREA REFERENCE ON MAP	NUMBER OF DWELLING HOUSES ALLOWED PER ERF	MINIMUM REQUIRED ERF AREA (m <sup>2</sup> ) PER DWELLING HOUSE
<b>KROONSTAD</b>		
Brentpark	1	300
Charl Malanville	1	600
Elandia	1	900
Goedgedacht	1	700
Heuwelsig	1	450
Jordania	1	1 000
Kroonheuwel	1	700
Kroonstad Central (CBD)	1	750
Machlalan Weg	1	700
Maokeng	1	300
Môrewag	1	700
Noordhoek	1	650
Old Town	1	750
Panorama	1	1 000
Presidentia	1	950
Suidrand	1	1 000
Tuinhof	1	800
Uitsig	1	550
Wespark	1	750
Wilgenhof	1	1 000
<b>RENOVAAL</b>	1	830
<b>STEYNSRUS</b>	1	1 000
Matlwangtlwang	1	300
<b>VIERFONTEIN</b>	1	690
<b>VILJOENSKROON</b>	1	1 000
Rammulotsi	1	300